

# City of Fort Lauderdale

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## Meeting Minutes

Thursday, October 21, 2021

6:00 PM

City Commission Chambers

100 North Andrews Avenue, Fort Lauderdale, FL 33301

### City Commission Regular Meeting

*FORT LAUDERDALE CITY COMMISSION*

*DEAN J. TRANTALIS Mayor*

*HEATHER MORAITIS Vice Mayor - Commissioner - District I*

*STEVEN GLASSMAN Commissioner - District II*

*ROBERT L. McKINZIE Commissioner - District III*

*BEN SORENSEN Commissioner - District IV*

*CHRIS LAGERBLOOM, City Manager*

*JOHN HERBST, City Auditor*

*JEFFREY A. MODARELLI, City Clerk*

*ALAIN E. BOILEAU, City Attorney*

**CALL TO ORDER**

Mayor Trantalis called the meeting to order at 6:08 p.m.

**MEETING ANNOUNCEMENT**

Mayor Trantalis announced details regarding the meeting format, including how members of the public can view and participate.

**Pledge of Allegiance**

Mayor Dean J. Trantalis

**ROLL CALL**

**Present:** 5 - Commissioner Robert L. McKinzie (arrived at 6:45 p.m.), Commissioner Ben Sorensen, Vice Mayor Heather Moraitis, Commissioner Steven Glassman and Mayor Dean J. Trantalis

**QUORUM ESTABLISHED**

**Also Present:** City Manager Chris Lagerbloom, City Clerk Jeffrey A. Modarelli, City Attorney Alain E. Boileau and City Auditor John Herbst

**AGENDA ANNOUNCEMENTS**

Mayor Trantalis announced the following updates to the published Agenda:

WALK-ON Agenda Item:

Resolution Appointing Robert J. Bigge, Jr., of the Law Firm of Bigge & Rodriguez, P.A., as special counsel representing the City of Fort Lauderdale in Bankruptcy Proceedings filed by Riverfront Cruise and Anticipation Yacht Charters, LLC

Revisions:

M-5 Revised Memo and Agreement were revised to correct event setup and breakdown day of week

M-6 Revised Memo

***A copy of each is attached to these minutes.***

## Approval of MINUTES and Agenda

[21-1015](#)

Minutes for September 13, 2021 Special Meeting - Second Budget Hearing, September 13, 2021 Commission Special Meeting and September 21, 2021 Commission Conference Meeting - (Commission Districts 1, 2, 3 and 4)

Commissioner Glassman noted amendments to the Meeting Minutes.

Commissioner Glassman made a motion to approve this item as amended and was seconded by Commissioner Sorensen.

### APPROVED AS AMENDED

**Aye:** 4 - Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

**Not Present:** 1 - Commissioner McKinzie

## PRESENTATIONS

**PRES-** [21-1031](#)

1

Mayor Trantalis will sign an Agreement commemorating the 10 year Anniversary with Duisburg, Germany

Mayor Trantalis requested Consul General Andreas T. Siegel of the Federal Republic of Germany join him for presentation of a Proclamation recognizing the 10-year anniversary of the City's Sister Cities Partnership with the City of Duisburg, Germany, reading the Proclamation in its entirety. Consul General Andreas T. Siegel thanked Mayor Trantalis for recognition of this partnership and future potential opportunities.

Duisburg Mayor Sören Link addressed the Commission via video, thanking Mayor Trantalis and the Commission for this recognition and confirming his willingness and the opportunity to revitalize and strengthen the relationship between Duisburg and the City.

Mayor Trantalis thanked Consul General Andreas T. Siegel, representatives of Sister Cities International and their respective Staffs and Commission Members for participating in this ceremony.

### PRESENTED

**PRES-** [21-1034](#)

2

Members of the Broward County School Board will recognize the Mayor and City Commissioners as honorees of the Florida Department of Education's 2021 Commissioner's Business Recognition Award

Broward County School Board Interim Superintendent Dr. Vickie Cartwright, Dr. Rosalind Osgood, School Board Chair and District 5 School Board Member, Sarah Leonardi, District 3 School Board Member, Debbie Hixon, Countywide At-Large Seat 9 School Board Member, and Donna Korn, Countywide At-Large Seat 8 School Board Member recognized Mayor Trantalis and Commission Members as honorees of the *Florida Department of Education's 2021 Commissioner's Business Recognition Award (Recognition Award)*.

Dr. Rosalind Osgood discussed background and details related to the *Recognition Award* and remarked on numerous City contributions towards education. Dr. Osgood commented on Zoie Saunders, Chief Education Officer and her contributions to education.

Dr. Osgood introduced Dr. Vickie Cartwright, Interim Superintendent. Dr. Cartwright commented on the School Board's positive relationship and notable accomplishments in partnership with the City. She commended Chief Education Officer Saunders for her contributions. Dr. Cartwright thanked all stakeholders and presented the *Recognition Award*.

Commissioner Sorensen thanked City Manager Lagerbloom for his foresight to hire a Chief Education Officer. He recognized the contributions of Ms. Saunders, Dr. Alan Zeman, Chair of the Education Advisory Board (EAB) and EAB Members.

#### **PRESENTED**

**PRES-** [21-1035](#)  
**3**

Fire-Rescue Chief Rhoda Mae Kerr will recognize the Fire-Rescue Emergency Management Bureau

Fire-Rescue Chief (Chief) Rhoda Mae Kerr recognized the *Fire-Rescue Emergency Management Bureau*. Chief Kerr requested Jermaine Frazier, Fire-Rescue Department Battalion Chief (Battalion Chief), Shane Simcox, Fire-Rescue Department Captain, and Keisha McIntosh, Information Technology Services - Senior Administrative Assistant, join her at the podium.

Chief Kerr remarked on the impact of COVID on the City's human infrastructure. She described the work of the *Fire-Rescue Emergency Management Bureau*, under the leadership of Battalion Chief Frazier and in collaboration with the Fire-Rescue Department, that provided employees with rapid COVID test results. Chief Kerr remarked on actions and contributions of Battalion Chief Frazier, Captain Simcox and Ms. McIntosh to develop a plan of action offering mobile rapid COVID test operations to all City employees.

**PRESENTED****PRES- [21-0988](#)  
4**

Police Chief Larry Sciroto will recognize Civilian Employee of the Month for September 2021

Fort Lauderdale Police Department (FLPD) Chief (Chief) Larry Sciroto recognized FLPD Psychologist Robert Cipriano as *FLPD Civilian Employee of the Month for September 2021*. Chief Sciroto noted the vast experience and contributions of Dr. Cipriano towards developing a *Psychological Services Program* for FLPD personnel. He commented on the importance of mental wellness and cited examples of Dr. Cipriano's support of FLPD personnel and their families. Chief Sciroto commended Dr. Cipriano for a job well done.

**PRESENTED****CONSENT AGENDA PUBLIC COMMENT**

Mayor Trantalis explained procedures and details regarding how members of the public could speak on Consent Agenda items.

**CONSENT AGENDA**

Mayor Trantalis announced the following Consent Agenda items had been pulled by Commission Members for separate discussion:

CM-3 Commissioner McKinzie  
CR-9 Commissioner Sorensen

**CONSENT MOTION****Approval of the Consent Agenda**

Commissioner Glassman made a motion to approve this item and was seconded by Commissioner McKinzie.

**Approve the Consent Agenda**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

**CM-1 [21-0960](#)**

Motion Authorizing the City Manager to Accept Equipment (Man vs. Machine Kit) from the Broward County Health Care Coalition in the Amount of \$3,664.28 - (Commission Districts 1, 2, 3 and 4)

**APPROVED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

**CM-2** [21-0875](#)

Motion Authorizing Purchase of Reinsurance for Self-Funded Medical Plan - Cigna Health and Life Insurance Company - \$1,398,334 - (Commission Districts 1, 2, 3 and 4)

**APPROVED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

**CM-3** [21-0934](#)

Motion Authorizing the Addition of One Classification (Real Time Tactical Crime Analyst) to the Teamsters Local Union No. 769 Collective Bargaining Agreement - (Commission Districts 1, 2, 3 and 4)

Commissioner McKinzie remarked on discussions regarding an Agenda item at a recent Broward County (County) Commission Meeting related to building a Medical Examiner's Office in District 3 at NW 23rd Avenue and NW 19th Street, which would include a Fort Lauderdale Police Department (FLPD) Substation.

In response to Commissioner McKinzie's question, City Manager Lagerbloom explained FLPD Staff assigned to the *Broward County Sheriff's Office Real Time Crime Center (RTCC)* would operate out of the *RTCC* located at NW 27th Avenue and Broward Boulevard.

Commissioner McKinzie commented on efforts opposing County plans to build a Medical Examiner's Office in District 3. The County Commission will reconsider at its November 4, 2021, County Commission Meeting.

City Manager Lagerbloom confirmed he communicated and put the City's position on record with the County Administrator and Deputy County Administrator. When *RTCC* Staff is hired, they would occupy and operate out of the *RTCC* located at Broward Boulevard and NW 27th Avenue. Further comment ensued.

Commissioner McKinzie made a motion to approve this item and was seconded by Commissioner Glassman.

**APPROVED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

**CM-4** [21-0909](#)

Motion Approving a One-Year Agreement with the School Board of

Broward County, Florida for School Officer Resource Program -  
(Commission District 1, 2 ,3 and 4)

**APPROVED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

**CM-5** [21-0954](#)

Motion Approving Second Amendment to Interlocal Agreement for Solid Waste Disposal Support Services with Broward County -  
(Commission Districts 1, 2, 3 and 4)

**APPROVED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

**CONSENT RESOLUTION**

**CR-1** [21-0931](#)

Resolution (a) Approving an Application for a Dock Permit for Usage of Public Property by William & Ethel McIntyre / 1516 Ponce De Leon Drive - and (b) Authorizing Execution of a Declaration of Covenants - (Commission District 4)

**ADOPTED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

**CR-2** [21-1018](#)

Resolution (a) Approving a Revised Application for a Dock Permit for Usage of Public Property by Gillis Investments #2, LTD/915 Cordova Road - and (b) Authorizing Execution of an Amended and Restated Declaration of Covenants - (Commission District 4)

**ADOPTED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

**CR-3** [21-0963](#)

Resolution Appointing Albert del Castillo, and the Law Firm of Greenberg Traurig, P.A., and Steve Bullock, and the Law Firm of Steve E. Bullock, P.A., as Special Counsel to the City of Fort Lauderdale in Connection with Municipal Finance Matters -  
(Commission Districts 1, 2, 3 and 4) - (Commission Districts 1, 2, 3 and 4)

**ADOPTED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

- CR-4**    [21-1007](#)            Resolution Approving the Appointment of Bond Counsel and Disclosure Counsel for the Issuance of Special Assessment Bonds, Series 2022 (Las Olas Isles Undergrounding Project), ("Series 2022 Bonds") - (Commission Districts 1, 2, 3 and 4)

**ADOPTED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

- CR-5**    [21-1010](#)            Resolution Rescheduling City Commission Meeting Dates in 2022 and January, 2023 - (Commission Districts 1, 2, 3 and 4)

**ADOPTED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

- CR-6**    [21-0972](#)            Resolution Terminating Revocable License Agreement with HTG Village View, LLC - (Commission District 2)

**ADOPTED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

- CR-7**    [21-0947](#)            Resolution Authorizing the Submittal of Grant Applications to the Broward Metropolitan Planning Organization Complete Streets and other Local Initiatives Program Grant - (Commission Districts 1 and 2)

**ADOPTED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

- CR-8**    [21-1002](#)            Resolution Approving Fiscal Year 2022 Not For Profit Grant Participation Agreement with Early Learning Coalition of Broward County, Inc. - \$50,000 - (Commission Districts 1, 2, 3 and 4)

**ADOPTED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

- CR-9**    [21-1005](#)            Resolution Approving Fiscal Year 2022 Not for Profit Grant Participation Agreement with Nova Southeastern University, Inc. for the NSU Art Museum - \$500,000 - (Commission Districts 1, 2, 3 and 4)

Commissioner Sorensen said he would recuse himself from voting on this item due to his spouse's employment at the NSU Art Museum. In



response to Commissioner Sorensen's inquiry, City Attorney Boileau confirmed this is the correct terminology for this type of action.

Commissioner Glassman introduced this Resolution which was read by title only.

**ADOPTED**

**Aye:** 4 - Commissioner McKinzie, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

**Abstain:** 1 - Commissioner Sorensen

**CONSENT PURCHASE**

**CP-1**    [21-0680](#)    Motion Approving Statement of Work - Financial Analysis Services for Unsolicited Proposals for Water Treatment Plant(s) - \$64,999 - (Commission Districts 1, 2, 3 and 4)

**APPROVED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

**CP-2**    [21-0759](#)    Motion Rejecting Single Proposal for Concession Services (Food & Beverage), Holiday Park - Ultimate Bakery & Pastry Inc. - (Commission District 2)

**APPROVED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

**CP-3**    [21-0857](#)    Motion Approving Agreement for Positive Displacement Cold Water Meters - Fortiline, Inc. - \$1,514,760 (two-year total) - (Commission Districts 1, 2, 3 and 4)

**APPROVED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

**CP-4**    [21-0908](#)    Motion Approving Proprietary Purchases for Water Distribution, Wastewater Collection, and Stormwater System Infrastructures and Treatment Facilities - Various Vendors - Estimated Total Not to Exceed \$5.2 Million - (Commission Districts 1, 2, 3 and 4)

**APPROVED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

- CP-5**    [21-0953](#)        Motion Approving Agreement for the Purchase of Cemetery Trust Fund and Investment Management Services - Truist Bank - \$412,500 - (Commission Districts 3 and 4)

**APPROVED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

## MOTIONS

- M-1**    [21-0900](#)        Motion Approving an Application for a Temporary Beach License and Event Agreement including Music Exemptions with Project Courage Foundation, Inc., for the Ruck Run - (Commission District 2)

In response to Commissioner Glassman's questions regarding serving alcohol to event participants, limited staffing and change of event location, William Carney, 1201 SE 2nd Court, explained related details. After submitting the *Special Event Application (Application)*, the *Elbow Room* agreed to host inside event activities. South Beach was the location included in the *Application*. A change of location was necessary due to logistics associated with *Tortuga Music Festival* set-up in the South Beach area.

Commissioner McKinzie made a motion to approve this item and was seconded by Commissioner Sorensen.

**APPROVED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

- M-2**    [21-0902](#)        Motion Approving an Event Agreement and Extended Hours for Road Closures Beyond 10:00am on the Barrier Island with National Multiple Sclerosis Society for the Walk MS: Fort Lauderdale - (Commission Districts 1 and 2)

Mayor Trantalis recognized Ashlyn Brown, 3125 West Commercial Boulevard. Ms. Brown clarified there would be no road closures associated with this event.

In response to Commissioner Glassman's questions regarding specific road closures listed on the *Special Event Application (Application)*, Ms. Brown reconfirmed there would be no road closures at those locations. Event participants would use pedestrian crosswalks with the assistance of Fort Lauderdale Police at the crosswalks.

Mayor Trantalis recognized William Brown, President of the *Central*

*Beach Alliance (CBA)*. Mr. Brown commented on *CBA* event concerns that included road closures. With modified event plans without road closures, the *CBA* is in support of this event.

Vice Mayor Moraitis commented on the need to be mindful of *Application* requests that include road closures in areas experiencing ongoing road closures related to infrastructure repair work. She recommended avoiding events at *George English Park* due to ongoing and planned infrastructure work along Bayview Drive.

Commissioner Glassman made a motion to approve this item and was seconded by Commissioner McKinzie.

**APPROVED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

**M-3**     [21-0949](#)

Motion Approving a Music Exemption and Related Road Closures for A&R Enterprises of South Florida, Inc. to Host a New Year's Eve Event at Las Olas Oceanside Park, as an Extension of the Friday Night Sound Waves Event - (Commission District 2)

In response to Mayor Trantalis' question regarding this event competing with the *Downtown Countdown 2021 New Year's Eve Drop Anchor (Drop Anchor)* celebration, City Manager Lagerbloom commented on the distance between the two (2) events and attendance. This is the first year for this event request and the impact is not known. Mayor Trantalis noted the ability to change the *Drop Anchor* event in the future. City Manager Lagerbloom agreed.

Commissioner Glassman made a motion to approve this item and was seconded by Commissioner Sorensen.

**APPROVED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

**M-4**     [21-0965](#)

Motion Approving an Event Agreement and Related Road Closures for the 16th Annual KID Duck Fest Derby - (Commission District 2)

Commissioner McKinzie made a motion to approve this item and was seconded by Commissioner Glassman.

**APPROVED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

**M-5**     [21-0966](#)

Motion Approving Event Agreements and Music Exemption for the Chicken & Beer Food Festival, and the Tortuga After Party with DJ Silver - (Commission Districts 2 and 4)

Commissioner Glassman said he is addressing the portion of the application related to the *Tortuga Festival After-party with D.J. Silver (Event)*, which was a large topic at the District 2 Pre-Agenda Meeting. He commented on the *Tortuga Music Festival* and noted this *Event* immediately follows.

Commissioner Glassman commented on the event location and its impact on neighbors related to the music exemption allowing the amplified music from 10:00 p.m. until 2:00 a.m. He requested Commission input.

Mayor Trantalis echoed Commissioner Glassman's comments and expounded on his perspective regarding the negative impact of after-parties on neighbors. He recommended holding after-parties indoors. Commissioner Sorensen and Vice Mayor Moraitis concurred.

Mayor Trantalis recognized Landon McNeill, Special Events Coordinator, *Rahn Bahia Mar LLC*. Mr. McNeill discussed previous sound concerns, explained the change in stage placement and expounded on details.

In response to Mayor Trantalis' inquiry, Mr. McNeill pointed out a full entertainment rig on the pool deck for events and commented on the benefits of an open-air venue. Further comment and discussion ensued on safety factors associated with an open-air venue.

In response to Commissioner McKinzie's questions, Mr. McNeill confirmed the *Event* DJ setup is similar to the *Fort Lauderdale Air Show* on the beach, and there were no complaints. Mr. McNeill explained efforts to address noise concerns with relocation of the stage to the middle area of the pool, facing the ocean and resulting in reduction of complaints. Further comment and discussion ensued regarding updates to *Event* logistics at this location reducing sound impact.

Commissioner McKinzie expounded on his perspective regarding this Agenda item, its location on private property and sound direction and meeting visitor expectations.

Mayor Trantalis discussed his perspective and the need set a standard and being mindful of residents and visitors in nearby hotels. Further comment ensued.

In response to Commissioner Sorensen's question, Commissioner Glassman commented on his viewpoint and recommended those attending the outside all-day *Tortuga Music Festival* wishing to attend this after-party do so at an inside venue, i.e., a ballroom or a bar.

In response to Mr. McNeill's question regarding the permitted decibel levels, City Manager Lagerbloom said this location is not within an *Entertainment District.*, and the permitted sound level is fifty-five (55) decibels.

Commissioner Glassman made a motion to bifurcate the event agreements and music exemptions for the *Chicken & Beer Food Festival* and *Tortuga After Party with DJ Silver* and was seconded by Commissioner Sorensen.

**APPROVED AS AMENDED - Motion to Bifurcate the Event Agreements and Music Exemptions for Chicken & Beer Food Festival and Tortuga After Party with DJ Silver**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

In response to Commissioner Sorensen's question regarding the time limit for amplified music on Sundays, City Manager Lagerbloom said 9:00 p.m.

In response to Commissioner Sorensen's question, Y.M. Vasquez, *Imagination Events and Marketing, LLC*, on behalf of the *Chicken and Beer Food Festival* confirmed the event could end at 9:00 p.m.

Mayor Trantalis said the event could go beyond 9:00 p.m. but amplified music could not.

Commissioner Sorensen made a motion to approve this item as amended, approving the event agreement and music exemption for *Chicken & Beer Food Festival* with amplified music allowed until 9:00 pm and was seconded by Commissioner McKinzie.

**APPROVED AS AMENDED - Motion to Approve Event Agreement and Music Exemption for Chicken & Beer Food Festival with Amplified Music Until 9 pm**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

Commissioner McKinzie made a motion to approve the *Tortuga After Party with DJ Silver*. There was no second to the motion.

**MOTION DIED FOR LACK OF A SECOND - Motion to approve Tortuga After Party with DJ Silver**

**M-6**     [21-1049](#)     Motion Approving an Interim Agreement with Hall of Fame Partners, LLC, Pursuant to Florida Statutes Sec. 255.065(6) - (Commission District 2)

In response to Vice Mayor Moraitis' question regarding the recent revision to this item, City Manager Lagerbloom explained the revision addresses reimbursing *Hall of Fame Partners (HOFP)* project work done between the Interim Agreement and before the comprehensive agreement. A schedule of those projects is included in Exhibit E attached to the unsolicited proposal (Schedule).

City Manager Lagerbloom read the applicable language in the Interim Agreement entitled *Section 4.3 Reimbursement*.

***A copy is part of the backup to this Agenda item.***

He explained should the City cancel for reasons unrelated to the *HOFP*, the City would reimburse *HOFP* for work listed on the Schedule that is anticipated to occur before adoption of the comprehensive agreement. The maximum amount of exposure to the City is approximately \$2,400,000, if cancelled between the adoption of the Interim agreement and the comprehensive agreement at no fault of *HOFP*.

In response to Mayor Trantalis' comment about a reason the City would cancel, Vice Mayor Moraitis commented that not voting on a Comprehensive Agreement would cancel. City Manager Lagerbloom confirmed. Vice Mayor Moraitis remarked on the financial risk involved.

Vice Mayor Moraitis commented that this is the first unsolicited public-private partnership (P3) proposal in which the City will be a financial partner for \$5,000,000 over thirty (30) years. City Manager Lagerbloom confirmed that the City's partnership with *HOFP* would be over thirty-one (31) years.

Stephanie Toothaker, Esq., on behalf of *HOFP* confirmed. Ms. Toothaker said there is no provision in the Interim Agreement to vote on a comprehensive agreement. The approximate \$2,400,000 in funding addresses costs expended by *HOFP*. Should the City adopt a comprehensive agreement, the total City obligation would be \$5,000,000.

In response to Vice Mayor Moraitis' request to explain how the public would benefit from this project, Ms. Toothaker explained this project replaces the current *International Swimming Hall of Fame (ISHOF)* with

a new *International Swimming Hall of Fame (ISHOF)*. The project would be a public facility with complete public access. Ms. Toothaker commented on the unsolicited proposal attached to the Interim Agreement that includes the vision for the site. Should the project move forward, procedures would include the full site plan process.

In response to Commissioner McKinzie's question, Ms. Toothaker confirmed the original unsolicited proposal is attached to the Interim Agreement as an exhibit.

Vice Mayor Moraitis commented on her perspective regarding the unsolicited proposal. It would contribute to the aesthetics of the entire *Aquatic Complex*. She agreed on the need for improvements of the east and west ends in addition to commercial space on the eastern side.

In response to Vice Mayor Moraitis' inquiry, Commissioner Glassman confirmed feedback received on this item included overwhelmingly positive comments regarding the conceptual design and needed improvements to the east and west buildings. With the \$47,000,000 this City is spending on the pool, locker room, grandstand and dive tower, this is expenditure and project is necessary that completes the peninsula.

Commissioner Glassman reiterated comments he made earlier today at the Commission Conference Meeting regarding support for this project. While attending the recent *International Swimming Hall of Fame (ISHOF) Induction Ceremony*, he received positive feedback from the national and international swimming and diving community, who had seen this conceptual project design in *Swimming World* magazine. The entire aquatic community is thrilled about returning to Fort Lauderdale and looking to see this project happen. Commissioner Glassman said this project is necessary. He explained discussion related to building height discussed at the District 2 Pre-Agenda Meeting and at the *Central Beach Alliance* Meeting. The west building is approximately the height of the dive tower that people find acceptable. Other concerns relate to moving the project forward and storage concerns that can be addressed. Commissioner Glassman reiterated the overwhelming response to getting this project completed.

In response to Vice Mayor Moraitis' question, Commissioner Glassman explained the \$47,000,000 allotted by the City includes the locker room, bleachers, dive tower and grandstand viewing area.

In response to Commissioner Glassman's question, Ms. Toothaker confirmed the private investment for the east and west buildings would be

\$90,000,000.

In response to Commissioner McKinzie's question, Ms. Toothaker confirmed the project only addresses the east and west buildings, and no dockage area is included. He commented on improved templates for P3s moving forward.

In response to Mayor Trantalis' question, Vice Mayor Moraitis confirmed her questions had been addressed. She reiterated this is the first unsolicited proposal she has seen where the City is a financial partner and contributes land for a project. Further comment and discussion ensued.

Commissioner Glassman made a motion to approve this item and was seconded by Commissioner Sorensen.

**APPROVED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

## RESOLUTIONS

**R-1**     [21-1013](#)

Appointment of Board and Committee Members - (Commission Districts 1, 2, 3 and 4)

City Clerk Jeffrey Modarelli read the names of the Board and Committee nominees for appointment and reappointment at the November 2, 2021 Commission Regular Meeting.

City Clerk Modarelli read into the record the names of Board and Committee appointments and or reappointments for Agenda item R-1.

Commissioner Glassman introduced this Resolution which was read by title only.

**ADOPTED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

[21-1076](#)

WALK-ON - Motion to extend the Regular Meeting to 11 p.m.

Commissioner Glassman made a motion to extend the Regular Meeting until 11:00 p.m. and was seconded by Commissioner McKinzie.

**APPROVED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis



**R-2**     [21-1011](#)     Quasi-Judicial Resolution - Regarding a Modified Site Plan as a Proposed Settlement in a Florida Land Use and Environmental Dispute Resolution Act Process and a Site Plan Level IV Development Permit for 115 Multifamily Residential Units, 168 Hotel Rooms, 3,600 Square Feet Restaurant Use, and 3,156 Square Feet Retail Use - Bayshore Hotel LLC and 3030 Bayshore Properties - 3016 and 3030 Bayshore Drive - Case No. R18058 - (Commission District 2)

Anyone wishing to speak must be sworn in. Commission will announce any site visits, communications or expert opinions received and make them part of the record.

Each Commission Member disclosed verbal communications, written communications, site visits and expert opinions received.

In response to Mayor Trantalis' request, City Attorney Alain Boileau explained the history, status and details of this Agenda item related to the *Florida Land Use and Environmental Dispute Resolution Act (FLUEDRA)* mediation process that allows the applicant to modify its project proposal. Should the Commission approve this Agenda item, the project would move forward, and the *FLEUDRA* mediation process and litigation would end. If the Commission does not approve the project, the case will return to the Special Magistrate to issue a nonbinding decision regarding whether the Commission interfered with the applicant's property rights and litigation would continue.

Mayor Trantalis commented on his understanding that modifications were made to the Site Plan.

Mayor Trantalis opened the public hearing.

Mayor Trantalis recognized Courtney Crush, Esq., 600 SE 2nd Street, on behalf of the applicant *Bayshore Hotel, LLC*. Ms. Crush introduced the applicant and members of the project team. She narrated a presentation illustrating the *Bayshore Hotel Project (Project)* proposed changes and explained details related to the *FLUEDRA* mediation process, including invitations to those involved with the process and stakeholders.

***A copy of the presentation has been made part of the backup to this Agenda item.***

City Clerk Jeffrey Modarelli swore in all individuals appearing in person and virtually for their testimony.

Mayor Trantalis recognized William Brown, 112 N. Birch Road, President of the *Central Beach Alliance (CBA)*. Mr. Brown explained the *CBA* was on record at the Special Magistrate meeting opposing the *Project*. He noted the January 2019 *CBA* vote, twenty-eight (28) in support of the *Project* and two hundred two (202) opposing the initial *Project*. This remains the *CBA*'s current position.

In response to Mayor Trantalis' questions, Mr. Brown said the *CBA* did not take a second vote on the *Project*. There were not enough significant *Project* changes to the site plan to justify the *CBA* changing its position.

Mayor Trantalis recognized Monika Caporale, 376 N. Birch Road. Ms. Caporale spoke in support of the *Project*, stating it would enhance the location.

Mayor Trantalis recognized Ilona Vitalis, 3020 Seville Street. Ms. Vitalis spoke in support of the *Project* and expounded on *Project* benefits related to tourism.

Mayor Trantalis recognized David Frazer, 2901 NE 55th Place. Mr. Frazer spoke in support of the *Project*, commenting that it would add more tourism and significant revenue.

Mayor Trantalis recognized Andreea Calavie, 350 N. Birch Road. Ms. Calavie spoke in support of the *Project* and commented on its benefits to the neighborhood.

Mayor Trantalis recognized Adrian Dunn, 3016 Bayshore Drive. Mr. Dunn spoke in support of the *Project* and improvements it would bring to the neighborhood.

Mayor Trantalis recognized George Coloney, 1520 East Sunrise Drive. Mr. Coloney commented on his perspective regarding the *Project*, confirmed his support and said it adds needed hotel space and location improvements.

Mayor Trantalis recognized Robert Toxen, 345 N. Fort Lauderdale Beach Boulevard and a resident of *Spring Tide Apartments (Spring Tide)*. Mr. Toxen said he lives directly east of the *Project* and opposes the *Project* because it blocks views to the west. He commented on concerns related to infrastructure, parking and other issues.

In response to Mayor Trantalis' question regarding unit locations at

*Spring Tide*, Mr. Toxen explained units have varying views and cited examples.

Mayor Trantalis recognized Carol Callahan, 336 N. Birch Road. Ms. Callahan confirmed her opposition to the *Project*. Although modifications have improved aspects of the *Project*, concerns still exist.

In response to Commissioner Sorensen's questions regarding what could be improved, Ms. Callahan explained her viewpoint opposing a hotel at this location, which requires daily deliveries impacting traffic. The location is not a good fit for a hotel, and her preference is for a residential condominium or apartment building.

Mayor Trantalis recognized Juana Carreras, 336 N. Birch Road and resident of *Birch Crest Condominium*. Ms. Carreras, a former City of Fort Lauderdale Fire-Rescue Department employee, noted her opposition to the *Project*. The *Project* negatively impacts Fire-Rescue Department Station 13 (Fire Station 13) six-minute, fifty-three-second emergency response time for this area, noting it is in the ninetieth percentile. She urged the Commission to take this into consideration.

In response to Mayor Trantalis' question, Ms. Carreras confirmed the emergency response time from Fire Station 13 is almost seven (7) minutes and commented it would increase when seasonal residents return to the area.

Commissioner Glassman confirmed the importance of emergency response times and noted the faster response time in this area than in other areas.

In response to Commissioner Glassman's questions, Fire-Rescue Department Chief (Chief) Rhoda Mae Kerr said the overall emergency response time, eight minutes, eighteen seconds, is in the ninetieth percentile and represents the duration of time from when the call is received to the unit arriving on scene. In Zone 13A, the *Project* location, the ninetieth percentile for emergency response time is six minutes, fifty-three seconds and is in the top ten of best emergency service response times. Commissioner Glassman commented on the need to understand how this area compares to other areas of the City.

In response to Commissioner Glassman's question, Chief Kerr confirmed that the temporary Fire Station, while Fire Station 13 is undergoing work, is closer to the *Project* location and should decrease emergency response time. Chief Kerr noted emergency response time

for this area would add back time when Fire Station 13 is completed.

Vice Mayor Moraitis recognized Elzbieta Gorska, 2221 NE 62nd Street. Ms. Gorska spoke in support of the *Project* and commented on the need for investment, growth and revenue.

Mayor Trantalis recognized Audrey Muller, 421 NE 6th Street. Ms. Muller spoke in support of the *Project* and the applicant.

Mayor Trantalis recognized Maria Elena Rooney, 336 North Birch Road. Ms. Rooney spoke in opposition to the *Project*, commenting on the area's evolution into a residential neighborhood.

In response to Mayor Trantalis' questions, Ms. Rooney confirmed residential buildings in the area. She remarked that nearby hotels with residential studio units behave like hotel rooms, not residential units.

In response to Commissioner Sorensen's questions, Ms. Crush said the *Project* consists of studio units for sale as residential dwellings, not condominium hotel units. The condominium association would determine rules for renting out purchased units.

Mayor Trantalis recognized Richie Baptista, 2800 East Sunrise Boulevard, and CBA member. Mr. Baptista confirmed his support of the *Project*.

Mayor Trantalis recognized Andreas Meinhold, Principal and Consultant *ATM-Partners LLC*. Mr. Meinhold spoke in support of this *Project*, noting its benefits and expounding on details.

Mayor Trantalis recognized Barbie Pearson, 2420 SE 17 Street. Ms. Pearson spoke in support of the *Project* and cited examples of its appropriateness for the area.

Mayor Trantalis recognized Ruchel Coetzee, 450 East Las Olas Blvd. Ms. Coetzee spoke in support of the *Project* and acknowledged Commission dedication to responsible growth.

Mayor Trantalis recognized Gary Slowinski, 3028 Seville Street. Mr. Slowinski spoke in support of the *Project*, noting attributes of the *Project* and the applicant's community outreach. In response to Commissioner Glassman's question, Mr. Slowinski said the name of his building is *Alto Brisa*.

Mayor Trantalis recognized Tiffany Bader, 1115 NE 3rd Avenue. Ms. Bader spoke in support of the *Project* and its benefits to the local community, including a market.

Mayor Trantalis recognized Rich Haestier, 900 NE 18th Avenue. Mr. Haestier commented on all the positive development in the City and confirmed support of the *Project*.

Mayor Trantalis recognized Julie Jones, 2008 Admirals Way. Ms. Jones spoke in support of the *Project*. She acknowledged the applicant's efforts to overcome previous objections and the applicability of the *Project* to changing demographics.

Mayor Trantalis recognized Carolyn Paddock, 619 Breakers Avenue. Ms. Paddock spoke in favor of the *Project* and discussed benefits to the neighborhood.

Mayor Trantalis recognized Abby Laughlin, 1050 Seminole Drive. Ms. Laughlin spoke in support of the *Project* and its neighborhood attributes. She discussed the applicant's dedication to public realm improvements, recognition of *North Beach Village* history within the *Project* and the applicant's pledge to build awareness and document the history of the mid-century modern movement and showed photographs illustrating conditions in the area.

Mayor Trantalis recognized Paul Chettle, 200 S. Birch Road. Mr. Chettle explained his opposition to the *Project* and discussed concerns related to the process and traffic calculations.

Commissioner Glassman asked if the January 10, 2020 *Traffic Impact Study (Study)* was in the backup and why it was not included. Further comment and discussion ensued regarding the *Study* not being part of the Agenda item backup.

Ms. Crush explained her perspective regarding submitting a lengthy *Study* with an Agenda item, i.e., attaching an Executive Summary of the *Study (Executive Summary)* in lieu of a lengthy document.

Further comment and discussion ensued on discrepancies in the square footage of the *Project* restaurant, adequacy and neighborhood compatibility.

In response to Commissioner Glassman's question, Anthony Fajardo, Department of Sustainable Development Director, explained Staff relied

on the *Traffic Statement*. A *Study* was not needed because the traffic threshold for the *Project* did not meet the one thousand (1,000) trip threshold in 2019 or currently.

In response to Mayor Trantalis' questions regarding the purported increase to *Project* restaurant space and peak hour trips, Mr. Fajardo said Staff's recommendation was based on thirty-six hundred (3,600) square feet of restaurant space. One thousand (1,000) trips represent peak hour trips per day. He would research what that represents. Commissioner Glassman noted his understanding of net new a.m. and p.m. peak hour trips according to the original *Traffic Statement*. He confirmed the need to know the restaurant size.

Mayor Trantalis recognized Sandra Goulston, 345 N. Fort Lauderdale Beach Boulevard (*Spring Tide*). Ms. Goulston spoke in opposition to the *Project*, agreed with the *CBA* and commented on concerns impacting residents adjacent to the *Project* and along Bayshore Drive.

Mayor Trantalis recognized Dan Teixeira, 9 North Birch Road, President of *Harbor House East Condominium Board (Board)*. Mr. Teixeira spoke in support of the *Project* and cited examples of its design for future area development. Mr. Teixeira confirmed *Board* approval and support of the *Project*.

Mayor Trantalis recognized Paula Yuka, 2701 N. Ocean Boulevard. Ms. Yuka spoke in opposition to this item. She remarked on neighbor opposition to the *Project* and small area hotel owners' efforts to maintain the integrity of their historical properties. Further comment and discussion ensued.

Mayor Trantalis recognized Mike Rody, 336 N. Birch Road. Mr. Rody spoke in opposition to the *Project* and discussed discrepancies associated with Exhibits attached to this Agenda item related to the restaurant square footage and negative impact on traffic and emergency response times.

Mayor Trantalis recognized Robert Nolan. Mr. Nolan spoke in opposition to the *Project*, citing previous concerns raised by residents two (2) years ago.

Mayor Trantalis recognized Guy Cerullo, 336 N. Birch Road. Mr. Cerullo commented that those speaking in support of the *Project* were not residents of the neighborhood. He urged the Commission to vote against this *Project*.

Commissioner Glassman moved to close the Public Hearing.

There being no one else wishing to speak on this item, Commissioner Glassman made a motion to close the public hearing which was seconded by Commissioner McKinzie. Roll call showed: AYES: Commissioner Glassman, Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, and Mayor Trantalis

Commissioner Glassman pointed out details related to speakers living in the neighborhood speaking in favor and opposing the project. Further comment and discussion ensued.

Commissioner Glassman commented on levels of service detailed in the last page of the *Traffic Study*.

In response to Mayor Trantalis' questions, Commissioner Glassman explained *Study* finding details. Southbound at North Birch Road and Bayshore Drive goes from AA to AB. There are no failing roads or failing intersections.

In response to Commissioner Sorensen's questions regarding the discrepancy in the square footage of the *Project* restaurant, Ms. Crush said the traffic analysis is not based on square footage. The *Traffic Impact Statement* submitted in the previous application included Staff's request to add the *Project* restaurant independently to determine if it would breach the threshold. The total trips with double-counting the restaurant were nine hundred seventy-five (975) trips. She expounded on details related to the trip analysis requested by Staff. Ms. Crush confirmed the *Project* restaurant square footage remains thirty-six hundred (3,600) square feet with a seating capacity of one hundred fifty-seven (157).

Commissioner Sorensen requested information related to increased restaurant square footage. City Attorney Alain Boileau cautioned on referencing an exhibit not accepted by the Commission. Ms. Crush said she was referring to Exhibit 2 to this Agenda item published online.

In response to Commissioner Glassman's question regarding the level of service with and without the *Project* listed in the *Study*, Ms. Crush confirmed on a Saturday, the levels of service at the intersection of Rio Mar Street and North Birch Road would remain the same. Ms. Crush commented on future projects represented in the *Study*.

Commissioner Glassman summarized his comments regarding the *Study*, reading from the conclusion of the *Study* on the last page and stating the proposed *Bayshore Hotel* would not significantly impact the surrounding roadways. Further comment and discussion ensued on what would it take to have a failing level of service.

In response to Commissioner Glassman's setback questions, Mr. Fajardo discussed his understanding of projects of significant impact and building separation, tower separation and setbacks. Development significant impact predates the 1997 Ordinance revision and Staff is reviewing Central Beach Ordinance amendments. Those revisions went to the *Planning and Zoning Board (P&Z Board)* last night and will come before the Commission.

Ms. Crush noted prior to the mediation on January 20, 2021, the applicant had a virtual meeting with *Birch Crest Condominium*.

Ms. Crush explained her understanding of the history behind half the height setbacks in a redevelopment area. In the 1989 -1997 time frame, the beach was deemed to be blighted and half the height setbacks would ensure developments of significant impact would always come before the Commission to ensure significant architecture. Mayor Trantalis commented on his viewpoint regarding waiver of setback requirements and tower separation due to project enhancements to the public realm and architectural improvements. Further comment and discussion ensued.

Ms. Crush commented on the ongoing update to the *Beach Master Plan* recommending a sixty (60') foot tower separation between each building. She expounded on aspects and cited examples of the *Project's* tower separation and setbacks.

Commissioner Glassman discussed *Project* recommendations, including combining studio units to reduce density and lowering the building ten (10) feet on the parking level. Ms. Crush commented on considering combining twenty (20) penthouse-level studio units, reducing the number of units from one hundred fifteen (115) units to one hundred five (105) units. She remarked on the priority for expansive glass on the first floor. Ms. Crush discussed the podium and the ability to reduce ground floor height from twenty feet (20') to seventeen feet (17') and lowering the podium by decreasing the podium's second-floor parking level height by two (2') feet. The interior amenities at pool deck level could be adjusted two (2') feet. The presentation's rendering of the main roof slab is currently one hundred seventy-four feet (174') and could be



reduced to one-hundred sixty-seven feet (167').

In response to Commissioner Glassman's question regarding reducing the number of units from one hundred fifteen (115) to one hundred five (105) units by making units larger, especially on the east side, Ms. Crush confirmed.

In response to Commissioner Glassman's question regarding lowering the building height from one hundred seventy-four feet (174') to one-hundred sixty-seven feet (167'), Ms. Crush confirmed.

Mayor Trantalis discussed and recommended the ground floor height remain at twenty feet (20'). Commissioner Glassman agreed and commented on reducing the number of units. Mayor Trantalis concurred and noted this would reduce density and trips. Commissioner Sorensen agreed.

In response to Commissioner Sorensen's questions, Ben Rogers, Transportation and Mobility (TAM) Department Director, explained Benjamin Restrepo former TAM Staff member (Staff) was the primary reviewer and is no longer with the City. Mr. Rogers confirmed familiarity with traffic documents.

In response to Commissioner Sorensen's questions, Ms. Crush confirmed the *Traffic Impact Statement* was done in June 2019, and the full *Study* published in January 2020 was done in October 2019. Ben Rogers said the timeline aligns with general practices, and seasonality and future growth are built into the model.

In response to Commissioner Sorensen's question regarding backup traffic information, Ms. Crush confirmed a two-page *Executive Summary* of the *Study (Executive Summary)* was published online and commented on details. City Manager Lagerbloom noted the *Executive Summary* was labeled *Traffic Statement*. Mr. Rogers confirmed the *Executive Summary*, based on the *Study*, was published as backup to this Agenda item. Ms. Crush confirmed.

In response to Commissioner Sorensen's question regarding the Commission considering the full *Study*, City Attorney Boileau explained as a quasi-judicial matter, the Commission would consider competent and substantial evidence presented by the parties. As the trier of fact, each Commissioner is limited to making a decision based on information presented. The *Study* not being included in the Agenda backup is irrelevant to the quasi-judicial process. Commission Members

can determine whether the evidence presented is sufficient.

Mayor Trantalis recognized Ian DeMello, Esq., Shubin Bass, P.A., 46 SW First Street, Miami, on behalf of the applicant. Mr. DeMello explained what is before the Commission is a proposed settlement authorized by the Florida Legislature under *FLUEDRA* that would avoid litigation.

City Attorney Boileau explained for the *Project* to be approved, the quasi-judicial process is required because it was previously denied. Mr. DeMello agreed a quasi-judicial process is being used for settlement. Ms. Crush said all materials related to the *Project*, including the *Study*, were submitted to the City in April-May 2021.

City Attorney Boileau said under the *Unified Land Regulations (ULDR)*, the *Study* was not a requirement for *Project* approval. Although part of the *FLUEDRA* mediation process, the *Study* cannot be a consideration for *Project* denial.

In response to Commissioner Sorensen's questions regarding *Project* uses, Mr. Rogers confirmed Staff's previous request to add the *Project* restaurant independently was to determine if it would exceed the one thousand (1,000) trip threshold. Those calculations did not exceed that threshold. The applicant's resubmission included the restaurant inside the hotel, which explained the reduction in trips from nine hundred twenty-five (925) to eight hundred twenty-seven (827).

In response to Commissioner Sorensen's questions, City Attorney Boileau explained the Commission's decision to approve or deny the *Project* should focus on technical aspects of *ULDR* requirements reviewed by Staff, which is part of the development approval process. Further comment and discussion ensued on subjective components of the *ULDR*, i.e., neighborhood compatibility, and related details. City Attorney Boileau confirmed Commission Members must have a basis for denial based upon competent and substantial evidence.

Mayor Trantalis commented on his perspective and being fully apprised of objective criteria regarding the *Project*, i.e., traffic and the number of additional trips during peak and non-peak time periods. He noted concern regarding emergency response time impacted by traffic and remarked on the benefit of the nearby planned Fire Station discussed earlier. Mayor Trantalis remarked on developer improvements to the public realm, the historic nature of these buildings and related details.

In response to Mayor Trantalis' request for a status update regarding the

*Project* impacting and interconnecting with underground infrastructure and related improvements proposed by the applicant, Alan Dodd, Public Works Department Director, provided a status update and said there are no major concerns. Water distribution is adequate. Wastewater pipes need to be upgraded, and the applicant has agreed to make those improvements. With the *Project* and other development, pump station operating time would be less than half of capacity needed. In response to Mayor Trantalis' question, Mr. Dodd explained sufficient water treatment plant capacity.

In response to Commissioner Glassman's request for an update of the condition and capacity regarding the applicant's plans to upgrade *Project* area infrastructure and the planned pump station, Mr. Dodd noted the existing pump station in the *Project* area has adequate capacity. The pump station planned for the marina will increase the system capacity overall in this area. Mr. Dodd confirmed his comfort level with the capacity and condition in, around and surrounding the *Project* site.

Mayor Trantalis commented on neighborhood compatibility and area building heights. Ms. Crush reviewed area building heights. Mayor Trantalis said the *Project* is compatible with what was allowed to be built over the past twenty-five (25) years and commented on details. He expounded on his perspective and reiterated *Project* improvements to the public realm and beachscape environment.

In response to Mayor Trantalis' question, Commissioner Glassman commented on the *CBA* system of voting on the *Project*, one (1) vote per person and ten (10) votes per building including an individual who is representing a building.

Commissioner Glassman commented on his perspective and explained a previous historic designation application for this site denied by the *HPB* that came before the Commission. He and Mayor Trantalis voted in support of the historic site designation but the Commission did not approve. Commissioner Glassman cited a situation when he was *CBA* president regarding the *Ireland's Inn* and expounded on efforts to work with the developer to improve the project.

Commissioner Glassman explained aspects of what the Commission can consider and the mediation process. Commission decisions must be based on zoning and Code and must follow the law. He expounded on related details and confirmed his careful review of information not available in 2019. Commissioner Glassman remarked on developer efforts to improve the *Project* with changes addressing his objections.

He discussed future area improvements and forthcoming development limits due to trip capacity on the barrier island.

In response to Commissioner Sorensen's question regarding restaurant square footage of four thousand eight hundred fifty-five (4,855) listed on Exhibit 2B, page 20, Ms. Crush confirmed that gross square footage calculation includes the restaurant and the retail gift shop. Restaurant square footage was always thirty-six hundred (3,600) square feet with restaurant seating of one hundred fifty-seven (157).

In response to Commissioner Sorensen's question regarding payment of legal fees, City Attorney Boileau confirmed outside counsel had been retained. Significant costs have not been incurred at this point but going forward there would be legal costs.

Commissioner Sorensen commented on his perspective and noted developer progress and compromises. He recommended additional work, including more neighborhood engagement and *CBA* weighing in again.

Commissioner Glassman requested all *P&Z Board* conditions of approval (Conditions) are incorporated at this level. He read condition number four (4) listed in the Commission Agenda Memo (Condition 4).

***A copy is part of the backup to this Agenda item.***

In response to Mayor Trantalis' question regarding Condition 4, City Manager Lagerbloom confirmed all Conditions would need to be met before a *Certificate of Occupancy (CO)* is issued.

Commissioner Glassman requested all nineteen (19) Conditions be incorporated in this Resolution.

Commissioner Glassman introduced the Resolution Approving which was read by title only.

**ADOPTED**

**Aye:** 4 - Commissioner McKinzie, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

**Nay:** 1 - Commissioner Sorensen

**PUBLIC HEARINGS**

**PH-1** [21-0881](#)

Public Hearing to Evaluate All Comments Received and Adoption of Resolution Authorizing the Submittal of a Grant Application to the

Florida Department of Economic Opportunity's (DEO) Community Development Block Grant-Coronavirus (CDBG-CV) Program in the Amount of \$906,510 - (Commission Districts 1, 2, 3, and 4)

Mayor Trantalis opened the public hearing.

There being no one wishing to speak on this item, Commissioner Sorensen made a motion to close the public hearing, which was seconded by Commissioner Glassman. Roll call showed: AYES: Commissioner Glassman, Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, and Mayor Trantalis

Commissioner McKinzie introduced this Resolution which was read by title only.

**ADOPTED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

**PH-2**    [21-0922](#)

Public Hearing - Final Assessment Resolution for Underground Utility Line Facilities in the Las Olas Isles Neighborhood - (Commission District 2)

Mayor Trantalis opened the public hearing.

Mayor Trantalis recognized Bill Haury, 412 and 416 Bontona Avenue. Mr. Haury commented on the increased, revised assessment for the undergrounding project (*Project*) and outreach. Mr. Haury narrated a presentation addressing details related to Bontona Avenue property assessments.

***A copy has been made part of the backup to this Agenda item.***

Mayor Trantalis recognized Tom Godart, 330 Isle of Capri, Vice President of *Las Olas Isles Homeowner's Association (Association)*. Mr. Godart confirmed his support of the *Project* and explained his extensive involvement. He clarified impacted homeowners voted on the *Project* and not all were *Association* members. Mr. Godart urged the Commission to approve this item.

Mayor Trantalis recognized David Maya, 725 Isle of Palms Drive. Mr. Maya echoed Mr. Godart's remarks and reiterated this is not an *Association* project. The *Project* involves each neighborhood home. He confirmed support of the *Project*, elaborated on his email communication efforts to keep homeowners informed and said there was overwhelming homeowner support.

Mayor Trantalis recognized Neal Kalis, 417 Bontona Avenue. Mr. Kalis commented on his support of the *Project* and explained the need. The *Project* illustrates the ability of the community and the Commission to work together and lead the way. He urged the Commission to support this Resolution.

There being no one else wishing to speak on this item, Commissioner Glassman made a motion to close the public hearing, which was seconded by Commissioner Sorensen. Roll call showed: AYES: Commissioner Glassman, Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, and Mayor Trantalis

Commissioner Glassman explained initial assessment amount done several years ago did not include the cost of financing and commented on the 2020 assessment.

Commissioner Glassman introduced this Resolution which was read by title only.

**ADOPTED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

**PH-3**    [21-0937](#)

Resolution Granting a Waiver of Limitations at 435 Bayshore Drive #402, Fort Lauderdale, Florida 33304 / Slip #6, for the Installation of One Four-Post Boat Lift - (Commission District 2)

Mayor Trantalis recognized Ruchel Coetzee, 425 Bayshore Drive. Ms. Coetzee provided history and background information related to this Agenda item and explained her opposition.

In response to Mayor Trantalis' questions, Ms. Coetzee explained the waiver request's negative impact on views and boat wakes. Further comment ensued on the location of the waiver and an agreement with *Adagio Fort Lauderdale Condominium (Agreement)*. She objects to the applicant's request for an additional dock extension of fifteen feet (15').

Mayor Trantalis recognized the applicant, Stephen Farrell, 435 Bayshore Drive. Mr. Farrell clarified details of the approved footprint for his boat slip and showed a diagram illustrating details regarding this waiver request. He expounded on related details illustrated in the diagram.

***A copy has been made part of the backup to this Agenda item.***

There being no one else wishing to speak on this item, Commissioner Glassman made a motion to close the public hearing, which was seconded by Commissioner Sorensen. Roll call showed: AYES: Commissioner Glassman, Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, and Mayor Trantalis

Commissioner Glassman introduced the Resolution approving this item which was read by title only.

**ADOPTED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

[21-1077](#)

WALK-ON - Motion to extend the Regular Meeting one half hour (11:30 p.m.)

Commissioner McKinzie made a motion to extend the Regular Meeting one half hour until 11:30 p.m. and was seconded by Commissioner Sorensen.

**APPROVED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

**PH-4** [21-0923](#)

Public Hearing Approving the Issuance of a Certificate of Public Convenience and Necessity for CareOneTransportation "LLC" to Operate one Ford Transit Passenger Transport Van within the City of Fort Lauderdale - (Commission Districts 1, 2, 3 and 4)

Commissioner Glassman made a motion to approve this item and was seconded by Commissioner McKinzie.

**APPROVED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

**PH-5** [21-0973](#)

Public Hearing Approving the Issuance of a Certificate of Public Convenience and Necessity for All Exquisite Limo and Transport, LLC to Operate Two Chrysler Limousines and Three Mercedes-Benz Sprinter Passenger Vans within the City of Fort Lauderdale - (Commission Districts 1, 2, 3 and 4)

Commissioner Glassman made a motion to approve this item and was seconded by Commissioner McKinzie.

**APPROVED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

**ORDINANCE SECOND READING****OSR-1** [21-1012](#)

Second Reading - Ordinance Amending the City of Fort Lauderdale Unified Land Development Regulations (ULDR) Section 47-2.2, Measurements to Redefine the Term Grade - Case No. UDP-T21008 - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis recognized Anthony Fajardo, Department of Sustainable Development Director. Mr. Fajardo explained a Staff revision listed on page two (2) of the Commission Agenda Memo (CAM), clarifying the fence would not be taller than six feet (6'). This Ordinance revision was made following the First Reading.

Mr. Fajardo read the Ordinance change into the record as it is being presented for Second Reading.

When used to measure non-habitable accessory structures, grade shall be the finished floor elevation of the principal structure.

Commissioner Glassman introduced this Ordinance for the Second Reading as amended.

**ADOPTED ON SECOND READING AS AMENDED - Amendments read into record by Staff**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

[21-1052](#)

WALK-ON - Resolution appointing Robert J. Bigge, Jr. of the Law Firm of Bigge & Rodriguez, P.A., as special counsel to represent the City of Fort Lauderdale in connection with Bankruptcy Proceeding filed by Riverfront Cruise and Anticipation Yacht Charters, LLC - (Commission Districts 1, 2, 3 and 4)

City Attorney Boileau explained this Resolution allows the appointment of Robert J. Bigge, Jr., Bigge & Rodriguez, P.A., as special counsel to represent the City in connection with bankruptcy proceeding filed by *Riverfront Cruise and Anticipation Yacht Charters, LLC*.

Commissioner Glassman introduced this Resolution which was read by title only.

**ADOPTED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis



**ADJOURNMENT**

Mayor Trantalis adjourned the meeting at 11:12 p.m.

\_\_\_\_\_  
Dean J. Trantalis  
Mayor

ATTEST:

\_\_\_\_\_  
Jeffrey A. Modarelli  
City Clerk