

City of Fort Lauderdale

City Hall
100 N. Andrews Avenue
Fort Lauderdale, FL 33301
www.fortlauderdale.gov



Meeting Minutes - DRAFT

Tuesday, February 18, 2014

6:00 PM

City Commission Chambers

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

JOHN P. "JACK" SEILER Mayor - Commissioner
BRUCE G. ROBERTS Vice Mayor - Commissioner -District I
DEAN J. TRANTALIS Commissioner - District II
BOBBY B. DuBOSE Commissioner - District III
ROMNEY ROGERS Commissioner - District IV

LEE R. FELDMAN, City Manager
JOHN HERBST, City Auditor
JONDA K. JOSEPH, City Clerk
CYNTHIA A. EVERETT, City Attorney

Meeting was called to order at 6:08 p.m. by Mayor Seiler.

ATTENDANCE ROLL CALL

Present: 5 - Mayor John P. "Jack" Seiler, Vice-Mayor Bruce G. Roberts, Commissioner Dean J. Trantalis, Commissioner Bobby B. DuBose and Commissioner Romney Rogers

Also Present: City Manager, Lee R. Feldman; City Auditor, John Herbst; City Clerk, Jonda K. Joseph; City Attorney, Cynthia A. Everett; Sergeant At Arms, Sergeant Todd Bunin

Vote Roll Call Order for this Meeting

Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

Invocation

Pastor Chad Mullinix, Holy Trinity Presbyterian Church

Pledge of Allegiance

Led by Bayview Elementary School Student Council

Approval of MINUTES and Agenda

14-0263 APPROVAL OF MINUTES for December 17, 2013 and January 22, 2014 Conference Meetings

Motion made by Commissioner DuBose and seconded by Commissioner Trantalis to approve the noted minutes.

APPROVED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

PRESENTATIONS

PRES-1 14-0270 CITY OF FORT LAUDERDALE WELCOMES CITY OF MATARO, CATALONIA, SPAIN - NEWEST SISTER CITY

The Commission and Mayor Joan Mora Bosch of Mataro, Catalonia, Spain, signed an agreement for Mataro to become Fort Lauderdale's 18th Sister City. The Sister Cities program allows for exchange of ideas in business, commerce, trade and culture.

PRES-2 14-0228 2013 POLICE OFFICER OF THE YEAR

Police Chief Frank Adderley recognized Detective Elijah Thomas, 2013 Officer of the Year. During 2013, Detective Thomas participated in more than 100 violent crime investigations that led to the arrest of 15 felony offenders.

OTHER BUSINESS

OB MOMENT OF SILENCE

Mayor Seiler offered a moment of silence in memory of civic leaders Ms. Louise Dowdy and Dr. Gwen Hankerson.

PRESENTATIONS

PRES-3 14-0285 CAREER SOURCE BROWARD RECOGNIZES CITY OF FORT LAUDERDALE FOR ITS CONTRIBUTION TO SUMMER YOUTH EMPLOYMENT PROGRAM

Mason Jackson thanked the Commission and Mayor Seiler, Human Resources Director Averill Dorsett, Personnel Analyst Patricia McKelligett and the City Manager for their service with Career Source Broward. He highlighted details of the Summer Youth Employment Program. Mayor Seiler noted that Fort Lauderdale has the best employment rate of any urban area in the state.

PRES-5 14-0284 PROCLAMATION DECLARING FEBRUARY 9, 2014 AS WOODY WOODBURY DAY IN RECOGNITION OF HIS 90th BIRTHDAY

Vice-Mayor Roberts presented a proclamation to Fort Lauderdale comedian Woody Woodbury, recognizing his 90th birthday. Woodbury thanked the Commission for the honor.

PRES-4 14-0273 COMMUNITY APPEARANCE BOARD WOW AWARDS FOR DISTRICTS III AND IV

Commissioner DuBose recognized District III WOW Award recipient Albertha Jenkins for beautification efforts at her home in Golden Heights. Jenkins thanked the Commission for the award.

Commissioner Rogers recognized District IV WOW Award recipients Bruce and Ingrid Szamier for beautification efforts at their home in Citrus Isles. Bruce Szamier thanked the Commission for recognizing their hard work.

PRES-6 14-0283 PROCLAMATION DECLARING MARCH 1 AND 2, 2014 AS PRIDE FEST DAYS IN THE CITY OF FORT LAUDERDALE

Commissioner Trantalis presented the proclamation to Marc Hansen and Rocky Bowell, co-chairs for 2014 Pride Fest. Hansen thanked the Commission and said this event raises awareness for members of the gay, lesbian, bisexual and transgender community who do not have equal rights. He highlighted some of the entertainment planned for the event.

CONSENT AGENDA

Mayor Seiler announced the procedure for consent items.

Motion made by Vice-Mayor Roberts and seconded by Commissioner DuBose that Consent Agenda Items M-3, M-5, M-10, CR-3, CR-5, PUR-2, PUR-4 and PUR-7 be deleted from the Consent Agenda and considered separately, and that all remaining Consent Agenda items be approved as

recommended.

APPROVED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

- M-1 14-0197** EVENT AGREEMENTS AND RELATED ROAD CLOSINGS: Galt Ocean Wine & Food Festival, Fort Lauderdale St. Patrick's Day Parade & Festival, Fort Lauderdale Shamrock Run 4 Miler & Little Lucky Leprechaun Dash and New Times 17th Annual Beerfest.

APPROVED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

- M-2 14-0095** MUSIC FESTIVAL INCLUDING 5K WALK AT SOUTH BEACH PARK - March 30, 2014 - Agreement with AIDS Healthcare Foundation, Inc.

APPROVED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

- M-3 14-0186** WAIVER FOR WATERCRAFT CONCESSION TO OPERATE IN RESTRICTED ZONE - Doctor Jet Ski of Fort Lauderdale, Inc. - Ocean Sky Hotel - 4060 Galt Ocean

Vice-Mayor Roberts wanted to ensure that the waiver includes recommendations outlined by Marine Facilities Manager Andrew Cuba.

Motion made by Vice-Mayor Roberts and seconded by Commissioner Trantalis to approve the item as amended to include conditions set forth in the Marine Facilities Manager's application memorandum, dated January 4, 2014. This memorandum is attached to these minutes.

APPROVED AS AMENDED TO INCLUDE CONDITIONS PRESENTED TO MARINE ADVISORY BOARD IN THE MARINE FACILITIES MANAGER'S APPLICATION MEMORANDUM, DATED JANUARY 4, 2014

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

- M-4 14-0196** 37th ANNUAL WATERWAY CLEAN UP EVENT AGREEMENT

APPROVED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

M-5 14-0254 TRANSFER OF WATER TAXI LICENSE FROM WATER TRANSPORTATION ALTERNATIVES, INC. TO WATER TAXI OF FORT LAUDERDALE, LLC

Fred Carlson, representing Central Beach Alliance, spoke in support of the item.

Motion made by Commissioner Trantalis and seconded by Vice-Mayor Roberts to approve the item as recommended.

APPROVED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

M-6 13-1613 ECONOMIC DEVELOPMENT DIRECT CASH INCENTIVE AGREEMENT -Prolexic Technologies, Inc. - \$125,000 over a three-year period

APPROVED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

M-7 14-0214 JOINDER, CONSENT AND SUBORDINATION TO ROAD EASEMENT - Broward County - 400 SW 15 Street

APPROVED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

M-8 14-0009 TASK ORDER 4 - \$45,288 - ENGINEERING SERVICES FOR POWERLINE ROAD LANE REDUCTION APPLICATION TO FLORIDA DEPARTMENT OF TRANSPORTATION-Tylin International

APPROVED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

M-9 14-0014 RELOCATION OF SIDEWALK AND LANDSCAPING AT SOUTHWEST CORNER OF COMMERCIAL BOULEVARD AND FEDERAL HIGHWAY - Bank of America Project - Maintenance Memorandum of Agreement with Florida Department of Transportation

APPROVED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

M-10 14-0206 GOLF CART SHUTTLES - CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY- Beach Hopper LLC

Fred Carlson, representing Central Beach Alliance, spoke in support of the item.

Motion made by Commissioner Rogers and seconded by Vice-Mayor Roberts to approve the item as recommended.

APPROVED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

CONSENT RESOLUTION

CR-1 14-0236 CONSOLIDATED BUDGET AMENDMENT TO FISCAL YEAR 2014 BUDGET – APPROPRIATION

ADOPTED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

CR-2 14-0276 BANK SIGNATURE AUTHORITY - DIRECTOR AND DEPUTY DIRECTOR OF FINANCE/CHIEF FINANCIAL OFFICER and prescribing amount of fidelity bond

ADOPTED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

CR-3 14-0220 GRANT APPLICATION - \$100,000 - DEVELOPMENT OF COONTIE HATCHEE PARK - Florida Department of Environmental Protection, Land Water Conservation Fund Program - local match

Motion made by Commissioner DuBose and seconded by Commissioner Rogers to approve the item as recommended.

APPROVED BY MOTION (RESOLUTION NOT REQUIRED)

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

CR-4 14-0232 ACCEPTANCE OF GRANT FUNDS - \$988,402 - CONSTRUCTION OF FLAGLER DRIVE GREENWAY AND BICYCLE FACILITY - Local Agency Program Agreement with Florida Department of Transportation

ADOPTED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

- CR-5 14-0281** URGING FLORIDA LEGISLATURE TO FUND BEACH MANAGEMENT FUNDING ASSISTANCE PROGRAM DURING 2014 SESSION AND URGING SUPPORT OF BROWARD COUNTY'S APPLICATION FOR SEGMENT II BEACH RENOURISHMENT PROJECT AND SUPPORTING ADVOCACY ON FEDERAL LEVEL FOR ISSUANCE OF U.S. ARMY CORPS OF ENGINEERS SEGMENT II PERMIT AND FEDERAL FUNDING

Fred Carlson, representing Central Beach Alliance, spoke in support of the item. The key to traffic flow will be managing the number of assigned trucks per day. Traffic problems could occur due to upgrades at the Sunrise Boulevard Bridge over Middle River.

There was no one else wishing to speak.

Motion made by Commissioner Trantalis and seconded by Vice-Mayor Roberts to approve the item as recommended.

ADOPTED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

- CR-6 14-0086** REAPPOINTMENT OF SPECIAL MAGISTRATES

ADOPTED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

- CR-7 14-0109** NEW UPTOWN LINK COMMUNITY BUS SERVICE - Interlocal Agreement with South Florida Regional Transportation Authority for three-year pilot and delegate authority to City Manager to execute amendments

ADOPTED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

- CR-8 14-0184** EXECUTIVE AIRPORT - UPDATE TO JOINT PARTICIPATION AGREEMENTS - AMENDMENTS TO CHAPTER 119, FLORIDA STATUTE - Florida Department of Transportation - authorizing City Manager to execute public records form

ADOPTED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

CR-9 14-0207 GRANT APPLICATION FOR REPLACEMENT OF SUN TROLLEY COMMUNITY BUSES - UP TO \$5,000,000 - Low or No Emission Vehicle Deployment Program - local match - Federal Transit Administration

ADOPTED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

PURCHASING AGENDA

PUR-1 14-0115 ONE-YEAR CONTRACT AND WORK ORDERS 1, 2, 3 AND 4 FOR BRIDGE REPAIR, MAINTENANCE AND PAINTING - estimated contract amount of \$502,000 and \$152,875 for work orders (NE 55 Street, Gordon Road, SE Laguna Terrace and SE 13 Street) with Engineer Control Systems, Corp. - authorize City Manager to approve renewal options contingent upon appropriation of funds

APPROVED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

PUR-2 14-0176 ONE-YEAR UNIT-BASED CONTRACT FOR ANNUAL ROOFING REPAIR AND REPLACEMENT CITY WIDE - \$1,142,331 - reject A-Star Contracts, Inc. bid and award to Advanced Roofing, Inc. and authorize City Manager to approve renewal options contingent upon appropriation of funds

This item was revised to reflect that the City Manager is authorized to approve three, one-year renewal options.

APPROVED AS AMENDED TO PROVIDE THAT CITY MANAGER IS AUTHORIZED TO APPROVE THREE, ONE-YEAR RENEWAL OPTIONS

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

PUR-3 14-0137 MARKETING AGREEMENT FOR UTILITY SERVICE LINE WARRANTY PROGRAM INCLUDING USE OF CITY LOGO with Utility Service Partners Private Label, Inc. d/b/a Service Line Warranties of America

APPROVED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

PUR-4 14-0192 CONTRACT FOR PURCHASE AND INSTALLATION OF EIGHT LICENSE PLATE RECOGNITION SYSTEMS WITH FOUR-YEAR MAINTENANCE - \$143,440 from Visual Pro 360 Inc.

Charles King, 105 North Victoria Park Road, spoke in support of the item. In response to King, the City Manager explained the devices will be mounted on police vehicles. King thought Community Redevelopment Agency funds should be spent on this venture.

There was no one else wishing to speak.

Motion made by Vice-Mayor Roberts and seconded by Commissioner DuBose to approve the item as recommended.

APPROVED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

PUR-5 14-0194 PURCHASE OF CISCO VOICE OVER INTERNET PROTOCOL(VoIP) TELEPHONE EQUIPMENT AND CONSULTING SERVICES in estimated amount of \$785,000 from Insight Public Sector, Inc. (equipment) and Futron, Inc. (consulting services)

APPROVED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

PUR-6 14-0198 PURCHASE OF COMMUNICATIONS SERVICES AT VARIOUS CITY FACILITIES in annual not to exceed amount of \$251,618 from Florida Department of Management Services

APPROVED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

PUR-7 14-0205 FIRST ONE-YEAR RENEWAL OF AGREEMENT FOR ARCHITECTURAL-ENGINEERING SERVICES - \$50,000 - REDEVELOPMENT OF SEBASTIAN AND OCEANSIDE PARKING LOT FACILITIES - Zyscovich, Inc.

Fred Carlson, representing Central Beach Alliance, questioned whether this is duplicating efforts of EDSA, which he believed was also charged with design work at Sebastian Street. The City Manager clarified that Zyscovich Inc. is the primary architect and has done preliminary work on this site. EDSA was not involved in the design.

Motion made by Commissioner Trantalis and seconded by Vice-Mayor Roberts to approve the item as recommended.

APPROVED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

PUR-8 14-0237

ONE-YEAR CONTRACT FOR JANITORIAL SERVICES - POLICE DEPARTMENT in estimated amount of \$106,254.20 with Marsden Services, L.L.C. and authorize City Manager or designee to approve renewal options contingent upon appropriation of funds

APPROVED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

RESOLUTIONS

R-1 14-0286

APPOINTMENT OF BUTLER PAPPAS WEIHMULLER KATZ CRAIG, LLP AS SPECIAL COUNSEL - claim for damages arising from generator fire at Building Services facility on or about April 3, 2014

This item was moved to the Consent Agenda.

ADOPTED UNDER CONSENT AGENDA VOTE

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

R-2 14-0223

OPPOSING LEGISLATION THAT WOULD MANDATE USE OF A UNIFORM CHART OF ACCOUNTS AND REPORTING REQUIREMENTS FOR ALL GOVERNMENTAL ENTITIES

In response to Commissioner DuBose, the City Manager believed this item was discussed at a previous conference meeting. It is supported by the Florida League of Cities. It deals with previous legislation that requires all governmental districts to adopt a uniform chart of accounts. It has a financial impact on Fort Lauderdale and an even greater impact on smaller cities. This resolution seeks to rescind the legislation already passed. If adopted, it would become part of the City's legislative agenda. He agreed to provide the legislative agenda to Commissioner DuBose.

Commissioner DuBose introduced the resolution, which was read by title only.

ADOPTED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

R-3 14-0103

QUASI-JUDICIAL - NORTH FEDERAL 2650 PLAT - Case 11P13

Applicant: North Federal 2650 LLC
Location: 2650 North Federal Highway
Zoning: Boulevard Business (B-1) and Residential Multifamily Mid

Rise (RMM-25) (current) - Boulevard Business (B-1) and Parking Lot (X-P) (proposed)
Future Land Use: Commercial and Medium-High Residential

Members of the Commission announced with whom they had spoken and/or site visits made concerning this matter.

Vice-Mayor Roberts introduced the resolution, which was read by title only.

ADOPTED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

R-4 14-0203 APPOINTMENT OF CITY BOARD AND COMMITTEE MEMBERS - vacancy information provided under Conference Item BD-2

The City Clerk announced the appointees/re-appointees who were the subjects of this resolution:

Nuisance Abatement Advisory Board Gus Schmidt (Consensus/Mayor Seiler)

Commissioner Rogers introduced the resolution, which was read by title only.

ADOPTED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

PUBLIC HEARINGS

PH-1 14-0208 QUASI-JUDICIAL - RESOLUTION - WAIVER OF LIMITATIONS OF UNIFIED LAND DEVELOPMENT REGULATIONS, SECTION 47-19.3.D for construction of nine triple-pile clusters extending a maximum of 125 feet from property line into Middle River - 704 NE 20 Avenue

Applicant: Shawn and Jennifer Benyo

The resolution was revised to reflect a waiver of limitations of Unified Land Development Regulations Section 47-19.3.D, pursuant to Section 47-19.3.E.

All individuals wishing to speak on this matter were sworn in.

Members of the Commission announced with whom they had spoken and/or site visits made concerning this matter.

Mayor Seiler reviewed the procedure for the public hearing and opened the floor for public comment.

Tyler Chappell of The Chappell Group, representing the Applicant, explained that this item was deferred at a previous meeting to allow the Applicant to go back before the Marine Advisory Board to

address concerns about parking on 20 Avenue. The Applicant has agreed that parking will not overflow onto the street. Additionally, a 166-foot mooring pile extension unanimously approved by the Marine Advisory Board has now been reduced to 125 feet. The revised item went back before the Marine Advisory Board and was again unanimously approved.

Charles King, 105 North Victoria Park Road, believed there was one abstention when the Board voted on this matter. The law says that pilings can extend 25 feet or 30 percent of the canal, whichever is less. There has been a history of escalating this street into a shipyard. He chronicled several variances awarded by the Commission in this area. The home in question has no landscaping or grass. He believed it is going to be operated as a small marina. It is tailored for a person with two large yachts who will run the operation from the home with a crew. By law, this is supposed to be a residential home. He read from Marine Advisory Board minutes dated December 5, 2013, listed as Exhibit 4 in Commission Agenda Memorandum 14-0208.

There being no other individuals wishing to speak on this matter, a motion was made by Commissioner Trantalis and seconded by Vice-Mayor Roberts to close the public hearing. Roll call showed: AYES: Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler. NAYS: None.

Commissioner Trantalis noted he shares some of King's concerns because they have also been expressed by other residents in the area. While the Marine Advisory Board has recommended that only the captain and crew will occupy the house, that could amount to dozens of people. He did not want it to become a party house. Chappell noted that the owner has agreed to include language in the lease that a crew will not occupy the house. There are six parking spaces. The intent is to have a lease holder who will manage the home and the boats. The captains will live there to watch over the boats. There will be two boats and two captains. There could also be some crew members. The owner intends to remodel the home. There will not be any repair work onsite. In further response to Commissioner Trantalis, Chappell advised that the Applicant is agreeable to having the number of tenants limited to the number of vehicles (parking spaces).

Mayor Seiler asked about the City's right to enforce and inspect. Chappell explained that state law requires that the tenant must own vessels docked at the property which is outlined in the permit. The City Manager said the Applicant should provide documentation granting the City right of entry at reasonable times to inspect the home, determine the number of tenants and access the property and vessel. A discussion ensued on this point wherein a potential contradiction in the February 6, 2014 and December 5, 2013 Marine Advisory Board minutes was discovered.

Marine Facilities Manager Andrew Cuba explained the February 6 minutes are in draft form and have not been approved by the Board. Mayor Seiler did not feel comfortable proceeding with approval before confirming the outcome of the Board's discussion. Vice-Mayor Roberts noted a concern because this is a small home in disrepair. There is a question of how it fits into the neighborhood and the adjacent commercial corridor. There is no guarantee that this will not become a marina operation.

Mayor Seiler pointed out that the minutes indicate it was confirmed that the homeowner will reside in the house and operate both vessels, yet tonight it is being indicated this is not correct. He thought it is possible that residents may have also misunderstood the Board's discussion and opted not to oppose the item because of how it is reflected in the draft minutes. He has received emails concerned about traffic and parking. He is comfortable with the reduced distance, but believes the Commission needs clarification on whether the property will be operated as a marina and who will be residing there.

Chappell noted that the Applicant has agreed not to service any vessels onsite, with the exception of washing and waxing. There are 10 letters of support from all neighbors on the same side of the street, including the adjacent property owners. The Applicant is not planning a marina operation. The house will be remodeled. Sales on this street have added value to the neighborhood. With the value level, he did not think property owners would let their homes deteriorate.

Cuba believed the February 6 minutes are complementary to the previous meeting when there was a unanimous vote. Commissioner Trantalis felt there would be a level of comfort if the two sets of minutes were consistent. The City Manager suggested deferral until a recording of discussion could be checked. Cuba confirmed for Mayor Seiler that no one signed up to speak at the Board meeting. Chappell noted the reason this item was heard again by the Board dealt with distance of the mooring piles and parking, not the number of tenants.

Commissioner Rogers agreed the minutes should be accurate, however, he was willing to accept Chappell's sworn testimony. Mayor Seiler wanted to hear from someone on the Board as to whether it was confirmed that the owner would occupy and operate the two vessels. Both sets of minutes indicate they are draft. He would be comfortable with Cuba verifying by listening to the recording. The City Manager offered to provide a verbatim transcript of the point in question. Cuba advised that the December minutes have not been approved and were not amended.

Motion made by Commissioner DuBose and seconded by Commissioner Trantalis to defer the item to March 4, 2014.

DEFERRED TO MARCH 4, 2014

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

PH-2 14-0106

QUASI-JUDICIAL - FIRST READING OF ORDINANCE REZONING TO PARKS, RECREATION AND OPEN SPACE (P) - Case 13Z12

Applicant: Lauderdale Yacht Club

Location: South Side of SE 12 Street between Cordova Road and Intracoastal Waterway

Current Zoning: Residential Low Rise Multifamily/Medium High Density District (RML-25) - Proposed: Parks, Recreation and Open Space (P)

Future Land Use: Medium-High Residential

This resolution was revised to correct the legal description and a spelling typographical error.

Members of the Commission announced with whom they had spoken and/or site visits made concerning this matter. The City Attorney confirmed for Mayor Seiler that his non-equity membership of the Lauderdale Yacht Club is not a conflict. Stephanie Toothaker of Tripp Scott, representing the Applicant, submitted a letter for the record, stating that equity memberships are not available at Lauderdale Yacht Club.

Mayor Seiler opened the floor for public comment.

There being no individuals wishing to speak on this matter, a motion was made by Commissioner

Trantalis and seconded by Vice-Mayor Roberts to close the public hearing. Roll call showed: AYES: Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler. NAYS: None.

Commissioner Trantalis introduced the ordinance, which was read by title only.

PASSED FIRST READING

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

The City Commission recessed the regular meeting at 7:47 p.m. and returned to the conference meeting agenda, item BD-1, from 7:47 p.m. to 7:50 p.m. The regular meeting then resumed with item PH-3.

PH-3 14-0264 QUASI-JUDICIAL - DE NOVO HEARING - APPLICATION FOR EXEMPTION FROM CODE OF ORDINANCES, SECTION 25-100.1 - INSTALLATION OF ABOVE-GRADE COMMUNICATIONS SERVICE FACILITIES - 1601 NE 56 Street and 1707 East Commercial Boulevard - AT&T

All individuals wishing to speak on this matter were sworn in.

Members of the Commission announced with whom they had spoken and/or site visits made concerning this matter.

Vice-Mayor Roberts indicated that he had requested this hearing and said he is now satisfied that AT&T has addressed his concerns.

Mayor Seiler opened the floor for public comment.

AT&T Area Director of Public Affairs Victor Beninate apologized for installing equipment at NE 56 Street without a permit.

There being no other individuals wishing to speak on this matter, a motion was made by Vice-Mayor Roberts and seconded by Commissioner Trantalis to close the public hearing. Roll call showed: AYES: Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler. NAYS: None.

Motion made by Vice-Mayor Roberts and seconded by Commissioner Rogers to approve the item as recommended.

Commissioner Rogers pointed out that AT&T has agreed to make all facilities consistent with this design. Unfortunately it does not appear that placing such facilities underground is financially feasible.

APPROVED

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

ORDINANCES

O-1 14-0169 QUASI-JUDICIAL - FIRST READING OF ORDINANCE - CONRAD FORT LAUDERDALE BEACH RESORT - application of prior zoning regulation to the calculation of gross floor area - Unified Land Development Regulations, Section 47-2.2.C - Case 75R13

Applicant: Conrad Fort Lauderdale Beach Resort
Location: 551 North Fort Lauderdale Beach Boulevard
Zoning: A-1-A Beachfront Area (ABA)
Future Land Use: Central Regional Activity Center

All individuals wishing to speak on this matter were sworn in.

Members of the Commission announced with whom they had spoken and/or site visits made concerning this matter.

Mayor Seiler opened the floor for public comment.

Ina Lee, representing the Greater Fort Lauderdale Chamber of Commerce, expressed support of the item.

Fred Carlson, representing the Central Beach Alliance, expressed support of the item.

There being no other individuals wishing to speak on this matter, a motion was made by Vice-Mayor Roberts and seconded by Commissioner Rogers to close the public hearing. Roll call showed: AYES: Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler. NAYS: None.

Commissioner Trantalis introduced the ordinance, which was read by title only.

PASSED FIRST READING

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

O-2 14-0049 QUASI JUDICIAL - SECOND READING OF ORDINANCE - VACATION OF 2,415 SQUARE FOOT PORTION OF RIGHT-OF-WAY -related to Wal-mart shopping center development on south side of West Broward Boulevard between SW 24 and 27 Avenues - Case 15P13

Applicant: GDC Broward RB LLC % Gatlin Development Co, Les Wills Riverland Bait Tackle & Gun Shop - Riverbend Marketplace
Location: Southeast corner of SW 27 Avenue and SW 2 Court

Members of the Commission announced with whom they had spoken and/or site visits made concerning this matter.

Mayor Seiler opened the floor for public comment.

There being no individuals wishing to speak on this matter, a motion was made by Commissioner Trantalis and seconded by Commissioner DuBose to close the public hearing. Roll call showed: AYES: Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler. NAYS: None.

Commissioner Trantalis introduced the ordinance, which was read by title only.

ADOPTED ON SECOND READING

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

O-3 14-0050 QUASI JUDICIAL - SECOND READING OF ORDINANCE - VACATION OF 60 FOOT RIGHT-OF-WAY - related to Wal-mart shopping center development on south side of West Broward Boulevard between SW 24 and 27 Avenues - Case 25P13

Applicant: Riverbend South LLC, GDC Broward RB LLC % Gatlin Development Co, Sunmax LLC, Donald T Swinarski Jr., Brian, Pattulo, Arco Property Management, Carl T. Waldron - Riverbend Marketplace
Location: East side of SW 27 Avenue, north of SW 2 Court

Members of the Commission announced with whom they had spoken and/or site visits made concerning this matter.

Mayor Seiler opened the floor for public comment.

There being no individuals wishing to speak on this matter, a motion was made by Commissioner Trantalis and seconded by Commissioner Rogers to close the public hearing. Roll call showed: AYES: Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler. NAYS: None.

Commissioner Trantalis introduced the ordinance, which was read by title only.

ADOPTED ON SECOND READING

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

O-4 14-0051 QUASI JUDICIAL - SECOND READING OF ORDINANCE - VACATION OF 30 FOOT RIGHT-OF-WAY - related to Wal-mart shopping center development on south side of West Broward Boulevard between SW 24 and 27 Avenues - Case 26P13

Applicant: Riverbend South LLC, GDC Broward RB LLC % Gatlin Development Co, Sunmax LLC, Donald T. Swinarski Jr., Brian Pattulo, City of Fort Lauderdale, George, Arlene Berger, Les Wills Riverland

Bait Tackle & Gun Shop, Inc- Riverbend Marketplace
Location: East side of SW 27 Avenue, South of SW 2 Street

Members of the Commission announced with whom they had spoken and/or site visits made concerning this matter.

Mayor Seiler opened the floor for public comment.

There being no individuals wishing to speak on this matter, a motion was made by Commissioner Trantalis and seconded by Vice-Mayor Roberts to close the public hearing. Roll call showed: AYES: Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler. NAYS: None.

Commissioner Trantalis introduced the ordinance, which was read by title only.

ADOPTED ON SECOND READING

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

O-5 14-0052 QUASI JUDICIAL - SECOND READING OF ORDINANCE - VACATION OF 50 FOOT RIGHT-OF-WAY - related to Wal-mart shopping center development on south side of West Broward Boulevard between SW 24 and 27 Avenues - Case 27P13

Applicant: GDC Broward RB LLC % Gatlin Development Co, Carl T. Waldron, George and Arlene Berger - Riverbend Marketplace
Location: East side of SW 27 Avenue between SW 2 Street and SW 2 Court –

Members of the Commission announced with whom they had spoken and/or site visits made concerning this matter.

Mayor Seiler opened the floor for public comment.

There being no individuals wishing to speak on this matter, a motion was made by Commissioner Rogers and seconded by Commissioner DuBose to close the public hearing. Roll call showed: AYES: Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler. NAYS: None.

Commissioner Trantalis introduced the ordinance, which was read by title only.

ADOPTED ON SECOND READING

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

O-6 14-0053 QUASI JUDICIAL - SECOND READING OF ORDINANCE REZONING TO EXCLUSIVE USE - PARKING (X-P) WITH COMMERCIAL FLEX ALLOCATION AND SITE PLAN FOR CHICK-FIL-A RESTAURANT -

Case 8ZR-13

Applicant: North Federal 2650 LLC
Location: 2650 North Federal Highway
Current Zoning: Residential Mid Rise Multifamily/Medium Density District (RMM-25)

Members of the Commission announced with whom they had spoken and/or site visits made concerning this matter.

Mayor Seiler opened the floor for public comment.

There being no individuals wishing to speak on this matter, a motion was made by Vice-Mayor Roberts and seconded by Commissioner DuBose to close the public hearing. Roll call showed: AYES: Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler. NAYS: None.

Vice-Mayor Roberts introduced the ordinance, which was read by title only.

ADOPTED ON SECOND READING

Aye: 5 - Commissioner DuBose, Commissioner Rogers, Vice-Mayor Roberts, Commissioner Trantalis and Mayor Seiler

OTHER BUSINESS

OB REQUEST FOR EXECUTIVE CLOSED DOOR SESSION

The City Attorney requested a closed door meeting for March 4, 2014, to discuss Jentina Littles v. Gina Scola, Ryan Clifton and City of Fort Lauderdale (Case 12-62069 (RNS)).

There being no other matters to come before the Commission, the meeting was adjourned at 8:07 p.m.

John P. "Jack" Seiler
Mayor

ATTEST:

Jonda K. Joseph
City Clerk