

City of Fort Lauderdale

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



Meeting Minutes

Tuesday, October 18, 2016

6:00 PM

City Commission Chambers

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

***JOHN P. "JACK" SEILER Mayor - Commissioner
DEAN J. TRANTALIS Vice Mayor - Commissioner - District II
BRUCE G. ROBERTS Commissioner - District I
ROBERT L. McKINZIE Commissioner - District III
ROMNEY ROGERS Commissioner - District IV***

***LEE R. FELDMAN, City Manager
JOHN HERBST, City Auditor
JEFFREY A. MODARELLI, City Clerk
CYNTHIA A. EVERETT, City Attorney***

INVOCATION

Reverend Father Curtis Kiddy, St. Jerome Catholic Church

PLEDGE OF ALLEGIANCE

Michelle and Division Fire Chief Timothy Heiser

ROLL CALL

Present: 5 - Commissioner Robert L. McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Vice Mayor Dean J. Trantalis and Mayor John P. "Jack" Seiler

QUORUM ESTABLISHED

Also Present: City Manager Lee R. Feldman, City Clerk Jeffrey A. Modarelli, City Attorney Cynthia A. Everett, City Auditor John Herbst, and Sergeant At Arms Jaime Costas

CALL TO ORDER

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

WALK-ON ITEMS

[16-1312](#)

Walk-On Motion - City Commission Request for Review - Tattoo Blues Sign - Case Number R16052

Mayor Seiler read this Walk-On Motion by title only.

Vice Mayor Trantalis made a motion to add this Walk-On item to the Agenda and was seconded by Commissioner Roberts.

APPROVED Motion to add item to agenda

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

[16-1130](#)

WALK ON - Resolution Authorizing the City Manager to (i) Execute and File a Temporary General Use Permit with the Florida Department of Transportation (FDOT) for Placement and Operation of a Temporary ADA Accessible Water Taxi/Shuttle Landing for the Fort Lauderdale Boat Show shuttle at the Laura Ward Park, (ii) Authorizing the City Manager to Execute an Assignment and Assumption Agreement with Yachting Promotions, Inc. (YPI)

Mayor Seiler read this Walk-On Resolution by title only.

Vice Mayor Trantalis made a motion to add this resolution to tonight's Consent Agenda which was seconded by Commissioner Rogers.

APPROVED Motion to add item to consent agenda

AGENDA ANNOUNCEMENTS

Mayor Seiler announced the following updates and revisions to the Agenda items:

Updates and revisions to the Consent Agenda items:

CM-6 - Revised memo and task order to reflect "FEC"

CM-7 - Revised Exhibit 1

Pur-8 - Revised background section of the Memo

CONSENT AGENDA

Mayor Seiler announced the procedure for the consent agenda items. Mayor Seiler announced the following items had been pulled from tonight's Consent Agenda to be heard and considered separately: CM-1, CM-8, PUR-3, and PUR-4.

PRESENTATIONS

Commissioner Roberts noted that the recipient of PRES-1 had not yet arrived and this presentation will be given later in the meeting.

PRES- [16-1283](#)
2

Proclamation declaring October, 2016 as Florida Native Plant Month in the City of Fort Lauderdale

Commissioner Rogers presented a Proclamation declaring October, 2016, as Florida Native Plant Month in the City of Fort Lauderdale. Commissioner Rogers requested Richard Brumscum to join him at the podium. Commissioner Rogers presented Mr. Brumscum with the City's Proclamation declaring October, 2016, as Florida Native Plant Month in the City of Fort Lauderdale and read the Proclamation in its entirety.

Mr. Brumscum thanked Mayor Seiler and the City Commission for this recognition and the City's Proclamation. He requested the citizens of the City plant a native plant in memory of Mr. Gene Dempsey, former City Forester - Office of Sustainability, Department of Public Works, who gave the City many trees and native plants. Mr. Brumscum elaborated on the need and importance of planting native plants and trees for the

well-being of City's natural habitat and environment.

PRESENTED

PRES- [16-1280](#)
3

Proclamation declaring October 18, 2016 as Fort Lauderdale Fire Rescue Heroes Drive Pink with AutoNation Day in the City of Fort Lauderdale

Vice Mayor Trantalis presented the Proclamation declaring October 18, 2016, as Fort Lauderdale Fire Rescue Heroes Drive Pink with AutoNation Day in the City of Fort Lauderdale.

Vice Mayor Trantalis requested Fire Chief Robert Hoecherl, Division Fire Chief Timothy Heiser, Michelle Heiser, and Paula Levinson, representing AutoNation, to join him at the podium. Vice Mayor Trantalis read the City's Proclamation in its entirety and presented it to Fire Chief Robert Hoecherl, Division Fire Chief Timothy Heiser, Michelle Heiser, and Paula Levinson. Ms. Levinson and Division Chief Heiser each thanked the City for its support, recognition and the Proclamation.

Mayor Seiler thanked the City's Fire Department noting its outstanding ranking in the nation. He also thanked AutoNation for their great corporate citizenship and support for building community, for making the City of Fort Lauderdale its home, and their consistent efforts in giving back to the community.

PRESENTED

Approval of MINUTES and Agenda

[16-1287](#)

Minutes for September 20, 2016, City Commission Conference Meeting and September 20, 2016, City Commission Regular Meeting

Vice Mayor Trantalis made a motion to approve tonight's Agenda and the Minutes for the City Commission Conference Meeting of September 20, 2016, and the City Commission Regular Meeting of September 20, 2016.

APPROVED

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

PRES- [16-1279](#)
4

Police Officer of the Month for October, 2016

Police Major Rick Maglione requested Police Detectives Matthew Guerra and Vincent Falzone join him at the podium. Major Maglione presented both Detective Matthew Guerra and Detective Vincent Falzone with the Police Officer of the Month Award for October, 20, 2016. Major Maglione described the incident involving Detective Matthew Guerra and Detective Vincent Falzone which led to the apprehension of four dangerous suspects who eventually confessed to a murder and robbery in Altamonte Springs, Florida. Major Maglione commended Police Detectives Matthew Guerra and Vincent Falzone for a job well done.

PRESENTED

Mayor Seiler announced to the public a letter from U.S. Senator Bill Nelson notifying Mayor Seiler that the City received a U.S. Department of Justice Grant for Police Body Camera implementation in the amount of \$600,000. Additionally, Mayor Seiler stated the City has also received a \$1,000,000 grant to hire eight additional police officers. He stated these funds will give the City's Police Department the resources it needs.

CONSENT MOTION

CM-1 [16-1266](#)

Motion Authorizing Settlement of Employment Practices Liability Claim in the Matter of Michael Florenco v. City of Fort Lauderdale, Case No. CACE 15-020353 (25), Appeal Case No. 4D16-1892, and Pending Arbitration Case in the amount of \$50,000

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road, who addressed the Commission with his comments, thoughts, concerns, and questions regarding this item.

Commissioner Roberts moved to approve this item which was seconded by Commissioner McKinzie.

APPROVED

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

Approval of the Consent Agenda

Approve the Consent Agenda

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

CM-2 [16-1157](#)

Motion to Approve an Agreement with Riverwalk Fort Lauderdale, Inc.

for 2017 Events

APPROVED

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

CM-3 [16-1193](#)

Motion to Approve an Agreement with Yachting Promotions, Inc. and the Marine Industries Association of South Florida, Inc. for the 2016 Fort Lauderdale International Boat Show

APPROVED

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

CM-4 [16-1198](#)

Motion to Approve Event Agreements: Veteran's Day 5K Buddy Run/Walk, Icarus Florida Ultrafest, 2016 Fort Lauderdale Fest and Meet Me In Fort Lauderdale

APPROVED

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

CM-5 [16-1200](#)

Motion to Approve Event Agreements and Related Road Closings: Trunk or Treat, Novemberfest 2016, The Leukemia & Lymphoma Society's Light the Night Walk and Race with the Broward County Delta's

APPROVED

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

CM-6 [16-0974](#)

Motion to Approve Professional Engineering Services for a Condition Survey Inspection of Riverwalk North Between the CSX Train Track and Andrews Avenue - Calvin, Giordano & Associates, Inc. - Not to Exceed \$9,000 Task Order

APPROVED

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

CM-7 [16-0823](#)

Motion Approving Co-Sponsorship of the Shen Yun Performing Arts

APPROVED

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

CM-8 [16-1234](#)

Motion Authorizing a Revocable License with PRH Fairwinds, LLC,

for the Temporary Closure of NE 23rd Street Right of Way in Association with the Construction of the Auberge, formerly, Fairwinds on the Ocean Development

Mayor Seiler noted this item had been pulled by Steve Gannon, President of the Lauderdale Beach Homeowners Association, who was in support of this item. As such, Mayor Seiler stated that no discussions on this item were necessary.

Vice Mayor Trantalis moved to approve this item which was seconded by Commissioner Roberts.

APPROVED

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

PURCHASING AGENDA

PUR-1 [16-1143](#) Motion to Approve Contract for the Construction of Mills Pond Park Athletic Fields - CSR Heavy Construction, Inc.- \$3,716,524

APPROVED

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

PUR-2 [16-1149](#) Motion to Approve Contract for Parking Lot Clean-Up Services at Various City Locations - Ceiling to Floor Cleaning Inc. - \$110,450

APPROVED

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

PUR-3 [16-1160](#) Motion to Approve Contract for City Hall 1st Floor Security Enhancements Project - Sun Eagle General Contractors Corporation - \$133,639

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road, who addressed the City Commission with his comments, thoughts, concerns, and questions regarding this item.

Vice Mayor Trantalis commented on the importance protecting all attendees at City Commission Meetings noting this item ensures the safety of all City Commission Meeting participants.

Commissioner Roberts moved to approve this item which was seconded by Commissioner McKinzie.

APPROVED

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

PUR-4 [16-1161](#)

Motion to Approve Purchase of Street Light Fixtures - Multiple Vendors - \$314,239

Commissioner Rogers asked whether this item's purchase of replacement of light bulbs were with LED light bulbs and if the City would receive any type of energy credit. City Manager stated the City would not get a specific credit as the City pays on an energy consumption basis. He also stated that when the City changes its lighting to LED light bulbs, it will save on energy consumption. City Manager Feldman also stated that these lights are not from Florida Power and Light (FPL).

Commissioner Rogers moved to approve this item which was seconded by Commissioner McKinzie.

APPROVED

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

PRES- [16-1285](#)**1**

Proclamation declaring October, 2016 as Domestic Violence Awareness Month in the City of Fort Lauderdale

Commissioner Roberts requested Ron Osborn Williams, the representative from the Women in Distress organization, to join him at the podium for the presentation of this Proclamation declaring October, 2016, as Domestic Violence Awareness Month in the City of Fort Lauderdale.

Commissioner Roberts read the Proclamation in its entirety and presented it to Mr. Williams. Mr. Williams thanked Mayor Seiler, the City Commission, and the City of Fort Lauderdale on behalf of the Mayor Stacy Ritter, CEO of Women in Distress. Mr. Williams also thanked those who participate at Women in Distress for their ongoing support of those in Greater Fort Lauderdale who experience domestic violence.

PRESENTED**PUR-5** [16-1217](#)

Motion to Approve Contract for Fiveash Water Treatment Plant Hydrotreaters 3 and 4 Influent Pipe Modifications - RF Environmental Services, Inc. - \$399,096

APPROVED

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

PUR-6 [16-1228](#)

Motion to Approve Proprietary Purchase of Annual Software Maintenance Service - Cogsdale Corporation - \$226,016

APPROVED

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

PUR-7 [16-1262](#)

Motion to Approve Contract for Holiday Park Dog Park - Interstate Construction, LLC - \$106,235

APPROVED

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

PUR-8 [16-1201](#)

Motion to Approve Contract Amendment for Additional Expenditures for Elevator Maintenance and Repair Services - Xpert Elevator Services, Inc. - \$85,000

APPROVED

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

[16-1130](#)

WALK ON - Resolution Authorizing the City Manager to (i) Execute and File a Temporary General Use Permit with the Florida Department of Transportation (FDOT) for Placement and Operation of a Temporary ADA Accessible Water Taxi/Shuttle Landing for the Fort Lauderdale Boat Show shuttle at the Laura Ward Park, (ii) Authorizing the City Manager to Execute an Assignment and Assumption Agreement with Yachting Promotions, Inc. (YPI)

ADOPTED

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

MOTIONS**M-1** [16-1219](#)

Consideration of a Motion Regarding the Release of Request for Proposals (RFP) for Managed Services of a 911 Communication Center

City Manager Feldman requested direction from the City Commission regarding the City moving forward with the release of a Request for Proposals (RFP) for the its own 911 Emergency Communications Center System. Commissioner Roberts initiated the discussion on this topic focusing on the need for the proper levels of 911 emergency services for the citizens of the City. Commissioner Roberts noted that the current consolidated system with Broward County has not been adequate in

addressing emergency needs of the residents of the City. Commissioner Roberts stated he would like an RFP to enable the City to make a better decision on this subject.

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road, who addressed the Commission with his comments, thoughts, concerns, and questions regarding this item and in opposition to Commissioner Roberts' recommendation due to costs.

Mayor Seiler recognized Steve Ganon, Lauderdale Beach Homeowners Association, who addressed the Commission with his comments, thoughts, concerns and questions regarding this item. Mr. Ganon cited the long response times he has experienced with the current 911 Communications Center as well as other issues.

Mayor Seiler recognized Steve Coleman, 1729 NE 17th Avenue, who addressed the Commission with his comments, thoughts, concerns, and questions regarding this item and also noted the current long response times he had experienced.

Vice Mayor Trantalis commented on City Manager Feldman's previous comments about the lack of adequate, trainable personnel even if the City instituted its own 911 Emergency Communications Center System and the associated costs. Vice Mayor Trantalis asked City Manager Feldman for his input. City Manager Feldman stated his concern remains with the staffing issues of the City's own 911 Emergency Communications Center System. Mayor Seiler commented that unless he can have a guarantee that the City's own 911 Emergency Communications Center System would be adequately staffed at the necessary levels of service, he is not comfortable moving forward on an expenditure of this magnitude. The Commission continued discussions and debate on this issue including the costs and requirements of the proposed Request for Proposals (RFP), the improvements the current 911 system is working towards, and other needs of the City which are in need of funding.

Commissioner Roberts moved to approve this item and was seconded by Robert McKinzie.

APPROVED

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

M-2 [16-1196](#)

Motion to Approve an Event Agreement with National Marine Suppliers, Inc. for National Marine Suppliers Annual Customer

Appreciation Party

Mayor Seiler stated there was no one present wishing to speak on this item.

The Commission discussed the closing time of this event noting it is the same as last year and was very successful.

Vice Mayor Trantalis moved to approve this item which was seconded by Commissioner Rogers.

APPROVED

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

M-3 [16-1094](#)

Motion to approve Designation of the City of Fort Lauderdale Voting Delegate and Alternate(s) for the National League of Cities - 2016 Congress of Cities and Annual Business Meeting

The Commission discussed the dates of this event and the designation of the City of Fort Lauderdale Voting Delegate and Alternate for the National League of Cities Congress of Cities. There was a consensus that Commissioner Roberts would be the City's delegate and alternate.

Commissioner Roberts made a motion to designate Commissioner Roberts as the City of Fort Lauderdale's delegate and the alternate to the National League of Cities Congress of Cities which was seconded by Vice Mayor Trantalis.

APPROVED Motion to designate Commissioner Bruce G. Roberts as the City of Fort Lauderdale Delegate

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

NEIGHBOR PRESENTATIONS

NP-1 [16-1268](#)

Christine Timmon - Constitution and Religious Terrorism and Financial Terrorism of Federal Entitlement Programs

Mayor Seiler recognized Christine Timmon, 820 NW 1st Avenue, #7, who addressed the Commission on her Neighbor Presentation entitled Constitution and Religious Terrorism and Financial Terrorism of Federal Entitlement Programs.

RECEIVED

NP-2 [16-1269](#)

Art Seitz - Fort Lauderdale 2009 - 2016 - Fort Lauderdale Beach Concerns

Mayor Seiler recognized Art Seitz, 105 N. Ocean Blvd., who addressed the Commission with his presentation entitled Fort Lauderdale 2009 - 2016 - Fort Lauderdale Beach Concerns. Mr. Seitz's presentation focused on the use of the *Penny at Work* initiative should it be passed on the November 2016 ballot and recommendations as to how these funds should be spent in the City's beach area.

Mr. Seitz's noted past projects in the City such as the South Side School and the City's Aquatic Complex which have been costly. Mr. Seitz recommended how this funding could be spent. Mr. Seitz also gave his suggestions for improved development opportunities in the Las Olas Marina parking lot area.

RECEIVED

NP-3 [16-1270](#)

Charles King - Officer(s) and Blue Courtesy

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road, who addressed the Commission with his Neighbor Presentation entitled Officer(s) and Blue Courtesy. Mr. King's specific comments related to Fort Lauderdale Police Officer David Knapp and the Blue Courtesy shown to him by the Fort Lauderdale Police Department. Mr. King read a newspaper article that appeared in the *Sun Sentinel* in late August, 2016. Mr. King also read a subsequent newspaper article on the incident involving Officer Knapp.

RECEIVED

RESOLUTIONS

R-1 [16-1256](#)

Appointment of Board and Committee Members

Discussions ensued on upcoming appointments to the City's Advisory Boards including the following appointments that will be voted on by resolution at the November 1, 2016, City Commission Meeting:

Robert Wolfe - Economic Development Advisory Board
Brandon Stewart - Affordable Housing Advisory Committee

Vice Mayor Trantalis introduced this resolution appointing City Advisory Board and Committee members as noted below. City Clerk Modarelli read resolution by title only:

AFFORDABLE HOUSING ADVISORY COMMITTEE

Wilson Atkinson is appointed to the Affordable Housing Advisory Committee (category: One who actively represents employers in the City of Fort Lauderdale) to complete an unexpired term ending 12/1/2017 or

until his successor has been appointed.

AVIATION ADVISORY BOARD

Joshua Kroon is appointed to the Aviation Advisory Board for a one year term beginning 11/3/2016 and ending 11/2/2017 or until his successor has been appointed.

EDUCATION ADVISORY BOARD

Dale Fulton and Stefan Weiss are appointed to the Education Advisory Board for a one year term beginning October 5, 2016 and ending October 4, 2017 or until their successor has been appointed.

CHARTER REVISION BOARD

Wilson Atkinson is appointed to the Charter Revision for a one year term beginning October 5, 2016 and ending October 4, 2017 or until his successor has been appointed.

COMMUNITY APPEARANCE BOARD

Leslie Fordham is appointed to the Community Appearance Board for a one year term beginning November 4, 2016 and ending November 3, 2017 or until her successor has been appointed.

COMMUNITY SERVICES BOARD

Joseph Van de Bogart is appointed to the Community Services Board for a one year term beginning November 4, 2016 and ending November 3, 2017 or until his successor has been appointed.

ADOPTED

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

R-2 [16-1299](#)

Resolution Approving Payment of Legal Fees incurred by Commissioner Robert L. McKinzie in defending the following lawsuit: Gino Jameson and Claudette Grant v. City of Fort Lauderdale and Robert McKinzie, Case No. 14-021340, in the 17th Judicial Circuit Court in and for Broward County, Florida

Mayor Seiler recognized Craig Fisher, 200 S. Birch Road, who addressed the Commission with his thoughts, comments, questions, and concerns in opposition to this item. Mr. Fisher noted the controversy in items of this nature and the concerns of many City residents who feel as he does that the citizens of the community should not be paying for legal representation of a Commission member regarding residency issues especially when the State Inspector General is involved.

Mayor Seiler recognized Charlie King, 105 N. Victoria Park Road, who addressed the Commission with his thoughts, comments, questions, and concerns in opposition to this item.

Mayor Seiler recognized Assistant City Attorney Candace Duff, who addressed the Commission on this item stating the City Attorney's Office feels this is a proper expenditure. Ms. Duff stated that at the time these expenses were incurred, Commissioner McKinzie was an active City Commissioner. Ms. Duff noted the residency claim was eventually dropped and the other issues related to the City's previous City Clerk, and the interpretation of the City's Charter as to whether an interim City Commissioner could run for office as a City Commissioner.

City Attorney Everett stated that if the City Commission adopts this resolution it is making a specific finding that Commissioner McKinzie's legal services arose out of a connection with his specific duties and does serve a public purpose.

Mayor Seiler reiterated the additional issues relating to this matter involved the previous City Clerk at the time and the interpretation of the City Charter all of which intertwined with Commissioner McKinzie's serving as a City Commissioner and this made them City related issues.

Commissioner Rogers introduced this item which was read by title only.

ADOPTED

Aye: 4 - Commissioner Rogers, Commissioner Roberts, Vice Mayor Trantalis and Mayor Seiler

Abstain: 1 - Commissioner McKinzie

R-3 [16-1248](#)

Resolution Approving a Lease Agreement with The Parker Theatre, Inc.

Mayor Seiler opened the public hearing.

Mayor Seiler recognized Mr. Charles King, 105 N. Victoria Park Road, who addressed the Commission with his comments, thoughts, concerns, and questions regarding this item specifically focusing on the length of lease term.

City Clerk Modarelli noted that there had been revisions to the memo and the lease agreement for this item.

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

McKinzie, Commissioner Rogers, Commissioner Roberts, Vice Mayor Trantalis, and Mayor Seiler. NAYS: None.

Vice Mayor Trantalis introduced this resolution as amended.

ADOPTED AS AMENDED

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

R-4

[16-1265](#)

Resolution to Select Suntex Marina Investors LLC's Las Olas Marina Site Proposal

Mayor Seiler noted that this item addresses the selection of one of Suntex Marina Investors LLC's (Suntex) concepts, alternative A, B, or C, for development of the Las Olas Marina. He also noted there had been a community outreach meeting by Suntex. This meeting included representatives of the nearby condominiums, Venetian Condominium, Portofino Condominium, Leisure Beach Condominium, Leisure Beach South Condominium, and the Jackson Tower Condominium. The goal of this community outreach meeting was to receive input from these stakeholders as to their preferred Suntex concept for the development of the Las Olas Marina.

Mayor Seiler recognized Rose Kurlander, One Las Olas Circle and representative of the Venetian Condominium, who addressed the Commission with her thoughts, comments, questions, and concerns in support of this item. Ms. Kurlander thanked Suntex for its community outreach meeting and outlined the marina's enhancements specifically focusing on alternative C3. She noted the meeting included discussions on the number of restaurants alternative C3.

Ms. Kurlander addressed the importance of the committee outreach process and the recommended receiving input from the Marine Advisory Board (MAB), the Beach Redevelopment Board (BRB), the Central Beach Alliance (CAB) and additional neighborhood and community outreach meetings. Her additional comments and concerns focused on traffic flow, delivery truck routes and drop offs, tram schedules, relocation of the City's pumping station, the lease agreement of public property for private business, the desire for more details of the long-term lease, and avoiding the City's previous experiences when only one bid is presented. Ms. Kurlander stated she thought the Suntex concept was good but the City needs to address these details prior to a final vote in February 2017.

Mayor Seiler recognized Jim DeFrancesco, President of the Jackson Towers Las Olas Association, who addressed the Commission with his

thoughts, comments, questions, and concerns in support of this item. Mr. DeFrancesco thanked Suntex for its community outreach on this item stating the presentation was very thorough and informative. ***A copy of Mr. DeFrancesco's complete comments are attached to these minutes.***

Mayor Seiler recognized Abby Laughlin, 425 Bayshore Drive, who addressed the Commission with her thoughts, comments, questions, and concerns in support of this item. She acknowledged that alternative C3 was the most popular alternative stating the entire Central Beach Alliance (CAB) has not seen the Suntex presentation and the CAB looks forward to inviting Suntex to its next meeting.

Mayor Seiler recognized Craig Fisher, 200 S. Birch Road, who addressed the Commission with his thoughts, comments, questions, and concerns on this item. Mr. Fisher thanked Vice Mayor Trantalis for his work with recommending and coordinating Suntex's outreach meeting to the neighbors of the Las Olas Marina. Mr. Fisher discussed his support of the alternative C3 concept. He also noted Suntex's professionalism and recommended the City rollout the "Red Carpet" for Suntex. Mr. Fisher also discussed revisiting the closing of the Las Olas Circle when the Boat Show is setting up and further addressing the ingress and egress issues with the proposed parking garage.

Mayor Seiler recognized Art Seitz, 105 N. Ocean Blvd., who addressed the Commission with his thoughts, comments, questions, and concerns in support of Suntex's proposed alternative C3. Mr. Seitz's comments included the marina's restaurant's northwest location and the need for a world-class promenade as it is a key part of the 27 mile long A1A Greenway. Mr. Seitz also recommended using the funding from the Broward Foundation (obtained from the work of Commissioner Rogers) to enhance DC Alexander Park and additional enhancements for *Art in Public Places* for the promenade and would benefit of the public. Mr. Seitz also recommended working with Stacy Ritter, Chief Executive Officer of the Greater Fort Lauderdale Convention and Visitors Bureau, for recommendations and additional ideas to enhance these goals.

Mayor Seiler stated for the record that the Suntex team includes David Filler, Ron Shults, and Dario Meyer.

Vice Mayor Trantalis requested clarification on alternative C. Mayor Seiler recognized David Filler, designated representative of Suntex Marina Investors, who addressed Vice Mayor Trantalis' inquiry stating in response to the RFP, Suntex had identified a variety of locations for a restaurant. He stated all stakeholders believe that alternative C, the

Mega Yacht Marina with a restaurant gives more flexibility from a design perspective. Mr. Filler noted that slide C3 shows proposed site for the restaurant on an existing peninsula in the upland area of the marina site. Further discussions ensued on the additional placement of a more casual restaurant at the southwest corner of the marina. It was noted that EDSA was in support of this option noting there is additional flexibility there to address parking concerns. Comments and discussions ensued on additional amenities for patrons of the marina and the input of those attending the community outreach meetings.

Vice Mayor Trantalis confirmed that the neighborhood community is on board with one and perhaps two restaurants in Suntex's proposal noting that the exact locations are yet to be determined. Mr. Filler confirmed Suntex will continue to have dialogue with the neighborhood community on the marina's design and amenities. He noted this community outreach makes residents feel they are part of the process rather than being excluded. Vice Mayor Trantalis thanked Suntex for its professionalism and outreach to the neighboring community.

Mayor Seiler clarified for the record that the amended adoption of this item includes alternate C3 including a second casual restaurant with a possible small sundries concession/hut. Mayor Seiler also recommended Suntex meet with the Central Beach Alliance (CBA) on the proposed project's alternate C3.

Vice Mayor Trantalis introduced this resolution as amended which the City Clerk read by title only.

Mayor Seiler thanked Suntex, Vice Mayor Trantalis, and all those involved who worked together to involve all neighboring stakeholders. He recommended continued coordination by those involved and to work through Vice Mayor Trantalis' office to address issues, concerns, thoughts and recommendations for Suntex to address.

ADOPTED AS AMENDED - Proposal C3

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

R-5 [16-1251](#)

Quasi-Judicial Resolution Approving Plat Known as Furniture Consignment Warehouse Plat - SR 84, Inc. - Case Number PL16004

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

Each City Commission member disclosed their verbal and written

communications, site visits, and expert opinions received.

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

Vice Mayor Trantalis introduced this resolution which was read by title only.

ADOPTED - Approving Plat

Aye: 4 - Commissioner McKinzie, Commissioner Rogers, Vice Mayor Trantalis and Mayor Seiler

Not Present: 1 - Commissioner Roberts

R-6 [16-1252](#) Quasi-Judicial - Resolution Approving Plat Known as Tree House on Brickell - (South Side of Las Olas Boulevard, between SE 17th Avenue and SE 16th Avenue) - Ver-Mac Properties 1613 Brickell, LLC- Case Number PL16002

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

Each City Commission member disclosed their verbal and written communications, site visits, and expert opinions received.

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

Vice Mayor Trantalis introduced this resolution which was read by title only.

ADOPTED - Approving Plat

Aye: 4 - Commissioner McKinzie, Commissioner Rogers, Vice Mayor Trantalis and Mayor Seiler

Not Present: 1 - Commissioner Roberts

R-7 [16-1250](#) Resolution Supporting a Complete Streets Project on NE 4th Avenue

Mayor Seiler stated his concern about this item related to whether or not there is enough flexibility for emergency situations. He noted he had

experienced complaints during preparations for Hurricane Matthew as to what would have occurred had this area of Fourth Avenue which is home to Home Depot been reduced to one lane each way.

Mayor Seiler recognized Diana Alarcon, Director of Transportation and Mobility, who addressed Mayor Seiler's concern about the flexibility of making this portion of Fourth Avenue one lane in each direction. Ms. Alarcon stated these concerns had been addressed at the public hearing held with the City of Wilton Manors last month, and they have gone back and modified the maintaining of the two lanes in the area from 11th Street to Sunrise Boulevard.

Discussions continued with the Commission about having the modified area run from 13th Street to Sunrise Blvd. Ms. Alarcon confirmed for the Commission that these changes were "just paint on the ground." Ms. Alarcon also requested to have the opportunity and flexibility to do an analysis of the implications of removing the bike lane between 11th Street and 13th Street and its impact. Mayor Seiler stated did not have an issue with this request.

Commissioner Roberts asked Ms. Alarcon for confirmation that this item is being funded by Tax Incremental Financing (TIF) money and is being provided by the Metropolitan Planning Organization (MPO). Ms. Alarcon confirmed both of these points. Discussions continued on removing the bike lanes and its effects on the TIF funding.

Mayor Seiler recognized Christine Fanchi, Planner II (Livability) Transportation and Mobility, who addressed the Commission about the length of time for a vehicle to travel from the Five Points area in Wilton Manors to Sunrise Blvd. Ms. Fanchi stated the analysis concluded that the lane elimination would increase the delay for motor vehicles during the busiest time of the day by 4 minutes for travel southbound from Sunrise Boulevard to NE 26th Street.

Vice Mayor Trantalis introduced this resolution which was read by title only.

ADOPTED

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

PUBLIC HEARINGS

PH-1 [16-1249](#)

Resolution Approving a Lease Agreement with the Young Men's Christian Association (YMCA) of South Florida, Inc. for a portion of

Holiday Park along North Federal Highway

Mayor Seiler opened the public hearing.

Mayor Seiler recognized Mr. Charles King, 105 N. Victoria Park Road, who addressed the Commission with his comments, thoughts, concerns, and questions regarding this item. Mr. King asked if all of the YMCA's are similar. He also asked if the YMCA at Holiday Park would be programmed in the same manner as the YMCA on Sistrunk Blvd. Vice Mayor Trantalis stated the concepts are different for the YMCA on Sistrunk and the YMCA at Holiday Park noting that the floor plans are different. Additionally, Vice Mayor Trantalis stated that the YMCA on Sistrunk has commercial space on the first floor for retail businesses.

There being no one else wishing to speak on this item, Vice Mayor Trantalis made a motion to close the public hearing, which was seconded by Commissioner Roberts. Roll call showed: AYES: Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts, Vice Mayor Trantalis, and Mayor Seiler. NAYS: None.

Mayor Seiler thanked all of those in the audience from the YMCA for their support of the City's communities.

Vice Mayor Trantalis introduced this resolution which was read by title only.

ADOPTED AS AMENDED

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

PH-2 [16-1100](#)

Resolution Granting a Waiver of Limitations at 357 Idlewyld Drive for the construction of two (2) triple pile clusters, an existing "T" dock, and a modification to the existing "T" dock

Mayor Seiler opened the public hearing. Vice Mayor Trantalis noted that at his neighborhood meeting last night there was nothing controversial about this item and it is a modification along with the addition of pilings.

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

Vice Mayor Trantalis introduced this resolution which was read by title only.

ADOPTED

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

ORDINANCE FIRST READING**OFR-1** [16-1107](#)

Ordinance Amending the Unified Land Development Regulations Revising the List of Permitted and Conditional Uses in the General Aviation Airport (GAA) and Airport Industrial Park (AIP) Zoning Districts and Creating Accessory Use Tables for Both Zoning Districts / Case T16003

Commissioner Rogers concurred with City Manager Feldman on this item and asked him if there was a way to address the airport in a similar manner as the Marine Center in terms of attracting vendors to their site for purposes of repairs and other types of businesses that go on at the airport. He also asked if those businesses are self-sustaining and if there was any validity to looking into this option for attracting businesses to the airport.

City Manager Feldman stated the businesses at this location are self-sustaining. He also noted that aviation related businesses located on airport property, receive subsidized leases at below market rates. City Manager Feldman noted that as a result of the Federal Aviation Administration's (FAA) deed restrictions and its requirement to promote general aviation, there was a lease differential in aviation and non-aviation businesses. Other aspects of this item's rezoning were discussed. City Manager Feldman also noted the City is going through this process at the request of the FAA. City Manager Feldman stated this ordinance's amendment adds medical uses to the two zoning categories.

Commissioner Roberts noted there are numerous moving parts involved in this ordinance and questions relating to all aspects of this ordinance could be addressed at the Second Reading. Mayor Seiler asked for confirmation that this ordinance does not eliminate restaurant usage at the General Aviation Airport (GAA). Eric Engmann, Planner III - Urban Design & Development - Department of Sustainable Development, confirmed that this ordinance does not eliminate restaurant usage at the GAA and restaurants are listed in the category of accessory uses. Additional comments and discussions ensued about different types of allowable ancillary usage which were clarified. It was noted there will be time to work on this ordinance between the First Reading and the Second Reading.

Vice Mayor Trantalis introduced this ordinance on First Reading which was read by title only.

PASSED FIRST READING

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

ORDINANCE SECOND READING

OSR-1 [16-1260](#)

An Ordinance Creating New Classes and Adopting Schedule X of the City of Fort Lauderdale Pay Plan and Amending Section 20-83 of the Code of Ordinances of the City of Fort Lauderdale by Designating Those Classes as Administrative Assistants to the City Manager

Commissioner Rogers introduced this ordinance on Second Reading which was read by title only.

ADOPTED ON SECOND READING

Aye: 4 - Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

Not Present: 1 - Vice Mayor Trantalis

ORDINANCE FIRST READING Continued

OFR-2 [16-1253](#)

Ordinance Amending Article X, Vacation Rentals, Chapter 15 of the Code of Ordinances of the City of Fort Lauderdale (Code)

Mayor Seiler stated this is the First Reading of this Ordinance, and stated the Second Reading will take place in thirty (30) days, at the November 15, 2016, City Commission Regular Meeting. Mayor Seiler also noted there will be time to work on this ordinance between the First Reading and the Second Reading.

Mayor Seiler recognized Maria Ball, 3609 SW 36th Street, who addressed the Commission in opposition to this item. Ms. Ball stated her reasons for renting her home on *airbnb* were financial. Ms. Ball requested the City to make it easier for people like her to have this supplemental income. Vice Mayor Trantalis asked Ms. Ball who supervises her vacation rental tenants when she is out of town. Ms. Ball stated her housekeeper comes once a week to ensure that vacation rental tenants are not abusing her residence.

Mayor Seiler recognized Steve Coleman, 1729 NE 17th Avenue, who addressed the Commission stating he is in favor of raising the registration fee for vacation rentals due to the need to fund the staffing for

enforcement of the City Code Ordinances already in place and to address vacation rental issues. Mr. Coleman noted he had reported over 25 vacation rental properties in his area as of June, 2016. Mr. Coleman cited several ordinances that were not being enforced in his neighborhood, giving several examples including the inability to identify a vacation rental property from a homeowner property.

Mayor Seiler recognized Jim Miller, 509 SW 18th Court, who addressed the Commission in opposition to this item. Mr. Miller stated he has a "mother-in-law" apartment on his property which he rents out with *airbnb* for economic reasons. He noted he is an on-site owner and stated the problems with vacation rentals occur with out of town owners and "party" houses. Mr. Miller further commented on what he believed to be faults in the City's current ordinances relating to vacation rentals.

Mayor Seiler recognized, Steve Ganon, President of Lauderdale Beach Homeowners Association, who addressed the Commission in support of this ordinance. Mr. Ganon stated everyone in his neighborhood is in consensus with the City's revised ordinance. He also noted the importance of addressing occupancy level issues in this amendment to the original ordinance. Mr. Ganon further commented on other aspects of the current ordinance.

Mayor Seiler recognized Lorraine Messana, 2053 NE 68th Street, who addressed the Commission on this item noting she was an *airbnb* on-site host. Ms. Messana's comments focused on the requirement for vacation rental properties to have a telephone landline and requested this requirement be removed from the ordinance. She also gave her thoughts and concerns over other requirements in the ordinance and the importance of attracting families to the City's local businesses.

Vice Mayor Trantalis asked Ms. Messana what was her gross income from renting on *airbnb*. Ms. Messana stated it was approximately \$40,000. Vice Mayor Trantalis explained the reasons for the need for the City's monitoring of vacation rentals. Ms. Messana addressed the issues raised by Vice Mayor Trantalis and gave her comments on these issues. Mayor Seiler also gave his input and the City Commission's desire to reach a balance on this issue for the benefit of all residents of the City.

Mayor Seiler recognized, Dennis Hanks, speaking on behalf of the Florida Vacation Rental Managers Association, who addressed the Commission in opposition to this ordinance. Mr. Hanks noted the vacation rental industry's input and proposals during past meetings. He focused on the successful models in place in other areas to address the City Commission's concerns. He gave recommendations, comments on

contributing factors, and suggestions to the City Commission. Mr. Hanks also commented on the need for the City Commission to have the necessary data in order to properly address this issue. Questions and discussions continued on the cost of the City's business license fees, fees for vacation rental registration, and complaints from residents in the City's neighborhoods.

Mayor Seiler recognized Jim Ellis, 2608 N. Atlantic Blvd., who addressed the Commission in support of this ordinance. Mr. Ellis confirmed that there were vacation rental complaints in his neighborhood. He thanked the Commission for taking the time to address this issue.

Mayor Seiler recognized Tom Martinelli, 325 NE 1st Avenue and designated representative of *airbnb* who addressed the Commission and gave his input on this ordinance noting *airbnb*'s recent correspondence to the Commission that included recommendations to assist the City with proper vacation rental compliance. Mr. Martinelli clarified *airbnb*'s position regarding its position of not renting to sexual offenders or sexual predators. ***A copy of this letter is attached to these minutes.***

Mayor Seiler recognized Marty Bilowich, 2621 Center Avenue, who addressed the Commission in support of this item. Mr. Bilowich commented on the occupancy in the City's ordinance noting the generosity of the current ordinance's ratio for the number of people per bedroom and stating it should not be altered. Mayor Seiler asked Mr. Bilowich if owner occupied vacation rentals were an issue in his area, and he stated it was not. Mayor Seiler asked about the issue of children in the ordinance and Vice Mayor Trantalis gave his input on this aspect of the ordinance.

Mayor Seiler recognized Theresa Boothe, 4800 NE 29th Avenue, who addressed the Commission stating for the record that she is in opposition to this ordinance. Ms. Boothe stated her thoughts and comments on the noise complaints in rental properties and the screening process available through *airbnb*. Vice Mayor Trantalis noted for Ms. Boothe it is the City's responsibility to maintain the health, safety, and welfare of the City and is the reason for this ordinance and citing several examples. Discussions and comments continued on this issue.

Mayor Seiler recognized Lars Helpre, 877 E. Palmetto Park Road and designated representative of Superior Florida Rentals, who addressed the Commission in support of this ordinance. Mr. Helpre gave his input from a business perspective noting they do not want complaints at their properties. He stated his desire for reasonable regulation and gave

possible alternatives for modifying the ordinance. Mr. Helpre recommended the City look at how other locations are addressing these issues on vacation rentals in areas that have successful vacation rental programs such as Austin, Texas. Mayor Seiler asked Mr. Helpre to send him a copy of the Austin, Texas ordinance.

Mayor Seiler recognized Jodie Siegal, Esq., 1177 SE 3rd Avenue and designated representative of Florida Places 4 Rent, who addressed the Commission in opposition to this ordinance. Ms. Siegal thanked all involved for their hard work. She addressed the issues in the ordinance regarding occupancy and the 90 day extension for payment for the certificate of compliance. Ms. Siegal requested this be extended to 180 days.

Mayor Seiler recognized Kevin Bratholt, 1234 NW 2nd Avenue, who addressed the Commission in opposition to this ordinance. One of his concerns in the ordinance was about owners being able to respond within an hour. Mr. Bratholt noted the owner's desire for everything to go smoothly while renting their vacation properties.

Mayor Seiler recognized Arthur Pounsford, 3500 NE 25th Street, who addressed the Commission in support of this ordinance. Mr. Pounsford as a resident noted his desire to maintain a good quality of life in his neighborhood and his concerns regarding occupancy ratio's for vacation rentals. He also commented on monitoring the number of occupants, specifically children. At the request of Mayor Seiler, Mr. Pounsford noted there were three vacation rentals near his home.

Mayor Seiler recognized Greg Brewton, designated representative of Florida Vacation Rentals, who addressed the Commission on this item. Mr. Brewton noted he concurred with most of the Commission's and resident comments tonight. He discussed the issue of misconduct with the renters of vacation rentals that are non-registered vacation rentals, which is why the current ordinance is being amended. Mr. Brewton stated that those that are not registered vacation rentals will not adhere to an amended ordinance. Further discussions ensued on the proper use of the properties as vacation rental homes, not party homes, and the occupancy of these rentals as it pertains to children. Mr. Brewton recommended the City use Florida Vacation Rentals' lease as an example of how to regulate conduct in the City's vacation rentals.

Mayor Seiler recognized Joanne Johnson, 22 Andrews Avenue, who addressed the Commission in support of this item. Ms. Johnson reiterated previous comments made and noted her experience as a renter with *airbnb*. She recommended a sliding scale for the cost of

registering homes as a vacation rental and recommend that it be upon the number of bedrooms and corresponding occupancy ratios.

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road, who addressed the Commission on this ordinance stating his comments, thoughts, questions and concerns regarding this item. He recommended keeping the number of people per bedroom in the ordinance as it is currently and giving those on-site homeowners who rent out their properties a benefit.

Mayor Seiler recognized Milic Mico Novovic, designated representative and on behalf of Florida Places for Rent, who addressed the Commission on this ordinance stating his comments, thoughts, questions and concerns. Mr. Novovic noted the businesses who follow the rules cannot compete with those who are not registered and do not follow the City ordinances currently in place.

Mayor Seiler recognized Ismael Corzo, 3250 NE 28th Street, who addressed the Commission in opposition to this ordinance stating he is the owner of numerous vacation rentals both in and outside the City. He stated he is currently in compliance with the City's ordinance and recommended ideas to deal with those not in compliance. Mr. Corzo stated the City may lose in the long run should a large number of the vacation properties in the City be prevented from renting. He suggested that this would force those owners to sell and could flood the City's real estate market with homes noting this could negatively impact the City's tax base.

Mayor Seiler recognized Lucas Azer, 1139 2nd Avenue, who addressed the Commission in opposition to this ordinance. Mr. Azer pointed out several issues regarding his rental property in terms of maintaining the property at a higher standard as compared to long-term renters and their landlords. Mr. Azer also recommended only penalizing non-compliant vacation rentals rather than all vacation rentals. He also pointed out that long-term renters do not have a restriction on the number of people per bedroom.

Mayor Seiler recognized Candace Hillier, 1529 NE 17th Avenue, who addressed the Commission in support of this ordinance. She noted that her neighborhood, Poinsettia Heights, is turning into a neighborhood with a majority of short-term rentals. Ms. Hillier noted she is an on-site *airbnb* homeowner.

Mayor Seiler asked the Commission members for their thoughts. Commissioner Roberts stated that by and large he agreed with the

homeowners associations and that the quality of life in these neighborhoods need to be maintained. Commissioner Roberts acknowledged the economic impact of this item and noted the City's ordinance is a good start. He also commented on the number of children needing to be addressed while also being hospitable to families renting in the City. He commented on being open to discussions on owner-occupied properties. Commissioner Roberts commented on the need for strictly enforced leases such as Mr. Novovic's. Commissioner Roberts also commented on the need for enforcing code compliance to ensure it is complied with throughout the City.

City Attorney Everett commented on the City's ability to require a strict lease recommending the City not go down that road. Commissioner Roberts noted he would like to further pursue requiring rental properties have strictly enforced leases to regulate the bad players in the vacation rental market. Commissioner Roberts also commented on issues facing *airbnb* at the County level.

Commissioner McKinzie also commented Mr. Novovic's strict leases and he would like it incorporated along with the ordinance to be specific in order to move forward and not penalize the owners who are compliant. He also noted the need to focus on specific issues to address the problems and enforce the City's ordinances.

Vice Mayor Trantalis commented on the issue with Code Enforcement not addressing the 95% of non-registered vacation home rentals and reiterating the need exists to enforce what laws are already in place. He stated there is not a problem with the ordinance but with the enforcement of the law, noting that Code Enforcement is not following up with registered vacation rentals that are not compliant with the ordinance. He stated a specific example at 16th Avenue and 17th Street near his home. He stated he was not ready to enact more laws when the current laws are not enforced. City Manager Feldman explained the issues relating to this specific property and discussions followed on the need for enforcement mechanisms.

Commissioner Rogers commented that the best way to enforce this ordinance is still up for debate. Commissioner Rogers further commented on the need to be family friendly, the differences between owner occupied vacation rental properties, and the need for vacation rental registration.

Mayor Seiler addressed the issue of owner occupied vacation rental properties suggesting a reduction in registration fees for owner occupied rental properties.

Commissioner Roberts noted the need to address the problem properties that exist. Debate ensued among the Commission on the City's enforcement mechanism, those already registered, pursuing those who are not registered, and ensuring overall compliance with all aspects of the ordinance.

Commissioner Roberts agreed with Mayor Seiler to lower the registration fees of vacation properties that are owner occupied. He also recommended having an incentive for voluntary vacation rental compliance with reduced registration fees. City Manager Feldman noted the current registration fee is \$750.00 and drops to \$500. The issue of children was also discussed. The purpose of the landline requirement was discussed as it relates to fire alarms and the 911 Emergency Call Center.

Assistant City Attorney D'Wayne Spence noted the need for clarity regarding registration fees for incentives. Mayor Seiler also noted the City cannot mandate a specific lease. City Manager Feldman recommended the City continue using the Broward County website to confirm the number of bedrooms at a vacation rental property. Discussions continued on several aspects of determining the bedroom numbers and occupancy levels at vacation rental properties. City Manager Feldman explained the current process for vacation rental registration.

City Attorney City Everett noted the changes to the ordinance that will be worked out between the First Reading and the Second Reading. Assistant City Attorney Spence clarified that in the City's initial ordinance, the occupancy ratio was two people per sleeping room. However, the original ordinance did not define a sleeping room. He noted that the industry would like to count living room spaces as sleeping spaces. Mayor Seiler stated there was not a consensus among the City Commission on this issue and additional discussions on this topic continued. Vice Mayor Trantalis noted the goal on this issue was to limit the number of total people residing in a vacation rental dwelling similar to the Fire Code regulations.

Further comments and discussions ensued on the topic of vacation rental owners authorizing an online hosting service provider to submit an application on behalf of the vacation rental owner. Mayor Seiler also noted that this can be done through a power of attorney.

Assistant City Attorney D'Wayne Spence pointed out the need for eliminating the compliance period, currently in the original ordinance, for hard wiring and swimming pools as the compliance period has ended.

The Commission agreed that this is outdated as the grace period has passed.

The following points noted in tonight's discussions were confirmed as follows:

the amended ordinance will include a reduction of 50% for owner occupied residences;

the requirement remains for a landline at vacation rental properties;

there will be no change in the determination of occupancy;

there will be no change to the response time for an owner or manager of the vacation rental when a complaint is received;

there will be nothing in the amendment at this time regarding the age of children at vacation rental properties;

City Staff will confirm and verify the number of bedrooms during the vacation rental's site inspection process;

the amendment will include allowing a vacation rental owner to authorize an online hosting service provider to submit an application on behalf of the vacation rental owner to the City (It was confirmed that this can currently be done through a power of attorney); and

elimination of the compliance period for hard wiring and swimming pools in the original ordinance as it is now outdated.

Commissioner Roberts requested a listing of known problem vacation rental properties from City Manager Feldman. Commissioner Roberts also noted he may have additional comments after review of the *airbnb* correspondence. He also noted this amendment may have additional updates between the First Reading and the Second Reading.

Mayor Seiler stated that the Second Reading will occur at the November 15, 2016, City Commission Regular Meeting.

Commissioner Rogers introduced this ordinance as amended for the First Reading which was read by title only.

PASSED FIRST READING AS AMENDED

Aye: 4 - Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

Nay: 1 - Vice Mayor Trantalis

[16-1312](#)

Walk-On Motion - City Commission Request for Review - Tattoo Blues Sign - Case Number R16052

Vice Mayor Trantalis stated this item relates to a request for a variance for a larger size sign on this tattoo business than is currently allowed by City Code. He stated he is opposed to the requested variance. Vice Mayor Trantalis requested that this item be called up at the City Commission Meeting of November 15, 2016.

Vice Mayor Trantalis moved to have this item called up at the meeting of November 15, 2016, and was seconded by Commissioner Rogers.

APPROVED Motion to set hearing to review Case Number R16052 on November 15, 2016 6 p.m.

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

CLOSED DOOR REQUEST

City Attorney Cynthia Everett requested that pursuant to Florida Statute, Section 286.011(8)(a), she will be seeking advice during the City Commission Meeting on November 1, 2016, at a time to be determined, on the following matters of:

Jim Haines v. City of Fort Lauderdale
Case No. CACE 15-017522 (21)

Albion Staffing Solutions, Inc. v. City of Fort Lauderdale
Case No. CACE 15-018760 (09)

Brian Zelinski v. City of Fort Lauderdale
Case No. CACE 14-021321 (12)

City Attorney Everett noted that this Executive Closed Door Session would occur during the absence of Vice Mayor Trantalis, on November 1, 2016.

Vice Mayor Trantalis stated he did not have an issue with the Executive Closed Door Session on the three above noted matters happening during his absence scheduled for November 1, 2016.

Additionally, upon return of Vice Mayor Trantalis, City Attorney Cynthia

Everett also requested that pursuant to Florida Statute, Section 286.011(8)(a), she will be seeking advice during the City Commission Meeting on November 15, 2016, at a time to be determined, on the following matters of:

Arnold Abbott and Love Thy Neighbor Fund, Inc. vs. City of Fort Lauderdale

Case No. CACE 99-03583

Arnold Abbott and Love Thy Neighbor Fund, Inc., and Pastor Dwayne Black vs. City of Fort Lauderdale

Case No. CACE 14-024037

ADJOURN

There being no further business before the City Commission at the meeting of October 18, 2016, Mayor Seiler adjourned the meeting at 11:00 p.m.

John P. "Jack" Seiler
Mayor

ATTEST:

Jeffrey A. Modarelli
City Clerk