City of Fort Lauderdale

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Action Summary

Wednesday, July 5, 2023 6:00 PM

The Parker
707 Northeast 8th Street, Fort Lauderdale, FL 33304

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

DEAN J. TRANTALIS Mayor

PAM BEASLEY-PITTMAN Vice Mayor - Commissioner - District III

JOHN C. HERBST Commissioner - District I

STEVEN GLASSMAN Commissioner - District II

WARREN STURMAN Commissioner - District IV

GREG CHAVARRIA, City Manager
DAVID R. SOLOMAN, City Clerk
D'WAYNE M. SPENCE, Interim City Attorney
PATRICK REILLY, City Auditor

PUBLIC APPEARANCES BEFORE THE CITY COMMISSION:

If any person wishes to address the City Commission, the person shall sign up in The Parker lobby. A member of the City Clerk's Office Staff will be there to assist. Speaker Cards are given to the Mayor. After being recognized by the Mayor, the speaker should approach the podium, identify the agenda item in question, indicate support, opposition, or neutrality on the agenda item, and then proceed to succinctly state the speaker's position or present information.

If an attorney, or any other person appears before the Commission in a representative capacity, the attorney, or other representative shall also sign up in The Parker lobby. A member of the City Clerk's Office Staff will be there to assist. After being recognized by the Mayor, the speaker should approach the podium, identify the client(s) being represented, and identify the agenda item in question. The speaker shall then indicate the client's support, opposition, or neutrality on the agenda item and then proceed to succinctly state the client's position or present information on behalf of the client(s).

Pursuant to Section 3.13 of the Charter of the City of Fort Lauderdale, Florida, the Mayor shall maintain order at all meetings, and the Police Department, upon instructions of the Mayor, shall expel any person from the meeting who refuses to obey the order of the Mayor in relation to preserving order at the meetings. Any person who interrupts or disturbs a City Commission meeting, or who willfully enters or remains in a City Commission meeting having been warned by the Mayor to depart and who refuses to do so, may be subject to arrest.

AUXILIARY AIDS AND SERVICES: If you desire auxiliary aids or services or both to assist in viewing or hearing the City Commission meetings or reading the agenda and minutes for the meeting, please contact the City Clerk's Office at 954-828-5002 at a minimum of two days prior to the meeting and arrangements will be made to provide these services to you.

NOTICE TO MEMBERS OF THE PUBLIC: If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, the person will need a record of the proceedings, and that, for such purpose, the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Pledge of Allegiance

ROLL CALL

Present: 5 - Commissioner Warren Sturman, Commissioner John C. Herbst, Commissioner Steven Glassman, Vice Mayor Pam Beasley-Pittman and Mayor Dean J. Trantalis

Approval of MINUTES and Agenda

23-0643 Minutes for May 16, 2023, Commission Regular Meeting, June 6, 2023, Commission Joint Workshop with Economic Development Advisory Board, and June 6, 2023, Commission Conference Meeting - (Commission Districts 1, 2, 3 and 4)

APPROVED AS AMENDED - Agenda Approved as Amended

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

PRESENTATIONS

PRES- 1	23-0655	Commissioner Sturman will present a Proclamation declaring July 2023, as Park and Recreation Month in the City of Fort Lauderdale PRESENTED
PRES- 2	23-0656	Commissioner Glassman to present a Proclamation declaring July 8, 2023, as FlockFest Day in the City of Fort Lauderdale PRESENTED
PRES-	23-0657	Commissioner Glassman to present a Proclamation declaring August 6 -11, 2023, as JCC Maccabi Games & Access Week in the City of Fort Lauderdale PRESENTED
PRES- 4	23-0658	Recognition of the 2022 Community Appearance Award Winners PRESENTED

CONSENT AGENDA PUBLIC COMMENT

CONSENT AGENDA

Approval of the Consent Agenda

Approve the Consent Agenda

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

CONSENT MOTION

CM-1	<u>23-0385</u>	Motion Approving the Third Amendment to the Interlocal Agreement
		with the Broward County Metropolitan Planning Organization for
		Administrative Services - (Commission Districts 1, 2, 3 and 4)

APPROVED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

CM-2 23-0483 Motion Approving a Service Agreement with DJ The Artiste LLC for a Mural at Mills Pond Park - \$8,160- (Commission District 3)

APPROVED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

CM-3 23-0576 Motion Approving a License Application and Agreement for the Sale, Service, and Consumption of Food and Alcoholic Beverages on the Public Beach for DiamondRock FL Tenant, LLC d/b/a The Westin Beach Resort and Spa - (Commission District 2)

APPROVED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

CM-4 23-0598 Motion Approving Agreement for Hauling and Disposal Services - Cemetery and Other Soils - MST Scrap Metal Inc.- \$268,200 - (Commission Districts 1, 2, 3 and 4)

APPROVED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

CM-5 23-0600 Motion Approving Agreement for the Bill Keith Preserve Shoreline Stabilization - CO Services LLC - \$441,827 - (Commission District 4)

APPROVED

CM-6	<u>23-0627</u>	Motion Approving Interlocal Agreement with Broward County to
		Conduct a Study for "Evaluation of Changes to the Salinity
		Distribution within the Surficial Aquifer under Projected Future
		Hydrologic Conditions, Broward County, Florida" - \$87,437 -
		(Commission Districts 1, 2, 3 and 4)

APPROVED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

CM-7 23-0632 Motion Approving Agreement with the School Board of Broward County, Florida for the School Resource Officer Summer School Program - (Commission Districts 1, 2, 3 and 4)

APPROVED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

CM-8 23-0637 Motion Approving the Second Amendment to the Purchase and Sale Agreement Between The Pantry Lofts Ltd. as successor to Green Mills Holdings, LLC and the City of Fort Lauderdale and the Local Government Support Letter - (Commission District 2)

APPROVED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

CONSENT RESOLUTION

CR-1	23-0341	Resolution Approving the Consolidated Budget Amendment to Fiscal
		Year 2023 - Appropriation - (Commission Districts 1, 2, 3 and 4)

ADOPTED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

CR-2 23-0524 Resolution Imposing Special Assessment Liens for Lot Clearing - (Commission Districts 2, 3 and 4)

REMOVED FROM AGENDA

CR-5

CR-6

CR-7

23-0625

23-0669

23-0648

CR-3	<u>23-0537</u>	Resolution Accepting a Grant from Florida Department of Agriculture
		and Consumer Services, Florida Forest Service Division in the
		amount of \$25,000 and Authorizing the City Manager to Execute any
		and all Agreements and Documents Necessary and Incidental thereto
		- (Commission District 4)

ADOPTED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

CR-4 23-0623 Resolution Authorizing the Execution of a Sovereignty Submerged Land Easement with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida / BOT FILE NO. 061230996 - North New River Canal - (Commission District 4)

ADOPTED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

Resolution Accepting Grant Funds from the United States Department of Homeland Security, Urban Area Security Initiative, State of Florida Division of Emergency Management through the City of Miami, FY 2022 Urban Area Security Initiative (UASI), for \$454,516 - (Commission Districts 1, 2, 3 and 4)

ADOPTED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

Resolution Amending Resolution No. 23-123 to Clarify the Manner of Membership Appointment and Term of Appointment to the Homeless Advisory Committee - (Commission Districts 1, 2, 3 and 4)

ADOPTED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

Resolution appointing the law firm of Greenberg Traurig, P.A. as Special Counsel in connection with Financing for the design and construction of the New Federal Courthouse Parking Garage - (Commission Districts 1, 2, 3 and 4)

ADOPTED

CR-8 23-0670

Resolution appointing the law firm of Nabors Giblin & Nickerson P.A. as Special Counsel in connection with Police Legal Advising Matters - (Commission Districts 1, 2, 3 and 4)

ADOPTED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

CONSENT PURCHASE

CP-1 23-0557

Motion Approving Agreement for Records Storage, Retrieval and Disposal Services - Access Information Management Corporation - \$501,894 (estimated three-year total) - (Commission Districts 1, 2, 3 and 4)

APPROVED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

CP-2 23-0586

Motion Approving an Agreement and Change Order No. 16 for Design-Build Services associated with the Fort Lauderdale Aquatic Center Renovation Project, RFP No. 12072-483 - Hensel Phelps Construction Company - \$13,155 - (Commission District 2)

APPROVED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

CP-3 23-0587

Motion Approving an Agreement and Change Order No. 2 for the Design and Construction associated with the Fort Lauderdale Aquatic Center South Building - Hensel Phelps Construction Company - (\$48,742) - (Commission District 2)

APPROVED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

MOTIONS

M-1 23-0638

Motion Approving an Event Agreement and Related Road Closures for MASS District Events - (Commission District 2)

APPROVED

M-2	<u>23-0645</u>	Motion Approving Amendment to Agreement to Increase Annual
		Amount for Fireworks - 4th of July - Pyrotecnico Fireworks, Inc
		from \$121,100 to \$171,100 - (Commission District 2)

APPROVED

Yea: 4 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

Nay: 1 - Vice Mayor Beasley-Pittman

APPROVED - Motion to Reconsider

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

APPROVED AS AMENDED

Yea: 4 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

Nay: 1 - Vice Mayor Beasley-Pittman

M-3 23-0299 Motion Approving Final Ranking, Negotiated Fee Schedule and Agreement for General Engineering Aviation Consultant Services Continuing Contract - HDR, Inc. and Kimley-Horn and Associates, Inc. - \$2,500,000 - (Commission District 1)

APPROVED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

M-4 23-0630 Motion Approving Revised Agreement for the Bayview, Hortt and Riverside Parks Improvements - Sagaris Corp. - \$1,729,478 - (Commission Districts 1 and 4)

APPROVED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

23-0640 Motion Approving an Agreement for the Osceola Creek Restoration Project - CHC Marine Services, LLC - \$6,186,100 - (Commission District 4)

APPROVED

M-5

Motion Approving the First Amendment to the Lease Agreement

23-0650

M-6

WI-O	<u>23-0030</u>	between 1 East Broward Owner LLC and the City of Fort Lauderdale, in Substantially the Form Provided - \$2,158,189 (38-Month Rent) - (Commission District 2)
		APPROVED AS AMENDED
		Yea: 4 - Commissioner Sturman, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis
		Nay: 1 - Commissioner Herbst
M-7	23-0671	Motion Rejecting All Proposals for Advanced Metering Infrastructure (AMI) Implementation, Request for Proposals (RFP) No. 12738-1035 - (Commission Districts 1, 2, 3 and 4)
		APPROVED
		Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis
M-8	23-0538	Motion Approving Agreement for the Fort Lauderdale Executive Airport Runway 31 Bypass and Taxiway Golf Pavement Rehabilitation - Weekley Asphalt Paving, Inc \$2,272,269.25 - (Commission District 1)
		APPROVED
		Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis
M-9	23-0029	Motion Approving a Comprehensive Agreement with Las Olas Parking Solutions, LLC for the Development, Operation, and Maintenance of a Multi-Use Structure with Public Parking, a Fire-Rescue/EMS Substation, and Retail, at the Southeast Corner of SE 2nd Court and SE 8th Avenue - (Commission District 4)
		APPROVED
		Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

RESOLUTIONS

R-1 23-0660 Appointment of Board and Committee Members - (Commission Districts 1, 2, 3 and 4)

ADOPTED AS AMENDED

R-2 23-0509

Resolution Waiving the Formal Competitive Solicitation and Selection Processes Pursuant to Division 2., Procurement, of Article V. of Chapter 2 of the City of Fort Lauderdale Procurement Ordinance, for Purchases of Goods and Services; and Approving a Pilot Program via a License Agreement with Slinkydog, LLC for Pixar Putt Putt utilizing the Las Olas Garage Rooftop - (Commission District 2)

REMOVED FROM AGENDA

R-3 23-0599

Resolution Approving a Federally Funded Subaward and Grant Agreement for DR-4680 - Hurricane Nicole, and delegating to the City Manager the authority to execute the Agreement and any related documents, and to approve and execute any modifications of the Agreement - (Commission Districts 1, 2, 3 and 4)

ADOPTED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

PUBLIC HEARINGS

PH-1 23-0433

Public Hearing - Quasi Judicial Resolution Denying a Waiver of Limitations at 801 SW 6th Street, for the Installation of Three (3) Triple Mooring Pile Clusters Extending a Maximum of 50'+/- - (Commission District 4)

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

ADOPTED AS AMENDED - Approving Waiver of Limitations

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

23-0686 WALK-ON - Motion to Extend Commission Meeting until 11pm

APPROVED

PH-2 23-0589

Public Hearing - Quasi Judicial Resolution Approving a Waiver of Limitations as to the lack of a principal building at outparcel tied to 831 Solar Isle Drive (Parcel ID # 5042 12 08 0650), for the installation of one (1) boatlift and two (2) finger piers extending a maximum distance of 23'7" +/- into the adjacent waters of Rio Coral Canal - (Commission District 2)

ADOPTED AS AMENDED - Approving

Yea: 4 - Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

Nay: 1 - Commissioner Sturman

PH-3 23-0591

Public Hearing - Quasi Judicial Resolution Approving a Waiver of Limitations at 900-910 NE 20th Avenue for the Installation of (a) one (1) Dock Extension and (b) four (4) Mooring Piles Extending a Maximum Distance of 68.7' +/- into the Waters of Middle River - (Commission District 2)

ADOPTED - Approving

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

PH-4 23-0593

Public Hearing - Quasi Judicial Resolution Approving a Waiver of Limitations at Water's Edge, a condominium located at 321 N. Birch Road, for the installation of two (2) 50.3'+/- x 8.7'+/- wave attenuating/breakwater floating docks extending a maximum of 57'+/- into the adjacent waters of the Intracoastal Waterway - (Commission District 2)

ADOPTED - Approving

PH-5 23-0520

Public Hearing - Quasi-Judicial Ordinance Approving a Rezoning from Residential Mid Rise Multifamily/Medium High Density (RMM-25) District to Community Facility (CF) District - 1900, 1930 and 1940 NE 47 Street and 1901, 1911 and 1921 NE 46 Street- Holy Cross Hospital, Inc. and MAR Property Holdings, Inc.- Case No. UDP-Z22030 - (Commission District 1)

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

PASSED FIRST READING

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

ORDINANCE FIRST READING

OFR-1 23-0558 First Reading - Ordinance Repealing Section 28-172 Meter for Temporary Use - (Commission Districts 1, 2, 3 and 4)

PASSED FIRST READING

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

OFR-2 23-0588

First Reading - Ordinance Amending Chapter 11, Code Enforcement, Article II Section 11-3, Jurisdiction of Board and Special Magistrate, of the Code of Ordinances of the City of Fort Lauderdale to Establish a Lien Amnesty Program and to Provide for Temporary Suspension of Section 11-3(c) During Periods of Lien Amnesty - (Commission Districts 1, 2, 3 and 4)

PASSED FIRST READING

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

ORDINANCE SECOND READING

23-0687 WALK-ON - Motion to Extend Commission Meeting until 11:30pm

APPROVED

OSR-1 23-0651

Second Reading - Ordinance to Amend City of Fort Lauderdale Unified Land Development Regulations (ULDR) Section 47-24.11 to Include an Option to Designate Thematic Historic Districts and to Amend Existing Historic Preservation Criteria and Procedures - Case No. UDP-T22007 - (Commission Districts 1, 2, 3 and 4)

DEFEATED

Yea: 2 - Commissioner Glassman and Mayor Trantalis

Nay: 3 - Commissioner Sturman, Commissioner Herbst and Vice Mayor Beasley-Pittman

BUDGET ITEMS

BGT-1 23-0354

Resolution Setting the Fiscal Year 2024 Proposed Millage Rate and Debt Service Rate for the City of Fort Lauderdale, Setting the Millage Rate for the Sunrise Key Neighborhood Improvement District, and Acknowledging the Receipt of the City Manager's Budget Message and Proposed Budget - (Commission Districts 1, 2, 3 and 4)

ADOPTED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

BGT-2 23-0355

Motion Setting the Public Hearing Dates to Consider the Proposed Fiscal Year 2024 Millage Rate and Budget for the City of Fort Lauderdale and Sunrise Key Neighborhood Improvement District - (Commission Districts 1, 2, 3 and 4)

APPROVED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

BGT-3 23-0356

Motion Setting the Proposed FY 2024 Non-Ad Valorem Assessment Rate and Public Hearing Date for the Lauderdale Isles Water Management District Tentative Budget - (Commission District 4)

APPROVED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

BGT-4 <u>23-0357</u>

Motion Establishing a Public Hearing Date for the Proposed Fiscal Year 2024 Non-Ad Valorem Assessment - Nuisance Abatement - (Commission Districts 1, 2, 3 and 4)

APPROVED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

BGT-5 23-0358

Preliminary Rate Resolution for the Fire Assessment Establishing the Estimated Fiscal Year 2024 Non-Ad Valorem Assessment Rate and Authorizing a Public Hearing on September 13, 2023 - (Commission Districts 1, 2, 3 and 4)

ADOPTED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

BGT-6 23-0359

Preliminary Rate Resolution for the Beach Business Improvement Assessment Establishing the Estimated FY 2024 Non-Ad Valorem Assessment Rate and Authorizing a Public Hearing on September 13, 2023 - (Commission District 2)

ADOPTED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

BGT-7 23-0360

Preliminary Rate Resolution for the Fiscal Year 2024 Non-Ad Valorem Assessment for Utility Undergrounding and Authorizing a Public Hearing on September 13, 2023 - (Commission District 2)

ADOPTED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

BGT-8 23-0535

Preliminary Annual Assessment Resolution for the Stormwater Assessment Initiating the Process for Imposing the Fiscal Year 2024 Non-Ad Valorem Assessment and Authorizing a Public Hearing on September 13, 2023 - (Commission Districts 1, 2, 3 and 4)

ADOPTED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

23-0688

WALK-ON Resolution Rescheduling the August 15, 2023, Conference and Regular Meetings of the City Commission of the City of Fort Lauderdale, Florida, to August 22, 2023

ADOPTED

ADJOURNMENT