

City of Fort Lauderdale

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



Meeting Minutes - DRAFT

Tuesday, September 17, 2013

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 6:18 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 Joyce Fleming (6:45 p.m.)

Vote Roll Call Order for this Meeting

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

Invocation

Chaplain Luke Harrigan, Fort Lauderdale Police Department

Pledge of Allegiance

Broward County Commissioner Lois Wexler

OTHER BUSINESS

OB MOMENT OF SILENCE IN REMEMBRANCE OF FORMER U.S. CONGRESSMAN CLAY SHAW

OB SNYDER PARK BUTTERFLY GARDEN

Mayor Seiler announced that a new butterfly garden opened over the weekend at Snyder Park. It was a partnership between the City's Parks and Recreation Department, Kids Ecology Corps and Flamingo Road Nursery. He issued a public thank-you to Flamingo Road Nursery and its owner, Jim Dezell, for a generous contribution to the project. The group transformed an underutilized area into a flourishing butterfly garden complete with flowers, plants, shrubs and vegetation.

Dezell made remarks about the importance of the butterfly garden and thanked the Commission for the opportunity to work on the project.

OB UPDATE FROM STATE REPRESENTATIVE

Mayor Seiler recognized state Representative Gwyndolen Clarke-Reed.

Representative Clarke-Reed said there are children's issues that will go before elected officials in the coming months and she hopes the Commission will seek information to educate themselves on those matters.

- O-4 13-1230** FIRST READING OF ORDINANCE AMENDING UNIFIED LAND DEVELOPMENT REGULATIONS, SECTION 47-18.31, SOCIAL SERVICE FACILITY - to distinguish levels of facilities based on the number of clients served and the types of services provided and to include separation criteria based on the level of facility to other SSF facilities, houses of worship, public parks, schools or residentially zoned property

Mayor Seiler advised that he met with Broward County Mayor Kristin Jacobs this morning and discussed several issues including potential sites for the Sexual Assault Treatment Center and Broward Addiction Recovery Center. It has been the City's position to accept one but not both centers. He recommended that until the City has a chance to continue negotiations with Broward County, Item O-4 be deferred.

Motion by Commissioner Rogers and seconded by Commissioner DuBose to defer Item O-4 until City and County officials can meet and discuss the future location for the Sexual Assault Treatment Center and Broward Addiction Recovery Center.

DEFERRED ON FIRST READING

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

Approval of MINUTES and Agenda

- 13-1235** APPROVAL OF MINUTES for August 20, 2013 Conference Meeting

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

APPROVED

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

PRESENTATIONS

- PRES-1 13-1248** PROCLAMATION DECLARING SEPTEMBER 19, 2013 AS DRIVE 4 PLEDGES DAY IN THE CITY OF FORT LAUDERDALE

Commissioner Trantalis presented the proclamation to Vic Beninate, Area Director, AT&T.

- PRES-2 13-1147** PROCUREMENT SERVICES DIVISION OF FINANCE DEPARTMENT - ACHIEVEMENT OF EXCELLENCE IN PROCUREMENT AWARD - NINTH TIME

The City Manager recognized members of the Procurement Division of the Finance Department for attaining the National Procurement Institute's Achievement of Excellence in Procurement Award for the ninth consecutive year. Additionally, Deputy Director of Finance Kirk Buffington recently was honored with a lifetime achievement award in purchasing. The City Manager said the recognition attests to the professionalism of City employees.

OB 13-1358 WALK-ON RESOLUTION - URGING FLORIDA'S REPRESENTATIVES AND SENATORS IN THE U.S. CONGRESS TO SPONSOR AND SUPPORT LEGISLATION TO STOP THE DEVASTATING IMPACT OF SEQUESTRATION ON HOPWA AND CONTINUE FULLY FUNDING AND LEADING THE CHARGE TO REAUTHORIZE THE RYAN WHITE CARE ACT AND HOPWA

Mayor Seiler commended Commissioner Trantalis, resident Michael Rajner and others for working on the language of this resolution. Commissioner Trantalis appreciated the community-wide effort and compromises made. The intent of the resolution was to bring to the attention of elected officials the need to reauthorize the Ryan White Care Act, which is expiring soon.

Mayor Seiler opened the floor for public comment.

Michael Rajner, P.O. Box 2133, said the Commission should focus on the Housing Opportunities for Persons with AIDS program, which may be hit with a 13 percent funding cut. It will be important for City leaders to determine how to provide safe, accessible and affordable housing for people living with HIV. He felt the resolution circumvented a long-established community process. He urged the Commission to be a stakeholder in a whole community process.

There was no one else wishing to speak.

Commissioner Trantalis indicated that this matter came to his attention through representatives of the AIDS Healthcare Foundation. The availability of time was just a couple of weeks. He agrees with the process of inclusion. When the foundation approached him, he referred them to Rajner for his position on the issue and in fact everyone tried to include him. An opportunity was ignited for the entire AIDS service community to participate.

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

ADOPTED

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

Consent Agenda

(CA)

Mayor Seiler announced the procedure for consent items.

Motion made by Vice-Mayor Roberts and seconded by Commissioner DuBose that Consent Agenda Items CR-1, CR-7 and PUR-1 be deleted from the Consent Agenda and considered separately, and that all remaining Consent Agenda items be approved as recommended.

Approval of the Consent Agenda

Approve the Consent Agenda

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

M-1 13-1185 EVENT AGREEMENTS: 1) Las Olas Sunday Market and 2) Caribe Arts Fest 2013

APPROVED

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

M-2 13-1186 EVENT AGREEMENTS AND RELATED ROAD CLOSINGS: 1) Dillard High School/Community Homecoming Parade, 2) The Triton Expo, 3) Glam-A-Thon, 4) 26th Annual Las Olas Art Fair, 5) Light the Night Walk, 6) Seminole Hard Rock Winterfest Boat Parade, 7) Making Strides for Breast Cancer and 8) Walk for Farm Animals

Walk for Animals event removed from the item.

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

M-3 13-1290 ADDITION OF ONE NEW CLASS TO TEAMSTERS LOCAL 769 COLLECTIVE BARGAINING AGREEMENT

APPROVED

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

M-4 13-1010 FIRST AMENDED AND RESTATED AGREEMENT FOR TORTUGA MUSIC FESTIVAL with TMF2013, LLC - extending term for one additional year

APPROVED

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

M-5 13-1182 PURCHASE AND INSTALLATION OF SIDEWALKS AND BATTING CAGE SLABS in the amount of \$30,565 from Straightline Engineering Group, LLC

APPROVED

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

M-6 13-1088 NO OBJECTION TO PLAT NOTE AMENDMENT - MANORS PLAT - Case 18-P-13A

Applicant: Broward County Housing Authority
Location: NE 17th Court at Old Dixie Highway
Zoning: Residential Multifamily Mid Rise District (RMM-25)
Future Land Use: Medium-High

APPROVED

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

M-7 13-1150

FOREIGN TRADE ZONE - FIVE-YEAR OPERATOR AGREEMENT - CORROPACK CONTAINERS CORP. - Subject to approval of Minor Boundary Modification for a Usage Driven Site by the Foreign-Trade Zones Board and activation request by US Customs and Border Protection

APPROVED

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

CONSENT RESOLUTION

CR-1 13-1221

QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM - PROJECT REPEL - Extension of Payout Schedule from six years to seven years and Amend Resolution No. 13-126

Charles King, 105 North Victoria Park Road, requested more information on the program. It appears that tax money is being given to industries to attract them to locate in the city. He felt that good schools and middle class neighborhoods would also attract industries. He would like to know the identity of the companies. Mayor Seiler said the company names are not disclosed during negotiations, but they are announced after they are approved. Fort Lauderdale’s unemployment rate of 6.2 percent is lower than any other urban area in the state.

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

ADOPTED

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

CR-2 13-1259

REIMBURSABLE GRANT APPLICATION - BROWARD BOATING IMPROVEMENT PROGRAM - REMOVAL OF ABANDONED AND DERELICT VESSELS - \$50,000 - authorizing City Manager to execute all necessary documents for acceptance of funds

ADOPTED

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

CR-3 13-1292

GRANT APPLICATION - FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM GRANT FUNDS - SNYDER PARK BOARDWALK - Florida Department of Environmental Protection - \$85,000 in grant funds and City match of \$85,000

ADOPTED

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

CR-4 13-1040 SUPPORTING CREATION OF REGIONAL C-51 GOVERNANCE AND FINANCE WORK GROUP

ADOPTED

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

CR-5 13-1286 FIVE-YEAR STRATEGIC PLAN - PRESS PLAY FORT LAUDERDALE 2018 AND STRATEGIC MANAGEMENT SYSTEM

ADOPTED

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

CR-6 13-1236 ADOPTING A FUND BALANCE POLICY - COMPLIANCE WITH GOVERNMENT ACCOUNTING STANDARDS BOARD STATEMENT NO. 54

ADOPTED

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

CR-7 13-1275 AMENDMENTS TO CITY'S INVESTMENT POLICY

The City Auditor explained that heating oil derivatives are not allowed to hedge the City's diesel and, or gasoline consumption. It should be struck from the policy, Section XIV.2.b.

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

Amended to delete reference to heating oil under Section XIV.2.b relating to exchange-traded futures and option contracts.

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

PURCHASING AGENDA

PUR-1 13-1045 CONTRACT FOR STATE ROAD A-1-A (SOUTHEAST 17 STREET CAUSEWAY) BEAUTIFICATION PROJECT in the amount of \$171,645.50 from Superior Landscaping & Lawn Services, Inc.

Steven Glassman, 2821 North Ocean Boulevard, asked that similar work be done along Sunrise Boulevard which is a major gateway to the beach. It is important to invest in the City's gateways. He noted that the Broward County Master Gardener Program is always looking for work for their master gardeners and perhaps there could be a partnership forged.

Commissioner Rogers sought clarification on the type of landscaping. Some concerns were raised by his constituents about the visual impact at intersections. The City Manager said the Parks and Recreation and Transportation and Mobility departments worked with Florida Department of Transportation on the final design and have no concerns.

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

APPROVED

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

PUR-2 13-1165

FINAL RANKING AND COMMENCEMENT OF CONTRACT NEGOTIATIONS - GEOTECHNICAL ENGINEERING AND LABORATORY TESTING SERVICES - two top ranked proposers AMEC Environmental & Infrastructure, Inc. and Professional Service Industries, Inc.

APPROVED

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

PUR-3 13-1166

TOWNSEND PARK (A/K/A SAILBOAT BEND NORTH) IMPROVEMENTS PROJECT - REJECT ALL BIDS AND RE-BID

APPROVED

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

PUR-4 13-1187

INCREASED EXPENDITURE FOR FENCE INSTALLATION in estimated amount of \$75,000 from Tropic Fence, Inc.

APPROVED

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

PUR-5 13-1193

FINAL RANKING AND COMMENCEMENT OF CONTRACT NEGOTIATIONS - CONSULTANT SERVICES - DESIGN AND IMPLEMENTATION OF FORT LAUDERDALE BEACH STREETSCAPE IMPROVEMENT PROJECT - top ranked proposer Kimley-Horn and Associates, Inc.

APPROVED

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

PUR-6 13-1194 FINAL RANKING AND COMMENCEMENT OF CONTRACT NEGOTIATIONS - CONSULTANT SERVICES - DESIGN AND IMPLEMENTATION OF LAS OLAS BOULEVARD CORRIDOR IMPROVEMENTS - top ranked proposer EDSA, Inc.

APPROVED

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

PUR-7 13-1239 ONE-YEAR CONTRACT EXTENSION FOR LEGAL PUBLICATIONS AND ONLINE RESEARCH SERVICES in the estimated amount of \$31,066.20 from West (West Publishing Corporation, Thomson Reuters Applications, Inc., West Services, Inc., Thomas Reuters (Legal) Inc., and their affiliates)

APPROVED

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

RESOLUTIONS

R-1 13-1133 LAUDERDALE ISLES WATER MANAGEMENT DISTRICT - ELECTION OF GOVERNING BOARD MEMBER - DECEMBER 10, 2013

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

ADOPTED

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

R-2 13-1152 QUASI-JUDICIAL - 1200 NORTH FEDERAL PLAT - CASE 8-P-13

Applicant: James Bradley Fazio
Location: 1200 North Federal Highway
Zoning: Boulevard Business (B-1)
Future Land Use: Commercial

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

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

R-3 13-1202 APPOINTMENT OF CITY BOARD AND COMMITTEE MEMBERS - vacancy information provided under Conference Item BD-2

Mayor Seiler asked the City Clerk to confirm with Mickey Hinton and Brice Lambert their interest in continuing to serve on Northwest Progresso Flagler Heights Redevelopment Advisory Board. In response to Mayor Seiler, the City Clerk indicated it would be acceptable for an individual to serve on the Enterprise Zone Development Agency and Board of Adjustment because the Enterprise Zone Development Agency is a county agency.

Mayor Seiler opened the floor for public comment.

Shannon Harmeling, vice-chair of the Central City Redevelopment Advisory Board, was available for any questions concerning appointments to this board. There was no one else wishing to speak.

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

- | | |
|---|--|
| Board of Adjustment | Roger Bond (consensus/ Commissioner Rogers)
Matthew H. Scott (consensus/ Mayor Seiler) |
| Budget Advisory Board | Josias N. Dewey (Mayor Seiler)
Frederick Nesbitt (Mayor Seiler)
Bob Oelke (Commissioner Trantalis) |
| Central City Redevelopment Advisory Board | Domingo Cid (Commissioner Trantalis) |
| Charter Revision Board | Ron Gunzburger (Commissioner Trantalis) |
| Economic Development Advisory Board | Christopher W. Denison (Commissioner Trantalis) |
| Marine Advisory Board | Jimmie Harrison (Commissioner Trantalis) |
| Parks, Recreation and Beaches Board | Tommy Knapp (Mayor Seiler)
Karen Polivka (Mayor Seiler)
Richard Zaden (Mayor Seiler)
Bruce Quailey (Vice-Mayor Roberts)
Michael A. West (Vice-Mayor Roberts)
JoAnn Medalie (Commissioner Trantalis)
Joe Bellavance (Commissioner Rogers)
Karen Doyle (Commissioner Rogers)
Charles Love (Commissioner Rogers)
Angela Ward (Commissioner Rogers) |
| Sustainability Advisory Board | Alena Alberani (Commissioner Trantalis) |
| Unsafe Structures Board | John F. Phillips (consensus/ Mayor Seiler) |

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

ADOPTED

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

PUBLIC HEARINGS

PH-1 13-1192 QUASI-JUDICIAL - DE NOVO HEARING - CERTIFICATES OF APPROPRIATENESS FOR ALTERATIONS TO LAUDERDALE BEACH HOTEL (Las Olas Beach Club) - Case 5-H-13

Applicant: Preferred Signs

Location: 101 South Fort Lauderdale Beach Boulevard

Zoning: Planned Resort Development PRD

Future Land Use: Regional Activity Center - Central Beach RAC-CB

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.

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.

Assistant City Attorney Carrie Sarver explained this is a continuation of a de novo hearing from a March 4, 2013, decision of the Historic Preservation Board, denying a Certificate of Appropriateness (COA) for an alteration to install shade canopies on the building and approving a COA for an alteration to add signage on the east and south façade of Lauderdale Beach Hotel. She noted documentation that has been provided to the Commission. The Commission should vote on both certificates separately. Applicable criteria in the Unified Land Development Regulations should be considered. There are also supplemental design guidelines. She believed the parties have reached an agreement.

In response to Commissioner Rogers, Sarver explained why this is a de novo hearing even though there is a private issue related to an easement, there is signage and shade canopy/awnings that need to be approved by the Commission. If the Commission believes that the conditions in the private agreement are applicable to the criteria, she suggested they be incorporated into the motion.

Arie Mrejen, on behalf of the Applicant, said his client has agreed to change the fabric and color of all the awnings so it matches the look of the adjacent tenant, H20. The Applicant also has agreed to remove an awning on the southwest exterior of the property and repair and restore the exterior to remove any holes or hardware and match the paint. He also has agreed to remove an illuminated sign on the southeast exterior of the property and have a similar sized sign placed on the barrel awning in front of the property that would not be illuminated. In return, Mrejen said the Broward Trust has agreed not to oppose this application. However, he has advised his client not to sign anything presented by the Trust because this matter is an appeal under the City's jurisdiction and as such a separate matter.

Applicant Neil Hamuy of Sunglasses N' Swim reiterated some of the details of the agreement.

Patricia Rathburn, representing Broward Trust for Historic Preservation, said the agreement that was reached in mediation with Commissioner Trantalis included some conditions that were inadvertently left out. She listed those conditions: 1) The barrel awning may be maintained subject to the color and material be modified to blue canvas. 2) If code is met, Tommy Bahama logos may be installed on two awnings where they currently exist, but no other awnings. 3) The illuminated sign may be replaced with an additional awning of the same color and material as other replacement awnings. 4) Improvements must be completed within 90 days of Commission approval or the COA would be revoked. She asked that the agreement be addressed in two separate resolutions. She submitted the Commercial Properties section of the City's Historic Preservation Guidelines, which is attached to these minutes. She also submitted a list of criteria considerations for awnings, shade canopies and backlit signage, which is attached to these minutes. Rathburn said it is important to the Trust that any subsequent tenant should be made aware that a compromise regarding awnings was made for the COA because of special circumstances for this particular tenant only. Sarver explained that the matter before Commission involves land regulations and a development permit. The permit is either granted because it meets the criteria or denied because it does not. The City has no way to apply this to only one tenant. Any approval is not tenant specific. Some discussion followed concerning the proposed awnings and those on the H2O space.

In response to Commissioner Rogers, Sarver explained that the word "inappropriate" is in the guidelines. She went on to confirm that the Commission may find that backlit signs are appropriate on this building, although the guidelines indicate they are typically inappropriate. The City would not have violated the guidelines.

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

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

Resolution denying a certificate of appropriateness for alteration to install a flat wall sign on the eastern facade of the building was adopted based on the above discussion.

Aye: 4 - Mayor Seiler, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

Nay: 1 - Vice-Mayor Roberts

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

Resolution approving a certificate of appropriateness for alteration to install awnings along the east and south facades of the building and authorizing the proper City Officials to issue the necessary permits was adopted subject to five conditions being met within 90 days relating to fabric and color of awning, removal of awning on southwest exterior, installation of Tommy Bahama logos on southeast awning and first awning located on south side of building and installation of additional awning on the wall to south of storefront entrance.

Aye: 4 - Mayor Seiler, Commissioner Trantalis, Commissioner DuBose and Commissioner Rogers

Nay: 1 - Vice-Mayor Roberts

PH-2 13-1070**QUASI-JUDICIAL - FIRST READING OF ORDINANCE -
AMENDMENT TO PLANNED UNIT DEVELOPMENT - TIFFANY
HOUSE (The Escape) - Case 1-ZPUD-08**

Applicant: Tiffany House LP / Tiffany House/The Escape Hotel

Location: 2900 Riomar Street

Zoning: Planned Unit Development (PUD)

Future Land Use: Planned Unit Development (PUD)

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.

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

In response to Commissioner Trantalis, Assistant City Attorney D'Wayne Spence said this item is not affected by the moratorium on planned unit developments because it is not a new development, but rather an amendment to an existing one.

Mayor Seiler opened the floor for public comment.

Abby Laughlin, president of Fort Lauderdale Surf Club Condominium Association, spoke in support of the project. She asked that the park impact fees associated with this project go toward constructing Purple Pickle Park in the north beach residential area (NBRA). It has been planned for years and vetted. She presented a site plan that is attached to these minutes. Mayor Seiler said the Commission has consistently ensured that impact fees are available for use citywide. Commissioner Trantalis said that as the City attempts to enhance the quality of life in the NBRA, pocket parks are among the opportunities outlined in the master plan. The area is desolate and some of the residents on the beach are suggesting that since the money is being generated on the beach and there is a serious need, they would like it to be invested in that area.

The City Manager advised that he is developing a five-year plan for park impact fees that will hopefully be presented to the Commission in November or December. He understood the park site is actually in a right-of-way which is not a simple thing to do. Staff would have to work with the neighborhood to see if the concept is plausible. Commissioner Trantalis said this plan was created several years ago to improve an area around a proposed project (Royal Atlantic) that was to be built.

Steven Glassman, representing Broward Trust for Historic Preservation, read a prepared statement in support of the proposed project which is attached to these minutes.

James Ostryniec, 3017 Alhambra Street, spoke in support of the project. He was on the Broward Trust for Historic Preservation's board when this property received its historic designation. He believes this is a win-win situation for the entire neighborhood.

Fred Carlson, president of Beach Breeze Cooperative Board of Directors, said this is a good example of working with the developer who was responsive to the residents' input. They support the project.

Ina Lee, representing the Broward Chapter of Florida Restaurant and Lodging Association, said the Association supports the project. The owners are longtime hoteliers and residents of Fort Lauderdale

and are lauded as leaders who are committed to building a better Fort Lauderdale while honoring and maintaining the history and integrity of the area.

Kathy Koch, 2621 Castilla Isle, said she supports the project and noted that the Central Beach Alliance and Planning and Zoning Board also approved it. It will be a wonderful addition to the beach and allows for historic preservation. The developers, she said, have a track record of projects that make Fort Lauderdale a better place for residents and tourists.

John Weaver, president of Central Beach Alliance (CBA), said the CBA approved the project by a vote of 134-47. This is not a normal sized building for the site and therefore not a precedent for future developments. However, the benefits clearly outweighed that singular item. Residents worked closely with the developer. The project is acceptable because it is self-contained.

Karen Turner, a member of the Central Beach Alliance's board, expressed support of the project. She commended the developer for preserving the building's history.

Charles King, 105 North Victoria Park Road, said if the zoning is appropriate, he is in favor of the development. He believes it would be a mistake to require the impact fees to be invested in a particular area.

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

Commissioner Trantalis felt the site plan is creative with significant setbacks for sidewalk cafes and pedestrian traffic. He does not want the effort to be defeated, but is concerned that allowing a 12-story building in the North Beach Residential Area (NBRA) sets a precedent. The NBRA is the central core of the barrier island and consists mostly of two- and three-story buildings. He hopes the Commission will do as much as possible to preserve that core. He expects that this fall the City will bring stakeholders together to determine what they envision for the NBRA. The new Innovative Development Zoning District does not provide specific guidelines as to what an area should look like. He hopes the Commission will commit to not setting a standard that this is now the vision for the rest of the NBRA. Mayor Seiler said he likes the project as proposed and does not want to muddy the waters by discussing other potential development in the area, although he agreed that a meeting should be convened to look at a vision for the NBRA. The community and developer did a great job of working together. Vice-Mayor Roberts agreed that a meeting should be convened to listen to the community; however he preferred to evaluate projects on a case-by-case basis until such a meeting is held.

Commissioner Rogers agreed with Commissioner Trantalis that an economic way of preserving a historic structure has been found. He believed the beach has survived because of the diverse economic opportunities. The Commission will have to make some hard decisions on the direction of future development on the beach. He felt Commissioner Trantalis has raised some good points and agreed with convening a meeting to look at a vision for the NBRA, but it should be something for the entire city to be involved in.

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

PASSED FIRST READING

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

PH-3 13-1072 1) FIRST READING OF ORDINANCE - LAND USE AMENDMENT - INCREASE RESIDENTIAL DENSITY WITHIN THE DOWNTOWN REGIONAL ACTIVITY CENTER AND 2) RESOLUTION - recommending amending Broward County Land Use Plan - by an additional 5,000 dwelling units - Case 2-T-13

Applicant: City of Fort Lauderdale
Location: South of Sunrise Boulevard, North of Tarpon River between SE 9th Avenue and NW 7th Avenue
Zoning: Downtown Regional Activity Center (RAC)
Future Land Use: Downtown Regional Activity Center (RAC)

REMOVED FROM AGENDA

PH-4 13-1153 QUASI-JUDICIAL - FIRST READING OF ORDINANCE REZONING TO PARKS, RECREATION AND OPEN SPACE - LEWIS LANDING PARK - Case 16-Z-12

Applicant: City of Fort Lauderdale
From: Residential Single Family/Low Medium Density District (RS-8)
Location: 630 SW 9 Avenue

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

Commissioner Rogers noted he has had numerous site visits and has spoken with the City Manager concerning this matter. There were no other disclosures.

Mayor Seiler opened the floor for public comment.

Steve Buckingham, representing Tarpon River Civic Association, said the Lewis Landing Park has been in the making for many years. The Association fully supports moving forward with the park. It is noted in the Applicant's narrative prepared by Thomas White, Landscape Architect, and (Exhibit 2 to Commission Agenda Memorandum 13-1153) that is a part of the record, that the seawall at the park needs minor repairs. However, he viewed the seawall today with seawall contractor Norbert McLaughlin of the Marine Advisory Board along with another seawall contractor. They believe the seawall may actually need significant repairs. He discussed their recommendations relating to the proposed 10-foot seawall cap. The Association requests that all necessary repairs be made in a way that secures the seawall and the park for many years to come. Residents are thankful for Lewis Landing Park and urge the Commission to move forward with improvements.

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

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

PASSED FIRST READING

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

PH-5 13-1155

QUASI-JUDICIAL - FIRST READING OF ORDINANCE - RELIEF FROM PARKING REQUIREMENTS FOR PUBLIC PURPOSE USE - LEWIS LANDING PARK - Case 77-R-11

Applicant: City of Fort Lauderdale
From: Unified Land Development Regulations Section 47-20
Location: 630 SW 9 Avenue

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

Commissioner Rogers noted he has had numerous site visits and has spoken with the City Manager concerning this matter. There were no other disclosures.

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

Parks and Recreation Director Phil Thornburg clarified for Commissioner Rogers that plans call for two parking spaces on the west side, a sidewalk connecting to the gazebo and a floating dock. He agreed to check into the seawall issues that were discussed by Buckingham during the previous item.

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

PASSED FIRST READING

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

PH-6 13-1157

QUASI-JUDICIAL - FIRST READING OF ORDINANCE - VACATION OF 15 FOOT RIGHT-OF-WAY - 400 NE 9 Avenue - Case 2-P-13

Applicant: New Mount Olive Baptist Church, Inc.

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.

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

A correction was made to this item clarifying the address at 400 NW 9 Avenue.

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

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

PASSED FIRST READING - Location is 400 NW 9 Avenue.

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

PH-7 13-1159 QUASI-JUDICIAL - FIRST READING OF ORDINANCE - VACATION OF 10 FOOT RIGHT-OF-WAY - 400 NW 9 Avenue - Case 3-P-13

Applicant: New Mount Olive Baptist Church, Inc.

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

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

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

PASSED FIRST READING

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

PH-8 13-1225 COMMUNITY BUS SERVICES ROUTE CHANGE - Fourth Amendment to Interlocal Agreement with Broward County for Financial Assistance Only

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

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

APPROVED

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

ORDINANCES

O-1 13-1129 SECOND READING OF ORDINANCE AMENDING UNIFIED LAND DEVELOPMENT REGULATIONS, SECTION 47-22 SIGN REQUIREMENTS - to permit sandwich signs and banner signs as a permanent permitted use subject to specific criteria

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

ADOPTED ON SECOND READING

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

O-2 13-1238 SECOND READING OF ORDINANCE AMENDING CODE OF ORDINANCES, CHAPTER 28, ARTICLE I - PROVIDE STANDARDS FOR FLORIDA-FRIENDLY FERTILIZER USE ON URBAN LANDSCAPES

Fred Hein, representing Trugreen, said protection of water quality has been a huge issue in South Florida. By adoption of the Green Industries Best Management Practices, the Commission will be codifying some of the best standards in the industry that allow those in his line of work to conduct their business in a safe, responsible way, protect the watershed and give employment to thousands. It will help homeowners to make better decisions about the use of fertilizer. Also as a resident, he advocated for water protection.

Michael Ruggiero, 2129 Natalie's Cove Road, Cooper City, said he is a best management practices instructor and would like to reiterate Hein's comments. He thanked the Commission for supporting the issue.

Al Hoffer, representing Al Hoffer's Pest Control and Florida Pest Management Association, spoke in support of the ordinance. It should be a model ordinance for the state.

Mayor Seiler agreed with the Vice-Mayor that this item could be included in the City's legislative package, advocating for a statewide standard.

There were no other individuals wishing to speak on this matter.

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

ADOPTED ON SECOND READING

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

O-3 13-1090 SECOND READING OF ORDINANCE AMENDING CODE OF ORDINANCES, SECTIONS 2-194(c) AND 2-199.2 COMPETITIVE NEGOTIATIONS AND PREFERENCE - PROVIDE FOR REQUESTS FOR QUALIFICATIONS AND EXPAND THE APPLICATION OF LOCAL BUSINESS PREFERENCE

Charles King, 105 North Victoria Park Road, said he does not think this ordinance is going to do what is it intended to do. It seems to complicate the process and will result in the taxpayers paying more. He suggested that police and fire employees be required to reside in the city as a way to keep more money in the community.

There was no one else wishing to speak.

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

ADOPTED ON SECOND READING

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

O-5 13-1169 FIRST READING OF ORDINANCE AMENDING UNIFIED LAND DEVELOPMENT REGULATIONS, ARTICLE III - ADDITIONAL ZONING DISTRICTS - PROVIDING FOR THE CREATION OF INNOVATIVE DEVELOPMENT (ID) DISTRICT - creating Section 47-37A and revising Section 47-37, Planned Unit Development (PUD) District

There was no one wishing to speak on this matter.

Commissioner Rogers felt the ordinance reads differently (1-acre minimum) than the recommendation from the Planning and Zoning Board (1/2-acre minimum). He preferred to follow the Planning and Zoning Board's recommendation. Commissioner Trantalis questioned whether this could open the door to numerous applications to get around existing zoning laws. Commissioner Rogers felt there are checks and balances in place. It is his opinion that mixed-use development is something to seriously explore. This ordinance allows for addressing everything at one time and creating something unique. Four votes are required.

The City Manager said the Planning and Zoning Board recommendation was to eliminate the parcel size and to require a majority plus one vote of the board members present. An ad hoc committee originally recommended a 2-acre minimum and staff had a concern that it would be difficult to assemble a tract that size in the downtown regional activity center (DRAC), for example. They discussed having a different standard for the DRAC versus areas outside of the DRAC. Staff recommended having a lower standard in the regional activity center. The Commission decided upon an acre when it was discussed at conference. Vice-Mayor Roberts said based on the 4-1 vote requirement, he is comfortable with Commissioner Rogers' suggestion.

Commissioner Trantalis was uncomfortable with the way public comment was addressed in the ordinance. Public comment could be stifled if the threat of litigation exists. The City Attorney said there are state statutes that offer protection for people who are appropriately speaking on these types of

issues. Commissioner Trantalis asked the City Attorney to provide more information before second reading of the item.

Vice-Mayor Roberts introduced the ordinance, as amended to a minimum parcel size in a regional activity center of one-half acre and a Planning and Zoning Board majority vote plus one, which was read by title only.

Amended to provide for a minimum parcel size in a regional activity center of one-half acre and a Planning and Zoning Board majority vote plus one.

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

The meeting was adjourned at 9:02 p.m.

John P. "Jack" Seiler
Mayor

ATTEST:

Jonda K. Joseph
City Clerk