

City of Fort Lauderdale

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



Meeting Minutes - DRAFT

Tuesday, February 17, 2015

6:00 PM

City Commission Chambers

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

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

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 6:07 p.m. by Mayor Seiler.

ATTENDANCE ROLL CALL

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

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

Vote Roll Call Order for this Meeting

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

Invocation

Reverend David Rambarran, Fort Lauderdale First Church of the Nazarene

Pledge of Allegiance

Led by Mariane Winfield, Greater Fort Lauderdale Sister Cities International

Approval of MINUTES and Agenda

No public comments were submitted by email for the February 17, 2015 regular meeting.

15-0208 Minutes for December 2, 2014 Conference and Regular Meetings

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

APPROVED

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

PRESENTATIONS

PRES-1 15-0242 Greater Fort Lauderdale Sister Cities International Presentation to City of Fort Lauderdale by Mayor Tom Tate of Gold Coast, Australia

Marianne Winfield of Greater Fort Lauderdale Sister Cities International presented a gift to the City from Mayor Tom Tate of Gold Coast, Australia. She provided comments about the program. Mayor Seiler thanked Sister Cities International for their work in the community.

PRES-2 15-0197 Police Officer of the Month for February, 2015

Police Chief Frank Adderley recognized Sergeant Edward Cruz as Police Officer of the Month for February 2015. He credited Sergeant Cruz for his efforts in apprehending armed suspects at a local

restaurant. Restaurant manager Larry O'Neal thanked Sergeant Cruz and the Police Department for acknowledging the relationship between businesses and law enforcement.

PRES-3 15-0183 City of Fort Lauderdale - Recipient of American Heart Association's Fit Friendly Platinum Achievement Award

Donna Byrne of the American Heart Association presented the award to Mayor Seiler and commented on the City's accomplishments.

PRES-4 15-0196 Community Appearance Board WOW Award for Districts III AND IV

Commissioner McKinzie presented the District III WOW Award to Valerie and Shenna Simpson for beautification efforts at their home in Melrose Manor. Vice-Mayor Rogers presented the District IV WOW Award to Joan Barlow for beautification efforts at her home in River Oaks.

PRES-5 15-0214 City of Fort Lauderdale - Recipient of 2015 State Surgeon General Healthy Weight Community Champion Award

Paula Thaqi, director of Florida Department of Health in Broward County presented the certificate to Vice-Mayor Rogers. Thaqi commended the City on its efforts.

PRES-6 15-0243 Proclamation declaring February 6, 2015 as the American Heart Association's National Wear Red Day in the City of Fort Lauderdale

Commissioner Trantalis presented the proclamation to Donna Byrne of the American Heart Association. Bryne thanked the Commission for its efforts.

PRES-7 15-0244 Proclamation declaring February 17, 2015 as Robert D. Todd Day in the City of Fort Lauderdale

Commissioner Roberts presented the proclamation to Robert Todd, noting his efforts as the Florida Music Educators Association's 2015 Music Educator of the Year. Todd thanked the Commission for the honor.

WALK-ON Proclamation recognizing the 39th Annual Fort Lauderdale Ruggedfest Days at Mills Pond

Commissioner McKinzie presented the proclamation to Marc Samet of Fort Lauderdale Ruggedfest. Samet commented on the local rugby program.

WALK-ON RESOLUTION - APPOINTING THE LAW FIRM OF KUTAK ROCK, LLP, AS SPECIAL COUNSEL TO THE CITY OF FORT LAUDERDALE, FLORIDA IN CONNECTION WITH A NEW MARKETS TAX CREDIT INVESTMENT IN THE RENOVATION OF SOUTH SIDE SCHOOL

Motion made by Commissioner McKinzie and seconded by Vice-Mayor Rogers to adopt the resolution as recommended.

APPROVED

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

CONSENT AGENDA

Mayor Seiler announced the procedure for consent items. The City Clerk corrected agenda item CM-2, should read Market Days at Plaza 3000, not 300. Also, a revised Commission Agenda Memorandum 15-0145 was distributed to the Commission and made a part of the record.

CONSENT MOTION

CM-1 15-0152 Event Agreements and Related Road Closings: Walk for the Animals, Sistrunk Festival & Parade, JAFCO in my Sneakers 5K Run/Walk, Galt Mile Wine & Food Festival, 20th Annual Bank of America Wine and Spirits and Culinary Celebration

Raymond Cox, no address provided, objected to road closures and closing of the beach.

Dominic Santorelli, 3496 Ocean Boulevard, said he owns Nick's Italian restaurant on Galt Ocean Mile where the wine festival will be held. He was concerned about barrier setbacks on 35 Street. In response to Mayor Seiler, the festival organizer agreed to put the barrier on the east side of the alleyway to alleviate the restaurant's problem.

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

APPROVED

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

CM-2 15-0153 Event Agreements: 1st Annual Bags-N-Stuff Inc. Fundraiser, 38th Annual Waterway Cleanup, Clueless on Las Olas, Clear Sky Movie Night, Florida Aids Walk Fundraiser, Fort Lauderdale Luxury Living & Lifestyle Expo, Luv a Bull Pet Rescue, Sanctuary Church Farmers Market, V-Twin City Bike Night, and Market Days at Plaza 3000

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

APPROVED

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

CM-3 15-0120 Annual Facility Use Agreement with the City of Hollywood for Fire Training - \$25,000

Raymond Cox, no address provided, expressed concern about the lack of information in the backup materials.

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

APPROVED

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

CM-4 15-0205 Settlement of Police Liability Claim in the Matter of Lyle Gluck v. John Hospodavis and City of Fort Lauderdale in the amount of \$65,000 - Case No. CACE 14-61385

Raymond Cox, no address provided, objected to how the police handled this matter.

Charles King, 105 North Victoria Park Road, felt that the backup materials lack detail and wanted to know if the officer was reprimanded. He advocated for body cameras on police officers.

Motion made by Commissioner Roberts and seconded by Commissioner McKinzie to approve the item as recommended.

APPROVED

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

CM-5 15-0206 Settlement of Auto Liability Claims in the matter of Debra Spengler and Arthur Spengler, Jr. v. City of Fort Lauderdale et al., Case No. 12-035645; Thelma Barrett Hoffman v. City of Fort Lauderdale, Case No.: 13-16723; State Farm Mutual Automobile Insurance Company a/s/o Alexander Cherba v. City of Fort Lauderdale, Case No.: 13-009020; Debra Larue v. City of Fort Lauderdale and State Farm Mutual Automobile Insurance Company, Case No.: 13-020574, in the total amount of \$200,000

Raymond Cox, no address provided, did not feel the police officers are driving safely. He advocated for cameras on the officer as well as the vehicle.

Charles King, 105 North Victoria Park Road, expressed concern about the lack of detail in backup materials. He felt that officers involved in such cases should be punished. He was concerned about the cost incurred for such things. The City Manager advised that any time a police officer responds to a call in an emergency mode that gets into an accident, it is recognized that they, too, are in jeopardy. Commissioner Roberts encouraged King to join the Citizens Police Academy.

Motion made by Commissioner McKinzie and seconded by Commissioner Roberts to approve the item as recommended.

APPROVED

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

CM-6 15-0210 Grant Application to the Tourist Development Tax Capital Challenge

Grant Program for War Memorial Auditorium

Charles King, 105 North Victoria Park Road, was concerned about the programming at this venue.

Motion made by Commissioner Roberts and seconded by Commissioner McKinzie to approve the item as recommended.

APPROVED

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

CM-7 14-1647 Southwest 9th Street Sanitary Sewer Extension Design Services- Keith and Schnars - \$53,715

Raymond Cox, no address provided, advocated for public restrooms.

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

APPROVED

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

CM-8 15-0030 Las Olas Tunnel Top Park Feasibility Study - Lakdas/Yohalem Engineering, Inc. - \$33,506.50 Task Order

L.F. Rosenthal, 1237 NW 4 Avenue, complimented the Police Department. He commented on the overwhelming support of the Mayor in the recent election. He believed Fort Lauderdale has a fiscally prudent Commission and administration with high ethical standards.

Raymond Cox, no address provided, questioned this study, expenditures in general and license plate reader program.

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

APPROVED

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

CM-9 15-0133 Annual Funding for the Greater Fort Lauderdale Sister Cities International, Inc.

Raymond Cox, no address provided, questioned expenditures for this program and advocated for public restrooms.

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

APPROVED

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

CM-10 15-0145 Approval of a One-Year Extension to the Interlocal Agreement with the South Florida Regional Transportation Authority for the Uptown Link Community Bus Service

Raymond Cox, no address provided, questioned the process of flagging down the bus drivers.

Motion made by Commissioner Roberts and seconded by Commissioner McKinzie to approve the item as recommended.

APPROVED

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

CONSENT RESOLUTION

CR-1 15-0193 Authorization for the City Manager to serve as a member of the National Civic League Board of Directors

Raymond Cox, no address provided, expressed concern about a potential conflict of interest for the City Manager.

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

ADOPTED

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

CR-2 15-0125 Disposal of City-Owned Surplus Property located at 825 East Sunrise Boulevard

Commissioner Trantalis expressed concern that Raymond Cox is wasting time by asking questions for which he already has received answers at the District II meeting.

Raymond Cox, no address provided, advocated for the homeless and noted his right to speak regardless of the commission district meetings.

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

ADOPTED

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

CR-3 15-0126 Intent to Lease "Historic Bryan Homes" Property

Raymond Cox, no address provided, did not feel the backup information is adequate. He asked for information about the lease.

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

ADOPTED

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

CR-4 15-0127 Intent to Lease City-owned Property at 600 Seabreeze Boulevard - Oasis Café and to Proceed with Eviction Proceedings against the Current Tenant and Pursue Monetary Damages

Raymond Cox, no address provided, expressed concern as to how this lease was handled.

Robert Walsh, 401 East Las Olas Boulevard, supported the eviction.

Charles King, 105 North Victoria Park Road, questioned how the lease was handled. He supported the eviction. The rent for this property should be higher.

In response to Commissioner Trantalis, the City Manager said there used to be an internal system by which rents were set and collected. He was dissatisfied with the system, which is why the City hired a real estate company to act as a property manager. As part of the process of bringing on the property manager, the delinquency was discovered. Staff spent a few months working with the owner trying to get the rent and back taxes back on track before coming to this point. Commissioner Trantalis asked if there are any other cases of this nature. The City Manager noted another lease for property at the airport that the Commission terminated at its last meeting which is not under control of the property management company. He intends to bring forward an amendment to the property management contract to include the airport properties. Most of the delinquencies involve taxes. Mayor Seiler noted that the City Manager has been asking for outside help with real estate issues for more than two years. The amount in this case is guaranteed. Commissioner Trantalis noted that the Oasis Café property is high-profile where more rent could have been collected. He did not want to send a message that a second-rate business could occupy that space. He did not want this type of operation to continue under a City lease and hoped for improvement overall going forward. The City Manager said that since the property has been advertised as available for lease, the City has had inquiries from some of the best food operators in the community.

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

ADOPTED

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

CR-5 15-0129 Application to the Florida Inland Navigation District 2015-2016 Waterways Assistance Program for the Bahia Mar Yachting Center Dredging Project

Raymond Cox, no address provided, questioned the scope of this project. He felt there are unfair actions being taken against the poor and discussed recent zoning changes.

In response to Commissioner Trantalis, the City Manager explained some details about this project being delayed. The biggest issue has to do with seagrass mitigation and the inability to use Deerfield Island.

Tyler Chappell, a member of the Florida Inland Navigation District Board (FIND), said FIND does not have seagrass mitigation requirements and therefore their project is not being delayed for that reason.

FIND's footprint for dredging is the main channel of the Intracoastal. There is more seagrass in the area the City is proposing to dredge. He confirmed for Commissioner Trantalis that the City needs to reapply but there is every indication that the funds will be approved again. It will go before the FIND board in June. Other municipalities can apply. Currently Broward County has \$3.3 million to allocate annually. Fort Lauderdale is requesting \$600,000. There should be enough to cover this allocation.

The City Manager said he is cautiously optimistic the City will be able to persuade other regulatory agencies to go outside the preferred mitigation area in order to have options other than Deerfield Island. The City does not have cooperation at the County level. If they are allowed to go outside the mitigation boundaries, there are other options. In further response to Commissioner Trantalis, the City Manager advised that staff will be picking up where it left off with the County. Work is continuing

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

ADOPTED

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

CR-6 15-0130 Application to the Florida Inland Navigation District's 2015-2016 Waterways Assistance Program for the Las Olas Marina Dredging Project

Raymond Cox, no address provided, advocated for portable restrooms and the homeless.

L.F. Rosenthal, 1237 NW 4 Avenue, commended the City for fighting homelessness by increasing employment opportunities and seeking funds not from taxpayers but federal and other grants. This work relates to tourism and development.

Fred Carlson, representing Central Beach Alliance, supported Commissioner Trantalis' questions on the previous item. He wanted to ensure that there is enough width in dredging so as to go deeper into excavating the parking lot.

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

ADOPTED

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

CR-7 15-0225 Application for Dock Permit for usage of public property by Jack Hayes Properties, LLC at 1009 Cordova Road

Raymond Cox, no address provided, questioned details of the application.

In response to Commissioner Roberts, Assistant City Attorney Bob Dunckel confirmed that he worked closely with the community on this matter. The main component, landscape plan, has been incorporated in this resolution.

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

ADOPTED

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

CR-8 15-0184 Dune Maintenance Agreement with Belmar Development Associates, LLC (Paramount Condominium Project)

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

ADOPTED

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

CR-9 15-0086 Imposition of Special Assessment Liens for Costs Associated with Lot Clearing and Cleaning

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

ADOPTED

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

PURCHASING AGENDA

PUR-1 14-1660 Storm Drainage Contract Extension - GPE Engineering & General Contractor Corp. - \$1,325,000

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

APPROVED

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

PUR-2 15-0080 Parks and Recreation Apparel - Nvizin Inc. - \$182,046 (three-year cost)

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

APPROVED

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

PUR-3 15-0088 Lot Clearing Services - SGA Management, Inc and Monroe Lawn Care Service, LLC - \$180,000 (three year cost)

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

APPROVED

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

PUR-4 15-0096 Dillard Park Sidewalk and Curb Improvements - Sagaris Corp. - \$66,385

In response to Commissioner Trantalis, Deputy Director of Department of Sustainable Development Al Battle confirmed that the improvements in item PUR-5 are paid for by a Metropolitan Planning Organization (MPO) grant that the City matched. He described this work generally. The Community Redevelopment Agency is paying for a portion of the project as a part of the MPO grant process.

Raymond Cox, no address provided, questioned the scope of work and that the African American neighborhood is not getting treated fairly.

Motion made by Commissioner Roberts and seconded by Commissioner McKinzie to approve the item as recommended.

APPROVED

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

PUR-5 15-0117 Northwest Neighborhood Improvement Phase II Project - Sagaris Corp. - \$537,710

Charles King, 105 North Victoria Park Road, addressed item PUR-4. He questioned why certain neighborhoods do not have to provide matching funds for a project. Victoria Park desperately wants sidewalks. More money should be expended for sidewalks in general. He questioned why Community Redevelopment Agency (CRA) funds are not being used for this purpose. He felt there is inappropriate use of CRA funding.

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

APPROVED

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

Not Present: 1 – Commissioner Roberts

PUR-6 15-0241 Proprietary Software Configuration and Setup Services for the ONESolution Sustainable Development software - \$47,400

Raymond Cox, no address provided, questioned if there is adequate Commission oversight. He went on to advocate for the homeless

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

APPROVED

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

Not Present: 1 – Commissioner Roberts

PUR-7 15-0247 Proprietary Purchase of License Plate Recognition (LPR) Systems
-Dana Safety Supply, Inc. - \$69,400

Raymond Cox, no address provided, felt the City is targeting African American residents.

Motion made by Commissioner Roberts and seconded by Commissioner McKinzie to approve the item as recommended.

APPROVED

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

PUR-8 15-0251 Enterprise Content Management System and Associated Professional Services - MCCI, LLC - \$496,725 (estimated four-year cost)

Raymond Cox, no address provided, felt there is insufficient time for the public to review backup information for agenda items. He spoke of the Sunshine Law as well as tourism.

Motion made by Commissioner Roberts and seconded by Commissioner McKinzie to approve the item as recommended.

APPROVED

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

MOTIONS

M-1 15-0188 City Commission Request for Review - Broward Addiction and Recovery Center - Case No. R14051

Mayor Seiler announced that Vice-Mayor Rogers filed a request for the Commission to review the development permit application and conditional use for this project. He outlined the options available and procedure.

Vice-Mayor Rogers said neighborhood representatives met with County officials and seem satisfied with most of the plan. He will meet with the County at the end of the month. With the rezoning second reading scheduled for March 3, it may be a good time also for this review.

Mayor Seiler opened the floor for public comment.

Raymond Cox, no address provided, was opposed to a delay.

Robert Walsh, 401 East Las Olas Boulevard, criticized the way Vice-Mayor Rogers has handled this matter. He advocated for the facility.

L.F. Rosenthal, 1237 NW 4 Avenue, noted that he spoke in support of the proposal at the last meeting. He commented that district commissioners are charged with advocating for what their constituents want. Vice-Mayor Rogers is simply advocating for his constituents. He also said even more facilities are needed. There are no problems with a similar facility on his block. He took issue with those who have attacked Vice-Mayor Rogers and noted his recent no opposition election to office.

Charles King, 105 North Victoria Park Road, felt this matter has gone on too long. There are many addicts in Fort Lauderdale and many who do not have an opportunity to get help. The delay is killing people. The facility already exists in Fort Lauderdale. He believed the goal is to disperse such facilities and reduce the number in the downtown core. Along that line of thinking, Edgewood is on the edge of the city's boundary.

There was no one else wishing to speak.

Motion made by Vice-Mayor Rogers and seconded by Commissioner Roberts to set a de novo hearing for March 3, 2015.

DE NOVO HEARING SET FOR MARCH 3, 2015

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

M-2 15-0219 Central Beach Community Redevelopment Area (CRA) Public Improvement Project Priorities

The City Manager recommended approval for proceeding to 30 percent design drawings for the Las Olas Corridor and Beach Streetscape improvement projects based on today's conference meeting.

Mayor Seiler opened the floor for public comment.

Raymond Cox, no address provided, criticized how the City does business and opportunity for corruption.

L.F. Rosenthal, 1237 NW 4 Avenue, commented about the numerous positions on this matter. This is a complex and delicate matter. It is better to do something right than to do it fast. There are government regulations and marine issues to consider.

Fred Carlson, representing Central Beach Alliance, requested a presentation on this matter at the next CBA meeting.

There was no one else wishing to speak.

Motion made by Commissioner Roberts and seconded by Commissioner McKinzie to approve the item as recommended by the City Manager above.

APPROVED

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

RESOLUTIONS

R-1 15-0177 Aquatic Complex Developer's Agreement with Recreational Design and Construction, Inc. - Change Order No. 1 and Resolution to amend the FY 2015 Community Investment Plan (CIP) and Budget.

Motion made by Commissioner Trantalis and seconded by McKinzie to defer the item to February 25, 2015 and hold a special meeting on that date at 8 p.m. to continue discussion of the Aquatic Complex.

DEFERRED TO A SPECIAL CITY COMMISSION MEETING SET FOR FEBRUARY 25, 2015 AT 8 P.M.

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

R-2 15-0118 QUASI-JUDICIAL - MW Lauderdale LP - Amendment to a Site Plan Level IV Development Permit - Ocean Wave Project at 529 North Fort Lauderdale Beach Boulevard - Case No. A15001

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

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

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

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

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

Commissioner Trantalis said this project was approved several years ago. He commended the developer for coming back with a much-improved proposal that is much more appropriate for the scale of what belongs on State Road A1A and Fort Lauderdale Beach.

ADOPTED

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

R-3 15-0157 Appointment of City Board and Committee Members

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

Affordable Housing Advisory Committee	Rosalind Osgood (Vice-Mayor Rogers)
Beach Redevelopment Board	Tom McManus (Commissioner Roberts)
Cemetery System Board of Trustees	Dennis Ulmer (Commissioner McKinzie)
Community Appearance Board	Jhanelle Campbell (Mayor Seiler) Judy Czerenda (Commissioner Trantalis)
Community Services Board	Chris Lovell (Commissioner Trantalis) Richard W. Morris Jr. (Consensus/Commissioner Trantalis)
Sustainability Advisory Board	Jeffrey Huber (Mayor Seiler)

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

ADOPTED

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

PUBLIC HEARINGS

PH-1 15-0087 QUASI-JUDICIAL - Resolution Granting a Waiver of Limitations at 505 Idlewyld Drive for the Relocation of a Boatlift - 505 Idlewyld, LLC

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

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

Mayor Seiler opened the floor for public comment.

Raymond Cox, no address provided, questioned justification for this waiver and special treatment.

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

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

ADOPTED

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

PH-2 15-0089 QUASI-JUDICIAL - Resolution Granting a Waiver of Limitations at 824 NE 20th Avenue to Construct a Finger Pier and Install Eight Triple Pile Clusters - HG Middle River Investments, LLC

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

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

Mayor Seiler opened the floor for public comment.

Raymond Cox, no address provided, questioned justification for this waiver and special treatment.

Charles King, 105 North Victoria Park Road, was concerned about the multiple waivers being granted in Victoria Park. He was also concerned about blocking of view corridors and shrinking the river. Commissioner Trantalis pointed out this particular area is zoned commercial.

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

In response to Mayor Seiler, Tyler Chappell of The Chappell Group, representing the Applicant, said the property to the south has triple pile clusters at 112 feet. The maximum set by this Commission is about 125 feet but he felt it could extend further.

Commissioner Roberts introduced the resolution. The resolution title and five conditions were read.

ADOPTED

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

PH-3 15-0004 Selecting Broward House, Inc. to operate Project Based Rental Program; transferring Housing Opportunities for Persons with HIV/AIDS (HOPWA) Program Housing Units and extending Broward House Contract

Mayor Seiler opened the floor for public comment.

Raymond Cox, no address provided, advocated for the homeless and favoritism.

There being no other individuals wishing to speak on this matter, a motion was made by Commissioner Trantalis and seconded by Commissioner Roberts 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 Commissioner Roberts and seconded by Commissioner Trantalis to approve the item as recommended.

APPROVED

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

ORDINANCES

O-5 15-0095 Second Reading of Ordinance Imposing a Temporary Moratorium on Applications for Motorized Vehicles for Hire

Raymond Cox, no address provided, opposed the item and advocated for public restrooms.

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

ADOPTED ON SECOND READING

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

O-4 15-0198 Second Reading of Ordinance Amending Landscaping and Tree Preservation Requirements

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

ADOPTED ON SECOND READING

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

O-3 15-0142 Second Reading of Ordinance Rezoning Properties within Northwest

Regional Activity Center (NWRAC) Future Land Use Category to New Northwest Regional Activity Center Mixed Use Northeast (NWRAC-MU_{ne}), Northwest Regional Activity Center Mixed Use East (NWRAC-MU_e) and Northwest Regional Activity Center - Mixed Use West (NWRAC-MU_w) ZONING DISTRICTS - from Residential Low Rise Multifamily/Medium Density (RM-15), Community Business (CB), General Business (B-2), Heavy - Case No. 3Z13

Mayor Seiler opened the floor for public comment.

Burnadette Norris-Weeks, representing Right Perspective Development Group, said she purchased property on NW 7 Avenue more than a decade ago, when the area was vacant and blighted. Businesses organizations including Midtown Business Association, Broward Workshop and Chamber of Commerce do not agree with all aspects of the downzoning east of 9 Avenue. She believed that the 150-foot decline to 45 feet is a violation of the Bert Harris Act (Private Property Rights Protection Act). There are petitions of property owners, business operators and residents who own property, operate a business or reside east of NW 9 avenue (affected parties) in regard to NWRAC-MU_{ne} and NWRAC-MU_e) that were previously submitted for the record.

We believe that for the northwest section of Fort Lauderdale to be successful planning tools must be implemented by the City of Fort Lauderdale to repopulate the northwest section of Fort Lauderdale east of NW 9 Avenue which will support the existing businesses in the area. We support development that creates a vibrant community in which residents can live, work and play. We support development that eliminates slum and blight. We support development that creates a diverse community. We support development that connects and includes the northwest section of Fort Lauderdale east of NW 9 Avenue (Powerline Road) to the redevelopment of the downtown as opposed to excludes it from such redevelopment. Therefore we support the western boundary of NWRAC-MU_e as reflected on the rezoning map moved to NW 9 Avenue (Powerline Road).

Also we support the Table of Dimensional Requirements for the NWRAC-MU_{ne} and NWRAC-MU_e to reflect the following:

- 1) Under the text "Max. Height" the following 75 ft 110 ft (10 stories) max"
- 2) Under the text "Note B" the following: "Subject to Site Plan Level II permit, with City Commission approval, for heights greater than 110 feet" and
- 3) Under the text "Max. Shoulder Height" the following: "75 feet (six stories) max."

She asked that the Commission reconsider this measure. It restricts private property rights.

There was no one else wishing to speak.

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

ADOPTED ON SECOND READING

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

O-2 15-0211 Second Reading of Ordinance Establishing Pass-Through Provider and Communications Facility Provider Fees

Raymond Cox, no address provided, felt more information on the item should be available to the public and that there is not enough involvement in City business on the part of the Commission.

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

ADOPTED ON SECOND READING

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

O-1 15-0104 First Reading of Ordinance Amending Unified Land Development Regulations Regarding the Siting and Operations of Social Service Facilities

Mayor Seiler opened the floor for public comment.

Didier Ortiz, 2400 West Broward Boulevard, felt that the public has a problem with restricting sharing food with the homeless. There have not been objections to other related regulations. He felt that this law is immoral and unenforceable.

Irene Smith, 1231 NW 1 Avenue, wanted to have a candid discussion about the homeless issue and what is the real motive.

Elijah Manley, 3498 NW 4 Street, opposed what he referred to as homeless hate laws. People are taught in church to share.

L.F. Rosenthal, 1237 NW 4 Avenue, spoke in support of the item. He discussed the history of homelessness.

Reverend Gail Tapscott, representing Unitarian Universalist Church of Fort Lauderdale, invited the Commission to her church in Oakland Park to see a movie that addresses homelessness.

Reverend Craig Watts, representing Royal Palm Christian Church, said that if the concern is about public health, he questioned why there is so little attention to other situations but immense concern for the homeless. He questioned if the City is discriminating against a weak class of people. If there really is a health concern, the laws should be broad enough to address everyone's health. He did not think there is really a health issue.

Frank Pontillo, representing REMAR, felt tension is increasing and will continue. Eventually the business community will grow tired of it. He felt a year from now there will still be homeless people on the street because the laws are causing more chronic homelessness. There are not enough shelter beds or housing which is what should be addressed in a comprehensive way. There are not enough social services. He encouraged peaceful solutions.

Raymond Cox, no address provided, advocated for the homeless.

Charles King, 105 North Victoria Park Road, said he agrees with the ordinance but does not like the consolidation of services in one area. These services should be spread throughout the county. It is acceptable to adopt rules and have a standard of what is acceptable in the community. One standard is not relieving one's self in public. He drew attention to the County's lack of support on this topic.

There was no one else wishing to speak.

Commissioner Trantalis noted that when this ordinance was first presented, social service facilities appeared to be concentrated in a redevelopment area. The Commission was concerned but voted for the ordinance because there was a desire to move forward on the feeding aspect. He had requested that the feeding component be separated out but was denied. Now the highest concentration of social service zoning is in a redevelopment area. There has not been any dispersing throughout the community. It detracts from the goals the City is seeking to accomplish in the redevelopment area. The feeding aspect of the ordinance falls short of what the City is attempting to do. It has nothing to do with Arnold Abbott and feeding on the beach. There is not an available facility seven days a week. He asked that staff be asked to followup in providing answers the Commission originally requested. Vice-Mayor Rogers noted that most social service facilities are already in District IV in that is where downtown Fort Lauderdale began. He understood the concern but noted that the courthouse, and federal and county building are concentrated in Fort Lauderdale. This is the county seat. There will always be perceived inequities but staff has addressed this in the best manner possible. There must be zoning provided to address these facilities. Commissioner Roberts felt there is a large expansion from the previous map (Exhibit 1 to Commission Agenda Memorandum 15-0104). For example, industrial and B-2 (General Business) zoning areas were included this time. The homeless issue is a County function. The City has done more than its fair share. The County should step up and exercise their responsibility. The City should continue to work with the County and League of Cities. Commissioner Trantalis agreed; however, he emphasized there are hungry people. Mayor Seiler agreed with Commissioner Roberts that the County needs to step up to this responsibility.

Commissioner Trantalis pointed out that almost the entire area for social service facilities is proposed for the Regional Activity Center (RAC), but the RAC is intended to stimulate economic growth. Ninety percent of the city is unaffected. The staff was asked to change allocation of social service facilities and has not done so. Commissioner Roberts noted that a significant portion has been added in the area near the executive airport. Commissioner Trantalis questioned what is being done to enhance the business environment and attract investment. Commissioner Roberts pointed out what has been added to the executive airport area which has been targeted for economic development. Also, the City has pursued with the County and, or Sheriff use of the stockade as a potential resource, which is also in this area. Commissioner Trantalis reiterated his concern about impact on economic development. Mayor Seiler felt every district is being asked to share the burden and as such, there is no reason to oppose the ordinance. Commissioner Trantalis reiterated his position. He would like to postpone action on this ordinance. As to the issue of economic development, Vice-Mayor Rogers pointed out that they are areas where the City wants to encourage density which does not mean residential areas. Commissioner Trantalis was concerned about concentrating social service facilities in a blighted area. Vice Mayor Rogers did not feel there is any more concentration north of Broward Boulevard than it is south of Broward Boulevard. Mayor Seiler and Commissioner Roberts pointed out that the lack of other alternatives. Commissioner Trantalis agreed to review the map with staff. He reiterated his position also about the feeding component of this ordinance. Vice Mayor Rogers emphasized the importance of partnering with the business community and his belief that there will be opportunities ahead. Commissioner Trantalis felt overall the ordinance is lacking.

A copy of Exhibit 1 to Commission Agenda Memorandum 15-0104 is attached.

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

PASSED FIRST READING

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

Nay: 1 - Commissioner Trantalis

The City Commission returned to the conference meeting agenda, at 10:01 p.m. and Community Redevelopment Agency Board of Directors at 10:15 p.m. before adjourning.

John P. "Jack" Seiler
Mayor

ATTEST:

Jonda K. Joseph
City Clerk