

City of Fort Lauderdale

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



Meeting Minutes

Tuesday, June 19, 2018

6:00 PM

City Commission Chambers

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

***DEAN J. TRANTALIS Mayor - Commissioner
BEN SORENSEN Vice Mayor - Commissioner - District IV
HEATHER MORAITIS Commissioner - District I
STEVEN GLASSMAN Commissioner - District II
ROBERT L. McKINZIE Commissioner - District III***

***LEE R. FELDMAN, City Manager
JOHN HERBST, City Auditor
JEFFREY A. MODARELLI, City Clerk
ALAIN E. BOILEAU, Interim City Attorney***

CALL TO ORDER

Mayor Trantalis called the Commission Conference Meeting to order at 6:12 p.m.

Invocation

Ron Perkins - Chaplain - City of Fort Lauderdale Public Safety

Pledge of Allegiance

Michael Albetta, President of Lake Ridge Civic Association, Inc.

No e-comments were submitted for this meeting.

ROLL CALL

Present: 5 - Commissioner Robert L. McKinzie, Vice Mayor Ben Sorensen, Commissioner Heather Moraitis, Commissioner Steven Glassman and Mayor Dean J. Trantalis

QUORUM ESTABLISHED

Also Present: City Manager Lee R. Feldman, City Clerk Jeffrey A. Modarelli, Interim City Attorney Alain Boileau, City Auditor John Herbst and Sergeant at Arms Kenneth Giles

ANNOUNCEMENTS

Mayor Trantalis announced the following updates to the Agenda:

CR-3 Removed from the Agenda

CR-10 Removed from the Agenda

Modification to item R-6: Additional Pages added to Exhibit C (pages 10-26)

Approval of MINUTES and Agenda

[18-0663](#)

Minutes for May 15, 2018 Commission Conference Meeting and May 15, 2018 Commission Regular Meeting

Commissioner Glassman made a motion to approve the Agenda and was seconded by Commissioner McKinzie.

APPROVED Agenda

Aye: 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

Commissioner McKinzie made a motion to approve the May 15, 2018 Commission Conference Meeting Minutes and the May 15, 2018 Commission Regular Meeting Minutes. This motion was seconded by Commissioner Glassman.

APPROVED - Approval of the Minutes

Aye: 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

PRESENTATIONS**PRES-** [18-0694](#)

1

Proclamation declaring June 2018 as LGBT Pride Month in the City of Fort Lauderdale

Commissioner Glassman presented a Proclamation declaring June 2018 as LGBT Pride Month in the City of Fort Lauderdale, reading the Proclamation in its entirety. The Proclamation was accepted by Chris Rudisill, Executive Director, Stonewall Museum and National Archives. Mr. Rudisill thanked Mayor Trantalis and the Commission.

PRESENTED**PRES-** [18-0678](#)

2

Community Appearance Board WOW Awards for Districts II and I

On behalf of both the Commission and Community Appearance Board, Commissioner Glassman presented the District II WOW Award to David Tannen, Jerry Cohn and Mike Rares in recognition of their beautifully landscaped property located at 1409 NE 16 Court, Poinsettia Heights. Commissioner Glassman spoke about the property's attributes, presenting the property owners, Messrs. Tannen, Cohn and Rares with a Certificate of Recognition from the City. Messrs. Tannen, Cohn and Rares thanked the Commission and the Community for this recognition.

On behalf of both the Commission and Community Appearance Board, Commissioner Moraitis presented the District I WOW Award to Bill and Maureen Rotella in recognition of their beautifully landscaped property located at 2741 NE 17 Street, Coral Ridge. Commissioner Moraitis noted the attributes of the property and presented the Rotella's with a Certificate of Recognition from the City. Mr. and Mrs. Rotella thanked Mayor Trantalis and the Commission.

The PowerPoint presentation illustrating the before and after photos of both properties is attached to these minutes.

PRESENTED

CONSENT AGENDA PUBLIC COMMENT

Mayor Trantalis recognized Sherman Whitmore. Mr. Whitmore spoke on item PUR-1, recommending a study prior to spending funds on the War Memorial Auditorium.

CONSENT AGENDA

CONSENT MOTION

Approval of the Consent Agenda

Commissioner McKinzie made a motion to approve the Consent Agenda and was seconded by Commissioner Glassman.

Approve the Consent Agenda

Aye: 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

CM-1 [18-0571](#)

Motion to Approve Event Agreements: 2018 Lanakila Iki Ocean Challenge, FlockFest and Red Eye

APPROVED

Aye: 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

CM-2 [18-0570](#)

Motion to Approve Event Agreements and Related Road Closings: 31st Annual Las Olas Art Fair, Glam-A-Thon Strut and Step Out: Walk to Stop Diabetes

APPROVED

Aye: 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

CM-3 [18-0680](#)

Motion Authorizing Settlement of General Liability Claim in the Matter of Anthony Stone, et al. v. City of Fort Lauderdale, Case No. 17-61211-CIV-Dimitrouleas/Snow - \$82,020.00

APPROVED

Aye: 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

- CM-4** [18-0506](#) Motion to Accept a Grant from American Red Cross Centennial Campaign Fund for 2018 Aquatics Swim Program - \$12,300
- APPROVED**
- Aye:** 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis
- CM-5** [18-0557](#) Motion Authorizing the July 4th Spectacular for July 4, 2018 as a Public Purpose Special Event Creating a Temporary Exemption Relating to the Sale, Possession and Consumption of Alcohol at the Event
- APPROVED**
- Aye:** 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis
- CM-6** [18-0598](#) Motion to Approve an Interlocal Agreement with the City of Tamarac to Lift the Weight-bearing Restriction Capacity on Runway 9-27 at Fort Lauderdale Executive Airport
- APPROVED**
- Aye:** 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis
- CM-7** [18-0615](#) Motion to Approve a Parking Enforcement Agreement with ELO Investments, LLC
- APPROVED**
- Aye:** 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

CONSENT RESOLUTION

- CR-1** [18-0673](#) Resolution appointing the law firm of Greenberg Traurig, LLP as special counsel to the City of Fort Lauderdale in connection with the City's withdrawal from the various agreements and obligations related to the Wave Modern Streetcar Project
- ADOPTED**
- Aye:** 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis
- CR-2** [18-0239](#) Resolution Amending Resolution No. 18-72 to Announce the Revised Date for Scheduled Lease Approval for the Vacant Parcels at the Fort Lauderdale Executive Airport with Premier Parks, LLC
- ADOPTED**

Aye: 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

CR-3 [18-0548](#) Resolution to Dispose of City-Owned Surplus Property located at 845 NW 3 Avenue

REMOVED FROM AGENDA

CR-4 [18-0560](#) Resolution to Dispose of City-Owned Surplus Property located at 12XX NE 5 Avenue

ADOPTED

Aye: 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

CR-5 [18-0561](#) Resolution to Dispose of City-Owned Surplus Property located at 1131 NE 6 Avenue

ADOPTED

Aye: 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

CR-6 [18-0562](#) Resolution to Dispose of City-Owned Surplus Property located at 1146 NW 6 Avenue

ADOPTED

Aye: 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

CR-7 [18-0563](#) Resolution to Dispose of City-Owned Surplus Property located at 1721 NW 7 Avenue

ADOPTED

Aye: 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

CR-8 [18-0629](#) Resolution Authorizing the City Manager to Execute an Acknowledgement and Agreement that Request Florida Power and Light to Prepare a Detailed Estimate for the Proposed Relocation of Transmission Facilities Associated with the Development of 543 NW 5 Avenue contingent on the Fort Lauderdale Community Redevelopment Agency's Approval of the Expenditure

ADOPTED

Aye: 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

- CR-9** [18-0499](#) Resolution to Amend the Adopted Fiscal Year 2018 Nuisance Abatement Roll
- ADOPTED**
- Aye:** 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis
- CR-10** [18-0537](#) Resolution in Support of the Florida Department of Transportation's Project to Reconfigure SE 28th Street and US1 and Add a Lane to the Existing Southbound US1/ I-595 On-ramp
- REMOVED FROM AGENDA**
- CR-11** [18-0601](#) Resolution to Approve a Revised Speed Hump Policy
- ADOPTED**
- Aye:** 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis
- CR-12** [18-0612](#) Resolution to Establish a Neighbor-Based Working Group to Develop a Pedestrian/Bicycle Trail - LauderTrail
- ADOPTED**
- Aye:** 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis
- CR-13** [18-0622](#) Resolution in Support of a Traffic Lane Modification on Progresso Drive between North Andrews Avenue and NE 3rd Avenue
- ADOPTED**
- Aye:** 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis
- CR-14** [18-0637](#) Resolution Authorizing the City Manager to Provide and Execute Fiscal Year 2018 Certifications and Assurances to the Federal Transit Administration
- ADOPTED**
- Aye:** 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

PURCHASING AGENDA

- PUR-1** [18-0510](#) Motion to Approve Contract for Holiday Park War Memorial Auditorium Renovations - Canseco Electrical Contractor, Inc. -

\$842,100

APPROVED

Aye: 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

PUR-2 [18-0553](#)

Motion to Approve Contracts for Motor Rewind Services - Various Vendors - \$441,738 (two-year total)

APPROVED

Aye: 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

PUR-3 [18-0554](#)

Motion to Approve Contract for Liquid Chlorine in Rail Cars - Allied Universal Corp. - \$364,770

APPROVED

Aye: 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

PUR-4 [18-0602](#)

Motion to Approve Cancellation and Award New Contracts for Purchase of Turf Grass Maintenance for City Quadrants - Multiple Vendors - \$278,806

APPROVED

Aye: 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

PUR-5 [18-0653](#)

Motion to Approve Agreement for Purchase of Investment Advisory Services - PFM Asset Management LLC - \$550,000 (30-Month Term)

APPROVED

Aye: 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

MOTIONS

M-1 [18-0583](#)

Motion to Deny an Event Agreement with Supreme Team, LLC for the Sandz Fort Lauderdale Caribbean Festival

Mayor Trantalis recognized, Norwayne Jackson, designated representative Sandz Caribbean Festival (Festival). Mr. Jackson spoke in support of this item, expressing regret for previous noise concerns during last year's Festival in Snyder Park. Mr. Jackson commented on efforts to reduce noise complaints and potential future Festival venues.

Mayor Trantalis recognized Karrell Wright, 510 SE 5th Avenue and

designated representative of Supreme Team. Mr. Wright commented on correspondence from Deerfield Beach Commissioner Phillips about the Memorial Day Weekend event.

In response to Commissioner McKinzie's inquiry, City Manager Feldman commented on last year's Festival in Snyder Park. Commissioner McKinzie discussed holding the Festival at Mills Pond Park. Further discussions ensued on consulting homeowner associations near Mills Pond Park. Mayor Trantalis commented on the desire to embrace all types of cultural events. City Manager Feldman recommended the applicant resubmit their application for Mills Pond Park.

Vice Mayor Sorensen commented on the Festival's impact on the Edgewood neighborhood near Snyder Park. In response to Vice Mayor Sorensen's question about addressing Festival issues, Mr. Jackson expounded on steps to address sound level concerns and increasing Festival security measures.

Vice Mayor Sorensen made a motion to approve this event and was seconded by Commissioner McKinzie.

APPROVED - Motion to APPROVE Event Agreement

Aye: 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

M-2 [18-0613](#)

Motion to Approve the First Amendment to the ILA with Broward County for Solid Waste Disposal

City Manager Feldman explained this item relates to the disposal of yard waste, discussing recycling costs involved in order to maintain sustainability and commenting on City Auditor Herbst's study and recommendation.

Commissioner Glassman commented on City Auditor Herbst's study and the environmental friendliness of composting. In response to Mayor Trantalis' question, Mr. Herbst reviewed his research on this topic, recommending the most fiscally prudent route.

Mayor Trantalis recognized Dr. Nancy Gassman, Interim Deputy Director of Public Works. Dr. Gassman recommended maintaining the City's current disposal method, expounding on Staff recommendations. In response to Vice Mayor Sorensen's question about how yard waste post-compost is managed, Dr. Gassman said it is provided to a disposal facility and distributed.

Commissioner Glassman commented on the sole source contract,

asking if the additional costs for composting work could be negotiated with the other vendor. Mr. Feldman said the other vendor does not have the necessary composting equipment. Dr. Gassman confirmed. In response to Commissioner Moraitis' question about the environmental friendliness of burning or composting yard waste, Dr. Gassman confirmed Staff recommendations for composting addresses sustainability and has the endorsement of the community. Further discussions ensued on the available two options. Dr. Gassman expounded on vendors noted in this item's Commission Agenda Memo.

Commissioner Moraitis made a motion to approve this item and was seconded by Commissioner Glassman.

APPROVED

Aye: 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

M-3 [18-0689](#)

Broward Metropolitan Planning Organization (MPO) Citizens Advisory Committee Appointments

City Clerk Jeffrey Modarelli explained these appointments are for the Citizens Advisory Committee. Discussions ensued on the appointments. No action was taken on this item.

NO ACTION TAKEN

RESOLUTIONS

R-1 [18-0647](#)

Appointment of Board and Committee Members

City Clerk Modarelli announced Board and Committee appointments for Agenda item R-1.

A copy of Board and Committee appointments and respective terms are attached to these minutes.

City Clerk Modarelli confirmed that the Central City Redevelopment Advisory Board unanimously approved Peter Coetzee's request to serve an additional term that will be listed on the July 10, 2018 Commission Regular Meeting Board and Committee Appointments Resolution.

Commissioner Glassman introduced this Resolution which was read by title only.

ADOPTED

Aye: 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

R-2 [18-0461](#) Resolution Providing for a Merit Salary Increase for City Manager Lee R. Feldman, Effective June 13, 2018

Mayor Trantalis recognized Carol Ann Bartholomew, 3000 Holiday Drive. Ms. Bartholomew spoke in opposition to this item, commenting on City business.

Mayor Trantalis recognized Paul Chettle, 200 S. Birch Road. Mr. Chettle spoke in opposition. Mr. Chettle cited his reasons for opposing this item.

Mayor Trantalis recognized Sherman Whitmore, 401 E. Las Olas Boulevard. Mr. Whitmore spoke in opposition to this item, commenting on the Aquatic Center.

Mayor Trantalis recognized former Commissioner Charlotte Rodstrom, 66 Nurmi Drive. She spoke in opposition to this item, commenting on compounded merit increases, the election campaign, recommending delaying a vote.

Mayor Trantalis recognized Jack Malcolm, 1900 Admirals Way. Mr. Malcolm spoke in opposition of this item, commenting on his observations. He concurred with previous speaker comments.

Mayor Trantalis recognized Stan Eichelbaum, 411 New River Drive East and on behalf of the Downtown Fort Lauderdale Civic Association. Mr. Eichelbaum spoke on this item, concurred with comments and discussed issues relating to downtown development and livability.

Mayor Trantalis recognized Lenny Steinbaum, 347 New River Drive East. Mr. Steinbaum spoke in opposition to this item, commenting on infrastructure and development project's density.

Mayor Trantalis recognized Trisha Halliday, 50 Nurmi Drive. Ms. Halliday spoke in opposition to this item, concurring with concerns raised by previous speakers and commenting on transparency.

Mayor Trantalis recognized Kirsten Maus, 1778 Marietta Drive. Ms. Maus spoke in opposition to this item, commenting about flex units on the barrier island.

In response to Vice Mayor Sorensen, City Manager Feldman reviewed the history of flex units and the Flex Unit Map. Commissioner Glassman commented on and inquired about flex unit issues in Zone 48 (the Pier 66 area), Zone 48A (Beach Regional Activity Center (RAC) and areas near the Oakland Park Bridge. In order to address these questions, City

Manager Feldman noted the need to refer to related documentation.

Vice Mayor Sorensen commented on errors in the January and February 2018 Flex Unit Maps. City Manager Feldman confirmed Stephanie Toothaker, Esq., representative of Tavistock Development, pointed out the error.

Mayor Trantalis commented on his recollection of efforts regarding flex units, noting areas needing further development would have flex units and areas with adequate development levels are not in need of flex units. He commented that the Commission did not want further development on the barrier island and expounded on this topic. Discussions ensued on the ability of developers to request additional flex units. It was noted that developers are not entitled to flex units.

Commissioner McKinzie commented, noting issues relating to flex unit allocation should be addressed separately.

Commissioner Moraitis stated her support of this item, expounding on her reasoning.

Commissioner Glassman noted the need for a good working relationship with the City Manager, noting the three-month timeframe new Commission members have had to evaluate City Manager Feldman. Commissioner Glassman inquired about how the City relates in terms of salary and compensation to other municipalities. He acknowledged the position of constituents.

Vice Mayor Sorensen confirmed the substantive nature of the flex unit issue relating to performance. Commission Agenda Memo (CAM) 18-0161 Memo of March 6, 2018, relating to Staff's actions on flex units was discussed. City Manager Feldman expounded on CAM 18-0161. In response to Vice Mayor Sorensen's question, City Manager Feldman discussed the previous Commission's action and direction, expounding on details of Staff recommendations and actions taken. Interim City Attorney Alain Boileau commented on the Flex Unit Map.

Commissioner McKinzie reiterated the need to focus on the topic of this item, commenting on the history of evaluating Charter Officers.

Vice Mayor Sorensen commented on City Manager's Feldman involvement with ICMA activities. Mr. Feldman discussed his anticipated time away from the City after September 25, 2018 for ICMA related activities, stating it will be approximately two weeks.

Vice Mayor Sorensen commented on his evaluation of Mr. Feldman's performance. Vice Mayor Sorensen recommended a full, professional and objective evaluation from a third party, recommending any merit increased be delayed until that time. Further comment and discussion ensued. Commissioner McKinzie said the Commission should not defer this item. Commissioner Moraitis commented on the need to evaluate the City Manager based on current Commission's goals and priorities.

Mayor Trantalis explained his position, noting his opposition.

Commissioner McKinzie expounded on his position in support. Vice Mayor Sorensen reiterated his position to have an objective third-party evaluation process. Further discussion and comments ensued.

In response to Commissioner Glassman, Interim Attorney Boileau confirmed the Commission may amend the motion as it deems appropriate.

As requested by Vice Mayor Sorensen, Commissioner McKinzie made a motion to approve this item and engage a third-party outside consultant for an independent evaluation of City Manager Feldman. The motion was supported by Commissioner Moraitis. Commissioner Glassman and Interim City Attorney Boileau commented on concerns relating to this motion. Further discussions and comments ensued and Vice Mayor Sorensen withdrew his request for an independent third-party evaluation.

Commissioner McKinzie introduced this Resolution which was read by title only.

ADOPTED

Aye: 3 - Commissioner McKinzie, Vice Mayor Sorensen and Commissioner Moraitis

Nay: 2 - Commissioner Glassman and Mayor Trantalis

R-3 [18-0545](#)

Quasi-Judicial Resolution to Approve an Access Easement Vacation - RIVERPARC SQUARE Located at 501 S Andrews Avenue - Ocita Properties - Case E18008

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.

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

Mayor Trantalis opened the public hearing.

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

Commissioner McKinzie introduced this Resolution which was read by title only.

ADOPTED

Aye: 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

R-4 [18-0546](#)

Quasi-Judicial Resolution to Approve a Utility Easement Vacation - RIVERPARC SQUARE Located at 501 S Andrews Avenue - Ocita Properties - Case E18007

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.

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

Mayor Trantalis opened the public hearing.

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

Commissioner McKinzie introduced this Resolution which was read by title only.

ADOPTED

Aye: 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

R-5 [18-0558](#)

Quasi-Judicial - Amendment to a Site Plan Level II Development Permit - Villa Medici Association, Inc. - 1033 NE 17th Way - Case No. A17011

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.

Mayor Trantalis recognized Alan Gabriel, Esq., Weiss Serota Helfman Cole & Bierman, representing Villa Medici. Mr. Gabriel acknowledged the attendance of John Phillips, Esq., John F. Phillips, P.A., designated representative of Lake Ridge Civic Association. Mr. Gabriel confirmed mutual agreement with Mr. Phillips to request this item be deferred to the August 21, 2018 Commission Regular Meeting.

Mayor Trantalis recognized Mr. Phillips. Mr. Phillips commented on efforts on both sides to address issues involved in this item.

Commissioner McKinzie made a motion to defer this item to the August 21, 2018 Commission Regular Meeting and was seconded by Vice Mayor Sorensen.

DEFERRED to August 21, 2018

Aye: 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

[18-0717](#)

WALK-ON - Motion to Continue Regular Meeting Until Completed

Vice Mayor Sorensen made a motion to continue the Commission Regular Meeting past 10:00 p.m. and was seconded by Commissioner Moraitis.

APPROVED

Aye: 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

Mayor Trantalis recessed the meeting for a break at 8:33 p.m.

Mayor Trantalis reconvened the meeting at 8:47 p.m.

R-6 [18-0559](#)

Quasi-Judicial - De Novo Hearing-Site Plan Level II Development Permit- Alexan-Tarpon River - Case Number R17055

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.

Mayor Trantalis gave a brief review of previous deferments, associated details, modifications and additional input from Staff.

Each City Commission member disclosed verbal and written communications, site visits and expert opinions following the May 15, 2018 Commission Regular Meeting.

Mayor Trantalis opened the De Novo Hearing hearing.

Interim City Attorney Alain Boileau confirmed the original project is the item at issue. Staff will address both the original project and project modifications discussed at the May 15, 2018 Commission Regular Meeting.

Mayor Trantalis recognized Anthony Fajardo, Director of the Department of Sustainable Development. Mr. Fajardo gave a presentation on this item, reviewing this item's history. He confirmed that this discussion relates to the original proposal and proposed modifications presented at the May 15, 2018 Commission Regular Meeting. Mr. Fajardo commented about how this project relates to the Downtown Master Plan (Master Plan).

A copy of Mr. Fajardo's presentation is attached to these minutes.

In response to Mayor Trantalis' question, Mr. Fajardo confirmed that the set-back of the project is the same for both the original plan and the modified plan and both plans meet the intent of the Master Plan. Mr. Fajardo confirmed the position of Staff that the original proposed plan better meets the intent of the Master Plan, commenting on the design of the modified project plan. He reviewed numerous aspects of Staff recommendations. Discussions ensued on the original plan meeting the criteria of the Master Plan.

In response to Commissioner McKinzie, Mr. Fajardo discussed his experience and background, as well as the education and background of Department of Sustainable Development Staff. Mr. Fajardo explained the approval process of a Level II Site Plan. Interim City Attorney Boileau read the application process as defined in the Code criteria. Further comments ensued on the Call-Up of this item. Commissioner Glassman commented on the increased public participation and vetting as a result of the Call-Up process. Further comment and discussion ensued.

Commissioner Glassman commented on non-codified aspects of the Master Plan. Discussions ensued on the project being in a transition zone and Master Plan criteria. Mr. Fajardo said the Master Plan is an intent driven document and was addressed in Staff's analysis. Further discussions ensued on the original plan meeting the intent of the Master

Plan. The Master Plan is designed to be flexible and Staff uses their best judgment and is open to alternative solutions.

In response to Commissioner Glassman's question, Interim City Attorney Boileau confirmed that some aspects of the Master Plan are not codified and include guidelines. Further discussion ensued on aspects of the Master Plan not codified, its guidelines and being an intent driven document. Mayor Trantalis commented on weighing all guidelines.

Mr. Boileau commented about requirements for application denial, citing examples. Further discussions ensued about differing opinions regarding the weight given to guidelines and this being a valid reason for a Call-Up. Discussions ensued on case law regarding basing a decision on competent and substantial evidence with regard to the approval of a Site Level Plan II.

In response to Vice Mayor Sorensen's question about the original project meeting the intent of a transition zone, Ella Parker, Urban Design and Development Manager, explained that the review of the original project was done against specific guidelines in the Master Plan, expounding on how this was addressed and the subsequent recommendation. She confirmed height was not part of the guideline checklist. Further comments and discussion ensued on height in various areas of the Master Plan, the mass and scale of buildings and aspects of the original project plan. Mayor Trantalis noted there are the same number of units in both plans, commenting on the impact on traffic.

Mr. Fajardo's continued the presentation on this item. Discussions ensued on the height and open space of the original proposal.

In response to Mayor Trantalis' comments regarding reducing the number of units in the project and the impact of traffic, Ms. Parker expounded on Staff weighing all factors in the original and modified project. Further comments and discussion ensued on Staff's evaluation of the original and modified design regarding reducing the number of units and Master Plan guidelines.

In response to Commissioner Glassman's question about the Regional Activity Center-City Center (RAC CC) having design guidelines in the Unified Land Development Regulations (ULDR), Mr. Fajardo confirmed that they are not written in the ULDR. However, they are referenced in the Master Plan.

Commissioner Glassman referenced sections of the ULDR. Mr. Fajardo commented on two types of transition zones referenced in those sections

of the ULDR. Further comment and discussion ensued on this topic.

Mayor Trantalis opened the public hearing portion of the De Novo Hearing.

Mayor Trantalis recognized Nick Sakhnovsky, 455 SW 5th Avenue. Mr. Sakhnovsky spoke in opposition to this item, commenting on his background and discussing issues related to adequate ingress and egress to the project.

Mayor Trantalis recognized Charles Lack, 600 N. Rio Vista Boulevard. Mr. Lack spoke in opposition, commenting on the inability of large trucks and fire equipment to access the project. Questions and discussions ensued on this topic.

Mayor Trantalis recognized Dr. Jim Perry, 347 N. New River Drive East and on behalf of the WaterGarden Condominium. Dr. Perry spoke in support of this item, confirming his support of the modified project.

Mayor Trantalis recognized Jeremy Shir, One East Broward Boulevard and designated representative of the WaterGarden Condominium. Mr. Shir distributed documents to the Commission, confirming support of the modified plan.

A copy of this document is attached to these minutes.

Mayor Trantalis recognized Brian Wells, 411 N. New River East. Mr. Wells spoke in opposition to this item, commenting about ongoing development's burden on infrastructure and traffic. He also discussed concerns about fire-safety accessibility.

Mayor Trantalis recognized Doug Dettman, 411 N. New River Drive East. Mr. Dettman spoke in opposition to this item, commenting on sections of a ULDR, the Master Plan and transition zone. Mr. Dettman submitted documentation to the Commission.

A copy of Mr. Dettman's submission is attached to these minutes.

Mayor Trantalis recognized Brandy Cohen, 411 N. New River Drive. Ms. Cohen spoke in opposition to this item, commenting on the purpose of the Master Plan being for public benefit. She confirmed the need for lower building height and density, safe infrastructure and the need for traffic studies for development.

Mayor Trantalis recognized Michael Higer, Esq., 411 N. New River Drive

and member of the Concerns Citizens for the Preservation of Our Neighborhood. Mr. Higer noted this item relates to the original 14-story building project, confirming support of the original project.

Mayor Trantalis recognized Stan Eichelbaum, 411 New River Drive East and on behalf of the Downtown Fort Lauderdale Civic Association. Mr. Eichelbaum commented on conversations with neighborhood residents and concerns about quality development, density and infrastructure.

Mayor Trantalis recognized John Gagne, 520 SE 5th Avenue. Mr. Gagne spoke in opposition, commenting on roadway access to the project and concerns about density impact.

Mayor Trantalis recognized Lenny Steinbaum, 347 New River Drive East and WaterGarden Condominium resident. Mr. Steinbaum spoke in opposition, commenting on the amount of ongoing development, density and the impact on infrastructure and current traffic issues.

Mayor Trantalis recognized Kenneth Joseph, 520 SE 5th Avenue and designated representative of Las Olas by the River. Mr. Joseph spoke in opposition to the project, commenting on outreach to Las Olas by the River residents and concerns relating to infrastructure, fire emergency access, the electrical grid, traffic and the impact of area King Tides. In response to Commissioner Glassman's question, Mr. Joseph confirmed there was no outreach from the developer from the project's inception.

Mayor Trantalis recognized Lianne Rubbo, 520 SE 5th Avenue and designated representative of Las Olas by the River. Ms. Rubbo spoke in opposition, commenting about the need to consider the impact on adjacent buildings and infrastructure.

Mayor Trantalis recognized Dr. Michael Scianamblo, 411 N. New River Drive. Mr. Scianamblo commented on the impact of development, requesting the Commission put the project on hold indefinitely.

Mayor Trantalis recognized Kirsten Maus, 1778 Marietta Drive. Ms. Maus commented on the Master Plan intent for public benefit, requesting a mandate that development adhere to the Master Plan.

Mayor Trantalis recognized Dr. Warren Sturman, 801 Ponce De Leon Drive and President of the Rio Vista Civic Association. Dr. Sturman stated that the Rio Vista Civic Association has not given its approval.

Mayor Trantalis recognized Julian Siegel, 822 SW 4th Place. Mr. Siegel spoke in support of this item, commenting that the project is conducive to

what is in the area, noting the ability of Staff to address concerns.

Mayor Trantalis recognized Grant Smith, 1201 SE 5th Avenue. Mr. Smith spoke about area service road traffic accessing the project and additional traffic related concerns in the Rio Vista neighborhood.

Mayor Trantalis recognized Courtney Crush, Esq., on behalf of the applicant. Ms. Crush commented on Staff meetings to modify the project, Master Plan efforts, work to accommodate neighbors and proposed modifications. Ms. Crush submitted supplemental information on the project. She discussed the applicant's position and efforts to address concerns.

A copy of the supplemental information is attached to these minutes.

Vice Mayor Sorensen made a motion to close the public hearing and was seconded by Commissioner Moraitis.

There being no else wishing to else from the public speaking on this item, Commissioner Glassman made a motion to close the public hearing, which was seconded by Commissioner McKinzie. Roll call showed: AYES: Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis. NAYS: None.

Mayor Trantalis recognized Raj Verma, Assistant Public Works Director, Mr. Verma said the existing six inch pipeline will be upgraded to an eight inch pipe, expounding on the review of other aspects of infrastructure capacity and confirming they are within limits. Mr. Verma submitted information relating to capacity.

A copy of this information is attached to these minutes.

In response to Mayor Trantalis' questions about the new eight inch pipe, Mr. Verma expounded on length of the eight inch pipe and its connectivity to the existing infrastructure system.

In response to Commissioner Glassman's inquiry about discrepancies between the Capacity Letter and the Reiss Report, Mr. Verma clarified, confirming and expounding on adequate capacity commitments. City Manager Feldman expounded on this topic. Further comment and discussion ensued.

In response to Commissioner Glassman's inquiry about the timing of the

required Archaeological Study (Study), Mr. Fajardo expounded on the Study's phases and site monitoring, confirming he would look into the process. Further comment and discussion ensued.

In response to Vice Mayor Sorensen's question about the structural integrity analysis of the McKinney Tunnel (Tunnel), Mr. Fajardo explained aspects of the permitting process which monitors demolition concerns for the City, County and the Florida Department of Transportation (FDOT).

Mayor Trantalis expounded on the history of Staff recommendations. Mr. Fajardo reviewed Staff's intent based on Commission direction, reconfirming the modified proposal meets the intent of the Master Plan. It is the position of Staff that the original proposal better meets the intent of the Master Plan. Mayor Trantalis confirmed the Commission's voting options. Interim City Attorney Boileau expounded on this point, confirming the purpose of this item is a Quasi-Judicial Hearing on the original proposal. Further comment and explanation ensued.

Mayor Trantalis stated his position, making a recommendation to the applicant. Commissioner McKinzie commented on his position. Further discussion ensued on the project's height, density, Staff's recommendation and giving weight to additional elements of the ULDR.

Mayor Trantalis recognized Jim Berardinelli, 3715 Northside Parkway and designated representative for the applicant. Mr. Berardinelli discussed their good faith efforts proffered. Further discussion ensued on the number of project units and recommended negotiation procedures.

Mayor Trantalis recessed the meeting at 11:00 p.m.

Mayor Trantalis reconvened the meeting at 11:14 p.m.

Mayor Trantalis announced discussions, expounding on project modifications and options.

Mayor Trantalis recognized Ms. Crush. She commented on the architect's ability to address modifications and additional options through the final Development Review Committee (DRC) process.

In response to Interim City Attorney Boileau's request, each Commissioner disclosed conversations held during the recess. Mayor Trantalis and each Commissioner made the requested disclosures. Mayor Trantalis commented about reducing units and density, confirming a new design will be submitted. Each Commissioner commented on

their position.

Commissioner Glassman read the seven conditions of approval (Conditions) into the record as stated in the May 15, 2018 Commission Regular Meeting Commission Agenda Memo (CAM) regarding this project's approval. City Manager Feldman gave an update on modifications to Conditions 4, 5, 6 and 7. Ms. Crush confirmed there were no objections to these modifications, with the exception of the condition five update, expounding on details. The modifications include reducing the building height to 14 floors, reducing the number of units to 120 and incorporating conditions associated with previous Staff recommendations about the DRC process. Discussions ensued on the Resolution's updated wording. Ms. Crush confirmed the updated wording.

Members of the Commission gave additional comments, noting their positions. Further discussion ensued.

Commissioner McKinzie introduced this amended Resolution approving the Site Plan - 14 Stories and 90 New Units (120 total Units) which was read by title only.

DEFEATED - AMENDED Resolution Approving - 14 Stories and 90 New Units (120 total Units)

Aye: 2 - Commissioner McKinzie and Commissioner Moraitis

Nay: 3 - Vice Mayor Sorensen, Commissioner Glassman and Mayor Trantalis

Mr. Berardinelli discussed the applicant's efforts to address modifications, confirming that prior to final approval, the new architectural design would be presented to the Commission.

Vice Mayor Sorensen requested the new architectural design be presented to the community for public input prior to a Commission decision. Further comment and discussion ensued on the process. Ms. Crush confirmed the applicant's agreement to this request. Mr. Berardinelli commented on the applicant's agreement to the modification, confirming that an updated architectural rendering will be presented to Staff and the community. He requested a continuance to July 10, 2018. Vice Mayor Sorensen concurred. Interim City Attorney Boileau advised on the process. Further comments and discussion ensued.

Commissioner Glassman withdrew his previous introduction regarding this item.

Mr. Berardinelli confirmed his willingness to continue this item until the

August 21, 2018 Commission Regular Meeting which will allow sufficient time for the applicant to address modifications and Staff and community review.

Mayor Trantalis recognized Bill Spencer, Esq., 350 E. Las Olas Boulevard on behalf of the applicant. In response to Mr. Spencer's inquiry, it was confirmed that the previous vote on this item was defeated.

Vice Mayor Sorensen made a motion to continue this item to the August 21, 2018 Commission Regular Meeting and was seconded by Commissioner Moraitis.

CONTINUED - Motion to Continue to August 21, 2018

Aye: 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

PUBLIC HEARINGS

PH-1 [18-0649](#)

Public Hearing to Consider a Development Agreement Between the City of Fort Lauderdale, Tavistock Development Company, Pier 66 Parking LLC, Pier 66 Ventures, LLC, and Sails Ventures, LLC (Collectively Known as TS Entities) Pursuant to Chapter 163.3220-163.3243, Florida Statutes

Mayor Trantalis recognized Stephanie Toothaker, Esq., on behalf of the applicant, Tavistock Development Company. Ms. Toothaker introduced Jessie Blakely, Senior Director of Tavistock Development Company (Company). Ms. Blakely expounded on the Proposed Development Agreement (Agreement), the Company and its history. She introduced those executives and partners present.

Mayor Trantalis recognized Ms. Toothaker. She gave a presentation on this item, expounding on specific details in the proposed Agreement, including its B-1 Zoning District, previous site plan approvals and the Flex Zone 48 Map.

In response to Vice Mayor Sorensen's question, Ms. Toothaker confirmed the receiving zone includes the Pier 66 property as noted in the policy document, expounding on this point. She suggested mixed-use residential for The Sails portion of the Agreement, elaborating on this point.

A copy of Ms. Toothaker's presentation is attached to these minutes.

Ms. Toothaker continued the Agreement presentation, discussing

highlights, the process, and the potential Community District Development (CDD) fees to address maintenance funding. She explained community outreach efforts, confirming 24 meetings with community groups and additional outreach efforts.

Mayor Trantalis opened the public hearing.

Mayor Trantalis recognized Barry Sommerstein, 2555 Lucille Drive. Mr. Sommerstein spoke in support of this item, disclosing his relationship with stakeholders. He commented about the framework of the applicant's Agreement.

Mayor Trantalis recognized Nick Sakhnovsky, 455 SW 5th Avenue. Mr. Sakhnovsky noted the quality of the applicant's work and transparency efforts, commenting on Flex Maps action and recommending cautiousness moving forward.

Mayor Trantalis recognized Ron Centamore, 638 NW 2nd Avenue on behalf of the Council of Civic Associations. Mr. Centamore spoke on Flex Unit allocation, commenting on Staff's presentation to the Council of Civic Associations and subsequent actions.

Mayor Trantalis recognized Paul Chettle, 200 S. Birch Road. Mr. Chettle spoke in opposition to this Agreement, commenting on Flex Unit Map changes and the Staff presentation to the Council of Civic Associations.

Mayor Trantalis recognized Bob Kramm, 1281 S. Ocean Drive. Mr. Kramm spoke in support of the applicant, commenting on their positive reputation.

Mayor Trantalis recognized Jack Malcolm, 1900 Admirals Way. Mr. Malcolm commented on the applicant's request for a 20-year Agreement, recommending an outside counsel legal opinion on the Agreement, 163 Development, Chapter 190 CDD and Flex Units. He suggested that the City Auditor prepare an audit and analysis of the risk involved with these issues.

Mayor Trantalis recognized Kathleen Ginestra, 1201 River Reach Drive. Ms. Ginestra spoke in opposition to this item, recommending an approach to determine the best interests of the City and its residents. She recommended additional time to research important issues, acknowledging the positive reputation of the applicant.

Mayor Trantalis recognized Mary Fertig, 511 Poinciana Drive. Ms. Fertig entered an item into the record regarding Flex Units. Ms. Fertig

commented on the need for a thorough understanding of the numerous components involved with this item's request for a 20-year Agreement with the City, a CDD and Flex Units. She stated the need for additional time prior to a Commission decision.

A copy of the submission is attached to these minutes.

Mayor Trantalis recognized Nancy Thomas, 1924 Admirals Way. Ms. Thomas concurred with the comments of previous speakers in opposition to this item. She noted the need for specific details about all aspects involved in the development prior to approving the Agreement.

Mayor Trantalis recognized Kirsten Maus, 1778 Marietta Drive. Ms. Maus read correspondence sent to Mayor Trantalis from Harbor Inlet's Saint Sebastian Catholic Church Pastor, Monsignor James Fletcher, stating his concerns about this planned development project. Ms. Maus commented on the development, requesting additional time for vetting and community outreach. At the request of Commissioner McKinzie, she submitted a copy of the referenced correspondence for the record.

A copy of this correspondence is attached to these minutes.

Mayor Trantalis acknowledged the need to address all details involved in this Agreement. He also recommended the Commission revisit the current Ordinance regarding late-night meetings. Commissioner McKinzie commented on the process.

Vice Mayor Sorensen concurred with the recommendation for outside counsel's review of the Agreement, an audit and analysis of risk by City Auditor Herbst. City Auditor Herbst confirmed and commented.

Mayor Trantalis recognized Mr. Jim Zboril, President of Tavistock Development Company. Mr. Zboril discussed aspects of the Agreement, confirming the need for another process for a Chapter 190 CDD, including educating everyone on this topic. He expounded on what this Agreement entails, including future intent, expounding on what this Agreement permits and stating it is a baseline for Tavistock to move forward.

Mayor Trantalis concurred with Vice Mayor Sorensen regarding the need for outside counsel to review and advise the Commission. Interim City Attorney Boileau opined on this topic, stating these types of Agreements are governed by statute. Commissioner Moraitis said she did not feel outside counsel is necessary.

City Manager Feldman confirmed the next step in the process would be a second Public Hearing on July 10, 2018. Mr. Zboril reiterated the Company's public outreach efforts. Discussions ensued about what is contained in the Agreement, including combining the properties, recognizing existing entitlements, reserving flex units, historic preservation of the tower, the creation of the public realm (a promenade along the marina with perpetual public access).

City Manager Feldman explained that the initial discussion of having a CDD was related to how the applicant would perpetually maintain the public infrastructure that includes the promenade. The formation of a CDD would be an option. Mr. Feldman confirmed there would be a fee to reserve residential flex units. Mr. Feldman expounded on aspects of the development. Further discussions ensued on Agreement considerations, the need for clarity, issues regarding unity of title for the two properties, development of both properties and the process.

Mayor Trantalis requested City Manager Feldman not schedule more than one controversial item at each Commission Regular Meeting.

Vice Mayor Sorensen requested, in lieu of outside counsel reviewing the Agreement, the Office of City Attorney prepare a thorough legal analysis of the City's legal position regarding the impact of the Agreement, including advantages and disadvantages. Interim City Attorney Boileau confirmed. Vice Mayor Sorensen also requested a thorough analysis from the Department of Sustainable Development to include the Agreement's benefits and liabilities. Mr. Fajardo concurred. Vice Mayor Sorensen reiterated his request for City Auditor Herbst to research and analyze the benefits and possible liabilities of CDDs, including what other cities have done.

Vice Mayor Sorensen asked Mr. Zboril for clarity and detail on the potential closure of the public space. He also asked about the availability of a site plan for public review and input. Further discussions ensued on this being a phased process. Mr. Fajardo confirmed the need to satisfy conditions on the front end in order for the process to continue, expounding on this topic.

Vice Mayor Sorensen also requested a financial analysis from a property tax perspective, including revenue and possible costs to the City. Further comment and discussion ensued on this topic.

Interim City Attorney Boileau announced the next public hearing on item PH-1 will be held on Thursday, July 10, 2018 at 6:00 p.m.

PRESENTED

ORDINANCE FIRST READING

OFR-1 [18-0614](#) Ordinance Amending the Code of Ordinances of the City of Fort Lauderdale Relating to the Permitted Hours of Sale, Consumption and Service of Alcohol after Midnight

Commissioner Moraitis introduced this Ordinance for the First Reading which was read by title only

PASSED FIRST READING

Aye: 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

OFR-2 [18-0610](#) Ordinance Creating a Dockless Mobility Permit Program

Commissioner Glassman introduced this Ordinance for the First Reading which was read by title only

PASSED FIRST READING

Aye: 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

OFR-3 [18-0611](#) Ordinance Creating Regulations for Private Parking Lots and Garages

City Manager Feldman stated he will be meeting with private parking lot owners prior to the Second Reading of this Ordinance. Further comments ensued. City Manager said any changes should be minor and would be made prior to the Second Reading.

Commissioner Glassman introduced this Ordinance for the First Reading which was read by title only

PASSED FIRST READING

Aye: 5 - Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

ADJOURNMENT

Mayor Trantalis adjourned the Commission Meeting of June 19, 2018 at 1:32 a.m.

Dean J. Trantalis
Mayor

ATTEST:

Jeffrey A. Modarelli
City Clerk