

City of Fort Lauderdale

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Meeting Minutes

Tuesday, December 7, 2021

6:00 PM

City Commission Chambers

100 North Andrews Avenue, Fort Lauderdale, FL 33301

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

DEAN J. TRANTALIS Mayor

HEATHER MORAITIS Vice Mayor - Commissioner - District I

STEVEN GLASSMAN Commissioner - District II

ROBERT L. McKINZIE Commissioner - District III

BEN SORENSEN Commissioner - District IV

CHRIS LAGERBLOOM, City Manager

JOHN HERBST, City Auditor

JEFFREY A. MODARELLI, City Clerk

ALAIN E. BOILEAU, City Attorney

CALL TO ORDER

Mayor Trantalis called the meeting to order at 6:09 p.m.

MEETING ANNOUNCEMENT

Mayor Trantalis announced details regarding the meeting format, including how members of the public can view and participate.

Pledge of Allegiance

Mayor Dean J. Trantalis

ROLL CALL

Present: 5 - Vice Mayor Heather Moraitis, Commissioner Steven Glassman, Commissioner Robert L. McKinzie (arrived at 6:12 p.m.), Commissioner Ben Sorensen and Mayor Dean J. Trantalis

QUORUM ESTABLISHED

Also Present: City Manager Chris Lagerbloom, City Clerk Jeffrey A. Modarelli, City Attorney Alain E. Boileau and City Auditor John Herbst

AGENDA ANNOUNCEMENTS

None.

Approval of MINUTES and Agenda

[21-1159](#)

Minutes for October 21, 2021 Commission Conference Meeting and October 21, 2021 Commission Regular Meeting - (Commission Districts 1, 2, 3 and 4)

Commissioner Glassman noted a scrivener's error in the October 21, 2021 Commission Regular Meeting Minutes. City Clerk Jeffrey Modarelli confirmed.

Commissioner Glassman made a motion to approve the Meeting Minutes as amended and the Agenda and was seconded by Commissioner McKinzie.

APPROVED AS AMENDED

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

PRESENTATIONS

PRES- [21-1153](#)
1

Mayor Trantalis will Present a Proclamation Declaring Tuesday, December 7, 2021, as Rick Case Bike for Kids Day in the City of Fort Lauderdale

Mayor Trantalis presented a Proclamation declaring *Tuesday, December 7, 2021, as Rick Case Bike for Kids Day in the City of Fort Lauderdale* to Rita Case, reading the Proclamation in its entirety.

Ms. Case commented on the history of this effort beginning in 1982 with her late husband Rick Case. Ms. Case thanked Mayor Trantalis and Commission Members for this recognition.

PRESENTED

MOMENT OF SILENCE

Commissioner Sorensen acknowledged a Memorial Service currently taking place for the one hundred and five (105) homeless individuals in Broward County who passed away in 2021. He recognized ongoing efforts to help the homeless by the City, Broward County and nation. Mayor Trantalis asked for a moment of silence.

CONSENT AGENDA PUBLIC COMMENT

Mayor Trantalis explained procedures and details regarding how members of the public could speak on Consent Agenda items.

CONSENT AGENDA

Mayor Trantalis announced the following Consent Agenda items had been pulled by Commission Members for separate discussion:

CR-9 Vice Mayor Moraitis
CM-1 Commissioner Glassman
CR-7 Commissioner Glassman

CONSENT MOTION

Approval of the Consent Agenda

Commissioner McKinzie made a motion to approve this item and was seconded by Commissioner Sorensen.

Approve the Consent Agenda

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

CM-1 [21-1117](#)

**Motion Approving an Event Agreement for Medz Brunch
(Commission District 2)**

Commissioner Glassman explained why he requested additional discussion for this event on the *Las Olas Garage Rooftop*, including concerns about amplified music, the day of the week, length of time for the brunch and fee schedule for residents versus non-residents.

City Manager Lagerbloom explained the City has never had a different fee schedule based upon residency. Differing fees are based upon when an application is submitted.

Phil Thornburg, Parks and Recreation Department Director, noted that amplified music on a Saturday is allowed until 10:00 p.m. Further comment ensued.

In response to Commissioner Glassman's inquiry regarding consideration of different fee structures for non-resident event applications for use of City spaces, Mayor Trantalis commented on anticipated participants at this event, i.e., real estate professionals and professionals in related fields. He confirmed a fee schedule based on residency could be a topic of Commission discussion in the future. Further comment ensued.

Mayor Trantalis recognized Gregore Celestin, Applicant. Mr. Celestin explained aspects and details of the event. He has had events at this location and confirmed his familiarity with event guidelines. Further comment and discussion ensued.

In response to Commissioner Glassman's question, Mr. Celestin said attendance is anticipated to be approximately 200 people and the event would end at 9:00 p.m.

Commissioner Glassman noted the need to be cognizant of adjacent neighborhood concerns regarding noise from this location.

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

APPROVED

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

- CM-2** [21-1118](#) Motion Approving Event Agreements and Related Road Closures for MLK Parade and Festival, YogaFest, and MMRF Team For Cures 5K Walk/Run - (Commission Districts 2, 3 and 4)

APPROVED

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

- CM-3** [21-1156](#) Motion Approving an Amendment to Extend the Expiration Date of FY2017-2020 Beach Business Improvement District (BID) Grant Participation Agreement with TMF Holdco, LLC to September 30, 2022; and an Assignment and Assumption Agreement between TMF 2013 LLC and TMF Holdco LLC - (Commission Districts 2 and 4)

APPROVED

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

- CM-4** [21-1097](#) Motion Approving an Interlocal Agreement between the City of Fort Lauderdale and the City of Lauderhill Providing for Automatic Aid of Fire Rescue Services - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

- CM-5** [21-1122](#) Motion Authorizing Purchase of Long-Term Disability (LTD) Insurance Policy for City Employees Enrolled in the City's 401(a) Defined Contribution Plan - The Standard Life Insurance Company \$313,919 - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

- CM-6** [21-1135](#) Motion Approving a Second Amendment to Service Agreement with North Broward Hospital District d/b/a Broward Health to Provide Fitness and Wellness Classes at Beach Community Center - (Commission District 1)

APPROVED

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

CONSENT RESOLUTION

- CR-1** [21-1112](#) Resolution (a) Granting a Dock Permit for Usage of Public Property by Michael and Carolyn Redmond located at 805 Cordova Road and (b) Authorizing Counter-Execution by the Proper City Officials of a Declaration of Covenants Running With The Land Respecting A City Issued Dock Permit - (Commission District 4)

ADOPTED

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

- CR-2** [21-1113](#) Resolution (a) Granting a Dock Permit for Usage of Public Property by Jeffrey Cantor & Myrna Roberts / 1532 Ponce De Leon Drive (b) Authorizing Counter-Execution by the Proper City Officials of a Declaration of Covenants Running With The Land Respecting A City Issued Dock Permit - (Commission District 4)

ADOPTED

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

- CR-3** [21-1114](#) Resolution (a) Granting a Dock Permit for Usage of Public Property by W. Scott & Patricia S. Parker / 1725 SE 8th Street - and (b) Authorizing Counter-Execution by the Proper City Officials of a Declaration of Covenants Running With The Land Respecting A City Issued Dock Permit - (Commission District 4)

ADOPTED

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

- CR-4** [21-0851](#) Resolution Authorizing the Acceptance of Grant Funds and Execution of a Grant Agreement with the Federal Aviation Administration for the American Rescue Grant Program and the American Rescue Plan Act for the Response to the Coronavirus at the Fort Lauderdale Executive Airport - \$148,000 - (Commission District 1)

ADOPTED

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

- CR-5** [21-1063](#) Resolution Approving the Termination of a Public Transportation Grant Agreement with the Florida Department of Transportation for Design of Runway 9 Run-up Area Relocation and South End

Taxiways Intersection Improvements Project at Fort Lauderdale Executive Airport - (\$20,986) - (Commission District 1)

ADOPTED

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

CR-6 [21-1054](#)

Resolution Authorizing the City Manager to Execute a Grant Agreement with the Florida Department of Environmental Protection (FDEP) for the NW 21st Avenue Pipe Rehabilitation Stormwater Project in the Amount of \$750,000 - (Commission District 3)

ADOPTED

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

CR-7 [21-0928](#)

Resolution Approving the Consolidated Budget Amendment to Fiscal Year 2022 - Appropriation - (Commission Districts 1, 2, 3 and 4)

Commissioner Glassman remarked on earlier discussions at today's Community Redevelopment Agency (CRA) Board Meeting related to letter M of this Consolidated Budget Amendment that utilizes *Central Beach Wayfinding Signage Program Information Center (Project)* funding to move forward with items needed for the Aquatics Complex.

Tom Green, Beach Community Redevelopment Agency (CRA) Project Manager, provided an update regarding the *Project*, which dates back to 2013. He explained details related to different departments managing the *Project*. The only remaining funding source is the CRA. The Beach CRA has a funding restriction that only allows funding for a defined geographic boundary, from the entrance to the South Beach Parking Lot north to Alhambra Street. Without additional funding, the *Project* cannot be accommodated.

Commissioner Glassman commented on parking and CRA funding. In response to Commissioner Glassman's question, City Manager Lagerbloom confirmed the parking funding is still available. City Manager Lagerbloom commented on recent conversations towards addressing funding for the *Project*.

Mr. Green said the *Project* concept and design are essentially complete.

City Manager Lagerbloom said due to its age, he would present the *Project* to Commission for review.

Commissioner Glassman commented on his perspective that the

Commission has not had an opportunity for input and noted residents have been looking forward to cohesive signage.

City Manager Lagerbloom said he would bring this to the Commission at a Conference Meeting with a funding recommendation.

In response to Commissioner Glassman's question regarding the A1A Streetscape Project, City Manager Lagerbloom confirmed a responsive email was sent.

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

ADOPTED

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

CR-8 [21-1020](#)

Resolution Approving City of Fort Lauderdale FY 2022 Not for Profit Grant Participation Agreement with Broward Partnership for the Homeless, Inc., - \$50,000 - (Commission Districts 1, 2, 3 and 4)

ADOPTED

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

CR-9 [21-1026](#)

Resolution Approving City of Fort Lauderdale FY 2022 Not for Profit Grant Participation Agreement with Museum of Discovery and Science, Inc., - \$214,800 - (Commission Districts 1, 2, 3 and 4)

Vice Mayor Moraitis inquired about providing this opportunity for private schools in the City and said four (4) large private schools in District 1 would enjoy this opportunity. She commented that General Fund taxpayer dollars were used, and many taxpayers send their children to private schools.

In response to Mayor Trantalis' question, City Manager Lagerbloom explained this Agenda item approves a grant for the *Museum of Discovery and Science*.

Vice Mayor Moraitis explained her perspective and noted not all students attending City public schools are residents and cited examples. She inquired about including private schools in the City for this opportunity now and going forward.

In response to Mayor Trantalis' question regarding including private school students' participation, Joe Cox, Chief Executive Officer of the

Museum of Discovery and Science (Museum), explained when the grant was written, it included nineteen (19) public schools. He confirmed his willingness to extend this opportunity to private schools. The *Museum* has numerous programs it offers to public and private schools.

Vice Mayor Moraitis commented on the need for additional funding to move forward.

Commissioner Sorensen commented on his perspective. Mr. Cox explained details regarding how the grant was structured, the impact of including private schools in the current grant and details related to transportation costs.

Commissioner Glassman discussed his concern regarding Vice Mayor Moraitis' request. He discussed aspects of the grant application process, expounded on details, cited examples, and said it was too late to change the scope of the grant. He noted these are good items for consideration next year.

Mr. Cox confirmed the *Museum* is happy to address this request in the future.

Vice Mayor Moraitis remarked on her perspective regarding funding transportation costs for Broward County Public School students. Further comment and discussion ensued on opportunities provided by the *Museum* and the *Broward Center for the Performing Arts* to private and public schools.

City Attorney Boileau remarked aspects of addressing all private schools and his recommendation to be all-inclusive.

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

ADOPTED

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

CONSENT PURCHASE

CP-1 [21-0386](#)

Motion Approving Agreement for Purchase of Irrigation System, Sunset Memorial Cemetery - Sagaris Corp. - \$645,760 - (Commission District 3)

APPROVED

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

- CP-2** [21-0979](#) Motion Approving Agreement for Proprietary Purchase of ChlorKing NEXGEN 100SM-R On-Site Chlorine Generating System at the Aquatic Center- Commercial Energy Specialists, LLC - \$413, 676 - (Commission District 2)

APPROVED

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

- CP-3** [21-1057](#) Motion Approving Agreement for the Tarpon River Dredging - Arbor Tree and Land, Inc. - \$620,000 - (Commission District 4)

APPROVED

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

- CP-4** [21-1087](#) Motion Approving Purchase of Traffic Calming Speed Cushions - Traffic Logix Corporation - \$108,770 - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

RESOLUTIONS

- R-1** [21-1143](#) Appointment of Board and Committee Members - (Commission Districts 1, 2, 3 and 4)

City Clerk Jeffrey Modarelli read the names of Board and Committee nominees for appointment and reappointment at the *December 21, 2021 Commission Regular Meeting*. He remarked on the opportunity to address questions related to the Walk of Fame.

City Clerk Modarelli read into the record the names of Board and Committee appointments and or reappointments for Agenda item R-1.

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

ADOPTED

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

PUBLIC HEARINGS**PH-1** [21-0990](#)

Public Hearing - Quasi-Judicial Ordinance Vacating Right-of-Way Identified as a 40-foot wide by 125-foot-long Portion of NE 5th Terrace Between north of NE 6th Street and south of NE 7th Street - Flagler Sixth, LLC - Case No. UDP-V21001 - (Commission District 2)

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 Commission Member disclosed verbal communications, written communications, site visits and expert opinions received.

Mayor Trantalis opened the public hearing.

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

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

PASSED FIRST READING

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

PH-2 [21-1110](#)

De Novo Hearing - Consideration of a Quasi-Judicial Resolution for Site Plan Level III Application - 808 SE 4th Residences - Case No. R19052 - 808 SE 4th Street - (Commission District 4)

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 Commission Member disclosed verbal communications, written communications, site visits and expert opinions received.

Mayor Trantalis opened the public hearing.

Mayor Trantalis said the applicant had requested a deferment of this Agenda item until December 21, 2021.

In response to Mayor Trantalis' question, Ellyn Bogdanoff, Esq., on behalf of SE 4th Street and Colee Hammock residents, inquired about waiving the requirement for a de novo hearing within sixty (60) days because a large number of residents would be out of town for the holiday on December 21, 2021. City Attorney Boileau commented on his viewpoint regarding a waiver.

Mayor Trantalis recognized Roya Edwards, on behalf of the Applicant, said she was attending to state the Applicant submitted a deferral letter last week for the Agenda item to be deferred to December 21, 2021.

Mayor Trantalis commented on the ability to defer this Agenda item again on December 21, 2021 if the Applicant agrees. In response to Mayor Trantalis' question, individuals in attendance to speak on this Agenda item confirmed they could attend the December 21, 2021 Commission Regular Meeting.

Commissioner Sorensen made a motion to defer this item to the December 21, 2021 Commission Regular Meeting and was seconded by Commissioner McKinzie.

DEFERRED to December 21, 2021

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

PH-3 [21-1008](#)

Public Hearing - Quasi-Judicial Resolution Approving a Historic Landmark Designation of the Property Commonly Known as the "New River Castle," Located at 625 SW 5th Place, Fort Lauderdale, Florida - Historic Preservation Board Case No. UDP-HPD21001 - (Commission District 4)

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 Commission Member disclosed verbal communications, written communications, site visits and expert opinions received.

Mayor Trantalis opened the public hearing.

In response to Mayor Trantalis' question, Trisha Logan, Department of Sustainable Development Historic Preservation Planner, provided an update on the position of the Historic Preservation Board (HPB). The HPB reviewed the Trust for Historic Preservation's Application for historic designation (Application). The HPB recommended approving the castle's designation but not the surrounding land.

Ms. Logan discussed criterion and criterion considerations of the Unified Land Development Regulations (ULDR). Staff recommended the structure also qualified under an additional criterion within the ULDR for its architectural significance and representation for a particular architectural style and use of indigenous materials.

In response to Mayor Trantalis' questions regarding only designating the building and not the surrounding land, Ms. Logan explained this had been done in the past and cited examples. The *First Lutheran Church* on Third Avenue only received historic designation of its exterior stone facade and roof structure. At the owner's request, the *Bender Residence* located in *Riverside Park* was designated historical, not the surrounding land. Ms. Logan explained this is atypical and explained related details.

The Staff report presented to the HPB confirmed the structure qualifies under Criterion (a) is for its cultural significance due to its location at the base of a former bridge. Remnants of where the bridge was located remain visible today. The structure's orientation on the property tells a story of why it existed and conveys its historical significance through how it is seen and viewed today from the road and the New River and its connection to the other side of the New River.

In response to Commissioner Glassman's questions, Ms. Logan explained the HPB delineated its view regarding criterion met. The HPB recommended Criterion (a) was part of the structure's significance. They also recommended Criterion (f) in the subsection of Criterion Considerations due to visible structure alterations that are less than fifty (50) years old and considered significant and contribute to the structure's overall historical significance. Further comment and discussion ensued on the Criterion listed in the Application, HPB's recommendation and Ms. Logan and Staff's recommendation. The Applicant applied under two (2) criteria, one for cultural significance and one for the significance of an architectural style using an indigenous material. Additional research found the later alteration, applying coral rock to the structure's exterior, was less than 50 years old. Staff reviewed Criterion Considerations for its application, which are only considered in certain circumstances.

City Attorney Boileau clarified neither the City nor the HPB is the Applicant. In this quasi-judicial hearing, it is the Applicant's burden to demonstrate criteria had been met.

Mayor Trantalis said that Staff generated a lengthy report recommending support of the HPB's recommendation.

In response to Commissioner Sorensen's question, Ms. Logan provided clarification.

In response to Vice Mayor Moraitis' question regarding properties under fifty (50) years old in the City which have had steps taken to be designated historic, Ms. Logan confirmed the Broward County Main Library built in 1982-1983. Commissioner Glassman noted the Broward County Historical Commission proposed the Broward County Main Library for historic designation.

Mayor Trantalis recognized Michaela Conca, 625 SW 5th Place, Applicant and Broward Trust for Historic Preservation President. Ms. Conca submitted her oral presentation to City Clerk Modarelli.

A copy has been made part of the backup to this Agenda item.

Ms. Conca made her oral presentation, explaining her viewpoint regarding the structure meeting necessary criteria and expounded on details regarding the structure being a historical landmark.

Mayor Trantalis recognized Susan Gillis, 902 NE 37th Street, Oakland Park. Ms. Gillis spoke in support of historic designation of the New River Castle located at 625 SW 5th Place and discussed historical details of the site.

In response to Commissioner Sorensen's question regarding the source of the structure's exterior, Ms. Gillis explained her understanding that the limestone was from Windy Key, which is a State Park. She said the limestone is no longer available, except salvage.

Commissioner Glassman requested Ms. Gillis' opinion regarding the HPB separating the land from the historic designation of the building.

City Attorney Boileau noted this is a quasi-judicial hearing and testimony should be from experts.

Commissioner Glassman noted he requested Ms. Gillis' opinion based on her provided resume.

In response to Commissioner Glassman's request for her opinion regarding the HPB separating the land from the historic designation of the building, Ms. Gillis said buildings are usually separately designated when not on the original site. She noted the National Register of Historic Places refers to a place versus a building. She explained that both the site and the building are important and tied together.

Commissioner Glassman noted Ms. Gillis' comments relate to the Lutheran Church on 3rd Avenue, an example of a structure being designated without the land because the Lutheran Church was moved to the 3rd Avenue site.

Mayor Trantalis commented that the site was not designated in the HPB recommendation. Ms. Gillis disagreed with that aspect of the HPB recommendation.

Mayor Trantalis recognized Janet Scaper, 401 SW 4th Avenue. Ms. Scaper spoke in support of historic designation, commented on her viewpoint that the land should also be included and noted the site's close proximity to the *Ann Murray Greenway*.

Mayor Trantalis recognized Sara Ayers-Rigsby, 3200 College Avenue, Davie. Ms. Ayers-Rigsby spoke in support of the historic designation and noted this landmark helps tell the story of the City.

Mayor Trantalis recognized Michael Barlow, 900 River Reach Drive. Mr. Barlow spoke in support of the historic designation and noted the building is interesting and speaks to the history of the City.

Mayor Trantalis recognized Jon Haagenson, 522 SW 10th Street. Mr. Haagenson spoke in opposition to historic designation and discussed property rights.

In response to Mayor Trantalis' question regarding Mr. Haagenson's support should the property owner demolish the structure, Mr. Haagenson confirmed.

Mayor Trantalis recognized Joseph Andrew Beltrand, 2300 Inlet Drive. Mr. Beltrand spoke in opposition to historic designation, and he provided his opinion as a realtor. The description indicated it was not a historical property when the property was listed in the multiple listing service (MLS). Further comment and discussion ensued.

Commissioner Sorensen requested input regarding how historic designation impacts land.

Mayor Trantalis recognized Wendi Malone, 521 SW 11th Street. Ms. Malone spoke in opposition to historic designation. She explained it is a property rights issue and noted it is private property purchased by a private resident. Ms. Malone expounded on her viewpoint regarding the structure's facade.

In response to Commissioner Glassman's inquiries, Ms. Logan discussed court rulings related to historic designation and property rights. Court decisions have recognized Historic Preservation as a valid public purpose, serving a greater good, and the United States Supreme Court has upheld those decisions. She confirmed the City utilizes federal standards.

In response to Commissioner Sorensen's question regarding historic designation, Ms. Logan explained as related to this Application, concerns related to the appearance of the structure's exterior facade and ensuring it is preserved over time. There are no concerns about the interior of the building since it is residential. There is flexibility to develop around the structure. Further comment and discussion ensued.

In response to Commissioner Sorensen's question regarding the ability to move the structure, Ms. Logan said a request could be made to the HPB. She commented on related criteria, considerations and details.

In response to Commissioner Sorensen's questions regarding the restrictions related to historic designation of the building versus historic designation of the building and property, Ms. Logan explained historical designation of the building and the land mandates anything done on the property would be under the purview of the Historic Preservation Ordinance. Elements requiring HPB approval include items such as an addition visible from the roadway or a new construction project on the land requiring DRC review. Further comment and discussion ensued.

In response to Vice Mayor Moraitis' question, Ms. Logan confirmed the neighborhood associated with the structure is not located in a historic district.

Mayor Trantalis recognized Susan Prescott, 601 SW 11th Street. Ms. Prescott spoke in opposition to historic designation and cited property rights. Ms. Prescott discussed her perspective that the impetus of this item relates to the *Ann Murray Greenway* and the property owner installing a fence.

Commissioner Glassman commented on the need to dispel the myth that historic designation would prevent the owner from doing anything on the property, explained aspects related to making changes to properties designated historical and cited examples of adaptive reuse of properties designated historical. Further comment and discussion ensued.

Mayor Trantalis recognized Jay Shechtman, 811 SW 7th Avenue, Tarpon

River Civic Association President. Mr. Shechtman submitted items related to this Agenda item.

A copy has been made part of the backup to this Agenda item.

Mr. Shechtman discussed support of historic designation of the building and noted the property's description on the Zillow real estate listing. He provided comments regarding the history of the property and details illustrating how the property is valuable and significant to the history of the City.

Mayor Trantalis recognized Rucy Jason-Kurau, 2141 SW 23rd Avenue. Ms. Kurau spoke in support of the historic designation and explained her perspective regarding the unusual nature of the structure. She inquired about including the building in the *Ann Murray Greenway*.

Mayor Trantalis recognized Ed Brin, 609 SW 5th Place. Mr. Brin said he knew the former owner of the building and explained details regarding the installation of the facade.

Mayor Trantalis recognized Jacquelyn Scott, 1626 SE 1st Street. Ms. Scott spoke in support of historic designation and expounded on her perspective. She commented on the value of the building to the community and the opportunity for historic designation.

Mayor Trantalis recognized Gregory McAloon, Esq., Tripp Scott, on behalf of Daniel Cole, the property owner. Mr. McAloon presented his argument opposing historic designation of the building, stating it does not meet criteria for historic designation. The Applicant applied for historic designation under ULDR Criterion (a) and Criterion (f) in the subsection of Criterion Considerations that do not apply to properties under 50 years. The only criterion in which the property would qualify for historic designation was Consideration (g), which was proffered by Staff.

Mr. McAloon discussed events related to this Application, details included in HPB Meeting Minutes, the perspective of Tarpon River residents and the negative impact on the property owner related to the Stop Work Order placed on the property.

Mayor Trantalis recognized the property owner, Daniel Cole, 625 SW 5th Place. Mr. Cole commented on the reasons for installing a fence on his property adjacent to the *Ann Murray Greenway*. He explained his viewpoint regarding the building not meeting the criterion for historic designation.

Mr. Cole explained he installed a fence on the property adjacent to *Ann Murray Greenway* and noted comments from Mr. Shechtman. He discussed his perspective regarding this Agenda item and commented on related concerns should he wish to develop this property in the future.

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

Commissioner Sorensen requested input from Staff regarding points raised by Mr. Cole.

City Attorney Boileau clarified the Applicant only needs to apply under Criterion (a) and (f), not (g). Ms. Logan explained Staff found the structure met Criterion (g) - exceptional for less than 50 years old because of the craftsmanship involved with applying the coral rock. The Staff report for the HPB discussed a 1974 newspaper article concerning the application of the coral rock that won a local builders association award that serves to tell a story expressing its history and significance as something unique.

Mr. McAloon provided his response regarding the standard for Criterion (g) - exceptional for less than 50 years old that it shall not be considered unless it is of exceptional importance and cited related language.

In response to Mayor Trantalis' question regarding the exceptional nature of the workmanship involved in the application of the building's limestone and its recognition in a newspaper article, Mr. McAloon discussed input from Anthony Abbate, the builder's son, who said it was not historical. Mr. McAloon noted there were no secondary sources for the 1974 newspaper article.

City Attorney Boileau cited language in Criterion Considerations for properties that have achieved significance within the past 50 years and explained related information.

In response to Commissioner Sorensen's question regarding the objective or subjective nature of exceptional importance, City Attorney Boileau explained that it is up to each Commission Member. Further comment and discussion ensued.

In response to Commissioner Sorensen's question regarding aspects of a quasi-judicial matter, City Attorney Boileau explained items the

Commission can consider must be fact-based, not an opinion, and cited examples. City Attorney Boileau said Ms. Logan's credentials qualified her as an expert and cited related case law referenced earlier.

In response to Commissioner Glassman's questions, City Attorney Boileau confirmed reports written by Ms. Logan stating that criteria are met could be considered competent, substantial evidence. Due to the way the Code is written, approval would require meeting ULDR Criterion (a) or ULDR Criterion (f) and must also include meeting Subsection Criterion Consideration (g) that considers a property that has certain aspects less than 50 years old.

In response to Commissioner Glassman's question, Ms. Logan said Staff research indicates the original building dates back to 1927.

Commissioner Glassman explained his perspective regarding historical aspects of the original building and the land, cited examples and expounded on related details. Further comment and discussion ensued.

In response to Commissioner Glassman's question regarding the Commission considering historical aspects of the site not included in the Application, City Attorney Boileau explained the Commission is limited to considering evidence presented.

Vice Mayor Moraitis said she had not heard enough evidence to designate the building as historic. She would be open to discussion about moving the building to another location.

In response to Commissioner McKinzie's question regarding verifying the facade is coral rock, Ms. Logan said Staff relied on the 1974 newspaper article and a visual inspection.

Commissioner McKinzie discussed his perspective regarding association awards, the need for facts and cited examples.

In response to Commissioner Glassman's question regarding who determined the building would potentially be eligible for listing in the National Register of Historic Places, Ms. Logan explained details of multiple reviews of this property over time, which are located in the Florida Master Site File.

Ms. Logan explained when assessing whether or not a property is eligible for designation, either locally or on the National Register, it is based on a collection of information. Staff pointed out one of those pieces of information was the Builders Association Award indicating

community and peer recognition of what that building meant at that time, which is significant in the context of historic preservation and considered in a historic designation application.

Commissioner Glassman commented on the significance of the building having been offered as eligible in the National Register of Historic Places over the past forty (40) years.

Commissioner McKinzie commented on concerns related to the authenticity of the facade material being coral rock and defending a court challenge should this Application be approved. Further comment and discussion ensued regarding the authenticity of the coral rock.

In response to Commissioner Sorensen's question, City Attorney Boileau explained should the entire property be designated historical, Lot 11, Lot 12, and the vacated portion of land west of Lot 12 would be included.

In response to Commissioner Sorensen's question, Ms. Logan explained that if Lot 11 and Lot 12 were separated, the structure's immediate context on the lot would be maintained. The folio encompasses Lot 11 and Lot 12. The building sits on one lot. If the parcel was designated, the immediate setting would be maintained, not the immediate location on which the building lies. Further comment ensued.

In response to Commissioner Sorensen's question, Mr. McAloon said in his opinion, the Application does not meet the criteria that the building is of substantial importance. Mr. McAloon said his client, Mr. Cole has been willing to come to the table and speak with the Commission.

Mayor Trantalis explained his perspective regarding the building and the community's perspective.

In response to Mayor Trantalis' questions, Mr. Cole confirmed the building is located on a corner of the parcel. Mr. Cole commented on his desire to improve the property and do something good for the community. As permitted by zoning, his future plans include building four (4) townhomes with boat slips. Further comment and discussion ensued regarding the type of development that could occur on the parcel, the impact of historic designation and the option of relocating the building.

Mayor Trantalis reiterated historical designation of the building would not impact the ability to develop the land.

Mr. Cole suggested moving the building into the right-of-way and using it as a Parks and Recreation office. Mayor Trantalis commented on not

knowing whether the building could be moved. Further comment and discussion ensued.

Mayor Trantalis recommended deferring this Agenda item and determining a solution.

Mr. Cole explained concerns related to delays impacting seawall improvements and expounded on details. Further comment ensued.

Mr. Cole confirmed his willingness to defer this item and work towards a solution that preserves the building for the community and allows him to develop this property. He confirmed he would not demolish the building.

Commissioner McKinzie requested prior to the next meeting on this subject, Mr. Cole determine whether the building could be moved and verify that the facade is coral rock. Mr. Cole confirmed.

Mayor Trantalis inquired if the Commission is willing to agree to the deferral of this Agenda item, allowing him to work with Mr. Cole.

Commissioner Glassman commented on his perspective regarding the process and questioned if the Commission would address all future situations in the same manner. He requested input from City Attorney Boileau.

City Attorney Boileau explained this is not the typical process and commented on the 180-day time frame. He said there could be conversations and cautioned regarding the *Ann Murray Greenway*, stating a decision regarding historic designation should not be based on something irrelevant to the Application. Mayor Trantalis agreed.

Vice Mayor Moraitis confirmed her readiness to vote on whether or not the building is historic, followed by conversations to donate the building to the City and its relocation.

Further comment and discussion ensued on scheduling a deferral date.

Commissioner Sorensen commented on his preference to decide tonight but was agreeable to Mayor Trantalis' recommendation for a deferral.

Mayor Trantalis explained his perspective for community issues to be addressed cooperatively.

In response to Commissioner Sorensen's question regarding a deferral to January 18, 2022, City Attorney Boileau confirmed the Commission

would not lose any rights, abilities or powers related to making its determination. The Commission determination remains the same, either yes or no, as to historical designation based upon evidence.

City Attorney Boileau commented on the parties involved in conversations and recommended including the Applicant. Further discussion ensued.

Mr. McAloon confirmed the building would not be demolished and commented on Mr. Cole's application to the Marine Advisory related to the docks.

City Attorney Boileau said only Staff could place a Stop Work Order and said would look into the situation.

In response to Commissioner Glassman's question regarding the time allotted for protecting property under consideration for historic designation, City Attorney Boileau confirmed being outside the 90-day time frame and said Mr. McAloon and Mr. Cole would need to waive. Further comment and discussion ensued. Mr. McAloon reconfirmed that Mr. Cole would not make changes to the building.

Commissioner Sorensen made a motion to defer this item to January 18, 2022, and for Mayor Trantalis to be the lead person in discussions with Applicant and property owner and was seconded by Vice Mayor Moraitis.

DEFERRED to January 18, 2022

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

Nay: 2 - Commissioner Glassman and Commissioner McKinzie

ORDINANCE FIRST READING

OFR-1 [21-1132](#)

First Reading - Ordinance Amending the Non-Bargaining Unit Classification Table of the Pay Plan of the City of Fort Lauderdale, Florida by Revising the Pay Grade of Two (2) Classifications - (Commission Districts 1, 2, 3 and 4)

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

PASSED FIRST READING

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

ORDINANCE SECOND READING

OSR-1 [21-1123](#)

Second Reading - Ordinance Amending the Non-Bargaining Unit Classification Table of the Pay Plan of the City of Fort Lauderdale, Florida, by Creating Two New Classifications - (Commission Districts 1, 2, 3 and 4)

Commissioner Sorensen introduced this Ordinance for the Second Reading which was read by title only.

ADOPTED ON SECOND READING

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Sorensen and Mayor Trantalis

Nay: 1 - Vice Mayor Moraitis

OSR-2 [21-1124](#)

Second Reading - Ordinance Amending Schedule VI of the Pay Plan of the City of Fort Lauderdale, Florida, by Increasing the Minimum Salary of the Pay Ranges that are less than the State of Florida Minimum Wage effective September 30, 2021- (Commission Districts 1, 2, 3 and 4)

Commissioner Sorensen introduced this Ordinance for the Second Reading which was read by title only.

ADOPTED ON SECOND READING

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

ADJOURNMENT

Mayor Trantalis adjourned the meeting at 9:19 p.m.

Dean J. Trantalis
Mayor

ATTEST:

David R. Soloman
City Clerk