

City of Fort Lauderdale

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



Meeting Minutes - DRAFT

Tuesday, March 5, 2013

6:00 PM

City Commission Chambers

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

***JOHN P. "JACK" SEILER Mayor - Commissioner
BRUCE G. ROBERTS Vice Mayor - Commissioner - District I
BOBBY B. DuBOSE Commissioner - District III
ROMNEY ROGERS Commissioner - District IV***

***LEE R. FELDMAN, City Manager
JOHN HERBST, City Auditor
JONDA K. JOSEPH, City Clerk
HARRY A. STEWART, City Attorney***

Meeting was called to order at 6:04 p.m. by Mayor Seiler.

ATTENDANCE ROLL CALL

Present: 4 - Mayor John P. "Jack" Seiler, Vice-Mayor Bruce G. Roberts, Commissioner Bobby B. DuBose and Commissioner Romney Rogers

Also Present: City Manager, Lee R. Feldman; City Auditor, John Herbst; City Clerk, Jonda K. Joseph; City Attorney, Harry A. Stewart; Sergeant At Arms, Sergeant Jerry Fuller

Vote Roll Call Order for this Meeting

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

Invocation

Father Jerry Singleton, St. Anthony Catholic Church

Pledge of Allegiance

Led by Police Lieutenant Michael Dew

Approval of MINUTES and Agenda

13-0348 APPROVAL OF MINUTES - January 22, 2013 Conference and Regular Meetings

Motion made by Vice Mayor Roberts and seconded by Commissioner DuBose to approve the minutes of the January 22, 2013 Conference and Regular Meetings.

APPROVED

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

PRESENTATIONS

PRES-1 13-0316 COMMUNITY APPEARANCE BOARD WOW AWARD FOR DISTRICT

Vice Mayor Roberts recognized Ashley Palmer and Matt Lindsay who reside in Imperial Point as the recipients of the WOW Award for District I. Ms. Palmer thanked the Commission.

PRES-2 13-0408 PROCLAMATION DESIGNATING MARCH, 2013 AS NATIONAL WOMEN'S HISTORY MONTH IN THE CITY OF FORT LAUDERDALE

Commissioner DuBose presented a proclamation designating March, 2013, as National Women's History Month in the City to Deborah Mizell, member of the Broward County Commission on the Status of Women (CSW). Ms. Mizell thanked the Commission. She invited the public to view an exhibit of CSW's theme for 2013 Women's History Month, Women Inspiring Innovation through Imagination: Celebrating Women in Science, Technology, Engineering and Mathematics (STEM), at the Broward County

Governmental Center.

**PRES-3 13-0406 THE MAYOR AND CITY COMMISSION WILL RECOGNIZE
OUTSTANDING CITY EMPLOYEES**

Julie Leonard, Deputy Public Works Director-Utilities, presented the STAR of the month award to Careem Carpenter, Electro Technician; Tom Fatout, Public Service Maintenance Chief; Adjew Gaskin, Utilities Mechanic II; Clarence Goodrich, Utilities Mechanic I; Eric Owens, Utilities Mechanic II; Basdeo Seegulam, Industrial Electrician; Michael Sherwood, Utilities Mechanic II; Tony Williams, Utilities Mechanic I; Melvin Howell, Municipal Maintenance Worker III (Public Services); and Adrian Smith, Municipal Maintenance Worker III (Public Services). These employees displayed exemplary stamina, perseverance, and a positive attitude while performing additional work in hazardous conditions caused by debris removal equipment that did not perform as anticipated. Their efforts helped to maintain the George T. Lohmeyer Regional Wastewater Treatment Plant's high standards.

**PRES-4 13-0347 2012 OFFICERS OF THE YEAR - MARK SHOTWELL AND JAMES
JAGGERS**

Police Chief Frank Adderley recognized Detectives Mark Shotwell and James Jagers as the City's 2012 Officers of the Year for their investigative skills and professionalism which have led to an indictment as well as numerous arrests and convictions related to homicide cases. Also, Detectives Shotwell and Jagers presented well-researched information at the parole hearing of three convicted murderers of a Fort Lauderdale police officer in 1974 which resulted in denial of their parole.

Consent Agenda

(CA)

The following items were listed on the agenda for approval as recommended. The City Manager reviewed each item and observations were made as shown. The following statement was read:

Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion; if discussion on an item is desired by any City Commissioner or member of the public, however, that item may be removed from the Consent Agenda and considered separately.

Motion made by Vice Mayor Roberts and seconded by Commissioner DuBose that Consent Agenda Items M-2 and M-11 be deleted from the Consent Agenda and considered separately, and that all remaining Consent Agenda items be approved as recommended.

CONSENT AGENDA

Approval of the Consent Agenda

Approve the Consent Agenda

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

- M-1 13-0334** EVENT AGREEMENTS AND RELATED ROAD CLOSINGS: Saint Patrick's Day Parade, Saint Patrick's Day, Art and Jazz in Victoria Park, Coral Ridge Green Market, Las Olas Gourmet Market, Florida Turkish Festival, Saint Patrick's Day Celebration, Saint Patrick's Day on SW 2nd Street, Kids in Distress Charity Volleyball Tournament, MOD Weekend, 2575 Triathlon and Hunter's 1st Annual St. Paddy's Bash

Mayor Seiler announced that the Las Olas Gourmet Market event location was revised and will be held in the courtyard of YOLO restaurant on Las Olas Boulevard.

APPROVED

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

- M-2 13-0411** ACCEPT DONATION OF NEW UP-TO-DATE FORT LAUDERDALE NEIGHBORHOODS FRAMED MAP FROM FORT LAUDERDALE COUNCIL OF CIVIC ASSOCIATIONS

Motion made by Commissioner DuBose and seconded by Commissioner Rogers to approve the item as amended to accept the gift, but not the content.

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

OB MOMENT OF SILENCE – GEORGE LEE BURROWS, JR.

Mayor Seiler offered a moment of silence in memory of George Lee Burrows, Jr., son of George Burrows, Sr.

- M-3 13-0335** ACCEPT DONATION FROM USA SWIMMING FOUNDATION - \$5,000 for youth swim lessons

APPROVED

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

- M-4 13-0330** DONATION TO ONIKUSU JUDO CLUB - \$30,000 from State Law Enforcement Trust Fund

APPROVED

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

- M-5 13-0272** COMPETITIVE SANCTIONED USA SWIMMING TEAM - SWIM FORT LAUDERDALE - ONE-YEAR CONTRACT EXTENSION AND AMENDMENT FOR SWIM INSTRUCTOR SERVICE with Jennifer Gibson to serve as Head Age Group Coach

APPROVED

Aye: 4 - Mayor Seiler, Vice-Mayor Roberts, Commissioner DuBose and

Commissioner Rogers

- M-6 13-0362** GRANT ACCEPTANCE - GREEN KIDS GRANT PROGRAM - \$7,000 from National Recreation and Park Association and authorize proper City Officials to execute all necessary documents to receive the funds
APPROVED
Aye: 4 - Mayor Seiler, Vice-Mayor Roberts, Commissioner DuBose and Commissioner Rogers
- M-7 13-0136** TASK ORDER 1 - PAVEMENT MANAGEMENT SYSTEM - Atkins North America, Inc. - \$92,530 - inventory, inspection, condition assessment, cost and life cycle modeling and multiple scenario planning for 500 miles
APPROVED
Aye: 4 - Mayor Seiler, Vice-Mayor Roberts, Commissioner DuBose and Commissioner Rogers
- M-8 13-0313** TASK ORDER 13 - PARCEL D, EXECUTIVE AIRPORT INDUSTRIAL PARK MITIGATION MONITORING - Miller Legg and Associates, Inc. - not-to-exceed \$42,980
APPROVED
Aye: 4 - Mayor Seiler, Vice-Mayor Roberts, Commissioner DuBose and Commissioner Rogers
- M-9 13-0359** TASK ORDER 2 - PARCELS B, C AND D, EXECUTIVE AIRPORT-EARTHWORK ANALYSIS AND BID SPECIFICATIONS - \$46,825 - Miller Legg & Associates, Inc.
APPROVED
Aye: 4 - Mayor Seiler, Vice-Mayor Roberts, Commissioner DuBose and Commissioner Rogers
- M-10 13-0338** WORK ORDER 1 - CANAL DREDGING OF SEVEN LOCATIONS - Cavache, Inc. - \$209,996.12 plus \$74,115.23 for engineering administration fees

Mayor Seiler announced that this item was removed from the agenda at the request of the City Manager.

REMOVED FROM AGENDA

- M-11 13-0400** PILOT IMPLEMENTATION OF ADAPTATION ACTION AREAS - RISING SEA LEVELS - INTERLOCAL AGREEMENT with South Florida Regional Planning Council

At the request of Vice Mayor Roberts, Susanne Torriente, Assistant City Manager, highlighted information set forth in Commission Agenda Memorandum 13-0400. Fort Lauderdale is the first city in Florida to work with the Adaptation Action Areas (AAA) new planning tool. Staff will look at areas of the

city that need more dedicated public infrastructure in response to climate adaptation. Vice Mayor Roberts noted that City staff is actively dealing with these critical issues that relate to the future.

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

APPROVED

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

M-12 13-0117 ECONOMIC DEVELOPMENT DIRECT CASH INCENTIVE AGREEMENT - CITRIX Systems, Inc. - \$100,000 over a three-year period and authorize proper City Officials to execute agreement

APPROVED

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

M-13 13-0314 CODE ENFORCEMENT LIEN SETTLEMENT AGREEMENT - 1910 NE 7 Place - Case CE07031751

APPROVED

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

CONSENT RESOLUTION

CR-1 13-0395 SUPPORTING STUDENTS WORKING AGAINST TOBACCO (SWAT) - tobacco free partnership of Broward County and American Cancer Society to restrict sale of flavored tobacco products

ADOPTED

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

CR-2 13-0416 APPOINTMENT OF ROBBINS GELLER RUDMAN & DOWD, LLP AS SPECIAL COUNSEL TO GENERAL EMPLOYEES RETIREMENT SYSTEM to pursue lead plaintiff status in federal securities fraud class action filed against VeriSign, Inc., et al in United States District Court, Eastern

ADOPTED

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

CR-3 13-0248 CONSOLIDATED BUDGET AMENDMENT TO FISCAL YEAR 2013 BUDGET - APPROPRIATION

ADOPTED

Aye: 4 - Mayor Seiler, Vice-Mayor Roberts, Commissioner DuBose and

Commissioner Rogers

- CR-4 13-0317** 2013 LAUDERDALE AIR SHOW - DECLARATION OF APRIL 20-21, 2013 AS A PUBLIC PURPOSE SPECIAL EVENT and providing limited temporary exemption from Municipal Code, Section 8-85, as it relates to open containers

Mayor Seiler noted that two members of the public wished to speak on this item, although it was already approved.

Fred Carlson, 625 Orton Avenue, indicated that the U.S. Air Force Thunderbirds (Thunderbirds) cancelled due to budgetary restrictions. Nonetheless, the Central Beach Alliance (CBA) unanimously supports the Lauderdale Air Show as a boon for area businesses. Mayor Seiler thought the Thunderbirds may still take part if their budget issues are resolved.

Art Seitz, 1905 N. Atlantic Boulevard, noted the turnout for last year's Air Show as well as for years past. He supported the item, and stressed the significant economic impact. An attractive and pedestrian-friendly infrastructure is needed to support the Air Show. He contended that the A-1-A greenway is the top priority for both the Broward County Bicycling and Pedestrian Advisory Committee and the Scenic Highway A-1-A Committee. The City's beach area has the largest population and a tourism focus, yet has the oldest infrastructure. More events like the Air Show are needed.

ADOPTED

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

- CR-5 13-0327** SPEED HUMP INSTALLATION POLICY

ADOPTED

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

PURCHASING AGENDA

- PUR-1 13-0278** THIRD ONE-YEAR EXTENSION TO AGREEMENT FOR COASTAL ENGINEERING CONSULTING SERVICES - URS Corporation Southern - utilizing pricing in original agreement

APPROVED

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

- PUR-2 13-0308** ONE YEAR CONTRACT FOR PURCHASE OF GATE VALVES in estimated amount of \$222,586.25 from Shuler Supplier Co. and authorize City Manager to approve renewal options contingent upon approval and appropriation of funds

APPROVED

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

- PUR-3 13-0311** TWO, ONE-YEAR CONTRACTS FOR PURCHASE OF

AGGREGATES in total estimated amount of \$289,873.75 from Austin Tupler Trucking, Inc. (ITB 432-11132 and Southeast Florida Governmental Purchasing Cooperative Contract) and authorize City Manager to approve renewal options contingent upon approval and appropriation of funds

APPROVED

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

PUR-4 13-0376

CHANGE ORDER - REPLACE CARPETING AT TRANSPORTATION AND MOBILITY BUILDING - Mohawk Carpet Distributing, Inc. - \$5,241

APPROVED

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

PUR-5 13-0387

REJECT SINGLE BID FOR CISCO SMARTNET MAINTENANCE RENEWAL AND SUPPORT

APPROVED

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

CITIZEN PRESENTATIONS

CIT-1 13-0394

ROBERT WALSH - Commission District II Election - March 12, 2013

See page 14.

CIT-2 13-0396

MARK HARTMAN - Gun Shows - War Memorial Auditorium in Holiday Park

Mr. Hartman opposed the Suncoast Gun Shows, billed as the Fort Lauderdale Gun Shows, being held at War Memorial Auditorium in Holiday Park. He elaborated upon the role of parks in the community, as well as the Fort Lauderdale Parks and Recreation Department's (parks and recreation) mission statement. Despite the need to create revenue, the City should not facilitate the sale of guns because it is contrary to public safety and sends the wrong message to children and tourists. Mayor Seiler noted that the current eight-show contract was not entered into by this Commission, but rather by staff. The show has a 30-year history in the city and there have not been issues. There is a strong police presence at every gun show. The laws are enforced.

OB 13-0440

WALK-ON - Art Seitz

Mr. Seitz mentioned that March is Bicycle Month in Florida, and provided statistical information on bike rider and pedestrian deaths in Broward County. He noted FDOT's (Florida Department of Transportation) bicycle and safety campaign, *Alert Today Alive Tomorrow*. He was pleased that the City had utilized walkability consultant and author, Jeff Speck. More bike paths are needed. He thought it is treacherous

for bike riders to travel east on Sunrise Boulevard from Federal Highway during rush hour. He elaborated upon a possible greenway route.

CIT-3 13-0407 HAYLEE BECKER - Use of Local Policy to Criminalize Homelessness

Ms. Becker elaborated upon the hardships faced by homeless individuals. The anti-panhandling ordinance did not solve homelessness, but rather criminalized it and the funds spent on the ordinance's education program could have provided a solution. She urged the Commission to revoke the anti-panhandling ordinance along with all trespassing affidavits on publicly funded properties. Regardless of one's socioeconomic status, public spaces are for public use.

RESOLUTIONS

R-1 13-0210 QUASI-JUDICIAL - VACATION OF 5 FOOT UTILITY EASEMENT - Case 13-M-12

Applicant: 401 E. Las Olas, LLC
Location: Northwest corner of SE 4 Avenue and East Las Olas Boulevard

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.

The Commission announced with whom he had spoken with and/or site visits made concerning this matter.

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

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

ADOPTED

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

R-2 13-0363 APPOINTMENT OF EMPLOYEE REPRESENTATIVE TO CIVIL SERVICE BOARD - BRUCE A. LARKIN

Vice Mayor Roberts introduced the resolution which was read by title only.

ADOPTED

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

R-3 13-0104 APPOINTMENT OF CITY BOARD AND COMMITTEE MEMBERS - All vacancy information provided under Conference Item BD-2

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

Community Appearance Board Regina Jackson (Commissioner DuBose)

Parks, Recreation and Beaches Board Larry L. Nielsen (Commissioner DuBose)

Utility Advisory Committee Don Larson (Commissioner Rogers)

Vice Mayor Roberts introduced the resolution which was read by title only.

ADOPTED

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

PUBLIC HEARINGS

PH-1 13-0279 1) FIRST READING OF ORDINANCE - LAND USE AMENDMENT - CHANGING DESIGNATION TO IRREGULAR RESIDENTIAL AND 2) RESOLUTION - recommending amending Broward County Land Use Plan - 37 single family residences and 4-acre park (former American Golfers Club golf course) - Case 12-T-12

Applicant: Coral Ridge Golf Course, Inc.

From: Park-Open Space

Location: East of North Federal Highway, north of NE 37 Drive and south of Commercial Boulevard

The Commission announced receipt of emails and letters pertaining to this matter, as well as with whom he had spoken with and/or site visits made concerning this matter. The following additional disclosures were made: Commissioner Rogers noted that he is a non-equity member of Coral Ridge Country Club (CRCC) for 12 years. Vice Mayor Roberts attended meetings of the Coral Ridge Country Club Estates Homeowners Association, Inc. (CRCC Estates), Coral Ridge Association Inc. (Coral Ridge), the Landings Residential Association (Landings), and Bay Colony HOA (Bay Colony) where presentations about the proposed item were made. Mayor Seiler indicated that he lives on the CRCC golf course, but does not hold membership. However, his parents are members. He and a minority interest holder in CRCC, Matthew E. Morrall, both have minority interest in a building on Andrews Avenue. Two of his children held summer jobs at CRCC, and he represented the former general manager in a lawsuit against CRCC in the 1990's. He has no pecuniary interest in CRCC or in business with any of the principles.

Mayor Seiler opened the floor for public comment.

Diane Dosantos, 4360 NE 22 Avenue, expressed support of the item. She resides on the former American Golfers Club golf course (AGC). It is a trade-off to allow a limited number of homes to be built, but that will keep other projects from coming in.

In response to Mayor Seiler, Vice Mayor Roberts recalled that CRCC Estates and Coral Ridge supported the item. The Landings and Bay Colony did not take a formal vote while he was present, but no opposing statements were made at either meeting.

Glenn Leonard, 1523 Middle River Drive, noted that CRCC has about 2,000 members, 85 full-time employees and 130 employees during season. All of CRCC's owners are local and support the community. He elaborated upon the owners' philanthropic uses for the course. He expressed support of the item. The 37 new homes will bring less traffic than the American Golfers Club golf course did. If the homes sell for \$2 million each, Fort Lauderdale would receive about \$320,000 in tax revenue.

David Villari, 2899 NE 26 Court, expressed support of the item. This will preserve the neighborhood's property values and quality of life by ensuring the financial viability of CRCC. Other positive outcomes would be increased tax revenue, job creation, a local economic stimulus, and a four-acre park for the community.

Ramola Motwani, 2600 Castilla Isle, expressed support of the item. The project's neighborhood compatibility has been considered, and surrounding businesses will benefit.

Edward Brown, 4313 NE 22 Avenue, expressed support of the item. This will provide needed construction jobs and positively impact local businesses. In order to compete with communities like Weston, Fort Lauderdale needs new construction family homes. The four-acre park will be a landmark for the community.

Ian Seitel, 2515 NE 47 Street, noted his experience as a 30-year Fort Lauderdale resident. He lives near the golf course and AGC has become an eyesore since it suffered hurricane destruction. The developers for the proposed project are local residents who care for this city. He did not think the City should purchase the property and turn it back into a golf course. He expressed support of the item which will increase property values.

Frank Ennis, 3200 NE 36 Street, opposed the item. He thought the original zoning was wise. Although the American Golfers golf course has become an eyesore and detriment to the community, he did not think it should be replaced with new homes because open space is more important for future generations. There is room for compromise. Being that the course is walkable, he urged the Commission, on the grounds of public health, to consider a more modest proposal that includes fewer homes and perhaps a nine-hole golf course.

Dianne Bunnell, 2649 NE 35 Street, expressed support of the item.

Peter King, 5560 Bayview Drive, expressed support of the item.

Andy Bertnolli, 3111 NE 45 Street, expressed support of the item. There are already over 350 acres of municipal golf courses in Pompano Beach, less than five miles away. The AGC course is half that size and would not produce the type of golf game played today. Coral Ridge already has a park, and another one besides the proposed passive park is unnecessary. The proposed 37 homes were reduced from over 60 which allows the largest percentage of the property to be open space.

Steve Mehallis, 4221 NE 25 Avenue, expressed support of the item. He elaborated upon the current owners' philanthropic uses for the course.

Jack Drury, 5711 NE 22 Terrace, expressed support of the item.

John O'Flaherty, 4811 NE 26 Avenue, noted he is a member of CRCC and a realtor. He estimated the proposed project would increase the property values of homes situated on the golf course. He elaborated upon the short-term positive economic impact of the proposed project. A thriving golf course may cause some home buyers to favor Fort Lauderdale over other Florida cities.

Jamie Tidwell, President of Coral Ridge Country Club Estates Homeowners Association, Inc., confirmed that Robert Lochrie made a presentation to the association on the proposed project in mid-January and a subsequent vote showed nine in support and two opposed with 1 abstention. Many residents with properties situated on AGC like himself have waited for an acceptable proposal. He urged the Commission to support the item.

Sam Yohanan, 3900 N. Ocean Drive, expressed support of the item.

John O'Brien, 4760 NE 28 Avenue, expressed support of the item.

Debby Sanderson, 4800 NE 20 Terrace, expressed support of the item.

Michael W. Melvin, 4206 NE 22 Avenue, expressed support of the item.

Art Seitz, 1905 North Atlantic Boulevard, opposed the item. He thought AGC is an asset in terms of green space and park land. The developers are paying the expenses on the proposed property, and he thought they would have already built this project if the County was willing to grant the zoning change. He recalled prior discussion about whether AGC could be acquired as a centennial park for the City if the zoning change was not granted. It may be possible to compromise and obtain an eight-acre park, rather than only four-acres. Developers often allow properties to become blighted in order to serve their benefit in negotiations. There is not enough green space in the city, and the proposed would be a detriment to future generations.

Frank Walker, 2426 NE 48 Lane, noted that the closing of AGC was not the owners' free and voluntary act, rather the course was destroyed by Hurricane Wilma. He reasoned that AGC was a private enterprise that provided a public service because it was a public course, and it should be considered that the owners are not seeking public funds to rebuild. The proposed project is a development opportunity for the area and the tax base component and park will be beneficial. He elaborated upon the qualifications and commitment of the owners, Phil Smith and Terry Stiles.

Tom McCormack, 4304 NE 23 Avenue, indicated that he lives on the CRCC golf course and originally opposed the item because it will be 275 feet from his home. However, he is now in support partly because of the decline in property values of homes situated on AGC. A petition of over fifty signatures in support was submitted and made part of the record at the Planning and Zoning Board meeting on January 16, 2013. Being that the proposed property is not for sale, he thought the cost would increase if the City were to move forward with a purchase, similar to the Hyde Park Market negotiations. He elaborated upon the developers' contributions to the community and the economic stimulus this project will provide.

Jim LaBate, 4300 NE 23 Avenue, expressed support of the item.

Frank Abdo, 4301 NE 23 Avenue, expressed support of the item.

Greg Wilson, 5771 Bayview Drive, expressed support of the item.

Joe and Kim Palazzolo, 3000 NE 44 Street, expressed support of the item.

Sharon O'Connor, 2609 NE 33 Street, indicated that she was president of Coral Ridge Country Club Estates Homeowners Association when this issue arose several years ago. At that time, a majority of board members and residents supported this project. She expressed support of the item, and noted her credentials as a local realtor. The proposed will substantially increase the value of all surrounding properties. CRCC has been a great neighbor to the community. Residents on the south side of Coral Ridge will benefit from the four-acre park. She urged the Commission to support this item.

Robert Walsh, 401 East Las Olas Boulevard, expressed support of the item.

Bob Helmholdt, 1248 Seminole Drive, thought the proposed project will make the city a better place to live, work, play, and raise a family. The developers are dedicated to improving the community. This project will make CRCC a jewel among southeast Florida country clubs, and enhance the aesthetics and property values of area homes. He urged the Commission to support this item.

Tim Hernandez, 2820 NE 40 Street, expressed support of the item. He noted that he is a board member of CRCC Estates which supports this item.

Robert Lochrie, representing the Applicant, thought the speakers have expressed the community's feelings about the proposed project. He clarified that the current land use was not designated until after the golf course was built. Further, the entire open space area is 203 acres, and the proposed land use amendment is for 21.8 acres. Hence 90 percent of the area will remain open space. All of the proposed land is private, and has never been public. But the proposed will provide the City four acres of public open space that never before existed at this location. The Applicant has begun discussions with City staff regarding the park which will be ongoing, and all related components will also be addressed. He submitted (56) letters of support that were made a part of the record.

Mr. Lochrie agreed with Vice Mayor Roberts that the green space not built upon will remain green space. Both the County and City rules prohibit counting private golf courses toward parks. The land is designated as commercial recreation use by the County, and the Applicant will change the designation of four acres to ensure it remains as park.

Vice Mayor Roberts pointed out that he inquired during the first 18 months of his first term about whether the proposed property would be for sale for the City to purchase, but the city manager at the time told him that it would not. Mayor Seiler clarified that the idea was to keep the land a golf course if the City had purchased it. He recalled canvassing the neighborhood around early 2009 and almost all of the property owners on AGC did not want a public park to replace the golf course. So, if the City were to ever purchase this property, it would have to be for a golf course use. He emphasized that the proposed park should be with daytime hours only, no lights, and not regional. Mr. Lochrie clarified that the offer is a four-acre passive park to serve the immediate neighborhood.

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

Vice Mayor Roberts noted that the proposed is a downscale of the project brought forward several years ago. Access was changed to Federal Highway, rather than through the neighborhood. There will be green space remaining. He emphasized that this is private property. He recognized the need for this change that will enhance the quality of life for those who reside along AGC. It will benefit the entire northeast portion of the city. He has not heard any negative comments after presentations were made to the homeowner associations. There is some opposition, but the majority are in favor.

Commissioner Rogers thought the proposed is a unique opportunity for a win-win. Although this land use change is from park-open space to irregular residential, the irregular residential is only ten percent of the entire site, and a four-acre park is included. He emphasized that this Commission has opened 15 new parks in the last four years. He mentioned the tax base increase that will be achieved. Commissioner DuBose agreed that this is a unique opportunity that includes public green space and new home construction. In closing, Mayor Seiler commended the Applicant for their transparency, and elaborated upon changes that have occurred during the process. The Applicant being local likely contributed to how this matter has been handled. It would not have been feasible to rebuild an 18-hole golf course on the site. He thanked the neighborhood and contributions of those with opposing viewpoints for making this a better project.

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

PASSED FIRST READING

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

Vice Mayor Roberts introduced the resolution which was read by title only.

ADOPTED

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

CIT-1 13-0394 ROBERT WALSH - Commission District II Election - March 12, 2013

Mr. Walsh noted the upcoming District II election, discussed comments in the campaign and encouraged civility. He went on to comment on what he believed actions of the City Manager with respect to employee matters.

PH-2 13-0280 QUASI-JUDICIAL - FIRST READING OF ORDINANCE REZONING TO PARKS, RECREATION AND OPEN SPACE - GORE BETZ PARK - Case 15-Z-12

Applicant: City of Fort Lauderdale
From: Residential Single Family/Duplex - Low Medium Density RD-15
Location: Northwest corner of SW 9 Avenue and Orange Isle

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

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

Mayor Seiler opened the floor for public comment.

Haylee Becker, City resident, suggested the City implement legislation that allows for public use of all publicly funded parks and recreation areas in the city without restriction. Homeless individuals should not be treated as "unpeople," and their constitutional right to use all public spaces should be recognized.

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

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

PASSED FIRST READING

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

ORDINANCES

O-1 13-0245 SECOND READING OF ORDINANCE AMENDING CODE OF ORDINANCES SECTION 20-83, PERSONNEL - designating three classes as administrative assistants to the city manager

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

ADOPTED ON SECOND READING

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

O-2 12-2472 SECOND READING OF ORDINANCE AMENDING UNIFIED LAND DEVELOPMENT REGULATIONS, SECTION 47-25.3, NEIGHBORHOOD COMPATIBILITY REQUIREMENTS - exempting parks, open space and conservation areas from bufferyard and wall requirements

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

Commissioner Rogers relayed concerns expressed at the District IV meeting about how residents would be notified as relates to the proposed ordinance; and whether a Commission call-up provision could be included. Greg Brewton, Sustainable Development Director, explained that projects including design or redesign of a park would likely prompt a DRC (Development Review Committee) review, and those agendas are mailed to presidents of neighborhood associations, but not to individual property owners. As for a call-up provision, Mayor Seiler remarked that creating too many hurdles impedes completion of City park projects. The City Manager articulated that, in general, the district commissioner will be made aware of any issues that arise, and advise the City Manager or staff. Staff endeavors to accommodate any concerns to the best of the site's ability. Hence, he questioned whether a formal call-up procedure is necessary on City projects.

ADOPTED ON SECOND READING

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

O-3 13-0389 SECOND READING OF ORDINANCE RENAMING MIDDLE RIVER SOUTH MIDDLE RIVER SUNRISE BOULEVARD REDEVELOPMENT ADVISORY BOARD (MRSMRBSB) TO CENTRAL CITY REDEVELOPMENT ADVISORY BOARD

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

ADOPTED ON SECOND READING

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

O-4 13-0391 SECOND READING OF ORDINANCE ESTABLISHING A REDEVELOPMENT TRUST FUND FOR MIDDLE RIVER SOUTH MIDDLE RIVER SUNRISE BOULEVARD COMMUNITY REDEVELOPMENT AREA (MRSMRSB) - providing for supplemental name of Central City Redevelopment Trust Fund

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

ADOPTED ON SECOND READING

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

O-5 13-0165 FIRST READING OF ORDINANCE AMENDING CODE OF ORDINANCES, CHAPTER 26, ARTICLE VIII - VALET PARKING ON RIGHTS-OF-WAY AND PUBLIC PARKING FACILITIES on a permanent basis

In response to Commissioner Rogers, Diana Alarcon, Transportation and Mobility Director, explained that the proposed ordinance does not specifically address obstruction of bike lanes. However, a site plan is required which goes through an engineering review. Staff would not allow anything that would obstruct bike lanes. In further response, she indicated that valet operators are required to rent a minimum of three and a maximum of five (metered parking) spaces. As for enforcement, the parking enforcement specialist supervisors will assess whether the valet is following the guidelines set forth in the issued permit, as well as follow-up in the case of a safety risk or complaint. She confirmed that a valet vehicle extending into the bike lane from the parking space is in violation of this ordinance and would be cited.

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

PASSED FIRST READING

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

There being no other matters to come before the Commission, the meeting was adjourned at 8:21 p.m.

John P. "Jack" Seiler
Mayor

ATTEST:

Jonda K. Joseph
City Clerk