

City of Fort Lauderdale

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



Meeting Minutes

Tuesday, October 3, 2017

6:00 PM

City Commission Chambers

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

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

***LEE R. FELDMAN, City Manager
JOHN HERBST, City Auditor
JEFFREY A. MODARELLI, City Clerk
CYNTHIA A. EVERETT, City Attorney***

Invocation

Pastor Ricky Scott, New Hope Baptist Church

Pledge of Allegiance**ROLL CALL**

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

QUORUM ESTABLISHED

Also Present: City Manager Lee R. Feldman, City Clerk Jeffrey A. Modarelli, City Attorney Cynthia A. Everett and Sergeant at Arms Matthew Bucella

Excused: City Auditor John Herbst

No e-comments were submitted for this meeting.

CALL TO ORDER

Mayor Seiler called the Regular Commission Meeting to order at 6:05 p.m.

ANNOUNCEMENTS

Mayor Seiler announced that City Auditor John Herbst's attendance has been excused due to a family health emergency. Mayor Seiler requested any questions or items in need of being addressed by City Auditor Herbst be deferred to the next Regular Commission Meeting on October 17, 2017.

Mayor Seiler announced the following changes to agenda items :

CR-8 - Revised Title of CAM and the Heading and Section I of Exhibit 3

PUR-3 - Revised - Exhibit 2 - Pages removed, Exhibit 4 - Renamed, Exhibit 6 - Added as a new exhibit

NP-1 - Withdrawn by Neighbor

Mayor Seiler announced the following Walk-On items were added to the Agenda:

Walk-On - Motion to approved and Event Agreement and related road closings with Dillard High School Alumni Association, Inc. for Dillard High School 110 All Class Reunion

Walk-On - Motion accepting recommendations for the 2016-2017 Citizens Recognition Awards

Walk-On - Resolution Approving the Consolidated Budget Amendment to Fiscal Year 2017 - Appropriation

Approval of MINUTES and Agenda

[17-1221](#)

Minutes for August 30, 2017 Commission Infrastructure Workshop, September 6, 2017 Commission Conference Meeting and September 6, 2017 Regular Commission Meeting

Commissioner Trantalis made a motion to approve the noted minutes and the Agenda which was seconded by Vice Mayor Roberts.

APPROVED

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

PRESENTATIONS

Commissioner McKinzie arrived at 6:08 p.m.

PRES- [17-1223](#)

1

Welcome and Introduction of Burç Ceylan, Consul General of the Republic of Turkey in Miami

Mayor Seiler welcomed Burç Ceylan, Consul General of the Republic of Turkey in Miami. Mayor Seiler gave a brief historical overview of the relationship between Turkey and United States dating back to 1831, expounding on the many historic geographic, ecological and economic aspects that make up Turkey's diversity. Mayor Seiler commented on Consul General Burç Ceylan's, background, responsibilities and duties.

Mr. Ceylan thanked Mayor Seiler for the warm welcome, noting the common interest in yachts and the yacht building industry in Turkey and its recent representation in the City. He highlighted the City's significant

Turkish American community, the Sister Cities relationship and the joint celebration of the Children's Day Festival.

Mr. Ceylan expressed his condolences regarding the recent tragedy in Las Vegas. He also acknowledged those impacted by Hurricane Irma. Mr. Ceylan discussed the purpose of the Consul General in Miami is to establish better interpersonal, business and government relations and increased cooperation.

Mayor Seiler presented Consul General Burç Ceylan with a commemorative sailboat and pen as a symbol of friendship and fellowship between our regions and countries.

Consul General Burç Ceylan presented the City with a commemorative serving tray.

Mayor Seiler thanked the Sister Cities organization for their efforts benefitting and uniting cities across the globe.

RECEIVED

PRES- [17-1224](#)

2

Proclamation declaring October, 2017 as Domestic Violence Awareness Month in the City of Fort Lauderdale

Commissioner McKinzie presented a Proclamation declaring the month of October 2017 as Domestic Violence Awareness Month in the City of Fort Lauderdale to Lisa Larmond of Women in Distress of Broward County. Commissioner McKinzie read the Proclamation in its entirety. Commissioner McKinzie commented on domestic violence intervention and counseling efforts soon to be available at Carter Park.

Ms. Larmond thanked Mayor Seiler and the Commissioners for this recognition that provides additional awareness to the community on this important issue, expounding on the free services available at Women in Distress. Ms. Larmond invited the public to two additional events occurring in October, The Silent Memorial presented by the Broward Victims' Rights Coalition at Long Key Nature Center on October 10, 2017 at 6:00 p.m. and a Law Enforcement Training Session taking place at their campus on October 12, 2017 from 9:00 a.m. to 2:00 p.m.

RECEIVED

PRES- [17-1219](#)

3

Community Appearance Board WOW Award for District I

Vice Mayor Roberts presented the Community Appearance Board WOW

Award for District I to Juan Herrera, 2524 NE 21st Court, the home's architect, designer, and contractor. Vice Mayor Roberts described the attributes of this home located in the Coral Ridge Homeowner's Association. Mr. Herrera thanked Mayor Seiler and the Commission for this recognition.

Mayor Seiler thanked the Community Appearance Board for their work in the entire community throughout the year, commenting on the annual dinner event celebrating their efforts to improve the City's neighborhood aesthetics.

RECEIVED

PRES- [17-1214](#)
4

Proclamation declaring the Week of October 8-14, 2017 as Fire Prevention Week in the City of Fort Lauderdale

Commissioner Rogers presented a Proclamation declaring the Week of October 8-14, 2017 as Fire Prevention Week in the City of Fort Lauderdale. Commissioner Rogers read the Proclamation in its entirety. The Proclamation was accepted by Fire Marshall Jeff Lucas. Fire Marshall Lucas demonstrated for the audience the proper way to test smoke alarms in their homes, noting the importance of changing smoke alarm batteries twice a year coinciding with changing clocks for daylight savings time and confirming properly maintained smoke alarms in homes save lives.

RECEIVED

PRES- [17-1149](#)
5

Procurement Services Division of Finance Department - National Procurement Institute's 2017 Achievement of Excellence in Procurement Award

City Manager Feldman presented the City's Procurement Services Division of the Finance Department with the National Procurement Institute's 2017 Achievement of Excellence in Procurement Award. City Manager Feldman commented on the outstanding efforts of the procurement department following the recent Storm events along with their everyday responsibilities. The Award was accepted by Jennifer Alvarez, Procurement and Contract Manager. Ms. Alvarez thanked Mayor Seiler and the Commission. Ms. Alvarez invited the Procurement Staff to the front, introducing them and noting their innovative procurement methods and achievements resulting in significant savings.

RECEIVED

CONSENT AGENDA PUBLIC COMMENT

Mayor Seiler announced the following items had been pulled by members of the Commission for further discussion:

CM-1, CR-8, PUR-2

Mayor Seiler announced the following items had been pulled by members of the public:

CM-3, CM-6, CR-2, CR-8, PUR-8

Mayor Seiler recognized Charles King, 105 N. Victoria Park Drive, who discussed the Commission's request for the legislature to provide uniform regulation of body cameras, noting the Commission's previous position on home rule. He also commented on the need make a decision on the upcoming election dates.

[17-1231](#)

WALK ON - Motion to Approve an Event Agreement and Related Road Closings with Dillard High School Alumni Association, Inc. for Dillard High School 110 All Class Reunion

City Manager Feldman explained this Walk-On Motion, noting the City has made a historical contribution not directly related to the budget. He requested the continuation of in-kind services and a cash contribution not to exceed \$4,000 because of the nature of this event.

Commissioner Trantalis made a motion to approve this item which was seconded by Commissioner McKinzie.

APPROVED

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

[17-1240](#)

WALK-ON Motion Accepting Recommendations for 2016-2017 Citizens' Committee of Recognition Awards

Commissioner McKinzie made a motion to approve this item which was seconded by Vice Mayor Roberts.

APPROVED

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

[17-1239](#)

WALK-ON - Resolution Approving the Consolidated Budget Amendment to Fiscal Year 2017 - Appropriation

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

ADOPTED

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

CONSENT AGENDA

CONSENT MOTION

Approval of the Consent Agenda

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

Approve the Consent Agenda

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

CM-1 [17-1134](#)

Motion to Approve Event Agreements: Sunday Artesian Market, Icarus Florida Ultrafest and IDF Walk for Primary Immunodeficiency

Commissioner Trantalis asked about Staff's approving this two month event agreement for the Artesian Market vendor. City Manager Feldman confirmed there are three events connected to this item. He explained Staff processes applications on a first come, first serve basis and confirming no vetting is done on the vendors applying for these events unless there has been a previous issue.

Commissioner Trantalis commented that a constituent brought this to his attention because this vendor will be operating every Sunday for eight weeks. He asked City Manager Feldman what is being done to ensure the viability and success of this event. Director of Parks and Recreation Phil Thornburg said he is unaware of any previous events by this vendor. He stated this event will be in Feldman Park in the Riverwalk District. The vendor will put a deposit down with Riverwalk for any damages that may occur. Commissioner Trantalis commented on this procedure. Mr. Thornburg discussed the operations meeting where the vendor explains what they will be doing and addresses questions from Staff.

Mayor Seiler concurred with Commissioner Trantalis's point, requesting a report after the first month. Mr. Thornburg confirmed he will work with Riverwalk to address these concerns and will report back to the

Commission.

Commissioner Trantalis made a motion to approve this item which was seconded by Vice Mayor Roberts.

APPROVED

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

Approval of the Consent Agenda

Approve the Consent Agenda

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

CM-2 [17-1137](#)

Motion to Approve Event Agreements and Related Road Closings: Halloween Celebration, Making Strides Against Breast Cancer, Comeback Trail and 6th Annual Merrill Lynch Bull Run

APPROVED

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

CM-3 [17-1154](#)

Motion Approving Co-Sponsorship of Banners in Association with the 13th Street Reimagined Event

APPROVED

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

CM-4 [17-1112](#)

Motion Approving an Agreement with Yachting Promotions, Inc. for the 58th Annual Fort Lauderdale International Boat Show November 1, 2017 - November 5, 2017

APPROVED

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

CM-5 [17-1031](#)

Motion to Accept FY 2017-2018 Broward County Enhanced Marine Law Enforcement Grant Program Funds - \$171,280

APPROVED

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

CM-6 [17-0954](#)

Motion Approving BID Funding of Additional Design Services for Fort Lauderdale Beach Streetscape Improvement Project - Kimley-Horn

and Associates, Inc. - \$71,351

APPROVED

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

CM-7 [17-0956](#)

Motion to Approve a Services Agreement between the City of Fort Lauderdale and the Fort Lauderdale Community Redevelopment Agency (CRA)

APPROVED

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

CM-8 [17-1061](#)

Motion to Accept Broward Coastal Dune Restoration Grant - \$5,000

APPROVED

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

CM-9 [17-1078](#)

Motion to Approve a Dock Use Agreement with Rubber Duck Holdings, Inc. d/b/a Yachtsalesinternational.com from October 1, 2017 to September 30, 2018 and Authorize the City Manager to Execute the Agreement on Behalf of the City

APPROVED

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

CM-10 [17-1081](#)

Motion to Approve an Agreement with Young Men's Christian Association (YMCA) for the 2018 YMCA National Diving Championship and YMCA Masters National Short Course Swimming Championship

APPROVED

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

CM-11 [17-1046](#)

Motion Approving the Execution of a Declaration of Restrictive Covenant Restricting Groundwater Use at Mangurian Park

APPROVED

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

CM-12 [17-0961](#)

Motion Authorizing Execution of a Revocable License with Flagler Storage LTD, for Temporary Right-of-Way Closure along NW Flagler

Avenue Associated with the Expansion of the Flagler Self-Storage Facility Located at 410 NW Flagler Avenue

APPROVED

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

CONSENT RESOLUTION

CR-1 [17-1062](#) Resolution Approving the Consolidated Budget Amendment to Fiscal Year 2018 - Appropriation

ADOPTED

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

CR-2 [17-1139](#) Resolution Adopting the Fiscal Year 2018 State Legislative Priorities and Funding Requests for the City of Fort Lauderdale

ADOPTED

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

CR-3 [17-0931](#) Resolution to Approve Performing Arts Center Authority Budget and Tri-Party Grant Agreement for Fiscal Year 2018

ADOPTED

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

CR-4 [17-1103](#) Resolution Setting an Overall Goal for the Disadvantaged Enterprise Program at the Fort Lauderdale Executive Airport

ADOPTED

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

CR-5 [17-1047](#) Resolution Authorizing Election for the Lauderdale Isles Water Management District Governing Board

ADOPTED

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

CR-6 [17-0302](#) Resolution to Change City-Owned Property to City Right-of-Way along a Portion of NW 1st Street between Andrews and Brickell Avenues

ADOPTED

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

CR-7 [17-1044](#)

Resolution to Approve a License Agreement Allowing the Florida Department of Transportation to Access City Property - Broward Boulevard

ADOPTED

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

CR-8 [17-1094](#)

Resolution to Adopt the Fort Lauderdale Transit Master Plan

In response to Commissioner Trantalis, City Manager Feldman confirmed he had changed the title of this item. The original Commission Agenda Memo (CAM) was written to *support* in lieu of *adopt*.

Mayor Seiler recognized Marie Huntley, President of Home Beautiful Parks Civic Association, who entered her statement into the record. Ms. Huntley commented that this item does not meet the criteria of being sustainable, equitable, or serving the public health. She commented that the public process regarding this item is flawed, citing Community Redevelopment funding actions for the Wave loop extension and CRA funds are meant to improve slum and blight.

A copy of Ms. Huntley's statement is attached to these minutes.

Mayor Seiler recognized Mary Dean, Home Beautiful Parks Civic Association, who questioned Northwest residents being charged a fare to use the SunTrolley. She emphasized elderly and handicapped Northwest residents needing access to this transportation.

Mayor Seiler recognized Carolyn Lee, Home Beautiful Parks Civic Association, who reiterated Ms. Dean's comments regarding the ability to serve the Northwest's elderly and handicapped residents' transportation needs.

Commissioner McKinzie commented there have been a series of community meetings and workshops to determine the best routes to serve the community. He confirmed there will be no fare for the Northwest route.

Mayor Seiler recognized Ruby Bogin, 843 NW 13th Terrace, who commented on this item. Commissioner McKinzie reiterated his

comments noted above, emphasizing the importance of the Sun Trolley ridership in determining route improvement. He stated there is a fare for riding the Sun Trolley outside the Northwest Progressive Flagler Heights Community Redevelopment Area (NWPFH CRA). Ms Bogin discussed route enhancements that would benefit Northwest residents. Commissioner McKinzie encouraged Northwest residents to attend the upcoming Sun Trolley Workshops.

Mayor Seiler recognized Ana Henry, 1404 NW 12th Street, stating her position that the Sun Trolley is an asset to the Northwest community. Ms. Henry commented on the need to incorporate the Sun Trolley on the weekends for children's travel to community events.

Mayor Seiler recognized Paul Chettle, 200 S. Birch Road, who spoke in opposition to this item in its current form. He discussed future financial shortfalls and calculations in the report. Mr. Chettle also commented on other aspects of the backup including The Wave's completion in 2022, the County's end date, and the Downtown Development Authority's responsibility for cost overruns.

Commissioner McKinzie reiterated there will be no charge to riders in the Northwest CRA. Commissioner Trantalis commented on the ability to understand the calculations. City Manager Feldman explained the City's participation and financial contribution to the Transportation Management Association (TMA), commenting it is a road map for the future.

Commissioner Trantalis discussed his position about the inaccuracy of the Fort Lauderdale Transit Master Plan's (Plan) financial numbers. City Manager Feldman commented on the accuracy of the numbers, noting the question is about funding sources to supplant dollars, i.e., General Fund Revenue or a greater portion of the gas tax dollars, federal grants, etc. Commissioner Trantalis commented on the risk to the City. Further comments and discussions ensued.

Mr. Chettle continued his analysis of the Plan and commented on the decline in Broward County ridership.

Mayor Seiler recognized Mary Fertig, 511 Poinciana Drive, who commented on her previous efforts to address infrastructure and traffic issues. She commented on the need for good public transportation to remedy existing traffic concerns, encouraging the Commission to replicate efforts on the infrastructure issue for addressing traffic issues.

Mayor Seiler recognized Count Rosenthal, 1237 NW 4th Avenue, who encouraged the Commission to support this Plan. He noted there are

different transportation concerns in specific areas of the City. He suggested taking recommendations from Transportation and Mobility Staff to address traffic issues.

Commissioner Rogers commented on the Transportation Management Association's (TMA) role, responsibility and issues regarding local transportation, noting the need to support public transportation in a meaningful way. He commented on The Wave, the Sun Trolley and BrightLine working together to make a positive impact for providing public transportation solutions. Having a Transportation Plan is a necessary step in the process to provide adequate public transportation, commenting on aspects of the Plan. A vote on this item only commits the City to a Plan.

Vice Mayor Roberts commented on the Sun Trolley routes, confirming the future funded routes will be those with the heaviest ridership. He commented on the overall decrease in ridership and on the need to ascertain the reason. There is a need for the Plan, funding its most productive aspects, making necessary changes, and changing the dynamics of funding sources.

In response to Vice Mayor Roberts' inquiry, Diana Alarcon, Director of Transportation and Mobility, discussed the number of upcoming Neighbor Transportation Workshop Meetings. Vice Mayor Roberts urged the community's involvement to contribute to transportation solutions.

Commissioner McKinzie confirmed his support of this item, reiterating there will be no charge to residents in the NWPFH CRA. However, when riders from the NWPFH CRA travel out of that zone, they will incur a ridership fee. He also commented on his firsthand experience with local transportation on a trip to Detroit and Palm Beach County.

Commissioner Trantalis commented on the commitment to Sun Trolley areas with heavy ridership for enhancing availability, consistency and improvements. He commented on the future deficit of this plan beyond 2022, noting his resistance to burdening the taxpayers with post Wave operating costs, stating this does not need to be acted upon tonight. He noted his support of the Plan's first part, but does not agree with saddling the Sun Trolley with a great deal of future debt burden. Further comments and discussions ensued.

City Manager Feldman stated in order to apply for grants, there needs to be a Plan in place. Further discussion and comments ensued.

Vice Mayor Roberts introduced this item as amended which was read by title only.

ADOPTED AS AMENDED - Supporting the Fort Lauderdale Transit Master Plan

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

Nay: 1 - Commissioner Trantalis

Mayor Seiler announced 2016-2017 Citizens' Committee of Recognition Awards

Mayor Seiler announced Mary Fertig was recognized as Citizen of the Year.

Mayor Seiler announced Ron Centamore was the City's Distinguished Citizen of the Year.

Mayor Seiler announced our City's Honored Founder is the late Terry Stiles.

Mayor Seiler announced our Exemplary Former City Employee is the late Freddie "Gene" Dempsey.

PURCHASING AGENDA

PUR-1 [17-0610](#) Motion to Reject All Proposals for Wayfinding Signage and Marketing Services

APPROVED

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

PUR-2 [17-0919](#) Motion to Approve Contract for Snyder Park Dog Lake - Sagaris Corp. - \$195,695

In response to Commissioner Trantalis's questions, City Manager Feldman explained this item, stating it addresses repairs to an unsafe path leading to the dog lake in Snyder Park . Phil Thornburg, Director of Parks and Recreation, explained this item includes repairs to a 1,500 linear foot path that will also be made ADA compliant. It also includes repairs to an area of the parking lot. City Manager Feldman confirmed there is a significant amount of activity in this area.

Commissioner Trantalis introduced this item which was seconded by Vice Mayor Roberts.

APPROVED

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

PUR-3 [17-1008](#)

Motion to Approve Contract for Proprietary Purchase of Computer Search and Crime Analytics Software - LexisNexis Risk Solutions FL Inc. - \$208,611 (three-year total)

APPROVED

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

PUR-4 [17-1079](#)

Motion to Approve Cooperative Contract for Purchase of Sodium Hypochlorite - Allied Universal Corp. - \$170,000 (estimated two-year total)

APPROVED

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

PUR-5 [17-1083](#)

Motion to Approve Contract for Purchase of Tubing Liners - A & B Pipe and Supply, Inc. - \$104,504 (estimated two-year total)

APPROVED

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

PUR-6 [17-1092](#)

Motion to Approve Change Order No. 2 for Mills Pond Park Soccer and Lacrosse Fields - Calvin, Giordano & Associates, Inc. - \$12,773

APPROVED

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

PUR-7 [17-1096](#)

Motion to Approve Continuing Contract for Fort Lauderdale Executive Airport Master Drainage/Conceptual Environmental Resources Permit - Kimley-Horn and Associates, Inc. - \$313,762

APPROVED

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

PUR-8 [17-1118](#)

Motion to Approve Proprietary Purchases for Water Distribution, Wastewater Collection, and Stormwater System Infrastructures and

Treatment Facilities - \$3.7 Million (estimated total)

APPROVED

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

PUR-9 [17-1120](#)

Motion to Approve Contracts for Purchase of Fertilizer from Various Vendors - \$510,000 (estimated three-year cost)

APPROVED

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

NEIGHBOR PRESENTATIONS

NP-1 [17-1213](#)

Jim Ingersoll and Paul DeBold - Fort Lauderdale Police & Firefighter Retirees Association, Inc. - Request for supplemental payment

REMOVED FROM AGENDA AT NEIGHBOR'S REQUEST

NP-2 [17-1229](#)

Marc Dickerman - Fort Lauderdale response to Hurricane Irma

Mayor Seiler recognized Marc Dickerman who acknowledged the City for its efforts and response to Hurricane Irma. Mr. Dickerman thanked Mayor Seiler, the Police and Fire Departments, Parks and Recreation Department, City Manager Feldman and Staff for their efforts in keeping the community informed and safe prior to and after Hurricane Irma, citing some of the specific actions taken.

RECEIVED

RESOLUTIONS

R-1 [17-1160](#)

Appointment of Board and Committee Members

City Clerk Jeffrey Modarelli read the Board and Committee appointments into the record.

A copy of the Board and Committee appointments is attached to these minutes.

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

ADOPTED

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

Vice Mayor Roberts left the meeting at 8:11 p.m.

- R-2** [17-1156](#) Quasi-Judicial Resolution Vacating a Storm Drain Easement located at Las Olas Walk-North - The Las Olas Company, Inc. - 106 S. Federal Highway - E16008

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 their verbal and written communications, site visits, and expert opinions received.

Mayor Seiler opened the public hearing.

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

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

ADOPTED

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

Not Present: 1 - Vice Mayor Roberts

PUBLIC HEARINGS

- PH-1** [17-1225](#) Public Hearing to Amend Fiscal Year (FY) 2015-2016 of the 2010-2015 Consolidated Plan for the Housing Opportunities for Persons with HIV/AIDS (HOPWA) Program - Request Deferment to October 17, 2017

City Manager Feldman requested this item be continued to November 21, 2017. In response to Commissioner Trantalis's inquiry, City Manager Feldman confirmed Staff is awaiting additional information.

Mario DeSantis, Housing and Community Development Program Manager, confirmed deferring this item allows the certification of the

amount of unspent funds from the previous year. Staff is in the process of reconciling the calculations that will be reallocated to another agency and spent in a timely manner. The Community Services Board has reviewed and made their recommendation. Mr. DeSantis confirmed there will be no disruption in services.

Commissioner Trantalis made a motion to defer this item to November 21, 2017 at 6:00 p.m. and was seconded by Commissioner Rogers.

DEFERRED to November 21, 2017 6pm

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

Not Present: 1 - Vice Mayor Roberts

PH-2 [17-1155](#)

Quasi-Judicial Ordinance Vacating a Right of Way (alley) located at - Las Olas Walk-North - The Las Olas Company, Inc. - 106 S. Federal Highway - V16011

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 their verbal and written communications, site visits, and expert opinions received.

Mayor Seiler opened the public hearing.

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

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

PASSED FIRST READING

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

Not Present: 1 - Vice Mayor Roberts

Vice Mayor Roberts returned to the meeting at 8:17 p.m.

PH-3 [17-1167](#)

Resolution to Designate the Beverly Heights Neighborhood as a Residential Parking Permit District

Mayor Seiler recognized Count Rosenthal, 1237 NW 4th Avenue, who spoke in favor of neighborhood parking permits.

Commissioner Trantalis made a motion to defer this item to November 7, 2017 at 6:00 p.m. and was seconded by Vice Mayor Roberts.

DEFERRED to November 7, 2017 6pm

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

PH-4 [17-1189](#)

Quasi-Judicial - De Novo Hearing - Historic Preservation Board Denial of Certificate of Appropriateness for Demolition of Single-Family Home - 927 SW 2 Court - Case H17002

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 their verbal and written communications, site visits, and expert opinions received.

Mayor Seiler opened the public hearing.

Mayor Seiler recognized Heidi Davis Knapik, on behalf of the applicant, NJ Thomson, Inc. In response to Commissioner Trantalis's question, Anthony Fajardo, Director of Sustainable Development confirmed the Historic Preservation Board (HPB) did not send a representative to this meeting. Historic Preservation Officer Tricia Logan, was present. City Manager Feldman confirmed that HPB sent a communication to the Commission on this issue, stating they were not in support of demolishing this structure. In response to Mayor Seiler's request, Mr. Fajardo put the HPB memo on the screen for Commission review.

Commissioner Trantalis said he received a lengthy email on this subject from the Chair of the Historic Preservation Board, David Kyner. Ms. Knapik expounded on the email from Mr. Kyner. Commissioner Trantalis discussed his communication to Mr. Kyner and the subsequent response on the HPB's conclusions. Ms. Knapik commented on her client's response to Mr. Kyner's email.

Ms. Knapik entered into the record evidence of her client's position for this De Novo hearing, which she submitted for the record. Mayor Seiler read the title of the document into the record, noting two sets of ten

documents were attached.

A copy of these documents are attached to these minutes.

Ms. Knapik stated her presentation would be a review of the evidence submitted into the record. Commissioner Trantalis confirmed the email he received from Mr. Kyner is being sent by his assistant to each member of the Commission. Ms. Knapik began her De Novo presentation, giving a historical review and findings regarding this property as illustrated in the evidentiary documents submitted for the record. Questions and comments ensued during Ms. Knapik's presentation.

In response to Mayor Seiler's question, Ms. Knapik confirmed no alterations occurred during her client's ownership. Commissioner Trantalis stated his concern with Leo Hansen, a member of the Planning and Zoning Board, participating in this proceeding. Ms. Knapik confirmed this is only a request for demolition and Mr. Hansen has expertise in this area. Mayor Seiler commented on Mr. Hansen's qualifications allowing him to be an expert in this proceeding. Further comments and discussion continued on this topic. Mayor Seiler confirmed the Commission had no questions as to Mr. Hansen's background.

Mayor Seiler recognized Leo Hansen, 2609 Hibiscus Place, who discussed structures, architecture, and what is in the best interests of the Sailboat Bend District (District) and the City. He commented on the importance of not having a blanket view of the District. Mr. Hansen discussed specific issues regarding this structure and required remedies. He recommended allowing the demolition of this structure to allow for a new design standard for this street on the periphery of this District that would be economically viable. Comments and discussions continued on the proposed replacement home.

Mayor Seiler recognized, Edgar Dunas, P.E. principal of Bunker Engineering, on behalf of the applicant. In response to Mayor Seiler's request, Ms. Knapik submitted Mr. Dunas' C.V. for the record. Mr. Dunas discussed his area of specialty and experience. Mr. Dunas gave his opinion and evaluation of this matter, confirming it is structurally unsound, citing specific examples that requires demolition of the structure and the building of an entirely new structure that would be an imitation of the home built in the 1920's, expounding on the details. There were no questions from the Commission.

Ms. Knapik noted three letters submitted by Mr. Dunas put into the

record. Ms. Knapik discussed Code Enforcement's Notice of Code Violation (Citation Number CE 17021457) reissued and received in June 2017. It stated the structure was unfit for human habitation. She also reviewed costs associated with rehabilitation which are greater than fifty percent of the structure's value. Ms. Knapik confirmed the structure was purchased through foreclosure for \$110,000. She discussed Criteria "D" which was not addressed, commenting that not granting this certificate of appropriateness would deny the owner all reasonable use of the property due to the condition of the structure and the trees significantly disturbing the foundation of the structure. She commented on referenced case law cited by Mr. Kyner as noted in evidence submitted for the record, stating they are preserving all of the owner's property rights under law. Ms. Knapik continued her presentation and conclusions as noted in the evidence submitted, requesting the structure be demolished.

In response to Commissioner Rogers's question regarding the application's requirement of showing what will replace the structure following demolition and objections to the replacement structure, Ms. Knapik explained the HPB only heard the demolition portion. Commissioner Rogers asked City Attorney Everett if the Code Enforcement action overrides the HPB's position. Ms. Everett stated she would need to review both Sections. Further comments and discussions ensued on this issue and a similar case before a previous Commission.

Mr. Fajardo confirmed a similar previous issue pertaining to another property. City Manager Feldman discussed his recollection of the history of that matter. Mr. Fajardo discussed aspects of the fifty percent rule and coming into compliance with current Florida Building Code and FEMA flood threshold requirements. Further discussions continued on Section 9-259. Commissioner Trantalis commented on Historic Designation and Historic Preservation as it relates to the fifty percent rule and exhibits submitted for the record, citing the need to "think outside the box." Commission discussion and comments ensued on what would be restored as opposed to what would be replaced. It was confirmed the structure did not contain any original windows or door frames.

Mayor Seiler recognized David Parker, Sailboat Bend Civic Association, who gave an overview of his position and his perception of the HPB's actions.

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road, who commented on his idea of what types of structures should be preserved and restored, commenting on the condition of the neighborhood, this structure and the composition of the HBP.

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

Commissioner Trantalis commented on his position, reiterating the points made in Mr. Kyner's email, citing previous Commission decisions on preserving historic structures and neighborhoods designated as historic. He commented on the need to respect the recommendations of the HBP and the City's Historic Preservation Officer that this is a contributing structure.

Mayor Seiler asked City Attorney Everett about the ability to consider Mr. Kyner's email due the manner in which it was received as well as the fact that no member of the HBP came to this De Novo hearing, though requested to attend. City Attorney Everett stated this is a De Novo hearing and the Commission must consider only the evidence presented, confirming Mr. Kyner's email was not submitted in the correct manner to be considered as evidence. Further comments and discussions ensued on this issue.

Commissioner Rogers discussed his position to make a reasonable decision that encourages historic preservation.

In response to Mayor Seiler's question about aspects of this structure that warrants historic preservation, Trisha Logan, Historic Preservation Officer, stated this structure was part of a vernacular style, representing what was a local building tradition. She explained those aspects of the structure, confirming the structure lacks architectural detail due to its simplistic nature. Questions, discussions and comments ensued on aspects of the structure and its permitting history. Mr. Fajardo discussed information presented to HBP.

In response to Mayor Seiler's question Mr. Parker responded that the HBP is the safeguard for historical aspects of the Sailboard Bend neighborhood, commenting on his recollection of the HBP's review of this issue. Mr. Parker confirmed that Sailboat Bend Civic Association has no official position on this issue.

Comments, discussions and debate continued on aspects of the structure as illustrated in the pictures noted in Exhibit 5 pertaining to the significant historical aspects and remediation required for damage done by the Oak tree. Ms. Knapik confirmed the entire sewer and water lines have been destroyed by the Oak tree.

Ms. Logan discussed the Secretary of Interior's standards for Federal Historic Guidelines for Historic Preservation (Guidelines), noting a number of different criteria and standards that can be followed, one of which is rehabilitation that requires replacing materials. Discussions, questions and comments continued on this subject. Mr. Fajardo discussed aspects of a previous historic house project related to the Guidelines and the details specific that project. Further discussions continued on the Unified Land Development's designation criteria (ULDR 47-24-11(b)6), the demolition criteria, the structure's historic context in the neighborhood and meeting other historic designation definitions and criteria. In response to Mayor Seiler's question, Mr. Hansen commented on replacing the structure's siding, noting a portion of the siding is not original.

Discussions and comment from the Commission ensued on their respective positions and the position of the HPB.

Commissioner Rogers introduced this Resolution approving the Certificate of Appropriateness for Demolition which was read by title only.

ADOPTED Approving Certificate of Appropriateness for Demolition

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

Nay: 1 - Commissioner Trantalis

ORDINANCE SECOND READING

OSR-1 [17-1173](#)

Quasi-Judicial - Ordinance - Rezoning from Residential Multifamily Mid Rise/Medium High Density (RMM-25) District to Exclusive Use - Parking Lot (X-P) District with Allocation of 0.49 Acres of Commercial Flex with an Associated 5,100 Square Foot Restaurant and 2,465 Square Foot Retail Building and Parking Reduction - 2980 Investments LLC. - 2980 N. Federal Highway - Case ZR17003

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 their verbal and written communications, site visits, and expert opinions received.

Mayor Seiler opened the public hearing.

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

Vice Mayor Roberts introduced this Ordinance for the Second Reading which was read by title only.

ADOPTED ON SECOND READING

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

OSR-2 [17-1176](#)

Quasi-Judicial - Ordinance Vacating a Right-of-Way (alley) located at 2980 N. Federal Highway - 2980 Investments, LLC - 416 SW 1 Avenue - V17001

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 their verbal and written communications, site visits, and expert opinions received.

Mayor Seiler opened the public hearing.

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

Vice Mayor Roberts introduced this Ordinance for the Second Reading which was read by title only.

ADOPTED ON SECOND READING

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

OSR-3 [17-1177](#)

Quasi-Judicial - Ordinance Amending Unified Land Development Regulations (ULDR) Section 47-13.50, General Regulations; Section 47-24.1, Development Permits and Procedures Table; and Section 47-28, Flexibility Rules; - Case T17008

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 their verbal and written communications, site visits, and expert opinions received.

Mayor Seiler opened the public hearing.

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

Vice Mayor Roberts introduced this Ordinance for the Second Reading which was read by title only.

ADOPTED ON SECOND READING

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

OSR-4 [17-1178](#)

Quasi-Judicial - Ordinance Amending Unified Land Development Regulations (ULDR) Section 47-13.20, Downtown Regional Activity Center; and Section 47-38C, Education Mitigation - Case T17009

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 their verbal and written communications, site visits, and expert opinions received.

Mayor Seiler opened the public hearing.

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

Vice Mayor Roberts introduced this Ordinance for the Second Reading which was read by title only.

ADOPTED ON SECOND READING

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

OSR-5 [17-1180](#)

Quasi-Judicial - Ordinance Amending Unified Land Development Regulations (ULDR) Section 47-20.3.A.4, Parking Reductions and Exemptions Review Process and Section 47-20.3.F, Northwest-Progresso-Flagler Heights Community Redevelopment Area - Case T17004

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 their verbal and written communications, site visits, and expert opinions received.

Mayor Seiler opened the public hearing.

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

In response to Mayor Seiler's question, City Manager Feldman stated this item pertains to parking reductions in the Central City Community Redevelopment Area. Anthony Fajardo, Director of Sustainable Development, confirmed this item relates to the application process. It does not address how off-site parking is calculated. Mr. Fajardo confirmed this item does not impact the ability for the Commission to address townhouse parking.

Commissioner Trantalis referenced the Department of Sustainable Development's comments to a commercial project developer concerning parking and public transportation, commenting on the limited public transportation resources currently available. City Manager Feldman commented on this topic, explaining the County and FDOT's position on minimizing parking in the downtown RAC. City Manager Feldman confirmed developers can build their desired amount of parking, stating Staff will point out the option of building less parking. Commissioner Trantalis commented on the importance of addressing the need for sufficient parking. Commissioner Rogers noted the importance of being proactive on reducing driving in the downtown area. Comments and discussions continued on transportation alternatives.

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

ADOPTED ON SECOND READING

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

[17-1267](#)

WALK-ON - Elections -Municipal Election Primary, General and Qualifying Dates

City Clerk Jeffrey Modarelli discussed setting dates for the upcoming primary and municipal elections. Mr. Modarelli proposed using the dates recommended by the Supervisor of Elections, noting other options are not viable. Mayor Seiler concurred. City Attorney Everett commented on her communications with the Supervisor of Elections and subsequent email to the Commission. Commissioner Trantalis discussed election dates and the requirements of the Charter. City Attorney Everett confirmed State Statute mandates the primary date, confirming it is the second Tuesday in February. Discussions continued on the Supervisor of Election's position on this issue, impact on State Statute, costs and the need for the City to conduct elections in conjunction with the Office of the Supervisor of Elections. Mayor Seiler and Vice Mayor Roberts confirmed the 2012 election was handled as currently recommended by the Supervisor of Elections. Vice Mayor Roberts referenced then City Attorney Harry Stewart's legal opinion that stated State Statute prevails over the City's Charter. Discussions and comments continued on election dates.

City Attorney Everett confirmed the Commission should make a motion on how it will proceed on this issue. Soon thereafter, an Ordinance will need to be brought forward changing the municipal primary and election dates. Mayor Seiler reviewed the Supervisor of Elections election date recommendations. Commissioner Trantalis commented on future meetings with the Supervisor of Elections to determine a way to address Overseas Ballots.

Mayor Seiler passed the gavel to Vice Mayor Roberts.

Commissioner Rogers made a motion to approve using the dates recommended by the Supervisor of Elections for the upcoming municipal elections as read and was seconded by Mayor Seiler.

APPROVED - Motion to use the dates recommended by the Supervisor of Elections for the upcoming municipal elections as read, "qualifying begins on Nov 6th, 2017 noon and ending Nov 13th , 2017 noon and the Primary Election be held on Jan 16th 2018 and General Election held on March 13th 2018.

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

Vice Mayor Roberts passed the gavel back to Mayor Seiler.

ADJOURNMENT

There being no further business before the City Commission at the Regular Meeting of October 3, 2017, Mayor Seiler adjourned the meeting at 10:58 p.m.

John P. "Jack" Seiler
Mayor

ATTEST:

Jeffrey A. Modarelli
City Clerk