

# City of Fort Lauderdale

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## Meeting Minutes

Wednesday, July 5, 2023

6:00 PM

The Parker  
707 Northeast 8th Street, Fort Lauderdale, FL 33304

## City Commission Regular Meeting

*FORT LAUDERDALE CITY COMMISSION*

*DEAN J. TRANTALIS Mayor*  
*PAM BEASLEY-PITTMAN Vice Mayor - Commissioner - District III*  
*JOHN C. HERBST Commissioner - District I*  
*STEVEN GLASSMAN Commissioner - District II*  
*WARREN STURMAN Commissioner - District IV*

*GREG CHAVARRIA, City Manager*  
*DAVID R. SOLOMAN, City Clerk*  
*D'WAYNE M. SPENCE, Interim City Attorney*  
*PATRICK REILLY, City Auditor*

**CALL TO ORDER**

Mayor Trantalis called the meeting to order at 6:45 p.m.

**Pledge of Allegiance**

Mayor Dean J. Trantalis

**MOMENT OF SILENCE**

**ROLL CALL**

**Present:** 5 - Commissioner Warren Sturman, Commissioner John C. Herbst, Commissioner Steven Glassman, Vice Mayor Pam Beasley-Pittman and Mayor Dean J. Trantalis

**QUORUM ESTABLISHED**

**Also Present:** City Manager Greg Chavarria, City Clerk David R. Soloman, Interim City Attorney D'Wayne M. Spence, and City Auditor Patrick Reilly

**AGENDA ANNOUNCEMENTS**

Mayor Trantalis announced the following updates to the published Agenda:

**Removed:**

- CR-2 Staff requested removal of this Agenda item
- R-2 Staff requested removal of this Agenda item

**Updates:**

- PH-1 Exhibit 6 added - April 6, 2023, Marine Advisory Board Minutes

**WALK-ON Resolution:**

Resolution Rescheduling the August 15, 2023, Commission Conference and Regular Meetings to August 22, 2023

***A copy of the updated Agenda items and the Walk-On Resolution are attached to these Meeting Minutes.***

**Approval of MINUTES and Agenda**

[23-0643](#)

Minutes for May 16, 2023, Commission Regular Meeting, June 6, 2023, Commission Joint Workshop with Economic Development Advisory Board, and June 6, 2023, Commission Conference Meeting - (Commission Districts 1, 2, 3 and 4)

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

**APPROVED AS AMENDED - Agenda Approved as Amended**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

## PRESENTATIONS

**PRES-** [23-0655](#)  
**1**

Commissioner Sturman will present a Proclamation declaring July 2023, as Park and Recreation Month in the City of Fort Lauderdale

Commissioner Sturman presented a Proclamation declaring *July 2023, as Park and Recreation Month in the City of Fort Lauderdale*, reading the Proclamation in its entirety.

Parks, Recreation and Beaches Board Chair Caleb Gunter accepted the Proclamation and thanked the Commission for this recognition.

**PRESENTED**

**PRES-** [23-0656](#)  
**2**

Commissioner Glassman to present a Proclamation declaring July 8, 2023, as FlockFest Day in the City of Fort Lauderdale

Commissioner Glassman presented a Proclamation declaring *July 8, 2023, as FlockFest Day in the City of Fort Lauderdale*, reading the Proclamation in its entirety.

FlockFest Director of Development Kevin Clevenger, Ryan Young, Joe Patterson, and Gabriel Castro accepted the Proclamation and thanked the Commission for this recognition.

**PRESENTED**

**PRES-** [23-0657](#)  
**3**

Commissioner Glassman to present a Proclamation declaring August 6 -11, 2023, as JCC Maccabi Games & Access Week in the City of Fort Lauderdale

Commissioner Glassman presented a Proclamation declaring *August 6 -11, 2023, as JCC Maccabi Games & Access Week in the City of Fort Lauderdale*, reading the Proclamation in its entirety.

The Proclamation was accepted by Debby Eisinger, 2023 Jewish

Community Center (JCC) Maccabi Games and Access Executive Co-Chairperson, Scott Ehrlich, David Posnack JCC CEO and Coordinator, and the JCC Maccabi Kid Mascot thanked the Commission for this recognition.

**PRESENTED**

**PRES-** [23-0658](#)  
**4**

Recognition of the 2022 Community Appearance Award Winners

Community Appearance Board (CAB) Vice Chair Jack Plakotaris, CAB Board Member Miguel Wright, and CAB Board Member Siran Derbedrossian recognized the 2022 Community Appearance Award Winners.

Mr. Wright narrated a presentation entitled *Winners of the 2023 Community Appearance Awards*.

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

**PRESENTED**

**CONSENT AGENDA PUBLIC COMMENT**

Mayor Trantalis explained the procedures regarding those members of the public wishing to speak on Consent Agenda items.

No members of the public spoke on Consent Agenda items.

**CONSENT AGENDA**

In response to Mayor Trantalis' question, the following Commission Members requested Consent Agenda items be pulled for separate discussion:

CM-7 Commissioner Glassman

CM-3, CR-1 and CR-3: Commissioner Sturman

Commissioner Sturman requested CR-3 be heard before Agenda item CR-1.

**Approval of the Consent Agenda**

Commissioner Glassman made a motion to approve the Consent Agenda item which was seconded by Commissioner Sturman.

**Approve the Consent Agenda**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

## CONSENT MOTION

**CM-1**    [23-0385](#)    Motion Approving the Third Amendment to the Interlocal Agreement with the Broward County Metropolitan Planning Organization for Administrative Services - (Commission Districts 1, 2, 3 and 4)

**APPROVED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**CM-2**    [23-0483](#)    Motion Approving a Service Agreement with DJ The Artiste LLC for a Mural at Mills Pond Park - \$8,160- (Commission District 3)

**APPROVED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**CM-3**    [23-0576](#)    Motion Approving a License Application and Agreement for the Sale, Service, and Consumption of Food and Alcoholic Beverages on the Public Beach for DiamondRock FL Tenant, LLC d/b/a The Westin Beach Resort and Spa - (Commission District 2)

In response to Commissioner Sturman's questions, City Manager Chavarria explained that the license application fee is dependent on the number of hotel rooms, and is for one (1) year. In November 2023, Staff will bring this Agenda item back before the Commission to determine an extension. City Manager Chavarria explained the program provides a visitor experience similar to those available in other cities, allowing the City to remain competitive.

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

**APPROVED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**CM-4**    [23-0598](#)    Motion Approving Agreement for Hauling and Disposal Services - Cemetery and Other Soils - MST Scrap Metal Inc.- \$268,200 - (Commission Districts 1, 2, 3 and 4)

**APPROVED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**CM-5**    [23-0600](#)            Motion Approving Agreement for the Bill Keith Preserve Shoreline Stabilization - CO Services LLC - \$441,827 - (Commission District 4)

**APPROVED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**CM-6**    [23-0627](#)            Motion Approving Interlocal Agreement with Broward County to Conduct a Study for “Evaluation of Changes to the Salinity Distribution within the Surficial Aquifer under Projected Future Hydrologic Conditions, Broward County, Florida” - \$87,437 - (Commission Districts 1, 2, 3 and 4)

**APPROVED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**CM-7**    [23-0632](#)            Motion Approving Agreement with the School Board of Broward County, Florida for the School Resource Officer Summer School Program - (Commission Districts 1, 2, 3 and 4)

In response to Commissioner Glassman's remarks and questions, Police Department Chief Patrick Lynn said the City should receive full reimbursement from the School Board of Broward County (School Board) for School Resource Officers (SRO). Interim City Attorney D'Wayne Spence commented on related negotiations between the City and the School Board. Mayor Trantalis remarked on his understanding of the School Board's position.

Commissioner Herbst noted this has been an issue for a decade and expounded on details that predate the State Statute requirement that local school boards are responsible for school safety. Mayor Trantalis noted the definition of full reimbursement has been a point of contention between County municipalities and the School Board. Further comment and discussion ensued.

Chief Lynn explained details of Police Chief's Association (Association) negotiations with the School Board. The Association voted collectively that each municipality would negotiate its individual contracts with the School Board. He confirmed the City will have to renegotiate its contract with the School Board. Further comment and discussion ensued.

In response to Mayor Trantalis' questions, Chief Lynn said to the best of his knowledge \$106,000 is the full reimbursement amount for each SRO.

Mayor Trantalis recognized Zoie Saunders, Chief Education Officer. Ms. Saunders explained that according to the State Statute, the School Board is required to have a Safe School Officer (Officer) in every school and noted the three (3) ways this requirement could be met. The School Board opted to partner with local law enforcement and expounded on related details. Ms. Saunders explained this contract is for the summer. The School Board voted to enter into a three (3) year agreement with County municipalities at a rate of \$106,000 per SRO and looking at a flat rate for the subsequent three (3) years. Commissioner Glassman inquired about whether the State Statute speaks to funding. Further comment and discussion ensued.

In response to Vice Mayor Beasley-Pittman's question regarding law enforcement SRO costs for schools in unincorporated areas that are under the jurisdiction of the Broward County Sheriff's Office (Sheriff's Office), Ms. Saunders remarked that the intent of the School Board is to have an equal, consistent reimbursement rate for all municipalities, including the Sheriff's Office.

In response to Commissioner Sturman's questions, Ms. Saunders confirmed State Statute requires that each Broward County School have an SRO in the form of a school guardian or a law enforcement officer. Chief Lynn said not all schools have a law enforcement SRO. Ms. Saunders explained the City's elementary schools have guardians, which are school board employees. Middle schools and high schools have law enforcement SROs. Chief Lynn explained the Police Department does not supervise guardians.

In response to Mayor Trantalis' question, Ms. Saunders explained a guardian is an employee hired and trained by the School Board but do not have the same training as a police officer.

In response to Vice Mayor Beasley-Pittman's question, Ms. Saunders explained guardians are not educators. City Manager Chavarria explained additional details of guardians.

Mayor Trantalis discussed the need for well trained law enforcement SROs in all City schools and expounded on his perspective. He remarked on mandating a law enforcement SRO in all City schools versus a guardian and confirmed a Commission consensus. Further comment and discussion ensued.

Commissioner Herbst confirmed and expounded on his viewpoint that the School Board should replicate Miami-Dade County and Palm Beach County's efforts of establishing its own police force and expounded on his perspective.

City Manager Chavarria said he would discuss the viewpoint of the Commission with the incoming School Board Superintendent. Further comment and discussion ensued.

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

**APPROVED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**CM-8** [23-0637](#)

Motion Approving the Second Amendment to the Purchase and Sale Agreement Between The Pantry Lofts Ltd. as successor to Green Mills Holdings, LLC and the City of Fort Lauderdale and the Local Government Support Letter - (Commission District 2)

**APPROVED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**CONSENT RESOLUTION**

**CR-3** [23-0537](#)

Resolution Accepting a Grant from Florida Department of Agriculture and Consumer Services, Florida Forest Service Division in the amount of \$25,000 and Authorizing the City Manager to Execute any and all Agreements and Documents Necessary and Incidental thereto - (Commission District 4)

Commissioner Sturman discussed his opposition to this Agenda item. He received a communication from the Lauderdale Isles President regarding this Agenda item that impacts Riverland Woods Park. He noted that this Agenda item should have been discussed with the neighborhood. Commissioner Sturman explained that future land acquisition plans could impact the neighborhood's plans to combine two (2) properties that this grant could adversely affect. Further comment and discussion ensued.

Phil Thornburg, Parks and Recreation Department Director, explained details related to the timing for accepting the \$25,000 grant.

In response to Commissioner Herbst's comments regarding using the grant funding at another location. Mr. Thornburg remarked on his understanding and said that he would research and advise. Further comment and discussion ensued.

In response to Commissioner Glassman's question, Mr. Thornburg



confirmed the City would match the \$25,000 grant and explained related plans for using the funding.

Commissioner Sturman reiterated that the Lauderdale Isles neighborhood should be consulted. He remarked on its plans to reconfigure the area that would include lighting and asphalt. Planting trees now will adversely affect some of those options going forward.

Commissioner Glassman discussed his viewpoint on accepting the grant funding. Mayor Trantalis recommended obtaining the grant funding, consulting the neighborhood, and deciding whether to spend the grant funding.

Commissioner Herbst recommended a compromise. Mr. Thornburg commented on the thirty (30) day timeline. The Commission could approve this Agenda item and Staff would consult with the Lauderdale Isles neighborhood within the next two (2) weeks. Should an agreement not be reached, Staff would advise the granting agency that the City has changed its mind. Commissioner Sturman confirmed he would participate in those meetings with Lauderdale Isles neighbors.

In response to Commissioner Glassman's question, Mr. Thornburg explained the plans are to plant trees in Riverland Woods Park and expounded on details.

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

**ADOPTED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**CR-1**    [23-0341](#)

Resolution Approving the Consolidated Budget Amendment to Fiscal Year 2023 - Appropriation - (Commission Districts 1, 2, 3 and 4)

In response to Commissioner Sturman's questions, Ben Rogers, Transportation and Mobility (TAM) Department Director, provided an update and explained details associated with two (2) transportation initiatives related to SE 15th Street. Further comment and discussion ensued.

Mayor Trantalis recognized Jacquelyn Scott, 1626 SE 1st Street, Colee Hammock Homeowner's Association President. Ms. Scott spoke in support of both projects.

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

**ADOPTED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**CR-2**    [23-0524](#)    Resolution Imposing Special Assessment Liens for Lot Clearing - (Commission Districts 2, 3 and 4)

**REMOVED FROM AGENDA**

**CR-4**    [23-0623](#)    Resolution Authorizing the Execution of a Sovereignty Submerged Land Easement with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida / BOT FILE NO. 061230996 - North New River Canal - (Commission District 4)

**ADOPTED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**CR-5**    [23-0625](#)    Resolution Accepting Grant Funds from the United States Department of Homeland Security, Urban Area Security Initiative, State of Florida Division of Emergency Management through the City of Miami, FY 2022 Urban Area Security Initiative (UASI), for \$454,516 - (Commission Districts 1, 2, 3 and 4)

**ADOPTED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**CR-6**    [23-0669](#)    Resolution Amending Resolution No. 23-123 to Clarify the Manner of Membership Appointment and Term of Appointment to the Homeless Advisory Committee - (Commission Districts 1, 2, 3 and 4)

**ADOPTED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**CR-7**    [23-0648](#)    Resolution appointing the law firm of Greenberg Traurig, P.A. as Special Counsel in connection with Financing for the design and construction of the New Federal Courthouse Parking Garage - (Commission Districts 1, 2, 3 and 4)

**ADOPTED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

- CR-8**    [23-0670](#)        Resolution appointing the law firm of Nabors Giblin & Nickerson P.A. as Special Counsel in connection with Police Legal Advising Matters - (Commission Districts 1, 2, 3 and 4)

**ADOPTED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**CONSENT PURCHASE**

- CP-1**    [23-0557](#)        Motion Approving Agreement for Records Storage, Retrieval and Disposal Services - Access Information Management Corporation - \$501,894 (estimated three-year total) - (Commission Districts 1, 2, 3 and 4)

**APPROVED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

- CP-2**    [23-0586](#)        Motion Approving an Agreement and Change Order No. 16 for Design-Build Services associated with the Fort Lauderdale Aquatic Center Renovation Project, RFP No. 12072-483 - Hensel Phelps Construction Company - \$13,155 - (Commission District 2)

**APPROVED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

- CP-3**    [23-0587](#)        Motion Approving an Agreement and Change Order No. 2 for the Design and Construction associated with the Fort Lauderdale Aquatic Center South Building - Hensel Phelps Construction Company - (\$48,742) - (Commission District 2)

**APPROVED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**MOTIONS**

- M-1**    [23-0638](#)        Motion Approving an Event Agreement and Related Road Closures for MASS District Events - (Commission District 2)

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

**APPROVED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**M-2**     [23-0645](#)

Motion Approving Amendment to Agreement to Increase Annual Amount for Fireworks - 4th of July - Pyrotecnico Fireworks, Inc. - from \$121,100 to \$171,100 - (Commission District 2)

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

**APPROVED**

**Yea:** 4 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

**Nay:** 1 - Vice Mayor Beasley-Pittman

Commissioner Herbst noted the need to follow the proper procedure for approving funding associated with an event that has already occurred.

Commissioner Herbst made a motion to reconsider Agenda item 23-0645 and was seconded by Commissioner Sturman.

**APPROVED - Motion to Reconsider**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

In response to Commissioner Herbst's question, Interim City Attorney Spence explained that this motion should ratify and approve an amendment to the agreement increasing the annual fireworks costs for the City's 4th of July 2023 event.

In response to Commissioner Glassman's question, Interim City Attorney Spence confirmed this would also apply to the three (3) one (1) year renewal options included in the agreement.

Commissioner Herbst made a motion to approve this Agenda item as amended, ratifying and approving an amendment to the agreement for the increased cost of annual fireworks at the City's 4th of July 2023 event, and was seconded by Commissioner Glassman.

**APPROVED AS AMENDED**

**Yea:** 4 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

**Nay:** 1 - Vice Mayor Beasley-Pittman

**M-3**     [23-0299](#)

Motion Approving Final Ranking, Negotiated Fee Schedule and Agreement for General Engineering Aviation Consultant Services Continuing Contract - HDR, Inc. and Kimley-Horn and Associates,

Inc. - \$2,500,000 - (Commission District 1)

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

**APPROVED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**M-4**     [23-0630](#)

Motion Approving Revised Agreement for the Bayview, Horrt and Riverside Parks Improvements - Sagaris Corp. - \$1,729,478 - (Commission Districts 1 and 4)

Commissioner Sturman made a motion to approve this Agenda item and was seconded by Commissioner Herbst.

**APPROVED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**M-5**     [23-0640](#)

Motion Approving an Agreement for the Osceola Creek Restoration Project - CHC Marine Services, LLC - \$6,186,100 - (Commission District 4)

Commissioner Sturman made a motion to approve this Agenda item and was seconded by Commissioner Herbst.

**APPROVED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**M-6**     [23-0650](#)

Motion Approving the First Amendment to the Lease Agreement between 1 East Broward Owner LLC and the City of Fort Lauderdale, in Substantially the Form Provided - \$2,158,189 (38-Month Rent) - (Commission District 2)

Interim City Attorney Spence confirmed the need for two (2) amendments to the lease agreement (Lease), including removing fees for nine (9) unassigned parking spaces included in a rider to the Lease. Those fees will no longer be charged to the City. Further comment and discussion ensued.

Lynn Solomon, Assistant City Attorney III, explained details related to the second amendment of the Lease regarding language associated with the City negotiating a West Marine sublease and remarked on related information. Further comment and discussion ensued. Mayor Trantalis discussed his viewpoint and explained related details. Ms. Solomon explained her perspective and said she did not have an issue with this amendment to the Lease.

Mayor Trantalis recognized Sheldon Gross, 1515 W. Cypress Creek Road, Cypress Creek, LLC. Mr. Gross narrated a presentation entitled *THE BEST OPTION FOR THE CITY'S TEMPORARY ADMINISTRATIVE OPERATIONS*. Further comment and discussion ensued.

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

Mayor Trantalis recognized Ken Krasnow, Colliers International (Colliers). Mr. Krasnow verified details of the Lease and its amendments discussed during today's Conference Meeting. The Lease is for space on the fourth (4th) and sixteenth (16th) floors at One East Broward Boulevard (One East Broward) as compared to the Kaplan University space located at 1515 W. Cypress Creek Road. Mr. Krasnow said the cost difference is approximately \$400,000.

In response to Mayor Trantalis' questions, Mr. Krasnow explained the Office of the City Attorney had been a tenant at One East Broward for approximately five (5) years, and that lease is coming up for renewal. Common Area Maintenance (CAM) operating expenses over the past five (5) years have increased by approximately two percent (2%) annually.

Mayor Trantalis remarked on input from Mr. Gross regarding Kaplan University's three percent (3%) cap on operating expenses previously discussed and commented on related details. Further comment and discussion ensued.

Commissioner Herbst commented on the need to consider this topic in totality. He agreed that Commission Members and Staff would be located on the fourth (4th) floor and remarked that space on the sixteenth (16th) floor may not be necessary with the availability of space at Kaplan University. Commissioner Herbst discussed his viewpoint regarding cost increases and the Consumer Price Index (CPI) over the last few years and in the future. He commented on his perspective regarding controllable and uncontrollable expenses. Further comment and discussion ensued. City Manager Chavarria confirmed that approximately sixty-six thousand square feet (66,000 sq. ft.) of space is needed, including a Commission Chambers, and remarked on related information.

Commissioner Glassman made a motion to approve this Agenda item as amended and was seconded by Commissioner Sturman.

**APPROVED AS AMENDED**

**Yea:** 4 - Commissioner Sturman, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**Nay:** 1 - Commissioner Herbst

**M-7**      [23-0671](#)      Motion Rejecting All Proposals for Advanced Metering Infrastructure (AMI) Implementation, Request for Proposals (RFP) No. 12738-1035 - (Commission Districts 1, 2, 3 and 4)

Commissioner Glassman remarked on discussions of this Agenda item at the District 2 Pre-Agenda Meeting. In response to Commissioner Glassman's questions, City Manager Chavarria explained how pricing would be handled. Staff will develop all Request for Proposal (RFP) specifications, including pricing, for the initial evaluation. Commissioner Glassman discussed the need for Staff to clarify the number of units needed and having the latest technology. City Manager Chavarria confirmed and noted that the newest technology allows Staff to turn water service on and off remotely. Further comment and discussion ensued. Mayor Trantalis recommended a needs assessment and remarked on his perspective regarding water bill spikes for some residents.

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

**APPROVED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**M-8**      [23-0538](#)      Motion Approving Agreement for the Fort Lauderdale Executive Airport Runway 31 Bypass and Taxiway Golf Pavement Rehabilitation - Weekley Asphalt Paving, Inc. - \$2,272,269.25 - (Commission District 1)

In response to Vice Mayor Beasley-Pittman's question, Rufus James, Fort Lauderdale Executive Airport (FXE) Director, explained this Agenda item represents two (2) FXE projects, the Taxiway Golf Pavement Rehabilitation and the Runway 31 Bypass (Bypass). The estimated amount of asphalt is about one thousand linear feet.

In response to Commissioner Herbst's question, Mr. James said these projects are unrelated to FXE runway expansion.

In response to Commissioner Herbst's question regarding planned runway expansion, Mr. James confirmed it is scheduled for 2026 and will entail an environmental assessment with the Federal Aviation Administration (FAA). Following FAA approval, programming and funding would follow. The FAA grant funding would provide up to

ninety percent (90%) of project costs anticipated for 2026.

Commissioner Herbst remarked on concerns related to the impact of FXE runway expansion on residents located to the west and expounded on related details. Further comment and discussion ensued. Mr. James explained details of decibel sound readings at FXE when aircraft depart to the west and noted that aircraft usually depart to the east absent weather issues. Further comment and discussion ensued. Commissioner Herbst commented on the need to contemplate a strategy to reduce any negative impact on the residents.

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

**APPROVED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**M-9**      [23-0029](#)

Motion Approving a Comprehensive Agreement with Las Olas Parking Solutions, LLC for the Development, Operation, and Maintenance of a Multi-Use Structure with Public Parking, a Fire-Rescue/EMS Substation, and Retail, at the Southeast Corner of SE 2nd Court and SE 8th Avenue - (Commission District 4)

In response to Commissioner Sturman's questions, Ben Rogers, Transportation and Mobility Department Director, said the proposed agreement includes a guaranteed subsequent base rent payment of \$60,000 per month or \$720,000 per year following construction, less \$200,000 for operating expenses. During construction the monthly revenue is \$30,000 per month. Following construction completion, the number of spaces will triple, from one hundred (100) spaces to three hundred (300) spaces. Negotiations for subleasing the Fire Station is anticipated to be \$1 annually. There is potential for additional income to the City from profits realized from a profit-sharing mechanism planned for retail space. Following deductions from gross revenue, the remaining balance would be split 50/50 between the private entity and the City. Commissioner Sturman expounded on his support of the project.

In response to Commissioner Sturman's question, Fire Chief Stephen Gollan clarified details regarding Fire-Rescue Department equipment planned for this Fire Station and will provide a higher level of service to the east portion of downtown, including the Isles and Victoria Park.

Commissioner Herbst remarked on his understanding of emergency response vehicle staffing. Fire Chief Gollan confirmed and explained



related details.

Commissioner Herbst made a motion to approve this Agenda item and was seconded by Commissioner Sturman.

**APPROVED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

## RESOLUTIONS

**R-1**     [23-0660](#)

Appointment of Board and Committee Members - (Commission Districts 1, 2, 3 and 4)

City Clerk David Soloman read the names of Board and Committee nominees for appointment and/or reappointment at the August 22, 2023, Commission Regular Meeting.

City Clerk Soloman read into the record the names of the Board and Committee appointments and reappointments for Agenda item R-1. He noted the addition of Sharon Hughes, nominated by Vice Mayor Beasley- Pittman for the Community Services Board. Mayor Trantalis nominated Barry Somerstein for the Homeless Advisory Committee. City Clerk Soloman confirmed.

Commissioner Herbst introduced this Resolution as amended which was read by title only.

**ADOPTED AS AMENDED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**R-2**     [23-0509](#)

Resolution Waiving the Formal Competitive Solicitation and Selection Processes Pursuant to Division 2., Procurement, of Article V. of Chapter 2 of the City of Fort Lauderdale Procurement Ordinance, for Purchases of Goods and Services; and Approving a Pilot Program via a License Agreement with Slinkydog, LLC for Pixar Putt Putt utilizing the Las Olas Garage Rooftop - (Commission District 2)

**REMOVED FROM AGENDA**

**R-3**     [23-0599](#)

Resolution Approving a Federally Funded Subaward and Grant Agreement for DR-4680 - Hurricane Nicole, and delegating to the City Manager the authority to execute the Agreement and any related documents, and to approve and execute any modifications of the Agreement - (Commission Districts 1, 2, 3 and 4)

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

**ADOPTED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**PUBLIC HEARINGS**

**PH-1**    [23-0433](#)

Public Hearing - Quasi Judicial Resolution Denying a Waiver of Limitations at 801 SW 6th Street, for the Installation of Three (3) Triple Mooring Pile Clusters Extending a Maximum of 50'+/- - (Commission District 4)

Anyone wishing to speak must be sworn in. Commission will announce any site visits, communications or expert opinions received and must 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 recognized Andrew Schein, Esq., Lochrie & Chakas, P.A., on behalf of the applicant. Mr. Schein spoke in support of this Agenda item and pointed out details related to this dock waiver request illustrated in aerial photo slides.

***A copy of the slides have been made part of the backup to this Agenda item.***

Mayor Trantalis recognized Robert Franks, 2549 Key Largo Lane, and Marine Advisory Board Member (MAB). Mr. Franks spoke in opposition to this Agenda item and remarked that the vessel is too large.

There being no one else wishing to speak on this item, Vice Mayor Beasley-Pittman made a motion to close the public hearing and was seconded by Commissioner Sturman. Roll call showed: AYES: Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman, and Mayor Trantalis

Commissioner Glassman commented on his viewpoint and noted this waiver request was presented to the MAB on three (3) occasions.

Interim City Attorney D'Wayne Spence informed the Commission that allowing another member of the MAB to speak would violate the

Sunshine Law. Further comment and discussion ensued.

In response to Commissioner Glassman's question regarding the MAB's split vote on this dock waiver request, Mr. Franks reiterated the vessel is being damaged because it is too large for the slip. He expounded on his viewpoint and noted the need to consider safety concerns.

In response to Mayor Trantalis' question regarding similar piling waivers of equal size in this area, Mr. Franks confirmed. Andrew Cuba, Parks & Recreation Department Marine Facilities Manager, confirmed and pointed out examples. Further comment and discussion ensued.

Mayor Trantalis inquired about existing docks in the area illustrated in the aerial photo slide and remarked on the need to ensure safety. Mr. Schein discussed details of the applicant's property. The applicant's adjacent property is the subject of a separate waiver request, which would come before the Commission. Mr. Schein said he is unaware of a dock extension for the other adjacent property. The width of the waterway in this area is between two hundred eighty feet (280') and three hundred feet (300').

Mayor Trantalis remarked on the need for large vessels to be able to pass in this area and commented on related details. Mr. Schein remarked on the width of the waterway and said that there would be at least one hundred eighty and two hundred feet (180-200') of unobstructed waterway for vessel navigation in this area.

In response to Commissioner Sturman's questions, Mr. Schein reiterated the width of the waterway shore to shore from the applicant's property is between two hundred eighty feet (280') and three hundred feet (300') across. The maximum waiver allowed is twenty-five feet (25') or one-third (1/3) of the waterway. A sixty-five-foot (65') waiver was granted to a neighbor on the other side of the waterway. The applicant requested a sixty-two foot (62') and a sixty (60') foot waiver in the past. Commissioner Sturman noted the Commission recommended the applicant return to the MAB to devise a compromise. Mr. Schein commented on the MAB's Meeting Minutes and its vote regarding this application. He remarked that a compromise had been reached for a fifty foot (50') waiver. Further comment and discussion ensued.

Commissioner Sturman commented on his perspective regarding MAB concerns about waivers that allow larger boats to extend further beyond the dock piling into the waterway. Mr. Schein confirmed this

waiver request is for a forty-eight foot (48') boat. He noted the concern raised by Commissioner Sturman is a comprehensive concern that the City would need to address. Further comment and discussion ensued.

Commissioner Sturman inquired about limiting the size of a boat docked at this location to no more than fifty feet (50'). Commissioner Herbst concurred and commented on including this restriction as a condition of the waiver. Bob Dunckel, Assistant City Attorney III, said he had drafted an alternative approval resolution limiting the vessel's length and remarked on his viewpoint. Further comment and discussion ensued.

Mr. Dunckel remarked on input from the MAB that would limit the vessel's length to the outer most piling of the dock waiver. Further comment and discussion ensued regarding the ability to enforce this restriction. Mr. Dunckel explained Marine Patrol could monitor and report violations to Code Enforcement. A waiver of limitations could include a restrictive covenant running with the land and recorded in the public records. Further comment and discussion ensued regarding MAB meetings on this topic.

In response to Commissioner Glassman's questions regarding the reason why there is a no wake zone on this area of the New River, Mr. Schein noted that the absence of a no wake zone is why residents request these waivers. A no wake zone would solve marine concerns in the area caused by commercial operators. Commissioner Glassman recommended the Commission consider establishing a no wake zone in this area.

In response to Mayor Trantalis' question, Mr. Dunckel explained that the waterways are under the jurisdiction of the State of Florida (State), and explained challenges related to larger vessels traversing this area. He expounded on related details.

In response to Mayor Trantalis' question, Mr. Schein explained the width of the property lot is fifty-two feet (52'), and vessels docked parallel to this property could not be within a property's setbacks.

In response to Commissioner Sturman's question, Interim City Attorney Spence confirmed this Resolution could be introduced with the amendment discussed earlier. Interim City Attorney Spence cited related amendment language. Further comment and discussion ensued. Mr. Schein confirmed he would accept this language and noted that it would not address navigation concerns on the New River.

Mayor Trantalis commented on addressing navigation concerns on the

New River at a later time. He noted the Commission's consideration of a moratorium on all future dock waiver applications on the New River and recommended Mr. Schein contact property owners along the New River to request the State to establish a no wake zone in this area.

Commissioner Sturman introduced this Resolution as amended, to include limiting the length of the vessel at this property to fifty feet (50'), the recording of this Resolution in the public records of Broward County, and that this waiver and its limitations shall run with the applicant's property and to the successors and assigns thereof, including their respective lessees, licensees, and invitees, which was read by title only.

**ADOPTED AS AMENDED - Approving Waiver of Limitations**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

[23-0686](#)

WALK-ON - Motion to Extend Commission Meeting until 11pm

Commissioner Herbst made a motion to extend the Commission Meeting until 11:00 p.m. and was seconded by Commissioner Sturman.

**APPROVED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

PH-2 [23-0589](#)

Public Hearing - Quasi Judicial Resolution Approving a Waiver of Limitations as to the lack of a principal building at outparcel tied to 831 Solar Isle Drive (Parcel ID # 5042 12 08 0650), for the installation of one (1) boatlift and two (2) finger piers extending a maximum distance of 23'7" +/- into the adjacent waters of Rio Coral Canal - (Commission District 2)

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

Mayor Trantalis opened the public hearing.

Mayor Trantalis recognized Walter Morgan, Esq., 633 S. Federal Highway, on behalf of the applicant. Mr. Morgan described the history of this property, its location, and details related to previous litigation. He reviewed the current and proposed conditions of the waiver request illustrated in his presentation.

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

In response to Mayor Trantalis' questions, Mr. Morgan explained this Agenda item is requesting the Commission to find whether extraordinary circumstances exist and grant a waiver for the two (2) parcels. Mr. Morgan explained related details, including the revocation of the previous permit for a boat lift that had been dismantled.

Mr. Morgan submitted an affidavit from Mr. Mavon stating that since Mr. Mavon obtained the property in 1987, there has been one unified tax bill from the Broward County Property Appraiser. Mr. Morgan expounded on related information, explained details illustrated on the view of the property, and said that the waiver being requested would not impede navigation.

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

Mayor Trantalis recognized Kenneth Taylor, M.D., 618 Flamingo Drive. Dr. Taylor spoke in opposition to this Agenda item.

In response to Commissioner Sturman's question, Commissioner Glassman noted the nine (9) to three (3) MAB vote in favor of the waiver.

Mayor Trantalis recognized Herbert Taylor, 600 Flamingo Drive. Mr. Taylor spoke in opposition to this Agenda item.

Mayor Trantalis recognized Charles Mavon, 1000 Maple Street, Western Springs, IL. Mr. Mavon spoke in support of this Agenda item.

Mayor Trantalis recognized Phil Mavon, 1000 Maple Street, Western Springs, IL. Mr. Mavon spoke in support of this Agenda item.

Mayor Trantalis recognized Larry Schwartz, 2000 S. Ocean Drive. Mr. Schwartz spoke in support of this Agenda item.

Mayor Trantalis recognized Ann Ray, 613 Solar Isle Drive. Ms. Ray spoke in support of this Agenda item.

Mayor Trantalis recognized Abby Trent, 717 Solar Isle Drive. Ms. Trent spoke in support of this Agenda item.

Mayor Trantalis recognized Alan Trent, 717 Solar Isle Drive. Mr. Trent spoke in support of this Agenda item.

Mayor Trantalis recognized Brent Reitman, Esq., 110 SE 6th Street, on behalf of the homeowners at 835 Solar Drive and 821 Solar Drive.

Mr. Reitman spoke in opposition to this Agenda item, explained previous litigation regarding this Agenda item and expounded on details.

In response to Commissioner Glassman's question, Interim City Attorney Spence explained that the unity of title issue differs from the issue associated with this Agenda item. It is a request to waive the Code provision that requires a principal building to be on a parcel to allow the construction of a mooring structure.

In response to Mayor Trantalis' question regarding the unity of title issue satisfying the zoning code, Interim City Attorney Spence commented on differing opinions from the Development Services Department Director, the Zoning Administrator, the opinion of a former City Attorney, and the latest opinion from the Board of Adjustment (BOA). Interim City Attorney Spence expounded on details related to the applicant demonstrating extraordinary circumstances.

In response to Mayor Trantalis' questions regarding this waiver request setting a precedent, Interim City Attorney Spence said it could, but would depend upon other dock waiver requests having similar extraordinary circumstances. Dock waiver requests are decided on a case-by-case basis.

Commissioner Glassman remarked on his understanding of this Agenda item and the extraordinary circumstances associated with this waiver request, which would allow a boat lift and two (2) piers. Interim City Attorney Spence confirmed that is part of the waiver determination but is separate from the Commission's decision as to whether to waive the Code provision regarding the principal structure.

Mayor Trantalis recognized Bruce Taylor, Esq., 712 Flamingo Drive, on behalf of 835 and 821 Solar Drive residents. Mr. Taylor spoke in opposition to this Agenda item.

Mayor Trantalis recognized Bob Moraitis, 724 Flamingo Drive. Mr. Moraitis spoke in opposition to this Agenda item.

Mayor Trantalis remarked on existing docks and a boat at this location and questioned if this obstructs the Intracoastal pathway. Mr. Moraitis said not at the moment and explained his concern regarding extending the piers.

Mayor Trantalis recognized Jamie Finizio Bascombe, Esq., 4445 El Mar Drive. Ms. Bascombe spoke in opposition to this Agenda item and expounded on related details.

Commissioner Glassman discussed the location of the piers and remarked on Ms. Bascombe's comments. Further comment and discussion ensued.

Mayor Trantalis explained that as part of this Agenda item, the applicant requested the Commission to ratify a previous permit for a structure already in place. Further comment and discussion ensued.

There being no one else wishing to speak on this item, Vice Mayor Beasley-Pittman made a motion to close the public hearing and was seconded by Commissioner Herbst. Roll call showed: AYES: Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman, and Mayor Trantalis

Commissioner Glassman remarked on his perspective regarding this Agenda item, the granting of waivers, and the June 1, 2023, MAB Meeting Minutes in which MAB Vice Chair Harrison stated that if a boat can be docked on a site, a boat lift should also be permitted.

In response to Commissioner Glassman's questions regarding statements and questions by MAB Vice Chair Harrison in the June 1, 2023, MAB Meeting Minutes (Meeting Minutes), Bob Dunckel, Assistant City Attorney III, remarked on the need for those Meeting Minutes to be taken in context. Should the Commission grant a waiver associated with the lack of a principal structure, a twenty-three foot, seven inch (23' 7") boat could be docked at that finger pier. Mr. Dunckel confirmed the additional information included in the June 1, 2023, was correct.

Commissioner Glassman expounded on his viewpoint regarding this Agenda item and confirmed his support of the MAB's nine (9) to three (3) vote granting this waiver.

In response to Commissioner Sturman's questions, Mr. Morgan explained the current site has two (2) twenty-three foot, seven inch (23' 7") finger piers.

Mr. Dunckel explained that extending a finger pier out more than twenty-five feet (25') would require a separate waiver. A waiver is required for a lack of a principal structure. Commissioner Sturman confirmed his understanding that piers on two (2) adjacent properties have twenty-five (25') foot piers.

In response to Commissioner Sturman's question, Dr. Taylor explained his concerns about the length of a boat docked at this



location and cited examples. Mr. Dunckel confirmed the ability to limit the length of a boat docked at this location to no longer than the twenty-three foot, seven inches (23' 7"), which would be at the discretion of the Commission. Dr. Taylor confirmed restricting the length of a boat would address safety concerns. Further comment and discussion ensued.

In response to Commissioner Sturman's questions, Dr. Taylor explained his viewpoint regarding navigational concerns at the location of the two (2) finger piers. Further comment and discussion ensued.

In response to Mayor Trantalis' question regarding the safe navigational pathway illustrated in the aerial photo, Ms. Bascombe remarked on safety concerns. Dr. Taylor described navigational safety concerns. Mayor Trantalis commented on his perspective regarding boat docking scenarios at the site, which are similar to the existing finger piers. Further comment and discussion ensued.

Mr. Reitman explained navigational concerns of the landowner north of the site because the pier has zero setbacks from property line. He noted that this Agenda item adds a second finger pier of the same length.

Commissioner Glassman remarked on the Commission limiting the length of the boat and protrusion into the waterway. Mr. Dunckel suggested it should not protrude any farther than twenty-three foot, seven inches (23' 7").

In response to Commissioner Glassman's question, Mr. Morgan suggested limiting a boat's length to twenty-five feet (25') due to outboard engines.

Commissioner Glassman recommended amending this Resolution to limit a boat's length to twenty-five feet (25') and require safety reflectors.

Commissioner Glassman introduced this Resolution as amended, limiting the length of boats docked at this location to twenty-five feet (25') and requiring safety reflectors, which was read by title only.

**ADOPTED AS AMENDED - Approving**

**Yea:** 4 - Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**Nay:** 1 - Commissioner Sturman

Limitations at 900-910 NE 20th Avenue for the Installation of (a) one (1) Dock Extension and (b) four (4) Mooring Piles Extending a Maximum Distance of 68.7' +/- into the Waters of Middle River - (Commission District 2)

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 Herbst made a motion to close the public hearing and was seconded by Commissioner Sturman. Roll call showed: AYES: Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman, and Mayor Trantalis

Commissioner Glassman remarked that he had not received input on this Agenda item. He noted that the Marine Advisory Board (MAB) voted unanimously twelve (12) to zero (0) to approve this waiver request.

Mayor Trantalis discussed concerns regarding this dock waiver request being used for commercial use. Andrew Cuba, Parks & Recreation Department Marine Facilities Manager, noted the lot is zoned B-1, and said that half of the street is zoned for business. Commissioner Glassman pointed out letters of support from the community presented to the MAB during its meeting on this topic and expounded on related details.

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

**ADOPTED - Approving**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**PH-4**    [23-0593](#)

Public Hearing - Quasi Judicial Resolution Approving a Waiver of Limitations at Water's Edge, a condominium located at 321 N. Birch Road, for the installation of two (2) 50.3'+/- x 8.7'+/- wave attenuating/breakwater floating docks extending a maximum of 57'+/- into the adjacent waters of the Intracoastal Waterway - (Commission District 2)

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

Mayor Trantalis opened the public hearing.

In response to Commissioner Glassman's question, Andrew Cuba, Parks & Recreation Department Marine Facilities Manager, clarified that a previous finger pier was removed before submitting this application to the Commission.

Mayor Trantalis recognized Steven Tilbrook, Esq., Akerman, LLP, 201 E. Las Olas Boulevard, on behalf of the applicant. Mr. Tilbrook explained this waiver would remove two (2) existing finger piers and a boat lift, which would be replaced with lower-profile floating docks.

There being no one else wishing to speak on this item, Commissioner Herbst made a motion to close the public hearing and was seconded by Commissioner Glassman. Roll call showed: AYES: Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman, and Mayor Trantalis

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

**ADOPTED - Approving**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**PH-5**    [23-0520](#)

Public Hearing - Quasi-Judicial Ordinance Approving a Rezoning from Residential Mid Rise Multifamily/Medium High Density (RMM-25) District to Community Facility (CF) District - 1900, 1930 and 1940 NE 47 Street and 1901, 1911 and 1921 NE 46 Street- Holy Cross Hospital, Inc. and MAR Property Holdings, Inc.- Case No. UDP-Z22030 - (Commission District 1)

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, Vice Mayor Beasley-Pittman made a motion to close the public hearing, and was seconded by Commissioner Glassman. Roll call showed: AYES: Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman, and Mayor Trantalis

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

**PASSED FIRST READING**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**ORDINANCE FIRST READING****OFR-1** [23-0558](#)

First Reading - Ordinance Repealing Section 28-172 Meter for Temporary Use - (Commission Districts 1, 2, 3 and 4)

Vice Mayor Beasley-Pittman introduced this Ordinance for the First Reading which was read by title only.

**PASSED FIRST READING**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**OFR-2** [23-0588](#)

First Reading - Ordinance Amending Chapter 11, Code Enforcement, Article II Section 11-3, Jurisdiction of Board and Special Magistrate, of the Code of Ordinances of the City of Fort Lauderdale to Establish a Lien Amnesty Program and to Provide for Temporary Suspension of Section 11-3(c) During Periods of Lien Amnesty - (Commission Districts 1, 2, 3 and 4)

Vice Mayor Beasley-Pittman introduced this Ordinance for the First Reading which was read by title only.

**PASSED FIRST READING**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**ORDINANCE SECOND READING**[23-0687](#)

WALK-ON - Motion to Extend Commission Meeting until 11:30pm

Commissioner Herbst made a motion to extend the Commission Meeting until 11:30 p.m. and was seconded by Commissioner Sturman.

**APPROVED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**OSR-1** [23-0651](#)

Second Reading - Ordinance to Amend City of Fort Lauderdale Unified Land Development Regulations (ULDR) Section 47-24.11 to Include an Option to Designate Thematic Historic Districts and to Amend Existing Historic Preservation Criteria and Procedures - Case No. UDP-T22007 - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis recognized Courtney Crush, Esq., Crush Law. P.A., 888 E. Las Olas Boulevard. Ms. Crush discussed concerns related to this Ordinance amendment (Ordinance). She recommended that Staff or the Historic Preservation Board (HPB) develop additional descriptive language of a building's architectural worthiness and significance, including the type of aesthetics and the number of buildings necessary to establish a Thematic Historic District.

Commissioner Glassman disagreed with Ms. Crush's comments. He explained his perspective and remarked on previous amendments to the Ordinance. Commissioner Glassman remarked on vetting by the HPB, the Planning and Zoning Board (P&Z) Board, and the Commission.

Commissioner Sturman discussed the P&Z Board's vote opposing this Ordinance.

In response to Commissioner Herbst's questions regarding the P&Z Board's opposition to this Ordinance, Chris Cooper, Development Services Department Director, explained that the P&Z Board's vote in opposition determined the Ordinance is inconsistent with the Comprehensive Plan. Mr. Cooper confirmed the P&Z Board's vote in opposition was unanimous.

Commissioner Glassman remarked on the unanimous HPB vote in favor of the Ordinance. Mr. Cooper discussed the role of the P&Z Board as the local planning agency. Commissioner Glassman commented on his review of the P&Z Board Meeting Minutes relative to this Ordinance. Further comment and discussion ensued.

In response to Commissioner Herbst's questions, Mr. Cooper explained the impact of the proposed Ordinance on a private property owner should a third-party, such as a non-profit organization, apply for designation as a Thematic Historic District. Mr. Cooper noted the ability of a property owner to hire legal counsel to oppose Thematic Historic District designation.

Commissioner Herbst remarked on the significant financial burden on property owners due to the likelihood of the property owner requiring the hiring of legal counsel. Ms. Crush noted a property owner would be best served by hiring legal counsel. Mayor Trantalis noted it could cost \$20,000. Ms. Crush pointed out that legal counsel for the property owner attending three (3) to four (4) public hearings would likely exceed that amount. Commissioner Sturman noted that attorney fees would not apply if the property owner applied for Thematic Historic District designation. Commissioner Glassman commented on his

perspective. Further comment and discussion ensued.

Commissioner Glassman inquired about the City's role as a Certified Local Government. Mayor Trantalis commented on the viewpoint of Commissioner Herbst. Commissioner Glassman remarked on the process and his perspective. Further comment and discussion ensued.

Commissioner Herbst commented on the need for the Commission to consider the economic impact of ordinances and confirmed his opposition to additional financial burdens on residents and businesses this Ordinance may necessitate, including adjacent property owners.

Commissioner Glassman noted that this Ordinance would create the option to designate a Thematic Historic District and expounded on his perspective. Further comment and discussion ensued.

Vice Mayor Beasley-Pittman explained her viewpoint and remarked the possible financial burden on District 3 property owners. She confirmed that she would not support this Ordinance on the Second Reading. Further comment and discussion ensued.

Mr. Cooper explained the existing application process for a Historic District or an individual landmark and discussed related information.

In response to Commissioner Herbst's question, Mr. Cooper read a portion of this proposed Ordinance stating a non-profit must be registered with the Florida Division of Corporations for five (5) years and have maintained a recognized interest in historic preservation for a minimum of the preceding five (5) years. It does not stipulate that the non-profit needs to be located in Fort Lauderdale or Broward County.

In response to Commissioner Glassman's question, Mr. Cooper explained that a simple majority of properties within the proposed thematic district need to agree to move forward with designation as a Thematic Historic District initiated by a property owner. This would not apply to a Thematic Historic District application initiated by a non-profit or the Commission.

Mayor Trantalis remarked on removing non-profit applicants from the Thematic Historic District application process and only permitting a property owner to apply for Thematic Historic District designation. Commissioner Herbst confirmed his support.

In response to Mayor Trantalis' question about removing non-profits

from the Ordinance, Commissioner Glassman confirmed.

Interim City Attorney Spence requested clarification regarding requested amendments to this Ordinance. Further comment and discussion ensued. In response to Interim City Attorney Spence's question, Mayor Trantalis confirmed that non-profit organizations would be removed from the section of the Ordinance related to the ability of non-profits to apply for Thematic Historic District designation.

Commissioner Glassman introduced this Ordinance as amended for the Second Reading, which was read by title only.

**DEFEATED**

**Yea:** 2 - Commissioner Glassman and Mayor Trantalis

**Nay:** 3 - Commissioner Sturman, Commissioner Herbst and Vice Mayor Beasley-Pittman

In response to Commissioner Glassman's question, Mr. Cooper remarked that Staff would consult with HPB and P&Z Board and redraft this Ordinance before returning to the Commission.

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

Mayor Trantalis reconvened the meeting at 11:07 p.m.

## BUDGET ITEMS

**BGT-1** [23-0354](#)

Resolution Setting the Fiscal Year 2024 Proposed Millage Rate and Debt Service Rate for the City of Fort Lauderdale, Setting the Millage Rate for the Sunrise Key Neighborhood Improvement District, and Acknowledging the Receipt of the City Manager's Budget Message and Proposed Budget - (Commission Districts 1, 2, 3 and 4)

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

**ADOPTED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**BGT-2** [23-0355](#)

Motion Setting the Public Hearing Dates to Consider the Proposed Fiscal Year 2024 Millage Rate and Budget for the City of Fort Lauderdale and Sunrise Key Neighborhood Improvement District - (Commission Districts 1, 2, 3 and 4)

Commissioner Herbst made a motion setting the public hearing dates to September 6, 2023, and September 13, 2023, and was seconded by Commissioner Sturman.

**APPROVED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**BGT-3** [23-0356](#)

Motion Setting the Proposed FY 2024 Non-Ad Valorem Assessment Rate and Public Hearing Date for the Lauderdale Isles Water Management District Tentative Budget - (Commission District 4)

Commissioner Sturman made a motion setting the public hearing date to September 13, 2023, and was seconded by Commissioner Glassman.

**APPROVED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**BGT-4** [23-0357](#)

Motion Establishing a Public Hearing Date for the Proposed Fiscal Year 2024 Non-Ad Valorem Assessment - Nuisance Abatement - (Commission Districts 1, 2, 3 and 4)

Commissioner Herbst made a motion setting the public hearing date to September 13, 2023, and was seconded by Commissioner Glassman.

**APPROVED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**BGT-5** [23-0358](#)

Preliminary Rate Resolution for the Fire Assessment Establishing the Estimated Fiscal Year 2024 Non-Ad Valorem Assessment Rate and Authorizing a Public Hearing on September 13, 2023 - (Commission Districts 1, 2, 3 and 4)

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

**ADOPTED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**BGT-6** [23-0359](#)

Preliminary Rate Resolution for the Beach Business Improvement Assessment Establishing the Estimated FY 2024 Non-Ad Valorem Assessment Rate and Authorizing a Public Hearing on September 13, 2023 - (Commission District 2)



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

**ADOPTED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**BGT-7** [23-0360](#)

Preliminary Rate Resolution for the Fiscal Year 2024 Non-Ad Valorem Assessment for Utility Undergrounding and Authorizing a Public Hearing on September 13, 2023 - (Commission District 2)

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

**ADOPTED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**BGT-8** [23-0535](#)

Preliminary Annual Assessment Resolution for the Stormwater Assessment Initiating the Process for Imposing the Fiscal Year 2024 Non-Ad Valorem Assessment and Authorizing a Public Hearing on September 13, 2023 - (Commission Districts 1, 2, 3 and 4)

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

**ADOPTED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

[23-0688](#)

WALK-ON Resolution Rescheduling the August 15, 2023, Conference and Regular Meetings of the City Commission of the City of Fort Lauderdale, Florida, to August 22, 2023

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

**ADOPTED**

**Yea:** 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

**ADJOURNMENT**

Mayor Trantalis adjourned the meeting at 11:13 p.m.

\_\_\_\_\_  
Dean J. Trantalis  
Mayor

ATTEST:

\_\_\_\_\_  
David R. Soloman  
City Clerk