

City of Fort Lauderdale

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Meeting Minutes

Tuesday, December 6, 2022

6:00 PM

City Hall - City Commission Chambers
100 North Andrews Avenue, Fort Lauderdale, FL 33301

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

DEAN J. TRANTALIS Mayor

JOHN C. HERBST Commissioner - District I

STEVEN GLASSMAN Commissioner - District II

PAM BEASLEY-PITTMAN Commissioner - District III

WARREN STURMAN Commissioner - District IV

GREG CHAVARRIA, City Manager

DAVID R. SOLOMAN, City Clerk

ALAIN E. BOILEAU, City Attorney

PATRICK REILLY, City Auditor

CALL TO ORDER

Mayor Trantalis called the meeting to order at 6:03 p.m.

MEETING ANNOUNCEMENT

Mayor Trantalis described the format of the meeting.

Pledge of Allegiance

Mayor Dean J. Trantalis

ROLL CALL

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

QUORUM ESTABLISHED

Also Present: City Manager Greg Chavarria, City Clerk David R. Soloman, City Attorney Alain E. Boileau and City Auditor Patrick Reilly

AGENDA ANNOUNCEMENTS

Mayor Trantalis announced the following updates to the published Agenda:

WALK ON Resolution:

Resolution adopting the results of the 2022 Special Municipal Election.

CR-12 - The date listed in Section two (2) of the Resolution should be corrected to read December 31, 2026.

Approval of MINUTES and Agenda

[22-1180](#)

Minutes for September 12, 2022, Special Meeting - Second Budget Hearing, September 22, 2022, Commission Conference Meeting and September 22, 2022, Commission Regular Meeting - (Commission Districts 1, 2, 3 and 4)

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

APPROVED

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

PRESENTATIONS

PRES- [22-1124](#)
1

Mayor Trantalis will present a Proclamation declaring December 6, 2022 as Rick Case Bike for Kids Day in the City of Fort Lauderdale

Mayor Trantalis presented a Proclamation declaring *December 6, 2022, as Rick Case Bike for Kids Day in the City of Fort Lauderdale* to Ryan Case, reading the Proclamation in its entirety.

Ryan Case accepted the Proclamation and thanked Mayor Trantalis and the Commission for the Proclamation.

PRESENTED

PRES- [22-1125](#)
2

Check Presentation - Donation to Holy Cross Hospital Inc. Partners in Breast Health - Proceeds from Fort Lauderdale Executive Airport's "Fly Pink" Raffle for a Cure

Rufus James, Fort Lauderdale Executive Airport Director, presented a donation check to Holy Cross Hospital, Inc. Partners in Breast Health representing proceeds from *Fort Lauderdale Executive Airport's "Fly Pink" Raffle for a Cure*. Mr. James remarked on the fund raising efforts, and a short, related video was shown.

Skarlleth Kauffmann and Kristen Schroeder-Brown accepted the donation check, discussed Holy Cross Hospital, Inc. Partners in Breast Health's use of donation funds to fight breast cancer and thanked Mr. James and Commission Members.

PRESENTED

[22-1199](#)

WALK-ON Resolution Declaring Results of the 2022 Special Municipal Elections

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

ADOPTED

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

CONSENT AGENDA PUBLIC COMMENT

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

CR-1:

Mayor Trantalis recognized Steve Cook, 708 SW 16th Court. Mr. Cook spoke in opposition to this Agenda item and inquired about the use of non-ad valorem stormwater fees to fund the Cordova Road seawall (seawall), public access and property rights of homeowners adjacent to the seawall.

Laura Reece, Office of Management and Budget Director, explained the seawall was funded from the General Fund. Further comment and discussion ensued.

City Manager Chavarria said Staff would follow-up with Mr. Cook on this topic.

Mayor Trantalis commented on his understanding of the related agreement that the upland property owner can apply to the City for the installation of a dock adjacent to a seawall.

Commissioner Herbst remarked on the public's use and enjoyment of access to seawalls and requested City Manager Chavarria include him on correspondence to Mr. Cook.

City Attorney Boileau confirmed the public's right to access seawalls and the adjacent grass areas.

CONSENT AGENDA

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

CR-4 Commissioner Herbst

CM-10 Commissioner Sturman

CP-3 Commissioner Sturman

Approval of the Consent Agenda

Commissioner Sturman made a motion to approve the Consent Agenda and was seconded by Commissioner Herbst.

Approve the Consent Agenda

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

CONSENT MOTION

CM-1 [22-1084](#) Motion Approving an Application for Temporary Beach License and Outdoor Event Agreement for Dig the Beach Volleyball Series - (Commission District 2)

APPROVED

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

CM-2 [22-1085](#) Motion Approving an Event Agreement for All Saints Boat Parade Festival - (Commission District 4)

APPROVED

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

CM-3 [22-1127](#) Motion Approving an Event Agreement for Igloo Cooler Festival - (Commission District 3)

APPROVED

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

CM-4 [22-1171](#) Motion Approving an Event Agreement and Request for Music Exemption for Pixar Putt Putt - (Commission District 2)

APPROVED

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

CM-5 [22-1033](#) Motion Approving Grant Application - Broward County Enhanced Marine Law Enforcement Grant Program - \$148,256 - (Commission Districts 1,2, 3 and 4)

APPROVED

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

CM-6 [22-1066](#) Motion Accepting FY2021 Edward Byrne Justice Assistance Grant - \$86,405 - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

CM-7 [22-1067](#) Motion Accepting FY2022 Edward Byrne Justice Assistance Grant - \$90,952 - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

CM-8 [22-1090](#)

Motion Approving a Dockage Facility Usage Agreement with Winterfest, Inc. for the 2022 Winterfest Boat Parade - (Commission Districts 2 and 4)

APPROVED

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

CM-9 [22-1092](#)

Motion Approving Second Amendment to the Lease Agreement Between Property Geek Investors, LLC and the City of Fort Lauderdale for Riverwalk Center Shops No. 108 & 112 - (Commission District 4)

APPROVED

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

CM-10 [22-1095](#)

Motion Approving and Authorizing the Execution of a Revocable License with TRG New River, LTD. for Temporary Right-of-Way Closures on SW Flagler Avenue, SW 4th Court and SW 1st Avenue in Association with the New River Yacht Club West Development Located at 401 SW 1st Avenue - (Commission District 4)

In response to Commissioner Sturman's question, City Manager Chavarria explained this Agenda item approves the applicant's request for a revocable license allowing access to the adjacent construction development.

Commissioner Sturman remarked on neighbor questions regarding the duration and the opportunity for a six (6) month progress review. Chris Cooper, Development Services Department Director, explained a revocable license is for fourteen (14) months with weekly monitoring to ensure compliance. City Manager Chavarria confirmed this Agenda item is tied to the A1A Project relating to sea turtle lighting and providing ample lighting for pedestrian safety.

Commissioner Glassman commented on additional improvements associated with the A1A Project from Fifth Street to Sunrise Boulevard.

APPROVED

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

CM-11 [22-1126](#)

Motion Authorizing Settlement of Workers' Compensation Claims in

the Matter of Sandra Sullivan v. City of Fort Lauderdale, Case No. 11-001832IF, 21-005203IF, and 21-005207IF - \$180,000 - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

CM-12 [22-1149](#)

Motion Eliminating July 18, 2023, and August 1, 2023, Conference and Regular Meetings for Vacation - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

CONSENT RESOLUTION

CR-1 [22-0748](#)

Resolution (a) Approving an Application for a Dock Permit for Usage of Public Property by 1550 Ponce de Leon LLC - Glenn Wright, Mgr. Located at 601 Cordova Road and (b) Authorizing Execution of a Declaration of Restrictive Covenants - (Commission District 4)

ADOPTED

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

CR-2 [22-0749](#)

Resolution (a) Approving an Application for a Dock Permit for Usage of Public Property by SIPC LLC - Glenn Wright, Mgr. Located at 607 Cordova Road and (b) Authorizing Execution of a Declaration of Restrictive Covenants - (Commission District 4)

ADOPTED

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

CR-3 [22-0895](#)

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

ADOPTED

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

CR-4 [22-0896](#)

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

Commissioner Herbst discussed concerns of Galt Ocean Mile residents regarding the reallocation of funding for the Galt Ocean Mile Beautification Project (Galt Project) to the District 2 State Road A1A Project for pedestrian street lighting (A1A Project) listed on page twenty-five (25) of the backup information.

Commissioner Glassman commented on his perspective and clarified details related to the reallocation of Galt Project funding. The Galt Project is estimated to move forward next year.

City Manager Chavarria explained funding for the Galt Project is not anticipated to be used until 2024. Staff proposes reprioritizing Galt Project funds to the A1A Project versus using funds from the General Fund Balance (Fund Balance). The A1A Project is shovel ready and needs to promptly move forward or risk the loss of \$1,500,000 in grant funding. Funding for the Galt Project would be addressed during Fiscal Year 2024 budget development.

In response to Commissioner Glassman's question regarding future funding for the Galt Project, City Manager Chavarria noted two (2) future budget cycles to prioritize Galt Project funding and commented on related details.

Commissioner Herbst explained that capital funds projects do not lapse and remain dedicated to a project until spent. The Galt Project would need additional funding, and there is no guarantee Galt Project funding would materialize in the future. Commissioner Herbst said he is adamantly opposed to the removal of funding for the Galt Project.

In response to Commissioner Herbst's question, Laura Reece, Office of Management and Budget Director, explained details of the Fund Balance. The amount currently available is \$99,600,000, which is \$34,000,000 above the minimum requirement.

Commissioner Herbst remarked on the ability to accommodate the A1A Project from the Fund Balance without impacting the Galt Project.

Commissioner Glassman reiterated his perspective. Further comment and discussion ensued.

Commissioner Herbst remarked on funding support for the Galt Project from State Representative Chip LaMarca and the need for the City to demonstrate its ability to commit and fund this project. Further comment and discussion ensued.

Commissioner Glassman confirmed his support of the Galt Project

and funding it in the future.

In response to Mayor Trantalis' question regarding the \$2,300,000 funding for the Galt Project, City Manager Chavarria remarked on Staff's understanding of details related to funding needs. Once the design becomes available, Staff can provide a better estimate of the total cost.

Mayor Trantalis commented on holding the Galt Project funding for two (2) years until shovel ready and noted that the balance of funds needed has not been committed. Further comment and discussion ensued.

Commissioner Herbst discussed the benefit of reserving current Galt Project funding and determining the balance of subsequent funding needs in the future.

Commissioner Herbst introduced this Resolution as amended, eliminating item K.

Commissioner Glassman inquired about details related to the introduction of this Resolution as amended and remarked on concerns regarding jeopardizing the A1A Project.

Commissioner Herbst explained details related to the practice of bringing budget amendments forward to the Commission on a monthly basis.

Alan Dodd, Public Works Department Director, explained details of the A1A Project's tight timeline, its price guarantee through December 20, 2022, and maximizing use of grant funding.

In response to Commissioner Glassman's question, Mr. Dodd remarked on the importance of having funding in place to award the contract in order to not jeopardize the entire A1A Project associated with Agenda item CP-3. Further comment and discussion ensued on the impact of this Resolution as amended.

DEFEATED as Amended

Yea: 1 - Commissioner Herbst

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

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

ADOPTED

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

Nay: 1 - Commissioner Herbst

CR-5 [22-1047](#) Resolution Approving City of Fort Lauderdale FY 2023 Not for Profit Grant Participation Agreement with Museum of Discovery and Science, Inc., - \$214,800 - (Commission Districts 1, 2, 3 and 4)

ADOPTED

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

CR-6 [22-1049](#) Resolution Approving Fiscal Year 2023 Not for Profit Grant Participation Agreement with Areawide Council on Aging of Broward County, Inc. - \$127,842 - (Commission Districts 1, 2, 3 and 4)

ADOPTED

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

CR-7 [22-1086](#) Resolution Approving a Second Amendment to the Public Transportation Grant Agreement from the Florida Department of Transportation for the Construction of the Mid-Field Taxiway Extension and Run-up Area Project at Fort Lauderdale Executive Airport - \$224,000 - (Commission District 1)

ADOPTED

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

CR-8 [22-1104](#) Resolution Approving a Public Transportation Grant Agreement with the Florida Department of Transportation for FXE Airport Drainage Improvement Phase 1 at Fort Lauderdale Executive Airport - \$540,000 - (Commission District 1)

ADOPTED

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

CR-9 [22-1132](#) Resolution Authorizing the City Manager to Execute Florida Power & Light ("FPL") Easement Over City-owned Property for Utilities at Shirley Small Park - (Commission District 3)

ADOPTED

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

- CR-10** [22-1151](#) Resolution Approving Fiscal Year 2023 Not for Profit Grant Participation Agreement with Winterfest, Inc. - \$375,000 (five year total) - (Commission Districts 1, 2, 3 and 4)

ADOPTED

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

- CR-11** [22-1165](#) Resolution Appointing Special Counsel in Connection with Obtaining a 2023 Special Obligation - Line of Credit - (Commission Districts 1, 2, 3 and 4)

ADOPTED

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

- CR-12** [22-1174](#) Resolution Appointing Code Enforcement Special Magistrate - (Commission Districts 1, 2, 3 and 4)

ADOPTED

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

CONSENT PURCHASE

- CP-1** [22-0947](#) Motion Approving Agreement for the River Oaks Pump Station Project - Ric-Man Construction Florida, Inc.- \$10,338,284 - (Commission District 4)

APPROVED

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

- CP-2** [22-1041](#) Motion Approving Agreement for Annual Bridge Repair Services - Engineering Control Systems, Corporation - \$1,204,200 - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

- CP-3** [22-1094](#) Motion Approving an Agreement for State Road A1A Streetscape Improvement Project - Weekley Asphalt Paving, Inc. - \$10,945,573 - (Commission District 2)

APPROVED

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

MOTIONS

- M-1** [22-1080](#) Motion Approving an Event Agreement and Request for Music Exemption for Saint Demetrios Greek Festival - (Commission District 2)
- Commissioner Glassman made a motion to approve this Agenda item and was seconded by Commissioner Beasley-Pittman.
- APPROVED**
- Yea:** 5 - Commissioner Herbst, Commissioner Glassman, Commissioner Beasley-Pittman, Vice Mayor Sturman and Mayor Trantalis
- M-2** [22-1128](#) Motion Approving an Event Agreement and Request for Music Exemption for Mardi Gras - (Commission District 2)
- Commissioner Glassman made a motion to approve this Agenda item and was seconded by Commissioner Herbst.
- APPROVED**
- Yea:** 5 - Commissioner Herbst, Commissioner Glassman, Commissioner Beasley-Pittman, Vice Mayor Sturman and Mayor Trantalis
- M-3** [22-1081](#) Motion Approving an Event Agreement and Related Road Closure, with In-Kind Services from the City for 2023 King Holiday Parade & Multicultural Festival - (Commission District 3)
- In response to Commissioner Beasley-Pittman's questions regarding the timeline for road closures, Brittany Henry, Parks and Recreation Department Recreation Senior Administrative Assistant, explained the parade participants will begin to line up at 5:00 a.m. The parade will start at 9:00 a.m. and will end at 11:00 a.m.
- In response to Mayor Trantalis' questions, Ms. Henry explained vendors will be located in Carter Park. There will be a stage performance on the street in front of Provident Park and the parade will continue into Carter Park.
- City Manager Chavarria noted that this is an additional City-sponsored event not included in the list published at the beginning of the Fiscal Year 2023. Staff was able to reallocate and reprioritize related funding.
- Commissioner Herbst made a motion to approve this Agenda item and was seconded by Commissioner Sturman.
- APPROVED**

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

- M-4** [22-1082](#) Motion Approving Event Agreements and Related Road Closures for 9th Annual Fort Lauderdale Jingle Bell Jog and Las Olas Art Fair - (Commission Districts 2 and 4)

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

APPROVED

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

- M-5** [22-1083](#) Motion Approving Event Agreements and Extended Road Closures Beyond 10:00am on the Barrier Island for the Chanukah Fair on Las Olas and 16th Annual Fort Lauderdale 13.1 Half Marathon and 10K - (Commission District 2)

Commissioner Glassman remarked on the date change to December 18, 2022, from December 25, 2022, to accommodate concerns related to closing the festival street.

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

APPROVED

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

- M-6** [22-1129](#) Motion Approving Event Agreements and Related Road Closures for Neighborhood Toy Drive formally known as November Fest, South Florida Exotic Car "TOY RALLY", to benefit Toys for Tots and NOBE Sunday Block Party - (Commission Districts 1 and 3)

Commissioner Beasley-Pittman made a motion to approve this Agenda item and was seconded by Commissioner Herbst.

APPROVED

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

- M-7** [22-1006](#) Motion Approving the Recommendations for the 2021 Citizens Recognition Awards - (Commission Districts 1, 2, 3 and 4)

In response to Mayor Trantalis' question regarding the related event date, City Manager Chavarria said there is no date currently set and would keep the Commission informed.

Commissioner Glassman made a motion to approve this Agenda item and was seconded by Commissioner Beasley-Pittman.

APPROVED

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

RESOLUTIONS

R-1 [22-1189](#)

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 December 20, 2022, 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.

Mayor Trantalis discussed his service on the Affordable Housing Advisory Board (AHAB) and the opportunity to appoint a Commission Member to AHAB. Commissioner Beasley-Pittman confirmed her interest and requested additional information. City Clerk David Soloman confirmed he would discuss and provide information to Commissioner Beasley-Pittman

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

ADOPTED

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

R-2 [22-1038](#)

Resolution Approving Agreement for Sale of Potable Water between the City of Fort Lauderdale and the Town of Davie - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis recognized James LaBrie, 1514 NE 20th Street, Poinsettia Heights Civic Association Board Member, and Infrastructure Task Force Advisory Committee Member. Mr. LaBrie commented on his opposition to this Agenda item. Further comment and discussion ensued.

Susan Grant, Assistant City Manager and Finance Director, explained details related to this Agenda item, which represents the sale of potable water on a wholesale basis to the Town of Davie which is later distributed. Further comment and discussion ensued.

City Attorney Boileau explained this ongoing sale of potable water to the Town of Davie is for the use of a particular finite parcel for approximately forty (40) years. He said the agreement adheres to the need for the City to be consistent with the sale of potable water to other municipalities and expounded on related details. Further comment and discussion ensued regarding language included in Exhibit 2 entitled Agreement for Sale of Potable Water - Town of Davie (Agreement).

In response to Commissioner Sturman's questions, City Attorney Boileau confirmed language included in the Agreement allows the City to request water conservation and commented on related details. Mr. LaBrie confirmed this topic was discussed at the Infrastructure Task Force Advisory Committee (ITFAC) Meeting, which included concerns that future water availability might be a limited resource.

Mr. LaBrie recommended users being charged a surcharge to be more conservative with water use. In response to Commissioner Sturman's question regarding Mr. LaBrie's remarks, City Attorney Boileau explained that the twenty-five percent (25%) surcharge is the maximum the City can implement and is governed by State Statute. He reiterated water surcharges to all municipalities should be consistent. Ms. Grant commented on a wholesale customer rate study done several years ago that resulted in a non-tiered rate. Further comment and discussion ensued.

In response to Commissioner Beasley-Pittman's question, Ms. Grant explained the other municipalities the City has Agreements with include the Town of Davie, City of Wilton Manors, City of Oakland Park, Port Everglades and a portion of the City of Tamarac that is directly served. Ms. Grant remarked on aspects of the Agreement with the City of Oakland Park.

In response to Commissioner Sturman's question regarding the term in the Agreement, "not unreasonably withheld", City Attorney Boileau remarked on its use in different contexts and noted it would need to be evaluated by the Public Works Department.

Mayor Trantalis commented on his understanding of water surcharges to other municipalities and discussed details related to Commission action ensuring future water resources.

Commissioner Herbst remarked on water conservation from a cost perspective as it relates to the take or pay contract for 50,000,000 gallons of water per day planned with IDE/Ridgewood for the Prospect Lake Water Treatment Plant (Project).

Alan Dodd, Public Works Department Director, explained details regarding how the Agreement with IDE/Ridgewood is structured. The City can request up to 50,000,000 gallons of water per day based upon demand. The availability payment to IDE/Ridgewood will be for a plant capable of producing 50,000,000 gallons of water per day (availability payment) not based upon requested amounts of water. Savings is realized if less water is produced as a result of less chemicals and electricity used.

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

ADOPTED

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

Nay: 1 - Commissioner Beasley-Pittman

R-3 [22-1120](#)

Resolution Authorizing the Acceptance of Grant Funds From the Florida Division of Emergency Management Awarded to the City of Fort Lauderdale for a Watershed Master Plan and the Execution of Related Agreements - (Commission Districts 1, 2, 3 and 4)

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

ADOPTED

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

R-4 [22-1133](#)

Resolution Approving the Transfer of City-Owned Property Located at NW 8 Avenue in the Northwest-Progresso-Flagler Heights Community Redevelopment Area to the Fort Lauderdale Community Redevelopment Agency, Pursuant to Section 8.02 of the Charter of the City of Fort Lauderdale - (Commission District 3)

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

ADOPTED

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

Nay: 1 - Commissioner Beasley-Pittman

R-5 [22-1166](#)

Resolution Approving an Agreement between the City of Fort Lauderdale and Taskforce Fore Ending Homelessness, Inc., for the Fort Lauderdale Housing Navigation Program in the amount of

\$157,630 - (Commission Districts 1, 2, 3 and 4)

Commissioner Herbst discussed experiencing an influx of homelessness and migration into various neighborhoods and recommended Staff outreach to all areas of the City.

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

ADOPTED

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

R-6 [22-0978](#)

Quasi-Judicial Resolution Approving Plat Known as “Jim Moran Foundation Plat” - Located at 4545 N. Federal Highway - Jim Moran Foundation, Inc. - Case No. UDP-P22001 - (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, Commissioner Beasley-Pittman made a motion to close the public hearing and was seconded by Commissioner Glassman. Roll call showed: AYES: Commissioner Herbst, Commissioner Glassman, Commissioner Beasley-Pittman, Commissioner Sturman and Mayor Trantalis

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

ADOPTED - Approving

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

R-7 [22-0998](#)

Quasi-Judicial Resolution Approving an Alternative Design for a Site Plan Level II Development Permit- Mainstreet NCC Flagler LCC and 515 Inc.- Flagler SV - Case No. UDP-S22020 - (Commission District 2)

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

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

Mayor Trantalis opened the public hearing.

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

Commissioner Beasley-Pittman introduced this Resolution which was read by title only.

ADOPTED - Approving

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

PUBLIC HEARINGS

PH-1 [22-1029](#)

Public Hearing - Quasi-Judicial Ordinance Rezoning from Community Facility (CF) District to Residential Multifamily Low Rise/Medium Density (RM-15) District - 1700 N Andrews, LLC - Case No. UDP-Z22014 - (Commission District 2)

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

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

Mayor Trantalis opened the public hearing.

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

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

PASSED FIRST READING

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

PH-2 [22-1030](#)

Public Hearing - Quasi-Judicial Ordinance Rezoning from Community Facility (CF) District to Community Business (CB) District - 1700 N Andrews, LLC - Case No. UDP-Z22015 - (Commission District 2)

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

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

Mayor Trantalis opened the public hearing.

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

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

PASSED FIRST READING

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

PH-3 [22-1069](#)

Public Hearing and Motion Amending the 2021-2022 Annual Action Plan for Community Development Block Grant (CDBG) - (Commission District 3)

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 Glassman. Roll call showed: AYES: Commissioner Herbst, Commissioner Glassman, Commissioner Beasley-Pittman, Commissioner Sturman and Mayor Trantalis

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

APPROVED

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

PH-4 [22-1139](#)

Public Hearing - Resolution Approving a Waiver of Limitations at

1215 Seminole Drive, for the installation of two (2) finger piers extending a maximum of 39'+/- from the property line into the adjacent Seminole Lake - (Commission District 1)

Mayor Trantalis opened the public hearing.

Mayor Trantalis recognized Steve Cook, 708 SW 16th Court. Mr. Cook commented on the process for these types of waivers and suggested changes to the Ordinance to accommodate wider waterways.

Mayor Trantalis said these comments were previously presented to the Marine Advisory Board (MAB). The MAB indicated it preferred to deal with each waiver request on a case-by-case basis. Mayor Trantalis remarked that Staff could approach the MAB regarding making a change to the dimensions included in the Ordinance.

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

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

ADOPTED - Approving

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

ORDINANCE SECOND READING

OSR-1 [22-1056](#) Second Reading - Ordinance Amending Section 26-91(a) of the Code of Ordinances to Revise Schedule of Fines Related to Special Events at the Broward Center for the Performing Arts Parking Garage - (Commission District 2)

Commissioner Glassman introduced this Ordinance on the Second Reading which was read by title only.

ADOPTED ON SECOND READING

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

OSR-2 [22-1107](#) Second Reading - Ordinance Amending the Non-Bargaining Unit Classification Table of the Pay Plan of the City of Fort Lauderdale, Florida, by Creating One New Classification - (Commission Districts 1, 2, 3 and 4)

Commissioner Beasley-Pittman introduced this Ordinance on the Second Reading which was read by title only.

ADOPTED ON SECOND READING

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

OSR-3 [22-1108](#)

Second Reading - Ordinance Amending the Pay Plan of the City of Fort Lauderdale, Florida, by Amending the Non-Bargaining-Unit Compensation Table and Schedule VI, Providing a Three Percent General Wage Increase Effective October 2, 2022 - (Commission Districts 1, 2, 3 and 4)

Commissioner Beasley-Pittman introduced this Ordinance on the Second Reading which was read by title only.

ADOPTED ON SECOND READING

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

RESOLUTIONS CONTINUED

R-8 [22-1121](#)

Resolution Designating Vice-Mayor - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis explained background details regarding this Agenda item.

Commissioner Glassman recommended Commissioner Sturman fulfill the position previously held by Vice Mayor Sorensen concurrent with fulfilling the position of District 4 Commissioner as a result of the recent Election.

Commissioner Glassman remarked on reviewing the date for appointing the Vice Mayor to coincide with the November election date, i.e., December, and recommended this be included as a topic for discussion by the Charter Revision Board. He recommended staying on track with the schedule included in the backup information.

Commissioner Herbst echoed Commissioner Glassman's comments regarding the Charter Revision Board addressing this topic in the Charter and remarked on related details.

Commissioner Glassman introduced this Resolution designating Warren Sturman as Vice-Mayor which was read by title only.

ADOPTED - Designated Warren Sturman as Vice-Mayor

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

DISCUSSION

Commissioner Herbst commented on concerns discussed during the Commission Conference Meeting with respect to the performance of City Attorney Boileau and City Manager Chavarria. Further comment and discussion ensued.

Commissioner Herbst remarked on the need for a new direction with respect to City Attorney Boileau. Commissioner Sturman recommended taking time to consider this topic and placing this as a topic for discussion on the December 20, 2022, Commission Conference Agenda. Commissioner Beasley-Pittman concurred.

Commissioner Herbst requested Commission feedback with respect to City Manager Chavarria. Mayor Trantalis remarked on his satisfaction with the performance of City Manager Chavarria. Commissioner Glassman, Vice Mayor Sturman, and Commissioner Beasley-Pittman concurred.

Commissioner Herbst remarked on actions of Scott Wyman, Office of the Mayor Chief of Staff, and recommended retaining outside counsel to review. Mayor Trantalis commented on his actions. Further comment and discussion ensued.

Commissioner Herbst explained his viewpoint regarding Mr. Wyman and the past engagement of outside counsel to conduct investigations when employees have engaged in inappropriate actions. Mayor Trantalis remarked that this would not be in the best interests of the City.

WALK-ON Motion to Hire Outside Counsel for Investigation

Commissioner Herbst made a motion to approve this Agenda item.

MOTION DIED FOR LACK OF A SECOND

ADJOURNMENT

Mayor Trantalis adjourned the meeting at 7:58 p.m.

Dean J. Trantalis

Mayor

ATTEST:

David R. Soloman
City Clerk