

City of Fort Lauderdale

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



Meeting Minutes - APPROVED

Tuesday, June 17, 2014

6:00 PM

City Commission Chambers

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

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

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

Meeting was called to order at 6:03 p.m. by Mayor Seiler.

ATTENDANCE ROLL CALL

Present: 5 - Mayor John P. "Jack" Seiler, Vice-Mayor Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Commissioner Bobby B. DuBose

Also Present: City Manager Lee R. Feldman, City Auditor John Herbst, City Clerk Jonda K. Joseph, Assistant City Attorney Cynthia A. Everett and Sergeant At Arms Sergeant Cecil Stone

Vote Roll Call Order for this Meeting

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

Invocation

Chaplain Ron Perkins, Fort Lauderdale Police Department and Seafarer's House at Port Everglades

Pledge of Allegiance

Led by Fire-Rescue Division Chief Tim Heiser

Approval of MINUTES and Agenda

No public comments were submitted by email for the June 17, 2014 regular meeting.

14-0807 APPROVAL OF MINUTES for April 29, 2014 Joint Workshop with Historic Preservation Board and May 6, 2014 Conference Meeting

Motion made by Commissioner Trantalis and seconded by Commissioner Roberts to approve the noted minutes.

APPROVED

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

PRESENTATIONS

PRES-1 14-0725 STATE OF FLORIDA SENATOR MARIA SACHS LEGISLATIVE UPDATE

Senator Maria Sachs noted that her No. 1 priority this session was to pass a parasailing bill, which occurred successfully. Additionally she helped secure funding for Broward College and is working on beach renourishment.

In response to Mayor Seiler, Senator Sachs said she does not believe any special sessions will be called.

PRES-2 14-0726 PROCLAMATION DECLARING JUNE 16-20, 2014, AS "LEGAZPI ADAPTATION DAYS" IN THE CITY OF FORT LAUDERDALE

Commissioner Trantalis presented the proclamation to Councilman Raul Rosal, representing the City of Legazpi, Philippines. Rosal thanked the Commission and recognized members of his team.

PRES-3 14-0822 PROCLAMATION DECLARING JUNE 6, 2014 AS WALTON LANTAFF SCHROEDER & CARSON, LLC DAY, IN RECOGNITION OF THEIR 80th ANNIVERSARY

Vice-Mayor Rogers presented the proclamation to Beth Leahy, a senior partner in the firm's Fort Lauderdale office. Leahy thanked the Commission for its support and introduced members of the firm.

PRES-4 14-0784 POLICE OFFICER OF THE MONTH FOR JUNE, 2014

Police Chief Frank Adderley recognized Officer James Wells as Officer of the Month for June 2014. He highlighted Officer Wells' efforts in an attempted armed robbery. The crime victims presented the Heartland Award to Officer Wells on behalf of the Lawton Chiles Foundation.

CONSENT AGENDA

Mayor Seiler announced the procedure for consent items.

Motion made by Commissioner Roberts and seconded by Vice-Mayor Rogers that Consent Agenda items CM-1, CM-9, CR-3 and CR-5 be deleted from the Consent Agenda and considered separately, and that all remaining Consent Agenda items be approved as recommended.

CONSENT MOTION

CM-1 14-0719 EVENT AGREEMENTS: John 3:16 Car Show & Outreach, Florida Beach Volleyball Tour, 2014 Lanakila Iki Outrigger Canoe Club Summer Paddlefest, Greenhulk.net US Hydrodrag Nationals, CT's Management 3 on 3 Play for Keeps Tournament and St. Thomas Reunion

The John 3:16 Car Show was canceled and thus removed from this item.

APPROVED

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

CM-2 14-0720 EVENT AGREEMENT AND RELATED ROAD CLOSINGS: Memorial Ride

APPROVED

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

CM-3 14-0707 ACCEPT DONATION OF TWO GENERATORS AND TANDEM TRAILERS FROM CITY OF MIAMI - \$116,034.96

APPROVED

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

CM-4 14-0788 SETTLEMENT OF WORKERS' COMPENSATION CLAIMS WC-04-14102 AND WC-11-14427 (Raymon Hall) - \$299,753.45

APPROVED

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

CM-5 14-0721 FIVE-YEAR RENEWAL OF LEASE AGREEMENT - MILLS POND PARK - Broward County - May 21, 2015 to May 20, 2020

APPROVED

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

CM-6 14-0722 APPLICATION FOR TEMPORARY BEACH LICENSE AND OUTDOOR EVENT AGREEMENT - Xtreme Top Box, Inc.

APPROVED

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

CM-7 14-0697 TASK ORDERS 8 AND 11 FOR LOHMEYER WASTEWATER TREATMENT PLANT - \$8,610 - Capacity Analysis Report Update and \$21,365 - Renewal and Replacement Report Update - CDM Smith Inc.

APPROVED

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

- CM-8 14-0593** FORT LAUDERDALE XTREME TOP BOX THROWDOWN EVENT - Request of Beach Business Improvement District Advisory Committee for funding - \$15,000

APPROVED

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

- CM-9 14-0816** REVOCABLE LICENSE - OPERATE AND MAINTAIN 22 SPACE PARKING LOT WITHIN PORTION OF PUBLIC RIGHT OF WAY - shopping center development at 6300 North Andrews Avenue - 6300 Investments, LLC

In response to Vice-Mayor Rogers, Assistant City Attorney Bob Dunckel said there will be no parking meters at this location. It appears to be a classic case for vacation of right-of-way. He elaborated on what exists which came about some 20 years ago. He suspected the Applicant may seek a vacation of right-of-way, in which case the parking would be on their land.

Applicant Cary Goldberg explained that the additional parking is needed due to demand. He described particulars of the area. The parking spaces would be available for public use. Commissioner Roberts agreed there is a demand for the parking in the area and the development ties into the area's vision. Mayor Seiler agreed.

Dunckel confirmed for Mayor Seiler that if the site is not properly maintained, the license can be revoked. The City has several options. Additionally, the license can be revoked in the event of an emergency provided it is a superior municipal purpose. If the west 50 feet is vacated, the license agreement goes away. The 24-foot pavement was originally paved as part of North Andrews Avenue. The Applicant would take the west 50 feet where the parking lot is being constructed. The City Manager noted that staff is not recommending vacation of the right-of-way.

Vice-Mayor Rogers noted he is slightly concerned about setting a precedent with a license but understood the configuration and that it would be put to good use with parking.

Motion made by Commissioner Roberts and seconded by Commissioner Trantalis to approve the item as recommended.

APPROVED

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

- CM-10 14-0612** AGREEMENT FOR PARKING ENFORCEMENT SERVICES - KATHLEEN C. WRIGHT ADMINISTRATIVE COMPLEX - 600 SE 3 Avenue - School Board of Broward County

APPROVED

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

CM-11 14-0693 AGREEMENT FOR PARKING ENFORCEMENT SERVICES - 1101 and 888 East Las Olas Boulevard - Las Olas Company

APPROVED

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

CM-12 14-0767 2014 SUMMER RECESS - ELIMINATE SECOND CONFERENCE AND REGULAR MEETINGS IN JULY AND FIRST CONFERENCE AND REGULAR MEETINGS IN AUGUST

APPROVED

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

CONSENT RESOLUTION

CR-1 14-0551 NAMING PROPERTY AT 3850 FEDERAL HIGHWAY "MANGURIAN PARK" - contingent upon City acquiring property

ADOPTED

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

CR-2 14-0609 DEDICATE PORTIONS OF CITY-OWNED LAND AS PUBLIC RIGHT-OF-WAY FOR PURPOSES OF THE WAVE STREETCAR PROJECT

ADOPTED

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

CR-3 14-0658 NEW STREET NAME CHANGE POLICY

Vice-Mayor Rogers expressed concern that the Commission's policy on street name changes is different than what is being recommended for citizen-initiated name changes. Commissioner Trantalis agreed. He supported passing this resolution but also wanted guidelines established for the Commission to follow. He requested that the City Manager and City Attorney present a proposal. Commissioner DuBose wanted a discussion on it before having a proposal presented by staff. He was concerned about binding future commissions. The Commission members are policy makers. Setting criteria for future commissions is more problematic than handling matters case by case.

Mayor Seiler noted that this policy was unanimously adopted by the Council of Fort Lauderdale Civic Associations. He felt the Commission could proceed with this item as it relates to citizen-initiated procedures and discuss those initiated by the Commission in the future.

Motion made by Vice-Mayor Rogers and seconded by Commissioner DuBose to approve the item as recommended.

ADOPTED

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

- CR-4 14-0717** LOTS 29, 30, 34 & 35 - EXECUTIVE AIRPORT - Consent to Assignment of Lease Agreement from Fort Lauderdale Crown Land Trust, Inc. to Crown Land Trust, Inc. - authorizing City Manager to execute on behalf of City

ADOPTED

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

- CR-5 14-0664** MERIT INCREASE FOR CITY MANAGER - effective June 13, 2014

Haylee Becker, representing Food Not Bombs, expressed opposition to the item. She believed it was his second raise in eight months. She was concerned about the City Manager's role in crafting ordinances that target the homeless and criminalize poverty.

Jeff Weinberger, representing the Broward Homeless Campaign, questioned whether other City employees have received two salary increases in the past eight months that amount to over \$12,000 or \$20,000 in the last three years. He contended that it is higher than an adjunct professor in the Broward College system, of a teacher in Broward County and more than four times the average income of a Broward County resident. He felt that no public servant should make more than \$200,000. He opposed the increase in the wake of the City's homeless ordinances that the City Manager has played a major role in. He opposed this item.

Commissioner DuBose indicated that two raises were not approved in an eight-month period. Commissioner Roberts explained that one increase was retroactive for his second year of service and there was no increase related to his first year of service.

Motion made by Vice-Mayor Rogers and seconded by Commissioner Roberts to approve the item as recommended.

ADOPTED

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

PURCHASING AGENDA

- PUR-1 14-0630** ONE-YEAR CONTRACT FOR BRASS THREADED FITTINGS - estimated \$50,305.65 - Mariflow Industries, Inc. and authorize City Manager to approve three, one-year renewal options, contingent upon appropriation of funds

APPROVED

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

- PUR-2 14-0633** CONTRACT FOR EXECUTIVE AIRPORT OBSERVATION AREA PARKING EXPANSION - \$59,969 - B Square Construction Management Group, LLC.

APPROVED

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

- PUR-3 14-0638** CONTRACT FOR TENNIS COURT RESURFACING - \$89,551 - Fast-Dry Courts, Inc.

APPROVED

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

- PUR-4 14-0650** CONTRACT FOR CONSTRUCTION MANAGEMENT SERVICES FOR U.S. CUSTOMS AND BORDER PROTECTION FACILITY AT EXECUTIVE AIRPORT - ACAI Associates, Inc.

APPROVED

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

- PUR-5 14-0641** ONE-YEAR CONTRACT FOR TRASH AND RECYCLING COLLECTION SERVICES FOR PUBLIC SPACES AND SPECIAL EVENTS - \$498,288 - Republic Services of Florida, Limited Partnership and authorize City Manager to approve three, one-year renewal options, contingent upon appropriation of funds

APPROVED

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

PUR-6 14-0705 ONE-YEAR CONTRACT FOR INTERNATIONAL WASTE DISPOSAL - \$56,120 - Progressive Waste Solutions of FL, Inc. and authorize City Manager to approve three, one-year renewal options, contingent upon appropriation of funds

APPROVED

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

PUR-7 14-0690 CANCEL CONTRACT FOR LEASE OF HOLIDAY LIGHTS with Brandano Displays, Inc.

APPROVED

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

PUR-8 14-0695 FINAL RANKING AND COMMENCEMENT OF CONTRACT NEGOTIATIONS FOR STRUCTURAL ENGINEERING SERVICES - top ranked proposer Lakdas/Yohalem Engineering, Inc.

APPROVED

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

PUR-9 14-0712 PROPRIETARY PURCHASE OF ANNUAL SUPPORT FOR OPERATING SYSTEM SOFTWARE - FINANCIAL ACCOUNTING AND BUDGET PREPARATION SOFTWARE SYSTEMS - \$84,317 - International Business Machines Corporation (IBM)

APPROVED

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

PUR-10 14-0549 PROPRIETARY PURCHASE - MUGSHOT CAPTURE STATION SOFTWARE FOR ARREST AND BOOKING PROCESS - \$38,705 - Sungard Public Sector Inc.

APPROVED

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

PUR-11 14-0818 PROPRIETARY THREE-YEAR CONTRACT FOR LEGAL PUBLICATIONS AND ONLINE RESEARCH SERVICES - \$2,184 monthly with 4% increases in years two and three - West Publishing Corporation

APPROVED

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

PUR-12 14-0710 PURCHASE THREE REPLACEMENT HI-CLEARANCE TRACTORS - \$222,821.25 - Growers Equipment Company

APPROVED

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

PUR-13 14-0713 PURCHASE THIRTEEN FORD FUSION HYBRIDS - \$301,678. to Don Reid Ford Inc.

APPROVED

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

PUR-14 14-0714 PURCHASE OF TOYOTA CAMRY HYBRIDS - \$281,232 - Alan Jay Import Center Inc., d/b/a Alan Jay Toyota

APPROVED

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

PUR-15 14-0715 PURCHASE OF HARDWARE AND SOFTWARE FOR CAYENTA UTILITY BILLING SYSTEM - not to exceed \$173,314 - Computer Systems Support, Inc, SHI International Corp, Dell Computer Marketing Limited Partnership, Mythics Incorporated, DLT Solutions, LLC and CDW GOVERNMENT LLC.

APPROVED

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

PUR-16 14-0790 THREE-YEAR AGREEMENT FOR MEDICAL DIRECTOR SERVICES FOR FIRE-RESCUE DEPARTMENT - \$150,865.48 - Nabil El Sanadi, M.D. and authorize City Manager to approve two, one-year renewal options, contingent upon appropriation of funds

APPROVED

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

PUR-17 14-0811 AGREEMENT AND ADDENDUM 1 FOR REAL ESTATE BROKERAGE AND LEASE MANAGEMENT SERVICES - CBRE, Inc.

APPROVED

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

WALK ON WALK ON – Motion to cancel the remainder of Work Order No. 1 awarded to Cavache Inc. and award the remaining work to Waterfront Property Services LLC, d/b/a Gator Dredging

The City Manager explained that the City is switching contractors for its canal dredging program because they need to have a site where dredge material can dry before it is removed. The first vendor did not have that ability in the county.

Motion made by Vice-Mayor Rogers and seconded by Commissioner Roberts to approve the item as recommended.

APPROVED

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

RESOLUTIONS

R-1 14-0779 SUPPORTING MARRIAGE EQUALITY AND URGING ENACTMENT OF A STATE LAW

Commissioner Trantalis explained that he requested this item be placed on the agenda in an effort to seek equal rights for the lesbian, gay, bisexual and transgender (LGBT) community. He recalled history around this topic, citing the Stonewall riots in New York City 45 years ago. As a member of this community, he felt it is important to bring forward this item. Marriage equality became even more important when the U.S. Supreme Court ruled that it is unconstitutional to deny a person's right to marry based on their sexual orientation. Some states have allowed civil unions but those couples are not allowed the same rights because the federal government does not recognize civil unions. Those whose marriages are recognized in some states are entitled to more than 1,000 benefits that others are entitled to as a matter of right. Marriage equality is more about equality than it is about marriage. He talked about the renaissance in Fort Lauderdale since the 1980s and that the gay community spent millions of dollars investing in Fort Lauderdale and revitalizing neighborhoods. According to U.S. Census information, Fort Lauderdale has one of the highest concentrations of same-sex households in the country. According to the Greater Fort Lauderdale Convention and Visitors Bureau, billions of dollars have been spent by the

LGBT community. Due to the Supreme Court decision rendered last summer, this issue is working its way through the court system. When judges make decisions they look to the court of public opinion and the position municipalities have taken. In order to truly be an All-America city, Fort Lauderdale must be a city for all Americans. It is important for the City to express to the community and the judiciary how important it is to overturn those laws that now ban same sex marriage. This issue denies benefits such as social security and immigration to the LGBT community. He understood those who find this to be a religious issue but believed that religion should be checked at the door of city hall. As public servants, the Commission should represent all people, not just those who have similar religious beliefs. He concluded by expressing his support in the proposed resolution.

Mayor Seiler opened the floor for public comment.

Steve Dolgin, 1170 North Federal Highway, agreed with Commissioner Trantalis' comments. There are more than 1,000 benefits afforded to married couples but not to those in a civil union. Even if those benefits were available to those in civil union, it still would not be the same. Separate but equal was already addressed by the Supreme Court in *Brown v. Board of Education*. He noted Exhibit 1 of Commission Agenda Memorandum 14-0779 which lists communities in Florida that support marriage equality. He enumerated reasons for the City joining those communities.

Joel Slotnick, 703 Tequesta Street, found it sad that in 2014 this discussion should even have to take place. He discussed contributions and support that the LGBT community gives to the City. Such support could be withdrawn if there is a message that the LGBT community is not welcome. Residents have been forced to go to another state to get married. He urged support of this item.

Chad Thilborger, representing the Greater Fort Lauderdale Chamber of Commerce's Gay and Lesbian Business Exchange, expanded on the financial support and business presence of the LGBT in Fort Lauderdale. He has received support from numerous other cities in the country which have questioned whether to continue holding events in Fort Lauderdale. He asked that the Commission recognize its LGBT community.

Jeff Scarr, 350 SE 2 Street, said he intends to get married on Labor Day but is unable to do so in Fort Lauderdale, so he will be traveling to Mexico City. They are spending thousands of dollars in another country when it could be spent locally.

Eric Reivik, 1401 NW 2 Avenue, also spoke of the lack of economic impact that is occurring because people must travel elsewhere in order to be legally married. Everyone should be treated the same. Tonight's decision will be heard around the world and will set an example for those who want to travel to Fort Lauderdale. If approved, it will attract more visitors.

Row Iliescu, representing Equality Florida, spoke in support of this item and discussed how this issue was presented in Miami Beach.

Michael Albetta, 1117 NE 10 Avenue, indicated that he is a homeowner in Fort Lauderdale. He works in Fort Lauderdale for a major corporation that recently recognized same-sex marriages from out of state for benefits. It is time for change. It is economically smart to do this. He supported the resolution.

John Aman, 6300 NW 31 Terrace, spoke in opposition to the item. He did not believe religion should be checked at the door. He did not believe some people should be divested of their core religious beliefs when others are allowed to exercise and express theirs. With passage of this resolution, religion in the larger sense would be discriminated against. This matter is beyond the City's purview. It has already

been decided by the State's voters and entered into the constitution. Marriage is not subject to legislation because it is defined in human nature.

Rabbi Noah Kitty, representing Congregation Etz Chaim, felt that opposition to same-sex marriage is not based on economics but rather particular views that come from individuals' interpretation of the Bible. She believes in the Bible but one of the fundamental founding tenets of this country is that each person should be able to read it as their conscience dictates. It is one's right to have a religious objection to same-sex marriage, and in that case they should not marry someone of the same sex. If freedom of religion exists, all people should be able to practice their own faith. As the leaders of this community, the Commission should adopt this resolution to demonstrate its leadership to the state.

Hannah Willard, representing Equality Florida, discussed her advocacy for the integrity, dignity and equal rights of Florida residents and those around the world. She urged support of this item.

Tom Runyan, 3102 SW 14 Street, said he resides in the city and owns a business in the city that employs five people. He believed this is the Commission's chance to be on the right side of history; to demonstrate that Fort Lauderdale loves and accepts all individuals. America is trending toward accepting gay marriage. It is only a matter of time before it happens in Florida. He urged support of this item.

Jack Doren, 4431 NE 17 Avenue, Oakland Park, said that sexual orientation is not a behavioral characteristic. It is an inherent determinant of who one loves which is then expressed behaviorally. He referred to literature that is being distributed this evening that claims this topic is divisive. However, the source of the divisiveness is not the gay community but those that oppose one's civil rights. Every major professional health organization has position statements that support an environment of healthy development of one's natural sexual orientation and explicitly opposes sexual orientation change efforts. As a young gay teenager he prayed every day to be straight. It is not a choice. These people are asking for equal rights. He urged support of this item.

Jordan Pearl, 3881 NW 84 Avenue, Sunrise, pointed out that no one has supported equality for polygamists or incestuous relationships. However, Florida Equality literature states that marriage should not be denied anyone. If the belief is that it is a civil right, polygamists or people in incestuous relationships would have the right as well. He surmised the thinking is that it is immoral. He questioned why one person's moral views should be altered and another's not. Marriage is a state issue. This is a personal agenda by one commissioner. He believed it is mocking the beliefs of the religious community. It will tear the community apart.

L.F. Rosenthal, 1237 NW 4 Avenue, was upset by literature being distributed that states those who do not believe in Jesus are not full citizens of Fort Lauderdale. He elaborated on Florida history as to the first colonies and prohibition of interconnection between church and state. Belief in Jesus is up to the individual not the business of the state. He also elaborated on discrimination that still exists today in Fort Lauderdale. It is simply a matter of believing in equality of all citizens or not. Of the three most Catholic countries in the world, Spain, Italy and Poland, Spain and Italy have gay marriage.

Stephen Muffler, 1521 NE 63 Street, noted his commitment to public service in Fort Lauderdale. He campaigned against Amendment 2, which would have banned same-sex marriage. Last year the U.S. Supreme Court ruled that the Defense of Marriage Act unconstitutionally deprived same-sex couples of due process and equal protection. State laws banning same-sex marriage are being challenged and voided across the country. Voting against this resolution is more of a matter of one's taste than of law. He got married in New York after waiting eight years for legal recognition from Fort Lauderdale and Florida. Recognizing same-sex marriage is not a net sum gain or loss.

Paul Falcone, 501 NE 23 Street, noted that he worked for former District II Commissioner Rodstrom. He chairs the LGBT South Florida Amateur Athletic Association, which holds games and events at Mills Pond Park. He understood the resolution is ceremonial and that the Commission has constituencies to which they must answer. He appealed to the Commission on a personal level to support the resolution.

Robert Boo, CEO of Pride Center at Equality Park, referred to history and the civil rights fight years ago. He urged the Commission to be reflected in history as supportive of equality. The resolution is ceremonial but it sends a strong message to the community. Fort Lauderdale was damaged years ago and should not go through that again.

Michael Rajner, P.O. Box 2133, said he is a Wilton Manors' resident, but frequents Fort Lauderdale. He believed the Commission members to be fair and good people. There is no homosexual agenda to sacrifice or execute Christians. He did not think a lesser value should be placed on the lives of LGBT individuals. The City does not provide pension equity to employees in a same sex relationship. The City does not mandate that domestic partnerships are extended when people want to do business with the City. The City does not provide health coverage for transgender employees. The City is not valuing the 1.3 million LGBT tourists. The Broward Sheriff's Office and cities of Margate and Pembroke Pines recognize gay marriages performed out of state for employee benefit purposes. He urged support of this item.

Ed Leuchs, 1740 NW 27 Terrace, noted during his campaign efforts on behalf of President Obama, the President made a strong statement in support of gay marriage and he had an opportunity to speak with former Commissioner Carlton Moore on the topic. Moore told him that he viewed gay marriage as a civil right. He questioned how one could imagine a law that would prohibit heterosexual marriages. This is a matter of equal rights.

Stratton Politzer, representing Equality Florida, indicated that this is an important moment in the LGBT civil rights movement. He spoke of the statewide "Get Engaged" campaign which promotes equality. It encourages people who believe in equality to make their belief public. More than 30 Florida mayors have signed a pledge for marriage rights in Florida. Cities across the state are being asked to adopt a similar resolution. Florida now has 57 percent support for marriage equality. He was encouraged with the number of attendees this evening who were given notice of just four hours. It is a demonstration of the importance of this resolution to the LGBT community. He did not want to leave the state to marry his partner of 21 years.

Elizabeth King, 1616 NE 6 Street, elaborated on her professional experience including that of an educator in the Broward County School System for 22 years. She has witnessed challenges of children in coming to terms with being gay. She was appalled by the literature distributed that compares a gay marriage to incest. She urged support of the item. Voting in favor of this item would show that Fort Lauderdale is truly an All-America city and that the Commission represents everyone.

John Weaver, 1616 NE 6 Street, did not think anyone should concern themselves with other people's marriages. The government should not be deciding whether same sex marriages are right. Laws should not be written based on what churches want. There will eventually be equality for everyone; it is coming. He urged the Commission to be on the right side of history and send a unanimous message to the state.

Steve Glassman, 2821 North Ocean Boulevard, did not understand why this issue has taken so long to come forward now that the Commission is on the spot. The first time two men filed for a marriage license in the United States was in 1970. The first state to legalize same-sex marriage did so in 2004. The

Supreme Court has ruled; the federal government has weighed in and 19 states and the District of Columbia recognize same-sex marriage. Fort Lauderdale has the unfortunate history of the City's official actions not quite keeping up with the reality of its demographics. It needs to be on the right side of history. He enumerated advancements made on this issue and urged support of the item.

Naomi Parker, 400 NE 22 Street, Wilton Manors, wanted this to be the last time that she, as a black gay woman, has to go to City Hall to discuss equality, diversity and inclusion. It is a non-thinking issue. In 1967 the U.S. government made it permissible for black and white people to marry. She was married in Maryland and believed her family and neighbors should have been able to attend a wedding in Fort Lauderdale. This is an opportunity to make history and ensure that all people have the same protections and rights.

Norm Kent, 215 NE 17 Avenue, pointed out that this morning the U.S. Senate unanimously confirmed an African American gay man to U.S. District Court judgeship, which is the first time in the history of America. He elaborated on the history of civil rights in general and the progress that has been made. The Commission is being asked not to allow the city to become a symbol of discrimination. The request is to be treated equally and fairly.

Doug Cureton, 2378 Wilton Drive, elaborated on his profession and experience in diversity and other types of training across the country. This is not only a moral, civil and safety issue, it is a business issue. This is a business issue for the City. It should be clear that Fort Lauderdale supports and encourages all types of business. It is not just about being gay, it is about being equal. Students are looking to their teachers and parents as role models and what it means to have the right to express who they are. He would like them to be able to look to politicians as well. He spoke about how a first-person experience helps to break down bias. There should be liberty and justice for all as contained in the pledge of allegiance to the U.S. flag.

Former Commissioner Tim Smith elaborated about the bad behavior that can happen when people discriminate against others because of their sexual orientation. He felt this discussion should have taken place initially in a conference meeting but Commissioner Trantalis was told by the City Manager and City Attorney that resolutions must be considered at the evening meetings. He urged support of the item.

Marc Paige, 2421 NE 65 Street, felt that if this resolution is adopted, it will not make much news, but it would be a huge statement if it is rejected. Since the first same-sex marriage in 2004, Maine, Maryland and Washington became the first states in 2012 to legalize same-sex marriage by popular vote. Today 19 states have approved marriage equality. He elaborated on his struggle of having a partner from El Salvador who could be deported because he was not married to a U.S. citizen. Because the U.S. Supreme Court overturned the Defense of Marriage Act (DOMA), he was able to marry his partner in Massachusetts. He quoted remarks made in 2003 by the Chief Justice of Massachusetts in support of this issue. He urged support of the item.

Marco Magdalugo, 1625 NW 4 Avenue, indicated that he is a member of South Middle River Civic Association Board. He also works with an organization that represents same sex couples, some of which have been together as long as 41 years. He urged the Commission to support the item and to urge the governor and legislature to enact it as law. It is time to send a message that all people are equal.

Ryan Steinberg 2631 NE 14 Avenue, noted that he was born and raised in Fort Lauderdale. He has experienced bullying in Fort Lauderdale. In the past he has felt uncomfortable expressing himself as a gay man, which prompted struggles in other aspects of his life. He is now in a committed relationship and would like the right to get married in Fort Lauderdale. The Commission's decision on this matter counts.

Jeff Landsman, 5341 NE 16 Terrace, commented that same-sex marriage is permissible in Pennsylvania from which he moved. He made the comparison of Pennsylvania and Florida and noted that Florida should move forward on this issue. He urged support of the item.

Cheryl Whitfield (no address provided) was concerned with the literature distributed by those in opposition to this matter. She believed that the values of this country are effectuated at the local level. The literature puts hate under the guise of religion. Mayor Seiler indicated that the Commission was not provided with this literature.

There was no one else wishing to speak.

Commissioner Roberts believed that all people should be treated with respect. He commented that perhaps 25 years ago this issue was not on the radar, but times change. It is difficult for some people to separate religious and civil aspects of marriage. After a marriage takes place within any religious setting, there is a civil document in order to make the marriage legitimate. He is able to accept that separation within his value system. He did not want to be on the wrong side of history. He believed it is a civil rights and equality issue. He supports the resolution. The Commission adopts resolutions and forwards them to the State and other organizations to show where Fort Lauderdale stands and to make the City's voice heard.

Vice-Mayor Rogers said he took this job because he loves this community and his family has made a 90-year investment in it. He respects everyone's opinions. He understood that this is important to many people. He agreed with Commissioner Trantalis that this is not about marriage; it is about equality. He certainly supports equality but also believes that marriage is a sacred covenant. They are separate issues.

Commissioner Trantalis discussed his recent conversation with First Baptist Church's Pastor Larry Thompson on this issue. They agreed that America is about equality and that marriage is a religious concept. The pastor was of the opinion that perhaps the State should find that all marriages are civil unions and religious institutions decide on who should get married. Realistically, however, this will not likely come to be. Commissioner Trantalis gleaned from the conversation that the reverend believed that the State should decide who should be joined together. The State should separate itself from religion. Unfortunately marriage equality has taken on a religious aspect. This issue has to do with benefits afforded to married couples by the federal and state governments. He believed that every member of the Commission has integrity and wishes to uphold the best interests of the city. In this case it is important to look at what is best for the whole. It is not fair to accept the LGBT community's tax dollars and treat them unfairly. He urged support of the resolution.

Mayor Seiler commented that he appreciated the respectful debate as it can be a divisive issue. He worked on a domestic partnership benefits ordinance in the 1990s when he was mayor of Wilton Manors and again in Fort Lauderdale. He supports domestic partnerships, civil unions and gay adoption rights. He has worked with Equality Florida on matters throughout the years. On this issue he remains committed to civil union with full benefits. He understood that full benefits cannot be provided and is troubled by that. He asked that the Commission focus on matters that they can change with their vote.

Commissioner Trantalis introduced the resolution, which was read by title only.

ADOPTED

Aye: 3 – Commissioner DuBose, Commissioner Roberts and Commissioner Trantalis

Nay: 2 – Vice-Mayor Rogers and Mayor Seiler

R-2 14-0708 QUASI-JUDICIAL - EXTENSION OF TIME FOR SITE PLAN LEVEL IV EXPIRATION DATE AND CONDITIONAL USE APPROVALS - YACHT HAVEN - Case 23R05

Applicant: Azurite Corp. Ltd.

Location: 2323 West State Road 84

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

Mayor Seiler reviewed the procedure for the public hearing and opened the floor for public comment.

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

Commissioner Trantalis introduced the resolution, which was read by title only.

ADOPTED

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

R-3 14-0765 APPOINTMENT OF CITY BOARD AND COMMITTEE MEMBERS - vacancy information provided under Conference Item BD-2

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

Aviation Advisory Board

Tom Moody (Reappointment/Mayor Seiler)
Dana Pollitt (Reappointment/Commissioner Roberts)
Michael Grimme (Reappointment/Commissioner Trantalis)
Ed Kwonka (Reappointment/Commissioner Trantalis)

Historic Preservation Board

Joyce Gardner (Mayor Seiler)

Commissioner DuBose introduced the resolution, which was read by title only.

ADOPTED

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

PUBLIC HEARINGS

PH-1 14-0733 FIRST READING OF ORDINANCE AMENDING ELEMENTS OF COMPREHENSIVE PLAN TO INCORPORATE ADAPTATION ACTION AREAS (AAAs) and authorizing transmittal to Florida Department of Economic Opportunity and other applicable reviewing agencies - Case T14003

Mayor Seiler opened the floor for public comment.

Dennis Ulmer, 1007 NW 11 Place, read from a prepared statement, which is attached to these minutes.

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

Commissioner Trantalis introduced the ordinance, which was read by title only.

PASSED FIRST READING

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

ORDINANCES

O-1 14-0614 SECOND READING OF ORDINANCE AMENDING CODE OF ORDINANCES, CHAPTER 14, FLOOD DAMAGE PREVENTION - incorporating language for City to be consistent with State of Florida requirements for compliance with National Flood Insurance Program and Florida Building Code

Both the City Manager and Zoning Administrator Anthony Fajardo expanded on how the addition of fill to a site is permitted; that being primarily for foundation purposes and the building itself. Berming an entire site would not be permissible.

Vice-Mayor Rogers introduced the ordinance, which was read by title only.

ADOPTED ON SECOND READING

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

O-2 14-0675 FIRST READING ORDINANCE AMENDING CODE OF ORDINANCES, ARTICLE V, DIVISION 2, SECTION 2-172, PURCHASING - providing for a waiver for purchases made pursuant to a direct purchase program contained in a construction contract

The City Clerk announced revisions to this ordinance.

The City Manager explained that this amendment would allow the City to directly purchase items with no sales tax for major construction projects.

Commissioner Roberts introduced the ordinance, which was read by title only.

PASSED FIRST READING

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

O-3 14-0700

FIRST READING OF ORDINANCE AMENDING UNIFIED LAND DEVELOPMENT REGULATION, SECTION 47-19, ACCESSORY USES to add Section 47-19.12, Bus Shelters, to permit and provide criteria for placement of bus shelters on private property

Commissioner Roberts introduced the ordinance, which was read by title only.

In response to Commissioner Trantalis, the City Manager advised this is intended to allow bus shelters within a development. Zoning Administrator Anthony Fajardo explained that the development would have to be on an approved transit route with approved stops. The City Manager noted this would be a condition of site plan approval for new development or where an existing development would like to have a transit stop and there is limited right-of-way.

PASSED FIRST READING

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

The City Commission adjourned the regular meeting at 9 p.m. and returned to the conference meeting agenda, item BD-1.



John P. "Jack" Seiler
Mayor

ATTEST:



Jonda K. Joseph
City Clerk

Good Evening Mayor, Vice Mayor, Commissioners, and City Manager

I'm Dennis Ulmer a resident of Fort Lauderdale, I believe that climate change and sea level rise is one of the greatest challenges for Fort Lauderdale's future.

We all know what happened along our beach front in 2012 and the increasing high tides in our waterfront neighborhoods. I attended the Visioning Committee meetings and I spoke to the committee about this issue. I attended the November 2013 Annual SE Florida Regional Climate Leadership Summit and I attended the January 21st Climate Adaptation Open House.

The Comprehensive Plan Text Amendments to the Coastal Management Element of our Comprehensive plan is a very important step in the process of the Adaptation Action Areas. This will allow the code changes that will facilitate the city prioritizing changes to our infrastructure to deal with sea level rise and high tidal flooding. In partnership the City and its residents can then make informed decisions on steps each can make to reduce our risks to these hazards.

I respectfully request as your planning and zoning board has recommended by a 9-0 vote at their May 21st 2014 Meeting that you approve this ordinance and transmit the amending elements to our comprehensive plan to the relevant reviewing authorities. I also believe that this ordinance moves us forward in our Fast Forward 2035 Visioning Plan. Thank you for your time.