

# City of Fort Lauderdale

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



## Meeting Minutes

**Tuesday, March 6, 2018**

**6:00 PM**

**City Commission Chambers**

## **City Commission Regular Meeting**

***FORT LAUDERDALE CITY COMMISSION***

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

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

**Invocation**

Reverend Dr. Brice Rogers, Sunset Presbyterian Church

**Pledge of Allegiance**

Bob and Sandy Steen

**CALL TO ORDER**

Mayor Seiler called the Commission Regular Meeting to order at 6:03 p.m.

**ROLL CALL**

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

**QUORUM ESTABLISHED**

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

**No e-comments were submitted for this meeting.**

**ANNOUNCEMENTS**

Mayor Seiler announced the following revisions to the Agenda:

- CM-5 Revised Memo to add funding box
- CR-7 Revised Exhibit 1
- CR-9 Pulled by City Manager Feldman

**Approval of MINUTES and Agenda**

[18-0271](#)

Minutes for February 6, 2018 Commission Regular Meeting

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

**APPROVED**

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

**PRESENTATIONS****PRES-** [18-0258](#)

Recognition of 2018 Neighbor Support Night Sponsors

1

Mayor Seiler thanked Community Builders for their effort and contribution to 2018 Neighbor Support Night.

Mayor Seiler recognized Junia Robinson, Division of Neighbor Support. Ms. Robinson recognized the Community Builders who won the Neighbor Choice Award for the 2018 Neighbor Support Night. Neighbors voted the Department of Public Works - Sustainability Operations Division (Division) as the winner of the 2018 Neighbor Choice Award. She expounded on the purpose of the event, thanking all Community Builders for making the event a success.

Dr. Nancy Gassman, Assistant Director of Public Works - Sustainability Operations Division, thanked Ms. Robinson. She acknowledged and thanked members of the Department for their creative efforts to help neighbors understand what their Division does, and sending them home with items that continue to convey the important message of sustainability in the community.

Ms. Robinson announced the sponsors of the 2018 Neighbor Support Night, presenting them with a Certificate of Appreciation and acknowledging their support. The sponsors included: Beehive Kitchen - Las Olas; Brightline; Broward Center for the Performing Arts; Conrad - Fort Lauderdale Beach; Einstein Bros. Bagels; Florida Panthers; Fort Lauderdale Women's Club; Hoffman's Chocolate; Home Depot; Jamba Juice - Victoria Park; Jimmy Johns - Sistrunk Boulevard; Mellow Mushroom - Fort Lauderdale; Padrino's Cuban Cuisine; Pelican Grand Beach Resort; Publix - Las Olas; Sonesta - Fort Lauderdale; Extreme Action Park; Voila - Broward Boulevard; and Whole Foods Market - Fort Lauderdale. Ms. Robinson thanked sponsors for making 2018 Neighbor Support Night a success.

Mayor Seiler thanked event sponsors for their contributions to the 2018 Neighbor Support Night event.

**PRESENTED****CONSENT AGENDA PUBLIC COMMENT**

Mayor Seiler announced the following items had been pulled from the Consent Agenda to be heard separately:

CM-8 Commissioner Rogers  
CR-4 Commissioner Trantalis  
PUR-1 Commissioner Trantalis  
CR-9 City Manager Feldman

There was no public comment on remaining Consent Agenda items.

## CONSENT AGENDA

## CONSENT MOTION

### Approval of the Consent Agenda

#### Approve the Consent Agenda

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

**CM-1** [18-0193](#) Motion to Approve Event Agreements: Palm Beach VegFest, Easter 2018, Great Strides of Fort Lauderdale 2018, Friday Night Sound Waves, Bubbles N Brunch, 84th Annual Easter Sunrise Service, and Marine Industry Cares Foundation Annual Spin-a-thon

#### APPROVED

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

**CM-2** [18-0194](#) Motion to Approve Event Agreements and Related Road Closings: Himmarshee Village Association Celebrates St. Patrick's Day, 9th Annual Covenant House Florida 5K, 5th Annual Fort Lauderdale Shamrock Run, FTL Taco Battle & Craft Beer Fest, Fort Lauderdale St. Patrick's Day Parade & Festival, Ft. Lauderdale Mercedes - Benz Corporate Run, and Heal the Planet Day 2018

#### APPROVED

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

**CM-3** [18-0252](#) Motion to Approve the Acceptance of a Donation of a Security Camera and License Plate Reader System from the Bermuda Riviera Homeowners' Association

#### APPROVED

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

- CM-4**    [18-0244](#)        Motion Approving Amendment to Pollworkers Service Agreement with Broward County Supervisor of Elections to select, assign, train and pay all pollworkers for the March 13, 2018 Elections

**APPROVED**

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

- CM-5**    [18-0104](#)        Motion Extending the Housing Opportunities Persons with AIDS (HOPWA) Service Agreement with Groupware Technologies, Inc. (GTI)

**APPROVED**

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

- CM-6**    [18-0219](#)        Motion to Approve a Lease Amendment with P.D.K.N. Holdings, LLC

**APPROVED**

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

- CM-7**    [18-0250](#)        Motion to Approve a Lease Agreement with PizzaBoss FTL, Inc. for Shop 136 at the Riverwalk Center

**APPROVED**

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

- CM-8**    [18-0093](#)        Motion to Approve the Acceptance of Baseball Tomorrow Fund Grant Funding in the Amount of \$2,500 After the Fact

In response to Commissioner Rogers question regarding possible exposure raised by the Office of the City Attorney, City Attorney Everett confirmed the amount involved is minimal. She confirmed it is up to the Commission to determine any risk. City Attorney Everett confirmed the Office of City Attorney was advising on facts and concerns regarding Staff entering into agreements without proper authority. Brief discussions ensued on employees acting outside the scope of their authority, the validity of the agreement, the indemnification provision and sovereign immunity.

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

**APPROVED**

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

**Nay:** 1 - Commissioner Trantalis

**CM-9**    [18-0180](#)    Motion Approving an Application for a Temporary Beach License and Outdoor Event Agreement with Exclusive Sports Marketing, Inc. for a Volleyball Competition

**APPROVED**

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

**CM-10**    [18-0166](#)    Motion Authorizing Construction Support Services for Fort Lauderdale Executive Airport Administration Building Renovation - HDR Engineering, Inc. - \$210,870 Task Order

**APPROVED**

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

## CONSENT RESOLUTION

**CR-1**    [18-0091](#)    Resolution Approving a Grant of up to \$2,024,578 from the Florida Inland Navigation District (FIND) for Bahia Mar Yachting Center Dredging Project Phase -II (BR-FL-17-129)

**ADOPTED**

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

**CR-2**    [18-0254](#)    Resolution Amending Resolution No. 17-103 by Appointing Weiss Serota Helfman Cole & Bierman, P.L., as Special Counsel for Labor and Employment Matters and Prescribing Hourly Rates

**ADOPTED**

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

**CR-3**    [18-0087](#)    Resolution Adopting the Fiscal Year 2018 Federal Legislative Priorities and Funding Requests for the City of Fort Lauderdale

**ADOPTED**

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

**CR-4**    [18-0098](#)    Resolution Approving the Consolidated Budget Amendment to Fiscal

### Year 2018 - Appropriation

In response to Commissioner Trantalis' question regarding item "G" in the Budget Amendment relating to costs for Teamster benefit negotiations, City Manager Feldman explained that the City does not budget specific wage or benefit increases prior to negotiations. The negotiated benefit amount will be allocated from the Sanitation Fund, the Water and Sewer Fund, Building Permits Fund, Central Services Fund and Community and Housing Development Grants Fund, Central Regional Wastewater Fund, Airport Fund, Stormwater Fund and Parking Fund. Teamsters work in all these areas and are paid for out of associated funds. These benefit costs pertain to work performed in connection with Teamster's duties within those funds.

In response to Commissioner Trantalis' question regarding item "O" and the abandonment of this boathouse project, City Manager Feldman explained the cost is in excess of what the City had budgeted and the amount Nova Southeastern University was willing to fund. City Manager Feldman said this amount was in excess of \$4,000,000.

Mayor Seiler recognized Count Rosenthal, 1237 NW 4th Street. Mr. Rosenthal recommended that Commission members should meet with the City Manager to discuss and explain budget transfer items prior to Regular Commission Meetings.

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

#### **ADOPTED**

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

#### **CR-5** [18-0203](#)

Resolution Amending Resolution No. 18-20 to Announce the Revised Date for Scheduled Lease Approval for the Vacant Parcels at the Fort Lauderdale Executive Airport with Premier Parks, LLC

#### **ADOPTED**

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

#### **CR-6** [18-0242](#)

Resolution to Approve a Construction Agreement with the Florida Department of Transportation for Construction on Las Olas Boulevard between Seabreeze Boulevard and State Road A1A as part of the Las Olas Boulevard Corridor Improvement Project

#### **ADOPTED**

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

**CR-7**    [18-0238](#)

Resolution Ratifying a Collective Bargaining Agreement with the Teamsters Local Union No. 769, Affiliated with International Brotherhood of Teamsters, Effective October 1, 2016 through September 30, 2019

**ADOPTED**

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

**CR-8**    [18-0064](#)

Resolution Dedicating a 77-Foot Wide Public Right-of-Way Easement along SE 5 Street, Between State Road A1A and Seabreeze Boulevard

**ADOPTED**

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

**CR-9**    [18-0195](#)

Resolution to Approve the First Amendment to Lease Agreement with Sheltair FXE Northside, LLC for Parcels 9, 32, and 33 at Fort Lauderdale Executive Airport

Mayor Seiler recognized Michael Moskowitz, designated representative of Sheltair. Mr. Moskowitz gave a brief historical overview of the facts involved in the Sheltair FXE Northside, LLC (Sheltair) leasing of Parcels 9, 32, and 33 (Parcels). The Parcels consist of 18.16 acres of aviation property at the Fort Lauderdale Executive Airport (FXE). He discussed details and work to resolve drainage issues involved with a previous lease requiring Sheltair to provide drainage for properties bordering the Parcels to the north on Cypress Creek Road. Mr. Moskowitz addressed procurement concerns raised by the Office of City Attorney, noting this would further delay the project. He confirmed his disagreement with the opinion of the City Attorney on procurement issues, commenting on the Commission's ability to waive standard procurement policy. Mr. Moskowitz expounded on the criteria and bidding process used by Sheltair for the drainage project. Mayor Seiler confirmed that the Commission's approval is required for waiving the City's procurement process.

Mayor Seiler recognized Assistant City Attorney Candice Duff who reviewed Florida Statute 255.20 (Statute), stating any public works project over \$300,000 must be publicly bid. She discussed the possibility of a waiver only if the City's Waiver Statute (City Statute) existed prior to 1994, stating that the City's Statute did not exist prior to

1994. Assistant City Attorney Duff expounded on the possible risk involved.

Mayor Seiler expounded on his position on this issue, stating it will allow the project to be done faster and at a lower cost. Assistant City Attorney Duff explained that Sheltair is paying 30 percent, commenting on exceptions in the Statute and the lack of public noticing for Sheltair's bidding process. Mayor Seiler confirmed the City is reimbursing Sheltair and is not involved in this process. He said that the City is not farming out this drainage project.

Commissioner Trantalis expounded on the City's obligation to drain the other sites which is being performed by Sheltair. In response to Commission Trantalis' question about satisfying concerns raised by the City Attorney's Office, City Manager Feldman said the lease being recommended for approval does not address the independent procurement issue. City Manager Feldman commented on the Commission making the distinction regarding the procurement portion of this matter.

Mayor Seiler commented on aspects relating to Section b.2 of the Statute and additional Statute language, emphasizing that Sheltair, not the City, is the party involved with the drainage project. The Statute controls the City handling the project. Further discussions ensued on this topic.

Mayor Seiler recognized Mr. Moskowitz who clarified four points. He confirmed the correct calculation for the project is a 60/40 split with the City. Mr. Moskowitz confirmed the applicable Statutes 255.20, 255.05 and 255.25, discussing the Agency involved in the project. He clarified that the drainage project is not part of improving the Airport as a whole. It relates to fee simple properties to the north of the Parcels that were allowed to drain across the Parcels. This drainage burdens the Parcels and by contract, Sheltair is required to build a drainage system to accommodate its project. If no building were taking place, the City would not be seeking anything. Further discussions ensued on the success of FXE, previously discussed procurement issues, case law replicating similar facts and fairness to all stakeholders.

In response to Commissioner Trantalis' question, Mr. Moskowitz confirmed indemnifying the City should it suffer damages from a third-party claim. Assistant City Attorney Duff confirmed she would make this part of a lease amendment. Commissioner Rogers commented on this issue. City Manager Feldman confirmed the City's lease was the one put forward and that Mr. Moskowitz would present to the

Commission on this issue.

In response to City Auditor Herbst's question regarding Sheltair following the Competitive Procurement Code and being the entity making the award, Assistant City Attorney Duff said Sheltair would make the award and the Commission would ratify. Further discussion ensued on this topic. Mayor Seiler discussed the process and the City's 60 percent project cost responsibility.

In response to Mayor Seiler's question, Mr. Moskowitz confirmed the total construction project cost is \$30,000,000. The hard costs for the drainage portion of the project is approximately \$1,500,000 - \$2,000,000. Mr. Moskowitz confirmed that following review by his counsel, Mr. Holland, he would agree to indemnify the City.

In response to Commissioner Rogers' question, Mr. Moskowitz confirmed the lease amendment is the item on the Agenda. He is requesting the Commission modify the lease amendment to include the procurement language.

Commissioner Trantalis introduced this Resolution as amended to include a 60/40 Split and the provision that Sheltair be agreeable to indemnify and defend the City should the City suffer any damages as a result of a Third Party Claim that may be made against the City for failure to go through the procurement process. The Resolution was read by title only.

**ADOPTED AS AMENDED - 60/40 Split and provision that Sheltair be agreeable to indemnify and defend the City should the City suffer any damages as a result of a Third Party Claim that may be made against the City for failure to go through the procurement process.**

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

## PURCHASING AGENDA

### PUR-1 [18-0068](#)

Motion to Approve Contract for Cemetery Master Plan - Keith and Associates, Inc. - \$238,750

In response to Commissioner Trantalis' question, City Manager Feldman explained that the Parks and Recreation Department is requesting approval of a one-year contract for cemetery system master planning services for the City's four municipal cemeteries. The purpose of the Cemetery Master Plan is to obtain guidance for the preservation and development of the cemeteries by examining the current conditions to determine the best course of action and receive a plan to implement agreed upon goals. This will include a determination of needed physical

and capital improvements, future expansion needs and the amount necessary for the Perpetual Care Fund. City Manager Feldman explained the qualifications of vendor, Keith and Associates.

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

**APPROVED**

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

**PUR-2** [18-0070](#)

Motion to Approve Contract for Fort Lauderdale Executive Airport Administration Building Renovation - Danto Builders, LLC - \$1,437,322

Mayor Seiler

**APPROVED**

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

**PUR-3** [18-0085](#)

Motion to Approve Purchase of Software and Contract for Enterprise Asset Management System for the Public Works Department - Woolpert, Inc. - \$1,693,847 (three-year total)

**APPROVED**

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

**PUR-4** [18-0181](#)

Motion to Approve the Ranking of Firms, Negotiated Fee Schedule and Award Contract for Design of Downtown Mobility Hub Streetscape Improvements - Kimley-Horn and Associates, Inc. - \$370,500 (estimated three-year total)

**APPROVED**

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

**MOTIONS**

**M-1** [18-0201](#)

Motion to Approve Beach Business Improvement District (BID) Funding for Friday Night Sound Waves Event Series 2018 in the Amount of \$ 150,000

Mayor Seiler recognized Don Morris, Economic and Beach Redevelopment Area Manager of the Beach Area Community Redevelopment Agency. Mr. Morris confirmed the amount of funding for

the Friday Night Sound Waves event is consistent with the amount funded last year.

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

**APPROVED**

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

**M-2**     [18-0197](#)

Motion to Approve an Event Agreement with Historic Downtowner, LLC for St. Patty's Day Party

Commissioner Trantalis confirmed the time extension for this item is until 11:00 p.m.

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

**APPROVED**

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

**M-3**     [18-0256](#)

Motion to Approve an Event Agreement with Waxy O'Connor's, LLC Waxy O'Connor's St. Pat's

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

**APPROVED**

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

## NEIGHBOR PRESENTATIONS

**NP-1**     [18-0262](#)

Barbara Markley - Community Safety

Mayor Seiler recognized Barbara Markley, 2416 Middle River Drive. Ms. Markley gave a Neighbor Presentation on Community Safety as it relates to gun control and hosting The Gun Show at War Memorial Auditorium.

**RECEIVED**

**NP-2**     [18-0263](#)

Anne S. Hilmer - Address to the outgoing Commission, comments on the future

Mayor Seiler recognized Anne Hilmer, 621 Idlewyld Drive Ms. Hilmer addressed the outgoing Commission, giving her comments and recommendations concerning managing the future of the City as it relates

to traffic concerns, public land for public use, infrastructure concerns and development.

**RECEIVED**

**NP-3**    [18-0265](#)    Joshua Kushner, Esquire - Water Billing Charge

Mayor Seiler recognized Joshua Kushner, 601 SE 6th Street. Mr. Kushner addressed the Commission about a grievance relating to an April 2016 water bill at 1027 Tequesta Street. Mr. Kushner passed out documentation regarding his grievance to the Commission.

***A copy of this documentation is attached to this email.***

Mayor Seiler reviewed Mr. Kushner's documentation, requesting the Office of City Attorney to investigate this matter. Further discussions ensued on other incidents of sporadic high water bills. In response to Mayor Seiler's request, City Manager Feldman confirmed the collection agency actions involving Mr. Kushner would be put on hold until this matter is investigated.

**RECEIVED**

**NP-4**    [18-0266](#)    Dennis Ulmer - Thanking Mayor Seiler and Commissioner Romney Rogers for their service to the City

Mayor Seiler recognized Dennis Ulmer, 1007 NW 11th Place. Mr. Ulmer thanked Mayor Jack Seiler and District IV Commissioner Romney Rogers for their service to the City. He reviewed the history of leadership and City elections. Mr. Ulmer also acknowledged the legacies and many fine examples set forth by Commissioner Rogers and Mayor Seiler.

**RECEIVED**

**NP-5**    [18-0267](#)    Stephen Jens-Rochow - War Memorial Auditorium hosting Gun Shows

Mayor Seiler recognized Stephen Jens-Rochow. Mr. Jens-Rochow spoke about the powerful efforts of students at Marjorie Stoneman Douglas High School following recent gun violence and the lack of adequate gun control laws. He also commented on his position opposing having The Gun and Knife Show at The War Memorial Auditorium. Mr. Jens-Rochow urged the Commission to oppose gun shows.

**RECEIVED**

**RESOLUTIONS****R-1**     [18-0231](#)

Appointment of Board and Committee Members

City Clerk Jeffrey Modarelli read this Resolution appointing Board and Committee Members into the record and the amendment adding Bradford Cohen's appointment to Planning and Zoning Board

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

Commissioner Roberts introduced this Resolution as amended adding Bradford Cohen's appointment to Planning and Zoning Board. The Resolution was read by title only.

**ADOPTED AS AMENDED - Added Bradford Cohen appointment to Planning and Zoning Board**

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

**R-2**     [18-0178](#)

Application for a Dock Permit for Use by a Private Person, Todd &amp; Karin Correll, on Public Property located at 1735 SE 8th Street

Mayor Seiler announced his abstention from this vote.

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

**ADOPTED**

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

**Abstain:** 1 - Mayor Seiler

**R-3**     [18-0161](#)

Quasi-Judicial - Resolution Authorizing Staff to Transmit to Broward County Planning Council a Citywide Unified Flex Strategy; establishing a Unified Flex Zone for Residential Flex Unit Allocation and a Citywide Flex Zone for Nonresidential Flex Allocation - City of Fort Lauderdale - Case T17011

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

Each City Commission member disclosed their verbal and written communications, site visits and expert opinions received.

Mayor Seiler opened the public hearing.

Mayor Seiler recognized Count Rosenthal, 1237 NW 4th Avenue. Mr. Rosenthal recommended the Commission give adequate consideration to the citizens of the City on Planning and Zoning issues in neighborhoods.

Commissioner Trantalis commented on a previous deferment to allow further research into this item. He explained the strategy involved allows Staff to redistribute allocated flex units to more appropriate locations based on Commission policy. Commissioner Trantalis and Commissioner Roberts acknowledged their support of this Unified Flex strategy going forward. Mayor Seiler concurred, commenting on additional reviews by stakeholders.

Commissioner Trantalis read the amendment and confirming that if this Resolution is approved by the Commission, it shall take effect upon approval by the Broward County Planning Council.

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

Commissioner Trantalis introduced this Resolution as amended that this policy shall take effect upon approval by the Broward County Planning Council. The Resolution was read by title only.

**ADOPTED AS AMENDED - Policy shall take effect upon approval by the Broward County Planning Council**

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

**R-4**     [18-0174](#)

Quasi-Judicial - Resolution Approving an Amendment to a Site Plan Level IV Development Permit to Remove the Public Parking Condition in the Broward County Courthouse Garage

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

Each City Commission member disclosed their verbal and written communications, site visits and expert opinions received.

Mayor Seiler opened the public hearing.

In response to Commissioner Trantalis, City Manager Feldman confirmed conversations with Broward County Administrator Bertha Henry (County Administrator) stating there is an issue regarding a site plan condition requiring the County to have evening parking at the Andrews Avenue Parking Garage. City Manager Feldman expounded on the reasons for the County's current security concerns and their request for the removal of the site plan's written condition for public parking at the Andrews Avenue Parking Garage.

Discussions ensued on the need to allow evening parking for the public. City Manager Feldman said that once the new secure judiciary parking facility (Secure Judiciary Parking Facility) is completed, the County will work with the City to allow public parking during evening hours at the Andrews Avenue Parking Garage. City Manager Feldman stated that in conversations with County Administrator, Ms. Henry verbally confirmed that the current Andrews Avenue Parking Garage will be made open for public use once the Secure Judiciary Parking Facility is complete and operational.

City Manager Feldman confirmed that the written communication from County Administrator Bertha Henry indicated that the County would *be open to discussing* having public parking available. Mayor Seiler and Commissioner Rogers said they have had similar conversations with members of the Broward County Commission.

Commissioner Rogers noted the need for public parking for South Side Cultural Arts Center at the Andrews Avenue Garage. Further discussions ensued about not allowing public parking in an area requiring security for members of the judiciary and certain Court House staff.

Mayor Seiler recognized Count Rosenthal, 1237 NW 4th Avenue. Mr. Rosenthal commented on the importance of having this agreement in writing.

Mayor Seiler recognized Genia Ellis, President and CEO of Riverwalk Fort Lauderdale. Ms. Ellis expressed Riverwalk's concerns about the need for evening parking in this area of the City, confirming that the availability of parking in the evening at this location is of great benefit to Riverwalk. Ms. Ellis urged the Commission to take this into consideration.

Mayor Seiler recognized Steve Hammond, Broward County Public Works Department. Mr. Hammond commented on this condition being placed on the project's site plan in 2013. He discussed the current state

of transition with the opening of the new Broward County Court House and the Andrews Avenue Parking Garage. Mr. Hammond confirmed that the Andrews Avenue Parking Garage is also being used by members of the judiciary, security personnel and positions within the State Attorney's Office.

Mr. Hammond expounded on details involved with the new Secure Judicial Parking Facility. He also commented on discussions that recommend prohibiting public parking in the Andrews Avenue Parking Garage due to security concerns. Mr. Hammond confirmed that the infrastructure necessary for public parking is installed in the Andrews Avenue Parking Garage.

In response to Commissioner Rogers' question, Mr. Hammond confirmed he is appearing before the Commission due to his position as Contract Administrator for the Court House. Discussions ensued on the need for security for members of the judiciary and certain Court House staff, and the need for the public to be able to park in the Andrews Avenue Parking Garage once the new Secure Judiciary Parking Facility is completed.

Commissioner McKinzie confirmed he would be comfortable with written confirmation that the Andrews Avenue Parking Garage would be used for public parking once the Secure Judiciary Parking Facility is complete and operational.

In response to Vice Mayor Roberts' question, Mr. Hammond discussed the timeline involved for completing the Secure Judiciary Parking Facility, estimating 18-20 months. Mayor Seiler noted his position, commenting about current security needs at the Andrews Avenue Parking Garage for members of the judiciary and certain staff. He also noted the history involved with providing public parking for Riverwalk. Further discussion ensued on this item.

Commissioner Rogers noted the need for assurances that the current parking lot will be available for public parking once the new Secure Judiciary Parking Facility is completed and operational.

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

Commissioner Trantalis made a motion to defer this Resolution to the

Commission Regular Meeting of March 20, 2018. The motion was seconded by Commissioner Rogers.

**DEFERRED to March 20, 2018**

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

## **PUBLIC HEARINGS**

**PH-1**    [18-0177](#)

Quasi - Judicial Resolution Granting a Waiver of Limitations at 826 NE 20th Avenue for the Installation of One (1) Wood Finger Pier and Two (2) Double Mooring Pile Clusters

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

Each City Commission member disclosed their verbal and written communications, site visits and expert opinions received.

Mayor Seiler opened the public hearing.

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road. Mr. King commented on the need to notify and confer with Victoria Park neighbors about the impact of waivers for large vessels, including obstruction of views and other concerns. He also commented on the need for more diversity on the Marine Advisory Board (MAB).

Mayor Seiler recognized Count Rosenthal, 11237 NW 4th Avenue. Mr. Rosenthal commented on the City's waterway aspects that encourage constructing moorings and docks. He commented on the positive economic impact of allowing piers, moorings and docks.

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

In response to Commissioner Trantalis' question, about what is located on the upland portion of this property, Mr. John Carroll, the applicant, confirmed it is an office building. Mr. Carroll gave a brief historical review of the property beginning with its purchase in 1994. He noted the business is an engineering firm and construction company, stating that the dock has been rented in the past. Part of the decision to move forward with this longer pier was due damage to the seawall and the pier

from Hurricane Irma.

Mayor Seiler commented on the adverse impact of repair work being done in this area. Mr. Carroll said that the lease for this dock space is for pleasure craft only. They will only allow minor maintenance.

Commissioner Trantalis requested that Mr. Carroll reconfirm that the maintenance activities for the leased vessel will be inconsequential and will not adversely impact the neighborhood. The dock waiver will run with the land and any future owner must be made aware of this restriction. Mr. Carroll confirmed.

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

**ADOPTED**

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

**ORDINANCE FIRST READING**

**OFR-1** [18-0245](#)

Ordinance Amending Section 26-1 of Chapter 26 of the Code of Ordinances of the City of Fort Lauderdale - Traffic and Parking - Amending the Definition of Holidays - Request Deferment to April 3, 2018

Vice Mayor Roberts made a motion to defer the First Reading of this Ordinance until April 3, 2018. The motion was seconded by Commissioner Trantalis.

**DEFERRED ON FIRST READING to April 3, 2018**

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

**ORDINANCE SECOND READING**

**OSR-1** [18-0220](#)

Quasi-Judicial - Ordinance - Rezoning from Community Facility to General Industrial - Bridge Development Partners, LLC- 3033 and 3233 SW 12th Avenue - Case ZR 18001

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

Each City Commission member disclosed their verbal and written communications, site visits and expert opinions received.

Mayor Seiler opened the public hearing.

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

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

**ADOPTED ON SECOND READING**

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

**OSR-2** [18-0221](#)

Ordinance Amending Unified Land Development Regulations (ULDR) for Sign Requirements to Address Content Neutrality - Case T17006

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

**ADOPTED ON SECOND READING**

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

Mayor Seiler thanked City Staff for their contributions and service during his term as Mayor over the last nine years. Commissioner Rogers concurred, thanking Mayor Seiler, Staff and Commission members.

**ADJOURNMENT**

Mayor Seiler adjourned the Commission Regular Meeting of Tuesday, March, 2018 at 8:37 p.m.

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Dean J. Trantalis  
Mayor

ATTEST:

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Jeffrey A. Modarelli  
City Clerk