

City of Fort Lauderdale

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Meeting Minutes

Tuesday, April 5, 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

HEATHER MORAITIS Vice Mayor - Commissioner - District I

STEVEN GLASSMAN Commissioner - District II

ROBERT L. McKINZIE Commissioner - District III

BEN SORENSEN Commissioner - District IV

CHRIS LAGERBLOOM, City Manager

DAVID R. SOLOMAN, City Clerk

ALAIN E. BOILEAU, City Attorney

CALL TO ORDER

Mayor Trantalis called the meeting to order at 6:09 p.m.

Pledge of Allegiance

Mayor Dean J. Trantalis

MEETING ANNOUNCEMENT

Mayor Trantalis announced details regarding the meeting format and decorum, including how members of the public can view and participate.

ROLL CALL

Present: 5 - Vice Mayor Heather Moraitis, Commissioner Steven Glassman, Commissioner Robert L. McKinzie (arrived at 6:19 p.m.), Commissioner Ben Sorensen and Mayor Dean J. Trantalis

QUORUM ESTABLISHED

AGENDA ANNOUNCEMENTS

Mayor Trantalis announced the following change to the published Agenda:

Agenda item R-7 moved to the end of the Agenda due to the large number of individuals signed up for public comment.

Approval of MINUTES and Agenda

[22-0336](#)

Minutes for January 18, 2022 Commission Conference Meeting, January 18, 2022 Commission Regular Meeting and February 1, 2022 Commission Conference Meeting - (Commission Districts 1, 2, 3 and 4)

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

APPROVED AS AMENDED

Yea: 4 - Vice Mayor Moraitis, Commissioner Glassman, Commissioner Sorensen and Mayor Trantalis

Not Present: 1 - Commissioner McKinzie

PRESENTATIONS

PRES- [22-0331](#)

1

Mayor Trantalis to present a Proclamation declaring April, 2022 as Autism Acceptance & Awareness Month in the City of Fort Lauderdale

Mayor Trantalis presented a Proclamation declaring *April, 2022, as Autism Acceptance & Awareness Month* in the City of Fort Lauderdale, reading the Proclamation in its entirety. Steffen Lue, Director of Community Engagement for the *Dan Marino Foundation*, accepted the Proclamation and thanked Mayor Trantalis for this recognition.

PRESENTED

PRES- [22-0296](#)

2

Commissioner Sorensen to present a Proclamation declaring Tuesday, April 5, 2022, as Stranahan High School Basketball Team Day in the City of Fort Lauderdale

Commissioner Sorensen presented a Proclamation declaring Tuesday, April 5, 2022, as *Stranahan High School Basketball Team Day* in the City of Fort Lauderdale, reading the Proclamation in its entirety. Athletic Director Thomas Harrison accepted the Proclamation and thanked the Commission for this recognition.

PRESENTED

PRES- [22-0335](#)

3

Commissioner Sorensen to present a Proclamation declaring April, 2022 as Child Abuse Prevention Month in the City of Fort Lauderdale

Commissioner Sorensen presented a Proclamation declaring *April, 2022, as Child Abuse Prevention Month* in the City of Fort Lauderdale, reading the Proclamation in its entirety. Kerry-Ann Brown, Guardian Ad Litem, accepted the Proclamation and thanked the Commission for this recognition.

PRESENTED

PRES- [22-0332](#)

4

Commissioner Glassman to present a Proclamation declaring April, 2022 as Water Conservation Month in the City of Fort Lauderdale

Commissioner Glassman presented a Proclamation declaring April, 2022, as *Water Conservation Month* in the City of Fort Lauderdale, reading the Proclamation in its entirety. Cesar Alza, City of Fort Lauderdale Water Facilities Manager, accepted the Proclamation and thanked the Commission for this recognition.

PRESENTED

PRES- [22-0283](#)

5

Vice Mayor Moraitis to present District I Community Appearance Board "WOW" Award

Vice Mayor Moraitis presented Imperial Point neighborhood homeowners Terry Deloney & Kevin Reynolds with the *District I Community Appearance Board "WOW" Award*. Mr. Deloney thanked the Community Appearance Board and the Commission for this recognition.

PRESENTED

CONSENT AGENDA PUBLIC COMMENT

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

CR-2:

Mayor Trantalis recognized James LaBrie, 1514 NE 20th Street. Mr. LaBrie expressed concerns regarding the public-private partnership (P3) for replacing the *Fiveash Water Treatment Plant (Plant)* and urged the City to retain legal counsel with expertise in this area to prepare the Comprehensive Agreement.

In response to Mayor Trantalis' question, City Attorney Alain Boileau explained the qualifications of the legal firm selected, *Nabors Giblin & Nickerson, P.A.*.

Mayor Trantalis recognized Boyd Corbin, 12 NE 26th Street, Wilton Manors. Mr. Corbin commented on the qualifications of *Nabors Giblin & Nickerson, P.A.* and concerns related to replacement of the *Plant*.

Commissioner McKinzie remarked on his opposition to a P3 replacing the *Plant*.

CP-1:

Mayor Trantalis recognized Boyd Corbin, 12 NE 26th Street, Wilton Manors. Mr. Corbin commented on infrastructure concerns related to this Agenda item.

CONSENT AGENDA

Mayor Trantalis announced no Consent Agenda items had been pulled by Commission Members for separate discussion.

Approval of the Consent Agenda

Commissioner Glassman made a motion to approve the Consent Agenda and was seconded by Commissioner Sorensen.

Approve the Consent Agenda

Yea: 4 - Vice Mayor Moraitis, Commissioner Glassman,
Commissioner Sorensen and Mayor Trantalis

Nay: 1 - Commissioner McKinzie

CONSENT MOTION

CM-1 [22-0290](#) Motion Approving Event Agreements for Rise and Shine Brunch, Heal the Planet Day and Victoria Park Civic Association Spring Festival - (Commission Districts 2 and 4)

APPROVED

Yea: 4 - Vice Mayor Moraitis, Commissioner Glassman,
Commissioner Sorensen and Mayor Trantalis

Nay: 1 - Commissioner McKinzie

CM-2 [22-0158](#) Motion Approving a Revocable License Agreement and Authorizing the Execution of the Revocable License with 800 Las Olas, LLC and Mustang Properties, Inc. for Temporary Right-of-Way Closures on Southeast 10th Terrace, Southeast 2nd Court, and a 10-Foot Alley in Association with the 1007 East Las Olas Development Located at 1007 East Las Olas Boulevard - (Commission District 4)

APPROVED

Yea: 4 - Vice Mayor Moraitis, Commissioner Glassman,
Commissioner Sorensen and Mayor Trantalis

Nay: 1 - Commissioner McKinzie

CM-3 [22-0220](#) Motion Approving FY 2022 Beach Business Improvement District (BBID) Grant Participation Agreement with Broward Navy Days, Inc., - \$15,000 - (Commission District 2)

APPROVED

Yea: 4 - Vice Mayor Moraitis, Commissioner Glassman,
Commissioner Sorensen and Mayor Trantalis

Nay: 1 - Commissioner McKinzie

CONSENT RESOLUTION

CR-1 [22-0013](#) Resolution Approving the Consolidated Budget Amendment to Fiscal Year 2022 - Appropriation - (Commission Districts 1, 2, 3 and 4)

ADOPTED

Yea: 4 - Vice Mayor Moraitis, Commissioner Glassman,
Commissioner Sorensen and Mayor Trantalis

Nay: 1 - Commissioner McKinzie

CR-2 [22-0101](#)

Resolution Appointing the Law Firm of Nabors Giblin & Nickerson, P.A., as Special Counsel, to Represent the City of Fort Lauderdale in Connection with the Unsolicited Proposal and Project Submitted by IDE Technologies/Ridgewood Infrastructure, or if Necessary any Subsequent-Ranked Proposers, for the Design, Construction, Operation, and Maintenance of a New Water Treatment Plant and Associated Systems for the City's Water Utility, Including any Associated Regulatory and Contractual Matters - (Commission Districts 1, 2, 3 and 4)

ADOPTED

Yea: 4 - Vice Mayor Moraitis, Commissioner Glassman, Commissioner Sorensen and Mayor Trantalis

Nay: 1 - Commissioner McKinzie

CR-3 [22-0160](#)

Resolution Approving a Highway Maintenance Memorandum of Agreement with the Florida Department of Transportation for the Cypress Creek Mobility Hub Project on NW 59th Court and NW 6th Way - (Commission District 1)

ADOPTED

Yea: 4 - Vice Mayor Moraitis, Commissioner Glassman, Commissioner Sorensen and Mayor Trantalis

Nay: 1 - Commissioner McKinzie

CR-4 [22-0218](#)

Resolution Approving Retroactive Revisions to the Foreign Trade Zone No. 241 Zone Schedule, Fees and Other Changes - (Commission District 1)

ADOPTED

Yea: 4 - Vice Mayor Moraitis, Commissioner Glassman, Commissioner Sorensen and Mayor Trantalis

Nay: 1 - Commissioner McKinzie

CONSENT PURCHASE

CP-1 [22-0026](#)

Motion Approving a Design-Build Agreement for the Design-Build Gravity Pipe Improvements to the Downtown Collection System to Murphy Pipeline Contractors, LLC., - \$3,100,150 - (Commission District 4)

APPROVED

Yea: 4 - Vice Mayor Moraitis, Commissioner Glassman,
Commissioner Sorensen and Mayor Trantalis

Nay: 1 - Commissioner McKinzie

CP-2 [22-0153](#)

Motion Approving Addendum to Contract for the Purchase and Installation of Sports Lighting via Clay County Contract - Musco Sports Lighting, LLC - \$709,000 - (Commission Districts 1, 2, 3 and 4)

APPROVED

Yea: 4 - Vice Mayor Moraitis, Commissioner Glassman,
Commissioner Sorensen and Mayor Trantalis

Nay: 1 - Commissioner McKinzie

CP-3 [22-0288](#)

Motion Approving an Agreement for Fireworks Display, 4th of July to Exposhow Inc. - \$113,600 - (Commission Districts 1, 2, 3 and 4)

APPROVED

Yea: 4 - Vice Mayor Moraitis, Commissioner Glassman,
Commissioner Sorensen and Mayor Trantalis

Nay: 1 - Commissioner McKinzie

CP-4 [22-0265](#)

Motion Approving the Ratification of Agreement for Sexual Assault Response Team Kit Testing - Bode Cellmark Forensics, Inc. - \$99,999 - (Commission Districts 1, 2, 3 and 4)

APPROVED

Yea: 4 - Vice Mayor Moraitis, Commissioner Glassman,
Commissioner Sorensen and Mayor Trantalis

Nay: 1 - Commissioner McKinzie

MOTIONS

M-1 [22-0322](#)

Motion Designating the Ten Most Populous City Seat to Florida League of City Board of Directors - (Commission Districts 1, 2, 3 and 4)

In response to Mayor Trantalis' question, City Manager Lagerbloom summarized details related to this Agenda item. Further comment and discussion ensued.

Commissioner Sorensen made a motion designating Mayor Trantalis as Florida League of City Board of Directors Member for the Ten Most Populous City Seats and was seconded by Commissioner McKinzie.

APPROVED - Mayor Trantalis as Designee

Yea: 5 - Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie, Commissioner Sorensen and Mayor Trantalis

RESOLUTIONS**R-1** [22-0316](#)

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 reappointment at the April 19, 2022 Commission Regular Meeting.

City Clerk Soloman read into the record the names of the Board and Committee appointments and or reappointments for Agenda item R-1.

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

ADOPTED

Yea: 5 - Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie, Commissioner Sorensen and Mayor Trantalis

R-2 [22-0321](#)

Appointment of Director, Alternate and Second Alternate to Broward League of Cities Board of Directors - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis confirmed he would serve as a member on the *Broward League of Cities Board of Directors (Board)*. Further comment and discussion ensued. Commissioner Sorensen said he would serve as First Alternate, and Commissioner McKinzie remarked he would serve as Second Alternate.

Commissioner Sorensen introduced this Resolution, appointing Mayor Trantalis as Director, Commissioner Sorensen as Alternate and Commissioner McKinzie as Second Alternate on the *Broward League of Cities Board of Directors*, which was read by title only.

ADOPTED - Mayor Trantalis as Director, Commissioner Sorensen as Alternate and Commissioner McKinzie as Second Alternate

Yea: 5 - Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie, Commissioner Sorensen and Mayor Trantalis

R-3 [22-0245](#)

Resolution Approving the 2022-2025 State Housing Initiatives Partnership (SHIP) Local Housing Assistance Plan (LHAP) - (Commission Districts 1, 2, 3 and 4)

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

ADOPTED

Yea: 5 - Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie, Commissioner Sorensen and Mayor Trantalis

R-4 [22-0248](#)

Resolution Waiving General Employees' Retirement System Early Retirement Reduction Factor - (Commission Districts 1, 2, 3 and 4)

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

ADOPTED

Yea: 5 - Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie, Commissioner Sorensen and Mayor Trantalis

R-5 [22-0340](#)

Resolution Approving the Restatement of the International City Management Association Retirement Corporation doing business as MissionSquare Retirement Governmental Money Purchase Plan & Trust Adoption Agreement for Plan No. 109430 for Police Chief and Fire Chief Classifications - (Commissions Districts 1, 2, 3 and 4)

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

ADOPTED

Yea: 5 - Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie, Commissioner Sorensen and Mayor Trantalis

R-6 [22-0351](#)

Resolution Appointing an Interim City Auditor - (Commission Districts 1, 2, 3 and 4)

City Manager Lagerbloom provided a summary of this Agenda item that was discussed earlier today at the Conference Meeting. He remarked on outreach to other local municipalities that do not have an audit department and to address the City's short-term audit needs. The City's Finance Director will reach out for related proposals for the Commission to consider. City Manager Lagerbloom commented on the long-term perspective, which will involve a national search for a new City Auditor that is anticipated to take fifteen (15) to seventeen (17) weeks. Further comment and discussion ensued regarding rescheduling this Agenda item.

Mayor Trantalis said this Agenda item would be removed from the Agenda.

In response to Commissioner Glassman's question regarding procedure,

City Attorney Boileau said this Resolution was not advertised and could be brought back to the Commission. City Attorney Boileau said in the interim, the Human Resources Department would address personnel issues.

Megan Gaillard, Assistant City Auditor III, requested information regarding her role and responsibilities, which currently include managing audit staff assignments. City Manager Lagerbloom remarked on his recommendation to the Commission. Further comment and discussion ensued.

Vice Mayor Moraitis confirmed she would work with Ms. Gaillard, Audit Staff and Tarlesha Smith, Assistant City Manager and Human Resources Director, to address the plans moving forward.

In response to Commissioner Sorensen's question, Ms. Gaillard confirmed her ability to answer questions related to City business.

NO ACTION TAKEN

PUBLIC HEARINGS

PH-1 [22-0152](#)

Public Hearing - Resolution Denying a Waiver of Limitations at 625 SW 5th Place, for the Installation of Three (3) Floating Docks and Four (4) Mooring Piles - (Commission District 4)

Mayor Trantalis opened the public hearing.

Mayor Trantalis recognized Tyler Chappell, *The Chappell Group*, 714 East McNab Road, Pompano Beach, on behalf of the Applicant. Mr. Chappell narrated a slide presentation addressing aspects of the revised waiver of limitations request.

In response to Mayor Trantalis' question, Mr. Chappell confirmed the slide illustrating the adjacent property owner's vessels are equal to or exceed the distance proposed in the revised waiver of limitations and explained related details.

In response to Commissioner Sorensen's question regarding the position of the *Marine Advisory Board (MAB)*, Mr. Chappell said *MAB's* opposition related to navigation concerns and explained details.

In response to Mayor Trantalis' question, Andrew Cuba, Parks & Recreation Department Marine Facilities Manager, explained an additional concern was that the proposed layout enable vessels in excess of seventy feet (70') to dock in the proposed configuration.

In response to Commissioner Sorensen's question, Mr. Chappell explained details associated with vessel length limitations on the *New River*. Further comment and discussion ensued.

In response to Commissioner Glassman's questions, Mr. Chappell said there is no submerged land lease on the property and the new configuration brings the area up to required State regulations. Boats are currently docked at this site. Docks less than one thousand square feet do not require a lease. Mr. Chappell said the site is currently zoned RD-15 single family. Further comment and discussion ensued regarding dock rentals.

In response to Commissioner Sorensen's questions, Mr. Chappell said the proposed use of the boat slips associated with the waiver will go to the proposed units. Further comment and discussion ensued.

In response to City Attorney Boileau's question regarding adding additional slips, Mr. Chappell said five (5) currently exist and the waiver proposes the same number of boat slips. Further comment and discussion ensued.

Commissioner Glassman commented on his review of the related *MAB* Meeting Minutes and remarked on issues related to pilings and navigation, and remarked on neighbor opposition. Further comment and discussion ensued.

Mayor Trantalis recognized Scott Jordan, 700 Bryan Place. Mr. Jordan commented on concerns and opposition to this item.

Mayor Trantalis recognized Anthony Fajardo, Development Services Department Director. Mr. Fajardo reviewed the related zoning Ordinance language.

In response to Mayor Trantalis' questions, Daniel Cole, 625 SW 5th Place, Applicant, said this waiver does not relate to a dock rental business. Mr. Cole explained plans for the property, including four (4) high-end townhomes in addition to the existing castle on the property. Each would have a deeded boat slip that would convey with the units. Further comment and discussion ensued.

Vice Mayor Moraitis discussed her support to move forward and grant this waiver request. Mr. Fajardo remarked on the Applicant's request for an extension into the waterway. Further comment and discussion ensued.

Commissioner Glassman concurred with the position of the MAB and opposes this waiver request. Further comment and discussion ensued.

In response to Mayor Trantalis' question regarding the adjacent docks to the east, which extend further into the *New River*, Mr. Chappell said based on research of the City records, they do not have a waiver.

There being no one else wishing to speak on this item, Vice Mayor Moraitis made a motion to close the public hearing, which was seconded by Commissioner McKinzie. Roll call showed: AYES: Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie, Commissioner Sorensen, and Mayor Trantalis

Vice Mayor Moraitis introduced the Resolution approving the waiver which was read by title only.

ADOPTED - Approving

Yea: 3 - Vice Mayor Moraitis, Commissioner McKinzie and Mayor Trantalis

Nay: 2 - Commissioner Glassman and Commissioner Sorensen

PH-2 [22-0255](#)

Public Hearing - First Reading of an Ordinance Establishing Geographical Boundaries of the Four City Commission Districts - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis said this item would be deferred.

City Manager Lagerbloom discussed April 12, 2022, as the deferral date for a Special Meeting and Commission availability. Further comment and discussion ensued.

Commissioner Sorensen made a motion to defer this Agenda item to April 12, 2022 Special Meeting at 5:00 p.m. and was seconded by Vice Mayor Moraitis.

DEFERRED to April 12, 2022 at 5pm Special Meeting

Yea: 5 - Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie, Commissioner Sorensen and Mayor Trantalis

ORDINANCE FIRST READING

OFR-1 [22-0130](#)

First Reading - Ordinance Amending the Code of Ordinances of the City of Fort Lauderdale, Florida, to Reflect the Change of the Department of Sustainable Development's Name to Development Services Department, and Amending the Classification Table of the Pay Plan of the City of Fort Lauderdale, Florida, to Revise the Title of

Two Job Classifications Accordingly- (Commission Districts 1, 2, 3 and 4)

City Manager Lagerbloom commented on details associated with the Department of Sustainable Development name change to Development Services Department. Comment and discussion ensued.

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

PASSED FIRST READING

Yea: 5 - Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie, Commissioner Sorensen and Mayor Trantalis

OFR-2 [22-0216](#)

First Reading - Ordinance Amending Division 2, Water Safety Rules, of Article V, Boats and Waterways, of Chapter 8, Boats, Docks, Slips etc., Section 8-166, Speed Limits on Waterways of the Code of Ordinances of the City of Fort Lauderdale Providing for the Rezoning of a Portion of the Seminole River Canal from a Slow Speed Minimum Wake Area to an Idle Speed No Wake Area - (Commission District 4)

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

PASSED FIRST READING

Yea: 5 - Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie, Commissioner Sorensen and Mayor Trantalis

ORDINANCE SECOND READING

OSR-1 [22-0268](#)

Second Reading - Ordinance Amending the City of Fort Lauderdale Code of Ordinance Section 17-7.7, Specific Restrictions, and Section 17-8.13, Exemptions, to Revise the Hours of Operations for Lawn Equipment - (Commission Districts 1, 2, 3 and 4)

In response to Commissioner McKinzie's question, Anthony Fajardo, Development Services Department Director, confirmed this Ordinance includes a distinction that is applicable to only residential areas.

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

ADOPTED ON SECOND READING

Yea: 5 - Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie, Commissioner Sorensen and Mayor Trantalis

OSR-2 [22-0306](#)

Second Reading - Ordinance Amending Section 26-161 of the Code of Ordinances to Revise Eligibility Requirements for Residential Parking Rates, Establish an Electric Vehicle Charging Station Rate, Increase the Monthly Permit Parking Rate and Authorize the City Manager to Provide Reduced or No-Cost Parking to City Sponsored Educational or Professional Development Programs - (Commission Districts 1, 2, 3 and 4)

In response to Commissioner Glassman's questions, Ben Rogers, Transportation and Mobility Department Director, summarized details related to this Agenda item. The *Residential Beach Parking Pass (RBPP)* requirement to provide a State of Florida driver's license has been removed. The *Las Olas Parking Garage* now accepts the *RBPP*, and the annual cost increased from \$26 to \$75. Resident hourly parking rates remain the same.

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

ADOPTED ON SECOND READING

Yea: 5 - Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie, Commissioner Sorensen and Mayor Trantalis

OSR-3 [22-0307](#)

Second Reading - Quasi-Judicial Ordinance Approving a Rezoning of 0.576 Acres of Land Located South of SW 32nd Place, North of SW 33rd Street, East of SW 16th Terrace and West of SW 15th Avenue from Residential Single Family/Low Medium Density District (RS-8) to Residential Multifamily Low Rise/Medium High-Density District (RML-25) - 3303 Community Development, LLC. - 3303 SW 15th Avenue - Case No. UDP-Z21001 - (Commission District 4)

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 Sorensen made a motion to close the public hearing, which was seconded by Commissioner McKinzie. Roll call showed: AYES: Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie, Commissioner Sorensen, and Mayor Trantalis

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

ADOPTED ON SECOND READING

Yea: 5 - Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie, Commissioner Sorensen and Mayor Trantalis

OSR-4 [22-0308](#)

Second Reading - Quasi-Judicial Ordinance Approving a Rezoning of 0.164 Acres of Land Located South of SW 32nd Place, North of SW 33rd Street, East of SW 16th Terrace and West of SW 15th Avenue from Residential Single-Family Duplex/Medium Density District (RD-15) to Residential Multifamily Low Rise/Medium Density District (RM-15) - 3303 Community Development, LLC. - Case No. UDP-Z21002 - (Commission District 4)

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 Sorensen made a motion to close the public hearing, which was seconded by Commissioner McKinzie. Roll call showed: AYES: Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie, Commissioner Sorensen, and Mayor Trantalis

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

ADOPTED ON SECOND READING

Yea: 5 - Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie, Commissioner Sorensen and Mayor Trantalis

OSR-5 [22-0311](#)

Second Reading - Ordinance Amending the City of Fort Lauderdale Unified Land Development Regulations (ULDR) Section 47-12, Central Beach Zoning Districts to Revise the Process and Procedures for Uses in the Central Beach Zoning Districts, Revise and Adopt Dimensional Requirements Including Open Space and Streetscape Design Requirements and Adopt Prescriptive Criteria for the Design and Compatibility Point System - (Commission District 2) - Requesting Deferment to May 17, 2022

Commissioner Glassman made a motion to defer this item to May 17, 2022 and was seconded by Commissioner Sorensen.

DEFERRED to May 17, 2022

Yea: 5 - Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie, Commissioner Sorensen and Mayor Trantalis

RESOLUTIONS CONTINUED

R-7 [22-0355](#) Resolution Approving a Master Lease Between the City of Fort Lauderdale and Rahn Bahia Mar, LLC for City Owned Property Known as Bahia Mar, Approving the Proposed Form of the Phased Lease and Proposed Form of the Amended and Restated Declaration of Covenants and Restrictions of the Bahia Mar Master Association, Inc., and Terminating the Existing Lease - (Commission District 2)

Mayor Trantalis recognized Susan Grant, Finance Director. Ms. Grant presented a condensed financial summary of the proposed Bahia Mar project entitled *Bahia Mar Financial Summary - Source: Colliers Prepared Spreadsheet - Compiled by City Finance Department (Bahia Mar Summary)*.

A copy of the Bahia Mar Summary presentation has been made part of the backup to this Agenda item.

Ms. Grant reviewed key assumptions, terms, and revenue numbers included in *Bahia Mar Summary*. Staff received an update regarding annual hotel revenue, which increased from \$20,000,000 to \$55,000,000 annually.

In response to Mayor Trantalis' question, Ken Krasnow, *Colliers International (Colliers)* Vice Chair, explained the difference in annual hotel revenue is due to the proposed project including a four (4) or five (5) star hotel versus the current three (3) star hotel.

In response to Mayor Trantalis' question, Ms. Grant confirmed the amount the City can expect to receive an average of \$15,500,000 annually on a gross revenue basis over the next fifty (50) years, not including taxes.

Ms. Grant explained details associated with additional revenue opportunities illustrated on the interactive spreadsheet.

In response to Commissioner Sorensen's question regarding upfront payments, Ms. Grant explained upfront payments are based on the initial

revenue share of two percent (2%) for the first 1,200 square feet. Anticipated additional revenue is based on plans for the condominiums having minimum square footage of 2,500 square feet at a five percent (5%) revenue share.

In response to Mayor Trantalis' question, Ms. Grant said the City currently receives approximately \$1,700,000 in annual revenue.

In response to Commissioner Sorensen's question regarding the timeline for receiving increased revenue, Mr. Krasnow estimated three (3) to five (5) years.

City Attorney Boileau discussed the phasing plan in the Master Lease, indicating a timeline of twelve (12) to fifteen (15) years for increased revenue and commented on related details.

In response to Mayor Trantalis' request, Stephanie Toothaker, Esq., 901 Ponce de Leon Drive, on behalf of *INFORMA*, provided an update regarding negotiations with the Tenant. Ms. Toothaker commented on recent negotiations with the Tenant's counsel, Barry Somerstein, Esq., *Greenspoon Marder, P.A.*, 200 East Broward Boulevard, to provide protections for the *Boat Show* and be incorporated into the proposed lease documents.

Ms. Toothaker confirmed additional outstanding issues related to the *Boat Show* and Tenant relationship and requested the Commission allow the *Boat Show* a seat at the table through site plan discussions to address these items.

In response to Vice Mayor Moraitis' question, Ms. Toothaker reiterated her comments regarding the *Boat Show* and recent negotiations between Mr. Somerstein and Danielle DeVito-Hurley, Esq., *Gunster Yoakley & Stewart, P.A.*, 450 East Las Olas Boulevard, on behalf of the *Boat Show*. Further comment and discussion ensued.

In response to Commissioner Glassman's question, Ms. Toothaker confirmed a comfort level with addressing additional *Boat Show* concerns during the timeline associated with that regulatory process. City Attorney Boileau confirmed his need to review those negotiated terms before inclusion in the lease documents.

Mayor Trantalis recognized Kenny Tate, 1180 N. Federal Highway, on behalf of the Tenant. Mr. Tate confirmed negotiations agreed to by the Tenant and the *Boat Show* and said he would provide a red-lined copy of

the changes negotiated with Ms. DeVito-Hurley to City Attorney Boileau. Further comment and discussion ensued.

Ms. DeVito-Hurley noted for the record that those negotiated changes are to be included in the Master Declaration, Master Lease, and the Phased Lease.

In response to Commissioner Glassman's questions, Mr. Krasnow confirmed his comfort level with the financial details included in Ms. Grant's presentation. He provided his assessment of the proposed project following *Collier's* in-depth analysis and said it is a fair, reasonable proposal based on the current encumbrances. Mr. Krasnow remarked on numerous improvements and amenities and the number of people the project would attract. He explained the City is sharing in revenue growth as the project progresses and expounded on the benefits and related details that speak to a world-class destination benefiting the City.

Mayor Trantalis recognized Jack Abdo, 1 SE 17th Avenue. Mr. Abdo spoke in support of this Agenda item.

Mayor Trantalis recognized Kristen Maus, 1778 Marietta Drive. Ms. Maus spoke in opposition to this Agenda item

Commissioner Glassman addressed Ms. Maus' comments and explained the need to look at the project in context of the whole site and the entire issue. He expounded on his perspective, including his efforts and related benefits achieved. Further comment and discussion ensued.

Mayor Trantalis recognized Landon McNeill, 2409 NE 26th Avenue. Mr. McNeill spoke in support of this Agenda item.

Mayor Trantalis recognized Erin McNeill, 2409 NE 26th Avenue. Ms. McNeill spoke in support of this Agenda item.

Mayor Trantalis recognized Abby Laughlin, 1050 Seminole Drive. Ms. Laughlin spoke in support of this Agenda item.

Mayor Trantalis recognized Michael Fine, 805 SE 8th Street. Mr. Fine spoke in support of this Agenda item.

Mayor Trantalis recognized Lisa Namour, 801 Seabreeze Boulevard, Bahia Mar Fort Lauderdale Beach Hotel General Manager. Ms. Namour spoke in support of this Agenda item.

Mayor Trantalis recognized Michael Ray, 6130 NW 33 Terrace. Mr. Ray Spoke in opposition to this Agenda item.

Mayor Trantalis recognized Neil Kolner, 6130 NW 33rd Street. Mr. Kolner spoke in opposition to this Agenda item.

Mayor Trantalis recognized John Burns, 1 Las Olas Circle. Mr. Burns spoke in opposition to this Agenda item.

Mayor Trantalis recognized Joshua Mathis, 4331 SW 160 Avenue. Mr. Mathis spoke in support of this Agenda item.

Mayor Trantalis recognized Marilyn Mammano, 1819 SE 17th Street. Ms. Mammano spoke in opposition to this Agenda item.

Mayor Trantalis recognized Oliver Larkin, 1600 East Sunrise Boulevard. Mr. Larkin spoke in opposition to this Agenda item.

Mayor Trantalis recognized Albert Miniaci, 2500 North Federal Highway. Mr. Miniaci spoke in support of this Agenda item.

Mayor Trantalis recognized former Mayor Jim Naugle, P.O. Box 70. Mayor Naugle spoke in opposition to this Agenda item.

Mayor Trantalis discussed the previous Commission's action approving the 2017 Site Plan and his opposition, current options and his perspective.

Commissioner Glassman commented on the inability to have a public referendum because it would violate the existing lease approved by the previous Commission.

Mayor Trantalis recognized Richard Keller, 1941 SE 22nd Avenue. Mr. Keller spoke in opposition to this Agenda item.

Mayor Trantalis recognized Segev Shpats, 2357 Stirling Road, Dania Beach. Mr. Shpats spoke in support of this Agenda item.

Mayor Trantalis requested Staff be prepared to advise the Commission on the amounts related to the project's public improvements.

Mayor Trantalis recognized Mary Fertig, 511 Poinciana Drive, on behalf of the *Idlewyld Improvement Association*. Ms. Fertig spoke in opposition to this Agenda item

A copy of the documents Ms. Fertig submitted has been made part of the backup to this Agenda item.

In response to Commissioner Glassman's question regarding documentation stating *the Lessee would give this information to the Lessor as this process makes its way through the regulatory process*, City Attorney Boileau explained that the Commission would approve related documents when they come forward in the future and cited examples, i.e., subleases. Further comment and discussion ensued.

Commissioner Glassman discussed past proposals for the Bahia Mar site and commented on historical details. Further comment and discussion ensued.

Vice Mayor Moraitis commented on updated financial information received. Further comment and discussion ensued.

Vice Mayor Moraitis remarked on the agreement between the Tenant and the *Boat Show*. Ms. Fertig noted that negotiated changes between the Tenant and the *Boat Show* impacting the *Leases Documents* should be made available to the public.

In response to Commissioner Sorensen's question regarding when the negotiated changes between the Tenant and the *Boat Show* would be made available to the public, City Attorney Boileau noted the need to review the edits.

Mayor Trantalis recognized Paula Yukna, 2701 N. Ocean Boulevard. Ms. Yukna spoke in opposition to this Agenda item.

Mayor Trantalis recognized Dan Teixeira, 9 North Birch Road, and *Harbor House East Condominium* President. Mr. Teixeira spoke in support of this Agenda item.

Mayor Trantalis recognized Maxine Streeter, 705 SW 13th Street. Ms. Streeter spoke in opposition to this Agenda item.

In response to Commissioner Sorensen's questions regarding depreciation on leased land, Mr. Krasnow explained the long-term depreciation structure and noted a thirty (30) year lease would be a fair comparison. Mr. Krasnow discussed depreciation adjustments over one hundred (100) years. He noted that the financial aspects of condominiums included in *the Bahia Mar Summary* were conservative compared to similar projects in the City.

City Attorney Boileau commented on the various factors that could impact condominium ownership over one hundred (100) years. At the expiration of the ninety-nine (99) year lease, the condominiums would revert to the City. Further comment and discussion ensued.

Mayor Trantalis recognized Gaylord Wood, 626 SW 11 Court. Mr. Wood spoke in opposition to this item.

In response to Commissioner Sorensen's questions, City Attorney Boileau confirmed the *Lease Documents* stipulate a minimum four (4) star hotel, phased milestones, and promenade completion within twelve (12) years. Trip and fall liabilities are the Tenant's responsibility, and the requirement for a site plan is included. City Attorney Boileau explained details related to the hotel closing the promenade two (2) times per month without Commission approval for special events.

Mayor Trantalis recognized Barbie Pearson, 2420 SE 17th Street. Ms. Pearson spoke in opposition to this Agenda item.

A copy of the documents Ms. Pearson submitted has been made part of the backup to this Agenda item.

Mayor Trantalis recognized Stan Eichelbaum, 411 N. New River Drive. Mr. Eichelbaum spoke in opposition to this Agenda item.

Mayor Trantalis recognized John Roth, 333 Sunset Drive. Mr. Roth spoke in opposition to this Agenda item.

A copy of the documents Mr. Roth submitted has been made part of the backup to this Agenda item.

Mayor Trantalis recognized Art Seitz, 1905 N. Atlantic Boulevard. Mr. Seitz spoke in opposition to this Agenda item.

Mayor Trantalis recognized Jack Cummings, 3111 NE 22nd Street. Mr. Cummings spoke in opposition to this Agenda item.

Mayor Trantalis recognized Sam Idas, 1624 SE 12th Court. Mr. Idas spoke in opposition to this Agenda item.

Mayor Trantalis passed the gavel to Vice Mayor Moraitis at 9:58 p.m.

Mayor Trantalis recognized Janet Gualtieri, 106 Nurmi Drive. Ms. Gualtieri spoke in opposition to this Agenda item.

22-0372

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

Commissioner Glassman made a motion to extend the meeting until 11:00 p.m. and was seconded by Commissioner Sorensen.

APPROVED

Yea 4 - Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Commissioner Sorensen

Not Present: 1 - Mayor Trantalis

Mayor Trantalis recognized Chuck Hansen, 545 South Fort Lauderdale Beach Boulevard. Mr. Hansen spoke in opposition to this Agenda item.

Mayor Trantalis recognized Brucie Cummings, 830 SW 9th Street. Ms. Cummings spoke in opposition to this Agenda item.

Mayor Trantalis recognized Boyd Corbin, 12 NE 26th Street, Wilton Manors. Mr. Corbin spoke in opposition to this Agenda item.

Mayor Trantalis recognized George Counts, 2449 Nassau Lane. Mr. Counts spoke in opposition to this Agenda item.

Vice Mayor Moraitis passed the gavel back to Mayor Trantalis at 10:11 p.m.

Mayor Trantalis recognized Rahel Crowley, 1261 Seminole Drive. Ms. Crowley spoke in opposition to this Agenda item.

A copy of the documents Ms. Crowley submitted has been made part of the backup to this Agenda item.

Mayor Trantalis recognized Carolann Mazza Bartholomey, 3000 Holiday Drive. Ms. Bartholomey spoke in opposition to this Agenda item.

Mayor Trantalis recognized Lisa Malcolm, 1900 SE 14th Avenue. Ms. Malcom spoke in opposition to this Agenda item.

A copy of the documents Ms. Malcolm submitted has been made part of the backup to this Agenda item.

Mayor Trantalis recognized Marisela Cotilla, 2937 W. Cypress Creek Road, Boca Raton. Ms. Cotilla spoke in support of this Agenda item.

Mayor Trantalis recognized Tressan Smith, 307 NW 17th Avenue. Ms. Smith spoke in support of this Agenda item.

Mayor Trantalis recognized Gregory Mire, 1120 SW 17th Avenue. Mr. Mire spoke in opposition to this Agenda item.

Mayor Trantalis recognized Joe Piechura, Sr., 5780 NE 18th Terrace. Mr. Piechura spoke in opposition to this Agenda item.

Mayor Trantalis recognized Mimi Walters, 2765 NE 19th Street. Ms. Walters spoke in opposition to this Agenda item.

Mayor Trantalis recognized Anne Hilmer, 621 Idlewyld Drive. Ms. Hilmer spoke in opposition to this Agenda item.

A copy of the documents Ms. Hilmer submitted has been made part of the backup to this Agenda item.

Mayor Trantalis recognized Philip Purcell, 221 SW Third Avenue, on behalf of the *Marine Industries Association of South Florida (MIASF)*. Mr. Purcell discussed the importance of the *Boat Show* and his perspective regarding related aspects of this Agenda item. Further comment and discussion ensued.

Mayor Trantalis recognized Geary Cotton, 615 Idlewyld Drive. Mr. Cotton spoke in opposition to this Agenda item.

Mayor Trantalis recognized Nancy Thomas, 1924 Admirals Way. Ms. Thomas spoke in opposition to this Agenda item.

Mayor Trantalis recognized Heather Brinkworth, 2609 NE 26th Street. Ms. Brinkworth spoke in opposition to this Agenda item.

Mayor Trantalis recognized Adolfo Cotilla, Jr., 2937 West Cypress Creek Road. Mr. Cotilla spoke in support of this Agenda item.

Mayor Trantalis recognized Sigrid McCawley, Esq., *Boies Schiller & Flexner LLP*, 401 East Las Olas Boulevard, on behalf of the *Boat Show*. Ms. McCawley explained the pending litigation against the Tenant and the City being a nominal party.

In response to Mayor Trantalis' questions, Ms. McCawley remarked on her understanding of agreed upon lease changes negotiated with the Tenant and the *Boat Show*. She confirmed her understanding of the position of the *MIASF* and *INFORMA* regarding the Commission moving forward with this Agenda item and commented on the pending litigation. Further comment and discussion ensued.

22-0373 WALK-ON - Motion to Extend Commission Meeting until 12:00 a.m.

Commissioner Glassman made a motion to extend this meeting until 12:00 a.m. and was seconded by Vice Mayor Moraitis.

APPROVED

Yea: 5 - Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie, Commissioner Sorensen and Mayor Trantalis

Commissioner Glassman clarified the site plan is not part of this Agenda item. Ms. McCawley confirmed.

Mayor Trantalis recognized Leann Barber, 500 NE 1st Avenue. Ms. Barber spoke in opposition to this Agenda item.

Mayor Trantalis recognized Johanna Fields, 2081 SW 38th Avenue. Ms. Fields spoke in opposition to this Agenda item.

Mayor Trantalis recognized Roy Sea, 3030 NE 22nd Street. Mr. Sea spoke in opposition to this Agenda item.

There being no one else wishing to speak on this item, Commissioner Sorensen made a motion to close the public hearing, which was seconded by Vice Mayor Moraitis. Roll call showed: AYES: Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie, Commissioner Sorensen, and Mayor Trantalis

In response to Commissioner Glassman's questions regarding updates to the *Lease Documents* included with this Agenda item, City Attorney Boileau said there are no substantive changes or impact on the City, and the updated information is within the provisions of the *Lease Documents*. Further comment and discussion ensued.

In response to Commissioner Sorensen's question, Mr. Purcell explained the position of the *Boat Show* and the need to resolve seven (7) outstanding items between the *Boat Show* and the Tenant. Further comment and discussion ensued.

Mayor Trantalis said there would be a Conference Meeting to address those outstanding items.

Mayor Trantalis recognized Matt Sacco on behalf of the *MIASF*. Mr. Sacco confirmed the *Boat Show's* seven (7) outstanding items, including 1) the supplemental deposit; 2) the term; 3) extended show dates; 4) rent;

5) no competition; 6) signage; and 7) infrastructure.

Mayor Trantalis noted the *Boat Show's* seven (7) items would be addressed through the site plan regulatory process.

Commissioner Sorensen acknowledged the progress made to date. He discussed differing philosophical views on using public land for a public purpose, which does not include multimillion-dollar luxury condominiums. Commissioner Sorensen confirmed his viewpoint regarding improved business terms and protections for the *Boat Show*.

Vice Mayor Moraitis explained feedback at the recent *District 1 Pre-Agenda Meeting* and constituent emails. She confirmed her advocacy for using public land for a public purpose and expounded on related details. Vice Mayor Moraitis explained her perspective regarding moving forward with this Agenda item.

Mayor Trantalis discussed his efforts for more open space on the *Bahia Mar* site, the use of public land for a public purpose, and his previous advocacy for a public referendum on the site's use before the previous Commission's approved 2017 Site Plan.

Mayor Trantalis remarked on his efforts working with the Tenant to improve the 2017 Site Plan, allowing the community access to the site to serve a public purpose, and ensuring a better return on investment. He discussed additional aspects and details related to *Bahia Mar* site improvements.

Commission Glassman remarked on historical aspects and details related to *Bahia Mar*, including articles and editorials in local periodicals.

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

ADOPTED

Yea: 4 - Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

Nay: 1 - Commissioner Sorensen

R-8 [22-0193](#)

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

Commissioner McKinzie introduced this Resolution designating Commissioner Sorensen as the Vice Mayor which was read by title only.

ADOPTED - Designated Ben Sorensen as Vice-Mayor

Yea: 5 - Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie, Commissioner Sorensen and Mayor Trantalis

ADJOURNMENT

Mayor Trantalis adjourned the meeting at 11:36 p.m.

Dean J. Trantalis
Mayor

ATTEST:

David R. Soloman
City Clerk