

**FINAL**  
**UTILITY ADVISORY COMMITTEE**  
**CITY OF FORT LAUDERDALE**  
**CITY HALL 8<sup>TH</sup> FLOOR CONFERENCE ROOM**  
**100 NORTH ANDREWS AVENUE**  
**FORT LAUDERDALE, FLORIDA 33301**  
**FEBRUARY 26, 2013 – 6:30 P.M.**

Cumulative  
January 2013-  
December 2013

<b>Committee Member</b>	<b>Attendance</b>	<b>Present</b>	<b>Absent</b>
Bunney Brenneman, Chair	P	1	0
Robert Cole, Vice Chair	A	0	1
Maria Canady	A	0	1
L. Thomas Chancey	P	1	0
James Dunmire	P	1	0
Deborah Frederick	A	0	1
Don Larson	P	1	0
Terri Murru	P	1	0
Eric Seidmon	P	1	0
Chelsea Smith	P	1	0

**Staff**

Hal G. Barnes, P.E., Staff Liaison

**I. Call to Order**

Chair Brenneman called the meeting to order at 6:38 p.m.

**II. Roll Call**

Roll was called and it was noted a quorum (7 at the time of roll call) was present..

**III. Welcome & Self-Introductions**

The Committee and Staff members introduced themselves at this time. The Committee welcomed new member James Dunmire.

One guest (Cal Deal) was in attendance.

**IV. Minutes of September 27, 2012 Meeting**

**Motion** made by Mr. Larson seconded by Mr. Dunmire to approve the minutes of September 27, 2012. In a voice vote, the **motion** passed unanimously (7-0 at time of vote).

## **V. New Business**

### **A. FPL – PSC and Nuclear Items**

The discussion with J.R. Kelly, Esquire, Public Council, Office of the Governor, State of Florida regarding the FPL rate hikes and other items of interest was deferred to a future meeting due to Mr. Kelly not being available this evening via conference call

### **B. Hi-Rise Cell Phone Towers**

Chair Brenneman reported that other cities within the county have experience the installation of cell phone towers within their neighborhoods. The Committee requested that a staff member from the City attend the next UAC meeting to discuss this issue as it relates to Fort Lauderdale neighborhoods.

### **C. Other New Business**

None.

## **VI. Continuing Business**

### **A. Update on Tree Canopy Preservation in Fort Lauderdale – Rain Tree Update and Rain Tree Petition Campaign**

An update on the Marina Lofts project and the rain tree was presented by Cal Deal, Publisher of the Fort Lauderdale Observer. Mr. Deal provided the Committee with the attached handout regarding the rain tree. During the discussion, a **motion** was made by Ms. Murru, seconded by Mr. Seidmon that based upon recommendations from the UAC's tree subcommittee members, the UAC strongly recommends through a Communication to the City Commission that the rain tree located on the property at 424 SW 4 Avenue be preserved in place due to its historic significance and aesthetic value (1987 Resolution 87-318). The **motion** passed 7 – 0.

### **B. Other Continuing Business**

None.

## **VII. Good of the Committee**

None.

## **VIII. Communications to City Commission**

Based upon the recommendations from the Utility Advisory Commission's Tree Subcommittee members, the UAC strongly recommends that the rain tree located on the property at 424 SW 4 Avenue be preserved in place due to its historic significance and aesthetic value (1987 Resolution 87-318).

## **IX. Announcements:**

Next Regular UAC Meeting, Tuesday, March 26, 2013 at 6:30 p.m.

## **X. Adjournment**

There being no further business to come before the Committee at this time, the meeting was adjourned at 8:41 p.m.

[Minutes prepared by H. Barnes]

Cal Deal <caldeal@gate.net>  
(No Subject)

February 26, 2013 6:05 PM



2 Attachments, 100 KB

10/24/12

"The Rain tree is a very impressive tree. The tree should be preserved in place. The tree would never be the same if they tried to relocate it."

Peter Burke, Natural Resource Specialist III  
Broward County Planning and Environmental Regulation Division  
Environmental Protection and Growth Management Department

## **OUR MAGNIFICENT RAIN TREE WILL DIE IF IT IS MOVED, EXPERTS SAY**

---

***"Once this tree is moved, its days are numbered. ...  
It will die a slow, agonizing death"***

**Charles Livio, Horticulturist**  
City of Oakland Park  
(Letter below)

---

***"Any attempt to move it will be a death knell for the tree.  
The tree canopy will be ruined and the Rain Tree  
will decline slowly over about five years if it is moved."***

**Robert Haehle, Landscape Consultant**  
Sun-Sentinel Garden Columnist since 1986  
Contributing writer, Florida Gardening magazine  
(Letter below)

---

***If moved, "It'll decline. It'll die."***

**Tom Chancey, Arborist**  
<http://softscapes.com>

---

***"It is the same type of tree in the movie 'Swiss Family Robinson,'  
and the chances of successfully moving it are  
as remote as was the Swiss family!"***

**Tim Smith, Landscaper and Former City Commissioner**

Tuesday, Dec 11, 2012

Dear Broward County Commissioners,

My experience with members of the pea family trees is that they transplant poorly. They have some shallow roots but many deep roots. The rain tree was nominated as a historic, specimen tree by Bob Shimmel when he was with the City of Fort Lauderdale many years ago. This is the largest rain tree in the state to my knowledge, and any attempt to move it will be a death knell for the tree. The tree canopy will be ruined and the rain tree will decline slowly over about 5 years if it is moved.

I have worked with the Town of Palm Beach on their historic /specimen trees since 1986. We added two large kapok trees to mark the entrance to the Town of Palm Beach in recent years. One tree was barged up from the Fort Lauderdale area. These trees have a high water content and survive moving without much shock. The rain tree despite its name is very woody and is not fleshy like the kapok, baobab, and other members of the bombax family.

I write a garden column for the Sun-Sentinel and articles for Florida Gardening magazine. My "Plant of the Month" column covered many exotic and native plants since I started writing for the paper in 1986. I have been writing for the Florida Gardening magazine since the magazine started publishing.

I hope you consider the value of this unique asset to the City of Fort Lauderdale. Certified arborists like Rose Butman can determine the value of this tree in dollar amounts. I hope the tree is preserved and not lost in the marvelous world of politics.

Robert Haehle  
Landscape Consultant  
4707 NW 49th Drive  
Tamarac, FL 33319-3644

Hello Tom,

I wish I could attend, unfortunately I am working today and have appointments on my calendar at that time. This rain tree has "Champion Tree" status based on its spread and diameter of its trunk. I am in total agreement with County Mayor Jacobs in designating this tree as "Historic" based also on its age of at least 75 years. This would save this tree in its present location for us and future generations to enjoy.

As an ISA Certified Arborist like you, we know that the Marina Lofts developer will no doubt find a tree moving company to move this tree. Experience tells us that even with root pruning many months in advance and installed irrigation, once this tree is moved its days are numbered. As we Arborists know, anybody can relocate a large tree if they are paid enough money. However will this tree be alive in 10 years after the relocation? The answer is NO. It will die a slow agonizing death and be removed, another expense in the future. Who will pick up the cost of removing this dead tree in its proposed tight and hidden location???

Thanks, Charlie



Charles Livio  
Horticulturist  
City of Oakland Park  
Parks & Leisure Services Department  
3650 N.E. 12th Avenue  
Oakland Park, FL 33334  
954-630-4511  
954-630-4352 fax  
charlesl@oaklandparkfl.gov | www.oaklandparkfl.org



A sense of Community...It starts in Parks

## RESOLUTION OF THE BROWARD GROUP OF THE SIERRA CLUB REGARDING CHAMPION RAIN TREE

Whereas, the Rain Tree located at 424 S.W. 4th Avenue, Fort Lauderdale, Florida, is 75 to 100 years old; and

Whereas, the aforementioned Rain Tree has a canopy spread of 128 feet, a root system as extensive as its canopy, a circumference of 234 inches, and is approximately six stories high; and

Whereas, the Rain Tree was designated by the State of Florida in 1982 as a Champion Tree, the largest tree of its species in the state; and

Whereas, the owner of the property seeks to develop a residential/retail mixed-use project called Marina Lofts, and proposes relocating the tree a few blocks away from its present location; and

Whereas, two certified arborists, Rose Bechard-Butman of the Fort Lauderdale Garden Club, and L. Thomas Chancey, have advised against relocation of this tree, and the tree is not likely to survive its relocation; and

Whereas, designation of this tree as an historical tree would be consistent with the requirements of Sections 27-407(d)(3) and 27-412 of the Broward County Code, and would provide additional protection to prevent relocation of this tree by requiring County Commission approval for the removal or relocation of this tree; and

Whereas, large, old trees store substantial amounts of carbon, sustain biodiversity, and provide more habitat as compared with smaller, younger trees, yet their death rate globally is increasing rapidly, according to a newly published article in Science magazine (see <http://green.blogs.nytimes.com/2012/12/07/mighty-old-trees-are-perishing-fast-study-warns/>); and

Therefore, Be It Resolved, the Sierra Club supports the designation of the Rain Tree as an Historical Tree; and

Be It Further Resolved, the Sierra Club opposes removal of the Rain Tree from its current location.  
Approved by the Broward Group of the Sierra Club

Mara Shlackman, Chair

December 10, 2012

### INTERESTING THOUGHT

## "THE COUNTY CAN STILL STEP IN" IF THE CITY FAILS TO PROTECT RAIN TREE

Cal, My reading is that if the city fails to protect the tree, the county can still step in. The issue is by moving it, is it still protected, and if so, in this case, is the risk too high? Stewart's own letter states that "failure" of the municipality to enforce its program puts it back to the county. Risking killing of the tree seems to me to be a de facto decertification of the tree, which would put it back to the county.

— NICK SAKHNOVSKY

**FINAL**  
**CITY OF FORT LAUDERDALE**  
**SUSTAINABILITY ADVISORY BOARD**  
**CITY HALL COMMISSION CHAMBERS**  
**100 NORTH ANDREWS AVENUE – 1ST FLOOR**  
**FORT LAUDERDALE, FLORIDA 33301**  
**March 26, 2013 – 6:30 PM**

			Cumulative Attendance 1/2013 through 12/2013	
MEMBERS	APPT BY	ATTENDANCE	PRESENT	ABSENT
1. Valerie Amor, Chair	M	A	2	1
2. Alena Alberani, Vice Chair	II	P	3	0
3. Robert Caine	M	P	2	1
4. Steven Cook	I	P	3	0
5. Vicki Eckels	IV	P	3	0
6. Darin Lentner	IV	P	3	0
7. Jim Moyer	III	P	3	0
8. Mate Thitisawat	C	P	2	1
9. Vacant (previously William Goetz)	I			
10. Vacant (previously Dana Politte)	II			
11. Vacant (previously Cathy Curry)	III			

**Also Present**

Joshua Nichols, Staff Liaison – Office of Sustainability  
Heather Steyn, Sustainability Specialist – Office of Sustainability  
Stewart Robertson, Kimberly Horne & Associates

**1. Call of Order/Roll Call**

Vice Chair Alberani called the meeting to order at 6:31 pm, roll was called, and it was determined a quorum was present.

**2. Approval of Meeting Minutes – February 2013**

Vice Chair Alberani noted corrections to the minutes. She also noted that last meeting she had asked that Assistant City Manager, Susanne Torriente be invited to a SAB meeting to focus on money-saving projects. She wants Ms. Torriente's guidance on where the SAB might help staff further meet that criteria.

**Motion** made by Vice Chair Alberani and seconded by Ms. Eckles to approve the noted corrections to minutes of the February 25, 2013. In a voice vote, the Board motion passed unanimously.

**3. Staff Liaison Report – Presented by Joshua Nichols**

 **Sunshine Law**

Link for backup to budget attached. Make sure that any e-mails that come back from you go through Mr. Nichols or Ms. Heather Steyn. Do not want to have responses to go beyond the immediate question.

#### **Earth Hour – March 23<sup>rd</sup>**

The City of Fort Lauderdale participated in Earth Hour and shut off all non-essential lighting in City Hall and other facilities for an hour. This action made a news article in the Sun-Sentinel.

#### **Solid Waste Contract**

Still ongoing and the intent is to award Waste Management nearly all of the contracts except for construction debris (going to WSI). The ILA is set to expire on July 3, 2013. The City is hoping to take advantage of the WM loyalty program to obtain additional funds for the City. There was some discussion about once-a-week garbage pickup, pros and cons.

#### **Neighborhood Survey**

Ms. Amor wanted to share this study, page 17 discusses survey results as they relate to sustainability.

#### **Retail Bag Resolution**

The City Commission Conference Agenda approved in part the resolution and did send it forward. The City did not want to regulate what type of plastic bags stores used. They modified this resolution and it will go on the City Agenda for May 7, 2013.

### **4. New Business**

#### **Complete Streets Presentation {Robertson}**

Stewart Robertson, Traffic Engineer at Kimley Horn & Associates presented Complete Streets. It is a way of incorporating sustainable design into streets that encourage and provide access for the use of alternative modes of transportation. He notes that some communities are designing from a sidewalk point of view and then fitting in the car lanes. Land use context interaction with the street plays into how people perceive a street. Complete Streets is a roadway that accommodates all travelers (bicyclists, bus users, etc.).

There is also discussion about a curbless street where storm drainage occurs in the middle of the street and there are bollards at the sides of the street for pedestrians. Traffic usually travels at a slower speed in these areas (i.e., 20 mph). He discusses street “diet” where car lanes are reduced for added bike lanes (example Galt Ocean Mile).

Green Streets incorporates some Sustainability principles into street design helping to reduce carbon emissions with slower speeds, more trees, healthy alternatives promoted through wider sidewalks, bioretention swales, etc. Green Streets exhibit similar characteristics to Complete Streets. Green Streets uses a natural systems approach to reduce stormwater flow including permeable pavement (used in parking lots and alleys and slow speed areas). Roundabouts keep cars moving at a slower speed which is a benefit to reducing carbon emissions.

In most communities, street rights-of-way take up the largest portion of public spaces and having Complete Streets allows the public to use these areas.

#### **WAVE Project, {Nichols}**

A question was brought up at the February meeting concerning the proposed route for the WAVE. The proposed route starts on 6<sup>th</sup> Avenue and goes west on Broward and south on Andrews and



east on 6<sup>th</sup> Avenue. It's a mile and a half so far but will eventually extend to SE 17<sup>th</sup> Street providing access to the Hospital.

#### Rain Tree, {Alberani}

There is a request to move the rain tree as seen in the attachment. This tree has already been protected (by City Commission in 1987) and the Commission is going to renege on the previous protection to allow for a development to take place (Marina Lofts). The thought is that if Commission feels that this move is necessary, that the City requires the developer to provide a large number of trees to replace this particular tree.

#### Tortuga Music Festival

April 13 & 14<sup>th</sup> Tortuga Festival. Mr. Moyer feels we should be involved in it. He attended the Mayor's press conference. Mr. Nichols indicated that the event is not run by the City and the Board was not informed of the event in a timely manner to organize participation this year. He feels that SAB should have some presence there next year. Volunteers get free tickets for volunteering their time. No discount for students.

April 27-28 is the Renourish Florida event with Earth Day celebrated on the 27th.




Lauderscape has been moved to October 12th.

### 5. Upcoming Events

The following events were announced to the group:

-  April 13<sup>th</sup> - 14<sup>th</sup>: Tortuga Music Festival
-  April 19<sup>th</sup> - 21<sup>st</sup>: RePower Florida Mini-Conference
-  April 20<sup>th</sup> & 27<sup>th</sup>: Renourish Fort Lauderdale 2013. 27<sup>th</sup> is the Earth Day event
-  October 12<sup>th</sup>: Lauderscape (details yet to be provided)

#### **Webinars:**

-  March 27<sup>th</sup>: FPL New Lighting Technologies Turn on the Savings
-  March 28<sup>th</sup>: Adaptation, Emergency Management, and Hazard Mitigation in SE Florida
-  March 28<sup>th</sup>: EcoVillage

### 6. Communications to the City Commission

Rain Tree Communication:

**Motion** made by Ms. Eckels and seconded by Jim Moyer that the Sustainability Advisory Board recommends that the City Commission respect the protection that was granted to the Rain Tree in 1987 (Resolution #87-318). That Resolution gives the present Commission the power over the future of the tree. At a time when the City is implementing more sustainable practices, the protection of this tree demonstrates a furtherance of commitment of building a sustainable community for future generations. In a voice vote, the Board motion passed four in favor and two against.

**7. Items for Next Meeting:**

Items for the next meeting: Rain Tree, Dark Skies, establish policy for guests, invite Sea Turtle people back to discuss turtle nesting and the Tortuga Music Festival.

**8. Public Comment:** None

**9. Committee Comments:**

Mr. Cook provided a sample of City of Sunrise Parks and Rec. Advisory Board agenda for discussion of Board protocol.

**10. Adjournment**

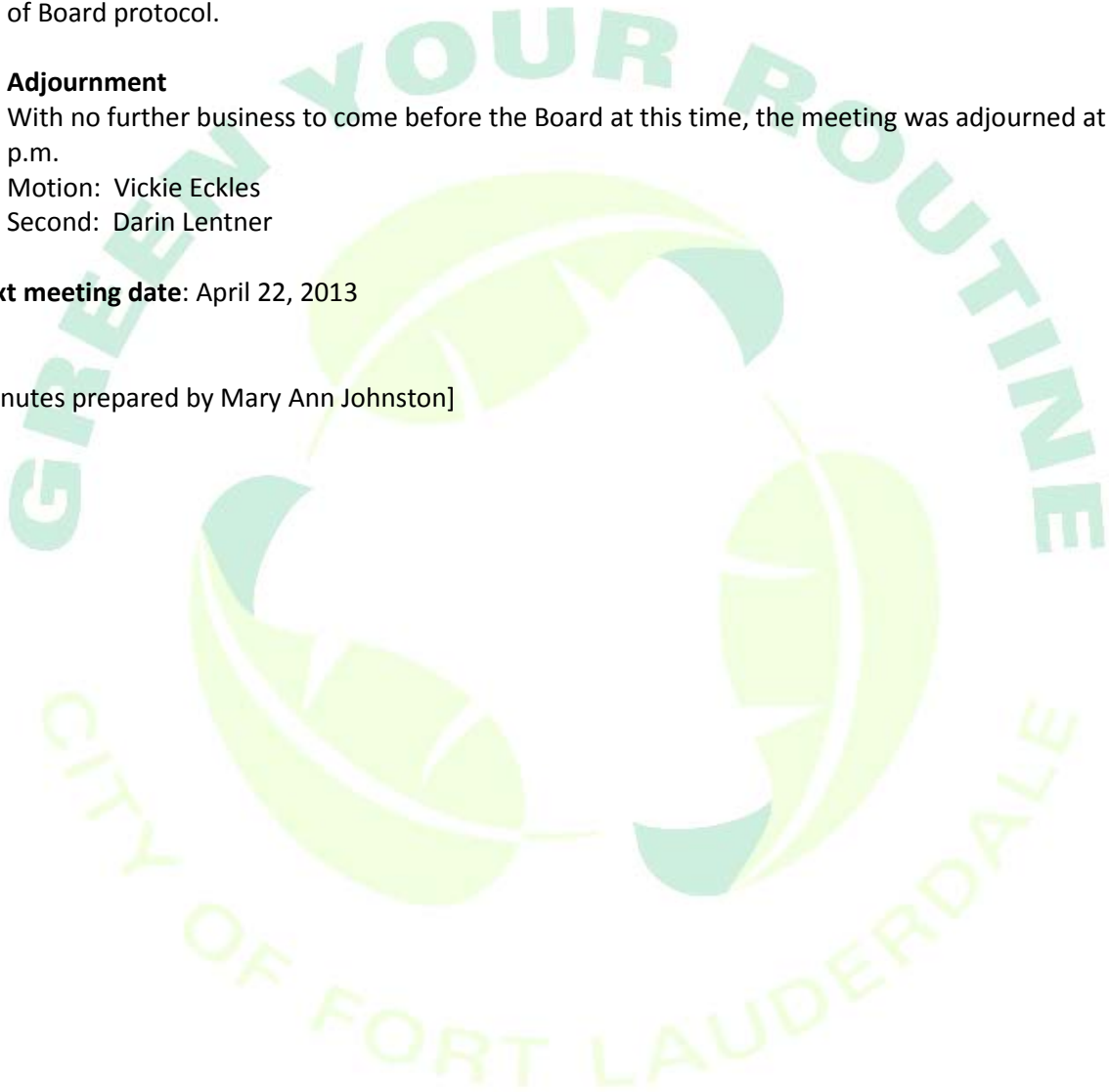
With no further business to come before the Board at this time, the meeting was adjourned at 8:46 p.m.

Motion: Vickie Eckles

Second: Darin Lentner

**Next meeting date:** April 22, 2013

[Minutes prepared by Mary Ann Johnston]



## FINAL

CITY OF FORT LAUDERDALE  
SUSTAINABILITY ADVISORY BOARD  
CITY HALL COMMISSION CHAMBERS  
100 NORTH ANDREWS AVENUE – 1ST FLOOR  
FORT LAUDERDALE, FLORIDA 33301  
May 28, 2013 – 6:30 PM

				Cumulative Attendance 1/2013 through 12/2013	
MEMBERS	APPT BY	ATTENDANCE	PRESENT	ABSENT	
1. Valerie Amor, Chair	M	P	4	1	
2. Alena Alberani, Vice Chair	II	P	5	0	
3. Daniel Ayers	M	P	2	0	
4. Steven Cook	I	P	5	0	
5. Vicki Eckels	IV	P	4	1	
6. Darin Lentner	IV	A	4	1	
7. Jim Moyer	III	P	5	0	
8. Mate Thitisawat	C	P	4	1	
9. Jim Hetzel	I	P	2	0	
10. Barbara Walker	II	A	1	1	
11. Cheryl Whitfield	III	P	1	0	

### Also Present

Joshua Nichols, Staff Liaison – Office of Sustainability

### 1. Call of Order/Roll Call

Chair Amor called the meeting to order at 6:31 pm, roll was called, and it was determined a quorum was present.

### 2. Approval of Meeting Minutes – April 2013

**Motion** made by Mr. Ayers and seconded by Mr. Moyer to approve the minutes of the April 22, 2013 meeting. In a voice vote, the Board motion passed unanimously.

### 3. Staff Liaison Report– Presented by Joshua Nichols

#### New Member Introduction

Introduction of new members: Cheryl Whitfield. Reintroduction of Jim Hetzel and Daniel Ayers to board members not present at last meeting. Office of Sustainability staff members will be attending the June meeting.

#### Save-A-Tree/Plant-A-Tree

Customers can sign up for electronic billing and the City provides you with a tree for planting on your property outside of the swale. First distribution is on June 8<sup>th</sup> with over 300 participants

expected. Participants have a choice of trees to pick up (Jamaican Caper, Pigeon Plum and Live Oak) or donate their tree to the City. This project will help with the GIS mapping of tree canopy in the City. There was a question about the Adopt-a-Tree program and whether that program's planting location is similar to that in the Save-A-Tree program. Update to be provided at the June SAB meeting.

#### **4. New Business**

##### **Eco-Districts**

Chair Amor introduces Eco-Districts. The first presentation is a video from Portland Sustainability Institute.

Chair Amor then gives a PowerPoint presentation on Eco-Districts and Eco-Neighborhoods relating to San Francisco's efforts. The focus is having a public/private partnership to share resources. CRA districts work well as Eco-Districts. She discusses how various aspects can be applied to Fort Lauderdale. She notes that Eco-Neighborhoods are visualized as more intimate than Eco-Districts. New developments should take a look at Eco-District aspects and incorporate as many as possible. Las Olas and FAT Village (Doug McCraw is owner) have expressed interest in elements of Eco-Districts. Flagler Village will be on the Wave, have an FEC commuter connection and is working toward a community garden. They are interested in solar energy but have questions on funding. FAT Village would be an excellent pilot area for an Eco-District. There is a suggestion to reexamine the design/zoning standards of the City to incorporate elements of an Eco-District. The City's Sustainable Development Department would be interested in participating in a pilot area if SAB can develop a plan for it. Discussion about whether to do a presentation to Commission or send a Communication on this subject. Will defer this idea until additional information is reviewed in a future meeting.


##### **Agricultural Ordinance**

The Ordinance was passed last year. There will be a revisiting of this ordinance and SAB will have a workshop for the public to address things such as urban farms, etc. The City's Zoning Dept. will be brought back in. Sharon Yego (works with farmer's markets nationally) would be invited to speak if we hold a workshop. Frehendly would also be asked to come in for the workshop. Frehendly are interested in bringing chickens (not roosters) back into the ordinance. Randall Robinson from the Zoning Dept. will be asked to come to the next SAB meeting.

#### **5. Old Business**

##### **Marina Lofts**

The hearing was on May 14<sup>th</sup> with the DRC. It is going to the Commission on July 2<sup>nd</sup>. Discussion about doing another communication regarding the Rain Tree.

 **Sea Turtles** – SAB members to have a discussion with respective Commissioners about going on a sea turtle walk.




#### **6. Communications to the City Commission**

 Marina Lofts – Rain Tree

Ms. Eckels would like to do an additional Communication to the Commission to reaffirm to SAB's commitment to protecting the Rain Tree and state in this communication that the City should not move the tree and to reconfigure the garage so that the tree can remain in position. **Motion** to prepare an additional communication to the Commission made by Ms. Eckels and seconded by Mr. Thitisawat. In a voice vote, approved 8-1 with Mr. Cook opposed. Ms. Eckels and Ms. Alberani will finalize the wording of the communication.

## **7. Upcoming Events**

The following events were announced to the group:

-  A Moonlit Affair at Flagler Garden
-  June 18-20 – Rising Seas Summit
-  October 16<sup>th</sup> – Sea Level Rise Summit

## **8. Items for Next Meeting:**

Agriculture ordinance discussion.

## **9. Public Comment:** None

## **10. Committee Comments:**

Ms. Whitfield has sent a video to Josh regarding edible forests to be posted to the Facebook page. Mr. Ayers would like more information about the City's recycling program and plastic bags.

## **11. Adjournment**

With no further business to come before the Board at this time, the meeting was adjourned at 9:14 pm. **Motion** made by Mr. Cook. Seconded by Ms. Eckels.

**Next meeting date:** June 24, 2013

[Minutes prepared by Mary Ann Johnston]

**From:** JesRed [jesred@comcast.net]

**Sent:** Friday, May 17, 2013 7:43 AM

**To:** Jack Seiler; Romney Rogers; Dean Trantalis; Bobby B. DuBose; Bruce G. Roberts; Randall Robinson

**Subject:** Rain Tree Petition

[http://www.facebook.com/l.php?u=http%3A%2F%2Fsignon.org%2Fsign%2Fsave-the-fort-lauderdale.fb23%3Fsource%3Dc.fb%26r\\_by%3D58799&h=EAQGiNYLi](http://www.facebook.com/l.php?u=http%3A%2F%2Fsignon.org%2Fsign%2Fsave-the-fort-lauderdale.fb23%3Fsource%3Dc.fb%26r_by%3D58799&h=EAQGiNYLi)

Read what the people are writing! Not just signing but writing.

Its not just the people attending the meetings, or the even the over 2440 people that have signed the on-line Petition. Or the about 1000 Petitions on my dining room table. And this number grows daily. We are the voters.

The Citizens of Fort Lauderdale do not want this project! They find it terribly unattractive, overly dense, too tall, the shadow it will cast on the North side of Riverwalk will be a terrible thing for tourists, our residents, anything trying to grow on that side.

The building is everything you DON'T want in the historical district. The Developer is not to be trusted, his website has "artists renderings" he is trying to pass off as completed buildings. He has built nothing. He is like the MADOFF of Developers. He does not have a complete plan, for the 4inch sewer pipes, the FPL transmission lines. You can't agree to this project without all the pieces even in place, without all the ANSWERS you need to know how this can even be done! Please do not let this come to pass.

Over 3100 people have signed the Petition to STOP MARINA LOFTS and to Save the Rain Tree.

This would be a TERRIBLE mistake for our city. Terrible.

I/We are not against developing that property, but we are against developing it this way, with the risk to the tree, the front river-facing monstrosity. <http://www.fortlauderdaleobserver.com/>

I sent a whole package to Mr. Robinson including the Petition - I don't think he gave that/showed that to anyone else.

I am drafting a letter to all of you, it is not done in preparation for the next meeting - if there is one I will go ahead and share this draft with you now, in desperation and fear that you are going to allow this project in our city.

City Commission.

.... Mr. Asi Cymbal bought a property in a foreclosure sale. Knowingly and willingly bought, as clearly marked on the plat land with a certain limitation at a fraction of its value. The limitation of one PROTECTED Rain Tree. A National Treasure, a Champion of its kind. He has on board with him an architect of much acco...lade. He comes to the Commission and asks YOU to set this Order of Protection aside. He asks to be allowed to move the almost 100 year old Rain Tree from the property, which let's face it - per at least 5 of our own City's arborists who know and have cared for the Tree during its life say said Tree will not survive a move. The Rain Tree is the greatest asset on this property along with said property having the distinction of being on our beautiful and historical New River. I stand before the you today and have to put this question to you - Why this Developer (whose website I remind the Commission has fake buildings on his website and has built nothing) but who does have a world class architect on board, WHY can't this Team of the Developer's not been unable to come up with a plan a Design that incorporates the Rain Tree, while providing for its sunlight? IN keeping with the style and beauty of our historical district, that is NOT overly dense and leaves a greater foot print for its creation than what it takes away? Why can this developer why should he be allowed to break ever rule of the master plan for the City, the existing NEIGHBORHOOD it will be built in, it is not in downtown I remind you, it is in a NEIGHBORHOOD with Homes and Families. Mr. Cymbal called this neighborhood blighted! And said our City had no culture, no arts, was a "wasteland" WHAT? Our City has the Museum of Art, the Broward Center, the art walks and Las Olas and such wonderful things - he does not know our

Exhibit 7

13-0989

Page 14 of 16



City and he does not care about it! He just wants to make money and flip this and go! And why should this developer be allowed to have his buildings be immensely taller, whose shade will block the whole of the Riverwalk to the North all the way, all day long during the winter months while the tourists are trying to enjoy the sun at the River Walk Jazz Brunches and other events, and whose beautiful landscaping across the River will suffer, including the lushness of the BCPA as well as all the trees on the OTHER side of the River in Esplanade park?

Additionally, since when do the "well-heeled" want to co-exist with College Students? This is a big selling point of Cymbal and he is Crazy.

Since when do the elderly monied clientele he seeks to rent here want to live side by side with numerous college students (that can't afford \$1100 a month at any rate) but that mix will NEVER happen peacefully, College students will be stumbling home wasted from Himmarshee disturbing anybody else that lives there. Cymbal is just trying to sell this to EVERYONE, depending on who he is addressing, its never going to get rented.

Its never going to have viable shops, no one that lives here will be able to afford to go there to anything he may have there. You are about to build another waste land like Riverwalk.

I have to finish, but this just can't wait. This doesn't just come from me. It comes from THOUSANDS. Thousands of Voters.

I will send the proper final version as soon as I can.

Jessica Kross  
[jesred@comcast.net](mailto:jesred@comcast.net)  
(954) 524-7514

**From:** MJ Matthews on behalf of Romney Rogers  
**Sent:** Wednesday, March 20, 2013 1:16 PM  
**To:** Randall Robinson  
**Cc:** Romney Rogers; David Soloman  
**Subject:** FW: Rain Tree - please read  
[Randall, for Marina Lofts file ...](#)

---

**From:** Pep446@aol.com [mailto:Pep446@aol.com]  
**Sent:** Wednesday, March 20, 2013 12:18 PM  
**To:** Jack Seiler  
**Cc:** Romney Rogers  
**Subject:** Fwd: Rain Tree - please read

Mr. Seiler, just because this guy copied the world, it doesn't mean that we all oppose the idea of moving the tree and allowing for the development and vitality to flow into in this blighted area....finally a link on the south side to finish the riverwalk.... As I said to you before, I support it, from what I understand there is more of a chance of being struck by lightening than having this tree die during the move, and if it did die, the city gets a million in the tree fund, which could be used along the river where the tree was moved....

bob

---

From: trglasson@hotmail.com  
To: cbpinnock@hotmail.com, dgboatsearch@hotmail.com, eyworks@bellsouth.net, jtownsend@fortlauderdale.gov, kbrand62@yahoo.com, kennethellen@bellsouth.net, linda1470@comcast.net, martinradeer@aol.com, rebeccacovey@lemonadvice.com, rlemp12345@aol.com, ronmichel80@hotmail.com, schauer1@bellsouth.net, schiffelbian@att.net, susand504@yahoo.com, swickt@bellsouth.net, abbek@comcast.net, aa-wmg@wrightmaritime.com, jocelyneroberts@yahoo.com, alenaalberani@gmail.com, josarlaw@comcast.net, properties\_660@bellsouth.net, aeastaugh@bacardi.com, andy@ziffer.us, awshumpert@gmail.com, analisa1213@aol.com, arlene33324@yahoo.com, ringa@autonation.com, barbb@bellsouth.net, garyr@bellsouth.net, bpagones@bellsouth.net, bethguntner@yahoo.com, bettejwhitman@yahoo.com, beverly\_grant@comcast.net, saltysam@bellsouth.net, vernonkinnardc@bellsouth.net, pep446@aol.com, bunkmarkham@yahoo.com, spirited1bc@yahoo.com, candacevdb@comcast.net, thomash@fortlauderdale.gov, clc@slashconsumption.com, laksmi2@aol.com, lalacarola@aol.com, carolynshores@att.net, chaddurfey@gmail.com, healercc@aol.com, maineofile@bellsouth.net, concc@aol.com, joelsbca@gmail.com, farcryer@aol.com, glamgams2@aol.com, anasmvbo@aol.com, danielalannorman@aol.com, danjersey@gmail.com, murrayjune@aol.com, rosemaria@aol.com, hac.chief@gmail.com, davoftl@aol.com, lindemanngroup@aol.com, dkelly@prestigecruiseholdings.com, dawnalesh@yahoo.com, deerfranklin@gmail.com, dunworthd@aol.com, tfaned@aol.com, bvermette@tendercarecenters.com, mdmeents@gmail.com, carsed@comcast.net, edavis954@gmail.com, cs-wmg@wrightmaritime.com, ea-wmg@wrightmaritime.com, ejarchuleta@comcast.net, imageco@aol.com, kalmora1@aol.com, fontana.felice@yahoo.com, fperryperry@juno.com, francapereira@bellsouth.net, savannah1539@aol.com, smithgd@aol.com, angusbuck@aol.com, publisher@riovistaonline.com, g.kondogianis@juno.com, flowerfinearts@gmail.com, gemmarine41407@cs.com, gfields7@gmail.com, glenn@tarponriver.org, glomreese@att.net, greg@rollymarine.com, rolymarine@webtv.net, spangler.heather@gmail.com, pastorjace@bellsouth.net, loststar4u@yahoo.com, jmsbarton@yahoo.com, janetjones954@aol.com, jbea@comcast.net, garie@bellsouth.net, protec511@aol.com, jen\_hays@hotmail.com, hospaint@aol.com, xjessx85@yahoo.com, joeb45@bellsouth.net, jbyrnes555@aol.com, jmaines@bellsouth.net, facialxpressions@comcast.net, jb515@bellsouth.net, juliebear@bellsouth.net, posadakaren@hotmail.com, kbrozey0923@yahoo.com, kbrin0846@gmail.com, kmglade@aol.com, neusch33@hotmail.com, krowe9@comcast.net, kimdanette@gmail.com, kristenamullins@yahoo.com, kpowellrpsgt@hotmail.com, utz@bellsouth.net, lesa@floridareading.com, albertdiran@yahoo.com, jlaprea@att.net, lcdezell@aol.com, lynnehelm12@aol.com, macgordon@bellsouth.net, manuel@manrekords.com, mmoisdon@gmail.com, maritzafth@aol.com, maryh@firstpres.cc, maryannirion@bellsouth.net, mdefelice0718@yahoo.com, melanie@umtmarine.com, melanie@rkprop.com, msteinbacher@central.com, melange.1@hotmail.com, ndevanny@bellsouth.net, marie0213@comcast.net, patty1513@yahoo.com, lshaner@bellsouth.net, paulettegsre@aol.com, perryrichter@gmail.com, peterlemieux33315@yahoo.com, tapharmer@bellsouth.net, phylchud@gmail.com, priscillamer@yahoo.com, ralph@alter-family.net, rte1@bellsouth.net, info@rnryachts.com, rjlaw1@bellsouth.net, rmorgan@fau.edu, richard@rmanto.com, rsw5324@yahoo.com, ptlrb@juno.com, rjardi@aol.com, rleland@aol.com, sallyutz@bellsouth.net, sandyforte@bellsouth.net, sandy.morgan@ruden.com, sashas@bellsouth.net,