

City of Fort Lauderdale

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



Meeting Minutes

Tuesday, December 3, 2019

6:00 PM

City Commission Chambers

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

***DEAN J. TRANTALIS Mayor
ROBERT L. McKINZIE Vice Mayor - Commissioner - District III
HEATHER MORAITIS Commissioner - District I
STEVEN GLASSMAN Commissioner - District II
BEN SORENSEN Commissioner - District IV***

***CHRIS LAGERBLOOM, City Manager
JOHN HERBST, City Auditor
JEFFREY A. MODARELLI, City Clerk
ALAIN E. BOILEAU, City Attorney***

CALL TO ORDER

Mayor Trantalis called the meeting to order at 6:04 p.m.

Invocation

Luke Harrigan, Chaplain Fort Lauderdale Police Department

Pledge of Allegiance

Mayor Trantalis

ROLL CALL

Present: 5 - Commissioner Heather Moraitis, Commissioner Steven Glassman, Vice Mayor Robert L. McKinzie, Commissioner Ben Sorensen and Mayor Dean J. Trantalis

QUORUM ESTABLISHED

Also Present: City Manager Chris Lagerbloom, City Clerk Jeffrey A. Modarelli, City Attorney Alain E. Boileau, City Auditor John Herbst and Sergeant at Arms Luan Malushi

ANNOUNCEMENTS

Mayor Trantalis announced the following Agenda modifications:

M-1 - Removed from Agenda; and

R-5 - Revision - Legal description on Page 2, Section 2 has been amended.

Approval of MINUTES and Agenda

[19-1209](#)

Meeting Minutes for November 5, 2019 Commission Regular Meeting and November 19, 2019 Commission Legislative Delegation Workshop - (Commission Districts 1, 2, 3 and 4)

Commissioner Glassman noted the need for a correction to the November 3, 2019 Commission Regular Meeting Minutes.

Commissioner Sorensen made a motion to approve this item as amended and was seconded by Commissioner Moraitis.

APPROVED AS AMENDED - Approved Agenda ONLY

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

PRESENTATIONS

PRES- [19-1153](#)

1

NW Second Avenue Tank Restoration - Sherwin-Williams Impact Award - (Commission Districts 1, 2, 3 and 4)

Michael Bentkjaer, Sales Director - Sherwin-Williams, announced the City is the First Place Winner of the Sherwin-Williams Impact Award (Award) for restoration efforts associated with the NW Second Avenue Elevated Water Storage Tank Project (Project). He explained public safety and environmental aspects of the Award, addressing wastewater recycling. Mayor Trantalis accepted the award on behalf of the City, thanking Mr. Bentkjaer and all who contributed to the Project.

PRESENTED

PRES- [19-1177](#)

2

Proclamation declaring December 3, 2019 as Rick Case Bikes for Kids Day in the City of Fort Lauderdale - (Commission Districts 1, 2, 3 and 4)

Commissioner Glassman requested Rita and Rick Case join him at the podium. He presented a Proclamation declaring December 3, 2019 as the 38th Rick Case Bikes for Kids (Program) Day in the City of Fort Lauderdale, reading the Proclamation in its entirety. Rita Case discussed the Program, expounding on details and thanking the community for its continued involvement. Rita and Rick Case accepted the Proclamation, thanking Mayor Trantalis and the Commission.

PRESENTED

PRES- [19-1205](#)

3

Proclamation declaring December 3, 2019 as AMIkids Greater Fort Lauderdale 50th Anniversary Day in the City of Fort Lauderdale - (Commission Districts 1, 2, 3 and 4)

Commissioner Sorensen presented a Proclamation declaring December 3, 2019 as AMIkids Greater Fort Lauderdale 50th Anniversary Day in the City of Fort Lauderdale, reading the Proclamation its entirety and emphasizing the early efforts of Judge Frank Orlando. The Proclamation was accepted by Felix Collazo, Executive Director of AMIkids Greater Fort Lauderdale, Judge Frank Orlando and Dr. Richard Forum, AMIkids Board of Trustees member. Judge Orlando thanked Mayor Trantalis and the Commission, commenting on AMIkids Program (Program) contributors, its history and related details. Executive Director Felix Collazo thanked Mayor Trantalis and the Commission, expounding on Program efforts and the opportunities it provides to at-risk youth. He commented on the importance of local business community involvement,

inviting them to visit their facility and participate. Dr. Richard Forum thanked Mayor Trantalis and the Commission for its recognition, concurring with the previous comments of Judge Orlando and Mr. Collazo.

PRESENTED

PRES- [19-1154](#)
4

Presentation - Donation to Susan G. Komen Miami/Fort Lauderdale Foundation - Proceeds from Fort Lauderdale Executive Airport's "Fly Pink" Raffle for a Cure - (Commission Districts 1, 2, 3 and 4)

Rufus James, Fort Lauderdale Executive Airport Manager, gave a brief overview of the Fort Lauderdale Executive Airport's "Fly Pink" Raffle for a Cure Campaign (Campaign), thanking City Staff, Airport Staff and the sponsors for their contributions. Mr. James introduced a short video illustrating Campaign efforts.

Commissioner Moraitis presented a check representing the proceeds of the Campaign to Sherri Martens-Curtis, Executive Director of the Susan G. Komen Miami/Fort Lauderdale Foundation. Ms. Martens-Curtis thanked everyone involved for their efforts and generosity, expounding on the opportunities these funds would provide.

PRESENTED

PRES- [19-1077](#)
5

Recognition - Engineering Services Division Employee Omar Castellon - 2019 Government Engineer of the Year Award - Florida Engineering Society - (Commission Districts 1, 2, 3 and 4)

Jennifer Smith, American Society of Civil Engineers, presented Omar Castellon, Chief Engineer, Department of Public Works, with the Florida Engineering Society's 2019 Government Engineer of the Year Award (Award). She expounded on the work, accomplishments and responsibilities of Mr. Castellon.

Chief Engineer Castellon accepted the Award, thanking Ms. Smith and the American Society of Civil Engineers. He also thanked Mayor Trantalis, the Commission and members of his Staff. Mayor Trantalis thanked Mr. Castellon for his work and dedication.

PRESENTED

CONSENT AGENDA PUBLIC COMMENT

Mayor Trantalis announced the following Consent Agenda items were pulled by members of the Commission for separate discussion:

Commissioner Moraitis - CM-10;

Vice Mayor McKinzie - CM-6; and

Commissioner Glassman - CR-1, CR-3, CP-1. CP-2 and CP-4.

There were no members of the public wishing to speak on other Consent Agenda items.

CONSENT AGENDA

CONSENT MOTION

Approval of the Consent Agenda

Commissioner Moraitis made a motion to approve the remaining Consent Agenda items and was seconded by Commissioner Sorensen.

Approve the Consent Agenda

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

CM-1 [19-1128](#) Motion Approving an Event Agreement with March for Marsh, Inc. for March for Marsh Benefit Walk - (Commission District 2)

APPROVED

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

CM-2 [19-1127](#) Motion Approving Event Agreements and Related Road Closures: Sailboat Bend Block Party/Broker's Open, 33rd Street Super Fest, MMRF Team for Cures 5K Walk/Run and Holiday in Sistrunk (5th Annual) - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

CM-3 [19-1186](#) Motion Approving Lease Amendment with Walnut Street Capital, LLC for Property Located 521 NE 4 Avenue - (Commission District 2)

APPROVED

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

CM-4 [19-1132](#) Motion Approving a Dockage Facility Usage Agreement with Winterfest, Inc. for the 2019 Winterfest Boat Parade - (Commission Districts 2 and 4)

APPROVED

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

CM-5 [19-1073](#)

Motion Accepting FY2019 Florida Department of Transportation Grant - \$45,360 - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

CM-6 [19-1161](#)

Motion Approving One-Year Agreement with the School Board of Broward County, Florida for School Resource Officer Program - (Commission Districts 1, 2, 3 and 4)

Vice Mayor McKinzie reflected on previous Commission discussions regarding School Resource Officer (SRO) funding at all City schools. He requested Police Chief Rick Maglione clarify and update the Commission regarding recent SRO staffing negotiations with the Broward County School Board (School Board). Chief Maglione gave an overview of contract negotiations, explaining related contract details. All County municipalities will need to individually approve the negotiated contract. The School Board initially requested a three-year agreement, but negotiations resulted in a one-year agreement.

In response to Mayor Trantalis' question, Chief Maglione confirmed the cost contributed by the School Board for each SRO position is approximately \$54,000, expounding on related details, including the incorporation of specific items into the contract to maximize school safety and the utilization of Police Officers. Chief Maglione explained the increase to ten (10) Police Officer overtime SRO positions was due to the addition of two new schools, Seagull and Sheridan.

Vice Mayor McKinzie discussed the School Board's responsibility, as mandated by the State of Florida (State), to fund SRO staffing at all schools. Further comment and discussion ensued.

In response to Mayor Trantalis' question, Chief Maglione confirmed the total cost for each SRO is approximately \$150,000, and the School Board funds approximately \$54,000. Further discussion ensued on details related to SRO and Police Officer staffing at schools.

Vice Mayor McKinzie expounded on his perspective regarding future pursuit of equitable negotiations with the School Board. Mayor Trantalis

noted the recent increase in the School Board millage rate and related discussions with a School Board member.

In response to Commissioner Sorensen's question, Chief Maglione confirmed the State mandates that the School Board is responsible for all SRO funding in each school, expounding on specific details. Further comments ensued. Chief Maglione explained details related to SRO staffing, School Board funding and reimbursement to the City for Police Officer overtime.

Chief Maglione confirmed a large number of Broward County municipalities agree with the Commission that the School Board is responsible for funding all SRO costs. Further discussion ensued. The large financial burden to the City is due to being the biggest municipality in the County. Mayor Trantalis confirmed the need to protect students and continue future negotiations with the School Board.

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

APPROVED

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

CM-7 [19-1107](#)

Motion Authorizing Execution of a Revocable License with New River III, LLC for a Temporary Right-of-Way Closure on SW 5th Street, SW 1st Avenue, and 14-foot Alley, in Association with the New River Yacht Club III Development Located at 416 SW 1st Avenue - (Commission District 4)

APPROVED

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

CM-8 [19-1134](#)

Motion Authorizing Execution of 1) A Revocable License Agreement between BR ArchCo Flagler Village, LLC, Broward County and the City of Fort Lauderdale for the Installation and Maintenance of Improvements on North Andrews Avenue in Association with the "ArchCo Metropolitan" Project Located at 500 North Andrews Avenue; and 2) An Agreement Ancillary to Revocable License Agreement, Between BR ArchCo Flagler Village, LLC and the City of Fort Lauderdale - (Commission District 2)

APPROVED

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

- CM-9** [19-1135](#) Motion Authorizing Execution of 1) A Revocable License Agreement between Elevate One River LLC, Broward County and the City of Fort Lauderdale for the Installation and Maintenance of Improvements on South Andrews Avenue in Association with the “Elevate One River” Project Located at 4 West Las Olas Boulevard; and 2) An Agreement Ancillary to Revocable License Agreement, Between Elevate One River LLC and the City of Fort Lauderdale - (Commission District 4)

APPROVED

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

- CM-10** [19-1155](#) Motion Authorizing Execution of the First Amendment to a Revocable License with 1031 Seminole Drive, LLC, for Temporary Right-of-Way Closures on Seminole Drive and NE 11th Street Associated with the Belmont Village Project Located at 1031 Seminole Drive - (Commission District 1)

Commissioner Moraitis requested clarification on this item. Staff explained that following the expiration of the Maintenance of Traffic (MOT) Revocable License, the impacted road would remain open with two-way traffic, allowing access to the neighborhood adjacent to Sunrise Boulevard. The seven (7) parking spaces along Seminole Drive are being relocated to NE 11th Street, on the north side of the project.

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

APPROVED

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

CONSENT RESOLUTION

- CR-1** [19-1095](#) Resolution Approving the Consolidated Budget Amendment to Fiscal Year 2020 - Appropriation - (Commission Districts 1, 2, 3 and 4)

In response to Commissioner Glassman's question regarding item "H", City Manager Chris Lagerbloom explained the location of speed humps would be determined by the Department of Sustainable Development and the Department of Transportation and Mobility Staff. The Ordinance was updated to allow for administrative discretion. City Manager Lagerbloom requested feedback from each District reflecting community input. Commissioner Glassman requested City Manager Lagerbloom keep the Commission informed.

In response to Commissioner Glassman's question regarding item "J", City Manager Lagerbloom clarified details of this item. The issuance of debt was anticipated when the initial seven neighborhood adaptation areas (Seven Neighborhoods) were identified and the City began its ongoing Stormwater Rate Study (Study). The plan is to go forward with a hybrid method utilizing trips and square footage. The new hybrid-rate structure needs to be validated and adopted. This will be followed by a bond issuance to begin infrastructure construction work in the Seven Neighborhoods.

City Manager Lagerbloom confirmed immediate infrastructure stormwater needs. The current rate structure would support \$70,000,000 in infrastructure construction work. A previously approved Resolution would allow for work done now to be reimbursed from future stormwater bonds. A line of credit request would be brought before the Commission to allow the stormwater work to begin.

The next \$200,000,000 tranch of infrastructure bond funding planned for 2021 would fund an additional \$130,000,000. The \$70,000,000 portion of the \$200,000,000 infrastructure bond funding would be used to reimburse the City. City Manager Lagerbloom noted the need for Commission direction and the need for expediency to address infrastructure needs.

In response to Commissioner Glassman's question regarding a Plan "B" should current plans to implement the anticipated hybrid-rate study not move forward, City Manager Lagerbloom reconfirmed that the current rate structure would support \$70,000,000 in debt, commenting on related details.

Commissioner Glassman commented on the current condition of the Seven Neighborhoods. City Manager Lagerbloom clarified the current conditions of the Seven Neighborhoods, noting the lack of adequate stormwater infrastructure. Staff ranked neighborhoods by those in most need, citing examples and commenting on details.

Commissioner Glassman recommended having a Neighbor Water and Stormwater Workshop to inform residents about future plans, expounding on details. Further comment ensued on this topic.

In response to Commissioner Glassman's question regarding item "N" and the Lake Ridge Signage, Laura Reece, Budget Manager, explained that the Neighborhood Community Investment Program (NCIP) and the Business Community Investment Program (BCIP) are being phased out. Maintenance is being done in lieu of adding new items. Ms. Reece

expounded on related details, explaining this Budget Amendment item addresses Commission approval to put funds back in place that were previously removed. In response to Commissioner Glassman's question, she confirmed there is no threat to the projects.

Mayor Trantalis recognized Craig Fisher, 200 South Birch Road. Mr. Fisher confirmed his support of addressing infrastructure efforts and keeping neighbors informed. He requested information regarding addressing stormwater needs in the Isles neighborhood.

Vice Mayor McKinzie discussed past and ongoing efforts towards addressing all water and stormwater infrastructure needs. City Manager Lagerbloom reiterated his earlier comments regarding infrastructure funding and prioritizing those neighborhoods in most need. The \$70,000,000 will be used to address the Seven Neighborhoods that consist of the River Oaks, Edgewood, Durrs, Dorsey-River Bend, Southeast Isles, Progresso and Victoria Park neighborhoods. Work is anticipated to begin in late spring or early summer.

Vice Mayor McKinzie introduced this Resolution which was read by title only.

ADOPTED

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

CR-2 [19-1174](#)

Resolution Ratifying a Collective Bargaining Agreement with the Federation of Public Employees, a Division of National Federation of Public and Private Employees, AFL-CIO, effective December 3, 2019 through September 30, 2022 - (Commission Districts 1, 2, 3 and 4)

ADOPTED

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

CR-3 [19-0894](#)

Resolution Authorizing the City Manager to Execute a Community Aesthetic Feature Agreement Approving the Painting of a Mural Art Project on the Westin Hotel Pedestrian Bridge Located at 321 N. Fort Lauderdale Beach Boulevard and Authorizing the City Manager to Execute an Assumption of Liability and Hold Harmless Agreement with DiamondRock FL Owner, LLC - (Commission District 2)

In response to Commissioner Glassman's question regarding the "Hold Harmless" Clause in this agreement transferring to future owners of the hotel, City Attorney Alain Boileau explained it is dependent upon how the transfer would occur, citing examples. He confirmed there is money in

escrow to remove the mural should something unforeseen occur.

Mayor Trantalis recognized Art Seitz, 1905 N. Atlantic Boulevard. Mr. Seitz commented on his support of this item and art in public places, expounding on related examples and opportunities. Further comment ensued on the water tower in District II.

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

ADOPTED

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

CONSENT PURCHASE

CP-1 [19-0960](#)

Motion Approving Contract for Purchase and Installation of Four Lifeguard Towers - Bausch Enterprises, Inc. - \$183,730 - (Commission Districts 2 and 4)

Commissioner Glassman recommended having a public art component to these types of items, expounding on details. City Manager Lagerbloom concurred, confirming Staff would return to the Commission with recommendations. Vice Mayor McKinzie noted the need for a Commission consensus. Further comment ensued.

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

APPROVED

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

CP-2 [19-1004](#)

Motion Approving Change Order No. 5 for A-13 Sewer Redirection - East of Federal Highway Project - C & W Pipeline, Inc. - \$90,600 - (Commission Districts 2 and 4)

In response to Commissioner Glassman's question, City Manager Lagerbloom provided an update on this item. The timeline for the A-13 Pump Station Project (Project) located near the Kinney Tunnel was delayed due to sub-grade conditions.

Chief Engineer Omar Castellon explained that a watermain in need of replacement was found while working on the Project, noting related permitting delays. The entire Project is estimated to be completed in mid-December 2019. Vice Mayor McKinzie commented on delays experienced in District III due to similar circumstances requiring repair or

replacement of sub-grade items.

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

APPROVED

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

CP-3 [19-1143](#)

Motion Approving a Contract for George English Park Boat Ramp Renovation Project - Sagaris Corp. - \$991,945 - (Commission District 1)

APPROVED

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

CP-4 [19-1199](#)

Motion Approving Increase in Funds to Contract for Stormwater Master Plan Modeling and Design Implementation Continuing Contract -Hazen and Sawyer, P.C. - \$6,700,000 - (Commission District 4)

In response to Commissioner Glassman's question, City Manager Lagerbloom confirmed Staff would provide periodic, ongoing reports on how this project is progressing. Commissioner Glassman requested this be done for all water and infrastructure projects.

In response to Mayor Trantalis, City Manager Lagerbloom explained efforts related to keeping the community informed on infrastructure projects via communications. Further comment and discussion ensued.

Mayor Trantalis recognized Craig Fisher, 200 South Birch Road. Mr. Fisher commented on his concerns with a fifteen-year contract commitment. Mayor Trantalis noted the long timeline necessary to address infrastructure needs. Further comment ensued. City Attorney Boileau said the duration of the contract is subject to various items, including annual appropriations and termination for convenience options built into the contract, commenting on related details.

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

APPROVED

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

MOTIONS

- M-1** [19-1191](#) Motion Approving Rent Abatement for Riverfront Cruise and Anticipation Yacht Charters, LLC for Dockage Agreement - (Commission District 4)
- REMOVED FROM AGENDA**
- M-2** [19-1133](#) Motion Approving an Application for a Temporary Beach License and Outdoor Event Agreement and Road Closures with AIDS Healthcare Foundation Disease Management of Florida, Inc. for Florida AIDS Walk & Music Festival - (Commission District 2)
- Vice Mayor McKinzie made a motion to approve this item and was seconded by Commissioner Glassman.
- APPROVED**
- Aye:** 5 - Commissioner Moraitis, Commissioner Glassman, Vice Mayor McKinzie, Commissioner Sorensen and Mayor Trantalis
- M-3** [19-1148](#) Motion Authorizing Execution of an Amendment to the Declaration Regarding a Maintenance Obligation which will Subordinate the City's Declaration to a New Housing and Urban Development (HUD) -Insured Mortgage Loan Against the Developer's Property Where the Declaration Addresses Special Improvements within the Adjacent Public Right-of-Way for NE 4th Avenue and NE 7th Street in Association with the Village Place Development Approval - (Commission District 2)
- Commissioner Glassman made a motion to approve this item and was seconded by Commissioner Sorensen.
- APPROVED**
- Aye:** 5 - Commissioner Moraitis, Commissioner Glassman, Vice Mayor McKinzie, Commissioner Sorensen and Mayor Trantalis
- M-4** [19-1160](#) Consideration of a Cost of Living Adjustment for the General Employees Retirement System in the Estimated Amount of \$3,347,751 - (Commission Districts 1, 2, 3 and 4)
- Mayor Trantalis recognized Eve Bazer, 3020 NE 32nd Avenue. Ms. Bazer spoke in support of a Cost of Living Adjustment (COLA) for General Employees Retirement System (GERS) recipients. She noted that GERS had met two of the three required criterion. The third criterion is a unanimous vote of the Commission. An increase in the form of an additional check (13th Check) to GERS recipients requires a super majority vote by the Commission. Should a 13th Check be approved by the Commission, Ms. Bazer requested it be disbursed in a tiered manner

as noted in the backup to this item, expounding on related details. She thanked the Commission for its consideration.

In response to Mayor Trantalis' request, City Attorney Boileau explained concerns with the 13th Check option related to the current Ordinance and the source of funding, expounding on details related to the General Fund.

In response to Mayor Trantalis' question, City Manager Lagerbloom said monies from the General Fund had not been set aside should the Commission approve a 13th Check for the GERS retirees, explaining related details. Further comment ensued.

In response to Mayor Trantalis' question, City Auditor Herbst commented on his previous support of having restraints and mechanisms built into the current Ordinance, noting they were built into the related Pension Bond Covenant. He expounded on details related to funding pension plans and pension bond liabilities. Further comment and discussion ensued.

City Auditor Herbst explained options before the Commission, noting there are two mechanisms to fund a COLA request:

- Funding a COLA from the GERS Pension fund would require a *super majority vote* of the Commission and the corresponding unfunded liability would be paid off over time; or
- Funding from outside of the GERS Pension Fund (from the General Fund or Reserve Balance) would require a *unanimous vote* by the Commission.

Further comment and discussion ensued. City Auditor Herbst explained details regarding bond company ratings.

Mayor Trantalis commented on the ability to fund a COLA. City Auditor Herbst noted the need to consider equity with regard to other pension plans and economic consequences.

In response to Commissioner Glassman's question regarding excess GERS funds being absorbed, City Attorney Boileau noted it is governed by Florida Statute and impacts contributions. City Auditor Herbst explained details regarding actuarial assumptions and calculations regarding contributions, expounding on details.

Commissioner Glassman commented on his perspective, noting that GERS has met the threshold. City Auditor Herbst said pension

obligation bonds had to be initiated to meet obligations to make the GERS whole, expounding on details. Further comment and discussion ensued.

Commissioner Glassman commented on his perspective, including the need for Staff input regarding how to provide the requested COLA, noting that amortizing the cost of a COLA over time would have a lesser impact. Further comment and discussion ensued. City Auditor Herbst discussed the cost of interest should this option be pursued.

In response to Commissioner Glassman's question, City Auditor Herbst explained details regarding automatic COLAs within pension plans and ad hoc COLAs, expounding on details and citing examples. Mandatory COLAs for retirees are funded during employment. An ad hoc COLA is at the discretion of the Commission.

In response to Commissioner Glassman's question regarding the position of GERS, City Attorney Boileau said that the concept of a COLA is permissible, explaining related details and noting concerns related to excess funds that have been absorbed.

Mayor Trantalis recognized Darlene Pfeiffer, 5938 Park Walk Circle, and former GERS Pension Board Member. Ms. Pfeiffer confirmed the necessary criteria had been met, noting previous COLA denials and contributions of former employees.

City Manager Lagerbloom clarified excess pension funds were absorbed back into the GERS Trust Fund to reduce future liability.

In response to Commissioner Sorensen's question, Ms. Pfeiffer said GERS employees were not involved in collective bargaining, noting the six percent (6%) contributions made by employees. Further comment and discussion ensued.

City Auditor Herbst explained details regarding the impact of union collective bargaining units and the impact on a subset of GERS employees, citing examples and explaining related details. Further comment and discussion ensued. Commissioner Sorensen noted that the union collective bargaining units have the ability to address a GERS COLA.

Mayor Trantalis recognized Hattie Brinson, 23328 SW 58th Avenue. Ms. Brinson thanked Mayor Trantalis and the Commission for its consideration of this COLA request. She noted the pension amounts received by GERS recipients have remained the same over the past

eighteen (18) years, expounding on related details.

Mayor Trantalis recognized Nick Schiess, GERS Pension Administrator. In response to Commissioner Glassman's question, Mr. Schiess explained his perspective regarding this COLA request. There needs to be a decision regarding the amount to fund. The excess GERS reserve has been used to offset employer contributions and has already been realized. The amount of a COLA taken from the GERS would need to be reimbursed.

In response to Mayor Trantalis' question, Mr. Schiess confirmed that the money earned in the GERS cannot be used to reduce the pension obligation bond, expounding on details.

Mayor Trantalis discussed the timing of this request, noting the need to address it prior to the beginning of a fiscal year. Further comment and discussion ensued on the process regarding COLA requests.

Commissioner Glassman noted his support of this item and endorsed consideration of a GERS COLA request in Fiscal Year 2021.

In response to Commissioner Moraitis' question, Mayor Trantalis said it is a one-time request. Commissioner Moraitis noted that should the criteria be met annually, a COLA could be requested again.

In response to Commissioner Moraitis' question regarding the Florida Retirement System (FRS), City Auditor Herbst confirmed a change to the FRS, stating there is no longer an automatic COLA included and noting related details. Further comment and discussion ensued on comparisons of the FRS and the City's pension plan.

Mr. Schiess explained details of funding this COLA request, stating that funding from the GERS Plan would need to be paid back as a lump sum or amortized over five (5) years at 7.2 percent. Further comment and discussion ensued.

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 Commissioner Glassman. Roll call showed: AYES: Commissioner Moraitis, Commissioner Glassman, Vice Mayor McKinzie, Commissioner Sorensen, and Mayor Trantalis. NAYS: None.

In response to Commissioner Sorensen's question, City Manager Lagerbloom acknowledged the validity of City Auditor Herbst's earlier comments regarding other retiree groups requesting a COLA in the

future. Commissioner Sorensen noted the need for fairness towards all retiree groups. Further comment and discussion ensued.

Commissioner Glassman commented on his perspective in support of a COLA increase for GERS retirees.

Mayor Trantalis commented on his perspective regarding the entire benefits and compensation package for municipal employees as compared to the private sector, expounding on details. Further comment and discussion ensued on COLA calculations based on the Consumer Price Index, costs and the process.

Commissioner Glassman made a motion to move forward with a COLA for GERS retirees contingent upon an actuarial study, identification of funding sources and the appropriation of funds.

Motion Died for Lack of Second - Motion to Move forward with COLA contingent upon an actuarial study and appropriation of funds

City Manager Lagerbloom explained the need for clear Commission direction prior to expending Staff resources and funding to determine exact GERS funding details. Further comment and discussion ensued regarding the vehicle to provide a one-time COLA increase and the future performance of the GERS Fund meeting the required threshold criteria. The Commission requested greater fidelity around financial details including funding options. Mayor Trantalis said should the Commission decide to move forward with a GERS COLA, it could be addressed in the Fiscal Year 2021 Budget.

NEIGHBOR PRESENTATIONS

NP-1 [19-1208](#) Boyd Corbin - Drinking Water from Fiveash - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis recognized Boyd Corbin, 12 NE 12th Street. Mr. Corbin gave a neighbor presentation on the quality of drinking water from the Fiveash Water Treatment Plant (Fiveash), explaining related details, citing examples and making recommendations. He commented on his participation at a recent Infrastructure Task Force Committee Meeting, expounding on details.

RECEIVED

RESOLUTIONS

- R-1** [19-1187](#) Appointment of Board and Committee Members - (Commission Districts 1, 2, 3 and 4)
- City Clerk Jeffrey Modarelli read into the record the names of the Board and Committee nominees for appointment and/or reappointment at the December 17, 2019 Commission Regular Meeting.
- City Clerk Modarelli read into the record the names of Board and Committee appointments and/or reappointments for Agenda item R-1.
- A copy of the list of Board and Committee appointees and terms is attached to these minutes.***
- Vice Mayor McKinzie introduced this Resolution which was read by title only.
- ADOPTED**
- Aye:** 5 - Commissioner Moraitis, Commissioner Glassman, Vice Mayor McKinzie, Commissioner Sorensen and Mayor Trantalis
- R-2** [19-1063](#) Resolution Approving an Interlocal Agreement (ILA) to Extend the Duration of the Beach Area of the Community Redevelopment Agency (CRA) on a Non-Tax Increment Finance (TIF) Basis for up to Three Years to Allow for the Completion of CRA-Funded Beach Area Projects - (Commission District 2)
- Commissioner Glassman introduced this Resolution which was read by title only.
- ADOPTED**
- Aye:** 5 - Commissioner Moraitis, Commissioner Glassman, Vice Mayor McKinzie, Commissioner Sorensen and Mayor Trantalis
- R-3** [19-1105](#) Resolution Authorizing the City of Fort Lauderdale to Enter into a Broward County Redevelopment Program Interlocal Agreement - NE 4th Avenue Complete Street Project - (Commission District 2)
- Commissioner Glassman introduced this Resolution which was read by title only.
- ADOPTED**
- Aye:** 5 - Commissioner Moraitis, Commissioner Glassman, Vice Mayor McKinzie, Commissioner Sorensen and Mayor Trantalis
- R-4** [19-1195](#) Resolution Approving the Third Amendment to the Ground Lease Agreement with Las Olas SMI, LLC ("Suntex") for City-owned Property located at 240 East Las Olas Circle - (Commission District

2)

Mayor Trantalis recognized Stephanie Toothaker, Esq., on behalf of Informa, the parent company of Yachting Promotions, Inc. (YPI), the producer of The Boat Show. YPI has a thirty (30) year agreement with the Marine Industries Association of South Florida. Ms. Toothaker explained the need for YPI to be included in the Third Amendment to the Ground Agreement with the Las Olas Marina, expounding on related details. She said specific language had been forwarded to the Office of the City Manager and the Office of the City Attorney. City Attorney Boileau confirmed this could be done but Suntex must agree.

Mayor Trantalis recognized Eric Metz, owner representative for Suntex. Mr. Metz confirmed Suntex has no issue with Ms. Toothaker's request.

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

ADOPTED AS AMENDED

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

R-5 [19-1183](#)

Quasi-Judicial Resolution to Approve the Vacation of a Portion of Two Utility and Access Easements located at 640 N. Andrews Avenue - FV Development - Case No. E18021 - (Commission District 2)

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

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

Mayor Trantalis recognized Andrew Schein, Esq., Lochrie and Chakas, on behalf of the applicant. Mr. Schein clarified that the vacation of the utility easement was not discussed at an earlier meeting regarding another project.

Mayor Trantalis opened the public hearing.

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

Vice Mayor McKinzie introduced this Resolution which was read by title only.

ADOPTED

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

ORDINANCE FIRST READING

OFR-1 [19-0977](#)

Quasi-Judicial - Ordinance Vacating a Portion of SW 6th Street Right-of-Way located East of the Tarpon River and West of SW 8th Avenue -Edward and Betty Kirwin - Case No. V19003 - (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 and written communications, site visits and expert opinions received.

Mayor Trantalis opened the public hearing.

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

Commissioner Sorensen commented on a letter submitted to the Planning and Zoning Board (P&Z Board) by the Tarpon River Civic Association Board of Directors attached as Exhibit 7 to the Commission Agenda Memo (CAM). Commissioner Sorensen commented on neighbor concerns relating to park space and public access to the waterway.

Mayor Trantalis recognized Gregory A. McAloon on behalf of the applicant. Mr. McAloon explained details regarding the correspondence from members of the Tarpon River Civic Association Board to the P&Z Board. He also noted the recusal of a P&Z Board Member from a decision on this matter due to being a member of the Tarpon River Association Board. Mr. McAloon confirmed the applicant had obtained fourteen (14) letters of support from neighbors, the majority residing on SW 8th Street, in addition to 4-5 neighbors attending the P&Z Board Meeting in support of this item.

In response to Commissioner Sorensen's question regarding the positive neighbor feedback, Mr. McAloon reviewed items illustrated in his presentation and neighbor correspondence, explaining details. He reviewed dedication and access details, expounding on rights-of-way and the history of this neighborhood area.

A copy of the presentation is attached to these minutes.

In response to Commissioner Sorensen's question, City Attorney Boileau confirmed the accuracy of Mr. McAloon's comments and explanation. Discussions ensued on the inability to landlock a property and the possibility of making this area a park. Mayor Trantalis said that making this area a pocket park is not feasible, stating it has never been utilized as a waterway access point. Further comment ensued on landscaping.

In response to Mayor Trantalis' question, Mr. McAloon confirmed the applicant plans to build a single-family home on the parcel if the vacation of right-of-way is adopted.

Vice Mayor McKinzie introduced this Ordinance for the First Reading which was read by title only.

PASSED FIRST READING

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

OFR-2 [19-1173](#)

Ordinance Amending the Pay Plan of the City of Fort Lauderdale, Florida by Amending the Non-Bargaining Compensation Table and Schedule VI Providing a One Percent General Wage Increase Effective October 6, 2019 (Commission Districts 1, 2, 3 and 4)

In response to Mayor Trantalis' request, City Manager Lagerbloom explained details relating to this item, noting the Pay Plan adjustment of \$330,742 is a lesser amount than what had been budgeted. It is a savings of one point two percent (1.2%), equating to about \$500,000.

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

PASSED FIRST READING

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

ORDINANCE SECOND READING

OSR-1 [19-1196](#)

Ordinance Amending Chapter 15, Article V of the Code of Ordinances of the City of Fort Lauderdale - Outdoor Events - to Include Suggested Revisions from the Special Event Working Group - (Commission Districts 1, 2, 3 and 4)

Commissioner Glassman noted resident comments, including requests for additional traffic monitors during special events, especially those on the beach, and a larger penalty for egregious noncompliance during special events. City Manager Lagerbloom confirmed. Further comment and discussion ensued on recent special events and the timeline for increased penalties. City Manager Lagerbloom explained the need for amended language in Special Event Agreements, expounding on related details.

Commissioner Sorensen commented on barricades used for special events remaining in place and the need for continued neighbor outreach when an event impacts neighborhoods. City Manager Lagerbloom expounded on Staff efforts and details regarding neighbor outreach for special events, including predetermined routes for special event races and advising neighborhoods should changes occur.

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

ADOPTED ON SECOND READING

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

OSR-2 [19-1200](#)

Ordinance Amending Section 4(2) of the City of Fort Lauderdale Ordinance No. C-10-48, as Amended by Ordinance No. C-11-37 - Purpose and Duties of the Sustainability Advisory Board - (Commission Districts 1, 2, 3 and 4)

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

ADOPTED ON SECOND READING

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

OSR-3 [19-1184](#)

Ordinance Amending Sections 27-1 and 27-191 of the Code of Ordinances - Certificate of Public Convenience and Necessity - Waiving Requirements for Operators of Rental Cars with Chauffeurs and Sightseeing Vehicles for a National Football League Super Bowl - (Commission Districts 1, 2, 3 and 4)

Commissioner Glassman introduced this Ordinance for the Second

Reading which was read by title only.

ADOPTED ON SECOND READING

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

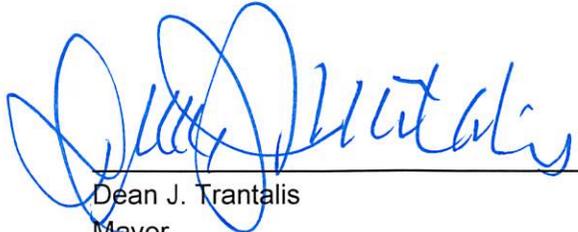
REQUEST FOR EXECUTIVE CLOSED-DOOR SESSION

City Attorney Boileau announced that on December 17, 2019, commencing at approximately 4:30 p.m., or as soon thereafter as it may be heard, the City Commission shall meet privately to discuss pending litigation, pursuant to Section 286.011(8), Florida Statutes, for the following case(s):

- Hinton, Walter, et al. v. City of Fort Lauderdale
Case No.: CACE 07-030358 (26)
- Adderly, Ray, et al. v. City of Fort Lauderdale
Case No.: CACE 11-008499 (26)

ADJOURNMENT

Mayor Trantalis adjourned the meeting at 9:41 p.m.



Dean J. Trantalis
Mayor

ATTEST:



Jeffrey A. Modarelli
City Clerk



Separating a troubled past
from a bright future

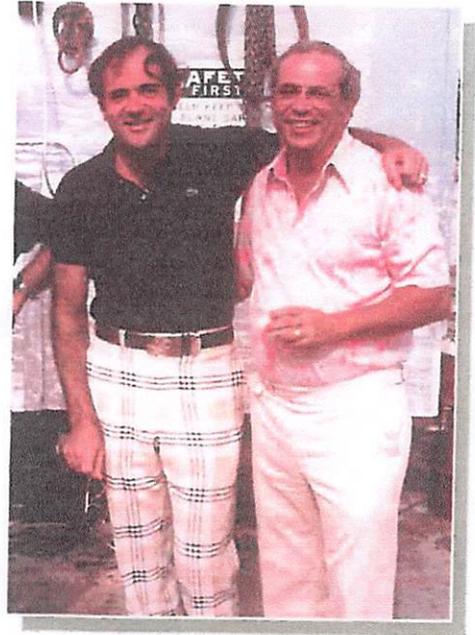
Presentation PRES-3
12/3/2019
Regular Meeting

AMIKids.org

AMIKids History

In 1969 Judge Frank Orlando, Chief Juvenile Court Judge in Fort Lauderdale, was frustrated at seeing the same young men come before his court time and again. His only option at the time was to send them to what was then called reform school where they would stay for a time then end up right back in front of him in court. He knew from his own experiences as a camp counselor and teacher that, for these boys to turn their lives around, they would need more than to be simply locked away.

His determination to make a difference for the children who came before his court led him to contact a friend from high school and college, Bob Rosof. At the time, Mr. Rosof was the director of a research program in Boca Raton, Florida for Florida Atlantic University, called the Florida Atlantic Ocean Science Institute (FAOSI).



Judge Orlando saw an opportunity to send some of the boys he was seeing in court to FAOSI where they would be given the opportunity to work hard and be rewarded for their efforts and appropriate behavior. He asked Mr. Rosof if he would take a couple of boys into the program and put them to work on the research vessel. The staff at FAOSI provided role models for the boys and built relationships with them that helped them to see a different future than the one they were previously headed for. Mr. Rosof asked for more boys and, as a result of his and Judge Orlando's initial experiment, today over 122,000 young men and women have been given an alternative to incarceration through the programs of AMIKids.

From their early beginnings in Boca Raton, additional programs were added in Tampa, St. Petersburg and Jacksonville, Florida. As the organization grew, Associated Marine Institutes (AMI) was formed as a non-profit organization and more programs were added in Panama City and Dade County. Through the continued efforts of Judge Orlando and Bob Rosof as well as others including then Director of Florida Division of Youth Services, Olly Keller and Senator Louis de la Parte, residential programs were added as well as more structure educational components.

Today, AMIKids has programs for at-risk youth in seven states including Florida, South Carolina, North Carolina, Virginia, Louisiana, Texas, and New Mexico. From a few boys in a marine research program, AMIKids has grown into a national organization offering a variety of treatment programs suited for each kid's individual needs. AMIKids' unique combination of education, behavior modification, and treatment in a family atmosphere with caring staff help children with a troubled past turn their lives around to become productive citizens. Each of AMIKids' programs has a local board of trustees made up of local community leaders who help to make their program make a difference in the lives of the youth they serve.

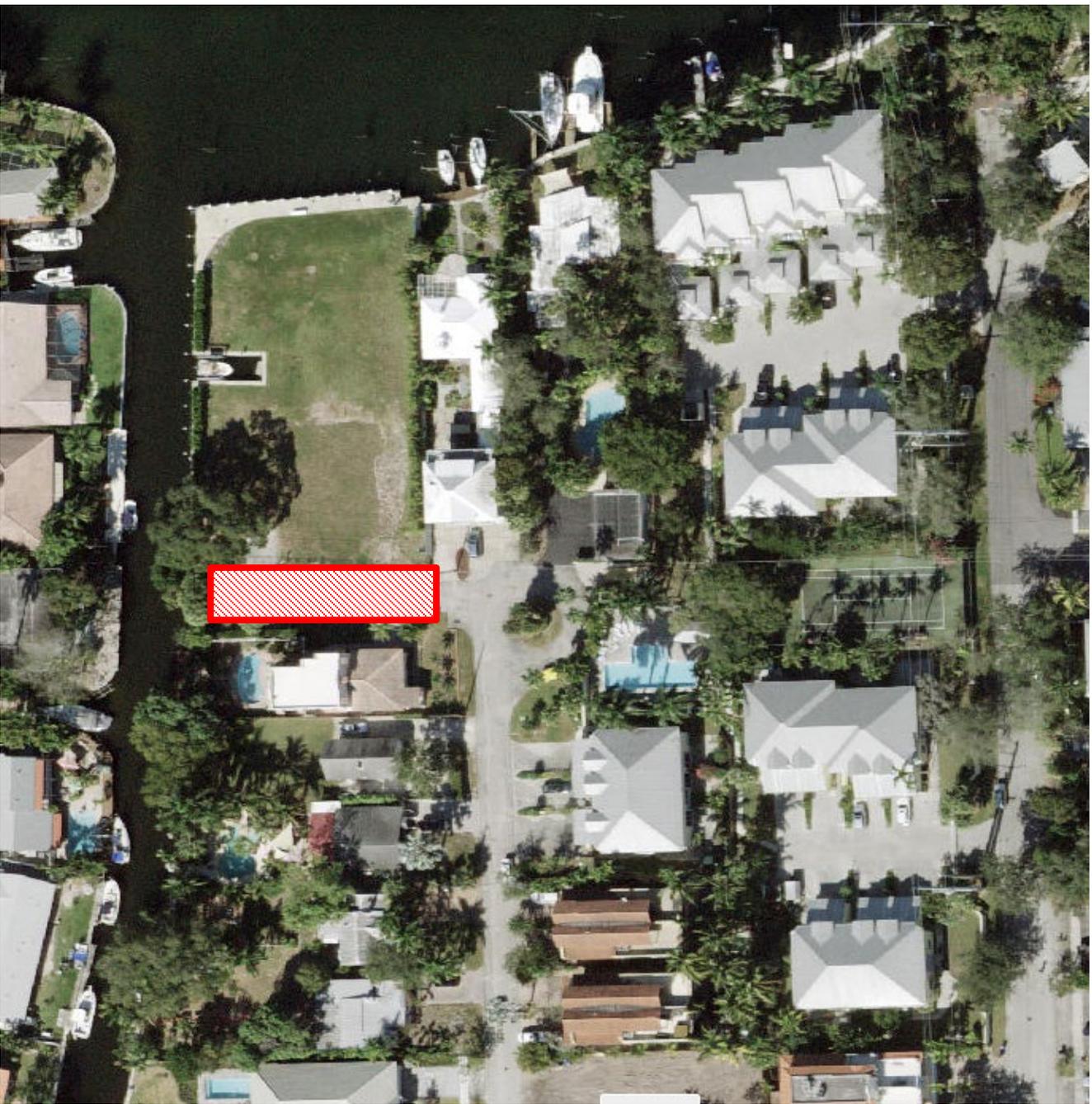
AMIKids staff and board members work together to put kids first and make their communities safer by positively impacting as many youth as possible.

Judge Frank Orlando

Vacation of Right-of-Way Request

800 & 811 SW 6th Street
V19003

December 3, 2019
City of Fort Lauderdale City Commission





Existing Conditions



Image capture: Mar 2019 © 2019 Google

Existing Conditions



Image capture: Mar 2019 © 2019 Google



Image capture: Mar 2019 © 2019 Google

Zoning Map



Sec. 47-24.6 - Vacation of Rights-of-Way

4. *Criteria.* An application for a vacation of a right-of-way or other public place shall be reviewed in accordance with the following criteria:
 - a. The right-of-way or other public place is no longer needed for public purposes; and
 - b. Alternate routes if needed are available which do not cause adverse impacts to surrounding areas; and
 - c. The closure of a right-of-way provides safe areas for vehicles to turn around and exit the area; and
 - d. The closure of a right-of-way shall not adversely impact pedestrian traffic; and
 - e. All utilities located within the right-of-way or other public place have been or will be relocated pursuant to a relocation plan; and the owner of the utility facilities has consented to the vacation; or a utilities easement has been retained over the right-of-way area or portion thereof; or an easement in a different location has been provided for the utility facilities by the owner to the satisfaction of the city; or any combination of same and utilities maintenance shall not be disrupted.



Neighbor Support

TARPON RIVER RESIDENT

LETTER OF SUPPORT

WILFRED CAHNER as owner of the property located at 618 SW 9 AVENUE hereby support the proposed vacation of right-of-way located between 800 and 811 SW 4th Street, Fort Lauderdale, FL 33315.

Signature: [Signature] Date: 09/09/19

Additional comments: ONE CONSIDERATION FOR DOWN SW 9th AVENUE AND PARK ON THE LITTLE PART OF SW 6th STREET WOULD BE THAT I HAVE ALWAYS WISHED THAT THOSE INDIVIDUALS ARE DRIVING DOWN THERE? ARE THEY DRIVING? ARE THEY HAVING SEX? I WANT YOU TO STOP. HOWEVER, WHAT THE NEIGHBORHOOD KNOWS FOR SURE IS THAT SOME OF THESE NEW RESIDENTS ARE TRESPASSING ON PRIVATE PROPERTY... MAINLY ON EAS PROPERTIES BY VIRTUE OF THEM BEING AT THE VERY END OF SW 9th AVENUE. OUR PART OF SW 9th AVENUE HAS BEEN AN INCREASE IN TRAFFIC AND TRESPASSING AND ITS ONLY GETTING WORSE. I HAVE THREE YOUNG CHILDREN THAT ARE CONSTANTLY PLAYING IN THE NEIGHBORHOODS THEIR SECURITY IS OF UTMOST IMPORTANCE TO ME AND MY WIFE. IT IS FOR THESE REASONS THAT I WOULD NOT PATH THAT ANY MY WIFE AND I SUPPORT ESI ENDOWMENT IN VACATING SW 6th STREET.

TARPON RIVER RESIDENT

LETTER OF SUPPORT

Melinda Tingle as owner of the property located at Calke SW 8 Ave hereby support the proposed vacation of right-of-way located between 800 and 811 SW 4th Street, Fort Lauderdale, FL 33315.

Signature: [Signature] Date: 8/7/19

Additional comments: I have met with Ed and his wife and have seen video of multiple trespassers and criminals on his property. They have shown me they play for a beautiful home for their personal use what will increase property value in Tarpon River.

TARPON RIVER RESIDENT

LETTER OF SUPPORT

Roger Eaton as owner of the property located at 625 SW 8th Ave hereby support the proposed vacation of right-of-way located between 800 and 811 SW 4th Street, Fort Lauderdale, FL 33315.

Signature: [Signature] Date: 4/20/19

Additional comments:

TARPON RIVER RESIDENT

LETTER OF SUPPORT

GARY WILLIAMS as owner of the property located at 609 SW 8th Ave hereby support the proposed vacation of right-of-way located between 800 and 811 SW 4th Street, Fort Lauderdale, FL 33315.

Signature: [Signature] Date: 4-28-19

Additional comments:

TARPON RIVER RESIDENT

LETTER OF SUPPORT

Michael J. Ryan as owner of the property located at 706 SW 8th Ave hereby support the proposed vacation of right-of-way located between 800 and 811 SW 4th Street, Fort Lauderdale, FL 33315.

Signature: [Signature] Date: 5-1-19

Additional comments:

TARPON RIVER RESIDENT

LETTER OF SUPPORT

Walter M. Morsar as owner of the property located at 633 SW 8th Ave hereby support the proposed vacation of right-of-way located between 800 and 811 SW 4th Street, Fort Lauderdale, FL 33315.

Signature: [Signature] Date: 5/1/19

Additional comments:

TARPON RIVER RESIDENT

LETTER OF SUPPORT

Joe Madonia as resident on owner of the property located at 301 SW 6th Street hereby support the proposed vacation of right-of-way located between 800 and 811 SW 4th Street, Fort Lauderdale, FL 33315.

Signature: [Signature] Date: 9/11/19

Additional comments: As the property is owned by the same owner (301 & 211) there is no reason for others to use this portion of the road. I do believe as the current use should be passed on the 211 SW 6th and 8th SW. Many cars will not enter but or have had intent drive down the road unnecessarily and sometimes at a high speed. There are young children playing which can be dangerous. I don't see any reason why the proposed vacation of right-of-way should not be granted.

TARPON RIVER RESIDENT

LETTER OF SUPPORT

Van Agnew as resident on owner of the property located at 80 SW 8 Ave hereby support the proposed vacation of right-of-way located between 800 and 811 SW 4th Street, Fort Lauderdale, FL 33315.

Signature: [Signature] Date: Sept. 9, 2019

Additional comments: Even though SW 8th Ave is a "dead end" on the part of the road there are many cars that drive down the road realize there is no outlet and they back up and driving at a high rate of speed. The pace of land that is being developed to create it would allow for the amount of the property associated to it. Realizing the road right-of-way will not adversely affect the neighborhood. There are families with young children that play outside and the intention that parking down looking at a way out, it depends if it's obvious if some of them could be looking for trouble, as there is no reason to use this strip of land.

TARPON RIVER RESIDENT

LETTER OF SUPPORT

Edward Klein as owner of the property located at 777 SW 6th St hereby support the proposed vacation of right-of-way located between 800 and 811 SW 4th Street, Fort Lauderdale, FL 33315.

Signature: [Signature] Date: 4/15/19

Additional comments: Victims and a big crime fact was continuing caused concern around the neighborhood at the proposed vacation. There have been reports of trespassers since victims have been arrested and tried in Brown for my property at 777 SW 6th St. A number of these trespassers have been recorded by a police business there are many that seem to be being referred. During these times that victims have been arrested on the property, my siblings and I have been scared and we have had to call the police. Furthermore, there have been other trespassing has taken place on other property particularly around on the same property involving in the proposed vacation. Therefore, I feel that this vacation will help to my safety and my mother the piece of mind my security and helping that we all decrease stress. I encourage Tarpon River residents to support this.

TARPON RIVER RESIDENT

LETTER OF SUPPORT

Lois Taylor as owner of the property located at 706 SW 8th Ave hereby support the proposed vacation of right-of-way located between 800 and 811 SW 4th Street, Fort Lauderdale, FL 33315.

Signature: [Signature] Date: 9/19/19

Additional comments:

TARPON RIVER RESIDENT

LETTER OF SUPPORT

Adam Street as owner of the property located at 665 SW 5th Ave hereby support the proposed vacation of right-of-way located between 800 and 811 SW 4th Street, Fort Lauderdale, FL 33315.

Signature: [Signature] Date: 9/11/19

Additional comments: I support eds project because it exactly renews this road should only be for residents, no one else should be around here. This will help those as a whole women need a renewed neighborhood.

TARPON RIVER RESIDENT

LETTER OF SUPPORT

Shirley Louise Rudge as owner of the property located at 688 E. SW 8th Ave hereby support the proposed vacation of right-of-way located between 800 and 811 SW 4th Street, Fort Lauderdale, FL 33315.

Signature: [Signature] Date: Sept. 12, 2019

Additional comments: My approval is with the intention of building a new family home on the canal of Tarpon River a new River (SW 5th to SW 8th) and will not be building another family property at the end of SW 8th Avenue.

TARPON RIVER RESIDENT

LETTER OF SUPPORT

William R. Rugg as owner of the property located at 615 SW 8th Ave hereby support the proposed vacation of right-of-way located between 800 and 811 SW 4th Street, Fort Lauderdale, FL 33315.

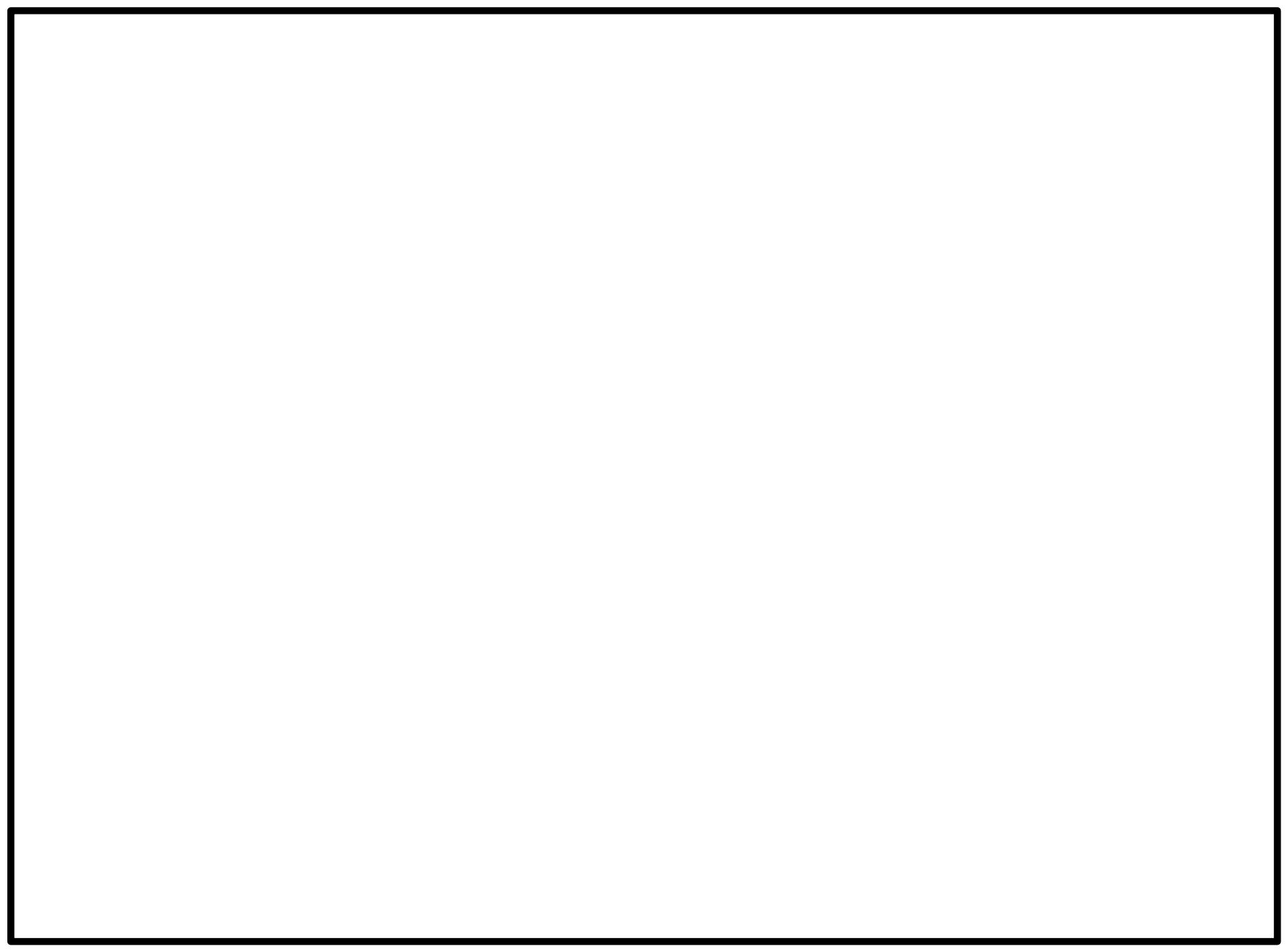
Signature: [Signature] Date: 9/10/19

Additional comments:

Thank you!

Gregory McAloon, Esq.

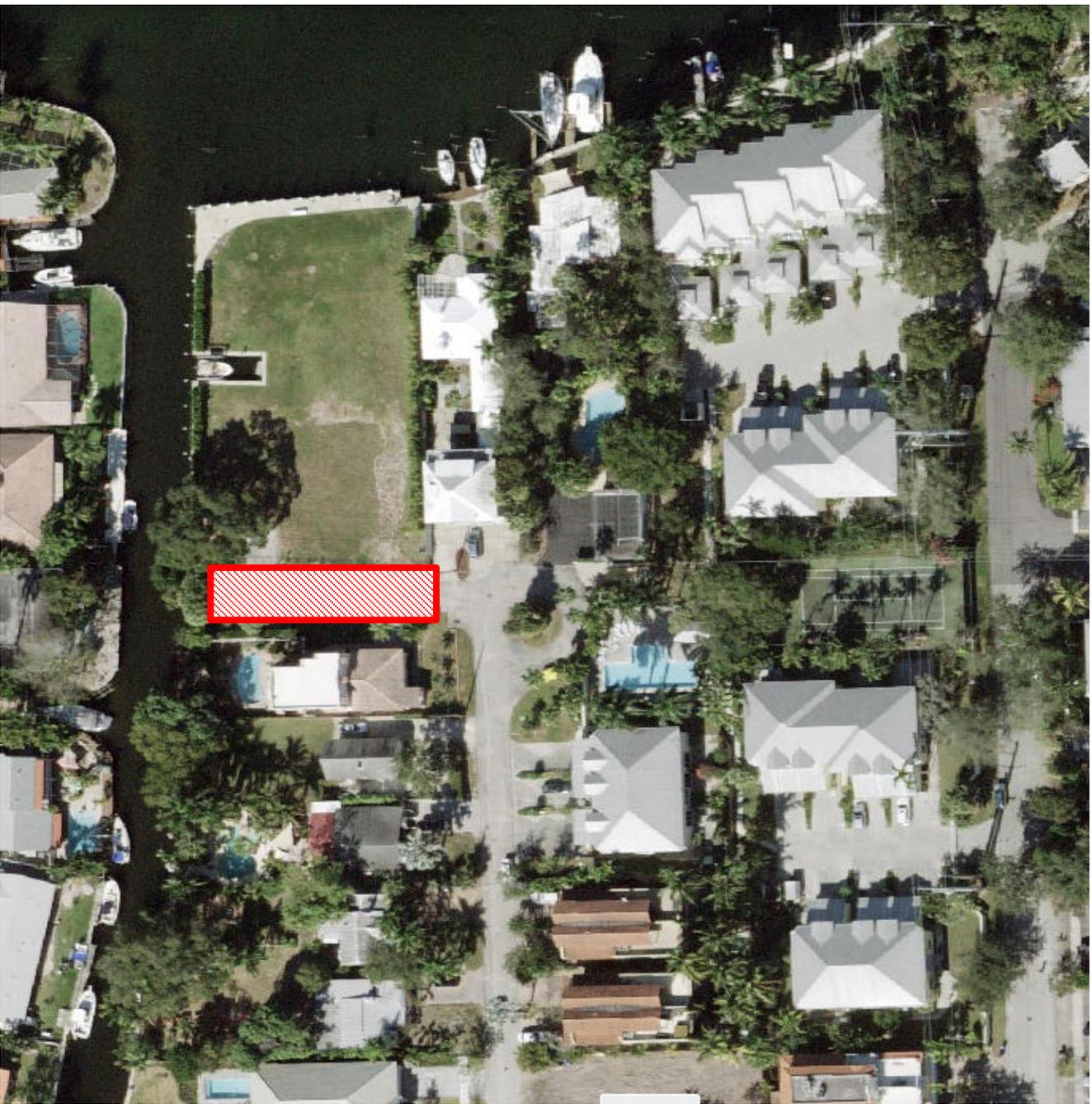


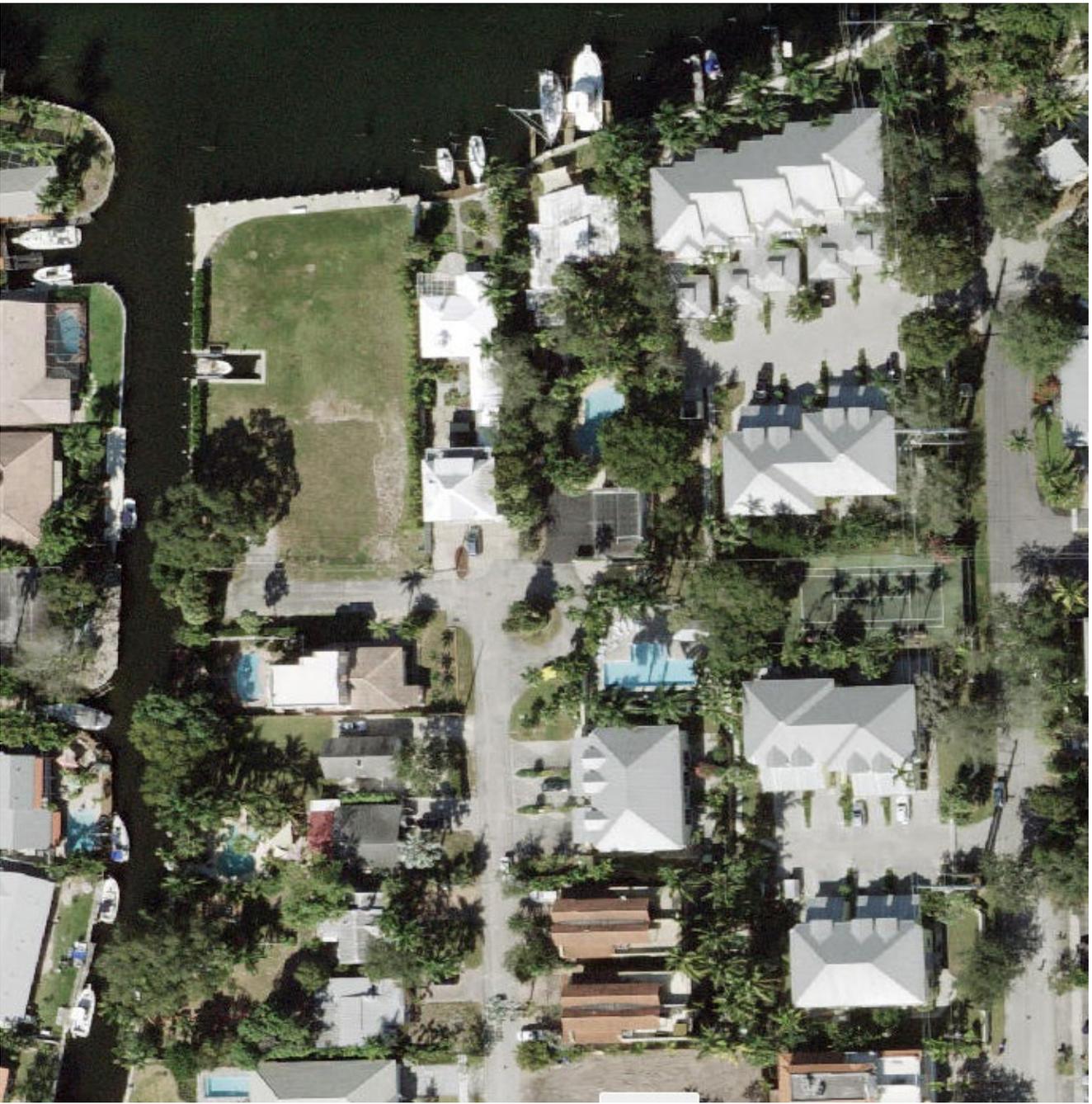


Vacation of Right-of-Way Request

800 & 811 SW 6th Street

September 18, 2019
Planning and Zoning Board





Existing Conditions



Image capture: Mar 2019 © 2019 Google



Image capture: Mar 2019 © 2019 Google

Existing Conditions



Image capture: Mar 2019 © 2019 Google



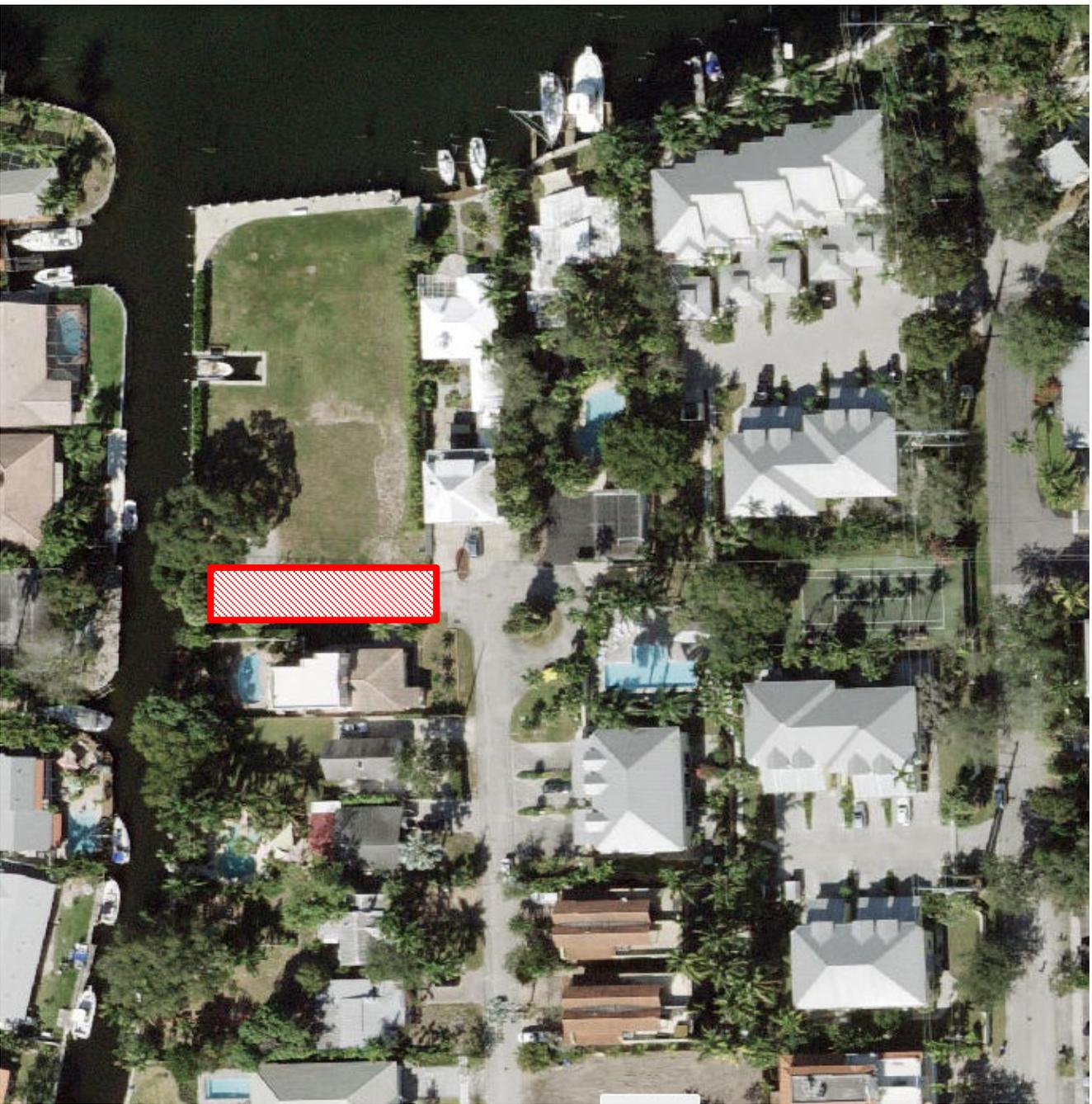


Future Land Use



Zoning Map





Sec. 47-24.6 - Vacation of Rights-of-Way

4. *Criteria.* An application for a vacation of a right-of-way or other public place shall be reviewed in accordance with the following criteria:
 - a. The right-of-way or other public place is no longer needed for public purposes; and
 - b. Alternate routes if needed are available which do not cause adverse impacts to surrounding areas; and
 - c. The closure of a right-of-way provides safe areas for vehicles to turn around and exit the area; and
 - d. The closure of a right-of-way shall not adversely impact pedestrian traffic; and
 - e. All utilities located within the right-of-way or other public place have been or will be relocated pursuant to a relocation plan; and the owner of the utility facilities has consented to the vacation; or a utilities easement has been retained over the right-of-way area or portion thereof; or an easement in a different location has been provided for the utility facilities by the owner to the satisfaction of the city; or any combination of same and utilities maintenance shall not be disrupted.



Public Purpose

It is well established that the title of an owner of land abutting on a street or highway extends to the center of the road. *Florida State Tpk. Auth. v. Anhoco Corp.*, 107 So. 2d 51, 54 (Fla. 3d DCA 1958) (citing *Smith v. Horn*, 70 Fla. 484 (Fla. 1915); *Burns v. McDaniel*, 104 Fla. 526, (Fla. 1932)). Under a common law dedication, the fee does not pass from the grantor to the public entity. **The public acquires only a right of easement in trust, so long as the dedicated land is used for the purposes of the dedication.** *Robbins v. White*, 52 Fla. 613 (Fla. 1907) *emphasis added*. The title of the grantor is legal, but subject to the right of the public to the beneficial use of the land until such time as the dedication is rejected, surrendered or abandoned. **A municipality abandons an easement when it is no longer being used for a public purpose, or the purpose defined in the dedication.** *Leibowitz v. City of Miami Beach*, 592 So. 2d 1213 (Fla. 3d DCA 1992) *emphasis added*; *Robbins v. White*, 52 Fla. 613 (Fla. 1907).

Public Purpose

1-28

Engineer's Certificate.

STATE OF FLORIDA
COUNTY OF BROWARD

I, H. C. Davis, a Civil Engineer, do hereby certify that the attached plat is a true and correct representation of the lines of a survey, made by me, of certain lots and lands lying and being situate in the City of Fort Lauderdale, Florida, described as follows, to wit:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 & 19 of the EAST COAST REALTY COMPANY'S SUBDIVISION of Lots 1, 2, 3, 4, 11, 12 and the East 100 feet of Lot 5 in Block 35 of the Town of Fort Lauderdale according to the plat of said subdivision on file and of record at page 66 in book 3 of plats, in the public records of Dade County, Florida;

Also, Lot 5, less the East 100 feet thereof; Lot 6; and an unnumbered tract of land; all in Block 35 of the TOWN OF FORT LAUDERDALE, according to the map made by A. L. Knoviton, on file and of record at page 40 in plat book "B" of the public records of Dade County, Florida;

Also, Lots 17, 18, 19, 20, 21, 22, 23 & 24 of W. H. Marshall's Subdivision of Lots 7, 8 & 9 of Block 35 according to the plat of said subdivision on file and of record at page 23 in plat book 3, in the public records of Dade County, Florida;

THAT the amendments and revisions of the aforesaid recorded plats shown on the attached plat are as follows:-

1. Location of right of way for canal.
2. Extension of South Second Street through a portion of Lot 9 of the aforesaid East Coast Realty Company's Subdivision to intersect said canal right of way.
3. Closing that portion of South River Street lying West from the West property line extended, of Colee Avenue.
4. Closing the alley marked "Private Alley" on aforesaid plat of the East Coast Realty Company's Subdivision.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, this day of September, A.D. 1922.

H. C. Davis
CIVIL ENGINEER
FLORIDA STATE REGISTRY NO. 44

SCHEDULE OF OWNERSHIP

W.B. Snyder, Undivided $\frac{1}{2}$ interest in Lots 1-2-3-4-5-6-7-8-9-10 & 19 of East Coast Realty Company's Subdivision according to recorded plat thereof.

F.A. Barreff, Undivided $\frac{1}{2}$ interest in Lots 1-2-3-4-5-6-7-8-9-10 & 19 of East Coast Realty Company's Subdivision according to recorded plat thereof.

Luell H. Marshall, Undivided $\frac{1}{2}$ interest in Lots 17-18-19-20-21-22-23 & 24 of W.H. Marshall's Subdivision of Lots 7-8-9 Block 35 according to recorded plat.

W.B. Snyder & F.A. Barreff, trading as Snyder & Barreff, Undivided $\frac{1}{2}$ interest in Lots 17-18-19-20-21-22-23 & 24 of W.H. Marshall's Subdivision of Lots 7-8-9 Block 35 according to recorded plat.

A. J. Wallace, Lot 5, Block 35 less East 100 feet thereof, Lot 6, Block 35, and an unnumbered tract in Block 35.

STATE OF FLORIDA
COUNTY OF BROWARD

This day personally appeared before me, a Notary Public, Luell H. Marshall, and W. H. Marshall, her husband, both here well known and did acknowledge that they executed the foregoing instrument for the intentions and purposes herein set forth; and the said Luell H. Marshall, wife of the said W. H. Marshall, on a separate examination made by me, privately and apart from her said husband, did acknowledge that she executed the same freely and voluntarily and without compulsion, constraint, fear or apprehension of or from her said husband.

WITNESS my hand and official seal this 9 day of September, A.D. 1922.

Wm. B. Snyder
Justice of the Peace
3rd Dist.

KNOW ALL MEN BY THESE PRESENTS:

That we, W.B. Snyder, Louella C. Snyder, his wife; F.A. Barreff, Florence Barreff, his wife; Luell H. Marshall, W. H. Marshall, her husband; and A. J. Wallace, unmarried; owners of the lots and parcels of land described and set forth apasite our respective names in the accompanying schedule of ownership, the same including and comprising all of the lands described in the foregoing Engineer's Certificate, have caused to be made the attached plat of the said described lands, the same to amend, revise and supersede all portions included therein of the recorded plats of the East Coast Realty Company's Subdivision, Block 35 of the Town of Fort Lauderdale and W. H. Marshall's Subdivision, as described in said Engineer's Certificate.

The tract marked "Canal" on the attached plat, being 450 feet in width and located as shown is hereby dedicated to the City of Fort Lauderdale, and to the public, in perpetuity, as right of way for the construction, maintenance and operation of a canal.

All portions of South Second Street as shown, not previously dedicated by recorded plats hereinabove mentioned, are hereby dedicated to the perpetual use of the public as a thoroughfare.

All that portion of South River Street, extending westwardly from the West Property Line, extended, of Colee Avenue as shown on any of the above mentioned recorded town or subdivision plats, is hereby closed and discontinued as a thoroughfare; The alley extending through Lots 9 & 10 of the East Coast Realty Company's subdivision and marked "Private Alley" on the aforesaid plat thereof, is hereby closed and discontinued as a thoroughfare;

IN TESTIMONY WHEREOF, Witness the hands and seals of W.B. Snyder, Louella C. Snyder, F.A. Barreff, Florence Barreff, Luell H. Marshall, W.H. Marshall and A. J. Wallace, owners as aforesaid, all hereunto affixed this day of September, A.D. 1922.

Witness *W.B. Snyder* [Signature] [Notary Seal]
Witness *Louella C. Snyder* [Signature] [Notary Seal]
Witness *F.A. Barreff* [Signature] [Notary Seal]
Witness *Florence Barreff* [Signature] [Notary Seal]
Witness *Luell H. Marshall* [Signature] [Notary Seal]
Witness *W.H. Marshall* [Signature] [Notary Seal]
Witness *A. J. Wallace* [Signature] [Notary Seal]

STATE OF FLORIDA
COUNTY OF BROWARD

This day, personally appeared before me, a Notary Public, W.B. Snyder and Louella C. Snyder, his wife, both to me well known and did acknowledge that they executed the foregoing instrument for the intentions and purposes therein set forth; and the said Louella C. Snyder, wife of the said W. B. Snyder, on a separate examination made by me, privately and apart from her said husband, did acknowledge that she executed the same freely and voluntarily and without compulsion, constraint, fear or apprehension of or from her said husband.

WITNESS my hand and official seal this 17 day of September, A.D. 1922.

Wm. B. Snyder
Justice of the Peace
3rd Dist.

STATE OF FLORIDA
COUNTY OF BROWARD

This day personally appeared before me, a Notary Public, F.A. Barreff and Florence Barreff, his wife, both to me well known and did acknowledge that they executed the foregoing instrument for the intentions and purposes therein set forth; and the said Florence Barreff, wife of the said F.A. Barreff, on a separate examination made by me, privately and apart from her said husband, did acknowledge that she executed the same freely and voluntarily and without compulsion, constraint, fear or apprehension of or from her said husband.

WITNESS my hand and official seal this 17 day of September, A.D. 1922.

Florence Barreff
Justice of the Peace
3rd Dist.

STATE OF FLORIDA
COUNTY OF BROWARD

This day personally appeared before me, a Notary Public, A. J. Wallace, unmarried, both to me well known, and did acknowledge that he executed the foregoing instrument for the intentions and purposes therein set forth.

WITNESS my hand and official seal this 17 day of September, A.D. 1922.

A. J. Wallace
Justice of the Peace
3rd Dist.

KNOW ALL MEN BY THESE PRESENTS:-

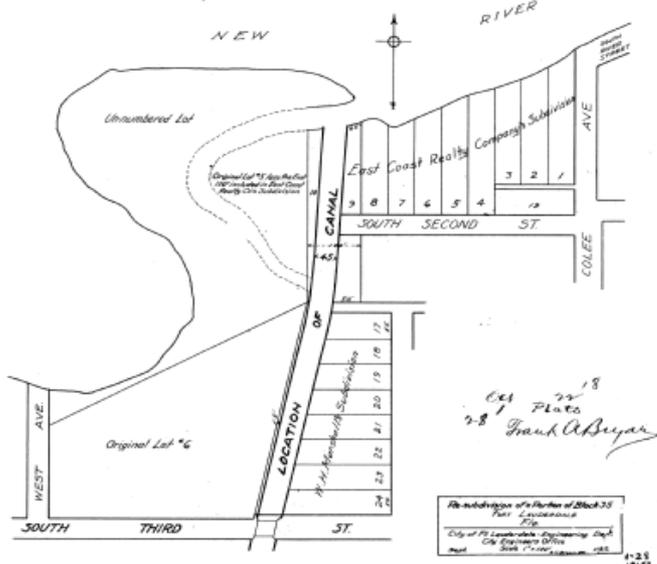
THAT the CITY COUNCIL of the CITY of FORT LAUDERDALE, a municipal corporation existing under the laws of the STATE OF FLORIDA by ORDINANCE No. 148, Entitled, "AN ORDINANCE APPROVING and ACCEPTING a PLAT of the RESUBDIVISION of a PORTION of BLOCK 35 in the CITY of FORT LAUDERDALE, FLORIDA, FIXING and DETERMINING the LOCATION of a CANAL to be CONSTRUCTED THROUGH said BLOCK 35; CLOSING and DISCONTINUING as a THOROUGHFARE that PORTION of SOUTH RIVER STREET LYING WEST of the WEST PROPERTY LINE of COLEE AVENUE, EXTENDED; CLOSING and DISCONTINUING as a THOROUGHFARE the ALLEY EXTENDING THROUGH LOTS 9 and 10 of EAST COAST REALTY COMPANY'S SUBDIVISION; DIRECTING the PRESIDENT of the COUNCIL and the CLERK of the CITY of FORT LAUDERDALE to SIGN SAID PLAT;" duly passed by said City Council upon the 13th day of October A.D. 1922, has approved and accepted the aforesaid Plat, the same being hereto attached; and that by said ordinance the portion of South River Street and the Alley therein described are hereby closed and discontinued as thoroughfares.

IN WITNESS WHEREOF: the City Council of the City of FORT LAUDERDALE, FLORIDA, has caused these presents to be signed by its President, elected by the City Council and the Common Seal of said City to be hereto affixed this 13th day of October, A.D. 1922.

Attest: *A. J. Corder*
CITY CLERK

Frank A. Bryan
PRESIDENT CITY COUNCIL

STATE OF FLORIDA
BROWARD COUNTY
I HEREBY CERTIFY that the within and foregoing is a true and correct copy of a PLAT as recorded in Book No. 1, Page 28 in accordance with the provisions of Chapter 11, Section 11-187, Laws of the State of Florida, and that the same is a true and correct copy of the original.



An endorsement of a portion of Block 35
Fort Lauderdale
City of Fort Lauderdale, Broward County, Florida
City Clerk's Office
Book 1, Page 28
October 13, 1922

Public Purpose

All portions of South Second Street as shown, not previously dedicated by recorded plats hereinabove mentioned, are hereby dedicated to the perpetual use of the public as a thoroughfare;

thoroughfare noun

thor·ough·fare | \ 'thər-ə-,fer , 'thə-rə-\

Definition of *thoroughfare*

- 1 : a way or place for passage: such as
 - a : a street open at both ends
 - b : a main road
- 2
 - a : PASSAGE, TRANSIT
 - b : the conditions necessary for passing through

Dictionary

thoroughfare



thor·ough·fare

/ 'THərō ,fer, 'THərə ,fer/

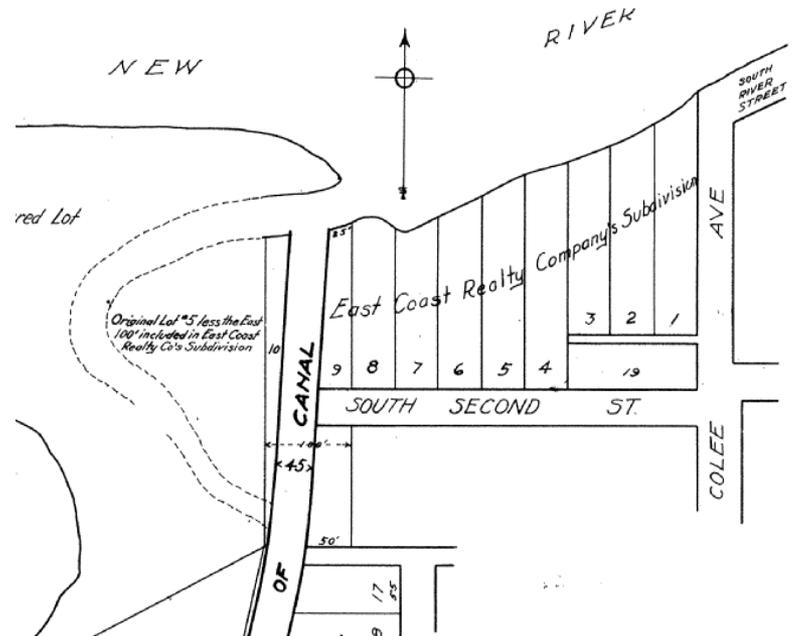
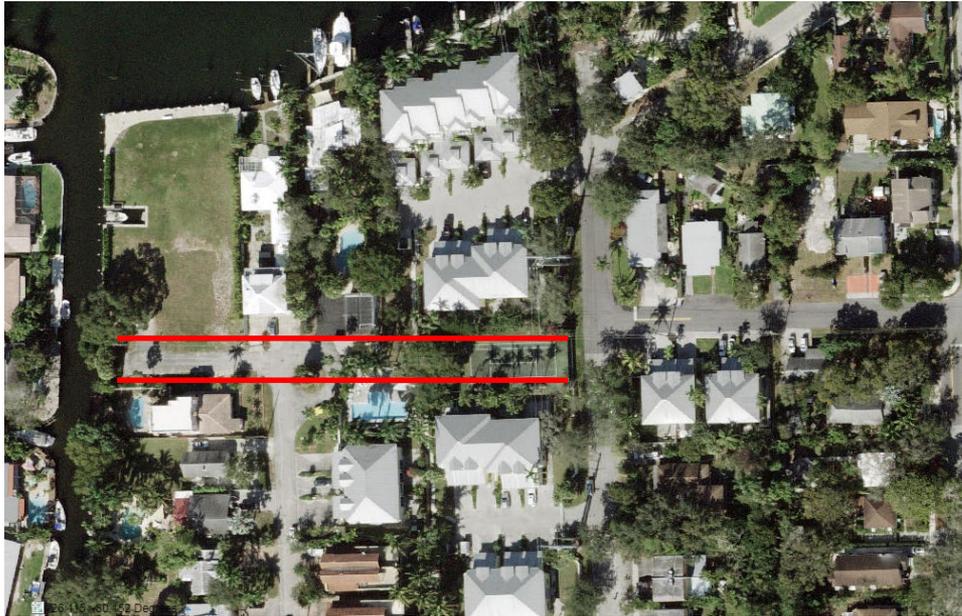
noun

noun: **thoroughfare**; plural noun: **thoroughfares**

- a road or path forming a route between two places.
"a scheme to stop the park being used as a thoroughfare"
synonyms: through route, access route, **way, passage**; *informal* rat run
"a proposal to stop the park being used as a thoroughfare"
- a main road in a town.
"the teeming thoroughfares of central London"
synonyms: **street, road, roadway, avenue, boulevard, way**; [More](#)



Public Purpose



Practical Considerations

1. Improved seawall
 - Main priority of the City of Fort Lauderdale is to raise Seawalls and stop flooding.
2. Preservation of low density
 - Construction of a single family home in RD-15 zoning will help preserve low density in Tarpon River.
3. Property returned to the tax role
 - Property owner will pay taxes on land that was previously exempt.
4. Improved property values
 - Construction of this single family home will improve neighboring property values.
5. Safer conditions
 - Creates safer driving conditions and encourages pedestrians to utilize Lewis Landing Park. Lewis Landing has adequate sidewalks and infrastructure to accommodate pedestrian traffic more safely than a dead-end right-of-way.

Neighbor Support

TARPON RIVER RESIDENT

LETTER OF SUPPORT

WILLIEE DANHEER as owner of the property located at 618 SW 9 AVENUE hereby support the proposed vacation of right-of-way located between 800 and 811 SW 4th Street, Fort Lauderdale, FL 33315.

Signature: [Signature] Date: 09/09/19

Additional comments: ONE CONSIDERATION FOR DOWN SW 9th AVENUE AND PARK ON THE LITTLE PART OF SW 6th STREET WOULD BE THAT I HAVE ALWAYS WISHED THAT THOSE INDIVIDUALS ARE DOWN DOWN THERE? ARE THEY DRIVING? ARE THEY HAVING SEX? I WANT YOU TO STOP. HOWEVER, WHAT THE NEIGHBORHOOD KNOWS FOR LIFE IS THAT SOME OF THESE INDIVIDUALS ARE TRESPASSING ON PRIVATE PROPERTY... MAINLY ON EAS PROPERTIES BY VIRTUE OF THEM BEING AT THE VERY END OF SW 9th AVENUE. ONE PART OF SW 9th AVENUE HAS BEEN AN INCREASE IN TRAFFIC AND TRESPASSING AND ITS ONLY GETTING WORSE. I HAVE THREE YOUNG CHILDREN THAT ARE CONSTANTLY PLAYING IN THE NEIGHBORHOODS THEIR SECURITY IS OF UTMOST IMPORTANCE TO ME AND MY WIFE. IT IS THE WORST THING THAT I WISH FOR BOTH THAT BOTH MY WIFE AND I SUPPORT ESI ENDOWMENT IN VACATING SW 6th STREET.

TARPON RIVER RESIDENT

LETTER OF SUPPORT

Melinda Tingle as owner of the property located at Calke SW 8 Ave hereby support the proposed vacation of right-of-way located between 800 and 811 SW 4th Street, Fort Lauderdale, FL 33315.

Signature: [Signature] Date: 8/7/19

Additional comments: I have met with Ed and his wife and have seen video of multiple trespassers and criminals on his property. They have shown me they play for a beautiful home for their personal use what will increase property value in Tarpon River.

TARPON RIVER RESIDENT

LETTER OF SUPPORT

Roger Eaton as owner of the property located at 625 SW 8th Ave hereby support the proposed vacation of right-of-way located between 800 and 811 SW 4th Street, Fort Lauderdale, FL 33315.

Signature: [Signature] Date: 4/20/19

Additional comments:

TARPON RIVER RESIDENT

LETTER OF SUPPORT

GARY WILLIAMS as owner of the property located at 609 SW 8th Ave hereby support the proposed vacation of right-of-way located between 800 and 811 SW 4th Street, Fort Lauderdale, FL 33315.

Signature: [Signature] Date: 4-28-19

Additional comments:

TARPON RIVER RESIDENT

LETTER OF SUPPORT

Michael J. Ryan as owner of the property located at 706 SW 8th Ave hereby support the proposed vacation of right-of-way located between 800 and 811 SW 4th Street, Fort Lauderdale, FL 33315.

Signature: [Signature] Date: 5-1-19

Additional comments:

TARPON RIVER RESIDENT

LETTER OF SUPPORT

Walter M. Morsar as owner of the property located at 633 SW 8th Ave hereby support the proposed vacation of right-of-way located between 800 and 811 SW 4th Street, Fort Lauderdale, FL 33315.

Signature: [Signature] Date: 5/1/19

Additional comments:

TARPON RIVER RESIDENT

LETTER OF SUPPORT

Joe Madonia as resident on 301 SW 6th Street hereby support the proposed vacation of right-of-way located between 800 and 811 SW 4th Street, Fort Lauderdale, FL 33315.

Signature: [Signature] Date: 9/11/19

Additional comments: As the property is owned by the same owner (301 & 211) there is no reason for others to use this portion of the road. I do believe as the current use should be passed on the 211 SW 6th and 8th SW. Many cars will not enter but or have had intent drive down the road unnecessarily and sometimes at a high speed. There are young children playing which can be dangerous. I don't see any reason why the proposed vacation of right-of-way should not be granted.

TARPON RIVER RESIDENT

LETTER OF SUPPORT

Van Agnew as resident on 80 SW 8th Ave hereby support the proposed vacation of right-of-way located between 800 and 811 SW 4th Street, Fort Lauderdale, FL 33315.

Signature: [Signature] Date: Sept. 9, 2019

Additional comments: Even though SW 8th Ave is a "dead end" on the part of the road there are many cars that drive down the road. There is no reason for others to use this portion of the road. I do believe as the current use should be passed on the 211 SW 6th and 8th SW. Many cars will not enter but or have had intent drive down the road unnecessarily and sometimes at a high speed. There are young children playing which can be dangerous. I don't see any reason why the proposed vacation of right-of-way should not be granted.

TARPON RIVER RESIDENT

LETTER OF SUPPORT

Edward Klein as owner of the property located at 777 SW 6th St hereby support the proposed vacation of right-of-way located between 800 and 811 SW 4th Street, Fort Lauderdale, FL 33315.

Signature: [Signature] Date: 4/15/19

Additional comments: Victims and a big time fact was continuing caused concern among the neighborhood as the proposed vacation. There have been reports of trespassers since victims have been arrested and tried in court. This may affect at 777 SW 6th St. as victims of these trespassers have been recorded by a police bureau. There are many that have been asked to be notified. During these times that victims have been arrested on the property, my siblings and I have been scared and we have had to call the police. Furthermore, there have been other victims whose trespassing has taken place on other streets particularly and on the main thoroughfare involving in the proposed vacation. Therefore, I feel that this vacation will help to provide and my neighbor the piece of mind by security and safety that we all deserve. Thank you for your support.

TARPON RIVER RESIDENT

LETTER OF SUPPORT

Lois Taylor as owner of the property located at 706 SW 8th Ave hereby support the proposed vacation of right-of-way located between 800 and 811 SW 4th Street, Fort Lauderdale, FL 33315.

Signature: [Signature] Date: 9/19/19

Additional comments:

TARPON RIVER RESIDENT

LETTER OF SUPPORT

Ann Stree as owner of the property located at 665 SW 5th Ave hereby support the proposed vacation of right-of-way located between 800 and 811 SW 4th Street, Fort Lauderdale, FL 33315.

Signature: [Signature] Date: 9/11/19

Additional comments: I support eds project because it exactly means this road should only be for residents, no one else should be around here. This will help those as a whole women need a secure neighborhood.

TARPON RIVER RESIDENT

LETTER OF SUPPORT

Suzanne Blum as owner of the property located at 688 E. SW 8th Ave hereby support the proposed vacation of right-of-way located between 800 and 811 SW 4th Street, Fort Lauderdale, FL 33315.

Signature: [Signature] Date: Sept. 12, 2019

Additional comments: My approval is with the intention of building a secure and safe area to build a single family home on the canal of Tarpon River New River (SW 5th to SW 8th) and will not be building a multi-family project at the end of SW 8th Ave.

TARPON RIVER RESIDENT

LETTER OF SUPPORT

Robert Agnew as owner of the property located at 615 SW 8th Ave hereby support the proposed vacation of right-of-way located between 800 and 811 SW 4th Street, Fort Lauderdale, FL 33315.

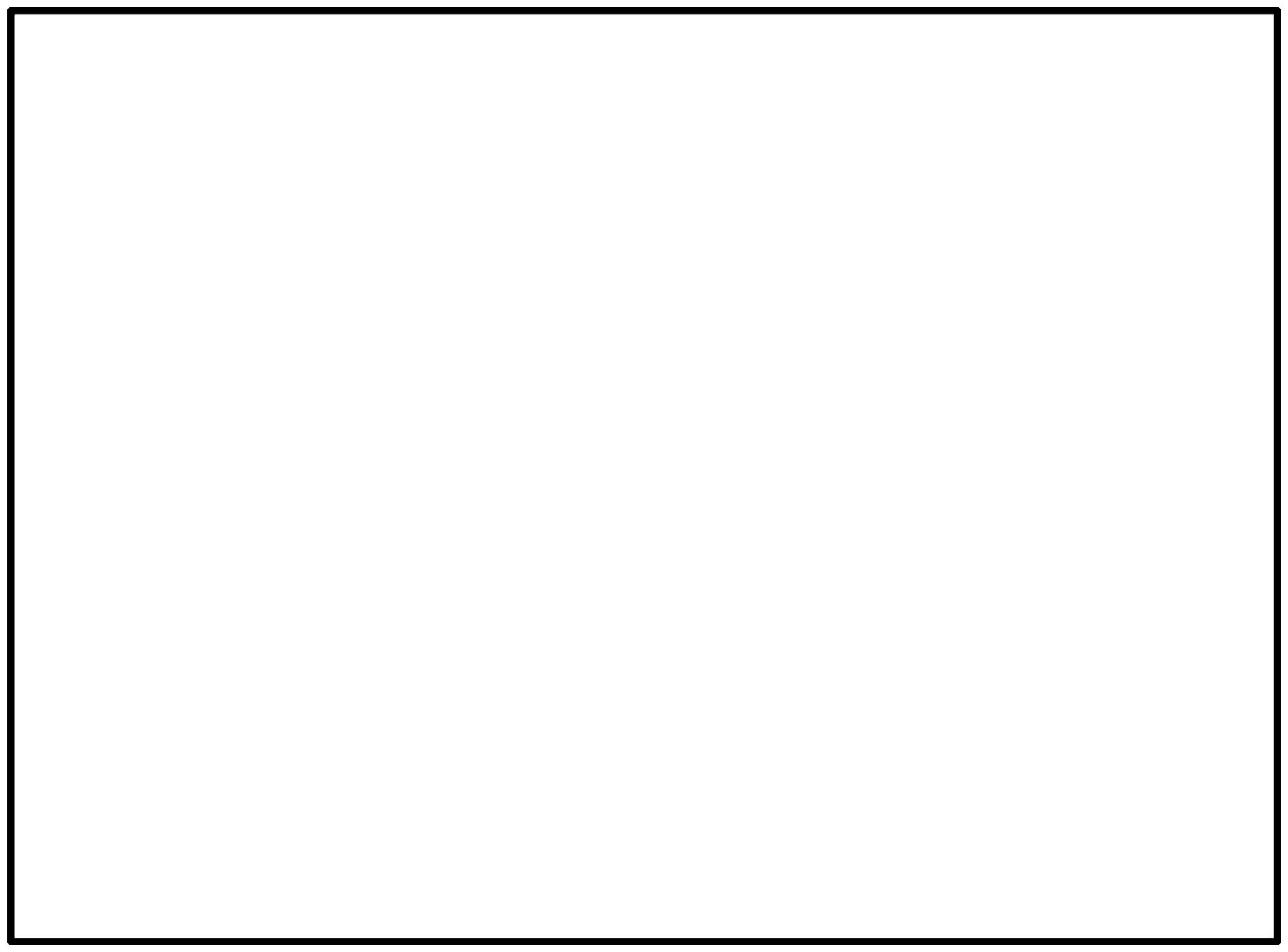
Signature: [Signature] Date: 9/10/19

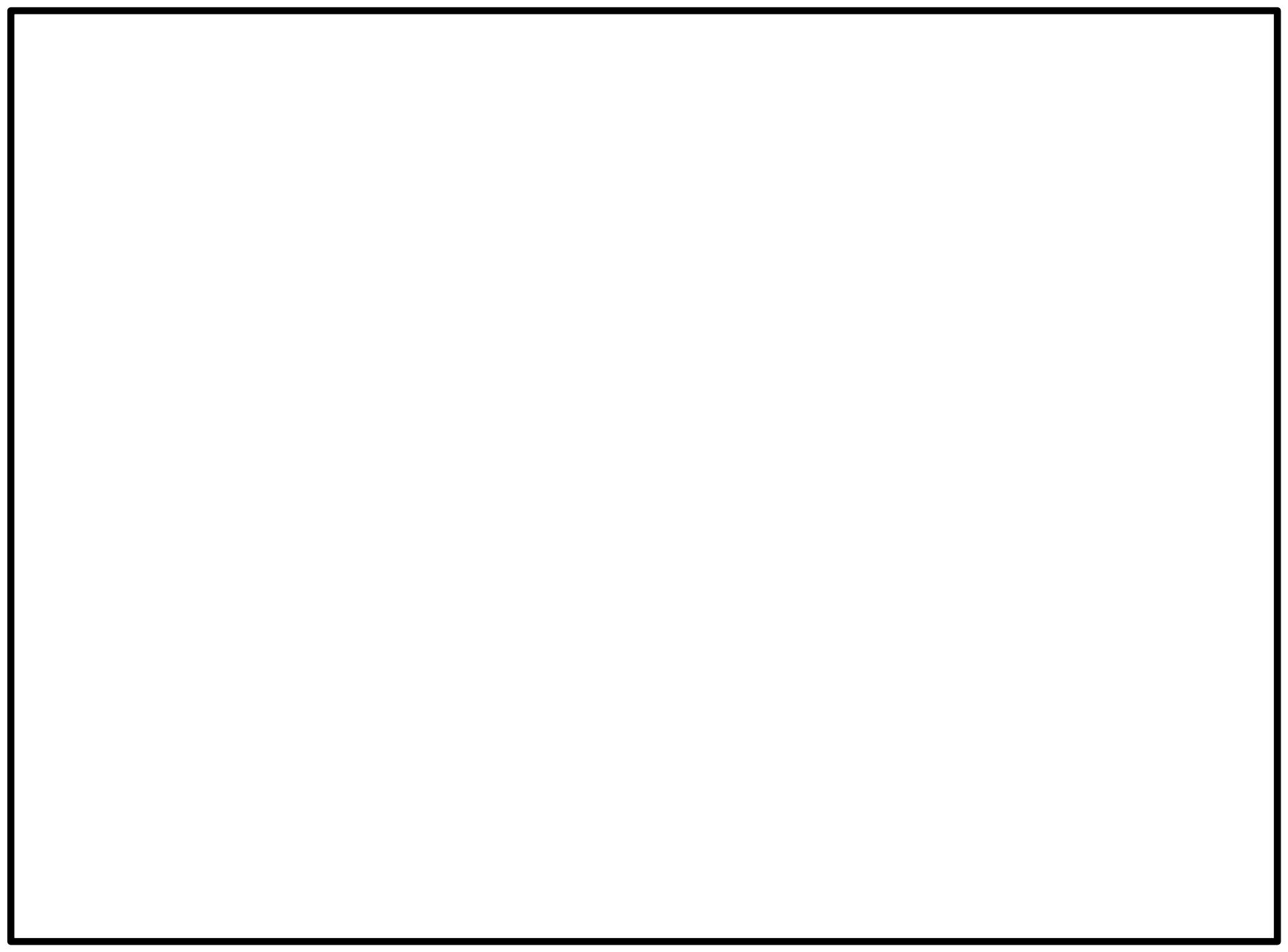
Additional comments:

Thank you!

Gregory McAloon, Esq.









89-154875

IN THE CIRCUIT COURT OF THE
SEVENTEENTH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY,
FLORIDA

CHARLES A. NORMAN, et al.,

CASE NO. 89-14749

Plaintiffs,

vs.

CITY OF FORT LAUDERDALE,
FLORIDA,

Defendant.

FINAL JUDGMENT

THIS CAUSE came on for Final Hearing before the Court on March 17, 1981. The Court after having heard the evidence presented and the argument of counsel, being otherwise fully advised in the premises, the Court finds the following:

1. The land which is the subject matter of this litigation was dedicated as a street in 1896.

2. The City of Fort Lauderdale is without authority to change the dedication of the land from a street to a park.

3. That the land originally dedicated as a street has been abandoned by official action of the CITY OF FORT LAUDERDALE together with non-use of the land as a street since its dedication in 1896.

Based upon the evidence presented and the findings set forth above, it is

ORDERED AND ADJUDGED as follows:

1. The land which is the subject matter of this lawsuit and described as "South River Drive" on the plat known as "Re-subdivision of Block 36, Fort Lauderdale, Florida", Plat Book 2, Page 11, of the Public Records of Broward County, Florida, is hereby declared to be owned in fee simple absolute by the property owners owning land adjoining said "South River Drive", free and clear of any easement which may have heretofore existed in favor of the public.

2. The City of Fort Lauderdale is without authority to change the dedication of the land from a street to a park.

8

RETURN TO CLERK
CIRCUIT COURT

FILED
MAR 18 1981
CLERK OF COURT
FORT LAUDERDALE, FLORIDA

FILED
MAR 18 1981
CLERK OF COURT
FORT LAUDERDALE, FLORIDA



Image capture: Jun 2014 © 2019 Google

Street View - Jun 2014



Image capture: Jun 2014 © 2019 Google

Street View - Jun 2014