

# **City of Fort Lauderdale**

## **City Commission Regular Meeting**

### **Agenda**

**Tuesday, April 20, 2021 - 6:00 PM**

***City Commission Chambers***

***100 North Andrews Avenue, Fort Lauderdale, FL 33301***

***<https://fortlauderdale.legistar.com/Calendar.aspx>***

***[www.fortlauderdale.gov/fltv](http://www.fortlauderdale.gov/fltv)***

***[www.youtube.com/cityoffortlauderdale](http://www.youtube.com/cityoffortlauderdale)***

***Cable Television - Comcast Channel 78 and AT&T U-verse Channel 99***



***FORT LAUDERDALE CITY COMMISSION***

***DEAN J. TRANTALIS Mayor***

***HEATHER MORAITIS Vice Mayor - Commissioner - District I***

***STEVEN GLASSMAN Commissioner - District II***

***ROBERT L. McKINZIE Commissioner - District III***

***BEN SORENSEN Commissioner - District IV***

***CHRIS LAGERBLOOM, City Manager***

***JOHN HERBST, City Auditor***

***JEFFREY A. MODARELLI, City Clerk***

***ALAIN E. BOILEAU, City Attorney***

The City of Fort Lauderdale is hosting Commission Meetings in both a virtual and in-person format. Any member of the public that is interested in speaking before the Commission virtually is required to complete the virtual speaker card. Any member of the public that is interested in speaking before the Commission in-person may sign up to speak at the meeting or by using the virtual speaker card. Due to COVID-19 distance requirements, there is very limited seating available; therefore, we are encouraging members of the public to participate virtually when possible.

The public will be able to listen to and view Commission Meetings at [www.fortlauderdale.gov/fltv](http://www.fortlauderdale.gov/fltv), [www.youtube.com/cityoffortlauderdale](http://www.youtube.com/cityoffortlauderdale), as well as Comcast Channel 78 and AT&T U-verse Channel 99.

To speak on an agenda item, please click on the link below:

[bit.ly/virtualccmeetings](http://bit.ly/virtualccmeetings)

Pledge of Allegiance

ROLL CALL

Approval of MINUTES and Agenda

- [21-0437](#) Minutes for April 6, 2021 Commission Conference Meeting and April 6, 2021 Commission Regular Meeting - (Commission Districts 1, 2, 3 and 4)  
**Attachments:** [April 6, 2021 Commission Conference Meeting](#)  
[April 6, 2021 Commission Regular Meeting](#)

PRESENTATIONS

- PRES-1** [21-0447](#) Vice Mayor Moraitis will present a Proclamation declaring April 23, 2021 as International Children's Day in the City of Fort Lauderdale, and Presentation of Certificates to the Winners of Greater Fort Lauderdale Sister Cities Inc. and Florida Turkish American Association's 2021 "If I were Mayor" Competition
- PRES-2** [21-0390](#) Vice Mayor Moraitis will present a Proclamation declaring April 20, 2021 as Pine Crest Boys Basketball Team Day in the City of Fort Lauderdale - FHSAA 4A State Champions
- PRES-3** [21-0435](#) Commissioner Sorensen will present a Proclamation declaring April 2021 as WALK like MADD & MADD Dash Month in the City of Fort Lauderdale
- PRES-4** [21-0385](#) Commissioner Glassman will present a Proclamation declaring April 19-24, 2021 as Florida Climate Week in the City of Fort Lauderdale
- PRES-5** [21-0446](#) Commissioner Glassman will present a Proclamation declaring April 30, 2021 as Arbor Day in the City of Fort Lauderdale

**PRES-6**    [21-0448](#)    Recognition of Participants in the City of Fort Lauderdale's Eighth Neighbor Leadership Academy

## CONSENT AGENDA PUBLIC COMMENT

## CONSENT AGENDA

*Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion on which members of the public will be given three (3) minutes to speak prior to its approval. An item may be removed from the Consent Agenda and considered separately if discussion is desired by any City Commissioner or charter officer.*

## CONSENT MOTION

**CM-1**        [21-0356](#)    Motion Approving Event Agreements for Polish Flag Day, Fortune 500, Polarized, and TACOCRAFT Cinco De Mayo - (Commission District 2)

**Attachments:**    [Commission Agenda Memo 21-0356](#)

[Exhibit 1 - Polish Flag Day Application](#)

[Exhibit 1a – Polish Flag Day Site Plan](#)

[Exhibit 1b – Polish Flag Day COVID Safety Protocols](#)

[Exhibit 1c – Polish Flag Day Broward County Approval](#)

[Exhibit 1d - Polish Flag Day Agreement](#)

[Exhibit 2 – Fortune 500 Application](#)

[Exhibit 2a – Fortune 500 Site Plan](#)

[Exhibit 2b – Fortune 500 COVID Safety Protocols](#)

[Exhibit 2c – Fortune 500 Broward County Approval](#)

[Exhibit 2d - Fortune 500 Agreement](#)

[Exhibit 3 - Polarized Application](#)

[Exhibit 3a - Polarized Site Plan](#)

[Exhibit 3b - COVID Safety Protocols](#)

[Exhibit 3c – Polarized Broward County Approval](#)

[Exhibit 3d - Polarized Agreement](#)

[Exhibit 4 – TACOCRAFT Cinco De Mayo Application](#)

[Exhibit 4a – TACOCRAFT Cinco De Mayo Site Plan](#)

[Exhibit 4b – TACOCRAFT Cinco De Mayo COVID Safety Protocols](#)

[Exhibit 4c - TACOCRAFT Cinco De Mayo Agreement](#)

[Exhibit 5 – April 2021 Special Event Calendar](#)

[Exhibit 6 – May 2021 Special Event Calendar](#)

**CM-2**        [21-0365](#)    Motion Approving Event Agreements and Related Road Closures: FATVillage Art Walk and 33rd Annual Las Olas Art Fair - (Commission Districts 2 and 4)

**Attachments:** [Commission Agenda Memo 21-0365](#)  
[Exhibit 1 - FATVillage Art Walk Application](#)  
[Exhibit 1a – FATVillage Art Walk Site Plan](#)  
[Exhibit 1b – FATVillage Art Walk COVID Safety Procedures](#)  
[Exhibit 1c - FATVillage Art Walk Broward County Approval](#)  
[Exhibit 1d - FATVillage Art Walk Agreement](#)  
[Exhibit 2 – 33rd Annual Las Olas Art Fair Application](#)  
[Exhibit 2a – 33rd Annual Las Olas Art Fair Site Plan](#)  
[Exhibit 2b – 33rd Annual Las Olas Art Fair COVID Safety Protocols](#)  
[Exhibit 2c – 33rd Annual Las Olas Art Fair Broward County Approval](#)  
[Exhibit 2d - 33rd Annual Las Olas Art Fair Agreement](#)  
[Exhibit 3 – April 2021 Special Event Calendar](#)  
[Exhibit 4 – May 2021 Special Event Calendar](#)  
[Exhibit 5 – June 2021 Special Event Calendar](#)  
[Exhibit 6 – July 2021 Special Event Calendar](#)

**CM-3**      [21-0322](#)      Motion Approving Event Dates for the 2021 Lauderdale Air Show on Fort Lauderdale Beach, May 8-9, 2021 - (Commission District 2)

**Attachments:** [Commission Agenda Memo 21-0322](#)  
[Exhibit 1 – Letter of Intent](#)  
[Exhibit 2 – Air Show Site Plan 2021](#)  
[Exhibit 3 – 5 Year Agreement with Lauderdale Air Show](#)  
[Exhibit 4 – Broward County Approval for 2021 Air Show](#)

**CM-4**      [21-0425](#)      Motion Declaring the Lauderdale Air Show on Fort Lauderdale Beach, Scheduled for May 8 - May 9, 2021, as a Public Purpose Special Event and Creating a Temporary Exemption Relating to the Sale, Possession and Consumption of Alcohol at the Event - (Commission District 2)

**Attachments:** [Commission Agenda Memo 21-0425](#)  
[Exhibit 1 – Section 5.3, Fort Lauderdale Code of Ordinances](#)  
[Exhibit 2 – Section 8-85, Fort Lauderdale Code of Ordinances](#)  
[Exhibit 3 – Lauderdale Air Show on Fort Lauderdale Beach Site Plan](#)

**CM-5**      [21-0228](#)      Motion Approving the Settlement Agreement with Pizzaboss FTL, Inc - (Commission District 4)

**Attachments:** [Commission Agenda Memo 21-0228](#)  
[Exhibit 1 - Lease Agreement](#)  
[Exhibit 2 - Pizzaboss Letter](#)  
[Exhibit 3 - Property Map](#)  
[Exhibit 4 - Settlement Agreement](#)

**CM-6**      [21-0348](#)      Motion Approving Recommendations from the Walk of Fame Committee

for the 2021 Walk of Fame Inductees - (Commission Districts 1, 2, 3 and 4)

**Attachments:** [Commission Agenda Memo 21-0348](#)

[Exhibit 1 – Walk of Fame Nominee Applications](#)

[Exhibit 2 – Walk of Fame Committee Draft Minutes – March 30, 2021](#)

[Exhibit 3 – Walk of Fame Committee Approved Minutes – September 26, 2019](#)

- CM-7**      [21-0443](#)      Motion Authorizing Settlement of Auto Liability Claim in the Matter of Lily Catherine Frusciante v. City of Fort Lauderdale, Case No. CACE 18-012298 (21) - \$125,000 - (Commission Districts 1, 2, 3 and 4)  
**Attachments:**    [Commission Agenda Memo 21-0443](#)
- CM-8**      [21-0444](#)      Motion Authorizing Settlement of Workers' Compensation Claim in the Matter of Jason Fithian v. City of Fort Lauderdale, Case No. 20-021903MJR and 20-0070231F - \$125,000 - (Commission Districts 1, 2, 3 and 4)  
**Attachments:**    [Commission Agenda Memo 21-0444](#)
- CM-9**      [21-0381](#)      Motion Approving a License Agreement with Ft. Lauderdale Archers, Inc. - (Unincorporated Broward County)  
**Attachments:**    [Commission Agenda Memo 21-0381](#)  
[Exhibit 1 - Fort Lauderdale Archers 2011 Agreement](#)  
[Exhibit 2 - Map of 4590 Peters Road](#)  
[Exhibit 3 - License Agreement](#)
- CM-10**     [21-0416](#)      Motion Approving a Five-Year Agreement with TMF Holdco, LLC for a Three-Day Music Event (Tortuga Music Festival) on Fort Lauderdale Beach - (Commission Districts 2 and 4)  
**Attachments:**    [Commission Agenda Memo 21-0416](#)  
[Exhibit 1 – 2021 Letter of Intent](#)  
[Exhibit 2 - Tortuga Music Festival Site Plan](#)  
[Exhibit 3 – Agreement](#)
- CM-11**     [21-0029](#)      Motion Approving a Development Agreement with Las Olas SMI, LLC for Pump Station D-31 Relocation and Replacement - (Commission District 2)  
**Attachments:**    [Commission Agenda Memo #21-0029](#)  
[Exhibit 1 - Pump Station D-31 Development Agreement](#)  
[Exhibit 2 - Location Map](#)
- CM-12**     [21-0030](#)      Motion Approving a Development Agreement with Las Olas SMI, LLC for Turn Lane Modifications at Las Olas Circle and Birch Road - (Commission District 2)

**Attachments:** [Commission Agenda Memo #21-0030](#)  
[Exhibit 1 - Turn Lane Development Agreement](#)  
[Exhibit 2 - Location Map](#)

- CM-13**     [21-0003](#)     Motion Authorizing Execution of a Revocable License with Las Olas SMI, LLC for Temporary Right-of-Way Closures on South Birch Road and East Las Olas Circle, in Association with the Las Olas Marina Redevelopment Located at 151 East Las Olas Circle - (Commission District 2)

**Attachments:** [Commission Agenda Memo 21-0003](#)  
[Exhibit 1 - Location Map](#)  
[Exhibit 2 - License Area](#)  
[Exhibit 3 - Detour Plan](#)  
[Exhibit 4 – Revocable License](#)

- CM-14**     [21-0418](#)     Motion Approving a Third Amendment to Subrecipient Agreement between Broward Metropolitan Planning Organization and City of Fort Lauderdale Extending the Term to September 30, 2021 for the Downtown Fort Lauderdale Mobility Hub Project - (Commission District 2)

**Attachments:** [Commission Agenda Memo 21-0418](#)  
[Exhibit 1 - Subrecipient Agreement](#)  
[Exhibit 2 – Third Amendment to the Subrecipient Agreement](#)

- CM-15**     [21-0460](#)     Motion Approving an Amended and Restated Park Easement Agreement Between Broward County, NuRiver Landing Condominium Association, Inc. and the City of Fort Lauderdale for Smoker Family Park Located at 501 South New River Drive East, Fort Lauderdale, Florida; And Approving a Mutual Release of Liability between NuRiver Landing Condominium Association, Inc. and the City of Fort Lauderdale - (Commission District 4)

**Attachments:** [Commission Agenda Memo 21-0460](#)  
[Exhibit 1 – Amended and Restated Park Easement Agreement](#)  
[Exhibit 2 - Mutual Release](#)  
[Exhibit 3 - Property Map](#)

## CONSENT RESOLUTION

- CR-1**     [21-0358](#)     Resolution Approving a Public Transportation Grant Agreement with the Florida Department of Transportation for the Construction of the Runway 31 By-Pass Taxiway Project at Fort Lauderdale Executive Airport - (Commission District 1)

**Attachments:** [Commission Agenda Memo 21-0358](#)  
[Exhibit 1 – Public Transportation Grant Agreement No. 448941-1-94-01](#)  
[Exhibit 2 - Resolution](#)

- CR-2**     [21-0368](#)     Resolution Approving a Second Amendment to Lease Agreement with

Terminal Ventures, LLC for Parcel 8G at Fort Lauderdale Executive Airport  
- (Commission District 1)

**Attachments:** [Commission Agenda Memo 21-0368](#)

[Exhibit 1 - Second Amendment to Lease Agreement](#)

[Exhibit 2 – Lease Agreement](#)

[Exhibit 3 – First Amendment to Lease Agreement](#)

[Exhibit 4 - Resolution](#)

**CR-3**      [21-0388](#)      Resolution Approving a Public Transportation Grant Agreement with the Florida Department of Transportation for the Helistop Layout Plan and Obstruction Survey - 448966-1-94-01- (Commission District 4)

**Attachments:** [Commission Agenda Memo 21-0388](#)

[Exhibit 1 - Pubic Transportation Grant Agreement No. 448966-1-94-01](#)

[Exhibit 2 - Resolution](#)

**CR-4**      [21-0318](#)      Resolution Approving Grant Application to the Florida Inland Navigation District FY2021 Waterways Assistance Program - \$92,000 - (Commission Districts 1, 2, 3 and 4)

**Attachments:** [Commission Agenda Memo #21-0318](#)

[Exhibit 1 - FIND - Application for Police Marine Outboard Motor Replacement](#)

[Exhibit 2 - Resolution](#)

## CONSENT PURCHASE

**CP-1**      [21-0349](#)      Motion Approving Agreement for Purchase of Refuse and Recycling Carts, Semi-Automatic - Schaefer Systems International, Inc. - \$1,394,642.80 - (Commission Districts 1, 2, 3 and 4)

**Attachments:** [Commission Agenda Memo #21-0349](#)

[Exhibit 1 - Solicitation](#)

[Exhibit 2 - Tabulation](#)

[Exhibit 3 - Agreement](#)

**CP-2**      [21-0362](#)      Motion Approving Purchase of Fence, Chain Link and Picket - Tropic Fence, Inc. - \$1,252,675 - (Commission Districts 1, 2, 3 and 4)

**Attachments:** [Commission Agenda Memo #21-0362](#)

[Exhibit 1 - Solicitation](#)

[Exhibit 2 - Tabulation](#)

[Exhibit 3 - Agreement](#)

## MOTIONS

*Those matters included under the Motions category differ from the Consent Agenda in that items will be voted on individually. In addition, presentations will be made on each motion item if so desired.*

- M-1**      [21-0346](#)      Motion Approving FY 2021 Beach Business Improvement District (BID) Grant Participation Agreement with Lauderdale Air Show, LLC - \$100,000 - (Commission District 2)

**Attachments:**    [Commission Agenda Memo 21-0346](#)  
[Exhibit 1 – BID Grant Application](#)  
[Exhibit 2 – March 8, 2021 BID Meeting Draft Minutes](#)  
[Exhibit 3 – FY2021 Grant Participation Agreement](#)

- M-2**      [21-0184](#)      Motion Authorizing a License Agreement with Las Olas SMI, LLC for Property Located at 201 South Birch Road and 230 E. Las Olas Circle, Fort Lauderdale, FL 33316 - \$2,400 (24 months) - (Commission District 2)

**Attachments:**    [Commission Agenda Memo 21-0184](#)  
[Exhibit 1 - License Agreement](#)  
[Exhibit 2 - Location Map](#)

## RESOLUTIONS

- R-1**      [21-0441](#)      Appointment of Board and Committee Members - (Commission Districts 1, 2, 3 and 4)

**Attachments:**    [Resolution for Appointment 4.20.2021](#)

- R-2**      [21-0415](#)      Resolution Accepting a Supplement to the Noise Management Plan Associated with the Extension of Time Granted by Resolution 21-52 for a Special Permit to Extend Construction Hours for the Broward County Convention Center Subject to the Requirements of Section 17-10 - Construction of Large or Complex Projects (Transportation and Non-Transportation) of the City of Fort Lauderdale's Code of Ordinances - (Commission District 4)

**Attachments:**    [Commission Agenda Memo 21-0415](#)  
[Exhibit 1 - Noise Management Plan](#)  
[Exhibit 2 - Supplemental Noise Management Plan](#)  
[Exhibit 3 - Resolution](#)

- R-3**      [21-0031](#)      Resolution Approving the Fourth 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)

**Attachments:**    [Commission Agenda Memo 21-0031](#)  
[Exhibit 1 - Fourth Amendment](#)  
[Exhibit 2 - Resolution](#)

- R-4**      [21-0035](#)      Resolution Waiving the Competitive Solicitation and Selection Processes Contained in the City of Fort Lauderdale Procurement Ordinance for Procuring Las Olas Marina Associated Improvements, Including Relocation and Replacement of D-31 Pump Station and Modification of Roadway to



Create a Dedicated Turn Lane - (Commission District 2)

**Attachments:** [Commission Agenda Memo 21-0035](#)

[Exhibit 1 - Resolution](#)

- R-5**      [21-0075](#)      Resolution Approving the Amended and Restated Release of Deed Restriction and Reverter Agreement with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida in Association with the Development of the Las Olas Marina - (Commission District 2)

**Attachments:** [Commission Agenda Memo 21-0075](#)

[Exhibit 1 – Amended and Restated Release of Deed Restriction and Reverter A](#)

[Exhibit 2 - Resolution](#)

- R-6**      [21-0411](#)      Resolution Approving the Submission of Applications for Broward County Surtax New Municipal Capital Project Funds - (Commission Districts 1, 2, 3, and 4)

**Attachments:** [Commission Agenda Memo #21-0411](#)

[Exhibit 1 - Proposed Cycle Two Project Applications](#)

[Exhibit 2 - Cycle One Project Final Project Rankings](#)

[Exhibit 3 - Resolution](#)

## PUBLIC HEARINGS

- PH-1**      [21-0327](#)      Public Hearing - Quasi-Judicial Ordinance Approving a Rezoning from Community Facility-House of Worship (CF-H) District to Exclusive Use Parking Lot (X-P) District, the Allocation of 0.274 Acres of Commercial Flex, and Site Plan Approval of a Surface Level Parking Lot - First Presbyterian Church of Fort Lauderdale, Inc. - Case No. PLN-SITE-20090013 - (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.

**Attachments:** [Commission Agenda Memo 21-0327](#)

[Exhibit 1 - Location Map, Zoning Map, and Sketch and Legal Description](#)

[Exhibit 2 - Application and Site Plan](#)

[Exhibit 3 - X-P Rezoning Criteria, Adequacy, and Neighborhood Compatibility R](#)

[Exhibit 4 - February 17, 2021 Planning and Zoning Board Staff Report, Applicati](#)

[Exhibit 5 - February 17, 2021 Draft Planning and Zoning Board Meeting Minutes](#)

[Exhibit 6 - Public Participation Affidavit and Mail Notification](#)

[Exhibit 7 - Ordinance](#)

- PH-2**      [21-0373](#)      Second Reading - De Novo Hearing; Quasi-Judicial Consideration of an Ordinance for a Vacation of Right-Of-Way Application - Portion of NE 8th Street - Holman Automotive, Inc. - Case No. V19008 - (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.

**Attachments:** [Commission Agenda Memo 21-0373](#)

[Exhibit 1 - Sketch and Legal Descriptions, Survey, Zoning Map, and Pictures](#)

[Exhibit 2 - Narrative Responses to Vacation of Right-of-Way Criteria, Adequacy](#)

[Exhibit 3 - Neighborhood Correspondence](#)

[Exhibit 4 - November 18, 2020 Planning and Zoning Board Staff Report, Applica](#)

[Exhibit 5 - November 18, 2020 Planning and Zoning Board Meeting Minutes](#)

[Exhibit 6 - Applicant's Appeal Request Letter](#)

[Exhibit 7 - Ordinance](#)

## ORDINANCE FIRST READING

**OFR-1**     [21-0330](#)     First Reading - Ordinance Amending Division 3 - Rate and Charges of Chapter 28 - Water, Wastewater and Stormwater, Sections 28-76(b)(2), 28-76(b)(3), 28-76(b)(4), 28-143(b)(2), 28-144(b) and Deleting Sections 28-173 and 28-174, Providing for a Simplified Administration of Water and Wastewater Credits for Leaks and Unexplained Usage, Repeal of Conflicting Ordinance Provisions, and Providing for an Effective Date- (Commission Districts 1, 2, 3 and 4)

**Attachments:** [Commission Agenda Memo #21-0330](#)

[Exhibit 1 - Ordinance](#)

**OFR-2**     [21-0247](#)     First Reading - Ordinance Amending Ordinance No. C-18-24, which Vacated a Portion of NW 1st Avenue Right-of-Way Adjacent to and South of W. Sunrise Boulevard to Correct the Conditions of Approval in Connection with the "Progresso Commons" Development Located at 947 North Andrews Avenue - (Commission District 2)

**Attachments:** [Commission Agenda Memo 21-0247](#)

[Exhibit 1 - Ordinance No C-18-24](#)

[Exhibit 2 - Original Conditions of Approval](#)

[Exhibit 3 - Amended Conditions of Approval](#)

[Exhibit 4 - Ordinance](#)

## ORDINANCE SECOND READING

**OSR-1**     [21-0427](#)     Second Reading - Ordinance Amending the Code of Ordinances of the City of Fort Lauderdale, Section 10-47 of Chapter 10, Cemeteries - (Commission Districts 1, 2, 3 and 4)

**Attachments:** [Commission Agenda Memo 21-0427](#)  
[Exhibit 1 – Cemetery System Board of Trustees Minutes for January 14, 2021](#)  
[Exhibit 2 - Ordinance](#)

## ADJOURNMENT

### NOTICE TO MEMBERS OF THE PUBLIC:

*If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.*