

# City of Fort Lauderdale

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## Meeting Minutes

Tuesday, July 6, 2021

1:30 PM

City Hall - City Commission Chambers  
100 North Andrews Avenue, Fort Lauderdale, FL 33301

### City Commission Conference Meeting

*FORT LAUDERDALE CITY COMMISSION*

*DEAN J. TRANTALIS Mayor*

*HEATHER MORAITIS Vice Mayor - Commissioner - District I*

*STEVEN GLASSMAN Commissioner - District II*

*ROBERT L. McKINZIE Commissioner - District III*

*BEN SORENSEN Commissioner - District IV*

*CHRIS LAGERBLOOM, City Manager*

*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 1:48 p.m.

## QUORUM ESTABLISHED

**Commission Members Present:** Vice Mayor Heather Moraitis, Commissioner Steven Glassman, Commissioner Robert L. McKinzie (arrived at 1:54 p.m.), Commissioner Ben Sorensen and Mayor Dean J. Trantalis

**Also Present:** City Manager Chris Lagerbloom, City Clerk Jeffrey A. Modarelli, City Attorney Alain E. Boileau and City Auditor John Herbst

## COMMUNICATIONS TO THE CITY COMMISSION

[21-0612](#)

Communications to the City Commission - (Commission Districts 1, 2, 3 and 4)

### ***SUSTAINABILITY ADVISORY BOARD (SAB) VIRTUAL MEETING May 24, 2021***

#### ***Communication to the City Commission***

*In light of the recent request by the leasee of the Bahia Mar property to extend the current lease, the Sustainability Advisory Board (SAB) urges the City Commission to reevaluate the importance of this property to the citizens of the City of Fort Lauderdale and look at this property with the view of bringing it to the public realm and not extend the current lease.*

*The SAB understands that some development may be required to maintain a world class marina and event space, but in no event should the property be privatized to individual owners. This iconic property has the potential to be the gemstone in the crown of the Venice of America and be an attraction to both visitors and residents alike. This location should be able to support the annual Boat Show and other special events.*

*The residents of Fort Lauderdale recently voted on a Park Bond to create more public space and this property fits in with that strong public directive. It is the intention of the SAB that this property is preserved as public space for future generations to come.*

*Motion:*

*A motion was made by Mr. Meade and seconded by Ms. Mazza to advance the above Communication to the City Commission. The motion passed unanimously.*

Mayor Trantalis commented on his perspective regarding the SAB Communication.

Commissioner Glassman noted aspects of the SAB Meeting Minutes related to the SAB Communication.

City Attorney Alain Boileau explained details regarding the creation of the SAB and opined that Bahia Mar is not within the purview and stated mission of the SAB.

In response to Commissioner Glassman's request, City Attorney Boileau read the purpose of the SAB enacting legislation:

*to assist in establishing the City of Fort Lauderdale as a leader in environmental sustainability by providing recommendations to the city commission concerning affordable strategies associated with conservation, renewable energy and energy efficiency; to act in an advisory capacity to the city commission with regards to environmental sustainability; to identify and recommend affordable strategies associated with conservation, renewable energy and energy efficiency; and to research environmentally sound practices that will reduce greenhouse gas emissions, save money, energy and resources associated with energy conservation.*

City Attorney Boileau said the Commission added climate change and sea-level rise to the SAB's purview in 2019.

Commissioner Glassman noted the importance of addressing climate change and sea-level rise, confirmed related discussions with the Bahia Mar Lessee. Those concerns would be important points in further discussions. He expounded on his viewpoint regarding the *SAB Communication* and the related meeting minutes.

City Attorney Boileau said he would inquire about the genesis of this Communication with Glen Hadwen, SAB Liaison.

Mayor Trantalis recognized Paul Chettle, 200 South Birch Road. Mr. Chettle confirmed his agreement with the SAB Communication relating to opposition of condominiums. Mr. Chettle explained details of a meeting with Mayor Trantalis, pointing out concerns regarding the leases for *Bahia Mar*, *Las Olas Marina*, and *Lockhart Park*, citing examples. Mr. Chettle expounded on his viewpoint and the need to maximize assets.

Mayor Trantalis responded to concerns raised by Mr. Chettle, citing aspects of the *Lockhart Park* project benefitting the City, efforts towards improved leases and a more informed Commission. Commissioner Glassman echoed Mayor Trantalis' comments and his perspective regarding Mr. Chettle's comments. He noted aspects of *Las Olas Marina* benefitting the City similar to those at *Lockhart Park*.

***ECONOMIC DEVELOPMENT ADVISORY BOARD (EDAB)  
June 9, 2021***

***Communications to the City Commission:***

*Motion made by Mr. Buonaiuto, seconded by Mr. Feinberg, for EDAB meetings to be scheduled for the second Wednesday of each month from 3:00 p.m. to 5:00 p.m. In a voice vote, the motion passed unanimously.*

Commissioner Glassman explained that this EDAB Communication informs the Commission of the *EDAB* meeting date and time.

***PLANNING AND ZONING (P&Z) BOARD MEETING  
JUNE 16, 2021***

***Communication to the City Commission:***

*Motion made by Mr. Cohen and seconded by Mr. Barranco, to request the City Commission ask staff to make a presentation to the Board in regard to what the City is accomplishing to mitigate flooding, specifically in the Northwest area north of Sistrunk Boulevard.*

City Attorney Boileau explained the *P&Z Board* could only request a Staff presentation for a specific item before the *P&Z Board*.

In response to Mayor Trantalis' question, City Attorney Boileau confirmed as individuals, members of the *P&Z Board* are entitled to this type of information. City Attorney Boileau noted operational challenges related to this request due to a large number of boards.

Commissioner Glassman commented on the meeting minutes of June 16, 2021 prompting this *P&Z Board* request. Mr. Boileau reiterated this type of request should relate to a specific item before the *P&Z Board*.

In response to Commissioner Glassman's inquiry regarding a tentative report date on leaf blowers, Commissioner McKinzie said he anticipates a Commission update in September or October 2021. Commissioner McKinzie commented on items other than leaves blocking storm drains and his perspective.

***Citizens' Police Review Board (CPRB)***  
***June 14, 2021***

*City Manager and members of the Fort Lauderdale City Commission: the members of the Fort Lauderdale Citizens' Police Review Board are respectfully requesting an update on the following open requests/recommendations of the CPRB:*

- *Pending since August/September 2020: CPRB recommends revisions to Ordinance which in February 2021 at CPRB meeting City Manager advises expect to go to Commission early April/late May 2021;*

City Manager Lagerbloom explained that as a courtesy, Ordinance changes would be reviewed with the Fraternal Order of Police (FOP) before presentation to the Commission for consideration. City Attorney Boileau determined that Ordinance changes do not need to be bargained with the FOP.

- *Pending since February 2021: CPRB recommends that FLPD submit data to the Federal Bureau of Investigation's (FBI's) Voluntary National Use of Force Database;*

City Manager Lagerbloom said Interim Police Chief (Chief) Patrick Lynn does not have a problem with participating in this FBI database.

- *Pending since March 2021: CPRB requests joint workshop date in follow-up to September 2020 joint workshop;*

City Manager Lagerbloom confirmed a new permanent Police Chief would be in place on August 16, 2021. A follow-up Joint Workshop meeting would be scheduled following the Commission Summer Break.

- *Pending since April 2021: CPRB makes recommendations to Chief/City Manager on Annual Response to Resistance Report for 2020: analysis of 14.9% increase in holding suspects at gunpoint; analysis into potential racial/ethnic disparity & use of force.*

City Manager Lagerbloom explained is handled by Fort Lauderdale Police Department Internal Affairs Department.

City Manager Lagerbloom said he would provide a formal written response to the *CPRB*.

## **OLD/NEW BUSINESS**

### **BUS-1 [21-0604](#)**

Uptown South Master Plan - Preliminary Analysis Presentation - (Commission District 1)

Anthony Fajardo, Department of Sustainable Development Director, provided a brief introduction and introduced Jim Hetzel, Department of Sustainable Development Principal Planner.

Mr. Hetzel narrated a presentation entitled *Uptown South Redevelopment Analysis Report*.

***A copy is part of the backup to this Agenda item.***

In response to Vice Mayor Moraitis' questions regarding next steps, Mr. Hetzel said the next step would be public outreach should the Commission decide to move forward. Public outreach would include: 1) engaging with area property owners; 2) informing them about what they could do based on current zoning and land use; 3) gauging interest in changes allowing different use and development.

Vice Mayor Moraitis discussed her perspective regarding changes to address needs and opportunities for businesses in the South Florida region that may want to relocate to this area. She explained the

possibility of the second floor of the planned *Community Center* at *Lockhart Park* providing a regional opportunity for the *E-Sports* Industry. Vice Mayor Moraitis commented on possible future transportation enhancements to increase access and use of *Lockhart Park*.

Vice Mayor Moraitis commented on conversations with business organizations to determine types of businesses needed in the *Uptown area*. These efforts should be market-driven and existing businesses should continue.

In response to Vice Mayor Moraitis' question, Mr. Fajardo explained that most City zoning maps were adopted in 1997, following a mass rezoning.

Commissioner McKinzie explained the history of *Uptown* as a thriving manufacturing area and expounded on historical details. He confirmed support of efforts and recommendations of Vice Mayor Moraitis for *Uptown*.

Mayor Trantalis concurred with Vice Mayor Moraitis' efforts towards creating a vision and agreed that business efforts should be market-driven. He cited examples in other areas of the country and opportunities in the *Uptown* and *Lockhart Park* areas. Further comment and discussion ensued.

In response to Commissioner McKinzie's question regarding the availability of associated data, Mr. Fajardo noted data included in the backup. Further in-depth economic development data would be coordinated with Daphnee Sainvil, Government & External Affairs Manager, and provided to the Commission.

Vice Mayor Moraitis commented on the ability for industrial and recreational activities to coexist. Mr. Fajardo confirmed, explaining the ability to rezone from *Industrial* to *Community Business* subject to allocating available Flex square footage, citing examples and explaining the process.

Vice Mayor Moraitis suggested keeping existing businesses and removing the process which would impede development in this area. Mr. Fajardo explained there currently is no industrial land use covering that broad spectrum. It would involve an extensive review of land use and an amendment to the land use in the Comprehensive Plan followed by subsequent rezoning. The *Flex Process* allows recreational and industrial activities to coexist. Further comment and discussion ensued.

In response to Commissioner McKinzie's questions regarding other uses of the *Flex Process*, Mr. Fajardo cited the nearby *WaWa* and *Chick-fil-A*.

Mr. Fajardo explained the *Comprehensive Plan* allows the *Flex Process* and involves rezoning, i.e., going before the *Planning and Zoning (P&Z) Board* followed by readings and adoption of an Ordinance at two (2) City Commission Meetings. Approximately five hundred (500) unit acres of Flex space are available. The duration of the alternate land use amendment process is about eighteen (18) months.

In response to Commissioner Moraitis' question regarding continuing *Uptown South Master Plan (Master Plan)* efforts, Mr. Fajardo said it would be a good marketing tool for potential development. This presentation is an assessment of what currently exists in the *Uptown* area. *Uptown* area businesses are doing well. Developing a *Master Plan* would involve extensive work and a consultant.

Mr. Fajardo recommended outreach and engagement with *Uptown* area businesses to provide feedback before moving forward with a *Master Plan*. He would work with Ms. Sainvil regarding pursuing increased economic development. Vice Mayor Moraitis recommended including Chief Education Officer Zoie Saunders in those discussions.

Vice Mayor Moraitis discussed additional outreach to businesses outside the *Uptown South* footprint, noting details related to efforts of the *Fort Lauderdale Chamber of Commerce Uptown Group* and *Greater Fort Lauderdale Alliance*. Commission discussion ensued regarding Commission support of promoting and encouraging new companies and industries to relocate.

Mayor Trantalis concurred with Vice Mayor Moraitis' viewpoint towards reaching these goals.

Commissioner McKinzie commented on the history of similar successful development efforts in District 3.

Mayor Trantalis recognized Paul Chettle, 200 S. Birch Road. Mr. Chettle commented on his perspective and concerns regarding existing City leases.

**BUS-2** [21-0692](#)

Lockhart Community Park Discussion - (Commission District 1)

City Manager Lagerbloom provided a brief overview of this item.



Vice Mayor Moraitis explained aspects and details of the *Lockhart Community Park (Park) Concept Plan (Park Plan)*.

***A copy is part of the backup to this Agenda item.***

Vice Mayor Moraitis provided a brief overview of the Comprehensive Agreement between the City and *Miami Beckham United, LLC (Inter Miami) (Comprehensive Agreement)*, obligations regarding development of the *Park* and her extensive outreach with the community and other stakeholders related to *Park* development.

Vice Mayor Moraitis explained the 2020 *Comprehensive Agreement* includes a three-year timeline for *Inter Miami* to build the *Park*. She recommends *Inter Miami* build the *Park* due to the cost savings associated with their expertise. Aspects of the *Park Plan* the City is responsible for include *Park* bathrooms, the Community Center and Splash Pad. She recommended those amenities remain grass turf until *Inter Miami* has concluded its build out of the *Park* as described in the *Comprehensive Agreement*.

Vice Mayor Moraitis explained efforts towards researching an *E-Sports Arena* on the second floor of the planned Community Center. Additional information would be brought to the Commission after the Summer Break. She noted details of *Park Plan* management to date. Additional plans for the Community Center are to be determined. Vice Mayor Moraitis expounded on other programming for the *Park* and confirmed the need for a decision regarding who would build the *Park* and when construction would begin. She requested Commission feedback and input.

In response to Commissioner McKinzie's inquiry, discussion ensued on types of concert events allowed based upon the *Comprehensive Agreement*, including use of *Inter Miami Stadium (Stadium)* four (4) times per year and in other *Park* areas. Vice Mayor Moraitis said the twenty (20) acre portion of the *Park* owned and operated by the City would be available year round.

Mayor Trantalis said he had no objection to the *Park Plan* and confirmed the need to move forward expeditiously with construction by *Inter Miami*.

Vice Mayor Moraitis requested clarification regarding *Inter Miami* funding items not included in the *Comprehensive Agreement*, i.e.,

lighting, degree of mature landscaping and grass turf soccer fields. Further discussion ensued.

In response to Commissioner McKinzie's questions, City Attorney Boileau said landscaping would be addressed through minimum Code requirements.

Anthony Fajardo, Department of Sustainable Development Director, said there are no minimum lighting requirements for parks, only parking lots. Further comment and discussion ensued.

Mayor Trantalis remarked on having to fund items not included in the *Comprehensive Agreement*. City Manager Lagerbloom commented on the significant amount of *Parks Bond* funding designated for the *Park* and related details.

Mayor Trantalis confirmed agreement on the following points: 1) the Site Plan is reasonable, fair and suitable for the purposes discussed and serves the public need; 2) request *Inter Miami* move forward with site development; and 3) make a determination regarding lighting.

Vice Mayor Moraitis concurred and confirmed the need to address the three (3) items noted earlier not included in the *Comprehensive Agreement*.

In response to Commissioner Glassman's question regarding the reason *Park Plan* build out was not concurrent with construction of *Inter Miami CF Soccer Team Stadium (Stadium)*, Vice Mayor Moraitis explained the need for community outreach. City Manager Lagerbloom said *Park Plan* development was a phased approach, there were numerous changes based upon community outreach and commented on the impact of the pandemic. Vice Mayor Moraitis provided a brief historical review of Park designs.

In response to Commissioner Glassman's question regarding adequate parking following *Park* development, Vice Mayor Moraitis commented on the availability of weekend *Stadium* event parking at nearby businesses. Further comment and discussion ensued.

Vice Mayor Moraitis suggested moving forward and requested *Inter Miami* to continue designing this preliminary *Park Plan* and present a final detailed *Park Plan* to the Commission.

Stephanie Toothaker, Esq., on behalf of *Miami Beckham United (Inter Miami)*, confirmed *Inter Miami* is steadfast in its commitments made when the unsolicited proposal was submitted. *Inter Miami's* initial expectation of simultaneously building all aspects of the *Stadium* and the *Park* was to realize associated savings from economies of scale. *Inter Miami* was requested to step aside to allow community outreach. The preference of *Inter Miami* is to meet with Staff and determine the value of costs associated with *Inter Miami's* initial expectation and let the City build the *Park*. Ms. Toothaker said principals of *Inter Miami* could come to the City for meetings to address and ensure all obligations are met.

Vice Mayor Moraitis confirmed her position that *Inter Miami* is to design, bid and build the *Park*. She reiterated the three (3) year timeframe to build the *Park* included in the *Comprehensive Agreement*.

In response to Commissioner Sorensen's question, Vice Mayor Moraitis noted cost savings of a private entity building the *Park*.

In response to Commissioner McKinzie's question, City Manager Lagerbloom explained the involvement of *AECOM* due to their involvement with the *Parks Bond*. Vice Mayor Moraitis explained related details and expounded on her viewpoint to move forward now, preventing the City from being in default under terms of the *Comprehensive Plan*. Commissioner Glassman noted the need for all stakeholders to be on the same page and understand the next steps.

City Attorney Boileau advised against taking a hard line on the *Comprehensive Agreement* and explained his perspective regarding City responsibility. Vice Mayor Moraitis voiced her disagreement.

Mayor Trantalis commented on his viewpoint, recollection and the need to meet with *Inter Miami* to define roles. Further comment and discussion ensued.

Mayor Trantalis confirmed Commission direction that City Attorney Boileau meet with *Inter Miami* to move forward with building the *Park* as indicated in the *Comprehensive Agreement* and include lighting and landscaping within the three-year period.

Vice Mayor Moraitis clarified *Inter Miami* is not responsible for building the Community Center. She commented on ensuring the City does not default on the *Comprehensive Agreement* and said negotiations could move forward regarding funding *Park* lighting and landscaping, or *Parks*

*Bond* funding could be used for those items.

In response to Commissioner Sorensen's question, Vice Mayor Moraitis explained the recent involvement of *AECOM*. City Attorney Boileau noted *Manica Architecture (Manica)*, *Inter Miami's* architectural firm, was hired to consult on the Community Center. Vice Mayor Moraitis said *AECOM* is onboard to address the *Community Center*, and the City is no longer using *EDSA* or *Manica*. Phil Thornburg, Parks and Recreation Director, explained *AECOM* was brought in to transition from *EDSA* and *Manica* and work with community input to create a conceptual design for the *Community Center*.

**BUS-3** [21-0268](#)

Marketing Initiatives for the City of Fort Lauderdale - (Commission Districts 1, 2, 3 and 4)

City Manager Lagerbloom provided an overview of this item based on previous Commission input.

Daphnee Sainvil, Government & External Affairs Manager, said Economic Development is tied to marketing incentives. Ms. Sainvil began the presentation with a video showcasing the City and distributed nationwide for target digital marketing.

***A copy has been made part of the backup to this Agenda item.***

Ms. Sainvil narrated a proposed Business Marketing Plan presentation entitled *Economic Development - Moving the City Forward*.

***A copy is part of the backup to this Agenda item.***

During this presentation, Ms. Sainvil showed an additional video Staff produced focused on technology. City Manager Lagerbloom provided an overview of this item based on previous Commission input.

***A copy has been made part of the backup to this Agenda item.***

Ms. Sainvil provided a Commission update on an April 2021 Summit hosted by Broward County (County) Mayor Steven Geller and the idea of having one (1) Film Office under Broward County (County). She explained her suggestion to have municipal roundtable councils to ensure participation when deciding to unify permitting. Each municipality would have a liaison to notify the Commission and residents of a proposed film and details. The liaison would also work with the County to sort out relevant filming details, i.e., location, etc., before permit approval. The

liaison would present the permit to the film representative. The *Greater Fort Lauderdale Convention and Visitors Bureau* does not wish to be included in the film permitting process. Ms. Sainvil explained additional details and requested Commission input and recommendations.

Vice Mayor Moraitis remarked on her support of videos highlighting various business aspects of the City and commented on plans for one focused on *The Galt Ocean Mile*. She discussed highlighting other aspects of the City as a live, work and play community, i.e., safety, good public education, open public space, sports teams, other amenities and providing a trained workforce.

Commissioner Glassman echoed Vice Mayor Moraitis' comments and made recommendations towards improving videos, i.e., more comprehensive, exciting, bolder and specifically focused on the City.

Commissioner Sorensen agreed with the comments of Vice Mayor Moraitis and Commissioner Glassman. He supports vignettes highlighting why businesses choose Fort Lauderdale, robust collaboration with business organizations to incorporate and leverage their public relations efforts.

Sarah Spurlock, Nighttime Economy Manager, narrated a presentation entitled *The 18-Hour City - Is It Right For Fort Lauderdale?*

***A copy is part of the backup to this Agenda item.***

In response to Commissioner Sorensen's question, Ms. Spurlock explained 6:00 p.m. - 6:00 a.m. are considered nightlife hours. She noted a strong twilight presence from 6:00 p.m. - 10:00 p.m. for the GenX and Baby Boomer sectors that could be built upon.

Vice Mayor Moraitis commented on determining business hours for those working internationally. She confirmed her support of extended hours for libraries, museums and pop-up, non-alcoholic beverage bars.

Commissioner Glassman commented on the need to address and prioritize the impact of noise/sound on neighbors. He concurred with presentation items addressing artists and the arts and the opportunity post-COVID to revisit prior Commission discussions related to buskers and street performers. He requested a Staff update on concerns related to the *Himmarshee Entertainment District (HED)* and other entertainment districts.

Commissioner Glassman shared information regarding the abandoned, dormant *Historic Westside Grade School* located in *Historic Sailboat Bend*, which being worked on as an artist live-work space opportunity.

Commissioner Glassman recommended improving the City website and promoting the City as vibrant and exciting.

Commissioner McKinzie supported presentation goals, noting the need to improve transportation and infrastructure to be on par with municipalities cited in the presentation.

Commissioner Sorensen concurred with recommendations included in the presentation. In response to Commissioner Sorensen's question regarding when Staff would present updates to the Ordinance addressing noise/sound, City Manager Lagerbloom anticipates a presentation following the *Commission Summer Break*.

In response to Commissioner Sorensen's questions, Ms. Spurlock explained the term *18-Hour City* is a general description of a holistic, more robust City past traditional hours. Ms. Spurlock said a key component of an *Entertainment Ordinance* is operational accountability criteria. She is working with the Office of the City Attorney to better address this in the *HED*.

Mayor Trantalis commented on historical aspects of creating entertainment districts to incentivize and draw people to those areas. He discussed the *Beach Entertainment District (BED)* and *HED*. Mayor Trantalis commented on the aspects of the *BED* conflicting with current upscale development and making adjustments. The *HED* has driven excitement and development of the area, citing *The Wharf* as a destination from other areas. He agreed with Staff modifications to the *Entertainment District Ordinance* and noted developer interest in the *HED* towards a more balanced use. Mayor Trantalis commented on rethinking incentivizing these areas.

Commissioner Sorensen said he concurs and supports a *HED* reevaluation. Ms. Spurlock and City Attorney Boileau confirmed Staff is addressing.

In response to Commissioner Sorensen's concern regarding the City website, City Manager Lagerbloom said *Granicus* manages the City website. He would provide an update at tonight's Commission Regular Meeting.

Mayor Trantalis commented on his perspective regarding other mass transportation improvements in other municipalities, citing examples. He expounded on his viewpoint regarding the benefits of a tunnel system for the car-focused society.

Mayor Trantalis noted the impact of development in areas previously renewed by artists who require affordable housing and the noise impact of entertainment businesses on residents in the downtown area.

Mayor Trantalis discussed aspects of an optimal urban experience and the need for Staff to develop and present a formula and suggestions ensuring an enjoyable downtown experience for all stakeholders coordinated with the concept of an *18-Hour City*.

Mayor Trantalis recognized Mary Fertig, 511 Poinciana Drive. Ms. Fertig commented on her perspective regarding the presentations, the need to address sound/noise concerns, renaming the *18-Hour City* concept, and focusing on a family-friendly city.

Mayor Trantalis recognized Stan Eichelbaum, 411 N. New River Drive, on behalf of the *Fort Lauderdale Downtown Civic Association*. Mr. Eichelbaum commented on government servicing community livability, the presentations and the need to address noise enforcement, expounding on recommendations and related details.

Mayor Trantalis recognized Paul Chettle, 200 South Birch Road. Mr. Chettle commented on the absence of appropriate enforcement to address issues emanating from the five (5) Entertainment Districts that would eliminate noise conflicts between residents and businesses in all neighborhoods. He cited examples and expounded on concerns.

In response to Mayor Trantalis' question, City Manager Lagerbloom said Staff would bring forward a Commission discussion in August 2021 towards updating the noise/sound ordinance. Mayor Trantalis requested reexamining 4:00 a.m. alcohol licenses.

In response to Commissioner Sorensen's questions regarding addressing noise complaints, Anthony Fajardo, Department of Sustainable Development Director, explained details related to enforcement actions compared to noise complaints. Cases are always opened for tracking and closed if complaints are unfounded and is the reason complaints and enforcement actions do not correlate.

City Manager Lagerbloom reiterated Staff would present recommendations to the Commission in August 2021.

### **EXECUTIVE CLOSED DOOR SESSION - 4:30 P.M. OR AS SOON THEREAFTER AS POSSIBLE**

City Manager Lagerbloom announced an Executive Closed Session to discuss an unsolicited proposal followed by the scheduled Executive Closed-Door Session.

[21-0670](#)

The City Commission will meet privately pursuant to Florida Statute, Section 286.011(8) concerning:

Ruel and Paulette Dehaney v. City of Fort Lauderdale, et al.  
Case No.: CACE 15-019355 (21)

### **RECESS**

Mayor Trantalis recessed the meeting at 4:39 p.m.

### **RECONVENE**

Mayor Trantalis reconvened the meeting at 8:15 p.m.

### **CITY COMMISSION REPORTS**

***Members of the Commission announced recent and upcoming events and matters of interest.***

Vice Mayor Moraitis reviewed discussions with *Galt Ocean Mile (Galt)* residents and businesses regarding plans to build a sixteen (16) court Pickleball Facility structure (Facility) over the *Galt Community Center* parking lot. She reviewed an illustration entitled *Beach Community Center Parking Area - Structured Pickleball Courts* and confirmed sixteen (16) court allows for use as a Pickleball Tournament.

***A copy has been made part of the backup to this Agenda item.***

In response to Commissioner Glassman's question, Vice Mayor Moraitis explained community outreach details. Staff would continue outreach to area residents and stakeholders. She noted consideration of a sound barrier to address the noise impact on condominiums along the Intracoastal adjacent to the Pickleball Facility. Staff is reaching out to area residents. Vice Mayor Moraitis requested Commission feedback.



In response to Commissioner Sorensen's question, Vice Mayor Moraitis confirmed funding from the Parks Bond for the Facility.

Vice Mayor Moraitis noted input from District 1 residents regarding pocket parks. Based on resident feedback, there are efforts towards the possibility of purchasing a commercial property for a Skate Park along *Federal Highway between Commercial Boulevard and Oakland Park Boulevard* funded from Parks Bond.

Vice Mayor Moraitis commented on a recent budget amendment related to raising the *McNab Bridge* when replaced. She explained it relates to waterway use, resiliency and safety.

In response to Commissioner McKinzie's question regarding spending funds for something in another City, i.e., contributing towards raising *McNab Bridge* located in the *City of Pompano Beach*, City Attorney Boileau explained a public purpose is necessary.

City Auditor John Herbst commented on backup to the budget amendment addressing *McNab Bridge*. He concurred with Vice Mayor Moraitis that the funding relates to a public safety issue and forwarded to City Attorney Boileau for legal review. Further comment and discussion ensued. City Manager Lagerbloom expounded on his understanding of the perspective of the *City of Pompano Beach*.

Vice Mayor Moraitis inquired about Commission attendance at two upcoming events, the christening of the *USS Fort Lauderdale* and the *October 21, 2021 Greater Fort Lauderdale Chamber of Commerce Washington Summit (Summit)*. City Manager Lagerbloom said the date for the christening of the *USS Fort Lauderdale* had not been determined. Commission Members confirmed they would attend the *Summit*. City Manager Lagerbloom said he would bring forth a Resolution in August 2021 rescheduling the Tuesday, October 19, 2021 Commission Meeting to Thursday, October 21, 2021.

As Commission Representative to the *Broward County Solid Waste Working Group (Working Group)*, Commissioner Glassman noted numerous meetings over *the Summer Break*. In response to Mayor Trantalis' question regarding addressing recycling materials disposed of by businesses, Commission Glassman confirmed he would raise this with the *Working Group*. Further comment and discussion ensued on recycling.

Commissioner Glassman requested an update from Parks and Recreation Department regarding the *Levitt Pavilion*. He commented on the need to move forward with the District 2 neighborhoods identified for utility undergrounding.

Commissioner Glassman requested an update regarding *Stonewall Library* leaving *ArtServe*. Mayor Trantalis provided his understanding and noted details surrounding *ArtServe's* desire to increase rent. The City owns the land and Broward County (County) owns the building. Further comment and discussion ensued on possible options.

Commissioner McKinzie commented on the possibility of purchasing the *ArtServe Building* from Broward County. City Auditor Herbst provided an update of actions in 2009. City Attorney Boileau said Staff is researching measures after 2009 and would update the Commission. Commissioner Glassman noted that a portion of the *ArtServe Building* continues to operate as a County Library.

In response to Commissioner Glassman's questions regarding the status of *New River Castle* and *Ann Murray Greenway*, City Manager Lagerbloom confirmed Staff is addressing these items and explained several components, i.e., legal, survey and neighbors. City Manager Lagerbloom confirmed he would update the Commission following a meeting to be scheduled with neighbors. City Attorney Boileau provided an update of efforts to date. He expounded on details and noted it would be a lengthy process.

In response to Commissioner McKinzie's question regarding the Ordinance status related to the *Consent Decree with the Department of Justice* regarding hiring at the Fire-Rescue Department, City Manager Lagerbloom explained modifications would be part of personnel policy.

Commissioner Sorensen provided an update regarding the dedication of *Rubin Stacey Boulevard*. The family of Mr. Stacey would like the street naming dedication in September 2021. Commissioner McKinzie suggested this be a standalone unveiling event and scheduled following the installation of all signage.

Ben Rogers, Transportation and Mobility Department Director, provided the anticipated timeline, explained related details and said he would keep the Commission updated for scheduling the Rubin Stacey Boulevard dedication unveiling event. Commissioner Sorensen confirmed he would communicate with the family.

Commissioner Sorensen commented on the building collapse in the *City of Surfside, Florida*, and requested an update from City Manager Lagerbloom regarding evaluating and mitigating similar situations. City Manager Lagerbloom said John Travers, Department of Sustainable Development Building Official, would provide an update during *City Manager Reports*.

### **CITY MANAGER REPORTS**

Mayor Trantalis recognized John Travers, Department of Sustainable Development Building Official. Mr. Travers provided an overview and update of efforts towards addressing building safety. He provided the following documentation to the Commission.

*Broward County Building Safety Inspection Program (Program)  
Summary*

*Broward County Building Safety Inspection Program Yearly Schedule  
Broward County Board of Rules and Appeals Policy #05-04 - Building  
Safety Inspection Program*

***A copy is attached to these minutes.***

In response to Mayor Trantalis' questions regarding the City being tethered to this *Program* addressing building safety, Mr. Travers explained the *Program* is only active in two Florida counties, Miami-Dade County and Broward County. The Broward County portion of the *Program* was introduced in 2006 and addressed inspections of buildings on the forty (40) year anniversary following the issuance of their *Certificate of Occupancy (CO)* and each ten (10) year anniversary thereafter. He explained exemptions included in the *Program Summary* and details regarding monitoring and administration included in the additional documentation.

Mr. Travers explained *Program* administration and the process for non-compliance that includes the issuance of Code violations, fines, and appearance before a Special Magistrate.

Mr. Travers expounded on his recent review of buildings not in compliance following the building collapse in *Surfside, Florida (Surfside Incident)*. The necessary corrections were made to those buildings, and engineering firms turned in the final report to building management. Building management had not forwarded the final engineering reports to the City. Mr. Travers expounded on details related to two (2) buildings

whose concerns had been addressed.

Mr. Travers said the *Program* is active, and Staff takes direction from Broward County. There is a checklist for structural and electrical that is completed by an independent third party. He had sent out building inspectors on complaints received since the *Surfside Incident*, explaining many of those complaints were considered superficial or normal maintenance items. Mr. Travers sent inspectors out to review all complaints regardless if related to the 40-Year *Program*.

Mr. Travers commented on State Legislation enacted on June 29, 2021, stating all complaints regarding building concerns must include a person's name and telephone number and disallowing anonymous complaints unless there is an eminent life/safety danger.

In response to Mayor Trantalis' questions and concerns, Mr. Travers confirmed the Program inspections are limited to electrical and mechanical inspections. There are no plumbing or fire suppression inspection requirements. The electrical inspections include fire alarm inspections.

Mr. Travers confirmed his membership on the *Broward County Board of Rules and Appeals (BORA) Structural Subcommittee* and a meeting on July 19, 2021, to discuss the *Program* and the possible need to add additional contingencies, i.e., a geotechnical portion to ensure the underground structure and surfaces are still viable to support the building.

In response to Mayor Trantalis' questions regarding the City being preempted from going beyond the existing scope of the *Program* inspections, City Attorney Boileau confirmed he would research.

Commissioner Glassman commented that mandating sprinkler systems in older buildings has been a contentious issue at the State level. Mr. Travers commented on related details and noted the current 2023 threshold date.

Mr. Travers explained *BORA* manages the *Program*. *BORA* changed the *Florida Building Code*, resulting in *Program* inclusion in the *Broward County Edition of the Florida Building Code Chapter 1-10*. Mayor Trantalis reiterated his question regarding preemption. Further comment and discussion ensued.

In response to Commissioner McKinzie's question, Mr. Travers reiterated enforcement options noted earlier.

Mr. Travers explained Staff does not do *Program* inspections. Staff reviews reports prepared by the third-party engineer or architectural firms. Commissioner McKinzie commented on his perspective towards ensuring safety.

Mayor Trantalis commented on the ability to ensure stricter regulation and enforcement. Mr. Travers confirmed he would work with City Attorney Boileau to address Mayor Trantalis' questions. Further comment and discussion ensued.

Commissioner Glassman commented on stricter Building Codes for building built after 2000.

In response to Commissioner Sorensen's question regarding the forty (40) year *Program* inspection requirement, Mr. Travers confirmed this would be a topic of discussion at the July 19, 2021 *BORA* meeting.

Mr. Travers reminded the Commission that Broward County and Miami-Dade County are the only counties that participate in the South Florida portion of the Florida Building Code addressing high-velocity hurricane wind protocols.

## **COMMISSION REPORTS continued**

In response to Commissioner Sorensen's question, Mayor Trantalis confirmed he would be meeting on July 7, 2021 with *Florida Department of Transportation (FDOT)* staff regarding construction costs for a *New River* bridge or tunnel. Additional meetings with residents would occur later in the day and there would be additional community outreach.

Mayor Trantalis recommended reconvening the *Citizen's Committee of Recognition* and recognizing citizens for 2020 and 2021. City Manager Lagerbloom confirmed.

## **ADJOURNMENT**

Mayor Trantalis adjourned the meeting at 9:11 p.m.

## BROWARD COUNTY BUILDING SAFETY INSPECTION PROGRAM PROGRAM SUMMARY

The 40 year and older Broward County Building Safety Inspection Program was created in 2005 and has become effective throughout Broward County in January 2006. Modeled after Miami-Dade County's program, which was established in the mid 1970s, Broward's program calls for structural and electrical safety inspections for buildings 40 years old or older and every ten years thereafter. One and two family dwellings, U.S Government, State of Florida buildings, schools under the jurisdiction of the B.C. School Board, and buildings built on Indian Reservations are exempt from this program. Miami-Dade County's effort exempts other buildings under 2,000 square feet while the Broward County program excludes all buildings under 3,500 square feet. Both Counties have had instances of structural building failures. By having such a program in effect both counties are minimizing the possibilities of future building failure and will be better prepared for hurricane winds.

Enclosed are checklists and guidelines for buildings to be inspected for structural integrity and electrical safety. State licensed architects and engineers will be hired by private building owners to do the safety inspection. The local government has the authority to establish a fee to review the Safety Inspection Reports. The Building Department will review the reports submitted to verify that if the inspecting agency has deemed the structural and electrical systems as safe. If any deficiency is noted, the building department shall follow the guidelines of Policy #05-05 (copy attached).

Each June (preceding the specified calendar year) a list of buildings meeting the program requirements are provided to Building Officials from a database that the Board of Rules and Appeals obtains from the County Property Appraiser's Office. The program is then to be administrated by the City Building Department or the County Building Department and a notification letter is sent. (Please see Page 5.83)

The owner of a building or structure shall then furnish within 90 days the required Safety Inspection forms to the Building Official prepared by an engineer or architect. In the event that repairs are necessary, the owner has 180 days from the date of the building inspection report in which to correct the structural and electrical deficiencies that pose an immediate threat to life safety. Repairs that are incidental and non-life threatening can be completed at a later date.

**BROWARD COUNTY BUILDING SAFETY  
INSPECTION PROGRAM YEARLY SCHEDULE**

- **JUNE** (*Preceding the specified calendar year*)  
Board of Rules and Appeals obtains building data from Property Appraisers Office and forwards it to each city.
  
- **JUNE – AUGUST**  
Building Officials must notify property owners whose buildings are subject to the Safety Inspection Program for the specified calendar year.
  
- **SEPTEMBER – OCTOBER – NOVEMBER** (*No later than*)  
90 day period for property owners to return structural and electrical check list to the City/County
  
- **DECEMBER through MAY** (*No later than*)  
180 day period of time for those buildings requiring structural or electrical repairs to complete the work.

**Subject: Broward County Board of Rules and Appeals – Building Safety Inspection Program**

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Section 110.15 of the Broward County Administrative Provisions of the Florida Building Code has established a Building Safety Inspection Program.

The procedures established herein are the basic guidelines for the Building Safety Inspection program.

The requirements contained in the Florida Building Code, covering the maintenance of buildings, shall apply to all buildings and/or structures now existing or hereafter erected. All buildings and/or structures and all parts thereof shall be maintained in a safe condition, and all devices or safeguards that are required by the Florida Building Code shall be maintained in good working order. Electrical wiring, apparatus and equipment, and installations for light heat or power and low voltage systems as are required and/or regulated by the Building Code, now existing or hereinafter installed, shall be maintained in a safe condition and all devices and safeguards maintained in good working order.

These guidelines shall not be construed as permitting the removal or non-maintenance of any existing devices or safeguards unless authorized by the Building Official.

***Building Safety Inspection of buildings / structures and components:***

For the purpose of these guidelines, Building Safety Inspection shall be construed to mean the requirement for specific inspection of existing buildings and structures and furnishing the Building Official with a written report of such inspection as prescribed herein.

A (1). Inspection procedures shall conform, in general, to the minimum inspection procedural guidelines as issued by the Board of Rules and Appeals. This inspection is for the sole purpose of identifying structural and electrical deficiencies of the building or structure that pose immediate threat to life safety. This inspection is not to determine if the condition of an existing building is in compliance with the current edition of the Florida Existing Building Code or the National Electrical Code.

(2). Such inspection shall be for the purpose of determining the structural & electrical condition of the building or structure to the extent reasonably possible of any part, material or assembly of a building or structure which affects the safety of such building or structure and/or which supports any dead or designed live load, and the general condition of its electrical systems pursuant to the Building Code.

(3). The inspecting professional shall have a right of entry into all areas he/she deems necessary to comply with the program.

(4). The Building Official shall ensure that the owner(s) (or their duly authorized representative(s)) of all buildings requiring inspection under these guidelines file the necessary documentation to confirm compliance with the guidelines set forth herein.

B (1). All buildings, except single-family residences, duplexes and minor buildings or structures as defined in (C), shall be recertified in the manner described below where such buildings or structures have been in existence for forty (40) years or longer, as determined by the Building Official, who shall at such time issue a Notice of Required Inspection to the building owner.

(2). Subsequent Building Safety Inspections shall be required at ten (10) year intervals from the date of the 40th anniversary of existence of buildings or structures regardless of when the inspection report for same is finalized or filed. Any buildings or structures not otherwise excluded as set forth herein shall be inspected at the same time as the initial Safety Inspection of the building and shall be re-inspected in accordance with the schedule for the building. Buildings that the original Safety Inspection dates are specified in the exception to 110.15 (2011 and earlier) shall have the 10 year re-inspections scheduled starting 10 years following the date schedule shown in the exceptions to 110.15.



(3). In the event a building is determined to be structurally and electrically safe under the conditions set forth herein, and such building or structure is less than forty (40) years of age, a Building Safety Inspection shall not be required for a minimum of ten (10) years from that time, or age forty (40), whichever is the longer period of time.

C. Minor buildings or structures shall, for the purpose of this subsection, be defined as buildings or structures in any occupancy group having a gross area of 3,500 sq. ft. or less. Any building or structure which houses, covers, stores or maintains any support features, materials or equipment necessary for the operation of all or part of the primary structure, or operation of any feature located upon the real property, shall not be considered a minor building and shall be subject to inspection as otherwise set forth herein. Also included in the Safety Inspection Program are elevated decks, docks, parking garages and guardrails.

D (1). The owner of a building or structure subject to Building Safety Inspection shall furnish, or cause to be furnished, within ninety (90) days of Notice of Required Building Safety Inspection, the Broward County Board of Rules and Appeals Building Safety Inspection Certification Form to the Building Official, prepared by a Professional Engineer or Architect registered in the State of Florida, certifying that each such building or structure is structurally and electrically safe, or has been made structurally and electrically safe for the specified use for continued occupancy, in conformity with the minimum inspection procedural guidelines as issued by the Board of Rules and Appeals.

(2). Such written report shall bear the date, seal and signature of the certifying Engineer or Architect.

(3). Such Engineer or Architect shall undertake such assignments only where qualified by training and experience in the specific technical field involved in the inspection and report.

(4). Such report shall indicate the manner and type of inspection forming the basis for the report and description of any matters identified as requiring remedial action.

(5). In the event that repairs or modifications are found to be necessary resulting from the Building Safety Inspection Report, the owner shall have a total of 180 days from the date of the Building Safety Inspection Report, unless otherwise specified by the Building Official in accordance with Florida Building Code Section 110.15(Broward County Administrative Code), in which to correct the structural and electrical deficiencies. Once the corrections have been completed a Professional Engineer, or Registered

Architect shall re-inspect the areas noted on the original report and shall provide the building owner a signed and sealed letter stating the corrections have all been completed. The building owner shall submit that letter to the Building Official. For deficiencies that cannot be corrected within 180 days, the time frame may be extended when a time frame is specified by the Professional Engineer or Registered Architect and approved by the Building Official. Such extension shall be contingent on maintaining an active building permit as specified in Florida Building Code Section 115015 (Broward County Administrative Code).

E (1). In the event an owner fails to submit the Building Safety Inspection Program report the governing authority shall elect the choice of either a Special Magistrate or Code Enforcement Board as set forth under Florida Statutes Sec. 162, et. al., to conduct a hearing to address such failure. In the event an owner fails to comply with repair or modification requirements as determined from the Building Safety Inspection Report as set forth herein the structure may be deemed to be unsafe and unfit for occupation. Such findings shall be reviewed by the Building Official and may be sent to the Special Magistrate, Code Enforcement Board or Unsafe Structures Board, as appropriate.

\* The Florida Existing Building Code will specify whether the repairs or modification can be made under the code in effect when the building was originally permitted or the code currently in effect.