

City of Fort Lauderdale

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Meeting Minutes

Tuesday, February 21, 2023

6:00 PM

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

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

DEAN J. TRANTALIS Mayor

WARREN STURMAN Vice Mayor - Commissioner - District IV

JOHN C. HERBST Commissioner - District I

STEVEN GLASSMAN Commissioner - District II

PAM BEASLEY-PITTMAN Commissioner - District III

GREG CHAVARRIA, City Manager

DAVID R. SOLOMAN, City Clerk

D'WAYNE M. SPENCE, Interim City Attorney

PATRICK REILLY, City Auditor

CALL TO ORDER

Mayor Trantalis called the meeting to order at 6:10 p.m.

Pledge of Allegiance

Mayor Dean J. Trantalis

MOMENT OF SILENCE

ROLL CALL

Present: 5 - Commissioner Pam Beasley-Pittman, Vice Mayor Warren Sturman, Commissioner John C. Herbst, Commissioner Steven Glassman and Mayor Dean J. Trantalis

QUORUM ESTABLISHED

Also Present: City Manager Greg Chavarria, City Clerk David R. Soloman, Interim City Attorney D'Wayne Spence, and City Auditor Patrick Reilly

AGENDA ANNOUNCEMENT

Mayor Trantalis announced the following update to the published Agenda:

Revised:

R-3: CAM was revised to correct the term of the agreement in the background detail.

A copy of the revision is attached to these Meeting Minutes.

Approval of MINUTES and Agenda

[23-0242](#)

Minutes for January 10, 2023, Joint Workshop with Infrastructure Task Force Committee, January 10, 2023, Commission Conference Meeting, and January 10, 2023, Commission Regular Meeting - (Commission Districts 1, 2, 3 and 4)

Commissioner Herbst made a motion to approve the Meeting Minutes and Agenda and was seconded by Commissioner Glassman.

APPROVED

Yea: 5 - Commissioner Beasley-Pittman, Vice Mayor Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

PRESENTATIONS

PRES- 23-0252
1

Commissioner Beasley-Pittman to present a Proclamation declaring February 2023 as Black History Month in the City of Fort Lauderdale

Commissioner Beasley-Pittman presented a Proclamation declaring *February 2023 as Black History Month in the City of Fort Lauderdale*, reading the Proclamation in its entirety.

Members of the community accepted the Proclamation, including International Long Shoremen 1526 President Johnnie Dixon, Vice President Art Kennedy, Financial Officer Anthony Gross; Eloise Simmons, a ninety-two (92) year old lifelong resident of the City; Fort Lauderdale Black Police Officers Association Captain Cecil Stone, Detective Henry Lockwood, Lieutenant Tanesha Stevens, Officer Dellica Harris, Officer Ashley Williams, and Retired Officer Nina Justice.

PRESENTED

CONSENT AGENDA PUBLIC COMMENT

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

CONSENT AGENDA

Mayor Trantalis announced that the following Consent Agenda item was pulled by Commission Members for separate discussion.

CR-1 Vice Mayor Sturman

Approval of the Consent Agenda

Commissioner Glassman made a motion to approve the Consent Agenda and was seconded by Commissioner Beasley-Pittman.

Approve the Consent Agenda

Yea: 5 - Commissioner Beasley-Pittman, Vice Mayor Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

CONSENT MOTION

CM-1 23-0217

Motion Approving an Event Agreement for Florida Festival Polonaise - Polish American Heritage Event (Commission District 2)

APPROVED

Yea: 5 - Commissioner Beasley-Pittman, Vice Mayor Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

CM-2 [23-0213](#)

Motion Approving an Agreement with Broward County, the Performing Arts Center Authority, and Caballero Fierman Llerena & Garcia, LLP for Audit Services - \$93,590.50 (five-year cost) - (Commission District 2)

APPROVED

Yea: 5 - Commissioner Beasley-Pittman, Vice Mayor Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

CONSENT RESOLUTION**CR-1** [23-0174](#)

Resolution Supporting the Submission of a Grant Application to the United States Department of Transportation for the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program to Construct the Western and the Colee Hammock portion of the Eastern Corridor of the Las Olas Boulevard Mobility Project - (Commission District 4)

Vice Mayor Sturman requested confirmation regarding the ability to modify the Las Olas Boulevard Mobility Project (Project) design and engineering plans after grant application submission. Interim City Attorney D'Wayne Spence confirmed. The Office of the City Attorney reviewed documents, and obligations and designs are approved and finalized through the grant award process. Submitting the grant application obligates the City to a particular project but not its design. Further comment and discussion ensued.

Mayor Trantalis noted that the Commission only approved the retail shops section of the Project. In response to Mayor Trantalis' question, City Manager Chavarria confirmed that the City had allocated funding for the design of the Project, and this Agenda item allows Staff to move forward with the grant application for Project construction.

Commissioner Glassman said that in June 2021, the Commission accepted the entire Project vision plan that included both the western and eastern corridors. In June 2022, the Commission directed Staff to advance the Project's conceptual plans for the design of the downtown portion, the retail shops, Colee Hammock, etc. He remarked on the need for funding in a future budget for the design of the eastern corridor. City Manager Chavarria confirmed.

Mayor Trantalis recognized Jacquelyn Scott, 1626 SE 1st Street. Ms. Scott spoke in support of this Agenda item and discussed stakeholder involvement with the Project.

Mayor Trantalis recognized Charlie Ladd, 442 NE 7th Avenue. Mr. Ladd spoke in support of the Project and this Agenda item moving forward.

In response to Commissioner Glassman's questions, Mr. Ladd remarked on his participation in the Project's conceptual plans, the involvement of other stakeholders, and confirmed efforts were successful. Commissioner Glassman expounded on his perspective and recommended the community review the conceptual designs of the western and eastern corridors on the City's website. City Manager Chavarria confirmed they are included on the Transportation and Mobility Department webpage.

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

ADOPTED

Yea: 5 - Commissioner Beasley-Pittman, Vice Mayor Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

CR-2 [23-0251](#)

Resolution Approving the Appointment of Bond Counsel and Disclosure Counsel for the Issuance of Water and Sewer Revenue Bonds, Series 2023, for the Prospect Lake Clean Water Center (Water Treatment Plant), (the "Series 2023 Bonds") - (Commission Districts 1, 2, 3 and 4)

ADOPTED

Yea: 5 - Commissioner Beasley-Pittman, Vice Mayor Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

CR-3 [23-0192](#)

Resolution Approving and Ratifying Second Addendum to Agreement with Musco Sports Lighting, LLC for the Purchase, Delivery and Installation of Additional Equipment and Amenities for Various Parks and Playgrounds - \$165,000 - (Commission District 1)

ADOPTED

Yea: 5 - Commissioner Beasley-Pittman, Vice Mayor Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

CONSENT PURCHASE

CP-1 [23-0010](#)

Motion Rescinding Award to Batallan Enterprises Inc. dba Property Works - \$348,001 and Rejecting the Remaining Bids for Janitorial

Services - (Commission Districts 1, 2, 3 and 4)

APPROVED

Yea: 5 - Commissioner Beasley-Pittman, Vice Mayor Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

CP-2 [23-0253](#)

Motion Approving Agreement Extension Pursuant to Piggyback Utilizing City of Hollywood Agreement No. 4579-18-PB to Purchase Transportation Circulator Services from Circuit Transit, Inc - (Commission Districts 1, 2, 3 and 4)

APPROVED

Yea: 5 - Commissioner Beasley-Pittman, Vice Mayor Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

CP-3 [23-0014](#)

Motion Approving an Agreement and Change Order No. #1 for the New Surface Parking Lot and the Site Improvements Associated with the Relocation of Temporary Fire Station No. 13 - Waypoint Contracting, Inc.- \$76,699.36 - (Commission District 2)

APPROVED

Yea: 5 - Commissioner Beasley-Pittman, Vice Mayor Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

MOTIONS

M-1 [23-0218](#)

Motion Approving Event Agreements and Related Road Closures for St. Patty's Day Festival (Downtown), Vegan Block Party, 10th Annual Fort Lauderdale Shamrock Run, 26th Annual Wine, Spirits and Culinary Celebration and Las Olas Art Fair - (Commission Districts 2 and 4)

Commissioner Glassman commented on positive feedback from residents regarding directing and monitoring Pride Parade traffic and attendees. He remarked on concerns about the need for increased efforts to monitor and manage traffic in the areas of Las Olas Circle and barrier island bridge ingress and egress.

Commissioner Glassman made a motion to approve this Agenda item and was seconded by Commissioner Herbst.

APPROVED

Yea: 5 - Commissioner Beasley-Pittman, Vice Mayor Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

M-2 [23-0069](#)

Motion Approving Civil Engineering Services Continuing Agreements - AECOM Technical Services, Inc., Black and Veatch Corp., Calvin,

Giordano & Associates, Inc., Chen Moore and Associates, Inc., Craven Thompson & Associates, Inc., Hazen and Sawyer, PC and Kimley-Horn and Associates, Inc. - \$3,000,000 - (Commission Districts 1, 2, 3 and 4)

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

APPROVED

Yea: 5 - Commissioner Beasley-Pittman, Vice Mayor Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

- M-3** [23-0131](#) Motion Approving Agreement for the Fort Lauderdale Executive Airport Midfield Run-up Area Expansion - Weekly Asphalt Paving Inc. - \$2,384,660 - (Commission District 1)

Vice Mayor Sturman made a motion to approve this Agenda item and was seconded by Commissioner Beasley-Pittman.

APPROVED

Yea: 5 - Commissioner Beasley-Pittman, Vice Mayor Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

- M-4** [23-0157](#) Motion Approving Agreement for the Fort Lauderdale Executive Airport Runway 9 Run-Up Area Relocation and South End Taxiway Intersection Improvements - Weekley Asphalt Paving, Inc. - \$3,979,833.25 - (Commission District 1)

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

APPROVED

Yea: 5 - Commissioner Beasley-Pittman, Vice Mayor Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

- M-5** [23-0237](#) Motion Approving a Lease Purchase of Life Pak - Stryker Sales, LLC - \$2,042,742.68 - (Commission Districts 1, 2, 3, and 4)

REMOVED FROM AGENDA

- M-6** [23-0241](#) Motion Approving Change Order No.1 for the Las Olas Undergrounding of Overhead Utilities - Ferreira Construction Southern Division Co. Inc. - \$1,228,141 and 180 additional calendar days - (Commission District 2)

Commissioner Glassman made a motion to approve this Agenda item and was seconded by Commissioner Beasley-Pittman.

APPROVED

Yea: 5 - Commissioner Beasley-Pittman, Vice Mayor Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

RESOLUTIONS

R-1 [23-0240](#)

Appointment of Board and Committee Members - (Commission Districts 1, 2, 3 and 4)

City Clerk David Soloman read the names of Board and Committee nominees for appointment and/or reappointment at the March 8, 2023, Commission Regular Meeting.

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

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

ADOPTED AS AMENDED

Yea: 5 - Commissioner Beasley-Pittman, Vice Mayor Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

R-2 [23-0083](#)

Resolution Terminating Resolution No. 19-38, a Dock Permit for Usage of Public Property by Neal R. Kalis as Trustee of the 1700 Brickell Land Trust located at 1700 Brickell Drive - (Commission District 4)

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

ADOPTED

Yea: 5 - Commissioner Beasley-Pittman, Vice Mayor Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

R-3 [23-0246](#)

Resolution Amending Resolution 22-88 to Replace 'Park-Like' with 'Open Public Space' in the SE 17th Street Causeway Bridge Use and Occupancy Agreement between the Florida Department of Transportation and the City of Fort Lauderdale - (Commission District 4)

In response to Mayor Trantalis' question, City Manager Chavarria explained the details of this Agenda item. It updates language in an agreement requested by the Florida Department of Transportation (FDOT) associated with the wording "park-like". Staff is offering language mutually acceptable to both the City and FDOT for inclusion in the agreement.

Mayor Trantalis remarked on his previous understanding of this topic. In response to Mayor Trantalis' questions, City Manager Chavarria explained this area is primarily a right-of-way, walkable corridor below the bridge. The updated language allows FDOT to address future items, including maintenance.

Milos Majstorovic, Transportation and Mobility Department Deputy Director, explained that FDOT disagreed with the term "park-like" but is amenable to the term "open public spaces", which does not change use of the space.

In response to Mayor Trantalis' question, Mr. Majstorovic said if the Commission does not approve this Agenda item, Staff would need to continue discussions with FDOT.

Vice Mayor Sturman confirmed District 4 residents have no issue with the proposed language change to "open public spaces".

Interim City Attorney Spence explained that this Agenda item relates to the City's use and occupancy agreement with FDOT. The modified language allows the City greater flexibility rather than limiting the public's right to use the space.

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

ADOPTED

Yea: 5 - Commissioner Beasley-Pittman, Vice Mayor Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

R-4 [23-0247](#)

Resolution Amending Resolution 22-89 to Replace 'Park-Like' with 'Open Public Space' in the Riverland Woods Park Use and Occupancy Agreement between the Florida Department of Transportation and the City of Fort Lauderdale - (Commission District 4)

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

ADOPTED

Yea: 5 - Commissioner Beasley-Pittman, Vice Mayor Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

R-5 [23-0068](#)

Quasi-Judicial Resolution - Approving a Site Plan Level II Development Permit and Design Deviation Request - 200 Third, LLC - 200 Third -Case No. UDP-S21048 - (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 communications, written communications, site visits, and expert opinions received.

Mayor Trantalis recognized Nectaria Chakas, Esq., Lochrie and Chakas, P.A., on behalf of the applicant. Ms. Chakas explained details associated with this Agenda item. It is a request for a deviation from the codified downtown master plan requirements to allow balconies to extend into the setbacks. She expounded on related details.

In response to Mayor Trantalis' question regarding the separation between the applicant's building and a future adjacent building, Ms. Chakas said the applicant's building complies with the distance separation, and the open-air balconies extend beyond that point.

There being no one else wishing to speak on this item, Commissioner Glassman made a motion to close the public hearing, and was seconded by Vice Mayor Sturman. Roll call showed: AYES: Commissioner Beasley-Pittman, Vice Mayor Sturman, Commissioner Herbst, Commissioner Glassman, and Mayor Trantalis

In response to Commissioner Glassman's questions regarding this request being subject to interpretation, Chris Cooper, Development Services Department Director, said this request is allowed consistently and expounded on details included in the applicable Code sections. If the encroachment were more than three feet (3'), it would be considered a deviation. Further comment and discussion ensued.

Anthony Fajardo, Assistant City Manager, explained it is not an interpretation. The Downtown Master Plan determines when there is a deviation and is part of the Unified Land Development Regulations (ULDR).

Commissioner Glassman said he received no resident feedback on this Agenda item.

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

ADOPTED - Approving

Yea: 5 - Commissioner Beasley-Pittman, Vice Mayor Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

ORDINANCE FIRST READING

OFR-1 [23-0017](#)

First Reading - Ordinance Amending the City of Fort Lauderdale Code of Ordinances Chapter Nine, Building and Construction, Article Two Permits and Inspections, Division Two Fees to Adjust Building Fees for Services Related to Land Development and Permitting - (Commission Districts 1, 2, 3 and 4)

Commissioner Beasley-Pittman introduced this Ordinance for the First Reading which was read by title only.

PASSED FIRST READING

Yea: 5 - Commissioner Beasley-Pittman, Vice Mayor Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

ORDINANCE SECOND READING

OSR-1 [23-0245](#)

Second Reading - Ordinance Ratifying and Approving the Transfer of the Lauderdale Isle Water Management District into the City of Fort Lauderdale and Providing for the Modification of the District's Charter and Boundary - (Commission District 4)

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

ADOPTED ON SECOND READING

Yea: 5 - Commissioner Beasley-Pittman, Vice Mayor Sturman, Commissioner Herbst, Commissioner Glassman and Mayor Trantalis

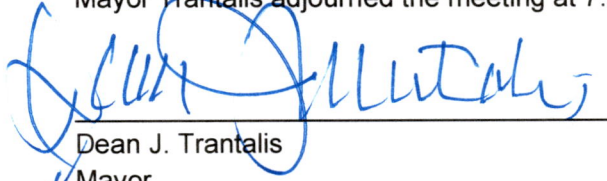
COMMISSION DISCUSSION

Commission Members discussed a proposed Walk-On Resolution regarding communicating the City's position on the Advanced Placement of African American Studies (APAA Studies) and the College Board's proposed revised version of APAA Studies. Further comment and discussion ensued.

Commissioner Beasley-Pittman requested tabling the proposed Walk-On Resolution to allow adequate time for review and consideration.

ADJOURNMENT

Mayor Trantalis adjourned the meeting at 7:04 p.m.



Dean J. Trantalis
Mayor

ATTEST:



David R. Soloman
City Clerk



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#23-0246

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Greg Chavarria, City Manager

DATE: February 21, 2023

TITLE: **REVISED R-3** - Resolution Amending Resolution 22-88 to Replace 'Park-Like' with 'Open Public Space' in the SE 17th Street Causeway Bridge Use and Occupancy Agreement between the Florida Department of Transportation and the City of Fort Lauderdale – (**Commission District 4**)

Recommendation

Staff recommends the City Commission approve a resolution to amend Resolution 22-88 to replace 'park-like' with 'open public space' from the SE 17th Street Causeway Bridge Use and Occupancy Agreement ("UOA") between the Florida Department of Transportation ("FDOT") and the City of Fort Lauderdale ("City").

Background

In 2002, the City entered into a twenty (20) year Airspace Agreement with FDOT for area under the SE 17th Street Causeway Bridge (Exhibit 1). The area outlined provides access to the waterway and adjacent spaces for parking. No fees were charged to the City by FDOT for this agreement. The 2002 FDOT Airspace Agreement expired on April 12, 2022 (Exhibit 2).

On May 3, 2022, a new agreement between the City and FDOT, for the property, was approved by the City Commission for ~~ten (10)~~ **twenty (20)** years at no cost to the City. The proposed UOA and Resolution 22-88 included language referencing 'park-like' (Exhibit 3).

In July 2022, FDOT administrators requested to amend the UOA by removing 'park-like'. The modification that is being proposed will make it possible to carry out potential future transportation developments.

On January 24, 2023, the City Commission deferred item R-3 (CAM 23-0146) to February 21, 2023 to allow for additional public input and negotiations with FDOT. As a result of the additional time, FDOT agreed to add 'open public spaces' as a general-purpose use.

The amended UOA and Resolution, in substantially the form attached, will replace 'park-like' with 'open public spaces' and still extend the City's use for an additional ~~ten (10)~~

twenty (20) years at no cost to the City (Exhibit 4).

Resource Impact

There is no fiscal impact to the City associated with this action.

Strategic Connections

This item supports a *2022 Top Commission Priority*, the Parks and Public Places, specifically advancing:

- Maintenance of streetscapes, medians, and public areas

This item supports the *Press Play Fort Lauderdale 2024 Strategic Plan*, specifically advancing:

- Public Places
- Goal 2: Build a healthy and engaging community
- Objective: Improve access to and enjoyment of our beach, waterways, parks, and open spaces for everyone

This item advances the *Fast Forward Fort Lauderdale 2035 Vision Plan: We are Connected*.

This item supports the *Advance Fort Lauderdale 2040 Comprehensive Plan*, specifically advancing:

- The Public Places Focus Area
- The Parks, Recreation, and Open Space Element
- Goal 2: Be a community with high quality parks and recreational facilities that highlight the character of our City

Attachments

Exhibit 1 – Location Map

Exhibit 2 – 2002 FDOT Airspace Agreement

Exhibit 3 – Resolution No. 22-88

Exhibit 4 – Revised Use and Occupancy Agreement

Exhibit 5 – Resolution

Prepared by: Ben Rogers, Director of Transportation and Mobility

Charter Officer: Greg Chavarria, City Manager