

City of Fort Lauderdale

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



Meeting Minutes - APPROVED

Tuesday, October 6, 2015

6:00 PM

City Commission Chambers

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

JOHN P. "JACK" SEILER Mayor - Commissioner
ROBERT L. McKINZIE Vice Mayor - Commissioner - District III
BRUCE G. ROBERTS Commissioner - District I
DEAN J. TRANTALIS Commissioner - District II
ROMNEY ROGERS Commissioner - District IV

LEE R. FELDMAN, City Manager
JOHN HERBST, City Auditor
JEFFREY A. MODARELLI, City Clerk
CYNTHIA A. EVERETT, City Attorney

The meeting was called to order at 6:13 p.m. by Mayor Seiler.

Invocation

Pastor Pierre Petit-Frere
Agape Centre Church of God

ROLL CALL

Present: 5 - Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis, Vice Mayor Robert L. McKinzie, Commissioner Romney Rogers, and Mayor John P. "Jack" Seiler

QUORUM ESTABLISHED

Also Present: City Manager Lee R. Feldman, City Auditor John Herbst, City Clerk Jeffrey A. Modarelli, City Attorney Cynthia A. Everett, Sergeant At Arms Sergeant Tom Capano

Pledge of Allegiance

Led by Daisy Scout Troop 10292

Approval of MINUTES and Agenda

15-1285 Minutes for September 17, 2015 Short-Term Rental Town Hall and April 23, 2015 Neighbor Survey Workshop - 2014

Commissioner Trantalis made a motion to approve the Minutes for September 17, 2015 Short-Term Rental Town Hall and April 23, 2015 Neighbor Survey Workshop – 2014 and the Agenda for tonight's meeting and was seconded by Commissioner Rogers.

APPROVED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

PRESENTATIONS

PRES- 15-1276 **Proclamation declaring the Week of October 5-9, 2015 as Customer Service Week in the City of Fort Lauderdale**
1

Commissioner Rogers requested Marla Donald, Public Works' 24/7 Neighbor Call Center Manager, come to the podium for a Proclamation declaring the Week of October 5-9, 2015 as Customer Service Week in the City of Fort Lauderdale. Commissioner Rogers read the proclamation issued by the Office of the Mayor in the City of Fort Lauderdale in its entirety.

PRES- 15-1293 **Proclamation declaring the Week of October 4-10, 2015 as Fire Prevention Week in the City of Fort Lauderdale**
2

Commissioner Trantalis requested the Department of Fire-Rescue's Fire Marshal Jeff Lucas and Assistant Fire Marshal Chief Jo-Ann Lorber come to the podium for a Proclamation declaring the Week of October 4-10, 2015 as Fire Prevention Week in the City of Fort Lauderdale. Commissioner Trantalis read the proclamation issued by the

Office of the Mayor in the City of Fort Lauderdale in its entirety.

**PRES- 15-1294 Proclamation declaring October 6, 2015 as Sistrunk Corridor
3 Healthy Community Zone Day in the City of Fort Lauderdale**

Vice-Mayor McKinzie requested Joanne Richter and Alena Alberani of Broward Regional Health Planning Council's TOUCH Program and Tam English from the Fort Lauderdale Housing Authority come to the podium for a Proclamation declaring October 6, 2015 as Sistrunk Corridor Healthy Community Zone Day in the City of Fort Lauderdale. Vice Mayor McKinzie read the proclamation issued by the Office of the Mayor in the City of Fort Lauderdale in its entirety.

**PRES- 15-1295 Community Appearance Board WOW Award for Districts I AND III
4**

Commissioner Roberts presented Paul Rubenstein of 2425 NE 26th Avenue with a Community Appearance Board WOW Award Certificate of Appreciation for District I from Mayor Seiler and the Commission, a gift certificate from Tap 42, and an orchid donated by Home Depot.

Vice Mayor McKinzie presented Geraldine and Charles Box of 316 Iowa Avenue with a Community Appearance Board WOW Award Certificate of Appreciation for District III from Mayor Seiler and the Commission, a gift certificate from Tap 42, and an orchid donated by Home Depot.

Mayor Seiler requested City Clerk Modarelli to present the 'Millage Comparison of the 25 Largest Cities in Florida Based Upon Population' document on the screen. Mayor Seiler highlighted that effective October 01, 2015; the City of Fort Lauderdale had the lowest Millage Rate among the 25 largest cities in Florida. Mayor Seiler thanked the City Manager and staff for their efforts. **A copy of the document is attached to these minutes.**

CONSENT AGENDA

Mayor Seiler announced the procedure for consent agenda items and noted that Mr. Ray Cox had pulled all the items on the Consent Agenda.

CONSENT MOTION

**CM-1 15-1183 Motion to Approve Event Agreements with Quarterdeck Cordova, Inc.
and Charles E. Owens Sr.**

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Commissioner Roberts moved the item which was seconded by Commissioner Trantalis.

APPROVED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

**CM-2 15-1184 Motion to Approve Event Agreements and Related Road Closings: Las
Olas Sunday Market, Day of the Dead, Dolphins Cancer Challenge-Fall**

Family Fest, Seminole Hard Rock Winterfest Boat Parade, Light the Night Walk, American Diabetes Association- Tour De Cure Cycling Event and Victoria Park Halloween Block Party.

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Commissioner Roberts moved the item which was seconded by Commissioner Trantalis.

APPROVED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

CM-3 15-1270 Motion Approving Co-sponsorship of the Revolution of the Eye Exhibit with the Nova Southeastern University Art Museum of Fort Lauderdale

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Commissioner Trantalis moved the item which was seconded by Commissioner Roberts.

APPROVED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

CM-4 15-1169 Motion Approving License Agreement with Project Discovery, Inc.

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Commissioner Roberts moved the item which was seconded by Vice Mayor McKinzie.

APPROVED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

CM-5 15-1214 Motion to Approve FY 2016 Not-For-Profit Grant Participation Agreement with Riverwalk Fort Lauderdale, Inc. - \$150,000

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Commissioner Roberts moved the item which was seconded by Vice Mayor McKinzie.

APPROVED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

CM-6 15-1215 Motion to Approve FY 2016 Not-For-Profit Grant Participation Agreement with Winterfest, Inc. - \$10,000

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Commissioner Roberts moved the item which was seconded by Vice Mayor McKinzie.

APPROVED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

CM-7 15-1228 Motion Approving the Acceptance of a Grant from the United States Department of Homeland Security, Fiscal Year (FY) 2015 Port Security Grant Program in the amount of \$874,312 for a Fire-Rescue Boat and a Marine Patrol Boat.

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Commissioner Roberts moved the item which was seconded by Vice Mayor McKinzie.

APPROVED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

CM-8 15-1179 **Motion Authorizing Purchase of Public Officials and Employment Practices Liability Insurance - ACE American Insurance Company - \$164,362.00**

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Commissioner Roberts moved the item which was seconded by Vice Mayor McKinzie.

APPROVED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

CM-9 15-1244 Motion to Approve Voluntary Benefits Administration - FBMC Benefits Management, Inc. (FBMC)

Mayor Seiler recognized Ret. Colonel Wright who addressed the Commission with his concerns with the RFP and the response for the RFP pertaining to voluntary benefits. He stated that the RFP and RFP response does not specify clear lines in the service requested, seems to be blended, and that a clear line needs to be delineated. Further, he commented that the RFP did not focus on identity theft protection as an available option in the benefit package.

Assistant City Manager Stanley Hawthorne addressed the Commission and explained that the voluntary plan is fluid and meant to be diverse. He advised that staff will perform annual assessments of plan options available on the market. He also commented that was available to meet with him on his product.

Commissioner Roberts commented that addressing identity theft protection should be included in future benefit packages. Further discussion ensued on the topic.

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Commissioner Roberts moved the item which was seconded by Commissioner Rogers.

APPROVED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

CM-10 15-0871 Motion authorizing a Sovereignty Submerged Land Lease Renewal with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for Las Olas Bight Mooring Field Located on Intracoastal South of Las Olas Bridge

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Commissioner Trantalis asked City Manager Feldman if the dingy dock could be restored at this location since the pilings are still in place. Phil Thornburg, Director of Department of Parks and Recreation, advised that he would look into it and get back to Commissioner Trantalis.

Commissioner Roberts moved the item which was seconded by Commissioner Trantalis.

APPROVED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

CM-11 15-1195 Motion Accepting Florida Recreation Development Assistance Program Grant Funds for Snyder Park Boardwalk Project - \$50,000

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Commissioner Roberts moved the item which was seconded by Commissioner Trantalis.

APPROVED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

CM-12 15-0986 Motion Approving One-Year Agreement with the School Board of Broward County, Florida for School Resource Officer Program

Mayor Seiler announced that this item was revised. City Manager Feldman addressed the Commission and advised that the agreement provided to the City from the School Board had the old language, which omitted the amended provision that provided for the flexibility at the Chief's discretion to allow Student Resource Officers to leave the school campuses to drive through the neighborhoods and look for school related issues. The version of the agreement in front of the Commission added the provision back in and if approved, will be sent back to the School Board to make a decision on the amended language.

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Commissioner Trantalis moved the item which was seconded by Commissioner Roberts.

APPROVED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

CM-13 15-0924 Motion Authorizing Professional Services for Design and Post Design Services for Renovation of Plant A to accommodate the relocation of the Meter Shop - ACAI Associates, Inc. - \$63,747 Task Order

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Commissioner Roberts moved the item which was seconded by Vice Mayor McKinzie.

APPROVED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

CM-14 15-1120 Motion Authorizing Design Services for Fort Lauderdale Executive Airport Runway Pavement Rehabilitation - HDR Engineering, Inc. - \$51,740 Task Order

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Vice Mayor McKinzie moved the item which was seconded by Commissioner Roberts.

APPROVED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

CM-15 15-1199 Motion to Approve a Parking Enforcement Agreement with LAZ Florida Parking, LLC

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Vice Mayor McKinzie moved the item which was seconded by Commissioner Roberts.

APPROVED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

CM-16 15-1222 Motion authorizing Architectural Design Services for Renovations of the Transportation and Mobility Building-Walters Zackria Associates, PLLC - \$13,821.44 Task Order

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Vice Mayor McKinzie moved the item which was seconded by Commissioner Roberts.

APPROVED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

CONSENT RESOLUTION

CR-1 15-1160 Resolution Adopting the FY 2016 Operating Millage Rate of .5173 and Debt Service Millage Rate of .5232 for the Downtown Development Authority (DDA)

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Vice Mayor McKinzie introduced the resolution which was read by title only.

ADOPTED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

CR-2 15-1165 Resolution Approving Consolidated Budget Amendment to Fiscal Year 2016 – Appropriation

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Commissioner Rogers introduced the resolution which was read by title only.

ADOPTED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

CR-3 15-1140 Resolution Approving the First Amendment to the Lease Agreement with FTL WATERRESORT, LLC

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Mayor Seiler recognized Mr. William Cea, Esq. who addressed the Commission on behalf of Premier Parks, LLC, and spoke in opposition of this item. Mr. Cea stated that the lease agreement violates the City Charter and should be put out to competitive bid. Commissioner Trantalis questioned Mr. Cea as to what they are asking. Mr. Cea stated that they are objecting to proceeding with the lease for several stated reasons. Commissioner Roberts questioned if a lawsuit had already been filed against the City and the speaker responded that a lawsuit has not been filed. Commissioner Roberts stated that a lawsuit has been filed. He also questioned why the speaker came to the City to voice their concerns five years after the initial lease agreement was approved. **A copy of the letter submitted by William J. Cea, Esq. is attached to these minutes.**

Mayor Seiler recognized Kieran Burke, Owner and President of Premier Parks, LLC, who addressed the Commission and spoke in opposition of this item. Mr. Burke provided background and qualifications of his company and urged the Commission to put out the lease as a competitive bid. Mayor Seiler asked if the speaker operated the Rapids Water Park and the speaker confirmed that to be true. Mayor Seiler questioned the speaker as to whether he was aware that this project was on the street. Mr. Burke responded that he acquired the operation of Rapids Water Park in 2012 and believed that there was not a competitive bid or RFP process, and read that the city had been in negotiations with one company. Further discussion ensued on this subject with the speaker.

Mayor Seiler recognized Joe Cerrone, representative for FTL WATERRESORT, LLC, who addressed and encouraged the Commission to continue the course, and is available for any questions from the Commission.

Mayor Seiler recognized Charlie King who addressed the Commission with his thoughts and comments.

There being no one else wishing to speak on this item, Commissioner Trantalis made a motion to close the public hearing, which was seconded by Commissioner Roberts. Roll call showed: Ayes: Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler. NAYS: None.

Commissioner Rogers questioned City Attorney Everett as to whether the City followed the City Charter. City Attorney Everett confirmed that the City has followed the City Charter.

Commissioner Roberts introduced the resolution which was read by title only.

ADOPTED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

CR-4 15-1164 Resolution Approving a Fourth Amendment Providing a 30-Day Extension with Aero Toy Store for Parcel 9 at Executive Airport

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

City Manager Feldman advised that they will need to have a special meeting with Aviation Advisory Board so that they can review the final lease. Commissioner Roberts requested that this be completed by October 20, 2015

Commissioner Roberts introduced the resolution which was read by title only.

ADOPTED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

CR-5 15-1223 Resolution to Accept Urban Land Institution Technical Assistance Panel Reports for Uptown Village, The Riverwalk District, and Sistrunk Boulevard

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Commissioner Rogers commented that there are many important points within the entire document and would like to bring this back at a later date to discuss and comment on those points more in depth.

Commissioner Roberts introduced the resolution which was read by title only.

ADOPTED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

CR-6 15-1240 Resolution Approving a Locally Funded Agreement with Florida Department of Transportation for Construction of NW 9th Avenue from Broward Boulevard to Sistrunk Boulevard

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Vice Mayor McKinzie introduced the resolution which was read by title only.

ADOPTED

Aye: 4 - Vice Mayor McKinzie, Commissioner Rogers,
Commissioner Trantalis and Mayor Seiler

Not Present: 1 - Commissioner Roberts

CR-7 15-1241 Resolution Approving a Highway Maintenance Memorandum of Agreement for Improvements - NW 9th Avenue Improvement Project with the Florida Department of Transportation

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Vice Mayor McKinzie introduced the resolution which was read by title only.

ADOPTED

Aye: 4 - Vice Mayor McKinzie, Commissioner Rogers,
Commissioner Trantalis and Mayor Seiler

Not Present: 1 - Commissioner Roberts

CR-8 15-1242 Resolution Approving a Three-Party Escrow Agreement with Florida Department of Transportation for Construction of the NW 9th Avenue Improvement Project

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

City Manager Feldman advised that they will need to have a special meeting with Aviation Advisory Board so that they can review the final lease. Commissioner Roberts requested that this be completed by October 20, 2015

Commissioner Trantalis introduced the resolution which was read by title only.

ADOPTED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts,
Commissioner Trantalis and Mayor Seiler

PURCHASING AGENDA

PUR-1 15-0943 Motion to Approve CalAmp Tracking Devices for Automatic Vehicle Locator System - Fleet Analytics, LLC - \$156,600

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

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

APPROVED

Aye: 4 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts
and Mayor Seiler

Not Present: 1 - Commissioner Trantalis

PUR-2 15-1058 Motion to Approve Softball Officiating Services - Mills Pond Umpires Association, Inc - \$366,000 (three year cost)

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

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

APPROVED

Aye: 4 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

Not Present: 1 - Commissioner Trantalis

PUR-3 15-1097 Motion to Approve Proprietary Purchases for Water Distribution, Wastewater Collection, and Stormwater System Infrastructures and Treatment Facilities - \$1.5 million (estimated cost)

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Commissioner Roberts made a motion to approve this item and was seconded by Commissioner Rogers.

APPROVED

Aye: 4 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

Not Present: 1 - Commissioner Trantalis

PUR-4 15-1098 Motion to Approve Administration of Vacant Real Property in Foreclosure Services - Community Champions Corporation - \$360,000 (three-year contract value)

Commissioner Rogers made a motion to approve this item and was seconded by Commissioner Roberts.

APPROVED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

PUR-5 15-1100 Motion to Approve Final Ranking and Authorize Commencement of Contract Negotiations for Payment Kiosk Services

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Commissioner Trantalis made a motion to approve this item and was seconded by Commissioner Roberts.

APPROVED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

PUR-6 15-1101 Motion to Approve Annual Maintenance and Support of Public Safety Radio System - Motorola Solutions, Inc. - \$431,465.16

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

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

APPROVED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

PUR-7 15-1144 Motion to Approve Poinciana Park Median Landscape Improvements (Re-bid) - Weekley Asphalt Paving, Inc. - \$72,565

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Commissioner Trantalis made a motion to approve this item and was seconded by Commissioner Rogers.

APPROVED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

PUR-8 15-1156 Motion to Approve Aggregates - Austin Tupler Trucking, Inc., Florida Superior Sand, Inc. and Soil Tech Distributors, Inc. - \$350,000

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Commissioner Rogers made a motion to approve this item and was seconded by Commissioner Roberts.

APPROVED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

PUR-9 15-1173 Motion to Approve Contract Extensions - October 2015 and January 2016

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

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

APPROVED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

PUR- 15-1187 Motion to Approve Event Equipment Rental - Dandean Rental, Inc.
10 d/b/a Best Rental Service - \$100,296 (three-year cost)

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Commissioner Rogers made a motion to approve this item and was seconded by Commissioner Roberts.

APPROVED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

PUR- 15-1196 Motion to Approve Amendment to Agreement for Continuation of
11 Motorized Watercraft Concession - Atlantic Beach Clubs-Two, Inc. - \$20,250 (Revenue)

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

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

APPROVED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

PUR- 15-1198 Motion to Approve Final Ranking for Traffic and Transportation
12 Engineering Services

Commissioner Roberts made a motion to approve this item and was seconded by Commissioner Rogers.

APPROVED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

PUR- 15-1265 Motion to Ratify Purchase of Services of \$36,515 and Approve the
13 Purchase Additional Services in the Amount of \$48,600 for Records Retrieval, Storage and Disposal Services - U & Me Transfer Inc.

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

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

APPROVED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

MOTIONS**M-1 15-1300 Motion to Approve Nomination of Neighbor to Represent the City at the United Way of Broward County's 2015 Mayors' Gala**

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Commissioner Roberts made a motion to approve the nomination of Ray Ferraro to represent the City at the United Way of Broward County's 2015 Mayors' Gala and was seconded by Commissioner Rogers.

APPROVED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

M-2 15-1246 Motion to Approve the Las Olas Marina Request for Proposals

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Commissioner Rogers stated his concerns with the readability of the RFP and that potential bidders may not know what the City is expecting in the proposals. City Manager Feldman confirmed that staff will take a look at the order of the RFP. Mayor Seiler questioned City Manager Feldman as to whether there will be a pre-bid conference to discuss the specifications of the RFP. City Manager Feldman confirmed that there will be a pre-bid conference, which will include a site visit.

Vice Mayor McKinzie questioned what it cost the City for CBRE to produce the RFP and City Manager Feldman confirmed that no funding was paid to CBRE by the City. CBRE would receive a flat fee that would be paid by the lessee. Commissioner Trantalis posed questions relating to the financials of the RFP and had concerns that the city created disincentives and premiums for anyone that wanted to bid on the project.

Further discussion ensued on this topic.

Commissioner Rogers moved to approve this item and was seconded by Commissioner Roberts.

APPROVED

Aye: 4 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler

Nay: 1 - Commissioner Trantalis

M-3 15-1177 Motion to Approve an Event Agreement with National Marine Suppliers, Inc. for the National Marine Suppliers Customer Appreciation Party

Mayor Seiler recognized Thomas Rowe, Director of Marketing and Business Development for National Marine Suppliers who addressed the Commission and requested a variance on the 10:00pm noise ordinance to extend it to 1:00am. Mr. Rowe advised that the entertainment includes a live band and DJ, which would be played in the Riverwalk band shell.

Mayor Seiler recognized Genia Ellis, President and CEO of Riverwalk, who addressed the Commission on this item.

Further discussion ensued on this topic.

Commissioner Trantalis moved to approve this item to allow for outdoor music until 11:00pm and to allow the DJ until 11:30pm, and was seconded by Commissioner Rogers.

APPROVED AS AMENDED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

M-4 15-1205 Motion to Approve an Event Agreement with Downtown Himmarshee Village Association, Inc. for the Halloween Celebration

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Mayor Seiler recognized Chuck Bergwin, President of the Downtown Himmarshee Village Association, Inc., who addressed the Commission in support of this item.

Further discussion ensued on this topic.

Commissioner Trantalis moved to approve this item to allow for outdoor music until 11:30pm with reduced bass after 11pm, and was seconded by Commissioner Rogers

APPROVED AS AMENDED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

M-5 15-1206 Motion to Approve an Event Agreement with Bam Bam Entertainment, LLC for a Halloween Block Party.

Mayor Seiler recognized Daniel Scott, representative for Bam Bam Entertainment, LLC, who addressed the Commission on this item.

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Commissioner Trantalis moved to approve this item to allow for outdoor music until 11:30pm with reduced bass after 11pm, and was seconded by Commissioner Rogers.

APPROVED AS AMENDED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

M-6 15-1207 Motion to Approve an Event Agreement with Museum of Discovery & Science, Inc. for Marvels of MODS Gala.

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

Mayor Seiler recognized Robin Harper, representative for the Museum of Discovery and Science, who addressed the Commission on this item.

Further discussion ensued on this topic.

Commissioner Trantalis moved to approve this item to allow for outdoor music until 11:30pm with reduced bass after 11pm, and was seconded by Commissioner Rogers.

APPROVED AS AMENDED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

M-7 15-1233 Motion to Approve an Event Agreement with LTF Triathlon Series, LLC for the Michelob Ultra 13.1 Fort Lauderdale Half Marathon & 5K

Mayor Seiler recognized Mr. Cox who addressed the Commission with his thoughts and comments.

City Manager Feldman advised that the request before the Commission was to keep the road closures in place until 11:00am.

Mayor Seiler recognized Meryl Leventon, Event Manager for LTF Triathlon Series, LLC, who addressed the Commission on this item. **A copy of the packet provided by Ms. Leventon is attached to these minutes.**

Further discussion ensued on this topic.

Commissioner Trantalis moved to approve this item to allow for the road closure to stay in place for the section of A1A from Las Olas Blvd to the Oasis, and was seconded by Commissioner Rogers.

APPROVED AS AMENDED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

NEIGHBOR PRESENTATIONS

NP-1 15-1172 Christine Timmon - United States Government, U.S. Congress and The U.S. Constitutional Laws

Christine Timmon expressed her ideas and concerns on the United States Government, United States Congress, United States Constitutional Laws, and Donald Trump. **A copy of the letter provided by Ms. Timmon is attached to these minutes.**

NP-2 15-1275 Charles King – City Manager Decisions

Mr. King expressed his comments and concerns regarding two decisions recently made by City Manager Feldman.

RESOLUTIONS**R-1 15-1268 Appointment of Board and Committee Members**

Resolution-1 appoints the following citizens to the specified Boards:

AVIATION ADVISORY BOARD

John Milledge is appointed to the Aviation Advisory Board for a one year term beginning October 6, 2015 and ending October 5, 2016 or until his successor has been appointed.

AUDIT ADVISORY BOARD

Kimberly Jackson has been appointed to the Audit Advisory Board for a two year term beginning October 1, 2015 and ending September 30, 2017 or until her successor has been appointed.

COMMUNITY APPEARANCE BOARD

Carolyn Nutt has been appointed to the Community Appearance Board for a one year term beginning October 6, 2015 and ending October 5, 2016 or until her successor has been appointed.

COMMUNITY SERVICES BOARD

Joseph Van De Bogart has been appointed to the Community Services Board, in the category of District 1, for a one year term beginning November 4, 2015 and ending November 3, 2016 or until his successor has been appointed.

EDUCATION ADVISORY BOARD

Deniece Jones has been appointed to the Education Advisory Board for a one year term beginning October 6, 2015 and ending October 5, 2016 or until her successor has been appointed.

MARINE ADVISORY BOARD

George Cable is appointed to the Marine Advisory Board for a one year term beginning October 6, 2015 and ending October 5, 2016.

Resolution R-1 was introduced by Commissioner Trantalis which was read by title only.

ADOPTED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

R-2 15-1167 Resolution Approving and Ratifying a First Amendment to the Collective Bargaining Agreement with Teamsters Local 769 effective October 6, 2015 through September 30, 2016

Resolution R-2 was introduced by Commissioner Trantalis which was read by title only.

ADOPTED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

R-3 15-1250 Resolution Calling an Election for the Lauderdale Isles Water Management District Governing Board

Resolution R-3 was introduced by Commissioner Rogers which was read by title only.

ADOPTED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

R-4 15-0290 Resolution Adopting an Affordable Housing Policy and Accepting the Affordable Housing and Economic Analysis

Mayor Seiler recognized Roosevelt Walters, Vice Chair of the Affordable Housing Advisory Committee, who addressed the Commission on behalf of the Affordable Housing Advisory Committee and asked that the Commission support staff's recommendations, which were included in a Staff Memo dated October 06, 2015.

Further discussion ensued on this topic.

Three changes were made to the resolution: Change "shall" to "may" in two locations within 3.06 and change language to "100% of the net funds received from the sale may" in Article II.

Resolution R-4 was introduced by Commissioner Trantalis which was read by title only.

ADOPTED AS AMENDED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

R-5 15-1061 Resolution Imposing Special Assessment Liens for Lot Clearing

Resolution R-5 was introduced by Commissioner Trantalis which was read by title only.

ADOPTED

Aye: 4 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Trantalis and Mayor Seiler

Not Present: 1 - Commissioner Roberts

R-6 15-1143 Quasi-Judicial - Resolution Approving Plat Known as "Davie Boulevard Office Plat" - 201 S.E. 12th Street - Davie Blvd Office LLC - Case # PL15005

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.

Mayor Seiler and the City Commissioners disclosed their site visits, communications, meetings and correspondence relating to this item.

Mayor Seiler opened the floor for a public hearing. There being no one from the public wishing to speak, Commissioner Trantalis moved to close the public hearing and was seconded by Vice Mayor McKinzie. Ayes: Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler. NAYS: None.

Resolution R-6 approving plat known as "David Boulevard Office Plat" – 201 S.E. 12th Street – Davie Blvd Office LLC – Case # PL15005 was introduced by Commissioner Trantalis which was read by title only.

ADOPTED Resolution Approving Plat

Aye: 4 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Trantalis and Mayor Seiler

Not Present: 1 - Commissioner Roberts

PUBLIC HEARINGS

PH-1 15-1161 Motion Approving a Certificate of Public Convenience and Necessity for Fort Lauderdale Duck Tours, LLC

Mayor Seiler opened the floor for a public hearing. There being no one from the public wishing to speak, Commissioner Trantalis moved to close the public hearing and was seconded by Vice Mayor McKinzie. Ayes: Vice Mayor McKinzie, Commissioner Rogers, Commissioner Trantalis and Mayor Seiler. NOT PRESENT: Commissioner Roberts.

Commissioner Rogers disclosed his site visits, communications, meetings and correspondence relating to this item.

Commissioner Trantalis motioned to approve a certificate of public convenience and necessity for Fort Lauderdale Duck Tours, LLC, which was seconded by Commissioner Rogers.

ADOPTED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

PH-2 15-1232 Consideration of the Adoption of a Resolution Designating a Site-Specific Brownfield Area - 5.5 Acres in the Vicinity of NW 7th Street Between NW 11th Avenue and NW 14th Avenue

Mayor Seiler and the City Commissioners disclosed their site visits, communications, meetings and correspondence relating to this item. Mayor Seiler opened the floor for a public hearing.

Mayor Seiler recognized Charlie King who addressed the Commission with his thoughts and comments.

Commissioner Trantalis moved to close the public hearing and was seconded by Vice Mayor McKinzie.

Commissioner Trantalis asked City Manager Feldman to identify who the City partners are for this item. Tam English, representative for the Housing Authority of Fort Lauderdale and developer, advised that it is a partnership between the Housing Authority of Fort Lauderdale and Atlantic Pacific Communities, LLC.

Further discussion ensued on this topic.

Commissioner Trantalis introduced the resolution which was read by title only.

ADOPTED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

PH-3 15-0887

Ordinance Amending The City Of Fort Lauderdale, Florida, Unified Land Development Regulations By Amending Sections 47 5. - Residential Zoning Districts And Residential Office Zoning Districts, 47-6. - Business Zoning Districts, 47-7. - Industrial Zoning Districts, 47-8. - Public Purpose Districts, 47-9. - X-Exclusive Use District, 47-10. - Commerce Center District, 47-11. - Commercial Recreation District, 47-12. - Central Beach Districts, 47-13. - Regional Activity Center Districts, 47-14. - General Aviation Districts, And 47-15. - Port Everglades Development District To Change The List Of Permitted And Conditional Uses To Include Park Uses; Creating Section 47-18.44 - Active And Passive Park To Define Active And Passive Park Use And Associated Accessory Uses; Amending Section 47-20 - Parking And Loading Zone Requirements To Reduce The Number Of Parking Spaces Required For Park Use; And Amending Section 47-8 To Add Cultural And Educational Facilities To The Parks, Recreation, And Open Space (P) District; Providing For Severability; Repeal Of Conflicting Ordinance Provisions; And Providing For An Effective Date

Mayor Seiler opened the floor for a public hearing. There being no one from the public wishing to speak, Commissioner Trantalis moved to close the public hearing and was seconded by Vice Mayor McKinzie. Ayes: Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler. NAYS: None.

Commissioner Trantalis introduced the Ordinance on FIRST Reading, which was read in its entirety.

PASSED FIRST READING

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

PH-4 15-1141

Quasi-Judicial - Ordinance Vacation of a 19,000 square foot portion of NE 5th Terrace - Case V15001

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.

Mayor Seiler and the City Commissioners disclosed their site visits, communications, meetings and correspondence relating to this item.

Mayor Seiler opened the floor for a public hearing. There being no one from the public wishing to speak, Commissioner Trantalis moved to close the public hearing and was seconded by Commissioner Roberts. Ayes:

Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler.
NAYS: None.

Commissioner Trantalis introduced the Ordinance on FIRST Reading, which was read in its entirety.

PASSED FIRST READING

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

ORDINANCE FIRST READING

OFR-1 15-1193 Ordinance amending Schedule I of the Pay Plan amending the title of three (3) classifications; creating three (3) new classifications; and amending Section 20-83 of the City Code of Ordinances designating three (3) classes as "administrative assistants to the City Manager."

Commissioner Rogers commented that he had a conversation on the matter with City Manager Feldman about the creation of another category, specifically the Senior Assistant City Manager position, which he feels it gives the impression that the City is going back to having too many layers.

Commissioner Roberts introduced the Ordinance on FIRST reading, which was read in its entirety.

PASSED FIRST READING

Aye: 5 - Commissioner Trantalis, Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

15-1347 WALK-ON Resolution – Authorizing Amicus Curiae

Walk-on Resolution 15-1347 was introduced by Commissioner Roberts which was read by title only.

ADOPTED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

15-1303 WALK ON - Motion to Approve an Event Agreement with Strictly Local, Inc. for the Food In Motion: Flagler Village Green Market.

Mayor Seiler recognized Chris Gaidry, President of Strictly Local, Inc., who addressed the Mayor and Commissioner's questions and comments.

Commissioner Trantalis moved to approve this item to allow for outdoor music until 11:00pm, and was seconded by Commissioner Roberts.

APPROVED AS AMENDED

Aye: 5 - Vice Mayor McKinzie, Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

REQUEST FOR EXECUTIVE CLOSED DOOR SESSION

City Attorney Cynthia Everett requested, under Florida Statute Section 286.011(8) an executive closed door session to seek advice on the matter noted below during the City Commission Meeting on October 20, 2015, at a time to be determined:

- Lory Farmer v. City of Fort Lauderdale, et al. Case No. CACE 13-027788 (02)

BD-2 15-1267 Communications to the City Commission


Mayor Seiler read portions of the communications from the Police and Firefighters' Pension Board and Northwest Progresso-Flagler Heights Redevelopment Advisory Board.

City Manager Reports**15-1301 Discussion of Police Department Discipline - Verbal report**

Commissioner Trantalis discussed his concerns with the reinstatement of an officer within the Fort Lauderdale Police Department. He stated that the zero tolerance policy must be maintained at every cost, even if the City is sued, to show vigilance on eliminating any type of discriminatory attitude. Further discussion ensued on this topic.

ADJOURNMENT

There being no further business before the City Commission at this Regular Meeting, Mayor Seiler adjourned the meeting at 11:25 p.m.


John P. "Jack" Seiler
Mayor

ATTEST:



Jeffrey A. Modarelli
City Clerk

October 5, 2015

Bank of America Centre
625 N. Flagler Drive, 7th Floor
West Palm Beach, Florida 33401

VIA EMAIL: ceverett@fortlauderdale.gov
AND HAND DELIVERY

Cynthia A. Everett, Esq.
City Attorney's Office
100 North Andrews Avenue
Fort Lauderdale, FL 33301

Re: Parcels 19B, 25, 26 and 27 of the Fort Lauderdale Executive Airport; Lease Agreement with FTL Waterresort, LLC

Dear Ms. Everett:

This firm represents Premier Parks, LLC ("Premier"). Premier is a developer that desires to compete for the opportunity to enter into a lease and develop the real property referred to as Parcels 19B, 26, 26 and 27 of the Fort Lauderdale Executive Airport ("Property"). We are aware that the Property is the subject of a Lease Agreement entered into between the City of Fort Lauderdale ("City") and FTL Waterresort, LLC ("FTL Waterresort"), dated July 10, 2014 ("Lease"). We also understand that the Property is no longer part of the Airport by virtue of a recent transaction with the Federal Aviation Administration ("FAA").

The Lease violates the City's Charter, and demand is hereby made that the City cease and desist any and all activities in furtherance of it. By its own terms, the Lease was specifically conditioned upon approval by the FAA; however, the FAA refused to approve it. Accordingly, the Lease never went into effect. Despite the fact that the FAA refused to approve the Lease, and the Property is no longer part of the Airport, a proposed amendment to the Lease is scheduled for consideration by the City Commission on its October 6, 2015 Agenda. If the City desires to proceed with a long term lease for the development of the Property for an amusement park, then it must provide an opportunity for competition in accordance with Section 8.09 of its Charter.

Unless the City provides written confirmation that it will not act in furtherance of the Lease, and will provide an opportunity for competition to lease the Property, Premier will be compelled to file a Complaint for Declaratory and Injunctive Relief. Clearly, the public interest is not best served by a no-bid long term lease entered into without competition, and which violates the City's Charter. If the FTL Waterresort proposal is in fact the most advantageous use

of the property, then a brief delay to comply with law and afford competition prior to tying up the Property for decades imposes no burden on the City. Having failed to invite competing private developer proposals, the City Commission cannot conclude that the Lease is in the best interest of the public.

Additionally, *on August 24, 2015*, our office submitted a public records request to the City in order to obtain information relative to the Lease and the City's intentions. The public records request was acknowledged by the City on August 25, 2015. A copy of the public records request is attached. Although some records have been produced, the City has yet to produce records, such as emails or other communications between the City and FTL Waterresort that reveal an intention to amend the Lease. The City's continued delay in making the balance of the records requested available is unreasonable, and reflects an effort to conceal an improper attempt to salvage the Lease, which has now suddenly appeared on the Commission's Agenda. The lack of a full, complete and timely response violates Chapter 119, Florida Statutes, and highlights the City's own concerns regarding the Lease.

Upon review of the facts and law, we believe that a Court will find that the Lease, as well as any purported amendment, violates the City's Charter, is invalid, and that competition is required prior to entering into a lease for the Property. Although the City has yet to fully respond to the public records request, it is our understanding that no opportunity for private developers to compete for a lease has ever been provided. The City may be operating under the mistaken belief it had authority to approve the Lease pursuant to Section 8.10 of the Charter. Section 8.10 however, speaks to exceptional circumstances that do not apply to these facts. Further, the Resolution approving the Lease failed to meet the applicable criteria. Specifically, development of a water park clearly falls outside the purview of development of an industrial center, and the Resolution fails to declare that the Lease is the "most advantageous" available to the City.

Indeed, the FAA's rejection of the Lease, and the City's finding that the Property should be used for commercial recreational purposes after the Airport boundaries have been revised underscores the fact that Section 8.10 is not applicable. Moreover, having conducted no meaningful effort to provide for private developer competition for a lease, the City did not and cannot declare that the Lease is the "most advantageous" available to the City.

Clearly, the City cannot bootstrap the Lease that by its own terms never went into effect, and that falls outside of the boundaries of the "industrial center" without providing for competition. To do so would constitute an illegal effort to circumvent the requirements of the Charter. Moreover, the Property was not zoned for recreational use at the time the Lease was approved. This is further evidence that Section 8.10 does not apply.

As a result of the FAA's rejection of the Lease, it is our understanding that the City agreed to buyout the conditions of the Surplus Property Quit Claim Deed dated March 11, 1947. The terms for the sale imposed by the FAA, *inter alia*, require the City to update its Airport Layout Plan "to reflect the new airport boundaries." On or about August 18, 2015, the City accepted the terms imposed by the FAA, and executed a Deed of Release on September 8, 2015. Since the property is no longer part of the Airport, and to the extent that the City still wants to

Cynthia A. Everett, Esq.

October 5, 2015

Page 3

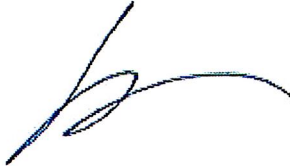
lease it for use as a commercial recreational park or facility, then Section 8.09 of the Charter applies. Pursuant to Section 8.09, the City must first adopt a resolution specifying its desire to lease the Property, and permit competition for the lease.

Premier stands ready, willing, and able to compete for such a lease, and is confident that after a competitive process, the City will realize that the Lease is not in its best interest, and is certainly not the most advantageous lease that the City can make.

We urge the City to confirm that it will not proceed with the Lease, and to the extent it desires to proceed with a lease of the Property, that it will comply with Section 8.09 of the Charter. We also further request that the proposed Lease amendment be removed from the City Commission's Agenda.

Thank you for your immediate attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to be 'WJ Cea', with a long horizontal flourish extending to the right.

William J. Cea
For the Firm

WJC/jhb

cc: Gary C. Rosen, Esq.
Client

ACTIVE: W22589/371482:7603363_1

August 24, 2015

Bank of America Centre
625 N. Flagler Drive, 7th Floor
West Palm Beach, Florida 33401

VIA E-MAIL: Jmodarelli@fortlauderdale.gov

City of Fort Lauderdale
City Clerk's Office
Attention: Jeff Modarelli
100 N. Andrews Avenue
Fort Lauderdale, Florida 33301

Re: Public Records Request

Dear Mr. Modarelli:

Pursuant to Florida Statutes, Chapter 119, please allow this correspondence to serve as a request for public records. For purposes of this request, the term "Lease" means that certain Lease Agreement for Parcels 19B, 25, 26 and 27 for Schlitterbahn Waterpark Fort Lauderdale approved by the City Commission on July 10, 2014. "City Commission" means the City Commission of the City of Ft. Lauderdale; and "City" means the "City of Ft. Lauderdale, Florida. Additionally, the term "Airport" means the Ft. Lauderdale Executive Airport (Prospect Field).

Request is hereby made for the following public records:

1. All versions of the Lease approved by the City Commission, including any revisions or amendments thereto, as well as any signed copies thereof.
2. All communications and correspondence by and between the City and the Federal Aviation Administration ("FAA") relative to the Lease.
3. All records that reflect discussion or ramification of the FAA's decision not to approve the Lease.
4. All agreements, deeds or other instruments, signed and unsigned, between the City and the FAA relating to the real property subject of the Lease.

5. All records that reflect the impact on the Airport, including airport boundaries, as a result of the any agreement reached with the FAA relative to the real property subject of the Lease.
6. All records that reflect the impact on wildlife at the Airport as a result of the project contemplated by the Lease.
7. All records that reflect the City's intentions to address impacts on wildlife which may be caused by the project contemplated by the Lease.
8. All public notices and advertisements issued by the City relative to the Lease, or any amendment or revisions thereto.
9. All records, including, but not limited to, memorandum or other analysis that reflect the legal authority for the City's approval of the Lease, or any amendment or revision thereto.
10. All records which reflect the performance of any term or condition of the Lease.
11. All records which reflect land development approvals issued by the City or any other public agency relative to the project contemplated by Lease.
12. All communications by and between FTL Waterresort, LLC ("Lessee"), including any agent or representative of the Lessee, and the City as to the status and/or consequences of the FAA's refusal to approve the Lease.
13. All Master Plans submitted by the Lessee to the City for the project subject of the Lease.
14. All records, including, but not limited to, memorandum, reports, analysis, and communications which reflect the City's intentions regarding the Lease in light of the FAA's refusal to approve the Lease.
15. All records which reflect studies or analysis of impacts of the development subject of the Lease, regardless of which person or entity produced or commissioned the study or analysis.
16. All records which reflect the analysis performed by the City to find that the project subject of the Lease is a "one-of-a-kind waterpark".

17. All records that reflect any analysis by or on behalf of the City to determine the public benefits and/or best interests of the City in relation to the project subject of the Lease.
18. All records subsequent to January 1, 2010 that reflect analysis by or on behalf of City as to alternate purchasers, lessees, developers or alternative uses of the property subject of the Lease.
19. All records which define or discuss the meaning of "industrial center" in relation to the Airport.
20. All records which reflect permitted uses within the "industrial center" at the Airport.
21. All records which define the "Ft. Lauderdale Industrial Airpark" as referenced in the Lease.
22. All records which reflect the uses permitted within the "Ft. Lauderdale Industrial Airpark" as referenced in the Lease.
23. The City's Airport Master Plan in effect as of January 1, 2010, and any revisions or amendments thereto.
24. All records which reflect an analysis of the Lessee's ability to perform the Lease.
25. All records which reflect objections or complaints submitted to the City in relation to the project subject of the Lease.
26. All records which reflect any analysis performed by the FAA relative to the Lease.
27. All records which reflect the process or steps necessary to revise the Airport boundaries.
28. All records which reflect any restrictive covenant or condition that the Lease did not comply with.
29. All records, including emails, memorandum, or communications with the Lessee, or other records which reflect the City's intentions or steps which may be necessary to proceed with any agreement with the Lessee.

30. All records which reflect the "Contractors" intended to be utilized by the Lessee to construct the project subject of the Lease.

31. All records that reflect the Lessee' lender(s) or intended lender(s) for the project subject of the Lease.

Time is of the essence with respect to this public records request. Please advise as soon as the records are available for inspection and/or copying via email to William J. Cea at wcea@bplegal.com and Jennifer Blanchard at jblanchard@bplegal.com. We would prefer electronic copies if possible. If there is a cost associated with your compliance with this request, please provide us with an estimate prior to incurring the charges.

Thank you for your time and attention to the above. If you have any questions, please contact us.

Very truly yours,

A handwritten signature in black ink, appearing to be 'WJ Cea', with a long horizontal flourish extending to the right.

William J. Cea
For the Firm

WJC//jhb
ACTIVE:7499251_1_WCEA

PROVIDED @ meeting
Meryl Leventon
Event Manager

LIFETIME
Athletic
Events

direct: 305.278.8668
mobile: 610.659.2613
mleventon@lifecyclefitness.com

8879 SW 131st Street
Miami, FL 33176
eventsbylifetime.com

LIFETIME Media & EventsSM

13.1

Michelob
ULTRA





Fort Lauderdale

Presented by



Hyundai Hope On Wheels®
Helping Kids Fight Cancer

NOVEMBER 15, 2015

START TIMES

WHEELCHAIRS 6:30 A.M.
HALF MARATHON 6:35 A.M.
LIFE TIME 5K 7:15 A.M.

MAP LEGEND



13.1 COURSE

5K COURSE

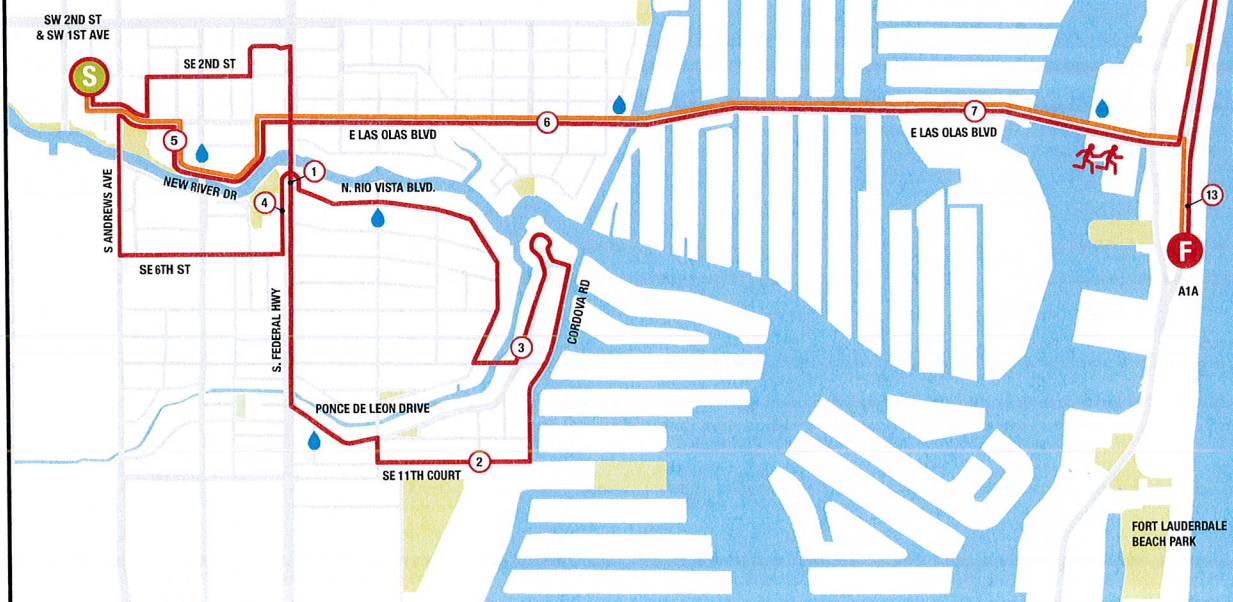
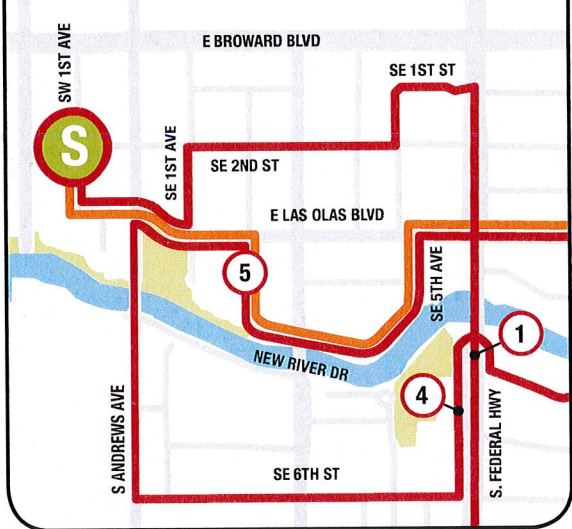
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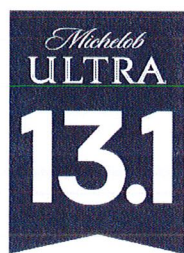


RELAY EXCHANGE

WATER STATION

START AREA DETAIL






Michelob Ultra 13.1 Fort Lauderdale Marathon UPDATED Course Turn by Turn

- Start: SW 1st Ave at SW 2nd Street Intersection
- SOUTH on SW 1st Ave
- LEFT SE 1st Ave
- RIGHT SE 2nd Street
- LEFT SE 5th Ave (towards Broward Financial Building)
- Follow around curve EAST towards US 1
- RIGHT US 1
- Follow under tunnel
- LEFT Ponce de Leon Drive
- RIGHT SE 9th Ave
- LEFT SE 11th Court
- LEFT Cordova Rd
- LEFT SE 7th Street
- RIGHT Ponce de Leon Drive
- Follow (inside loop) around cul-de-sac to head SOUTH on Ponce de Leon Drive
- RIGHT SE 9th Street
- RIGHT N Rio Vista Blvd
- STRAIGHT over US 1 over pass
- LEFT along East Ave
- RIGHT SE 6th Street
- RIGHT over S Andrews Ave Bridge
- RIGHT E Las Olas Blvd
- RIGHT Las Olas Way
- Turns into SE 5th Ave
- RIGHT E Las Olas Blvd
- Left A1A (North)
- Turn around across from St Pius X Church
- SOUTH on A1A
- Finish: 600 Seabreeze Blvd

13.1 FTL Course Time Estimates

Approx. Location/Area	Approx	Wheelchair*	Lead Runners	Half Slow
Pace:	Mile	3:00/mile	5:00/mile	16:00/mile
START: SW 1st Ave/SW 2nd Street	0	6:30 AM	6:35 AM	6:35 AM
S Federal Hwy (heading under bridge)	1	6:33	6:40	6:51
SE 11th Court/ SE 12th Way	2	6:36	6:45	7:07
Ponce de Leon Drive/ SE 9th Street	3	6:39	6:50	7:23
East Ave (parallel to S Federal Hwy)	4	6:42	6:55	7:37
E Las Olas/Las Olas Way	5	6:45	7:00	7:53
E Las Olas Blvd/ SE 16th Avenue	6	6:48	7:05	8:09
E Las Olas Blvd/ SE 25th Avenue	7	6:51	7:10	8:25
A1A (N)/ Bayshore Drive	8	6:54	7:15	8:41
A1A North (North of E Sunrise Blvd)	9	6:57	7:20	8:57
A1A (N)/ NE 21st Street	10	7:00	7:25	9:13
A1A (S)/ NE 14th Court	11	7:03	7:30	9:29
A1A (S)/ Terramar Street	12	7:06	7:35	9:45
A1A (S)/ SE 5th Street	13	7:09	7:40	10:01
FINISH	13.1	7:10	7:41	10:05
	Approx. time:	40 minutes	1h 6 minutes	3h 30 mins
	Time of day at the finish line:	7:10 AM	7:41 AM	10:05 AM
	*Wheelchair start is 6:30 AM			



Date: 10/28/2014 Author: Ariel Garces Project: 13.1 FT LAUD LOC: E Las Olas & Seabreezes Blvd.	Comments:
Note: Typical drawing as per the latest edition of the MUTCD and 2015 Index 600 Series Design Standards. Drawing not to scale.	All American Baricades does not warrant the traffic control setup. The setup should be handled by personnel that have been certified in this type of traffic control setup.





CITY OF FORT LAUDERDALE

OFFICE OF THE CITY MANAGER

Millage Comparison of the 25 Largest Cities in Florida Based Upon Population

Rank	City	FY 2016 Population Used for Revenue Sharing	FY 2016 Adopted Millage Rate
1	Jacksonville	845,736	11.4419
2	Palm Bay	105,815	8.5000
3	West Palm Beach	104,323	8.3465
4	Miami	425,922	7.6465
5	Hollywood	144,310	7.4479
6	Cape Coral	163,570	6.9570
7	Miami Gardens	108,160	6.9363
8	Miramar	128,432	6.8327
9	St. Petersburg	251,968	6.7700
10	Orlando	255,121	6.6500
11	Hialeah	230,544	6.3018
12	Sunrise	88,033	6.0543
13	Plantation	86,782	5.9000
14	Tampa	352,031	5.7326
15	Miami Beach	91,540	5.7092
16	Pembroke Pines	157,363	5.6368
17	Lakeland	100,728	5.5644
18	Port St. Lucie	169,882	5.4096
19	Clearwater	109,458	5.1550
20	Davie	95,499	5.0819
21	Pompano Beach	104,519	4.9865
22	Coral Springs	123,618	4.7982
23	Gainesville	124,796	4.5079
24	Tallahassee	184,419	4.2000
25	Fort Lauderdale	171,312	4.1193

Note: Pompano has an EMS Millage rate of .50 that is not included in this rate
Deltona was replaced with the City of Sunrise
Jacksonville represents the City and County
Lakeland has an electric utility

NP-1
Provided by
Christine Timmon



Christine Timmon

954.901.9755 / 954.770.4940

christine84@myway.com

Newt Gingrich Constitutional Immigration Report (Part 4)

The Constitutional Congress of The United States of America was exiled about 45 years ago by The Democratic led Congress that held power for 40 years. The major leader of that Congress was Tip O'Neill who was Speaker of the House for 29 years.

The Democratic led Congress did not want to abide by the laws of the "Controller" clause Article VI, Clause 2 that demanded that all laws of the United States of America down to every judge and treaties be in the U. S. Constitution. The Democrats tried to get States to amend the Constitution that only allowed States to bring immigrants and let Congress bring immigrants. They wanted migrants to think they needed Congress to migrate them. Democrats were losing American votes, so they wanted the immigrants to help win elections as we see today.

In order to achieve that goal, the Democrats got the federal judges to help them exile several clauses in the U. S. Constitution. Article 1, Section 9, Article VI, Article 3, Article I, Article IV, Amendments X, XI and XIV. Then the federal court allowed the Democrats to pass unconstitutional laws to prevent the States from any involvement with immigration and allowed illegals to invade the States and collect federal entitlements that is prohibited by the constitution.

Once that was done; it amounted to an overthrow of the Constitutional Congress and an establishment of the U. S. Congressional Government that writes its own laws in violation of the Controller clause, Article VI, Clause that requires that all laws be constitutional. The actions of that Congressional Government even unto this day is Sedition; a combination of rebellion, insurrection, treason and giving aid and comfort to enemies as cited in Amendment XIV that punishes elected officials who swore an oath to the U. S. Constitution and failed to do so by passing laws that are unconstitutional, violating Article I, Section, 8 Clause 15, the arrest clause.

The big problem for the U. S. Congressional Government that writes its own laws after they seceded from the U. S. Constitutional Congress is the U. S. Congressional government had no financing, nada! They were broke and are still broke! They get their finances from the United States of America's Constitutional government that they seceded from. They use the tax dollars of the American tax payers to fund their unconstitutional agendas. America's budget deficit is because billions of dollars a day are stolen by the House Appropriations Committee, chaired by Harold Rogers who listens to Trey Gowdy and Jeff Sessions, the Chairs of the unconstitutional U. S Immigration Committees who allow thousands of immigrant to get American tax dollars.