

City of Fort Lauderdale

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



Meeting Minutes

Tuesday, September 25, 2018

6:00 PM

City Commission Chambers

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

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

***LEE R. FELDMAN, City Manager
JOHN HERBST, City Auditor
JEFFREY A. MODARELLI, City Clerk
ALAIN E. BOILEAU, City Attorney***

CALL TO ORDER

Vice Mayor Sorensen called the Commission Regular Meeting to order at 6:03 p.m.

Invocation

Dr. Rosalind Osgood, Broward County School Board Member

Pledge of Allegiance

Dillard High School Student Jazz Ensemble Member Summer Camargo played the Star Spangle Banner.

ROLL CALL

Present: 4 - Commissioner Steven Glassman, Commissioner Robert L. McKinzie, Commissioner Heather Moraitis and Vice Mayor Ben Sorensen

Excused: 1 - Mayor Dean J. Trantalis

QUORUM ESTABLISHED

Also Present: Assistant City Manager Stanley Hawthorne, City Clerk Jeffrey A. Modarelli, City Attorney Alain E. Boileau, City Auditor John Herbst and Sergeant at Arms Jeff Brull

18-1070

WALK-ON - Presentation - Dillard High School Jazz Ensemble

Commissioner McKinzie requested Christopher Dorsey - Dillard High School Director of Jazz Studies and Instrumental Music, Principal Cassandra D. Robinson, and School Board Members Donna P. Korn and Dr. Rosalind Osgood join him at the podium.

Commissioner McKinzie recognized Dillard High School's Center for the Arts Jazz Ensemble (Jazz Ensemble) for their excellence and winners of the *23rd Annual Essentially Ellington High School Jazz Band Competition and Festival* (Competition) at Manhattan's Lincoln Center. Commission McKinzie acknowledged the Competition's individual recognition of the Jazz Ensemble's Trumpet Section.

Principal Cassandra D. Robinson thanked Commissioner McKinzie and the Commission. She recognized the contribution of parents and the community. Ms. Robinson confirmed this could not have been possible without the efforts of Mr. Christopher Dorsey - Director of Jazz Studies and Instrumental Music at Dillard High School.

Mr. Dorsey thanked Commissioner McKinzie and the Commission. Mr. Dorsey thanked his students and their parents, Principal Cassandra D. Robinson, Dillard High School Administration, Broward County School Board Members and Artistic Director Israel Charles for their ongoing support and promotion of excellence.

School Board Members Donna Korn and Dr. Rosalind Osgood thanked the Commission and congratulated the Jazz Ensemble's students and parents for this outstanding achievement.

Commissioner McKinzie presented them with a crystal piece on behalf of the City in recognition of the Jazz Ensemble's achievement as winners of the *23rd Annual Essentially Ellington High School Jazz Band Competition and Festival*.

Summer Camargo, Jazz Ensemble Trumpet Musician, played the Star Spangle Banner at the conclusion of the presentation.

PRESENTED

ANNOUNCEMENTS

City Clerk Jeffrey Modarelli made the following Agenda announcements:

Removed from Agenda:

CR - 7 Resolution to Approve an Amendment to the Interlocal Agreement with the Downtown Fort Lauderdale Transportation Management Association for Community Bus Service and Transit Services to Extend the Term of the Agreement for One Year

Revisions to Agenda Items:

PUR-1 - Revised the Resource Impact section of the Memo
PUR-2 - Revised the Resource Impact section of the Memo
PUR-3 - Revised Exhibit 3, pages 19,20 and 22 of the contract
PUR-2 - Revised the Resource Impact section of the Memo
PH-2 - Revised Exhibit 4, pages 1 & 4 of the Resolution

Approval of MINUTES and Agenda

[18-1030](#)

Minutes for August 21, 2018 Commission Conference Meeting,

August 21, 2018 Commission Regular Meeting and August 27, 2018 Commission Joint Workshop with Budget Advisory Board and September 7, 2018 Las Olas Boulevard Mobility Workshop

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

APPROVED

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

PRESENTATIONS

PRES- [18-0921](#)
1

Procurement Services Division of Finance Department - National Procurement Institute's 2018 Achievement of Excellence in Procurement Award

Kirk Buffington, Director of Finance, requested Procurement Services Division Community Builders join him at the podium. Mr. Buffington presented the National Procurement Institute's 2018 Achievement of Excellence in Procurement Award, expounding on its details and history. He acknowledged the work of the Procurement Division, thanking them for their efforts.

PRESENTED

CONSENT AGENDA PUBLIC COMMENT

Vice Mayor Sorensen announced items CR-1 and CR-4 were pulled for separate discussion by Commissioner Glassman.

CONSENT AGENDA

CONSENT MOTION

Approval of the Consent Agenda

Commissioner McKinzie made a motion to approve the Consent Agenda and was seconded by Commissioner Glassman.

Approve the Consent Agenda

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

- CM-1** [18-0967](#) Motion to Approve an Event Agreement with A & R Enterprises of SO. FL Inc. for Friday Night Sound Waves

APPROVED

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

- CM-2** [18-0955](#) Motion to Approve an Event Agreement and Related Road Closures with MASS Districts, Inc for MASS District Events

APPROVED

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

- CM-3** [18-0941](#) Motion to Amend Project Vista to reflect a Revised Job Creation Schedule for their Qualified Target Industry Tax Refund Incentive

APPROVED

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

- CM-4** [18-0895](#) Motion Approving the Acceptance of Equipment from Firehouse Subs Public Safety Foundation in the Amount of \$10,599.30

APPROVED

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

- CM-5** [18-0886](#) Motion Approving a Revocable License Agreement with Beach Majors USA, LLC for the Construction of a Temporary Beach Statue

APPROVED

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

- CM-6** [18-0926](#) Motion to Approve a Dock Use Agreement with Rubber Duck Holdings, Inc. d/b/a yachtsalesinternational.com from October 1, 2018 to September 30, 2019

APPROVED

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

CM-7 [18-1018](#)

Motion to Approve an Assignment of Revocable License Agreement Between 315 Flagler, LP and 315 Flagler Owner, LLC

APPROVED

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

CONSENT RESOLUTION

CR-1 [18-0991](#)

Resolution Levying the Fiscal Year 2019 Operating Millage Rate of 0.5357 and Debt Service Millage Rate of 0.3978 for the City of Fort Lauderdale Downtown Development Authority (DDA)

Vice Mayor Sorensen recognized Paul Chettle, 200 S. Birch Road. Mr. Chettle discussed his opposition to fund the Downtown Development Authority (DDA) and the City's responsibility cost overruns for the former Wave Project cost overruns.

Commissioner McKinzie stated this item levies the Fiscal Year 2019 Operating Millage Rate of 0.5357 and Debt Service Millage Rate of 0.3978 for the DDA to address its work to addressing transportation needs.

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

ADOPTED

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

CR-2 [18-1019](#)

Resolution to Dispose of City-Owned Surplus Property located at 1801 SW 1 Avenue

ADOPTED

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

CR-3 [18-1020](#)

Resolution Approving the Notice of Award and Sale of City Owned

Property Located at 11XX NW 2 Avenue, Fort Lauderdale, FL to Don and Gloria Bailey

ADOPTED

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

CR-4 [18-1021](#)

Resolution Amending Resolution No. 18-167 to Extend the Bid Offer Deadline for City-Owned Surplus Property Located at 5XX NE 7 Avenue

Vice Mayor Sorensen recognized Charles King, 105 N. Victoria Park Road. Mr. King commented on the appraisal of this property, its zoning and the process.

Commissioner Glassman commented on the market value as listed in the Broward County Property Appraiser's website. Commissioner Glassman and Commissioner McKinzie concurred on the need for an additional appraisal.

Assistant City Manager Stanley Hawthorne recommended extending a Commission decision. City Attorney Alain Boileau informed the Commission on the way to amend the item to allow the property to be offered at a higher appraised value.

Commissioner Glassman introduced this Resolution as amended to include receiving an additional appraisal, offering the property for bid at the highest appraised value, extending the bid timeframe to 2:00 p.m. on November 10, 2018 and presenting this item to the Commission at the November 20, 2018 Commission Regular Meeting which was read by title only.

ADOPTED AS AMENDED

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

CR-5 [18-0906](#)

Resolution to Approve a Construction Agreement with the Florida Department of Transportation for Construction on State Road (SR) A1A between the Fort Lauderdale Beach Park Parking Lot Entrance and Sunrise Boulevard and as Part of the SR A1A Streetscape Improvement Project

ADOPTED

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

CR-6 [18-0869](#) Resolution in Support of Broward County Entering into an Agreement with Traffic Technology Services, Inc. to Allow Access to Real Time Traffic Signal Data

ADOPTED

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

CR-7 [18-0976](#) Resolution to Approve an Amendment to the Interlocal Agreement with the Downtown Fort Lauderdale Transportation Management Association for Community Bus Service and Transit Services to Extend the Term of the Agreement for One Year

REMOVED FROM AGENDA

CR-8 [18-0994](#) Resolution in Support of the City of Oakland Park's Prospect Road Improvement Project from Commercial Boulevard to Dixie Highway

ADOPTED

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

CR-9 [18-1022](#) Resolution to Approve the Execution of a Revised Interlocal Agreement with Broward County for the Transportation System Surtax

ADOPTED

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

CR-10 [18-1035](#) Resolution Authorizing the City Manager Consent to Assignment of Lease Agreement, as amended, and an Assignment of Parking Facility Management Agreement from One Broward Blvd Holdings, LLC. to 1 East Broward Owner, LLC and a Recognition, Attornment and Assent to Mortgage in favor of SunTrust Bank

ADOPTED

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

PURCHASING AGENDA

PUR-1 [18-0896](#) Motion to Approve Contract for Purchase of Effluent Pump Motors for George T. Lohmeyer Wastewater Plant - Condo Electric Industrial Supply, Inc. - \$783,377

APPROVED

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

PUR-2 [18-0919](#) Motion to Approve Contracts for Purchase of Water Meter Boxes - Various Vendors - \$504,000

APPROVED

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

PUR-3 [18-0959](#) Motion to Approve Contract for Parking Modifications on SE 1st Avenue and Broward Boulevard - Concrete Works & Paving Inc - \$128,789

APPROVED

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

PUR-4 [18-0965](#) Motion to Approve Contracts for Purchase of Streetlight Fixtures - World Electric Supply Inc. and Torres Electrical Supply Company, Inc. - \$200,000

APPROVED

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

PUR-5 [18-0978](#) Motion to Approve Increase in Funds to the Barricades and Flasher Rental Contract - Various Vendors - \$352,548

APPROVED

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

PUR-6 [18-0979](#)

Motion to Approve Amendment to Terms of Service for Credit Card Processing Services - Elavon, Inc. - \$58,000

APPROVED

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

MOTIONS**M-1** [18-1006](#)

Motion Relating to a City Commission Request for Review - Riverparc Square (A.K.A. Southside Centre) - Case No. R17025

Vice Mayor Sorensen explained the background of this item known as Riverparc Square a/k/a Southside Square (Project). The Development Review Committee (DRC) approved this development at their September 4, 2018 Meeting and there is a 30-day timeframe for the Commission to determine a need for Commission review. Vice Mayor Sorensen confirmed that he and Commissioner Glassman called this item up, expounding on details of the Unified Land Development Regulations (ULDR) and the process should this motion move forward and be approved.

In response to Commissioner Glassman's question relating to the Traffic Study's level of service and mitigating traffic concerns, Benjamin Restrepo, Project Manager II - Transportation and Mobility, confirmed there will be an acceptable level of service after Project completion, expounding on peak hour details. Mr. Restrepo said the applicant is proposing mitigation of roadways at SW 6th Street and Andrews Avenue, commenting on details and future levels of service.

In response to Commissioner Glassman, Mr. Restrepo discussed construction of a traffic signal at Flagler Drive and SW 6th Street that would assist in mitigating traffic queueing during railway travel. Further discussion ensued on the Project's impact on bridge operations during peak traffic hours. Mr. Restrepo confirmed his comfort level for Project approval, commenting on its retail shopping component that will alleviate travel to other areas.

In response to Commissioner Glassman's question about the Project's impact on water and sewer capacity, specifically Pump Stations A-11 and A-12, Joseph Kenney, Assistant Public Works Director, confirmed adequate capacity currently exists at Pump Station A-11. The developer will make improvements for connection to Pump Station A-11. Commissioner Glassman expounded on the Water and Sewer Capacity Letter (Capacity Letter), acknowledging that water and sewer capacity availability is subject to change. Mr. Kenney said currently approved Capacity Letters for projects in the pipeline are not expected to impact this Project.

In response Vice Mayor Sorensen's question about the current capacity of Pump Station A-11 and projected capacity after Project completion, Mr. Kenney explained the standards. Currently, there are seven hours of run time. After Project completion, there would be an increase of two hours of run time. This increase would be under the standard ten hours of run time. The gallons per minute capacity is 2,100 and is under the standard. This would remain the same after Project completion.

Vice Mayor Sorensen recognized Robert Lochrie, Esq., Lochrie and Chakas, on behalf of the Applicant. In response to Commissioner Glassman's question about the Project's affordable housing units, Mr. Lochrie commented this is not a requirement. He expounded on the location of the Project and its ability to ensure rentability. In response to Commissioner Glassman's request for information about square footage and rental costs, Mr. Lochrie stated smaller units are approximately 620 to 720 square feet.

In response to Commissioner Glassman's questions about plans to address the Project's impact on surrounding water and sewer infrastructure, Mr. Lochrie commented on Staff's focus on all aspects of area projects and their impact on infrastructure. He explained the developer's off-site improvements, including upsizing the water main on First Street. A lift station would be built on the Project site at the developer's expense along with a possible force main to the pump station at Hardy Park. Additionally, the developer will be making a \$2,000,000 contribution to the Water and Sewer Fund.

In response to Commissioner Glassman's question about the Project's construction impacting stormwater, Mr. Lochrie confirmed the developer will utilize the City's Best Practices for construction project runoff into stormwater drains. Mr. Lochrie expounded on the Project's efforts to address other stormwater concerns.

In response to Commissioner Glassman's questions, Mr. Lochrie

discussed ways the developer will mitigate water on impervious surface areas and address the impact of construction on parallel street parking along SW 5th Street and SW 6th Street. Mr. Lochrie discussed Project changes that encompass increased open space and landscaping.

Vice Mayor Sorensen recognized Charles King, 105 N. Victoria Park Road. Mr. King spoke in support of this item, commenting on the importance of having adequate water and sewer capacity.

Vice Mayor Sorensen recognized Steve Lindie, 2607 Nassau Lane. Mr. Lindie spoke in support of this item, stating the Project brings needed attributes to the area.

Vice Mayor Sorensen recognized Paul Chettle, 200. S. Birch Road. Mr. Chettle spoke in support of the project, commenting on the need for affordable housing in the Downtown Regional Activity Center (RAC), providing the County with information regarding trip reduction, addressing the impact of increased downtown development on fire and medical response times and concerns related to infrastructure funding.

Vice Mayor Sorensen recognized Janet Scraper, President of the Tarpon River Civic Association. Ms. Scraper spoke in support of the Project, commenting on concerns related to infrastructure capacity, vehicle traffic and the need to mitigate these concerns. She recommended changing current policy for approving large projects to allow for Commission review, emphasizing the need to be proactive regarding development in all areas. In response to Commissioner Glassman, Ms. Scraper stated that Tarpon River Civic Association did not take a vote on this Project. Ms. Scraper said there was a consensus in support of the Project among the large number of attendees.

Vice Mayor Sorensen recognized Jonathan Martin, 824 SE 6th Street. Mr. Martin confirmed his support of this Project, commenting on the positive economic impact to the area.

Vice Mayor Sorensen recognized Jay Schechtman, 811 SW 7th Avenue. Mr. Schechtman confirmed his support of the Project, commenting on his detailed review of the Project, its positive economic and safety attributes it will afford the area. He discussed the need for Impact Fees being allocated to the Project's specific neighborhood to proactively address infrastructure concerns.

Vice Mayor Sorensen recognized Kathleen Ginestra, 1201 River Reach Drive. Ms. Ginestra confirmed her support of this Project, discussing the importance of having large projects come before the Commission at

Regular Meetings and urging the Commission to modify the Unified Land Development Regulations (ULDR) to accommodate this need.

Vice Mayor Sorensen recognized Mary Fertig, 511 Poinciana Drive. Ms. Fertig commented on the approval process for projects and Development Review Committee (DRC) concerns requiring Staff follow-up. She discussed the importance of the Commission's ability to call-up items for public notice and discussion. Ms. Fertig acknowledged improvements made to the analysis used for project Water and Sewer Capacity Letters based upon community input.

Vice Mayor Sorensen recognized Abbey Hand, 1201 River Reach Drive. Ms. Hand discussed her position against the amount of development, density and infrastructure in the Tarpon River area and its impact on residents living west of the Project.

Vice Mayor Sorensen recognized Stan Eichelbaum, 411 N. New River Drive. Mr. Eichelbaum spoke in opposition to this item, citing public safety concerns relating to the number of ongoing development projects and concerns noted in the Reiss Report. He recommended a pause for refining and adjusting municipal planning. Further comment and discussion ensued on revisiting the current process.

Vice Mayor Sorensen recognized Gary Grayson, 347 N. New River Drive. Mr. Grayson commented on the Project's towers, concerns related to their spacing and the need for improving the process. He recommended further scrutiny of this Project.

Vice Mayor Sorensen recognized Mr. Lochrie who gave rebuttal comments. He said the Project conforms with the Downtown Master Plan and the New River Master Plan. Mr. Lochrie said the Project meets criteria, commenting on additional aspects of the Project.

Vice Mayor Sorensen discussed the importance of public input being part of the approval process. Commissioner McKinzie commented on the current process, Staff input and the opportunity for public input. Commissioner Glassman discussed the reasons behind his request for review of this Project which provides the opportunity this process gives for community input.

Commissioner Glassman recognized the attendance of Broward County Commissioner Chip LaMarca, welcoming Commissioner LaMarca.

In response to Commissioner Glassman's question about the impact of the Third Avenue and Andrews Avenue one-way pairings on the Project,

Mr. Restrepo confirmed traffic flow would be improved.

In response to Vice Mayor Sorensen's question about the Reiss Report's infrastructure findings and their alignment with the Project, Mr. Kenney commented on the Reiss Report's findings on pump stations, confirming the Project's impact is within current operational standards.

Commissioner Moraitis requested clarification that voting in the affirmative for this item would approve moving forward with a De Novo Hearing. This was confirmed.

Commissioner Glassman confirmed his satisfaction with the answers received from Staff regarding infrastructure and traffic, and Mr. Lochrie's comments on affordable housing. He also commented on the importance of neighbor input, stating all criteria was correctly applied.

Vice Mayor Sorensen passed the gavel to Commissioner McKinzie.

Vice Mayor Sorensen commented on traffic concerns relating to the Projects.

Vice Mayor Sorensen made a motion to approve this item setting a De Novo Hearing. There was no second to the motion.

MOTION DIED FOR LACK OF A SECOND

Commissioner McKinzie passed the gavel back to Vice Mayor Sorensen.

RESOLUTIONS

R-1 [18-0986](#)

Appointment of Board and Committee Members

City Clerk Jeffrey Modarelli read the Board and Committee appointments for tonight's R-1 Agenda item into the record.

A copy of Board and Committee appointments and respective terms are attached to these minutes.

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

ADOPTED

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

18-1071

WALK-ON - Presentation - Check presentation to City of Fort Lauderdale - Broward County Commissioner Chip LaMarca

Vice Mayor Sorensen recognized Broward County Commissioner Chip Lamarca. Commissioner Lamarca discussed joint efforts of the Riverwalk Trust, Broward County and the City to establish a 9/11 Memorial along Riverwalk. On behalf of Broward County, he presented a check towards attaining this goal.

Genia Ellis, President and CEO of Riverwalk Trust, expounded on details for the 9/11 Memorial and thanked Commissioner Lamarca for the donation.

PRESENTED

R-2

[18-0851](#)

Quasi-Judicial Resolution to Approve a Plat Known as Palm Aire Preserve located at 3050 NW 68th Street - Palm Aire Preserve, LLC - Case No. PL18002

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

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

Vice Mayor Sorensen opened the public hearing.

Vice Mayor Sorensen recognized Emanuel Corneille, HSQ Group, Inc., and on behalf of the Applicant. In response to Commissioner Glassman's question about similarity of the plat's name to an existing area, City Attorney Alain Boileau confirmed that addressing plat naming is a County function, confirming identical names are not permitted. Mr. Corneille was sworn in for testimony on this item.

In response to Commissioner Moraitis' inquiry regarding the process and the condominium association not being notified, Anthony Fajardo, Director of Sustainable Development, expounded on the notice requirements for plats, confirming minimum requirements were met. Further comment and discussion ensued. Mr. Fajardo was sworn in for testimony on this item.

Vice Mayor Sorensen recognized Charles Yost, 2968 NW 67th Court. Mr. Yost spoke in opposition to this item, stating his concern with the project impact on the adjacent development's private road and landscape buffer.

Vice Mayor Sorensen recognized Azgen Alvarez, 6721 NW 29th Lane. Mr. Alvarez spoke in opposition to this item, stating his concern on the impact on his residence due to traffic.

Vice Mayor Sorensen recognized Steven Guasch, Project Developer. Mr. Guasch commented on neighbor outreach efforts, stating the roadway connection concerns have been eliminated from the project.

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

Commissioner McKinzie introduced this Resolution Approving the Plat which was read by title only.

ADOPTED - Resolution Approving Plat

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

R-3 [18-0855](#)

Quasi-Judicial Resolution to Approve a Drainage and Utility Easement Vacation - Bear Traxx, LLC. Located at 1401 SW 1st Avenue - Case No. E18013

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

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

Vice Mayor Sorensen opened the public hearing.

There being no one wishing to speak on this item, Commissioner McKinzie made a motion to close the public hearing, which was seconded by Commissioner Glassman. Roll call showed: AYES: Commissioner Glassman, Commissioner McKinzie, Vice Mayor

Sorensen, and Commissioner Moraitis. EXCUSED: Mayor Trantalis.
NAYS: None.

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

ADOPTED

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

R-4 [18-0984](#)

Quasi-Judicial Resolution to Approve a Utility Easement Vacation - 195 North Federal Highway - 195 Federal, LLC. - Case No. E18001

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

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

Vice Mayor Sorensen opened the public hearing.

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

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

ADOPTED

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

PUBLIC HEARINGS

PH-1 [18-0917](#)

Public Hearing to Amend the Annual Action Plan for Fiscal Year 2018-2019 of the Consolidated Plan for the Housing Opportunities for Persons with HIV/AIDS (HOPWA) Program

Vice Mayor Sorensen opened the public hearing.

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

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

APPROVED

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

PH-2 [18-0914](#)

Quasi - Judicial Resolution Granting a Waiver of Limitations at 777 SW 6th Street for the Installation of Three (3) Triple-Pile Clusters and Three (3) Single Pilings

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

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

In response to Commissioner Glassman's inquiry about waiver distance language for the 65-foot piling in the Resolution, Andrew Cuba, Marine Advisory Board Liaison, confirmed a revised Resolution was distributed yesterday. Mr. Cuba was sworn in for his testimony. Commissioner Glassman commented on his perspective regarding the impact of these types of waivers on waterways.

Vice Mayor Sorensen opened the public hearing.

Vice Mayor Sorensen recognized Phyllis Chudnow, Tarpon River Homeowners Association. Ms. Chudnow spoke in opposition to this item, commenting on the impact of water vessel navigation in residential neighborhood canals and discussing additional concerns.

Vice Mayor Sorensen recognized Marlene Kunin, 503 SW 7th Avenue. Ms. Kunin commented that the Marine Advisory Board Meeting for the review of this item was not noticed to surrounding residents. She spoke

in opposition to this waiver, discussing the impact on water vessel navigation and the revenue of commercial marinas located upriver in the western portion of the City.

Vice Mayor Sorensen recognized Paul Chudnow, 505 SW 7th Avenue. Mr. Chudnow spoke in opposition to this waiver, commenting that these types of variances hinder water vessel visibility, citing an example of a 45-foot variance that does not allow a clear view of oncoming water vessel traffic.

Vice Mayor Sorensen recognized Susan Lethbridge, Tarpon River Club Homeowners Association. Ms. Lethbridge spoke in opposition to this item due to a townhouse building on the river and adjacent to this property. She noted area residents were not notified of the Marine Advisory Board's (MAB) meeting on this item and concerns that this dock could be used for marina rentals.

In response to Commissioner McKinzie's question about the language in dock waivers, Anthony Fajardo, Director of Sustainable Development, confirmed marinas are not allowed in residential zoning districts. He said minor water vessel repair work is allowed in residential areas.

Vice Mayor Sorensen recognized Henry Pownall, 509 SW 7th Avenue. Mr. Pownall spoke in opposition to this item, concurring with previous concerns raised on water vessel navigation and the amount of traffic in the area. He requested the Commission consider this waiver request.

Vice Mayor Sorensen recognized Harriet Pownall, 509 SW 7th Avenue. Mrs. Pownall spoke in opposition to this item, commenting on boat slip rentals near her residence.

Vice Mayor Sorensen recognized Janet Scraper, President, Tarpon River Civic Association. Ms. Scraper spoke in opposition to this item, noting that the Marine Advisory Board's (MAB) Minutes reflect that no one was present in opposition to the waiver request. She said area homeowners had no notification of the MAB Meeting.

In response to Vice Mayor Sorensen, City Attorney Alain Boileau discussed notice requirements for surrounding land owners addressing waivers before the Commission. Mr. Boileau confirmed there is no separate required notice to surrounding land owners for MAB Meetings. Ms. Scraper recommended changes to require additional MAB Meeting notice to surrounding land owners and others impacted by waiver requests. She discussed reasons for opposition to this item's 65-foot variance. Further comment and discussion ensued.

Vice Mayor Sorensen recognized Norbert McLaughlin, 1141 SW 8th Avenue. Mr. McLaughlin spoke in opposition to this item, commenting that the New River is a primary waterway for commercial water vessel yards located to the west that are a major economic driver of the marine industry. He commented on dock waivers granted by previous Commissions, railway traffic and walkways that impede water vessel traffic on the New River.

Vice Mayor Sorensen recognized Charles King, 105 N. Victoria Park Road. Mr. King spoke in opposition to this item, commenting on the number of dock waivers granted in the Victoria Park neighborhood, its impact and Code efforts. He recommended diversifying membership on the MAB.

Vice Mayor Sorensen recognized David Nutter, designated representative of the Applicant. Mr. Nutter said this waiver will not increase the number of boat slips, explaining the owner's request is due to safety concerns of his vessels. The owner has no plans to rent out the boat slips.

In response to Commissioner Moraitis, Anthony Fajardo, Director of Sustainable Development, commented on current variances in the area and additional governmental agencies involved with modifications to navigable waterways.

Vice Mayor Sorensen recognized Joe Goss, 515 SW 7th Avenue. Mr. Goss commented on the impact of granted waivers on his residence and obstructed views when pulling his water vessel out into the New River. He concurred with navigation concerns and challenges discussed earlier.

Vice Mayor Sorensen recognized Mr. Nutter. Mr. Nutter confirmed approval by various governmental agencies for this variance. Comment and discussion ensued on the owner's two water vessels and safety concerns being the reason for the requested variance.

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

Commission Moraitis commented on the need for additional input from commercial marine industry water vessel yards to the west. In response

to Commissioner McKinzie, Mr. Cuba expounded on State requirements that require 40 percent of the navigable channel waterway and 30 percent on either side to potentially accommodate a water vessel or a mooring structure. Comment and discussions ensued on the impact of the requested variance and safety concerns.

City Attorney Boileau confirmed that under Code, the Commission has the ability to waive limitations under extraordinary circumstances, stating this should be the guiding focal point. Further comment and discussion ensued.

Vice Mayor Sorensen commented that waivers need to be selectively granted and his request does not include extraordinary circumstances. Mr. Cuba responded to Commissioner Moraitis' question about the input of governmental agencies' review of this waiver.

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

DEFEATED

Aye: 2 - Commissioner McKinzie and Commissioner Moraitis

Nay: 2 - Commissioner Glassman and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

Vice Mayor Sorensen recessed the Commission Meeting at 8:49 p.m.

Vice Mayor Sorensen reconvened the Commission Meeting at 8:59 p.m.

PH-3 [18-0749](#)

Quasi-Judicial - Ordinance - Rezoning From Residential Multifamily Mid Rise/Medium High Density (RMM-25) to North West Regional Activity Center-Mixed Use East (NWRAC-MUe) District - Blue River Realty, LLC. - 706 NW 1st Avenue - Case No. Z18002

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

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

Vice Mayor Sorensen opened the public hearing.

Vice Mayor Sorensen recognized Ron Centamore, President of the Progresso Village Civic Association. Mr. Centamore gave a brief overview of the project's history and associated details, including negotiations on parking availability due to the lack of on-street parking in the area. He confirmed support of the project after agreement on 117 parking spaces.

Vice Mayor Sorensen recognized Julio Montaner, Architect - South East Architect Services. Mr. Montaner confirmed the developer has no objection to the project providing 117 parking spaces.

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

In response to Commissioner Glassman, Anthony Fajardo, Director of Sustainable Development, confirmed that once rezoning is granted, a future owner can develop a larger project. Mr. Fajardo expounded on the history of this area's rezoning discussions and elements of the Master Plan's transition zone on building height. Commissioner Glassman noted his desire for the Applicant to move forward with this item's current multi-family project and approved by the Progresso Village Civic Association.

Commissioner Glassman introduced this Ordinance on the First Reading which was read by title only.

PASSED FIRST READING

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

PH-4 [18-0927](#)

Public Hearing Approving Modifications to the Northwest Community Link and Neighborhood Link Routes - Request Deferment to October 23, 2018

Commissioner Glassman made a motion to defer this item to 6:00 p.m. at the October 23, 2018 Commission Regular Meeting and was seconded by Commissioner McKinzie.

DEFERRED to October 23, 2018

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

ORDINANCE FIRST READING**OFR-1** [18-0903](#)

Ordinance Amending the Funding of the Affordable Housing Trust Fund

Vice Mayor Sorensen recognized Charles King, 105 N. Victoria Park Road. Mr. King discussed his perspective on funding the Affordable Housing Trust Fund and actions to address affordable housing.

In response to Vice Mayor Sorensen, City Attorney Boileau confirmed action on this item does not impact the spirit of the Charter.

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

PASSED FIRST READING

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen

Excused: 1 - Mayor Trantalis

OFR-2 [18-0995](#)

Ordinance Revising Building, Fire and Other Fees for Services Related to Land Development and Permitting - Requesting Deferment to October 9, 2018

Commissioner Glassman made a motion to defer the First Reading of this Ordinance to 6:00 p.m. at the October 9, 2018 Commission Regular Meeting and was seconded by Commissioner McKinzie.

DEFERRED ON FIRST READING to October 9, 2018

Aye: 4 - Commissioner Glassman, Commissioner McKinzie, Commissioner Moraitis and Vice Mayor Sorensen


Excused: 1 - Mayor Trantalis

ADJOURNMENT

Vice Mayor Ben Sorensen adjourned the Commission Regular Meeting at 9:15 p.m.


Ben Sorensen
Vice Mayor

ATTEST:


Jeffrey A. Modarelli
City Clerk

Regular Meeting
9/25/2018
M-1
Provided by Mary Fertig



CITY OF
FORT LAUDERDALE



August 23, 2018

Julie Shearer
Flynn Engineering Services, P.A.
241 Commercial Boulevard
Lauderdale-By-The-Sea, Florida 33308

Subject: **REVISED WATER AND WASTEWATER CAPACITY AVAILABILITY LETTER**
Riverparc Square (Southside) - DRC #R17025
501 South Andrews Avenue, Fort Lauderdale, Florida 33301

Dear Ms. Shearer,

According to the site plan submitted, the project consists of constructing a building with 790 residential units, 297 hotel units, 296,991 square feet of office space and 44,634 square feet of retail space. An existing 82,934 square foot office building it to be removed from the site. The applicant is proposing to connect to existing City of Fort Lauderdale (City) water utilities along SW 1st Avenue and connect to existing sewer utilities along SW 1st Avenue and SW 5th Street. According to the calculations submitted, the project will increase water and sewer demand by 261,712 gallons per day or 0.262 million gallons per day (MGD). The Department of Sustainable Development (DSD) will review and approve such flow calculations. Furthermore, if DSD staff issues comments on the proposed flow calculations after the issuance of this capacity availability letter, the consultant shall request a revised letter with the correct approved flow calculations.

The determination of capacity availability is based upon tools and data analysis as of the date of this letter. Availability of capacities, as calculated in the attached analysis, is not guaranteed and no existing system capacity shall be considered "committed" for this project until a permit has been issued and all fees have been paid. The City reserves the right to re-evaluate the availability of capacities at the time of permit application. If sufficient capacities are not available, the City may deny the permit application or ask the Owner/Developer to submit an alternate design prior to approval. Information contained in this letter will expire one year from the date issued.

Should you have any questions or require any additional information, please contact me at (954) 828-5850.

Sincerely,

Daniel Fisher, P.E.
Project Manager II

Enclosures: Water and Wastewater Capacity Analysis Determination
cc: Nancy Gassman, Ph.D., Interim Deputy Public Works Director
Talal Abi-Karam, P.E., Assistant Public Works Director
Dennis Girishen, P.E., City Engineer
File: Water and Sewer Capacity Letters

PUBLIC WORKS DEPARTMENT

100 N. ANDREWS AVE, FORT LAUDERDALE, FLORIDA 33301
TELEPHONE (954) 828-5772, FAX (954) 828-5074
WWW.FORTLAUDERDALE.GOV

**City of Fort Lauderdale
Public Works Department
Water and Wastewater Capacity Analysis Determination**

Riverparc Square (Southside) - DRC #R17025
501 South Andrews Avenue, Fort Lauderdale, Florida 33301

PROJECT AND DESCRIPTION

Construction of a building with 790 residential units, 297 hotel units, 296,991 square feet of office space and 44,634 square feet of retail space. An existing 82,934 square foot office building it to be removed from the site.

DESCRIPTION OF EXISTING UTILITIES

Water: The site is currently served by a 6-inch water main along SW 1st Avenue which connects to an 8-inch water main along SW 5th Street and SW Flagler Avenue, see Figure 1.

Wastewater: The site is currently served by an 8-inch gravity sewer which conveys flow downstream to an 18-inch sewer and to Pumping Station A-11(PS A-11).

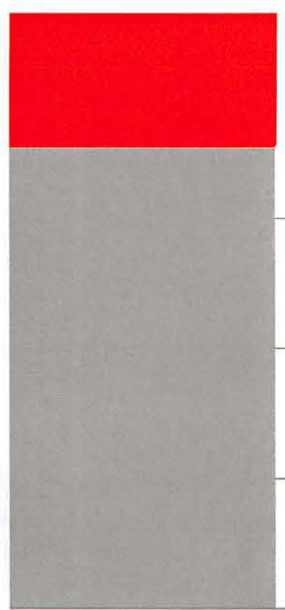
Pumping Station: The site is served by PS A-11 located at 190 SW 7th Street.

SUMMARY OF ANALYSIS AND REQUIRED ACTION

The applicant has proposed water mains improvements which will provide adequate capacity. The applicant will be required to permit, construct, own, operate and maintain a private gravity sewer system and private pumping station to collect and convey sewage. The applicant will also be required to permit and construct a forcemain and connect to the City's sewage transmission system. The applicant may propose an alternative solution to the satisfaction of the City. A memorandum of agreement (MOA) shall be required between the City and the applicant to coordinate the design requirements and construction of the improvements.

Station Run Time

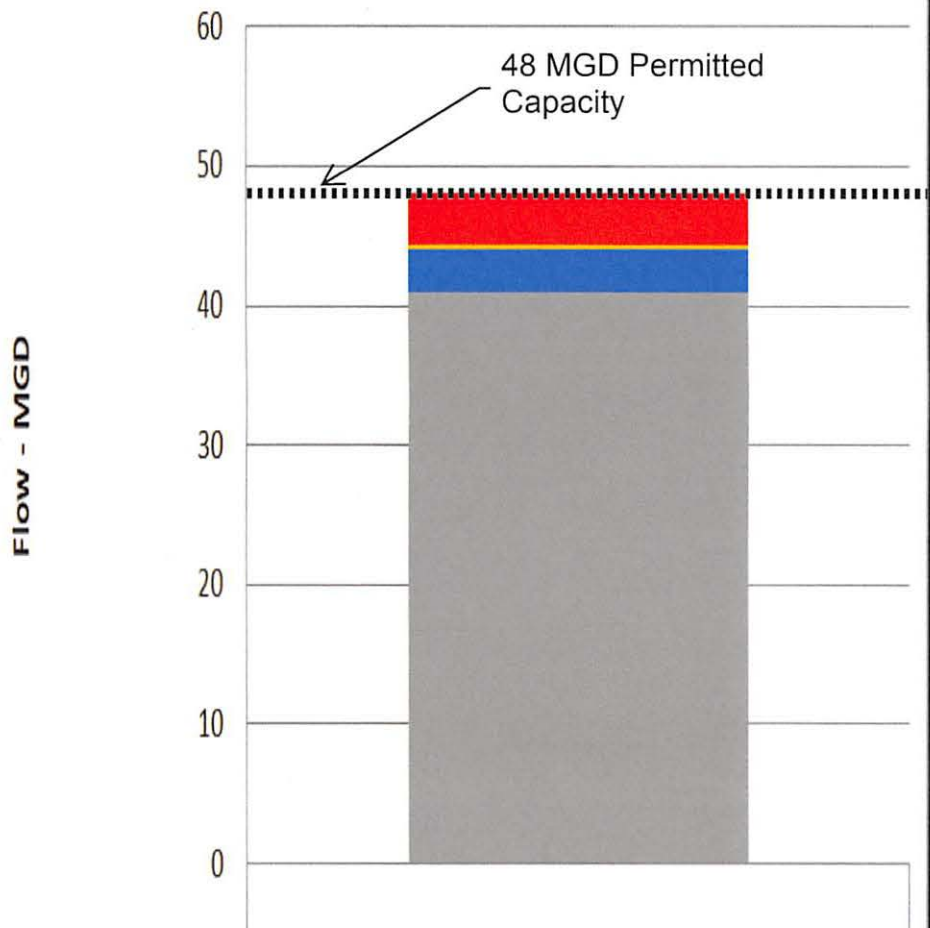
Miami-Dade
Standard, 10 hr/day



2.1

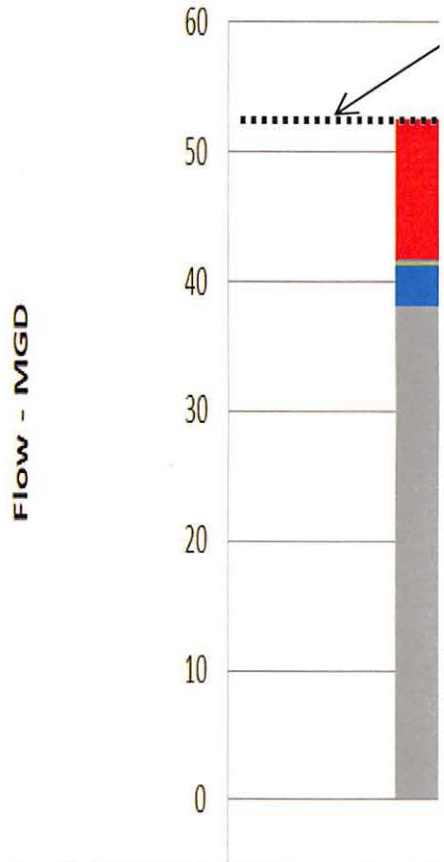
7.4

Summary of Flow to GTL



Capacity Remaining	3.648
Proposed Flow	0.262
Committed Flow	3.137
Current Demand	40.853

Summary of Water Production



Capacity Remaining	
0.05% Plants losses	
Proposed Demand	
Committed Demand	
Current Demand	

Figure 1 – City Water Atlas

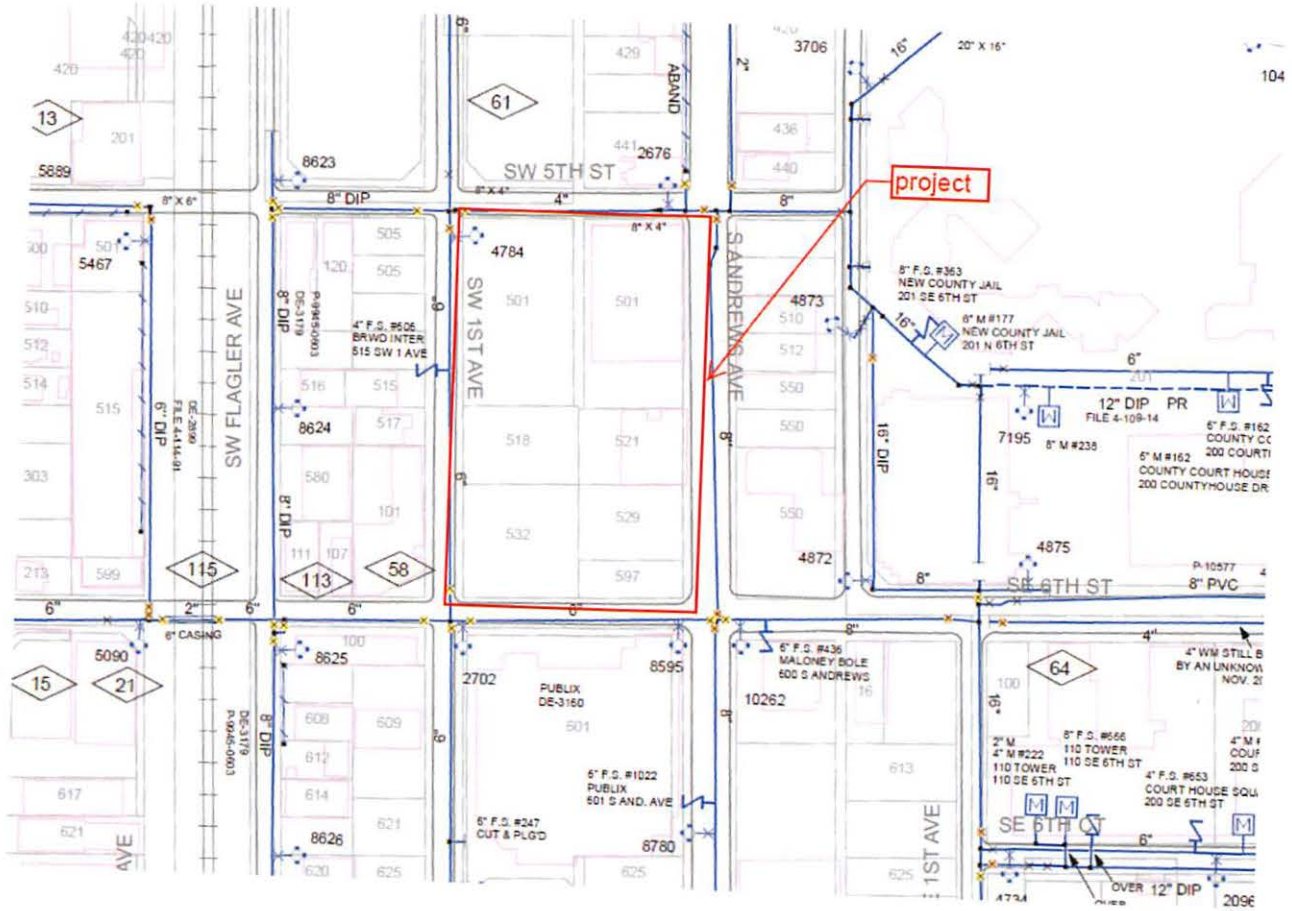
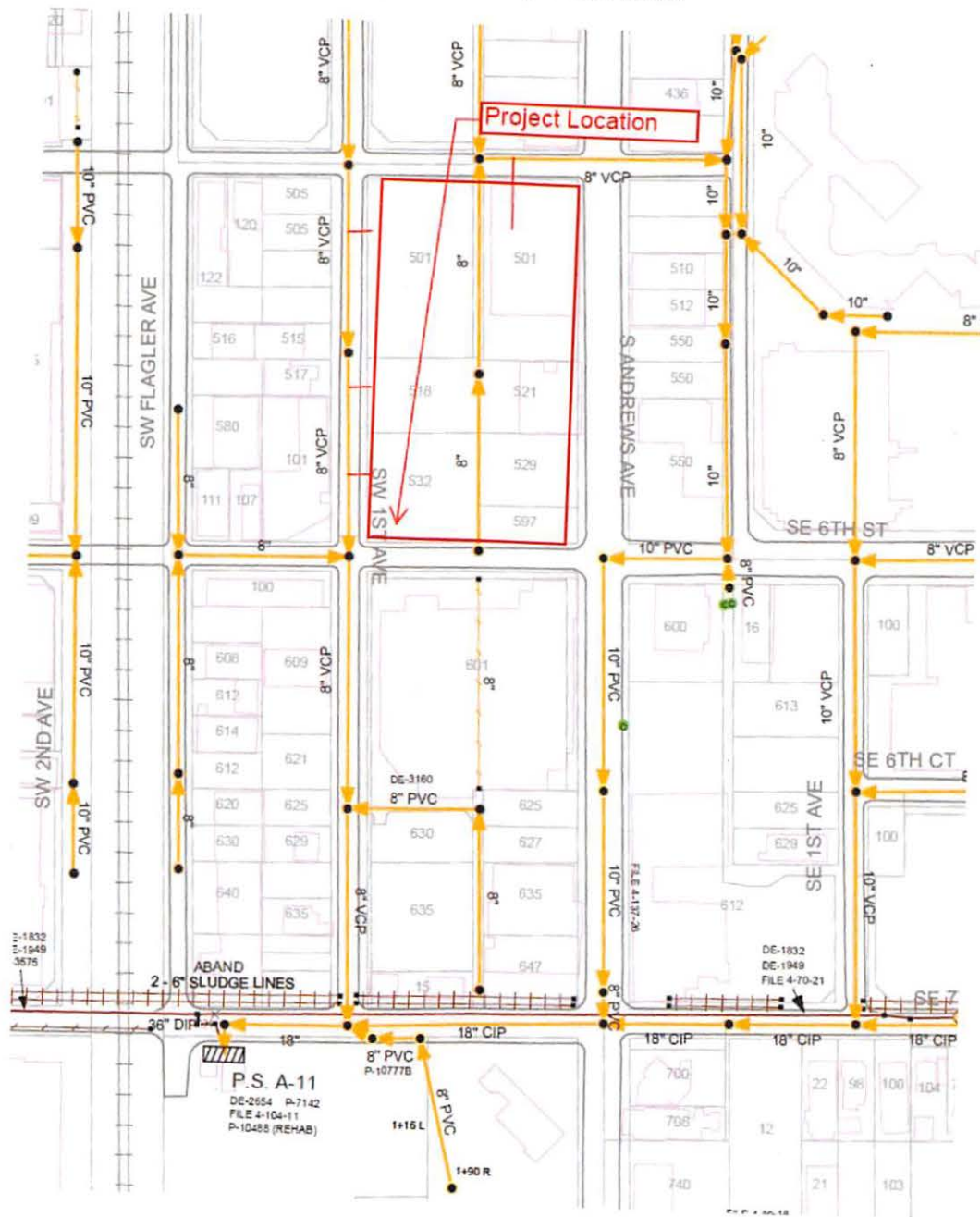


Figure 2 – City Sewer Atlas



WATER CAPACITY ANALYSIS

Requested Demand: Based on the applicant's site plan and building use information the estimated potable water demand is per day (GPD), which equates to 0.262 million gallons per day (MGD). Water use demands are calculated based on the City's "*Guidelines for the Calculations of Sanitary Sewer Connection Fees*".

Evaluation of impact on existing distribution pipe (flow & capacity): According to the site plan the applicant is proposing to upsize the existing 6-inch water main along SW 1st Avenue and SW 6th Street to an 8-inch water main. The City hydraulic model was used to simulate the proposed improvement. The upsized water main will have adequate capacity to serve the project.

Evaluation of impact of Permitted Water Plant Capacity: The Fiveash and the Peele Dixie Water Treatment Plants are designed to treat 70 MGD and 12 MGD of raw water respectively (82 MGD total). The total permitted Biscayne aquifer water withdrawals for these plants is limited to 52.55 MGD per the South Florida Water Management District (SFWMD) permit number 06-00123-W.

Based on the current 12-month rolling average the current production at the two plants is 38.18 MGD. The previously committed demand from the development projects in the permitting or the construction stage is 3.137 MGD. Combining these figures with the demand from the proposed project of 0.262 MGD, the required production would be 41.58 MGD. Accounting for approximately 0.05 % loss between aquifer withdrawal and production, the total required withdrawal volume would be 41.79 MGD. This is less than the allowable withdrawal limit of 52.55 MGD. Therefore, the water plants have sufficient capacity to serve this project.

Recommended Water Infrastructure Improvements: Upsize existing 6-inch water main from SW 5th Street south along SW 1st Avenue then west along SW 6th Street to tie into existing 8-inch water main SW Flager Avenue as proposed by the applicant.

WASTEWATER CAPACITY ANALYSIS

Requested Demand: Based on the applicant's site plan and building use information the estimated additional potable water demand is 0.262 MGD (although wastewater is usually 80% of the potable water, a higher, conservative figure has been used for calculations). Sewer use demands are calculated based on the City's "*Guidelines for the Calculations of Sanitary Sewer Connection Fees*".

Evaluation of impact on existing collection pipe (gravity system capacity): The existing site and adjacent buildings are served by 8-inch gravity sewers.

Manual of Practice (MOP) 60, published by American Society of Civil Engineers (ASCE) for the gravity sewer design and used by the City staff, recommends that pipe diameters 15-inch or less be designed to flow half full during peak flows. Based on the tools and information available to the City staff, it has been determined that the 8-inch sewer cannot convey the flow. The City has used a peak hourly flow factor of 3.0, which is higher than 2.2 as noted in the Reiss Report.

Evaluation of impact on pumping station: Pumping Station A-11 (PS A-11) has a capacity of 2,090 gallons per minute (GPM) as of June 1, 2018, has a Nominal Average Pumping Operating Time (NAPOT) of approximately 7.1 hours per day. Based on projected sewage flows the pumping run times would increase approximately 114 minutes per day for a total of 9.2 hours, which is less than Miami-Dade County's recommended daily average (NAPOT) of 10 hours per day. Therefore the pumping station has adequate capacity to serve the project.

Evaluation of impact of Permitted Wastewater Plant Capacity: The City of Fort Lauderdale owns and operates the George T. Lohmeyer Regional Wastewater Treatment Plant (GTL), which provides wastewater treatment for the City of Fort Lauderdale. The Broward County's Environmental Protection and Growth Management Department's (EPGMD) Environmental Licensing & Building Permitting Division's licensed capacity for GTL is 48 MGD-AADF (Million Gallons per Day – Annual Average Daily Flow). The current annual average daily flow (AADF) to the plant is 40.953 MGD. Combining the committed flows for previously approved projects of 3.137 MGD, plus the 0.262 MGD net contribution from the project, provides a total projected flow of 44.35 MGD. This is less than the permitted treatment plant capacity of 48 MGD. Therefore, the treatment plant has sufficient capacity to serve this project.

Recommended Wastewater Infrastructure Improvements: Permit, construct, own, operate and maintain a private gravity sewer and private pumping station. The applicant will also need to permit and construct a forcemain and tie in the City's transmission system. The applicant may propose an alternative solution to the satisfaction of the City.