

City of Fort Lauderdale

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



Meeting Minutes

Tuesday, June 20, 2017

6:00 PM

City Commission Chambers

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

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

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

Invocation

Pastor David Arbogast, First Baptist Church of Fort Lauderdale

Pledge of Allegiance

Chris Rudisill, Executive Director, Stonewall Museum and Archives

ROLL CALL

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

QUORUM ESTABLISHED

Also Present: City Manager Lee R. Feldman, City Clerk Jeffrey A. Modarelli, City Attorney Cynthia A. Everett, City Auditor John Herbst, and Sergeant at Arms Jaime Costas

There were no e-comments submitted for this meeting.

CALL TO ORDER

Mayor Seiler called the meeting to order at 6:01 p.m.

Agenda Announcements

Mayor Seiler announced at the request of City Manager Feldman, items CR-4 and PH-1 had been deferred to the July 11, 2017 City Commission Regular Meeting.

Mayor Seiler also announced CR-3 has been revised to include an attachment.

CR-4 [17-0665](#)

Resolution Approving and Authorizing the Execution of an Amended and Restated State Infrastructure Bank Loan Agreement for the Wave Streetcar -Request Deferment to July 11, 2017

Vice Mayor Roberts made a motion to defer this item until July 11, 2017 and was seconded by Commissioner Trantalis.

DEFERRED to July 11, 2017

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

Not Present: 1 - Commissioner McKinzie

PH-1 [17-0783](#)

Public Hearing Approving Annual Action Plan for Fiscal Year 2017-2018 Entitlement Grant Programs through the U.S. Department of Housing and Urban Development - Request Deferment to July 11, 2017

Vice Mayor Roberts made a motion to defer this item until July 11, 2017 and was seconded by Commissioner Trantalis.

DEFERRED to July 11, 2017

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

Not Present: 1 - Commissioner McKinzie

Approval of MINUTES and Agenda[17-0801](#)

Minutes for May 16, 2017 Commission Conference Meeting and May 16, 2017 Commission Regular Meeting

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

APPROVED

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

Not Present: 1 - Commissioner McKinzie

PRESENTATIONS**PRES-1** [17-0808](#)

Proclamation declaring the Month of June, 2017 as LGBT Month in the City of Fort Lauderdale

Commissioner Trantalis presented a Proclamation declaring the Month of June, 2017 as LGBT Month in the City of Fort Lauderdale in recognition on PRIDE Week, reading the Proclamation in its entirety. The Proclamation was accepted by Chris Rudisill, Executive Director, Stonewall Museum and Archives, who thanked Commissioner Trantalis and the Commission for their support and recognition.

PRESENTED

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

Commissioner McKinzie arrived at 6:06 p.m.

PRES- [17-0809](#)
2

Proclamation declaring June 27 - August 31, 2017 as JetBlue Soar with Reading Summer in the City of Fort Lauderdale

Vice Mayor Roberts presented a Proclamation declaring June 27 - August 31, 2017 as JetBlue Soar with Reading Summer in the City of Fort Lauderdale, reading the Proclamation in its entirety. Vice Mayor Roberts also thanked Chaz Adams, Strategic Communications Manager, for his work with this program. The Proclamation was accepted by Tina Klaric JetBlue Manager for Corporate Social Responsibility. Ms. Klaric expounded on the details of the program and Random House Children's Books contribution to the program. She thanked Vice Mayor Roberts and the Commission for the Proclamation and their recognition on behalf of JetBlue and Random House Children's Books.

PRESENTED

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

PRES- [17-0804](#)
3

Recognizing Laura Garcia, City Controller - Finance Department - Designation of Certified Government Finance Officer

Kirk Buffington, Finance Director, recognized and acknowledged Laura Garcia, City Controller - Finance Department, for her achievement in receiving the Government Finance Officer Certification. Mr. Buffington expounded on the requirements and testing involved for this certification and designation. Ms. Garcia thanked Mr. Buffington and the City for their recognition, stating the training and experience provided by the City was an integral part of her success.

PRESENTED

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

PRES- [17-0810](#)
4

Police Officer of the Month for June, 2017

Police Major Michael Gregory recognized Officer Kimberley Shushman as the Police Officer of the Month for June 2017. Major Gregory described a violent armed robbery incident involving two suspects that occurred on May 31, 2017. Officer Shushman took this incident report and began circulating the area, checking Carter Park. She observed two males matching the suspect's description riding bicycles in Carter Park. Officer Shushman relayed this information via radio to other officers in the area. Officer Shushman quickly set up a perimeter. Upon viewing her patrol vehicle, the suspects began fleeing the area. As a result of Officer Shushman's actions, both suspects were

apprehended. One of the suspects was in possession of a sub-machine gun. The second suspect was in possession of the victim's stolen property. Officer Shushman's knowledge of her assigned area and keen observation skills lead to the apprehension of two dangerous felons and is commended for a job well done.

PRESENTED

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

CONSENT AGENDA PUBLIC COMMENT

Mayor Seiler announced the procedures for public comment on items on the Consent Agenda.

Commissioner Trantalis requested item CR-2 be pulled for discussion.

Mayor Seiler announced for the record that Mary Ellen Hines from Fidelity Law Group was in attendance in support of CM-10.

CONSENT AGENDA

CONSENT MOTION

Approval of the Consent Agenda

Approve the Consent Agenda

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

CM-1 [17-0687](#)

Motion to Approve Event Agreements: Naked Feet 5K, Potential Church Beach Baptism, and Friday Night Sound Waves

APPROVED

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

CM-2 [17-0689](#)

Motion to Approve an Event Agreement and Related Road Closings: with Stephen Siller Tunnel to Towers Foundation, Inc. for The Stephen Siller to Tunnel Towers 5K Run & Walk

APPROVED

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

CM-3 [17-0698](#)

Motion Authorizing Settlement of Workers' Compensation Claim of William D. Rippy - \$50,000.00

APPROVED

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

CM-4 [17-0793](#)

Motion Authorizing Settlement of General Liability Claim in the Matter of Groenewold v. City of Fort Lauderdale, Case No. CACE 15-021775 (03) - \$90,000.00

APPROVED

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

CM-5 [17-0794](#)

Motion Authorizing Settlement of General Liability Claim in the Matter of Christine D'onofrio v. City of Fort Lauderdale, Case No. CACE 16-004368 (12) - \$35,000.00

APPROVED

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

CM-6 [17-0646](#)

Motion Authorizing the July 4th Spectacular for July 4, 2017 as a Public Purpose Special Event Creating a Temporary Exemption Relating to the Sale, Possession and Consumption of Alcohol at the Event

APPROVED

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

CM-7 [17-0278](#)

Motion to Authorize the City Manager to Execute an Easement with Florida Power & Light Company

APPROVED

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

CM-8 [17-0688](#)

Motion to Authorize the Execution of a Temporary Access Agreement with the Broward County School Board

APPROVED

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

CM-9 [17-0740](#)

Motion to Approve First Amendment to Task Order Number 3 for Construction Services - Molloy Bros, Inc. - \$20,459

APPROVED

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

CM-10 [17-0660](#)

Motion Authorizing Execution of a Subordination Agreement to the Florida Department of Transportation Easement Interest - West Sunrise Boulevard Between NW 3rd and 4th Avenues

APPROVED

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

CM-11 [17-0369](#)

Motion Authorizing Execution of a Revocable License with WDF-4 Wood Harbor Park Owner, LLC ("WDF") for Temporary Right-of-Way Closure of Portions of SE 19th Street, SE 20th Street, and SE 10th Avenue Abutting the Harbor Park Apartments Project

APPROVED

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

CM-12 [17-0507](#)

Motion to Approve the Withdrawal of an Application - Rezoning from Boulevard Business (B-1) and Residential Multi-family Mid Rise/Medium High Density (RMH-60) to Innovative Development (ID) including Approval of Associated Development Plan - Live Galleria - Keystone-Florida Property Holding Corporation - Case Number ID14001

APPROVED

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

CONSENT RESOLUTION

CR-1 [17-0805](#)

Resolution appointing the law firm of Lubell and Rosen, LLC, as Special Counsel, to represent the City of Fort Lauderdale in connection with Health Insurance Portability and Accountability Act (HIPAA) Compliance and Health Law Issues

ADOPTED

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

CR-2 [17-0745](#)

Resolution Approving the Consolidated Budget Amendment to Fiscal Year 2017 - Appropriation

Commissioner Trantalis explained this item was to approve a budget amendment, expressing his concern on page three, Item D -

Appropriation of Fund Balance \$4,792,000. He asked City Manager Feldman about this item, noting his concerns about drawing down funds from the Water and Sewer Fund to pay for twelve full-time positions, purchasing of pipes and equipment inventory.

City Manager Feldman explained the details of Item D related to recent wastewater breakage and the forthcoming knowledge of a lack of personnel and equipment to respond both quickly and adequately. He confirmed the additional positions will be paid for out of next year's operating revenues and are included in next year's proposed budget. Discussions continued on current unfilled budgeted positions. In response to Commissioner Trantalis's question, City Manager Feldman stated he would not recommend taking personnel from other departments. Commissioner Trantalis asked about the Return on Investment (ROI) Fund amount. City Manager Feldman addressed his questions, explaining how the twelve positions will be funded in the next year's budget from operating revenues from the Water and Sewer Fund.

Vice Mayor Roberts introduced this item that was read by title only.

ADOPTED

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

Moment of Silence

Mayor Seiler requested a moment of silence in remembrance of the seven U.S. Navy sailors. The sailors perished following the collision of the USS Fitzgerald destroyer and a large container ship off the coast of Japan.

CR-3 [17-0409](#)

Resolution Adopting the SE 17th Street Mobility Plan

Commissioner Rogers commented on the importance of all stakeholders understanding CR-3's attachment. It will require the gathering of all partners/stakeholders including Port Everglades, Broward County, SE 17th Street neighborhoods and property owners working together towards the goal of implementing this transportation plan. He stated the need for consensus, noting the importance of continuing the conversation with all stakeholders to make this plan a reality. Mayor Seiler confirmed this message would be conveyed.

ADOPTED

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

- CR-5** [17-0744](#) Resolution to Remove the Thru Truck Prohibition on SE 15th Avenue and to Restrict Thru Trucks on SE 17th Avenue between Broward Boulevard and Las Olas Boulevard

ADOPTED

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

PURCHASING AGENDA

- PUR-1** [17-0566](#) Motion to Approve Contract for Purchase of Automated Passport Control Kiosks for the U.S. Customs and Border Protection Facility at Fort Lauderdale Executive Airport - GRC, Inc. - \$131,748

APPROVED

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

- PUR-2** [17-0578](#) Motion to Approve Contracts for Purchase of Liquid Chlorine and Calcium Hypochlorite - Allied Universal Corp. and Chemrite, Inc. - \$215,000 (estimated two-year total)

APPROVED

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

- PUR-3** [17-0617](#) Motion to Approve Additional Expenditures for Special Event Clean-Up Services - Weed-A-Way, Inc. - \$46,524

APPROVED

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

- PUR-4** [17-0651](#) Motion to Approve Contract for Lake Estates Small Water Main Improvements - V Engineering & Consulting Corp. - \$1,716,000

APPROVED

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

- PUR-5** [17-0664](#) Motion to Approve Contract for Purchase of Consulting Services to Produce a Design and Construction Manual - Brooks + Scarpa Architects, Inc. - \$300,000

APPROVED

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

PUR-6 [17-0642](#)

Motion to Waive Minor Irregularity and to Approve Contracts for the Purchase of Stormwater Drainage Construction Services - Various Contractors - \$4,500,000 (two-year total)

APPROVED

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

Moment of Silence**MOTIONS****M-1** [17-0709](#)

Motion to Approve an Event Agreement and Related Road Closings with Strictly Local, Inc. for Food in Motion: Flagler Village Green Market

Commissioner Trantalis made a motion to approve this item with the extended hours for amplified music until 11:00 p.m. and was seconded by Vice Mayor Roberts.

APPROVED

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

RESOLUTIONS**R-1** [17-0761](#)

Appointment of Board and Committee Members

City Clerk Modarelli read the Board and Committee appointments in this Resolution into the record and are attached to these minutes.

Vice Mayor Roberts introduced this item that was read by title only.

ADOPTED

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

R-2 [17-0753](#)

Quasi-Judicial - Appeal of Planning and Zoning Board Denial of a Rezoning - Progresso Commons - 947 Andrews Avenue, Fort Lauderdale - Project Andrews, LLC Harvey Taylor - Case Z17004

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 City Commission member disclosed their verbal and written communications, site visits, and expert opinions received.

Mayor Seiler opened the public hearing.

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 Vice Mayor Roberts. Roll call showed: AYES: Commissioner McKinzie, Commissioner Rogers, Vice Mayor Roberts, Commissioner Trantalis, and Mayor Seiler. NAYS: None.

Mayor Seiler recognized Assistant City Attorney D'Wayne Spence who explained the procedural issues involved in this item. The Planning and Zoning Board denied this application. The initial hearing for appealing this decision would determine whether the Planning and Zoning Board followed the basic essential requirements of law or based their decision on competent substantial evidence in their denial of this application.

Commissioner Trantalis introduced a Resolution requesting and setting a De Novo Hearing on the Appeal of the Planning and Zoning Board decision for 6:00 p.m. on July 11, 2017, stating the Planning and Zoning Board departed from the essential requirements of law. The Resolution was read by title only.

Mayor Seiler recognized Ron Lux, President of Old Progresso Village, Ron Centamore, Chair of the Northwest Progresso Flagler Heights Community Redevelopment Agency (NWPFH CRA) and Kim Centamore, stating they were in support of this resolution, thanking them for their attendance.

ADOPTED Resolution setting a De Novo Hearing for July 11, 2017 at 6 PM

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

R-3 [17-0715](#)

City Attorney Annual Performance Review and Merit Adjustment

Commissioner Trantalis commented on the significant improvement of the City Attorney's Office over the past year, noting the complexity of numerous legal issues. He confirmed he would agree with the 3% merit adjustment.

Commissioner Rogers commented on City Attorney's performance, confirming that she has been able to balance a heavy workload and, when necessary, has engaged the expertise of outside counsel. He confirmed his concurrence with Commissioner Trantalis's assessment.

Commissioner McKinzie confirmed his full support of the 3% merit increase. He thanked City Attorney Everett.

Vice Mayor Roberts concurred with Commissioner Trantalis, Commission Rogers, and Commissioner McKinzie, stating City Attorney Everett has overcome previous concerns. Due to the difficult workload, he recommended delegating to outside counsel when necessary. Commissioner Roberts commented that he hopes to see the continued collaborative effort with the City Attorney's Office and other City Staff members.

Mayor Seiler stated he supports a full 3% merit increase, confirming the existing cooperative, collaborative relationship among the Charter Officers and City Staff. He also acknowledged the excellent legal team assembled by City Attorney Everett.

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road. Mr. King commented on the Police Body Camera issue and the lawsuits against the City. He also asked about City Attorney Everett's total compensation package. In response to Commissioner Trantalis's question, City Attorney Everett stated her total compensation with the 3% merit increase will be approximately \$237,000 annually.

City Attorney Everett thanked the Commission for the 3% merit increase, confirming she will continue to work to exceed the Commission's expectations. She thanked the legal staff and the legal support staff.

Vice Mayor Roberts introduced this resolution that was read by title only.

ADOPTED Resolution providing for a 3% Merit Salary Increase

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

PUBLIC HEARINGS

PH-2 [17-0812](#)

Request for Deferment of the Lease Agreement with Las Olas SMI (Suntex Marina Investors), LLC to July 11, 2017

City Manager Feldman explained PH-2 is deferring a vote on the lease until July 11, 2017. The City Manager Report will discuss the outstanding legal issues requested by the City Attorney's Office.

Commissioner Trantalis commented on the deferment of item PH-2, discussing his meeting with the Suntex people and City Attorney Everett. He expressed his concern on the lengthy aspect of this matter, confirming his desire to get the marina project completed. There are two or three outstanding issues. Other issues having been

resolved as a result of Staff's efforts. Last week there was a meeting with representatives from six of the adjacent buildings near the planned marina where many issues were aired and resolved. Commissioner Trantalis emphasized the need for July 11, 2017 to be the final date for a decision in order to move forward, stating the issue regarding change of ownership can be resolved quickly. The other issue concerns the restaurant and the garbage area location.

City Attorney Everett confirmed during the Managers Report portion of the Agenda, the remaining issues will be discussed. She confirmed that due to notice issues, final approval could not occur tonight.

Commissioner Trantalis made a motion to defer this item until July 11, 2017 with the understanding that there would be no further deferments and was seconded by Vice Mayor Roberts.

DEFERRED to July 11, 2017

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

PH-3 [17-0533](#)

Quasi-Judicial - Resolution Granting a Waiver of Limitations at 5 Harborage Isle for the installation of two (2) triple mooring pile clusters

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 City Commission member disclosed their verbal and written communications, site visits, and expert opinions received.

Mayor Seiler opened the public hearing.

Mayor Seiler recognized Tyler Chappel, The Chappel Group representing the owner Donald Sussman, 714 East McNab Road, who gave a brief overview of this item. He stated this is a request for waiver of limitations for two sets of triple pile clusters 43 feet from the property. The waiver request is for 18 feet to allow for the mooring of a vessel on the south side of property in Davock Bay.

In response to Mayor Seiler's question, Mr. Chappell confirmed the vote in favor by the Marine Advisory Board was unanimous. At the request of Commissioner Trantalis, Mr. Chappell put up a visual rendering of this request. Questions and comments ensued on the rendering.

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 Vice Mayor Roberts. Roll call showed: AYES: Commissioner McKinzie, Commissioner Rogers, Vice Mayor Roberts, Commissioner Trantalis, and Mayor Seiler. NAYS: None.

Commissioner Trantalis introduced the Resolution that was read by title only.

ADOPTED

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

PH-4 [17-0749](#)

Ordinance Amending Unified Land Development Regulations (ULDR) Section 47-18.43, Liquor Stores and Convenience Stores to Modify Criteria for Permitting Convenience Store, Multi-Purpose within the Northwest Regional Activity Center Land Use Designation - Case T17002

Mayor Seiler opened the public hearing.

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

Commissioner Trantalis introduced the Ordinance for First Reading that was read by title only.

PASSED FIRST READING

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

ORDINANCE FIRST READING

OFR-1 [17-0766](#)

An Ordinance Amending the Code of Ordinances by Repealing Sections Relating to the Engineering Division and Creating a Section Relating to the Appointment of the City Engineer by the City Manager

Mayor Seiler recognized Peter Partington, 1521 NE 53rd Street, who stated he is opposed to this item. He gave an example and two scenarios for his reasoning. Mr. Partington asked if the City Attorney has issued a legal opinion on this matter. City Attorney Everett stated they did not but they have reviewed it. The proposed revised ordinance is in compliance with State Statute. It is an operational, administrative issue about the City Engineers level in the

Organizational Chart.

Vice Mayor Roberts said he confirmed this in discussions with City Attorney Everett, thanking Mr. Partington for bringing this to the attention of the Commission. He confirmed conversations with City Manager Feldman that this item does not inhibit or interfere with the positions of the City Engineers. City Manager Feldman commented on his position regarding the organizational structure. This item serves to conform Code. Although supervised by Department Directors, he expounded on City Engineers independent authority in the areas of Public Works, Transportation and Mobility, Land Development, and Streets and Sidewalks.

Commissioner Rogers commented on the lack of communication in the past between the Department of Sustainable Development and Public Works. This organizational structure encourages the collaboration. City Manager Feldman confirmed the hiring of additional engineers. He expounded on this topic.

Commissioner Trantalis commented on his concern about non-engineers having the final word on engineering concepts and design decisions, suggesting having Engineers on an even level with Department Heads to allow an increased comfort level for decisions involving engineering. Commissioner Trantalis quoted from emails he received from former City Engineers. City Manager Feldman responded to Commissioner Trantalis's concerns, explaining the history and reasoning for the changes to the Organizational Structure.

Vice Mayor Roberts commented that changes in the Organizational Structure were meant to rectify issues relating to project management, oversight and better lines of communication. He discussed the creation of a Chief Engineer position. Vice Mayor Roberts stated he would vote for this item, requesting City Manager Feldman come back to the Commission with a more appropriate chain of command for future City Managers and Commissions.

Commissioner Rogers introduced this item for the First Reading to include the request by Vice Mayor Roberts that City Manager Feldman come back to the Commission with a more appropriate chain of command. The Ordinance was read by title only.

PASSED FIRST READING

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

Nay: 1 - Commissioner Trantalis

OFR-2 [17-0768](#)

An Ordinance Amending Schedule I of the Pay Plan of the City of Fort Lauderdale by Deleting the City Engineer Class

Vice Mayor Roberts introduced this Resolution for First Reading.

Mayor Seiler reconfirmed the introduction of Ordinance OFR-2 on First Reading with the understanding that City Manager Feldman will come back to the Commission with a more appropriate chain of command as requested in the previous item, OFR-1. The resolution was read by title only.

PASSED FIRST READING

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

Nay: 1 - Commissioner Trantalis

ORDINANCE SECOND READING**OSR-1** [17-0769](#)

An Ordinance Amending Chapter 6, Animals, Article II, Dogs and Cats of the Code of Ordinances of the City of Fort Lauderdale

Mayor Seiler recognized Nicola Higgins, 2100 N. Ocean Boulevard, who spoke in opposition to this item. Ms. Higgins comments included concern about the extinction of dogs in the next 20 years due to requiring all dogs to be spayed or neutered and measures to prevent breeding purebred dogs. She also discussed the American Kennel Club's (AKC) dogs and attributes of service dogs and purebred family dogs.

Mayor Seiler recognized Dr. Cindi Bossart, President Fort Lauderdale Dog Club and Animal Hospital of Fort Lauderdale, who spoke in opposition to this item. She said there is only one pet store in the City selling dogs. Dr. Bossart also discussed the results of bringing in rescue dogs to the United States from around the world, causing health concerns in dogs and other types of animals. She recommended regulating rescue animals.

Mayor Seiler recognized Don Anthony, 1431 N. Federal Highway, Communications Director for the Animal Rights Foundation of Florida based in Fort Lauderdale. Mr. Anthony spoke in support of this item. He noted that the extinction of dogs as previously mentioned is unrealistic due to a large number of dogs in rescue shelters. Mr. Anthony expounded on the abuse and neglect of dogs from unethical breeders and puppy mills, noting consumers are also victims. He discussed other legislation around the country addressing this issue.

Mayor Seiler recognized Odalys Hayes, 18505 SW 19th Avenue,

Miami, who spoke in opposition to this item, stating she did not believe there is an overpopulation problem, citing statistics and the success of spade, neutering and micro chipping of dogs. Ms. Hayes also expounded on AKC requirements and the need for stronger regulation of the adoption of rescue dogs that should be similar to the sale of AKC dogs.

Mayor Seiler recognized Richard Yenchsky, Show Chair Fort Lauderdale Dog Club, who spoke in opposition to this item, expounding on the annual dog event held in the City. Mr. Yenchsky commented on the need for families to have a choice when purchasing a rescue dog or a dog that is AKC registered.

Mayor Seiler recognized Dr. Donna Watson, Dr. Donna's Pet Foundation, who spoke in support of this item. Dr. Watson thanked the Commission and the City Attorney's Office for their work on this issue, discussing consumer fraud in selling sick and defective purebred dogs. This item also addresses the protection of dogs that are treated inhumanely at all levels.

Mayor Seiler recognized Milena Martinez, Owner, Snoopy Puppies, who spoke in opposition to this item. Ms. Martinez discussed other municipalities' actions on this issue, stating a distinction needs to be made between puppy mills and reputable breeders.

A copy of Ms. Martinez's statement is attached to these minutes.

Mayor Seiler recognized Javier Estrade, Owner, Snoopy Puppies, who spoke in opposition to this item. He discussed his viewpoint and concerns about Hallandale Commissioner Michelle Lazarow. Mr. Estrade also discussed the measures taken by his business regarding this item and issues regarding animal activists. He requested the Commission to defer this item to allow for submission of further information.

Mayor Seiler recognized Hallandale Beach Commissioner Michelle Lazarow, 2621 NE 10th Street, Hallandale, FL, appearing on behalf of herself, who spoke in support of this item. She thanked the Commission for addressing this item. Commissioner Lazarow commented that real AKC breeders sign a certificate affirming they will not sell to stores. She thanked the City Attorney's Office and Assistant City Attorney Rhonda Hasan for their due diligence on this issue.

Mayor Seiler recognized Dr. Mel Kramer, 2100 N. Ocean Boulevard, who spoke in opposition to this item. He discussed aspects of this

issue relating to human health and zoonotic diseases, human diseases stemming from animals, focusing on influenza. Dr. Kramer requested the Commission table this item for further professional assistance.

Mayor Seiler recognized Courtney Crush, Esq., Crush-Law, P.A., who spoke in support of this ordinance. She commented on the mistreatment of animals at puppy mills specifically relating to dogs sold in retail stores around the country, confirming this ordinance addresses this issue. Ms. Crush recommended the Commission adopt it on Second Reading.

Mayor Seiler recognized Genia Ellis, 429 SE 13th Street, who spoke in support of this item. Ms. Ellis discussed on her personal experience with Australian Shepherds who are and have always been considered family members. She stated reputable breeders do not breed for profit, they breed for show.

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road, who spoke in support of this item, commenting on the large attendance of those in favor at this item's First Reading. He likened the impulse purchasing decision in of puppies from retail stores. He requested the Commission also address the selling of guns at gun shows. Mr. King commented on vetting done by reputable breeders for prospective purchasers.

In response to Commissioner Roger's question, City Attorney Everett confirmed there were no changes to the Ordinance between the First and Second Reading.

Vice Mayor Roberts commented on the need to address regulations relating to animal rescue facilities, confirming the appropriateness of this Ordinance.

Vice Mayor Roberts introduced the Ordinance for Second Reading that was read by title only.

ADOPTED ON SECOND READING

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

OSR-2 [17-0711](#)

Ordinance Amending Section 28-209 of the Code of Ordinances Pertaining to Sewer Pretreatment Facility Requirements

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road, who addressed the Commission on this item and his experience with his

rental properties' toilet/sewer problems and the defunding of the Water and Sewer System over the last decade. He also discussed current problems in the areas of Las Olas Boulevard and Flagler Village. He also voiced his concern over drinking water in the City.

In response to Commissioner Trantalis, City Manager Feldman confirmed there are requirements for restaurants to have grease traps. However, there is no current requirement for cleaning grease traps. Vice Mayor Roberts noted grease traps need to be fully clear. City Manager Feldman confirmed.

Commissioner Trantalis introduced the Ordinance for Second Reading that was read by title only.

ADOPTED ON SECOND READING

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

CITY MANAGER REPORTS

[17-0788](#)

Lease Agreement with Las Olas SMI (Suntex Marina Investors), LLC

City Manager Feldman confirmed this item is on the agenda at the request of legal counsel. They would like to review the lease, pertinent points, and discuss outstanding issues. City Attorney Everett deferred to Assistant City Attorney Lynn Solomon.

Assistant City Attorney Lynn Solomon addressed the Commission on the basic terms of the lease. She discussed key point including:

- The proposed lease is for fifty-years, with five years to build, and will go into effect upon execution. The developer will not take possession until the completion of certain pre-development conditions, one of which is the parking agreement critical to the development and its associated details.
- Assignment by the State of the submerged land lease
- After transfer of control, the City will maintain control of the surface level parking and its revenue until the developer is ready to build, giving sixty- days' notice.

Assistant City Attorney Solomon confirmed she had provided a redlined draft of the lease to counsel for the developer, stating he is currently out of town and she has not received his comments on the

most recent draft document. She intends to present this to the Commission at its July 11, 2017, Commission Meeting, expounding on additional details to be negotiated.

Assistant City Attorney Solomon stated resolution of the following issues need to be resolved:

Commission Fee to be Paid to CBRE

Assistant City Attorney Solomon expounded on the issue of the commission paid as listed in the Request for Proposal (RFP), noting the Suntex response to the RFP was different than what was listed in the RFP. Commissioner Trantalis confirmed Suntex disagrees with the required commission payment. In response to Mayor Seiler, Assistant City Attorney Solomon stated this issue just recently surfaced. She deferred to David Filler, Vice President Las Olas SMF, LLC (Suntex) on this issue.

Mayor Seiler recognized Mr. Filler who confirmed they are very close to resolving this issue with CBRE, stating Suntex gave full disclosure on how they calculated the commission, expounding on this point. In response to Mayor Seiler's question, Mr. Filler confirmed there were no discussions with Suntex following the submission of their RFP response regarding the commission. Mr. Filler said no one raised the issue of the commission fee payment until well after the awarding of the bid to Suntex. He stated they are still willing to work with CBRE to remedy this issue for the benefit of all stakeholders.

Mayor Seiler recognized Lee Ann Korst, on behalf of CBRE, who addressed the Commission in support of this item. Ms. Korst confirmed Mr. Filler's comments, stating Suntex submitted a fee in their RFP response. At the time the bid was received by CBRE, they reached out to Staff to point out the difference in the commission fee calculation submitted in the RFP, in the October 2017 timeframe. They did not reach out to Suntex until February 2017, confirming they have been working since that time to resolve the fee issue and to move the project along successfully. Ms. Korst confirmed they are close to resolving the commission fee issue, confirming Mr. Filler and CBRE's Senior Managing Director from South Florida met yesterday.

In response to Vice Mayor Roberts's question, City Auditor Herbst discussed his involvement in this matter, stating he focused only on City revenue. He did not focus on the fee being paid from Suntex to CBRE. He explained his understanding was based upon correspondence from CBRE in February 2017 about the commission fee. He said the original structure for the commission fee was based

on a thirty-year lease, not a fifty-year lease. This required a recalculation of the baseline. CBRE has accurately recalculated the fee, incorporating the fifty-year lease adjustment, explaining details regarding a cost of living increase/inflationary factor and has advised CBRE. It will slightly change the fee from their initial calculation by an approximate factor of \$100,000 to \$150,000 or approximately 10 percent.

Sale of Membership Interest in the Company

Assistant City Attorney Solomon stated Suntex owns approximately 38 facilities around the world. Suntex's position is that should they decide to sell their entire portfolio, the Commission would not have approval rights. She confirmed City Manager Feldman's recommendation for some criteria and standards for a successor, confirming this will be her response to counsel for Suntex.

Mr. Filler discussed Suntex's recent portfolio purchase of Lagerhead Marinas, ten marinas in the State of Florida, in addition to making a \$400,000 contribution to the Sea Turtle Foundation. In this type of situation, having to go before ten City Commissions for each transaction would have been prohibitive and onerous. He discussed due diligence by the City Manager as to the financial capacity of purchasers. Should Commission approval be a requirement, it would impact Suntex's decision.

Mayor Seiler asked for input from the City Manager and City Attorney for reasonable compromise language. City Manager Feldman recommended putting in criteria for administrative approval. Should the criteria not be met, it could go before the governing body. Mr. Filler stated he would agree to this language. Commissioner Trantalis commented on the objecting criteria not being adequate due to its subjective nature, expounding on this point. The City should be able to know and approve their partners. Mr. Filler stated, in his experience of selling over 70 marinas, it has never gone to a political vote. If this had been the case, Suntex may have walked away, explaining the onerous nature of this requirement.

Commissioner Rogers commented on the need for oversight. He suggested, after the City Manager's approval of meeting established criteria, there would be the ability to have a Call-Up Proviso. It would require three Commission votes to request further review, commenting this works in the Planning and Zoning arena. Mr. Filler confirmed the control of over 60 percent of Suntex assets by governmental entities, both coastal and lake assets. The Army Corps of Engineers (Corps) is their biggest landlord. They frequently require a 25-year lease and a

capital contribution of \$20,000,000 - \$25,000,000. It is an administrative process for the Corps that addresses the lessee's ability to make lease payments and be a good tenant. Further discussions continued on this topic.

Mayor Seiler recommended, in addition to City Manager Feldman approving the threshold criteria requirement, City Auditor Herbst would confirm and make his recommendation. Should the criteria and recommendations not be met, it would be called-up before the Commission.

Commissioner Trantalis stated he could not agree to this, expounding on this issue in the private context and further discussions continued. He requested the Commission reserve the right to call-up this issue should it decide to review it notwithstanding Staff's position.

In response to Mayor Seiler's question, Mr. Filler confirmed Suntex currently owns 40 plus marinas. Mr. Filler confirmed no transfer of ownership decisions are contemplated at this time. However, the possible business plan going forward may include:

- Continuing to purchase more marinas and possibly to go public as a Real Estate Investment Trust (REIT) structure, that would have a carve out that would not require a change of control
- Other public REIT's possibly joining a future Suntex public REIT

Mr. Filler reiterated that other large municipalities do not require this type of political approval because it becomes too onerous, expounding on the need for balance.

Commissioner Rogers reiterated the need for three Commission votes for a call-up. Further discussions continued. Mayor Seiler confirmed the issue of protecting the financial assets of the City. However, there is no need to micro-manage, stating this would be a deterrent for other entities to do business with the City especially as it relates to lenders.

Assistant City Attorney Solomon clarified should Suntex become a public entity, there are no approval rights by the City. If they transfer the leasehold interest, the City has approval rights, confirming criteria. This issue only goes to the sale of the controlling membership interest should the tenant sell their entire portfolio, an assignment of the entity or leasehold interest. If they sell this one asset, they must come back for consent. Assistant City Attorney Solomon confirmed discussions with legal counsel for Suntex on this issue involves the sale of the entire portfolio. Further discussions ensued on these issues,

hypothetical future scenarios, and the timing element.

Mr. Filler confirmed he is working towards doing the right thing and to the mutual benefit of all stakeholders.

Commissioner Trantalis confirmed these discussions had given City Manager Feldman the proper direction for ironing out these issues. Mayor Seiler stated he believes the Commission issue will resolve itself. Should it not, he requested Mr. Filler advise the Commission as soon as possible.

Commissioner Rogers raised a point similar to the Bahia Mar issue with Assistant City Attorney Solomon regarding language that gives the City Manager authority to sign an application for a permit. Assistant City Attorney Solomon confirmed. He asked the rights of the leaseholder to modify the current site plan, citing the possible building of more than what the City has requested, i.e., adding density. He confirmed there should be oversight of this issue.

Assistant City Attorney Solomon confirmed the Plans and Specifications must come back to the City Commission for approval. There is a provision that allows them to make alterations. Commissioner Rogers recommended substantial alterations need to be precisely defined, so it does not have to come back to the Commission.

Mayor Seiler confirmed a significant substantive alteration would need Commission approval. She confirmed she would need to review further and would provide a legal memo on this issue to the Commission.

Mayor Seiler recognized Paul Chettle, 200 S. Birch Road, who recognized and thanked Ryan Henderson, Assistant to the City Manager, for the helpful, open line of communication between the Office of City Manager and the Presidents of the six building associations surrounding the project. He also thanked Suntex, Public Works, and the City Manager's Office for a favorable resolution to Pump Station D-31. He discussed the recent meeting with Commissioner Trantalis and the Boards. Mr. Chettle pointed out a vulnerable period during the Suntex process regarding the Boat Show's exhibition space in and near the Las Olas Marina should there be a change of ownership. He stated the residents are very pleased and had positive, constructive meetings with Suntex. Mr. Chettle expounded on the input at the meeting from the President of the adjacent Building Association impacted most by the proposed restaurant. Hopefully, the language discussed regarding this issue

can be incorporated, confirming Suntex has been very cooperative.

Mayor Seiler recognized former County Commissioner John Rodstrom, 66 Nurmi Drive, who thanked Commissioner Rogers for his input. Mr. Rodstrom commented on the similarity of this item to Bahia Mar, emphasizing the need for the Commission to address any future requests for residential housing or change of use in the Las Olas Marina. Commissioner Rodstrom commented on the need to be proactive regarding protecting the interests of the City and receiving fair market value.

Mayor Seiler asked for clarification from Mr. Filler regarding the transfer of ownership. He asked Mr. Filler to agree that any substantial change in the plans, including plans to modify the use, must come back to the Commission. Mr. Filler confirmed.

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road, who spoke in opposition to this item, asking if the Commission had any conflicts of interest and his concern regarding the vetting of Mr. Filler's comments about marinas in other municipalities.

Mayor Seiler stated for the record the Commission selected Alternative C-3. The plans and specifications for this must be submitted to the Commission in its proprietary approval capacity and has 30 days to approve. The Commission has the authority not to approve amendments differing from what was originally presented in their proposal.

Commissioner Rogers requested clear language stating once it is built, any substantial change would need to come back before the Commission. Assistant City Attorney Solomon referred to Section 12.3 of the agreement dealing with alterations. It allows for and provides the limits regarding any alterations made. She confirmed she would review Section 12.3 to ensure it addresses Commissioner Rogers's concerns. Commissioner Rogers reiterated his concern regarding City Manager Feldman signing off on any permits.

Mayor Seiler confirmed the following by all stakeholders speaking on this item tonight, confirming Assistant City Attorney Solomon would revise the agreement to address and include the following:

- There will be no substantial material changes to the project without Commission approval
- Thresholds for a change on interest and timing, i.e., before or after completion of construction (City Auditor Herbst and City

Manager Feldman to review)

- Issue of commission fee to CBRE

In response to Mayor Seiler's question, City Auditor Herbst confirmed it would be appropriate for him to evaluate any proposed transfers, giving his perspective on a business analysis and financial capability. Mayor Seiler confirmed City Manager Feldman, City Auditor Herbst, and City Attorney's Office should work together to address these issues.

EXECUTIVE CLOSED DOOR REQUEST

City Attorney Cynthia Everett requested pursuant to Florida Statute, Section 286.011(8)(a), she will be seeking advice on the matters of:

- City of Fort Lauderdale v. Howard S. Sloman, Jr.
CACE 17-000746 (11)
- City of Fort Lauderdale v. Munaz Enterprises, Inc.
CACE 07-008660 (12)

During the City Commission Meeting on **July 11, 2017** at a time to be determined.

Present at the attorney-client session will be:

Mayor, John P. "Jack" Seiler
Vice Mayor, Bruce G. Roberts
Commissioner, Robert L. McKinzie
Commissioner, Dean J. Trantalis
Commissioner, Romney Rogers
City Manager, Lee R. Feldman
City Attorney, Cynthia A. Everett
Assistant City Attorney, Tania M. Amar, and a
Certified Court Reporter with Daughters Reporting, Inc.

The estimated length of this attorney-client session is approximately twenty (20) minutes.

ADJOURNMENT

There being no further business before the City Commission at the Regular Meeting of June 20, 2017, Mayor Seiler adjourned the meeting at 8:52 p.m.



John P. "Jack" Seiler
Mayor

ATTEST:



Jeffrey A. Modarelli
City Clerk

EXHIBIT TO RESOLUTION 17-0761

AFFORDABLE HOUSING ADVISORY COMMITTEE

Peter Cooper is appointed to the Affordable Housing Advisory Committee (Category: One additional member) for a three year term beginning August 19, 2017 and ending August 18, 2020 or until his successor has been appointed.

BEACH BUSINESS IMPROVEMENT DISTRICT

Chintan Dadhich (primary member) representing Conrad Hotel, CFLB Partnership LLC, is appointed to the Beach Business Improvement District Committee in the category of seven of the ten highest assessed property owners or a representative of such assessed property owners to complete an unexpired term ending August 31, 2017, or until his successor has been appointed.

BOARD OF ADJUSTMENT

Howard Nelson is appointed to the Board of Adjustment (Alternate Member) to complete an unexpired term ending May 20, 2019 or until his successor has been appointed.

BUDGET ADVISORY BOARD

Greg McKee is appointed to the Budget Advisory Board to complete an unexpired term ending September 30, 2017 or until his successor has been appointed.

Greg McKee is appointed to the Budget Advisory Board for a one year term beginning October 1, 2017 and ending September 30, 2018 or until his successor has been appointed.

COMMUNITY APPEARANCE BOARD

Brandon Stewart is appointed to the Community Appearance Board for a one year term beginning August 16, 2017 and ending August 15, 2018 or until his successor has been appointed.

COMMUNITY SERVICES BOARD

Bryan Wilson is appointed to the Community Services Board (Category: Advocate for HOPWA Community) for a one year term beginning July 12, 2017 and ending July 11, 2018 or until his successor has been appointed.

Anthony McFann is appointed to the Community Services Board to complete an unexpired term ending September 30, 2017 or until his successor has been appointed.

Anthony McFann is appointed to the Community Services Board for a one year term beginning October 1, 2017 and ending September 30, 2018 or until his successor has been appointed.

ECONOMIC DEVELOPMENT ADVISORY BOARD

Mick Erlandson is appointed to the Economic Development Advisory Board to complete an unexpired term ending June 5th, 2019 or until his successor has been appointed.

EDUCATION ADVISORY BOARD

William Dorsey is appointed to the Education Advisory Board for a one year term beginning June 20, 2017 and ending June 19, 2018 or until his successor has been appointed.

Betty Shelly is appointed to the Education Advisory Board for a one year term beginning September 1, 2017 and ending August 31, 2018 or until her successor has been appointed.

INFRASTRUCTURE TASK FORCE COMMITTEE

Roosevelt Walters (Category: District 3), Fred Stresau (Category: District 4), Ralph Zeltman (Category: District 1, Background in Civil Engineering) Keith Cobb (Category: Mayoral appointee, Background in Finance) Leo Hansen (Category: Chairperson or other board member as designated by the Planning and Zoning Board), Marilyn Mammano (Category: Council of Civic Associations representative) Ed Kwoka (Category: Fort Lauderdale Chamber of Commerce representative) Norman Ostrau (Category: District 2) and David Orshefsky (Category: Chairperson or other board member as designated by the Budget Advisory Board) have been appointed to the Infrastructure Task Force Committee for an eighteen month term beginning March 7, 2017 and ending September 6, 2018 or until their successors have been appointed.

MARINE ADVISORY BOARD

William Walker is appointed to the Marine Advisory Board for a one year term beginning July 12, 2017 and ending July 11, 2018 or until his successor has been appointed.

PARKS, RECREATION AND BEACHES BOARD

Bill Schonlau is appointed to the Parks, Recreation and Beaches Board for a one year term beginning August 19, 2017 and ending August 18, 2018 or until his successor has been appointed.

Roy Grimsland is appointed to the Parks, Recreation and Beaches Board to complete an unexpired term ending October 6th, 2017 or until his successor has been appointed.

PLANNING AND ZONING BOARD

John Barranco is appointed to the Planning and Zoning Board to complete an unexpired term ending May 31, 2018 or until his successor has been appointed.

OSR-1
6/20/2017
provided by
Milena Martinez

My name is Milena Martinez.

This ordinance is based on extreme ideals, opinions, perceptions and inaccurate claims that are rooted in emotionally based propaganda instead of numbers, science or facts.

I would like to ask each one of you if you really think that every person in the USA who is a breeder is a puppy mill?

Palm beach county grandfather the existing stores not because they are covering a crime, because they are not 100% sure of the arguments, the broward county and the city of Oakland park postponed the ban for the same reasons, the city of plantation passed a ban and then revoked it, the prime sponsor of the bill in New Jersey in 2015, senator Raymond Lesniak is now refocusing the bill, he said he misunderstood the bill back then and testified that USDA breeders were not puppy mills as he thought.

This ordinance needs to include No-Puppy mills puppies, a distinction needs to be made between all commercial breeders and substandard breeding facilities.

Profit has nothing to do with whether or not someone provides proper care for their animals, if hobby breeders do or do not sell to pet stores is not subject to the ordinance, if the true concern is to avoid puppy mills We expressly ask to add as permitted sources in this ordinance, the hobby breeders and non-commercial breeders. Additionally, Snoopy Puppies is willing to make private inspections and meet each USDA breeder before buying puppies from them, assuring and proofing that our breeders will not be puppy mills.

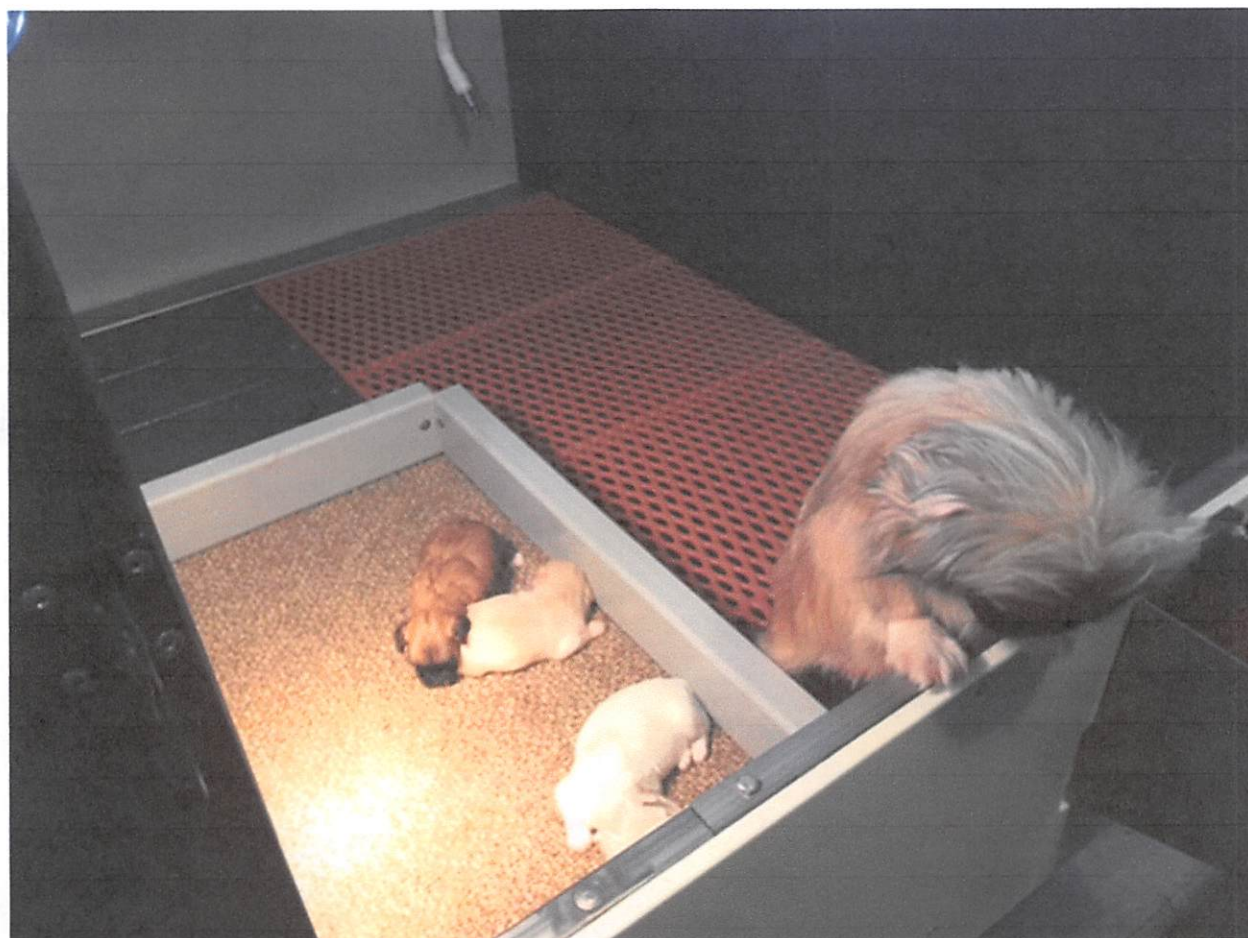
Pet stores sell as few as 2% of all dogs in the United States that matches with the fact that 96% of pets that end up on a shelter came from somewhere other than a pet store. It is evident that pet stores are not the cause of the overpopulation or the proliferation of puppy mills. Meanwhile shelters and rescue systems in the United States are importing thousands of dogs from Puerto Rico, Mexico and other countries.

Some of our customers first tried to adopt, waited for months but didn't find a match, they are not abductors or compulsive kids, these families deserve the right to buy the puppy they want.

According to the Journal of American Veterinarian Medical Association the prevalence of serious disease among puppies did not differ between pet stores and other sources, all the opposite, Pet store puppies receive more veterinary attention than any other puppies.

I respectfully invite the commission to notice that this ordinance needs to be reviewed to assure that puppies that come from good breeders are allowed to be sell as it is permitted by the constitution of the united states of America and regulated by the USDA.







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NAIA study confirms fewer dogs, scarce purebreds in US animal shelters

By: **Patti Strand** Date: **07/14/2015** Category: |

For immediate release: July 14, 2015

for more information contact: Patti Strand, President

National Animal Interest Alliance (NAIA)

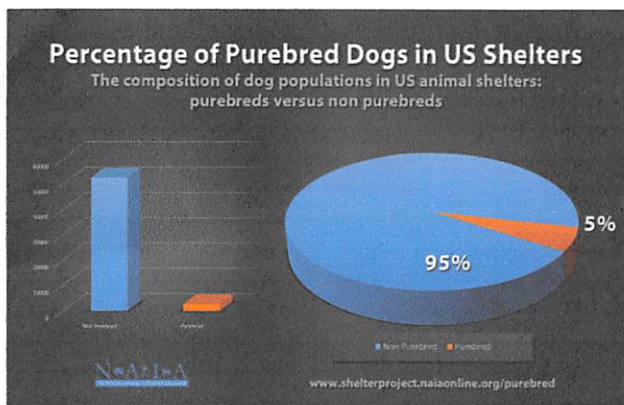
503-761-8962 or naia@naiaonline.org www.naiaonline.org

NAIA study confirms fewer dogs, scarce purebreds in US animal shelters

National advocacy group calls for tougher federal and state laws to reform shelters

The number of dogs entering US shelters has reached an all-time low, and the number of purebred dogs found in shelters has dropped to about 5%, according to [a study just released by the National Animal Interest Alliance \(NAIA\)](#), an advocacy organization for responsible animal ownership.

NAIA President Patti Strand said the study shows "tremendous progress" in eradicating dog overpopulation and substantially



reducing the number of shelter deaths which occurred in the past due to indiscriminate or accidental breeding.

Strand credited animal sheltering groups and national dog organizations like the American Kennel Club (AKC) for launching ongoing campaigns encouraging pet owners to select their pets more carefully, neuter dogs not intended for breeding programs, and understand the lifelong commitment that responsible dog ownership requires. She also commended the AKC breed rescue groups that work directly with shelters to save purebred dogs suitable for adoption.

"As a result of these efforts, 83 percent of household dogs are neutered, and tens of thousands carry microchips or tattoos that help shelters return lost pets to their owners," Strand said.

"The NAIA study results are very encouraging," said Sheila Goffe, Director of Government Relations for the American Kennel Club. "It is the most extensive survey on this subject to date and it shows that dogs identified as purebreds are rare in American shelters today, an outcome that responsible breeders, rescuers and AKC have worked decades to achieve. We are gratified that AKC programs were able to contribute to this result and we are committed to continuing these programs to further reduce the need for shelters and rescues – not just for purebreds, but for all dogs."

The study also identified several weaknesses in the U.S. animal protection movement, including the lack of transparency among non-profit shelters and inadequate or non-existent shelter regulation and oversight.

Strand said transparency and regulatory oversight have become more important as nonprofit pet shelters have increased their share of the pet dog market. The increased demand for shelter dogs, combined with the dwindling supply from local sources, has led to unprecedented levels of dog relocation and importation. "Today's shelters include everything from traditional facilities helping local animals to new, retail-style models that meet customer demand by importing dogs from other states, offshore territories and even foreign countries," she said. "Very few people realize the scope of these rescue/shelter import programs."

According to the [Centers for Disease Control](#), 4 Northeastern states recently received more than 30 rescue dogs and cats from Egypt for adoption in the U.S., including one dog with rabies. "Importing dogs that may be infected with rabies, other zoonotic and/or infectious diseases puts American citizens and animals at risk of illness or death and should not be allowed," Strand says.

Connecticut veterinarian and NAIA Board member Dr. Arnold Goldman, counsels that "even though relocating pets may feel good in the short run, it is a false, potentially dangerous and ultimately ineffective practice that does nothing to solve the problem of surplus dogs at the source. Improving animal wellbeing and solving animal welfare problems such as homeless animals must be addressed at the place where animals first interact with people, by the development of targeted programs in their cities, counties and states of origin."

National animal rights groups, including the [American Society for the Prevention of Cruelty to Animals \(ASPCA\)](#), are taking notice of the [looming puppy dog shortage](#) in many parts of the country. At the same time, many animal rights groups are aggressively promoting state and local laws aimed at eliminating, rather than improving American breeders. Strand said such proposals do not distinguish between the majority of responsible dog breeders and the small fraction of substandard breeders who become the focus of animal rights fundraising campaigns.

"These extreme animal rights groups have become so ideological and irrational that they would rather risk importing rabid dogs from Asia and Africa than support humane, responsible breeding in the U.S. so consumers

can purchase the dog of their choice from a responsible and in many cases regulated American breeder," Strand said.

If animal rights groups are successful in driving responsible dog breeders out of business, Strand fears that nonprofit shelters will turn increasingly to sources in China, India, Egypt, Iraq and Puerto Rico, all locales that have exported rabid rescue dogs into the U.S.

To address these issues, the NAIA is seeking changes in federal and state laws to:

1. Prohibit the importation of rescue dogs from foreign countries immediately.
2. Impose the same oversight requirements on animal rescues and shelters as those imposed on other animal dealers
3. Require animal shelters to report the source and number of the dogs they take in and the disposition of those dogs

"Without these regulations, American consumers will have absolutely no way of knowing where their dogs came from, how they were bred and raised, and whether the shelter they've patronized is following responsible animal care practices. The pet dog market will be a virtual Wild West of unlicensed, unregulated shelters operating without rules, standards or accountability," Strand warned.

For more information, contact Patti Strand at naia@naiaonline.org or 503-761-8962 and visit www.naiaonline.org

About The Author



Patti Strand - NAIA President

Patti is a recognized expert and consultant on contemporary animal issues, most notably responsible dog ownership and the animal rights movement. She often appears on radio and television and her articles on canine issues, animal welfare, public policy and animal rights have appeared in major US news publications and in trade, professional and scientific journals. Patti and her...

All Authors Of This Article: | Patti Strand |

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Endangered Key deer in fight for survival against screwworms 3:07



ENVIRONMENT

JANUARY 10, 2017 5:31 AM

Flesh-eating screwworm appears outside Florida Keys in stray dog

BY KATIE ATKINS

katkins@keynoter.com

For the first time in more than three decades, New World screwworm has been found on Florida's mainland.

A stray dog was found in Homestead with the flesh-eating parasite last week and the worms in its body were confirmed as screwworm. The dog has been treated and is in good health.

It wasn't known if someone from the Keys abandoned the dog or if it got infested in another way.

Jenn Meale, communications director for the state Department of Agriculture and Consumer Services, said surveillance efforts between the department and the U.S. Department of Agriculture have increased in the Homestead area.

State and federal officials are trapping and monitoring flies in the region and keeping in touch with veterinarians, animal shelters and rescue groups, but there have been no other reports of screwworm.

The spread of screwworm on the mainland could be devastating to Florida's livestock, which is why Meale said efforts to lock down any presence of screwworm have increased. There is no sign as to where the screwworm came from, Meale said.

Fertile screwworm flies are still around in the Lower Keys. A Key deer was found Saturday on Little Palm Island with an infestation in its head, after which it had to be euthanized, said Refuge Manager Dan Clark.

The worms were sent to the U.S. Department of Agriculture's National Veterinarian Services Laboratory in Iowa to determine whether they were screwworms.

"It certainly looked like a pretty bad infestation," said Clark, who has seen his fair share of the larvae that dig down into living tissue.

Screwworm flies lay their eggs in the wounds of injured animals. The larvae hatches and then feeds on the wound, basically eating the deer live.

Should the larvae be confirmed as screwworms, the death of the Little Palm Island Key deer will be the 135th caused by the parasitic larvae since July. Some have had to be euthanized and others have died from their screwworm-inflicted conditions.

On Jan. 3, a deceased deer was found on Big Munson Island, to the southwest of Little Palm Island. USDA lab results confirmed it died from screwworm. The last time a Key deer had to be euthanized prior to Saturday was Dec. 11. The deer was also found on Big Munson Island, Clark said. Both Little Palm and Big Munson islands are private and not part of the National Key Deer Refuge, he added. To the east is Cook Island, also private. In all three places, Clark said refuge officers and volunteers are boosting up the doses of antiparasitic medicine doramectin given to deer.

Clark said a total 11,416 doses have been given to deer, 7,609 doses of which were obtained at 16 medication stations placed throughout the Lower Keys. The deer access food and are medicated by rubbing up against rollers soaked in the medicine.

USDA officials have also increased their monitoring of the islands for both sterile and fertile screwworm flies.

Nearly 80 million sterile New World screwworm flies have been released by the USDA in the Lower Keys and Marathon since October. The sterile flies mate with wild flies, driving down the number of wild flies that create parasitic larvae in the deer because the offspring of sterile flies can't hatch.



Sterile flies used to combat screw worm in Key Deer

In the coming weeks, swarms of sterile screwworm flies will blanket parts of the Middle Keys, an army of millions manufactured in Panama to combat an outbreak of the flesh-eating pest attacking the islands' beloved Key deer.

Pedro Portal - Miami Herald

The herd is now estimated in the upper 700s, Clark said, adding 93 deer have been found dead since July from being hit by cars or, rarely, from natural causes.

"People are often surprised by that number. It seems like a lot, but it's not horribly atypical for this time of year," he said.

Thousands of pet owners traveling out of the islands have been stopping at a roadside checkpoint in Key Largo where federal officials examine their pets for New World screwworm. So far, no cases have been found in the 10,202 inspected animals leaving the Keys since the 24-hour northbound checkpoint opened in early October.

Katie Atkins: 305-440-3219



The death toll for endangered Key deer is still on the rise in the Lower Keys due to New World screwworm. Contributed

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APRIL 8, 2017

Hundreds of shelter dogs, cats from PR arrive at FLL

Sheldon Fox

FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT, FLA. (WSVN) - There was plenty of puppy love going around at a South Florida airport, Saturday, as well over 100 dogs – and quite a few feline companions – arrived from Puerto Rico for a chance at a better life.

Organizers behind this flight said about 160 dogs and several hundred cats made the journey from the U.S. commonwealth with the ultimate goal of being adopted.

"There are all types of dogs here today," said Michael Mandel, executive director of the Humane Society of Vero Beach and Indian County.

Originally from overburdened Puerto Rican animal shelters, the animals landed at Fort Lauderdale-Hollywood International Airport and will be being taken to several different animal welfare organizations along the East Coast.

"Really, it's a wonderful thing for everybody to come out and help," said Cherie Wachter of the Humane Society of Broward County.

Other branches of the Humane Society were also on hand to help. "All dogs deserve to be adopted," said Mandel.

Ground transport to 11 animal shelters was underway, Saturday night.

"The Animal Society in Florida are absolutely incredible," said Humane Society of the United States spokesperson Kim Alboum. "We have the Humane Society of Tampa Bay here. We have the Humane Society of Vero Beach. We have the Humane Society of Broward County, and it is just absolutely incredible the work that these people do."

In addition to missions like this one, the Humane Society of the United States and its partners initiated "Operation Breathing Room" to provide desperately needed space in the shelters in Puerto Rico and raise public awareness about the ongoing work needed to help animals on the island. The project is part of a larger program there to address the crisis of the commonwealth's staggering 300,000 street dogs.

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But for this furry crew of travelers, they're on their way to find a forever home, and they're likely to be thrown a bone or two in their soon-to-be-new digs.

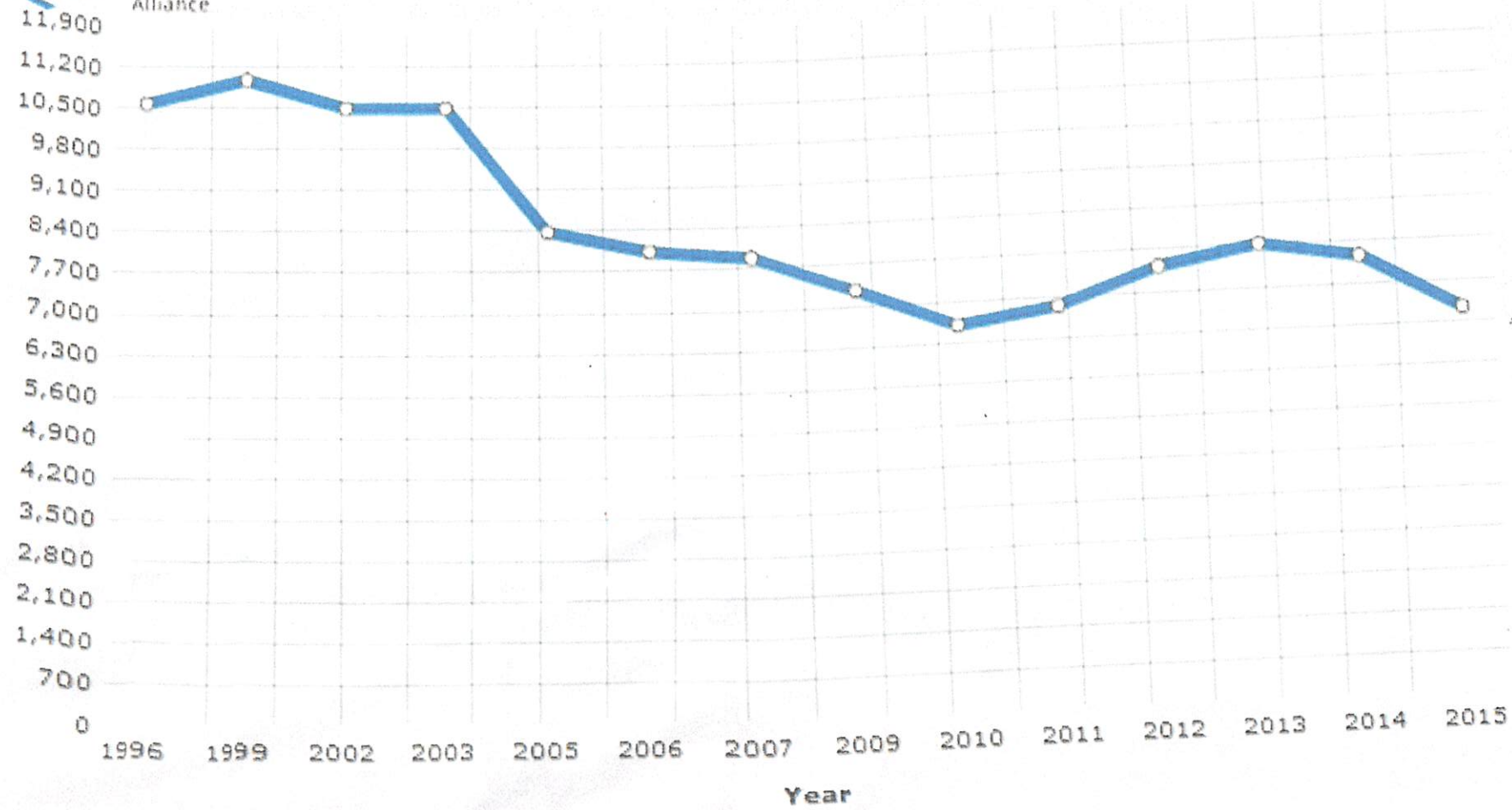
Several more trips from Puerto Rico are being planned over the next few years.

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NAIA
National
Animal Interest
Alliance

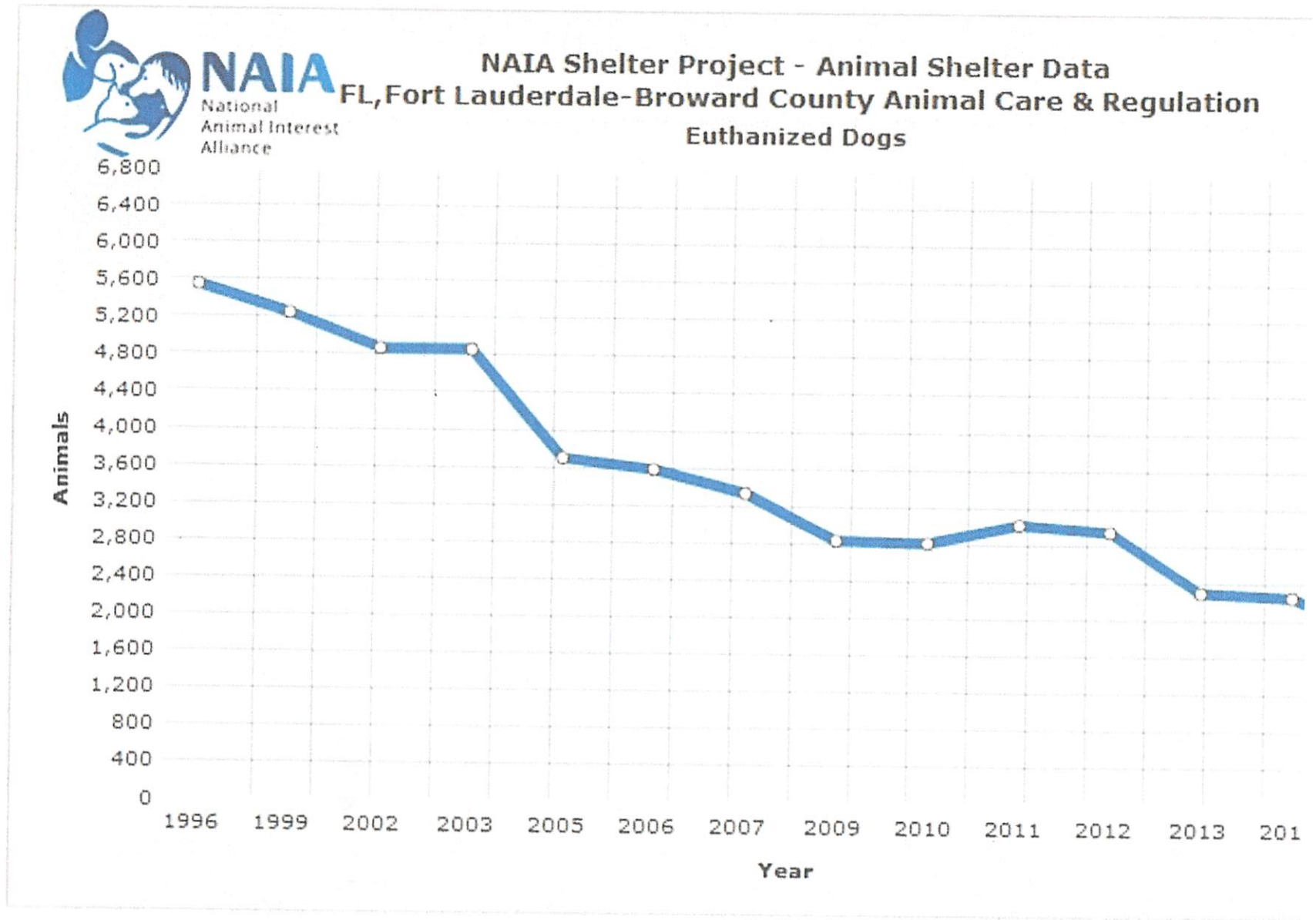
NAIA Shelter Project - Animal Shelter Data FL, Fort Lauderdale-Broward County Animal Care & Regulation Received Dogs



Decrease from 10,500 to 7,000

Down - Almost 4,000

Euthanized dogs in ~~2014~~ 1996 was 5,600
in 2014 only 2,000 Down 3,600



PETS [HTTPS://WWW.LOCAL10.COM/HEALTHY-PETS]

Dogs rescued from South Korean meat trade arrive in Broward County

200 dogs rescued in latest dog farm closure

By Amanda Batchelor [https://www.local10.com/author/amandabatchelor] - Senior Digital Editor

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     + 0 2 Comments

BROWARD COUNTY [https://www.local10.com/topic/Broward county?entityid=3665942900&lang=en], Fla. - A group of dogs that was rescued by the Humane Society International from a dog meat farm in Wonju, South Korea [https://www.local10.com/topic/South Korea?entityid=47772&lang=en], arrived in Broward County on Thursday.

Six animal shelters in Florida picked up the dogs in Vero Beach [https://www.local10.com/topic/Vero beach?entityid=3887626519&lang=en] and took them back to their facilities to be placed up for adoption.

The Humane Society of Broward County [https://www.local10.com/topic/Humane Society of Broward County?entityid=98019859&lang=en] picked up 10 dogs Thursday and will put the pups up for adoption after their medical examinations.

Staff hope to have the dogs available by the weekend.

"It was a very long trip for these dogs," Cherie Wachter, of the Humane Society of Broward County, said. "They traveled over 18 hours of flight time and made over a 12,000-mile journey to find homes here in South Florida."

In a news release, the Humane Society of Broward County said HSI has been in South Korea since December 2014 and has successfully made agreements with six dog-meat farmers for permanent closure of their farms.

PHOTOS: Dogs rescued from South Korean meat trade arrive in Broward County
[#]

A total of 770 dogs have been rescued and taken overseas to be placed in homes.

HSI helped each of the farmers transition into other businesses, such as crop-growing and scrap metal salvage.

The most recent farm closure happened this month in Gangwon province, where 200 dogs were rescued from a farm.

"It is very hard to comprehend, especially when you are an animal lover," Wachter said.

HSI officials said the farm owner's daughter convinced her to give up the business and transition into another line of work.

The 200 rescued dogs are being placed in 17 shelters throughout the U.S., Canada and the U.K.

According to HSI, South Korea is the only country in the world known to raise dogs on farming facilities solely for the dog meat trade.

It's unclear how many dog farms are in South Korea, but it is estimated that between 2 million and 2.5 million dogs are slaughtered each year in the country for human consumption.