

City of Fort Lauderdale

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



Meeting Minutes - APPROVED

Wednesday, January 20, 2016

6:00 PM

City Commission Chambers

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

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

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

The meeting was called to order at 6:03 p.m. by Mayor Seiler.

Invocation Father William Boles, Saint John the Baptist Catholic Church

Pledge of Allegiance Father William Boles, Saint John the Baptist Catholic Church

ROLL CALL

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

Quorum Established

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

Vote Roll Call Order for this Meeting:

Commissioner Trantalis, Vice-Mayor McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

No public comments were submitted by email for January 20, 2015 Regular City Commission Meeting.

Approval of MINUTES and Agenda

16-0125 Approval of Minutes for November 17, 2015 Conference Meeting, December 1, 2015 Conference Meeting and December 15, 2015 Regular Meeting

Commissioner Trantalis made a motion to approve the noted Minutes and the meeting Agenda and was seconded by Commissioner Roberts.

APPROVED

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

Mayor Seiler acknowledged the service of Jim Moyer of the Salvation Army in Fort Lauderdale, Florida. Mr. Moyer announced he has been offered and has accepted a transfer to the Washington, DC area. Mr. Moyer thanked the Commission commenting that it has been his privilege to work for the Salvation Army the last 19 years, twelve of which have been in Fort Lauderdale and four of which have been doing community outreach and getting to know the fine members of the City Commission. It has been

an honor and privilege, and the difficult part is saying goodbye and will miss everyone in the All American City of Fort Lauderdale.

PRESENTATIONS

PRES- 16-0119 Proclamation declaring January 20, 2016 as Guardian Ad Litem Day in
1 the City of Fort Lauderdale

Commissioner Trantalis presented a Proclamation to Laura Davis declaring January 20, 2016 as Guardian Ad Litem Day in the City of Fort Lauderdale in support of the Guardian Ad Litem Program of the 17th Judicial Circuit here in Broward County. It is also to remind our neighbors and City employees that there are thousands abused and neglected children who do not have the blessings that most children have and are just hoping to find people who can love and care for them. As it is the beginning of the New Year, the Guardian Ad Litem ("GAL") Program and the City of Fort Lauderdale encourages our neighbors and employees to make a New Year's resolution to volunteer a few hours a month to help an abused child. Commissioner Trantalis read the proclamation in its entirety.

Ms. Davis spoke thanking the Commission for this opportunity and requesting community volunteers to check on these abused and neglected children explaining these volunteers are the eyes and ears of the judges that can advise how these children are doing and make recommendations to the court. Ms. Davis noted GAL volunteering is a very important job and everyone from all walks of life is needed to help a child who has had a very hard start in life. It only takes a few hours a month along with a commitment and a little bit of flexibility in terms scheduling to attend and update the court every 90 days as to how a child is doing. Some of the benefits children receive from having a GAL include doing better in school, the likelihood they are will get out of the foster care system sooner and into a permanent situation, and, they usually have fewer behavior problems. Ms. Davis advised the public as to how to contact her to volunteer for the GAL Program. Mayor Seiler also noted that the public can contact GuardianAdLitem.org for information about volunteering for this important and worthy project.

PRESENTED

PRES- 16-0029 Proclamation declaring February 2, 2016 as Mangrove Awareness Day
2 in the City of Fort Lauderdale

Commissioner Rogers presented the proclamation to Christian Hoss, Executive Director, and Lee Gottlieb, Director of Community Outreach Programs, for the Youth and Environmental Alliance declaring February 2, 2016 as Mangrove Awareness Day in the City of Fort Lauderdale. The State of Florida supports one of the largest mangrove forests in North America playing a vital role in preserving our environment with over 500,000 acres of mangrove forests protecting Florida's natural environment. Christian Hoss and Lee Gottlieb along with student and adult volunteers will plant 50 red mangroves at Bill Keith Preserve in the City of Fort Lauderdale helping to restore a vital wetland habitat. Commissioner Rogers read the proclamation in its entirety.

Mr. Hoss and Mr. Gottlieb thanked the Commission noting all of the environmental benefits of mangrove trees and detailing the work that Youth and Environmental Alliance is doing to preserve the environment.

PRESENTED**PRES- 16-0100** Acceptance of Grant Funds - \$291,281 - Broward Boating Improvement
3 Program for Cox's Landing (15th Street Boat Ramp)

Mr. Dan Jaffe, Chairman of the Broward County Marine Advisory Committee and Mr. John Fiore, Staff Liaison of the Broward County Marine Advisory Committee, spoke on behalf of the Broward County Commission noting the boating lifestyle of the City is just one of its many attractions. On the County level, grant money exists from the Broward Boating Improvement Program and are funded from boat registration fees. These funds are used to pay for boating access anywhere in Broward County. Over the last 20 years, Fort Lauderdale has received approximately \$3,500,000 in grant funds from the Broward Boating Improvement Program representing some 28 projects and 20 percent of the County's budget.

Mr. Jaffee and Mr. Fiore presented a check for \$291,281 representing the County's portion of the grant to fund the 15th Street Boat Ramp in Cox Park stating the City has done extensive renovations and improvements that make the lives of boat owners in Broward County and those visiting the City better.

Commissioner Trantalis asked what these funds represent. Mr. Fiore noted the particular items done at the 15th Street Boat Ramp at Cox Park. Mr. Fiore thanked City Staff for their work in getting the project at Cox Park completed. Mr. Fiore also discussed holding a first time Municipal Marine Summit attended by all cities located on the water, the City's Marine Advisory Board, the Police Department, the Coast Guard, the Fish and Wildlife Conservation Commission, the Florida Navigation District, and the Broward Sheriff's Office. The summit allowed a forum where cities could share successful policies and procedures that work and the challenges they face. It also enables all waterfront communities to work together as one to communicate to Broward County what works to make the county a better and safer place to boat. Mayor Seiler thanked them for all their support.

PRESENTED**PRES- 16-0107** Police Officer of the Month for January, 2016
4

Chief of Police Frank Adderley, presented Police Officers of the Month for January 2016 Detective Rafael Bouyett. Detective Bouyett has been a member of the Department for 14 years currently assigned to the Career Criminal Unit and recognized for his outstanding work on fifteen separate occasions. On September 6, 2015, Detective Bouyett was working the Igloo Caribbean Festival at Lockhart Stadium. As thousands of spectators exited the stadium at the conclusion of the event, Detective Bouyett observed several individuals engaged in a physical altercation. Within seconds, gunshots were fired, and Detective Bouyett saw an armed suspect running away from the crowd and chased the suspect on foot. As the suspect entered a parked vehicle, Detective Bouyett realized the need to take immediate action and noted that his back-up officers were minutes away. While in a safe tactical position, Detective Bouyett arrested the armed suspect and recovered a firearm used during the shooting. The suspect was identified as the individual who shot two victims and was charged with two counts of attempted murder. Tonight we recognize Detective Bouyett for his immediate response that lead to the apprehension of an armed and dangerous suspect. The entire audience commended Detective Bouyett for a job well done. Detective Bouyett's wife and son were in attendance and photos taken to commemorate Detective Bouyett's Award for Police Officer of the Month – January 2016. Mayor Seiler thanked Mrs. Bouyett and their son for what they do for our community noting the

sacrifices all family members of the City's Police Department make day in and day out.

PRESENTED

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

CONSENT AGENDA

Mayor Seiler announced the procedure for consent agenda items. Mayor Seiler announced the following items had been removed from the Consent Agenda and will be heard separately: CM-4 and PUR-8 pulled by resident, Charles King; and PUR-3, pulled by Commissioner Trantalis.

CONSENT MOTION

Commissioner Roberts motioned for the removal of Consent Agenda items CM-4, PUR-3, and PUR-8 for separate consideration and the remaining Consent Agenda items be approved as recommended, which was seconded by Commissioner Trantalis.

Approval of the Consent Agenda

Approve the Consent Agenda

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

CM-1 16-0043 Motion to Approve Event Agreements: Fort Lauderdale Greek Festival,
Fort Lauderdale Ruggerfest and Blue Point Boatyard Bash

APPROVED

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

CM-2 16-0044 Motion to Approve Event Agreement and Related Road Closings for
Dolphins Cancer Challenge

APPROVED

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

CM-3 16-0003 Motion to Authorize Design Services for Lake Estates Small Water
Main Improvements - Tetra Tech, Inc. - \$183,854 Task Order

APPROVED

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

CM-4 16-0006 Motion Authorizing the Fort Lauderdale Beach Park Restroom Building Re-Roofing Project - Advanced Roofing, Inc. \$63,874 Task Order

Mayor Seiler recognized resident Charles King, 105 N. Victoria Park Road, who expressed his opposition view regarding the cost of this item. Commissioner Trantalis also asked why this roof is so expensive. City Manager Feldman explained the expenses.

Commissioner Rogers made a motion to approve CM-4 and, which was seconded by Commissioner Roberts, which was read by title only.

APPROVED

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

CM-5 16-0063 Motion to Authorize Professional Engineering Services for Relocation of Existing 16-inch Water Main and Installation of 16-inch Force Main at East Las Olas Boulevard - Craven Thompson & Associates, Inc. - \$311,505 Task Order

APPROVED

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

PURCHASING AGENDA

PUR-1 16-0009 Motion to Approve Purchase of Information Technology Security Services - Dell Marketing L.P. \$22,849.01

APPROVED

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

PUR-2 16-0020 Motion to Approve Cancellation of Contract Award to Clarke Power Generation, Inc. for Generator Upgrade Services and Award Contract to J.T. Equipment Service Co. - \$365,100

APPROVED

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

PUR-3 16-0022 Motion to Approve Motorized Watercraft Concession - Atlantic Beach Clubs-Two, Inc. - \$456,600 (five-year revenue)

Commissioner Trantalis explained he pulled this item to understand why there is a need to have motorized watercraft in an area where people are swimming when it put people who are swimming at risk. He expressed his concern from a safety standpoint and suggesting jet skis should be regulated to areas such as the intracoastal. Mayor Seiler noted that this has been done for 15 years by the same vendor who has done an outstanding job. Commissioner Rogers noted there were only certain areas of the beach where someone can rent jet skis.

Commissioner Roberts moved to approve this item and was seconded by Vice-Mayor McKinzie.

APPROVED

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

PUR-4 16-0025 Motion to Approve Contracts for the Annual Utilities Restoration Project to Luna Development Corp., Molloy Bros. Inc., GPE Engineering & General Contractor Corp., and Envirowaste Services Group, Inc. - \$986,354

APPROVED

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

PUR-5 16-0031 Motion to Approve Cancellation of Contract Negotiations and Reject all Responses Received for Payment Kiosk Services - Global Express Money Orders, Inc. and EZ Card Services

APPROVED

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

PUR-6 16-0040 Motion to Cancel Contract Award for Palm Frond Collection Services - MCT Service, LLC and Award to Envirosapes Plus Inc. - \$25,200 (Annual Cost)

APPROVED

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

PUR-7 16-0052 Motion to Approve Additional Expenditures for Demolition Services -
The BG Group, LLC - \$123,749

APPROVED

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

PUR-8 16-0053 Motion to Approve Contract for Palm Aire Village West Fence Project -
Primus Construction Services, Inc. - \$365,100

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road.

Mr. King expressed his opposition views regarding the cost of this item. Commissioner Roberts explained how this came about stating when this area was annexed in 2003; there was agreement that money would be set aside for these types of improvements such as a sound barrier wall which was too expensive. The West Fence Project is what was negotiated with the neighborhood as an alternative.

Commissioner Roberts made a motion to approve PUR-8, which was seconded by Vice-Mayor McKinzie, which was read by title only.

APPROVED

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

PUR-9 16-0055 Motion to Approve Purchase of Proprietary License Upgrades of the
Water and Wastewater Hydraulic Modeling Software Licenses-
Innovyze, Inc. - \$61,450

APPROVED

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

PUR-10 16-0097 Motion to Approve Master Service Agreement for Purchase of
TeamMate Cloud-Based Audit Software - Wolters Kluwer Financial
Services, Inc. - \$10,155

APPROVED

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

PUR-11 16-0099 Motion to Approve Proprietary Purchase for Small Water Main

Improvements Project in Lake Ridge Sunrise Boulevard - Community Asphalt Corp. - \$989,718

APPROVED

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

RESOLUTIONS

R-1 16-0092 Appointment of Board and Committee Members

City Clerk Jeffrey Modarelli stated the following members will officially be appointed to the noted boards at the Regular City Commission Meeting of February 2, 2016:

Gina Ellis - Special Events Committee
Ana Lee - Special Events Committee
Dan Linblade - Special Events Committee
Marilyn Mammano - Special Events Committee
Tim Patrillo - Special Events Committee
Tim Schiavone - Special Events Committee
Ralph Stone - Special Events Committee
Mike Weymouth - Special Events Committee
Jim Ellis - Special Events Committee
Jeff Ostrow - Special Events Committee
Andy Mitchell - Beach Redevelopment Board
Anthony Abbatte - Beach Redevelopment Board
Patricia Hayes - Cemetery Board
Tom Moody - Aviation Advisory Board
Chuck Black - Marine Advisory Board
Thomas McMannis - Beach Advisory Board
Larry Clark - Sustainability Advisory Board
Mitchell Rosenstein - Affordable Housing Advisory Board—Mandatory Category of Residential Home Building

Mayor Seiler asked Commissioner Trantalis about the opening for a building contractor at the Central City Development Advisory Board. Commissioner Trantalis stated he has not been able to find a building contractor that is willing to be on this board. He asked Vice-Mayor McKinzie if he could provide the name of someone willing to serve on the Central City Development Advisory Board.

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

AVIATION ADVISORY BOARD

John Watt is appointed to the Aviation Advisory Board for a one-year term beginning March 17, 2016 and ending March 16, 2017 or until his successor has been appointed.

Ed Kwoka is appointed to the Aviation Advisory Board for a one-year term beginning March 4, 2016 and ending March 3, 2017 or until his successor has been appointed.

COMMUNITY APPEARANCE BOARD

Caroline Nutt, David Bowles, and Jiro Yates have been appointed to the Community Appearance Board for one-year terms beginning March 4, 2016 and ending March 3, 2017 or until their successor has

been appointed.

COMMUNITY SERVICES BOARD

April Kirk is appointed to the Community Services Board, in the category of District 4, for a one-year term beginning January 20, 2016 and ending January 19, 2017 or until her successor has been appointed.

Jonathon May has been appointed to the Community Services Board, in the category of District 2, for a one-year term beginning March 3, 2016 and ending March 2, 2017 or until his successor has been appointed.

Chris Lovell has been appointed to the Community Services Board, in the category of District 2, for a one-year term beginning March 18, 2016 and ending March 17, 2017 or until his successor has been appointed.

EDUCATION ADVISORY BOARD

Jennifer L. Kimmey has been appointed to the Education Advisory Board for a one-year term beginning March 4, 2016 and ending March 3, 2017 or until her successor has been appointed.

NUISANCE ABATEMENT BOARD

Gustav Schmidt is appointed to the Nuisance Abatement Board for a one-year term beginning February 18, 2016 and ending February 17, 2017 or until his successor has been appointed.

SUSTAINABILITY ADVISORY BOARD

Alena Alberani has been appointed to the Sustainability Advisory Board for a one-year term beginning February 3, 2016 and ending February 2, 2017 or until her successor has been appointed.

Brittany Storm has been appointed to the Sustainability Advisory Board for a one-year term beginning January 20, 2016 and ending January 19, 2017 or until her successor has been appointed.

Clarke Harlow has been appointed to the Sustainability Advisory Board for a one-year term beginning February 3, 2016 and ending February 2, 2017 or until his successor has been appointed.

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

ADOPTED

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

R-2 16-0037 Resolution Approving the Use of a 200,000 Barrel Capacity Fuel Storage Tank at Marathon Spangler Terminal, Port Everglades - Case Number A15014

Commissioner Rogers said the neighborhood of Harbordale located near this site has been engaged with the contractor and Marathon Oil who has tried to address all issues involved. He further stated, there had been a meeting with the contractor, Marathon Petroleum ("Marathon"), and the president of the Harbordale neighborhood association to allow input from the Harbordale community, all concerns had been addressed, and things are ready to move forward with the project.

Tyler Haan, Project Manager for Marathon Petroleum spoke stating this would be an additional tank to be located on the site on the Northwest corner of the facility.

Commission Trantalis noted that there had been objection from people in the area because the tank is 125 feet from the housing development Village East.

Mr. Haan said the port's fire department has reviewed the proposed setbacks agreeing that those are acceptable setbacks. Mr. Haan stated neighborhood concerns included site security, upkeep around the fence lines noting the site borders the outside of the port, and some of the fence lines had a lot of overgrown trees and debris. He said Marathon had taken action to clear out those fence lines and opened them up to provide proper security around the facility. It was noted the debris was located in an easement between Marathon's property and the property next to it. An additional comment included there are gates in the chain link fence around the facility and questions as to whether those locks were sufficient. Marathon has upgraded those locks.

Commissioner Trantalis asked for confirmation that the facility's perimeter is secure and it was confirmed by Mr. Haan. It was also confirmed that Marathon has someone on site 24 hours a day, 365 days a year that do continuous walk rounds throughout the day and night. Monday through Friday it is Marathon Oil security personnel, and on Saturday it is split between Marathon Oil security personnel during the daytime and outside security at night. On Sunday it is outside security.

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

ADOPTED

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

Mayor Seiler was told that an addition speaker had signed up for this item.

Yvonne Aznarez, a resident of Village East, spoke in opposition to this item. Ms. Aznarez cited the proximity of the 7,000-gallon tank of explosive gasoline in such proximity to the Village East townhome residences. Her primary concern is security stating anyone can jump the fence and the lack of walls. Ms. Arnarez stated Marathon avoided the residents' questions and concerns suggesting in today's world, there is a need to be proactive and install a wall that cannot be easily breached.

A copy of Ms. Aznarez' pictures are attached to these minutes.

Mr. Haan stated Marathon met with Marilyn Mammano several times and offered several meetings with community members the last meeting being December 21, 2015. Commissioner Rogers stated one of the concerns he had after speaking with Ms. Mammano was that she did not hear back from Marathon for an extended period.

Commissioner Rogers questioned City Manager Feldman regarding the permitting of this project. Commissioner Roberts recommended deferring this item until we can better answer some of the concerns that have been raised.

Mayor Seiler recommended Marathon meet with the residents of Village East to share what precautions are in place from a safety standpoint as it is important to put nearby residents at ease with respect to safety issues ensuring that a potential flame does not spread to nearby property.

Jenni Morejon, Sustainable Development, put on the record that while there has not been a formal meeting with the adjacent townhome association, City Staff has been in contact with the President of the Village East Townhome Association and provided her with the updated narrative from the applicant. This was done within the last month.

Commissioner Rogers recommended City Staff and Marathon meet with the adjacent property owners to go over the plans. Additionally, he feels it is only smart to meet with City Staff again to determine the next steps when the building permit is issued to address other items associated with this project and safety measures are important to all involved.

Commissioner Trantalis informed Mr. Haan Marathon should have a meeting and notice everyone within a 300-foot radius of the site by U.S. Mail. Commissioner Trantalis also mentioned that not just this tank but all tanks at this site need to have proper precautions, taken to prevent a tragedy.

There were no additional comments regarding this item.

Commissioner Roberts moved to reconsider the vote which was seconded by Commissioner Rogers.

APPROVED

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

Commissioner Rogers moved to defer this item for sixty days to March 15, 2016 and was seconded by Commissioner Roberts.

DEFERRED to March 15, 2016

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

PUBLIC HEARINGS

PH-1 16-0041 Resolution Granting a Dock Waiver of Distance Limitations at 811 SW 6th Street for the Installation of Two Triple-Pile Mooring Cluster Piles

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

Mayor Seiler, Vice-Mayor McKinzie, and all Commissioners disclosed their site visits, meetings, and both verbal and written communications on this item.

Mayor Seiler opened the floor up for public comment.

Commissioner Trantalis asked if City Staff had any questions regarding the navigability of the canal if

we allow pilings to extend out into the waterway equal distance on both sides. Andrew Cuba, Manager of Marine Facilities, stated the maximum length of the proposed pilings is 47.1 feet from the edge of the property line.

Commissioner Rogers and Mayor Seiler stated their concerns and questions. Mr. William Cosby, Project Manager, spoke in support of this item noting numerous technical issues related this item and addressing the numerous questions, comments, and concerns from the Commission.

Assistant City Attorney Bob Dunckel stated that moving the piling over the 47.1 length was measured on a 45 degree diagonal. Hence, if it is moved over, it will be measured on a 90 degree perpendicular and the numbers change. Currently, they do not have the numbers and surveys to show what the new numbers will be. Further discussions ensued.

Commissioner Trantalis moved to close the public hearing which was seconded by Commissioner Roberts and approved.

Mayor Seiler closed the public hearing.

Commissioner Trantalis made a motion to defer this item for one meeting, so the applicant can come back with proper measurements when moving the cluster piles 8 feet to the east. This will allow the proper measurements to be included in the resolution.

Commissioner Rogers moved to defer this item to the February 2, 2016 Regular Commission Meeting and was seconded by Commissioner Roberts.

DEFERRED to February 2, 2016

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

PH-2 16-0042 Resolution Granting a Dock Waiver of Distance Limitations at 900-910 NE 20th Avenue for the installation of Three Triple-Pile Mooring Cluster Piles and Two Mooring Piles

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

Mayor Seiler, Vice-Mayor McKinzie, and all Commissioners disclosed their site visits, meetings, and both verbal and written communications on this item.

Mayor Seiler opened the floor for a public hearing.

Tyler Chappel, The Chappel Group, spoke on behalf of the applicant in support of this item. He stated he had no changes regarding the distances or sizes. The one provision he would like for consideration relating to the language in condition number 6 of the Resolution relating to permitting, stating "180 days" in item 6 should state "after receiving all necessary regulatory permits have been received."

City Attorney Everett asked Assistant City Attorney Bob Dunckel if this is the language the City has been consistently using. He stated it was new language stating he would like to keep an objective timeline. Mr. Chappel clarified for the Commission this requested change will not affect the timeline as an objective timeline is addressed in item 5 of the resolution. City Attorney Everett asked for clarification and discussion ensued. Commissioner Trantalis expressed his concerns regarding the dock being for personal use, not a business. Mr. Chappel addressed this issue noting it is contained in the waiver.

Mayor Seiler asked if the second piling was a triple cluster and Mr. Chappel confirmed both of them were single, 12-inch piles.

Charles King expressed his views in opposition to this item.

Commissioner Trantalis moved to close the public hearing and was seconded by Commissioner Roberts.

Mayor Seiler closed the public hearing.

Commissioner Trantalis asked City Attorney Everett about a previous issue on this same topic noting enforcement of the conditions. He recalled Ms. Everett saying this could be pursued via Code Enforcement by sending Code Enforcement out on a regular basis to monitor and check code violations. Further discussions ensued on this topic.

Mr. Dunckel clarified for the Commission the amended resolution would state the 180-day timeframe runs from the approval of the permit. This will modification will also apply to PH-1 heard earlier which was acknowledged by Mr. Cosby.

Commissioner Trantalis introduced this resolution, which was read by title only.

ADOPTED as Amended

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

PH-3 16-0077 Resolution Granting a Waiver from the Limitations of the Beach Boating Restricted Area Ordinance by Approving the Operation of a Motorized Watercraft Concession by Atlantic Beach Clubs-Two, Inc. through the Boating Restricted Area

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

Mayor Seiler, Vice-Mayor McKinzie, and all Commissioners disclosed their site visits, meetings, and both verbal and written communications on this item.

Mayor Seiler opened the floor for a public hearing.

There being no one wishing to speak, Commissioner Trantalis moved to close the public hearing which was seconded by Commissioner Roberts and approved.

Mayor Seiler closed the public hearing.

Commissioner Rogers introduced this resolution, which was read by title only.

ADOPTED

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

Nay: 1 - Commissioner Trantalis

PH-4 16-0016 Second Reading of Ordinance - Amendment to the Future Land Use Element of the City of Fort Lauderdale 2008 Comprehensive Plan to increase the Residential Density within the Downtown Regional Activity Center - Case Number 2T13

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

Mayor Seiler, Vice-Mayor McKinzie, and all Commissioners disclosed their site visits, meetings, and both verbal and written communications on this item.

Mayor Seiler opened the floor for a public hearing.

There being no one wishing to speak, Commissioner Trantalis moved to close the public hearing which was seconded by Commissioner Rogers and was approved.

Mayor Seiler closed the public hearing.

Commissioner Rogers introduced this Ordinance on Second Reading, which was read by title only.

ADOPTED ON SECOND READING

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

PH-5 16-0046 Quasi-Judicial - Ordinance Vacating a Portion of Right-of-Way Known as Southeast 7th Street - Case Number V15004

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

Mayor Seiler, Vice-Mayor McKinzie, and all Commissioners disclosed their site visits, meetings, and both verbal and written communications on this item.

Mayor Seiler opened the floor for a public hearing.

There being no one wishing to speak, Commissioner Rogers moved to close the public hearing which was seconded by Commissioner Rogers and was approved.

Mayor Seiler closed the public hearing.

Commissioner Trantalis introduced this ordinance on First Reading, which was read by title only.

PASSED FIRST READING

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

ORDINANCE FIRST READING

OFR-1 16-0026 Ordinance Amending Nomenclature Relating to Fire Assessments

Mayor Seiler opened the floor for a public hearing.

There being no one from the public wishing to speak, Commissioner Trantalis moved to close the public hearing, which was seconded by Commissioner Roberts.

Commissioner Trantalis introduced this ordinance on First Reading, which was read by title only.

PASSED FIRST READING

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

ORDINANCE SECOND READING

**OSR-1 16-0069 Ordinance Amending the Provisions of the City of Fort Lauderdale
General Employees' Retirement System Authorizing In-Service
Distributions**

Mayor Seiler opened the floor for a public hearing.

There being no one wishing to speak on this item, Commissioner Trantalis moved to close the public hearing and was seconded by Commissioner Roberts and was approved.

Mayor Seiler closed the public hearing.

Commissioner Rogers introduced this ordinance on Second Reading, which was read by title only.

ADOPTED ON SECOND READING

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

REQUEST FOR EXECUTIVE CLOSED DOOR SESSION

Executive Closed Door request from City Attorney Cynthia Everett for 30 minutes on Tuesday, February 2, 2016 for advice on the following Cases:

*Edward Butler, Plaintiff vs. The City of Fort Lauderdale, Defendant
Case No. 14-60003, Federal Court – Civil Matter*

*Antonio Grant vs. The City of Fort Lauderdale, Defendant
Case No. 15-61128, Federal Court – Civil Matter*

ANNOUNCEMENT

City Manager Feldman announced there will be a Public Hearing on February 2, 21016, and a second Public Hearing on February 16, 2016, regarding the adoption of a resolution designating Weston Village located at 615 North Andrews Avenue as Green Re-Use Area.

ADJOURNMENT

There being no other matters to come before the Commission, the meeting was adjourned at 8:08 p.m.



John P. "Jack" Seiler
Mayor

ATTEST:



Jeffrey A. Modarelli
City Clerk

JEFF

1-20-16

PH-1

Hello Commissioner Rogers, Honorable Mayor, Vice Mayor and Commissioners

The Tarpon River Civic Association brings to your attention a Waiver of Limitations Request for triple cluster mooring pilings at 811 SW 6 Street. This is on the Commission agenda for Wednesday night, January 20, 2016, as Public Hearing #1. **The application requests 2 triple piling clusters: one at the eastern end 40 ft from the property line and one at the western end 47.1 ft from the property line.** This request exceeds the permitted distance of 25 ft. While we support the need of our neighbors to be able to secure their future yacht properly and welcome them from New York to our caring and historic neighborhood, many questions about the request have developed over the last few months.

Many Tarpon River residents have approached the Tarpon River Neighborhood Board of Directors and have concerns with this application waiver request for reasons described below:

Safety and Navigation Concerns:

- While the distance of waiver requests for both the east and west pilings out into the New River are of concern, the west piling in particular is of safety concern due to the fact that the placement of the piling is just off the entrance from Tarpon River into the New River. There are dozens of small and low profile boats as well as kayaks and canoes that moor and dock at private residences south of this applicant's residence along the Tarpon River. According to neighbors who have expressed concern, more than 80% of their voyages take them east from Tarpon River into the New River creating a "right turn" navigation for many vessels. This right turn will be obstructed by a triple cluster piling that extends 47.1 feet from the property line into New River. As all of New River is considered a navigable area without a designated channel, this navigational area for the dozens of boats that moor up and down Tarpon River will create a hazard to both safety and navigation both with a yacht in the mooring and especially when the yacht is not at this mooring and the triple clusters are exposed at night.

The Marine Advisory Board has already weighed in on this matter. While the neighborhood does not agree completely with their recommendation, we would be more willing to accept it if you would see to the following reasonable requests of the applicant in order to receive Commission approve for this waiver:

- 1 **Have them define more fully how they will implement the MAB's request for reflective material on the pilings (bottom of page 4 of MAB minutes). This is was function of the MAB's approval. The neighborhood would prefer lights on the piling cluster.**
- 2 **Request the applicant to move the west triple cluster piling 15 feet east so that when their yacht is not in its mooring it will produce less of a hazard to Tarpon River boaters coming out into New River to take their easterly turn into New River (as shown in red circle from applicant's drawing below). The applicant's representative said he would be willing to do as much as noted in the MAB minutes (top of page 5 of MAB minutes) but we need this to be formalized as part of your approval.**

Thank you for your consideration of our neighborhood's request.

Tarpon River Civic Association Board of Directors

Steve Buckingham, President

Brucie Cummings, Vice President

Dave Rose, Treasurer

Jack Malloy, Secretary

Reid Morgan, Director

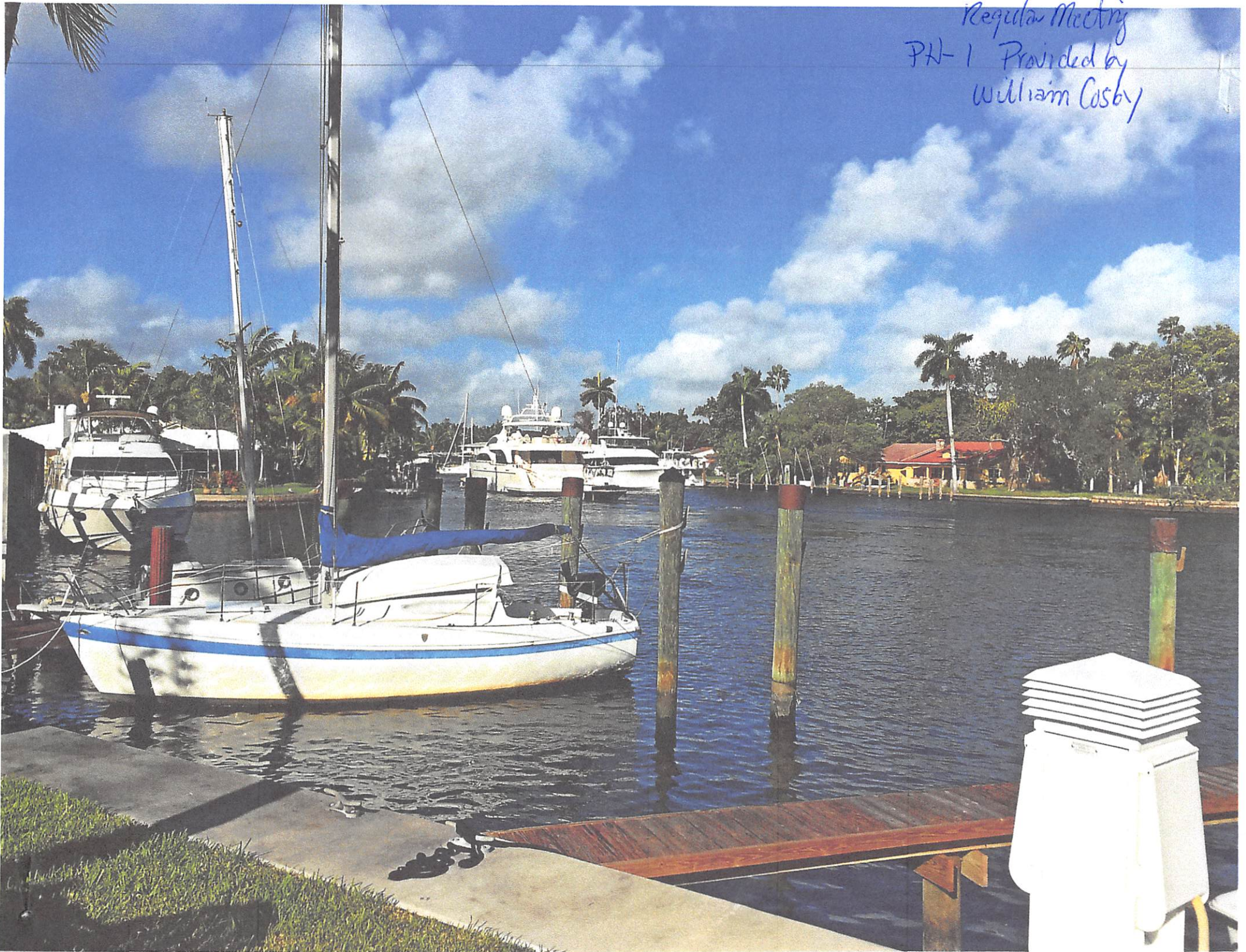
Marie McLaughlin, Director

Beverly Grant, Director

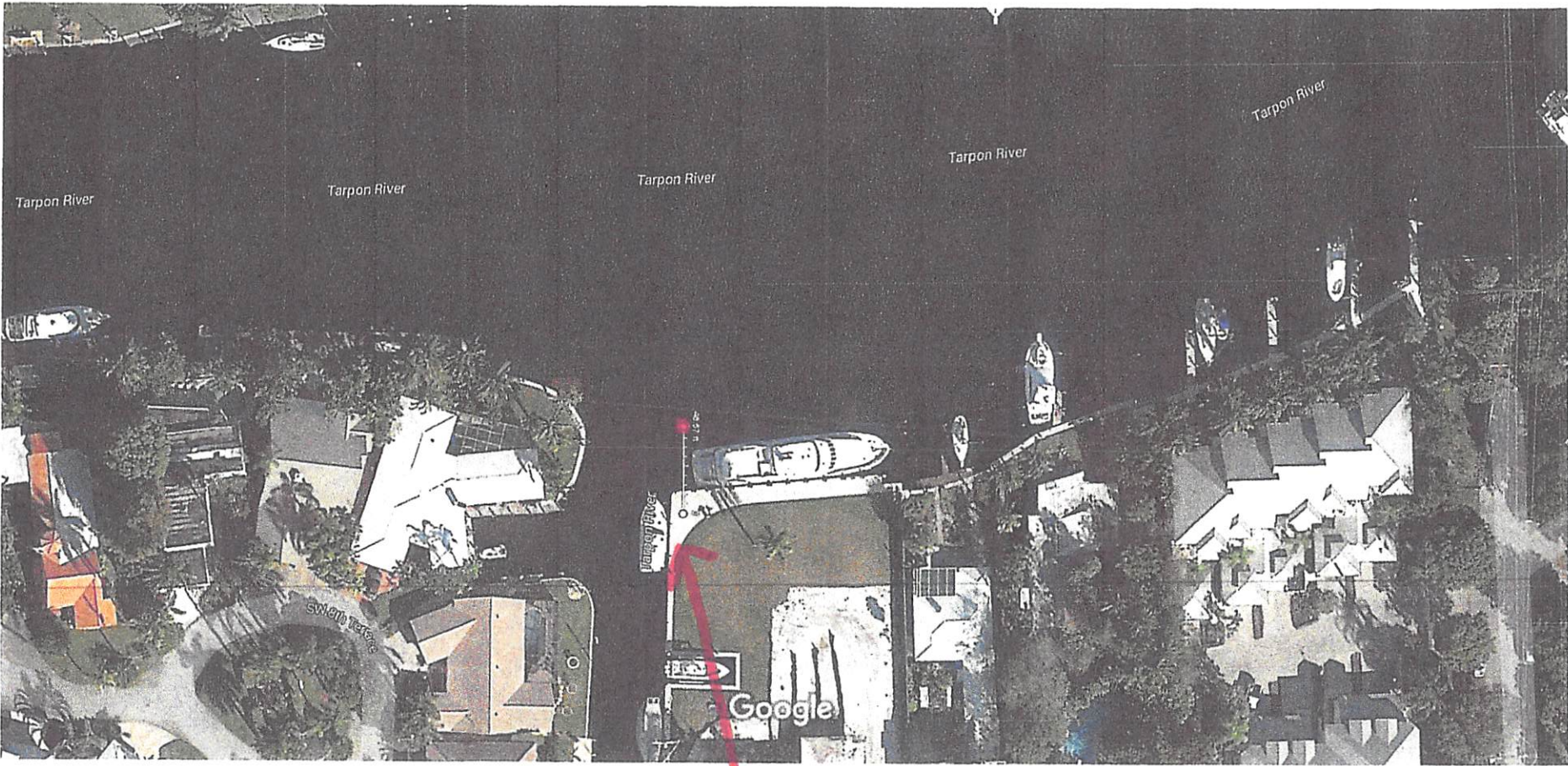
Glenn Fields, Director

Janet Scraper, Director

Regular Meeting
PH-1 Provided by
William Cosby



Google Maps Google Maps



Measure distance
Total distance: 46.57 ft (14.19 m)



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING**

#16-0041

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

FROM: Lee R. Feldman, ICMA-CM, City Manager

DATE: January 20, 2016

TITLE: Resolution Granting a Dock Waiver of Distance Limitations at 811 SW 6th
Street for the Installation of Two Triple-Pile Mooring Cluster Piles.

Recommendation

It is recommended that the City Commission adopt a resolution granting a Waiver of Limitations for the installation of two triple-pile mooring clusters for Edward J. & Betty G. Kirwin located at 811 SW 6th Street, Fort Lauderdale, FL.

Background

The applicant is seeking a resolution granting a Waiver of Limitations (a waiver to allow a dock, mooring structure, or boat lift to extend beyond the maximum distance as defined by City Code) of Section 47-19.3(D) of the Unified Land Development Regulations (ULDR) for the installation of two triple-pile clusters extending a maximum of 47.1' into the New River from the property line. Although there is not a fee associated with obtaining a Waiver of Limitations, an application fee in the amount of \$300.00 is required. The applicant's narrative specifies that the additional distance for these piles is necessary to allow for safer mooring of their vessel, simpler ingress and egress, and protection from damage during extreme weather.

The Marine Advisory Board recommended approval of the application 13 to 0 (see Exhibit 3).

Resource Impact

There is no fiscal impact associated with this action.

Strategic Connections

This item is a *Press Play Fort Lauderdale Strategic Plan 2018* initiative, included within the Public Places Cylinder of Excellence, specifically advancing:

- Goal 3: Be a community that finds opportunities and leverages partnerships to create unique, inviting, and connected gathering places that highlight our beaches, waterways, urban areas and parks.
- Objective 1: Improve access to and enjoyment of our beach, Riverwalk, waterways, parks, and open spaces for everyone.

- Initiative 3: Evaluate dock availability to complement our public places

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

Attachments:

Exhibit 1 – Application

Exhibit 2 – Section 47-19.3 D, Code of Ordinances

Exhibit 3 – November 16, 2015 Marine Advisory Board Minutes

Exhibit 4 – Resolution

Prepared by: Carolyn Bean, Parks and Recreation

Department Director: Phil Thornburg, Parks and Recreation

LEGEND:

- L.B. LICENSED BUSINESS
- P.L.S. PROFESSIONAL LAND SURVEYOR
- B.C.R. BROWARD COUNTY RECORDS
- P.B. PLAT BOOK
- P.G. PAGE
- ID. IDENTIFICATION
- TR 312 TREE NUMBER 312 (SEE TREE TABLE)
- TRAV. PT. TRAVERSE POINT
- (P) BEARING BEARING AND DISTANCE BASED ON PLATS OF RECORD
- (C) CALCULATED
- C1 CURVE NO. 1
- NOVD. 23 NATIONAL GEODETIC VERTICAL DATUM OF 1923
- F.F.E. FINISHED FLOOR ELEVATION
- A/X/A ALSO SHOWN AS
- EL. ELEVATION
- DHW- OVERHEAD WIRE
- C CENTERLINE
- M METAL BOLLARD
- W WATER METER
- W/P BOX WIRE PULL BOX
- G GAS PIPE
- M METAL POWER POLE
- W WOOD POWER POLE
- C/A CUY ANCHOR
- C/C/CUT CLEAVOUT
- E/ELECTRICAL WATER
- VIEW 1
- SURFACE ELEVATION

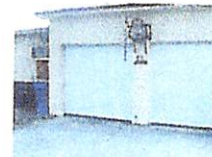
CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	133.07'	37.50'	181.0118°	S 45°31'29" W	48.71'

TREE NUMBER	TREE TYPE	DBH	HEIGHT	DIAMETER	WIND
312	LAUREL	18"	22'		
313	LAUREL	18"	22'		
314	PALM	18"	22'		
315	PALM	18"	22'		
316	MANGROVE	20"	20'		
317	OK	20"	20'		
318	OK	20"	20'		
319	OK	20"	20'		
320	OK	20"	20'		
321	OK	20"	20'		
322	OK	20"	20'		
323	OK	20"	20'		
324	OK	20"	20'		
325	OK	20"	20'		
326	OK	20"	20'		
327	OK	20"	20'		
328	OK	20"	20'		
329	OK	20"	20'		
330	OK	20"	20'		



VIEW 1
NOT TO SCALE



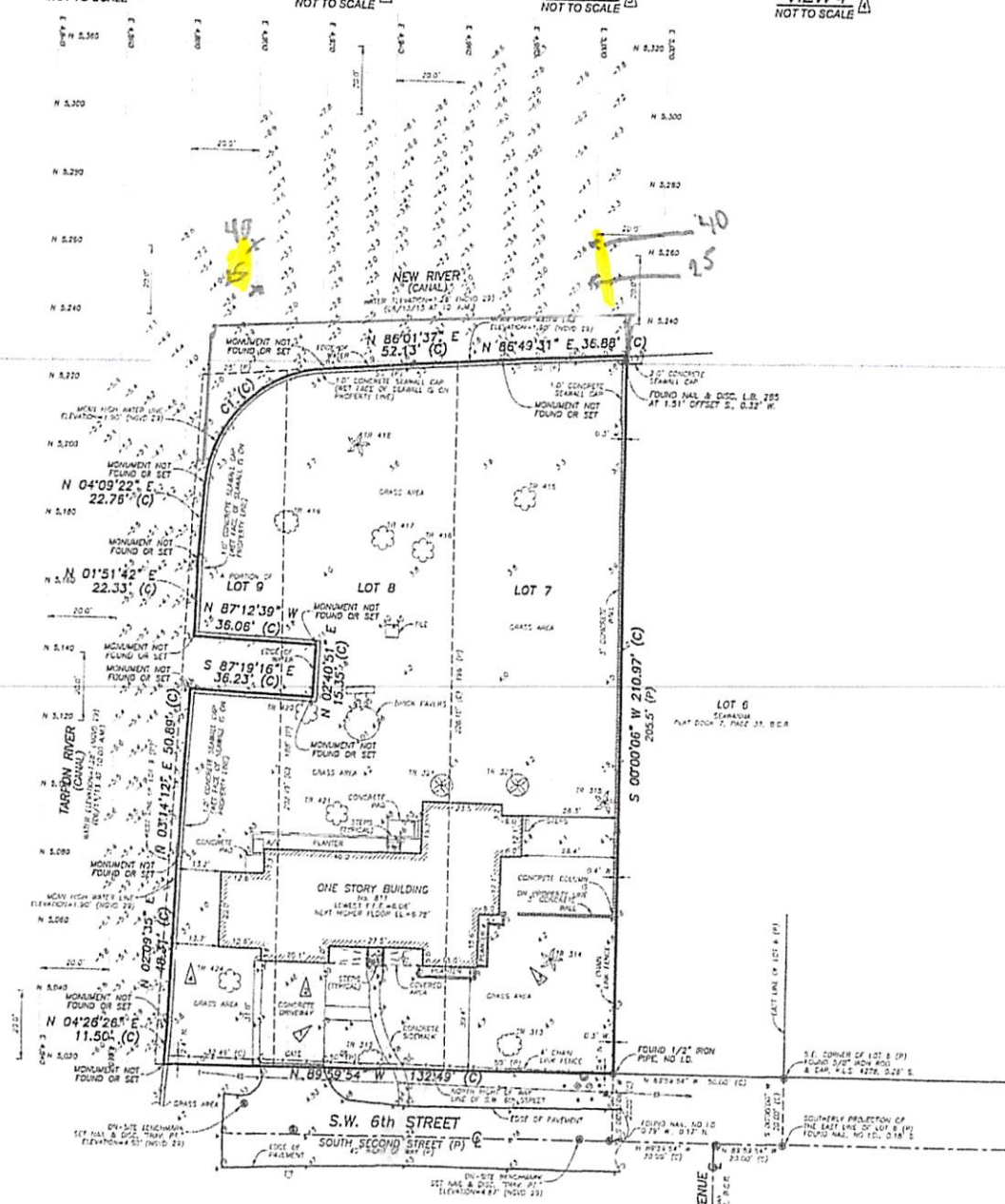
VIEW 2
NOT TO SCALE



VIEW 3
NOT TO SCALE



VIEW 4
NOT TO SCALE



LEGAL DESCRIPTION:

LOTS 7 AND 8 AND THAT PART OF LOT 9 LYING EAST OF THE CANAL, KNOWN AS TARPON RIVER, LOTS 1, 2, 3, 4, 11, 12 AND THE EAST ONE HALF OF THE CANAL, KNOWN AS TARPON RIVER, OF SE. BROWARD COUNTY, FLORIDA.

SURVEY NOTES:

1. THIS SURVEY REPRESENTS A BOUNDARY AND STANDARDS FOR SURVEYING AND MAPPING. CHART IS NOT VALID WITHOUT THE SIGNATURE AND THE L AND MAPPER.
2. THE SYMBOLS REFLECTED IN THE LEGEND ARE CLARITY. THE SYMBOLS HAVE BEEN PLACED AT REPRESENT THE ACTUAL SHAPE OR SIZE OF THE.
3. THE INFORMATION DEPICTED ON THIS SURVEY DATE INDICATED AND CAN ONLY BE CONSIDERED A EXISTING AT THAT TIME.
4. THE BEARINGS SHOWN HEREON ARE BASED ON NORTH RIGHT OF WAY LINE OF S.W. 6th STREET.
5. THE SURVEYOR DID NOT INSPECT THE PROPER IRRIGATION EQUIPMENT, TREES AND LANDSCAPING. CHANGES ARE APPROPRIATE. THE SURVEYOR DE PARTICLES ARE PROHIBITED WITHOUT WRITTEN CONSENT.
6. SUBSURFACE UTILITIES, FOUNDATIONS AND DIG HEREON. ADDITIONS OR DELETIONS TO SURVEY MAP PARTICLES ARE PROHIBITED WITHOUT WRITTEN CONSENT.
7. EXACTA COMMERCIAL SURVEYORS, INC., DID NOT FLOOD FOR DRAINAGE, BUILT-UP-RE, EXAM. SURVEYED. THERE MAY BE ADDITIONAL RESTRICTED THE PUBLIC RECORDS OF BROWARD COUNTY, FLOR.
8. THE PROPERTY SHOWN HEREON LIES WITHIN F1 FLOOD ASSURANCE RATE MAP 120112 0318 F, CO BROWARD COUNTY, FLORIDA. MAP EFFECTIVE DATE:
9. THE PROPERTY SHOWN HEREON CONTAINS 0.51
10. THE INFORMATION CONTAINED IN THIS DOCUMENT, EXACTA HAS TAKEN ALL REASONABLE STEPS TO CANNOT GUARANTEE THAT ALTERATIONS AND/OR CHANGES OUR POSSESSION. THIS DOCUMENT MUST BE KEPT THE RASID SURVEYORS CERTIFICATION SEAL INFORMATION CONTAINED HEREON AND TO FURTHER NOT BEEN MADE. EXACTA MAKES NO WARRANTIES. THE INFORMATION CONTAINED IN THIS OR ANY OTHER ELECTRONIC MEANS. CONTACT EXACTA DIRECT.
11. THIS FIRM HAS IDENTIFIED VARIOUS TYPES OF KNOWLEDGE OF TREE SPECIES. A QUALIFIED LANDS IDENTIFICATION OF TREE SPECIES. TREE CHARTERS HEIGHT, ONLY TREES 12" CALIPER INCHES IN DIAMET SURVEY. DEAD TREES, HEDGES AND GROUND COVER EXOTIC TREES SUCH AS METALOGA, BRAZILIAN PER SHOWN HEREON.
12. THE ELEVATIONS SHOWN HEREON ARE BASED 1 IS A SQUARE CUT LOCATED ON THE NORTHWEST COR STREET BETWEEN S.W. 6th AVE AND S.W. 6th STREET.
13. THE MEAN HIGH WATER ELEVATION SHOWN HERE THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROT.

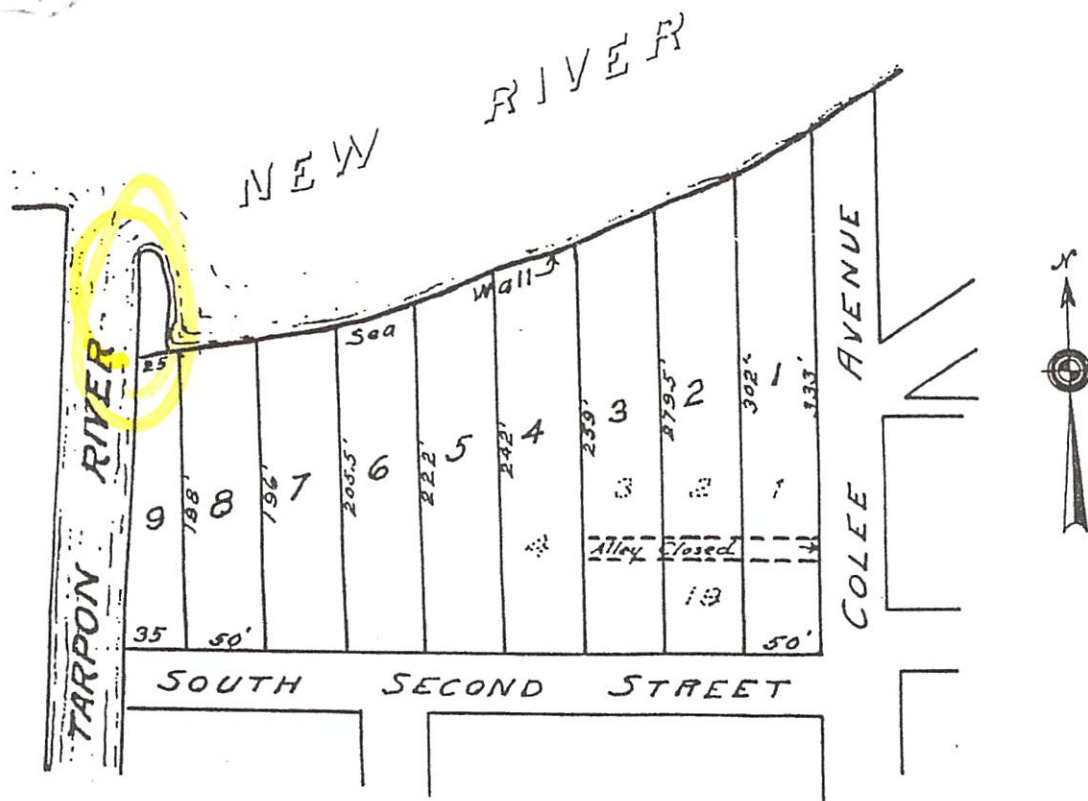
THIS SURVEY IS CERTIFIED TO:

ED HERNANDEZ AND BETTY KIRBY
COLLINSVILLE TITLE INSURANCE CO., INC.
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

CERTIFICATE:

THIS IS TO CERTIFY THAT THIS BOUNDARY AND TOPIC CHANGE AND IS ACCURATE AND CORRECT TO THE B.

JAVIER DE LA ROSA
PROFESSIONAL SURVEYOR AND MAPPER NO. 6080
STATE OF FLORIDA



RECORDED IN PLAT BOOK 7 PAGE 37

BROWARD COUNTY RECORDS

SEAWANNA

*The North Nine Lots of the subdivision
Seawanna, situated in Fort Lauderdale
Florida*

*Being a re-subdivision of the parcel of land lying between the
North line of South Second St. and New River; and the West line
of Colee Ave. and Tarpon River on the West.*

*This Plat is for the purpose of closing the alley North of Lot 19 in East Coast
Realty Company's Subdivision of the North portion of Block 35, and including said
alley, and said Lot 19, in Lots 1-2-3 of Seawanna, as shown by solid lines on the
attached plat.*

*In Witness Whereof, we have hereunto set our hands and affixed our seals
this.....day of March, A.D. 1925.*

W.B. Snyder
Notary Public

State of Florida
County of Broward

*Personally appeared before me, a Notary Public, W.B. Snyder,
and F.A. Barrett, to me well known, and acknowledged that they have executed
the above plat for record, for the intentions and purposes noted in the foregoing
plat.*

*In Witness Whereof, I have hereunto set my hand and affixed my seal
this.....day of March, A.D. 1925.*

JEFF

1-20-16
R-2

From: MJ Matthews
To: Jeff Modarelli
Cc: Romney Rogers; "Erik (goroadrunner@comcast.net)"; Wendy Gonyea
Subject: FW: Marathon Oil tank CAM#16-0037
Date: Wednesday, January 20, 2016 3:23:33 PM
Attachments: Marathon Petroleum Company.docx

Good afternoon, Mr. City Clerk.

Below, our District IV neighbor, Erik Bernard, is requesting that his e-mail, (below), be made part of the record for today's regular agenda Item R-2.

Thank you,

MJ

MJ Matthews, JD
Assistant to Romney Rogers
Commissioner, District IV
Office of the Mayor and City Commission
City of Fort Lauderdale
100 N. Andrews Ave.
Fort Lauderdale, FL 33301
954-828-5028 direct
954-828-5004 main
954-828-5667 fax
mmatthews@fortlauderdale.gov

-----Original Message-----

From: Erik [mailto:goroadrunner@comcast.net]
Sent: Wednesday, January 20, 2016 3:20 PM
To: yvanacorp@yahoo.com; Romney Rogers
Cc: Raymond Dettmann; MJ Matthews; Jack Seiler; Robert McKinzie; Bruce G. Roberts; Lee Feldman; mmammano@comcast.net; Cal Deal
Subject: Re: Marathon Oil tank CAM#16-0037

Councilman Rogers et. al.,

Although Marathon Oil met with us, they never responded to our questions and their application has not changed at all except for the narrative. My biggest question which has not been addressed is, "Will I die if 8.0 million gallons of flammable gasoline explodes 130 feet away from my condominium?"

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Our concerns have NOT been addressed ! We live here now, and for this city and county to allow this massive tank to be built directly next to us, is murder; lack of protection and security to residents and taxpayers! A chain link fence is a joke! That additional tank is a ticking time bomb! the drawings from marathon should have shown our windows and doors; and our children playing. Marathon did not even bother to add a high-retaining wall blocking the tank from our building / Windows! We are angry!! Anyone today can drive up to the lot, by car our jump the fence to the existing tanks.

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Ivonne Aznarez , village east property owner and resident Sent via my iPhone

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> wrote:

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> Marilyn Mammano for more details.

>

> Romney Rogers

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> know the tank farm was there first but now with Village East there I

> believe public Safety must Be first and it just does not make common

> Sense to allow it please give this Your most attention when reviewing.

>

> Ray, Dettmann

> 1900 Miami Road

> Fort Lauderdale a Florida,33316

>

> Sent from my iPad

>

> Begin forwarded message:

>

> From: President Harbordale

> <presidenthca@comcast.net<mailto:presidenthca@comcast.net>>

> Date: January 19, 2016 at 1:00:00 PM EST

> To: Erik Bernard

> <goroadrunner@comcast.net<mailto:goroadrunner@comcast.net>>, Dour

> Bolton <Dougbolton7@aol.com<mailto:Dougbolton7@aol.com>>, Robert

> Bolton <bolton2119@aol.com<mailto:bolton2119@aol.com>>, Dyan Booth

> <manager@vecondos.com<mailto:manager@vecondos.com>>, Sergio Meldndez

> <sermeleu@hotmail.com<mailto:sermeleu@hotmail.com>>, Ivonne Azmarez

> <yvanacorp@yahoo.com<mailto:yvanacorp@yahoo.com>>, raymond dettmann

> <brighterhorizon2000@yahoo.com<mailto:brighterhorizon2000@yahoo.com>>,

> Dayna MacDonald

> <pctreasures@comcast.net<mailto:pctreasures@comcast.net>>,

> Paula Pereira <PPER125142@aol.com<mailto:PPER125142@aol.com>>

> Subject: Fwd: Marathon Oil tank CAM#16-0037
>
> Hello Everyone,
>
> I just got this from the City staff processing the application of
> Marathon Oil for the new tank. The City Commission is going to hear it
> on Wednesday night.
>
> Marilyn
>
>
> ----- Forwarded Message -----
> Subject: Marathon Oil tank CAM#16-0037
> Date: Tue, 19 Jan 2016 12:54:00 -0500
> From: President Harbordale
> <presidenthca@comcast.net><<mailto:presidenthca@comcast.net>>
> To: Eric Engmann
> <EEngmann@fortlauderdale.gov><<mailto:EEngmann@fortlauderdale.gov>>
>
>
>
> Hello Eric,
>
> Thank you for sending me the additional material that Marathon Oil
> provided in their application. I will forward this to interested
> residents. I understand that the item will be heard on Wednesday night.
>
> Regards
>
>
> Marilyn Mammano
>
>
>
>
> <Narrative Addendum.pdf>

Comments Regarding Marathon Petroleum Company's Proposal to Construct a New Petroleum Tank to Increase the Spangler Terminal Storage Capacity

This letter is being written to members of the City Commission regarding Marathon Petroleum Company's (Marathon's) proposal to construct a new petroleum tank to increase the Spangler Terminal storage capacity. As a resident of Harbordale I have grave concerns about this project and the impact it will have on our community.

Although the need for additional gasoline storage capacity within the Port may be real, the wisdom of abandoning millions of barrels of capacity elsewhere within the Port in favor of a new larger tank for Marathon in closer proximity to existing residential dwellings must be questioned.

This project would increase the risk to adjacent residential homes. Risk considers both the likelihood of an incident such as a fire or an explosion and the consequences of such an event. An additional larger tank placed in closer proximity to residential dwellings would increase both factors but especially the consequences of such an incident. One cannot help but wonder what the impact would be of an explosion of a tank of this size on nearby residents.

Having reviewed Marathon's application, it is clear that it is presented with a "business as usual" approach; one more tank in an existing tank farm. In this day and age of terrorist threats we can no longer consider an additional 8 million gallons of flammable liquid in closer proximity to residential dwellings to be "business as usual".

Section 47-15.20 C 3 of the City of Fort Lauderdale's Unified Land Development Regulations (ULDR) requires "that the proposal be designed in such a manner as to preserve, perpetuate and improve the character of the proposed site and surrounding area". Marathon's proposal makes no consideration of the surrounding area and therefore falls short of ULDR requirements.

I respectfully request that City Commission members, if they have not already done so, look at Google Earth's satellite imagery or other mapping to gain a better appreciation of the proximity of the project to existing residential buildings. Marathon's proposal does not provide distances to nearby residential buildings nor does it evaluate the impact of an explosion on residents.

I am also unaware if any alternatives analyses were performed to reach the conclusion that the current proposal is the best solution. Could the proposed tank be located elsewhere on Marathon's property to minimize impact? Could existing tanks, especially those that would soon need replacement, be substituted with larger tanks? Does property exist elsewhere in the port that could accommodate fuel storage, especially considering that the removal of a significant number of existing tanks within the port is, at least in part, driving the need for this project?

It is my understanding that this tank would be significantly taller and larger than existing adjacent tanks. Could the capacity of the tank be slightly decreased to keep its height more in line with adjacent tanks? The tank is described in the narrative as a 56-foot high tank but it is actually taller due to its domed roof. Could the tank be moved slightly back on the project site to increase the distance to residential buildings and decrease the potential for loss of life in the event of an explosion? What are the sight lines from the proposed tank to neighboring buildings?

Although representatives from Marathon met with the Harbordale Civic Association, the meeting came only at the request of impacted neighbors. At the meeting these and similar questions were posed to Marathon and to-date Marathon has not responded to the Association despite their assurances to do so.

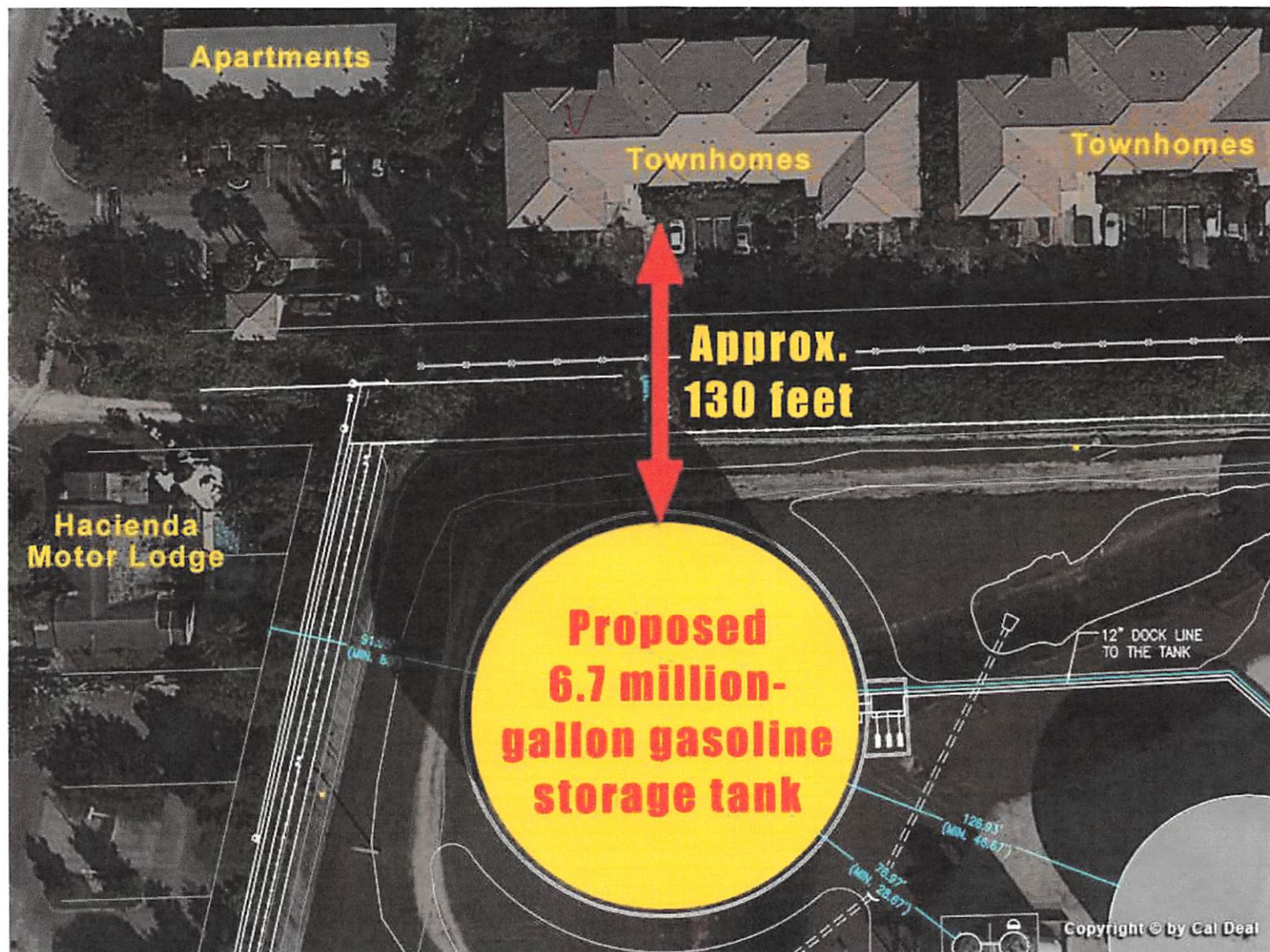
It is my sincere hope that the City Commission will consider these matters in its evaluation of the project and, at the very least, take more time to better understand the risk to and safety of nearby residents and the impact of the project on the neighboring community.

Respectfully submitted,

Erik Bernard, P.E.
2119 SE 10th Ave. #916
Fort Lauderdale, FL 33316

1/20/2016 Regular Meeting
R-2 provided by
Yvonne Aznarez

Personnel
Safety
Security
Morale
(They can't
even handle
guilt fence
Rock



This letter from Arcadis turns a blind eye to the nearby homes! ... It is carefully worded to reference surrounding properties "leased or owned by other petroleum companies." Etc. The full letter is in the Commission documents.





JEFF

1-20-16
R-2

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To: Jeff Modarelli
Cc: Romney Rogers; "Erik (goroadrunner@comcast.net)"; Wendy Gonyea
Subject: FW: Marathon Oil tank CAM#16-0037
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> Bolton <DougBolton7@aol.com<mailto:DougBolton7@aol.com>>, Robert

> Bolton <bolton2119@aol.com<mailto:bolton2119@aol.com>>, Dyan Booth

> <manager@vecondos.com<mailto:manager@vecondos.com>>, Sergio Meldndez

> <sermeleu@hotmail.com<mailto:sermeleu@hotmail.com>>, Ivonne Azmarez

> <yvanacorp@yahoo.com<mailto:yvanacorp@yahoo.com>>, raymond dettmann

> <brighterhorizon2000@yahoo.com<mailto:brighterhorizon2000@yahoo.com>>,

> Dayna MacDonald

> <pctreasures@comcast.net<mailto:pctreasures@comcast.net>>,

> Paula Pereira <PPER125142@aol.com<mailto:PPER125142@aol.com>>

> Subject: Fwd: Marathon Oil tank CAM#16-0037
>
> Hello Everyone,
>
> I just got this from the City staff processing the application of
> Marathon Oil for the new tank. The City Commission is going to hear it
> on Wednesday night.
>
> Marilyn
>
>
> ----- Forwarded Message -----
> Subject: Marathon Oil tank CAM#16-0037
> Date: Tue, 19 Jan 2016 12:54:00 -0500
> From: President Harbordale
> <presidenthca@comcast.net><<mailto:presidenthca@comcast.net>>
> To: Eric Engmann
> <EEngmann@fortlauderdale.gov><<mailto:EEngmann@fortlauderdale.gov>>
>
>
>
> Hello Eric,
>
> Thank you for sending me the additional material that Marathon Oil
> provided in their application. I will forward this to interested
> residents. I understand that the item will be heard on Wednesday night.
>
> Regards
>
>
> Marilyn Mammano
>
>
>
>
> <Narrative Addendum.pdf>

Comments Regarding Marathon Petroleum Company's Proposal to Construct a New Petroleum Tank to Increase the Spangler Terminal Storage Capacity

This letter is being written to members of the City Commission regarding Marathon Petroleum Company's (Marathon's) proposal to construct a new petroleum tank to increase the Spangler Terminal storage capacity. As a resident of Harbordale I have grave concerns about this project and the impact it will have on our community.

Although the need for additional gasoline storage capacity within the Port may be real, the wisdom of abandoning millions of barrels of capacity elsewhere within the Port in favor of a new larger tank for Marathon in closer proximity to existing residential dwellings must be questioned.

This project would increase the risk to adjacent residential homes. Risk considers both the likelihood of an incident such as a fire or an explosion and the consequences of such an event. An additional larger tank placed in closer proximity to residential dwellings would increase both factors but especially the consequences of such an incident. One cannot help but wonder what the impact would be of an explosion of a tank of this size on nearby residents.

Having reviewed Marathon's application, it is clear that it is presented with a "business as usual" approach; one more tank in an existing tank farm. In this day and age of terrorist threats we can no longer consider an additional 8 million gallons of flammable liquid in closer proximity to residential dwellings to be "business as usual".

Section 47-15.20 C 3 of the City of Fort Lauderdale's Unified Land Development Regulations (ULDR) requires "that the proposal be designed in such a manner as to preserve, perpetuate and improve the character of the proposed site and surrounding area". Marathon's proposal makes no consideration of the surrounding area and therefore falls short of ULDR requirements.

I respectfully request that City Commission members, if they have not already done so, look at Google Earth's satellite imagery or other mapping to gain a better appreciation of the proximity of the project to existing residential buildings. Marathon's proposal does not provide distances to nearby residential buildings nor does it evaluate the impact of an explosion on residents.

I am also unaware if any alternatives analyses were performed to reach the conclusion that the current proposal is the best solution. Could the proposed tank be located elsewhere on Marathon's property to minimize impact? Could existing tanks, especially those that would soon need replacement, be substituted with larger tanks? Does property exist elsewhere in the port that could accommodate fuel storage, especially considering that the removal of a significant number of existing tanks within the port is, at least in part, driving the need for this project?

It is my understanding that this tank would be significantly taller and larger than existing adjacent tanks. Could the capacity of the tank be slightly decreased to keep its height more in line with adjacent tanks? The tank is described in the narrative as a 56-foot high tank but it is actually taller due to its domed roof. Could the tank be moved slightly back on the project site to increase the distance to residential buildings and decrease the potential for loss of life in the event of an explosion? What are the sight lines from the proposed tank to neighboring buildings?

Although representatives from Marathon met with the Harbordale Civic Association, the meeting came only at the request of impacted neighbors. At the meeting these and similar questions were posed to Marathon and to-date Marathon has not responded to the Association despite their assurances to do so.

It is my sincere hope that the City Commission will consider these matters in its evaluation of the project and, at the very least, take more time to better understand the risk to and safety of nearby residents and the impact of the project on the neighboring community.

Respectfully submitted,

Erik Bernard, P.E.
2119 SE 10th Ave. #916
Fort Lauderdale, FL 33316