

# City of Fort Lauderdale

City Hall  
100 North Andrews Avenue  
Fort Lauderdale, FL 33301  
[www.fortlauderdale.gov](http://www.fortlauderdale.gov)



## Meeting Minutes - APPROVED

Tuesday, November 15, 2016

6:00 PM

City Commission Chambers

### City Commission Regular Meeting

*FORT LAUDERDALE CITY COMMISSION*

*JOHN P. "JACK" SEILER Mayor - Commissioner*  
*DEAN J. TRANTALIS Vice Mayor - Commissioner - District II*  
*BRUCE G. ROBERTS Commissioner - District I*  
*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**

Paul Vanden Berge, Public Safety Administrator, Office of the City of Fort Lauderdale Fire Chief

**Pledge of Allegiance**

Mason Winkler and Madison Winkler

**Moment of Silence**

Mayor Seiler asked for a moment of silence in remembrance of Ms. McTigue.

**ROLL CALL**

**Present:** 5 - Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Vice Mayor Dean J. Trantalis, Commissioner Robert L. McKinzie 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 Geoffrey Shaffer

**CALL TO ORDER**

Mayor Seiler the City Commission Regular Meeting of November 15, 2016, to order at 6:07 p.m.

**Agenda Announcements**

Mayor Seiler announced the following Walk-On Item that will be added to the Consent Agenda:

CAM #16-1286 - Motion Authorizing a Revocable License with Incredible Ice, LLC, for the construction of a Temporary Ice Rink at Huizenga Plaza.

Mayor Seiler also announced the correction to OSR-2's item number which was corrected and is #16-1179.

Mayor Seiler announced the procedure for Consent Agenda items and stated the following items had been pulled from tonight's Consent Agenda to be heard and considered separately: CM-7, PUR-2, PUR-4, CR-3, CR-4, CR-8, M-1, M-2, M-3, and M-4.

**16-1286**

**WALK ON - Motion Authorization of a Revocable License with Florida Panthers, Inc. for the Construction of a Temporary Ice Rink in Huizenga Park**

Commissioner Roberts made a motion to add Walk-On Item #16-1286 to the Consent Agenda and was seconded by Vice Mayor Trantalis.

**APPROVED to add Motion to Consent Agenda**

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

### **Approval of MINUTES and Agenda**

**16-1435**

**Minutes for October 18, 2016, City Commission Conference Meeting and October 18, 2016, City Commission Regular Meeting**

Commissioner Roberts made a motion to approve the above noted minutes and tonight's Agenda and was seconded by Vice Mayor Trantalis.

**APPROVED**

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

### **PRESENTATIONS**

**PRES-116-1433**

**Proclamation declaring November, 2016 as National Hunger, Homeless and Youth Homeless Awareness Month in the City of Fort Lauderdale**

Vice Mayor Trantalis called Jeri Pryor, Division of Neighbor Support, and Michael Wright, Administrator of the Broward County Homeless Continuum of Care to the podium for the presentation of the City's Proclamation declaring November 2016 as National Hunger, Homeless and Youth Homeless Awareness Month in the City of Fort Lauderdale.

Vice Mayor Trantalis read the Proclamation in its entirety. Mr. Wright expressed his thanks to all those involved for their efforts to address hunger and homelessness in the City. Ms. Pryor also thanked the City Commission and all those involved in supporting the homeless initiatives in the City.

**PRESENTED**

**PRES-216-1434**

**Proclamation declaring December 4, 2016 as 2016 Historic Homes Holiday Tour Day in the City of Fort Lauderdale**

Vice Mayor Trantalis presented the Proclamation declaring December 4, 2016, as 2016 Historic Homes Holiday Tour Day in the City of Fort Lauderdale. He called Steve Glassman, Broward Trust for Historic Preservation, and Michela Conca from the Fort Lauderdale Junior Women's Club to the podium. Vice Mayor Trantalis read the Proclamation in its entirety.

Mr. Glassman thanked the City and all those involved for their work and efforts in promoting the City's First Annual Historic Homes Holiday Tour. Mr. Glassman introduced Michela Conca. Ms. Conca introduced those in attendance whose homes are participating in this Historic Homes Holiday Tour and thanked all who donated their homes for the tour. She also thanked everyone involved in these efforts.

#### **PRESENTED**

#### **PRES-316-1429**

Proclamation declaring November 20, 2016 as World Day of Remembrance for Road Traffic Victims in the City of Fort Lauderdale

Commissioner Roberts requested Major Louis Alvarez, City of Fort Lauderdale Police Department, and Diana Alarcon, Director of Transportation and Mobility, to the podium for the Proclamation declaring November 20, 2016 as World Day of Remembrance for Road Traffic Victims in the City of Fort Lauderdale. Commissioner Roberts noted the initiatives the City is taking through the Department of Transportation and Mobility to reduce car crashes and fatalities in the City.

Commissioner Roberts read the proclamation in its entirety. Major Alvarez thanked the Commission for recognizing those who have been seriously injured or killed as a result of traffic crashes. He noted the Fort Lauderdale Police Department takes traffic and traffic safety very seriously stating it is one of the Police Department's top priorities and the steps they are taking to address this issue.

#### **PRESENTED**

#### **PRES-416-1124**

Recognition of Fire Rescue Training Officer Mark Rossi - Recipient of the Elizabeth Jordan Educator of the Year Award - Fire Chief's Association of Broward County

Fire Chief Robert Hoecherl requested Fire Rescue Training Officer Mark Rossi to come to the podium. Chief Hoecherl presented Officer Rossi with the Elizabeth Jordan Educator of the Year Award from the Fire Chief's Association of Broward County. Chief Hoecherl spoke of the many contributions, exceptional work product and work ethic, and

Officer Rossi's appointment to project manager of the Commission on Accreditation of Ambulance Services (CAAS).

Officer Rossi thanked the City Commission and the Fire Chiefs Association of Broward County for the Elizabeth Jordan Educator of the Year Award.

**PRESENTED**

**PRES-516-1444**

**Police Officer of the Month for November, 2016**

Police Chief Frank Adderley presented Police Officers Johnathan Jones and Tsz Lau with the City's Police Officers of the Month Award for November 2016. Chief Adderley gave an overview of each officers outstanding work efforts and previous recognition. He went on to describe the incident involving suspects who burglarized Premier Cars and were captured on a surveillance tape stealing cash, a laptop computer, and a Mercedes. Two days later Officer Jones and Officer Lau observed the two suspects in the stolen Mercedes on NW 15th Street and were able to apprehend the suspects who later confessed to the crime. As a result of their keen observation skill leading to the apprehension of the two suspects, they have been awarded Police Officer of the Month for November 2016.

Officers Jones and Lau thanked Chief Adderley and the City Commission for the recognition as Police Officers of the Month for November 2016.

**PRESENTED**

**CONSENT AGENDA**

Mayor Seiler announced the procedure for the consent agenda items. Mayor Seiler announced the following item had been pulled from tonight's Consent Agenda to be heard and considered separately: CM-3, CM-7, PUR-2, PUR-4, CR-3, CR-4, and CR-8

**Approval of the Consent Agenda**

Commissioner Roberts made a motion for Consent Agenda Items CM-3, CM-7, PUR-2, PUR-4, CR-3, CR-4, and CR-8, be pulled from this meeting's Consent Agenda and considered separately, and that all remaining Consent Agenda Items be approved as recommended. Vice Mayor Trantalis seconded the motion.

**Approve the Consent Agenda**

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

## CONSENT MOTION

**CM-1 16-1338** Motion to Approve Event Agreements: Coral Ridge Association Holiday Party, Swim Fort Lauderdale, Rio Vista Holiday Party, All Saints Boat Parade Festival, Healthcare for the Homeless and Inlet Family Festival

**APPROVED**

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

**CM-2 16-1336** Motion to Approve an Event Agreement and Related Road Closing with Channelled Productions, LLC for Sailboat Bend Art Festival

**APPROVED**

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

**CM-3 16-1324** Motion Approving First Amendment to Task Order No. 2 Authorizing Design Services for Las Olas Boulevard Corridor Improvement Project - EDSA, Inc - Amended Amount Not-to-Exceed \$3,080,442.36

Mayor Seiler recognized Paul Chettle, 200 S. Birch Road, who addressed the Commission on this item. Mr. Chettle stated he objected to this plan across the board. Mr. Chettle pointed out some of the deliverables involved with this item and noted the Beach Redevelopment Board and the City Commission have not yet received the traffic plan regarding the City's Vision Zero approved last year. Mr. Chettle also commented on his recommendations regarding pedestrian interactions and moving 242 parking spaces to the parking garage along with other issues.

Mayor Seiler recognized Craig Fisher, 200 South Birch Road, who addressed the Commission on his concerns and cited traffic and public safety concerns in this area. He asked for a feasibility and mobility study for the area. Mr. Fisher also commented on a recent fatality in this area during an event that included a police presence and stated the need to adhere to pedestrian safety as a Vision Zero City.

Mayor Seiler recognized Tim Sterling, Leisure Beach South, who addressed the Commission in opposition to spending the \$3,000,000 noting that a traffic study has not been provided and the safety of

transporting handicapped and small children from the garage to the beach is of concern. He recommended the City do more homework prior to spending these funds.

Vice Mayor Trantalis asked City Manager Feldman what is purchased if this is approved. City Manager Feldman stated this amount is a re-appropriation of funds allowing the City to get to the 90% design point and obtain a Guaranteed Maximum Price (GMP). City Manager Feldman stated that City Staff will be providing the operational plan for traffic after the first of the year.

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

**APPROVED**

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

**Nay:** 1 - Vice Mayor Trantalis

**CM-4 16-1317 Motion to Consent to Assignment of Contract for Security Guard Services**

**APPROVED**

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

**CM-5 16-1376 Motion Authorizing Settlement of Police Liability Claim in the Matter of Royal Ellison v. City of Fort Lauderdale, Case No. CACE 16-007414 (08) in the amount of \$25,000**

**APPROVED**

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

**CM-6 16-1377 Motion to Approve Software Access Agreement as an Addendum to the Third Party Workers' Compensation Administration Agreement - CorVel Enterprise Comp, Inc.**

**APPROVED**

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

**CM-7 16-1318 Motion to Approve a Five Year Agreement with Beach Majors GMBH, LLC for SWATCH Beach Volleyball Season Final - Federation International de Volleyball (FIVB) World Tour**

Commissioner Rogers stated his concern was over the closing of the South Beach parking lot for 26 days.

Mayor Seiler recognized Stephanie Toothaker, 110 SE 6th Street and on behalf of Swatch Volleyball, who addressed the Commission on this item and noted the event will only be using half of the parking lot to build a stadium on the beach. She said they are minimizing the amount of time as much as possible. She noted they will also be working with promoters of the marathon so they can also utilize the parking lot during this time frame.

Discussions continued on moving the event more to the South, the best utilization of the space, and other possible options to reduce the area of the parking lot used.

Commissioner Rogers asked additional questions regarding the use of the South Parking lot for this event. Robert Morris from ATC Productions answered Commissioner Rogers's questions about the need to take up a large portion of the South parking lot and stated a number of containers are needed in order to facilitate the building and the stadium takedown. Additionally, the containers are used as operations centers during the event. Mr. Morris said the event could only be held with the use of the parking lot as other options have been researched and are not viable. Further discussions continued on the live television trucks that come to broadcast the event that are located on the southeastern portion of the parking lot, the ingress and the egress of the semi-trucks, and car circulation in the area.

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

**APPROVED**

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

**16-1286**

**WALK ON** - Motion Authorization of a Revocable License with Florida Panthers, Inc. for the Construction of a Temporary Ice Rink in Huizenga Park

**APPROVED**

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

**CONSENT RESOLUTION**

**CR-1 16-1445**

Resolution Approving Reappointment of Code Enforcement Special Magistrates



**ADOPTED**

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

**CR-2 16-1442**

Resolution Rescheduling July 4, 2017 City Commission Meetings to Tuesday, July 11, 2017

**ADOPTED**

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

**CR-3 16-1302**

Resolution Approving a Letter of Concurrence for the Bahia Mar Marina to be included in the Foreign Trade Zone #241 Application for the Marine Industry Association of South Florida

Mayor Seiler recognized Count Rosenthal, 1237 NW 7th Avenue, who addressed the Commission with his comments, thoughts, concerns, questions regarding this item stating that the City once had many export management companies. He commented on the City's actions regarding international trade in the City and recommended the City add another staff person to address this topic as it will serve commercial tourism in the City

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

**ADOPTED**

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

**CR-4 16-1404**

Resolution Approving an Extension of a Temporary Moratorium on the Installation of Communication Facilities and Distributed Antenna Systems within the Public Rights-of-Way through February 21, 2017

Mayor Seiler recognized Tony McDowell on behalf of T-Mobile, who addressed the Commission in opposition to this item. Mr. McDowell stated the temporary moratorium is no longer temporary as it has gone on for two and one half years. He further stated the delay harms the residents of the City especially when large events contribute to a large number of cell phone users. Mr. McDowell encouraged the Commission to advise City Staff to move forward on this item. Mayor Seiler commented on the draft received from the industry.

Vice Mayor Trantalis asked City Staff about the cause of the delay. Assistant City Attorney Bob Dunckel addressed the Commission stating the document on the proposed ordinance is currently 65 pages in length. Assistant City Attorney Dunckel updated the Commission

on the progress of the ordinance stating it is hoped that the First Reading of the Ordinance could take place at the second City Commission Meeting in December 2016. Assistant City Attorney Dunckel clarified that the temporary moratorium being voted on tonight states its duration is until February 2017 or until the ordinance is adopted, whichever occurs first.

Vice Mayor Trantalis introduced this resolution which was read by title only.

**ADOPTED**

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

**CR-5 16-1353** Resolution to Approve Performing Arts Center Authority Budget and Tri-Party Grant Agreement for Fiscal Year 2017

**ADOPTED**

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

**CR-6 16-1304** Resolution to Adopt a Party Balloon Ban Eliminating the Use of Balloons in Areas along the Coast

**ADOPTED**

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

**CR-7 16-1406** Resolution Authorizing the issuance of a Letter of Support for the C-51 Reservoir Project

**ADOPTED**

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

**CR-8 16-1328** Resolution Approving the Final Consolidated Budget Amendment to Fiscal Year 2016 - Appropriation

Mayor Seiler recognized Craig Fisher, 200 S. Birch Road, who addressed the Commission stating his concerns with funds being taken out of the Fire Bond and other issues relating to the Fire Bond. Mr. Fisher requested the Fire Bond be put on the City Commission's Agenda within two Commission Meetings in order to get the additional Fire Houses built in the City. He stated due to the growth of the City, the Fire Department's needs should be met due to life safety issues.

Mayor Seiler recognized Paul Chettle, 200 S. Birch Road, who addressed the Commission stating his concerns and noting the

amount to be paid back to the Fire Bond fund should be \$2,000,000 rather than \$850,000. Mr. Chettle also noted his concerns with the Advisory Boards' communications to the City regarding funding and policy changes.

Mayor Seiler recognized Count Rosenthal, 1237 NW 7th Avenue, who addressed the Commission with his comments, thoughts, concerns, and questions regarding this item and the responsibilities of the Advisory Committees.

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road, who addressed the Commission with his comments, thoughts, concerns, and questions regarding this item and other budget items.

Mayor Seiler commented on the July 21, 2011 Minutes discussing the Fire Stations and the 2008 discussions regarding the City's Fire Houses' Engineering Service Fees. City Auditor John Herbst explained what had occurred with regard to those Engineering Service Fees. City Auditor Herbst also confirmed for Mayor Seiler that in 2004-2005 there was a prior City Manager and a prior City Commission.

City Auditor Herbst specifically cited the previous errors of not capitalizing the cost of the Fire Bond Engineering Services to the City's General Fund and the subsequent capitalization of the Fire Bond Engineering Services that were charged to the Fire Bond Fund rather than the City's General Fund. City Auditor Herbst expounded on the list of questionable costs he sent to the Fire Bond Committee and the research being done to clarify those costs. Mayor Seiler asked if the accounting adjustments being made with this resolution are in line with generally accepted accounting practices and City Auditor Herbst confirmed they are in accordance with generally accepted accounting practices.

Commissioner Roberts asked City Manager Feldman to speak on this topic stating the importance of when these things occurred. City Manager Feldman addressed the issue of the three fire stations noted below.

Station 54 should go out to bid in December 2016

Station 8 is 60% designed and should go out to bid in February or March 2017

Station 13, located on Birch State Park, has been in negotiations with Antioch College and the Florida Department of Environmental

Protection. He also noted the City's preference to relocate this fire station next to the water and expand fireboat service to the northern portion of the City.

Commissioner Roberts discussed the positive aspects of the work done by City Staff on behalf of funding the City's Police and Fire Departments.

Vice Mayor Trantalis asked City Manager Feldman several line items in this budget amendment and City Manager Feldman answered Vice Mayor Trantalis's inquiries regarding the City's self-insured health insurance fund and a departmental overage correction explaining them in detail. The City's sworn officer positions levels were also discussed by Chief Adderley and City Manager Feldman.

Commissioner Roberts introduced this item and was read by title only.

***Items submitted and made part of the record on this item are attached to these minutes.***

**ADOPTED**

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

**PURCHASING AGENDA**

**PUR-1 16-1216** Motion to Approve Additional Funds to Contract No. 256-11591 for Traffic and Transportation Engineering Services - \$1,000,000

**APPROVED**

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

**PUR-2 16-1315** Motion to Approve Contract for Downtown Helistop Improvements - MBR Construction, Inc. - \$716,700

Mayor Seiler recognized Mr. Charles King, 105 N. Victoria Park Road, who addressed the Commission with his comments, thoughts, concerns, and questions regarding the cost and necessity of this item.

Vice Mayor Trantalis questioned why the City is spending this large sum on this item and what the City is receiving in return. City Manager stated that there are three to five daily flight operations from the heliport. He also noted that this item is paid for out of the Executive Airport Fund and is a way to promote the City's Airport. City Manager Feldman reconfirmed that this money does not come out of the City's General Fund.

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

**APPROVED**

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

**PUR-3 16-1323**

Motion to Cancel Contract with Florida Executive Security Agency Inc. and Award Contract to Delad Security, Inc. - Security Guard Services - \$118,280

**APPROVED**

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

**PUR-4 16-1343**

Motion to Approve Change Order No. 5 for the South Side Restoration Project - DiPompeo Construction Corporation - \$232,071.15

Mayor Seiler recognized Count Rosenthal, 1237 NW 7th Avenue, who addressed the Commission with his comments and thoughts concerning this item. He noted the large amount of funding for renovations for this project is due to the heavy regulation involved and the construction requirements in the South Florida area.

Commissioner Rogers made a motion to approve this item as amended which was seconded by Commissioner Roberts.

**APPROVED**

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

**PUR-5 16-1378**

Motion to Approve Purchase of Citywide Computer Hardware Additions and Replacements - Dell Marketing L.P. - \$764,480

**APPROVED**

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

**PUR-6 16-1390**

Motion to Approve Business Associate Agreement and Contract for Proprietary Purchase of Public Emergency Medical Transports Medicaid Program, Consulting Services and Revenue Recognition Process - Advanced Data Processing, Inc. d/b/a Intermedix - \$233,080

**APPROVED**

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

## **MOTIONS**

### **M-1 16-1314**

**Motion to Approve Contract for Purchase of Curbside Recycling Collection Services - Gold Medal Services of FL, LLC - \$3,805,471**

Vice Mayor Trantalis asked City Manager Feldman for the background on this item and the selection of the vendor for this contested award. City Manager Feldman stated he handled this matter as a bid rather than Request for Proposals (RFP) stating price was the consideration. The City awarded the contract to Gold Medal Services of FL, LLC (Gold Medal), who was the lowest responsible bidder. City Manager Feldman noted that one of the other bidders, Republic, filed a protest and representatives from Republic are here tonight to advise the Commission on the details of their bid protest as is their right under the City's Code.

Mayor Seiler recognized Matthew Morrall, 2850 N. Andrews Avenue and on behalf of Republic Services, who addressed the Commission on its appeal. Mr. Morrall agreed that Gold Medal was the lowest cost bidder but questioned their ability. He discussed several aspects of Gold Medal's application process, the bid requirements and other aspects of the license application. He pointed out the aspects of Republic that make it a better vendor for the City, noting they are the City's current vendor for the service of picking up curbside recyclables.

Mayor Seiler recognized Stephanie Toothaker, Esq., 110 SE 6th Street and on behalf of Gold Medal, who stated she was here with her law partner Shari McCartney to address this matter with the Commission. Ms. Toothaker noted the owner of Gold Medal, Glen Miller, is a long time resident of the City and the owner of Choice, a long time vendor of services for the City.

Mayor Seiler recognized Shari McCartney, 110 SE 6th Street and on behalf of Gold Medal, who addressed concerns specifically relating to licensing issues, the bid's requirements and responsiveness.

Vice Mayor Trantalis asked Ms. McCartney about his concern that the City could be left a risk due to the corporate structure of Gold Medal. Ms. McCartney addressed Vice Mayor Trantalis's concerns stating the principals of Gold Medal are in attendance to respond directly to his concerns in this area.

Mayor Seiler recognized Joe Briarton, 1770 Iturffville Road, Sewell, NJ, and designated representative of Gold Medal as Vice President of

Operations. Mr. Briarton addressed the employment issue raised by Mr. Morrall and the staffing Gold Medal would utilize for its services to the City and its location in Pompano. Questions and comments from the Commission on this topic continued during Mr. Briarton's explanation. Mr. Briarton expounded on the numerous aspects of Gold Medal's operations and its ability to handle the City's recycling.

Discussions continued on Gold Medal's assets and their ability to compensate the City should damages occur. City Manager Feldman confirmed Vice Mayor Trantalis's question that a performance bond is not in place for Gold Medal.

Mr. Glen Miller, 13 Pelican Isle and on behalf of Gold Medal, addressed the Commission confirming the amount of Gold Medal's insurance and the future operating assets of Gold Medal in the State of Florida. Commissioner Rogers discussed the issue of Gold Medal's current lack of assets. Mayor Seiler raised the issue of the property on 2860 State Road 84 owned by Mr. Miller's company Gulfstream Holdings, LP and other addresses used by Gold Medal in their application and the bid process. City Manager Feldman noted that no points were given for the bidders' location.

Mayor Seiler and Commissioner Roberts inquired about the issue regarding Gold Medal not having a license in place prior to its bid submission. Kirk Buffington, Director of Finance, addressed the Commission on this discussing how the bid document language read which could be subject to interpretation. Mr. Buffington said the intent of the language is that licenses should be submitted at the time of the bid response. Mr. Buffington noted the unique circumstances in this case due to the short timeline imposed by the bidding process as a result of numerous conditions. He stated that Gold Medal's license was approved at the time of bid submission but they did not physically have it in hand and was not a material defect in the bid. Mr. Buffington said, initially, Republic had turned down its renewal with the City.

Mayor Seiler commented on the fairness of the process, the circumstances of Gold Medal's bid application and the need for the City to receive the expected level of service. Mr. Buffington responded to Mayor Seiler's concerns, Gold Medal's ability and its business model. Further discussion ensued on the bid, how it was written and the necessity of a performance bond.

Mr. Buffington recommended the requirement of a performance bond as a solution. Mayor Seiler noted the lack of complaints with Republic although they have a higher price and his concern with the lack of

security for the low bidder, Gold Medal.

Gold Medal's liability insurance certificate was submitted to the Commission and discussions ensued on this the concerns of the accuracy of this document. ***A copy of this document is attached to these minutes.***

Commissioner Roberts asked about the term of the contract. Mr. Buffington noted the term is three years with the option to terminate at any time and the Commission's ability to change the term of the contract at the time of award.

Commissioner McKinzie asked City Manager Feldman about the amount of Republic's current contract with the City for curbside pickup of recycling materials. City Manager Feldman deferred to Melissa Doyle, Program Manager, who noted the amount as approximately \$72,000 per month. Commissioner McKinzie commented on this decision being rushed, the Commission receiving this on short notice, and the pricing. Further discussions continued on the pricing, the reasons for the contracts price increase, and the corporate entity of Gold Medal Services.

City Attorney Everett asked for an explanation on certain aspects of the bid document. Mr. Buffington gave a detailed explanation noting the license had been granted but not issued by the City. Mayor Seiler commented on his concerns regarding the process used in this matter. Ms. Doyle responded to Mayor Seiler's concerns.

City Manager Feldman discussed the recommendation of City Staff and the City's due diligence on this matter. City Manager commented on the performance of Republic and noted that if Gold Medal had not bid, Republic would have been the vendor selected. Mr. Morrall noted Republic's notice not to renew was given during the summer due to the price point and wished to rebid the contract. Mr. Morrall stated Republic could not deliver services at the price point of Gold Medal's bid. Discussions continued on the approval of Gold Medal's license prior to the bid opening and other aspects of compliance with the bid requirements.

Ms. McCartney stated Mr. Miller has offered a performance bond and a test period for an assessment of performance in the bid documents. She reiterated the reasons and ability of Gold Medal to perform. City Manager Feldman noted standard City contracts contain a clause with a 30-day notice for termination for convenience and was discussed by the Commission. Mr. Buffington outlined the process for the bid document, the procurement process and the final executed contract.



Discussions continued on Gold Medal's ability to perform. Mr. Morrall reiterated the issues in Republic's bid protest and appeal.

Commission Rogers asked City Attorney Everett the proper procedure for this item and City Attorney Everett stated that this item should be addressed in two steps, dealing with the appeal and then awarding the contract.

Each Commission member gave their response, opinion and comments on this item's discussions and their discomfort with awarding a one-year contract to Gold Medal due to the capital investment required on their part.

The Commission offered Republic the contract for a term of one-year. Mr. Morrall stated he does not have the authority to commit to a one-year contract at this time because they have not done a financial analysis of a one-year contract. City Manager Feldman asked Mr. Morrall if Republic was willing to extend its current contract for another 90 days. Vice Mayor Trantalis confirmed if Republic agrees to go forward with the requested extension, it would be at the new price.

This item was deferred to allow Mr. Morrall and Mr. Jean-Pierre Turgot, General Manager of Republic Services, to confer on the request by City Manager Feldman to extend Republic's contract for an additional 90 days based on the new price.

Mayor Seiler recognized Mr. Turgot who noted Republic is not prepared to commit to a one-year contract.

Discussions ensued on ensuring the performance of Gold Medal and the history of the former vender Choice was associated with Mr. Miller. Mr. Buffington addressed Vice Mayor Trantalis's questions on the procurement of a performance bond, his recommendations on the structuring of the performance bond to cover 100 percent of the annual contract and how a surety would perform should there be a default.

Each Commissioner gave their input on this item as requested by Mayor Seiler. City Manager Feldman noted that should the Commission reject all bids, the City does not have the ability to retain a vendor by end of the current contract with Republic.

Discussions ensued among the Commission on the options available to the Commission on this item.

Ms. McCartney addressed the Commission on the one-year term

contract term versus a three-year term for Gold Medal.

Vice Mayor Trantalis made a motion to reject this motion and was seconded by Commissioner McKinzie.

**DEFEATED - Motion to Reject Appeal**

**Aye:** 2 - Vice Mayor Trantalis and Commissioner McKinzie

**Nay:** 3 - Commissioner Rogers, Commissioner Roberts and Mayor Seiler

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

**APPROVED AS AMENDED - Motion for a one year contract to Gold Medal Services of Florida, LLC for the price bid with the corrected liability policy reflecting the correct entity and to accept Gold Medal Services of Florida, LLC's offer of a performance bond**

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

**M-2 16-1319**

**Motion to Approve an Event Agreement and Related Road Closings for Fort Lauderdale A1A Marathon**

Commissioner Rogers stated his concern over the closure of the A1A roadway, using the South Beach parking lot until noon on the day of this event and its impact to the City's residents. Mayor Seiler stated Marathon's desire to have the finish line on the beach rather than in the downtown area. Discussions continued on informing the neighborhoods so they can know how they may be impacted.

Mayor Seiler recognized Matthew Lorraine, Fort Lauderdale A1A Marathon Director, who addressed Mayor Seiler's questions regarding the event's route and notification and coordination with the impacted neighborhoods. Mr. Lorraine commented on the impact to the City's neighborhoods noting that the event route starts at 6:00 am which allows all lanes on Las Olas to be open by 7:30 a.m. Discussions ensued on the event's water stations, their locations and the procedures used to facilitate their use. Road closures, accommodating residential traffic and mitigating the effects of the event on traffic were also discussed.

Commissioner Rogers raised the point of the need for neighborhood outreach. Mr. Lorraine said emails are sent to the neighborhood associations and there is door-to-door placement of flyers in the neighborhoods by Marathon. He also noted that police escorts are available for cars needing to leave the neighborhoods north of Birch Road. Mr. Lorraine noted the Marathon event attracts vacationers specifically participating in this Marathon as well as members of the community, a total of 7,000 Marathon participants. He also said that

the Marathon running North/South versus East/West has less of an impact on traffic.

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

**APPROVED**

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

**Not Present:** 1 - Commissioner Roberts

- M-3     16-1340     Motion to Approve an Event Agreement with NBV Property Management, LLC for the North Beach Village Winterfest Boat Parade Event**

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

**APPROVED**

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

**Not Present:** 1 - Commissioner Roberts

- M-4     16-1307     Motion Authorizing Execution of a Revocable License with LMC One20Fourth Holdings, LLC, for Temporary Right of Way Closure of Sidewalk and Right-of-Way along NE 3rd & 4th Street Associated with the One20Fourth Development located at 120 NE 4th Street**

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

**APPROVED**

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

**RESOLUTIONS**

- R-1     16-1394     Appointment of Board and Committee Members**

The City Clerk announced there were no additional names submitted for the City's Advisory Boards and Committees from the time of publishing this Agenda. City Clerk Modarelli confirmed Tim Smith accepted his appointment on the Citizens Committee of Recognition.

The City Clerk read the names of those being appointed with this resolution.

#### **BEACH REDEVELOPMENT BOARD**

Shirley Smith is appointed to the Beach Redevelopment Board for a one year term beginning February 5, 2017 and ending February 4, 2018 or until her successor has been appointed.

#### **CITIZENS COMMITTEE OF RECOGNITION**

Courtney Crush is appointed to the Citizens Committee of Recognition for a one year term beginning November 30, 2016 and ending November 29, 2017 or until her successor has been appointed.

Tim Smith is appointed to the Citizens Committee of Recognition, in the category of Former Commissioner, to complete an unexpired term ending November 29, 2016 or until his successor has been appointed.

Tim Smith is appointed to the Citizens Committee of Recognition, in the category of Former Commissioner, for a one year term beginning November 30, 2016 and ending November 29, 2017 or until his successor has been appointed.

#### **CITIZENS POLICE REVIEW BOARD**

Kevin Borwick is appointed to the Citizens Police Review Board for a one year term beginning December 20, 2016 and ending December 19, 2017 or until his successor has been appointed.

#### **CODE ENFORCEMENT BOARD**

Chris Evert has been appointed to the Code Enforcement Board to complete an unexpired term ending January 31, 2019 or until his successor has been appointed.

#### **COMMUNITY SERVICES BOARD**

Noah Sugajew is appointed to the Community Services Board in the category of, a person employed by the public housing authority, for a one year term beginning November 18, 2016 and ending November 17, 2017 or until his successor has been appointed.

#### **DOWNTOWN DEVELOPMENT REVIEW BOARD**

Dennis O'Shea and Gregory Durden are appointed to the Downtown

Development Review Board for four year terms beginning January 1, 2017 and ending December 31, 2021 or until their successors have been appointed.

#### **GENERAL EMPLOYEES RETIREMENT SYSTEM-BOARD OF TRUSTEES**

Mark Burnam is appointed to the General Employees Retirement System-Board of Trustees for a three year term beginning January 1, 2017 and ending December 31, 2020 or until his successor has been appointed.

#### **INNOVATIVE DEVELOPMENT DISTRICT ADVISORY COMMITTEE**

Leigh Kerr, Jason Crush, Mary Fertig, James Brady, Catherine Maus, Peter Henn and Bradley Deckelbaum are appointed to the Innovative Development District Advisory Committee for one year terms beginning November 15, 2016 and ending November 14, 2017 or until their successors have been appointed.

#### **MARINE ADVISORY BOARD**

Joe Cain is appointed to the Marine Advisory board for a one year term beginning April 16, 2016 and ending April 15, 2017 or until his successor has been appointed.

#### **POLICE AND FIREFIGHTERS RETIREMENT SYSTEM-BOARD OF TRUSTEES**

Dennis Hole and Jim Naugle are appointed to the Police and Firefighters Retirement System- Board of Trustees for a four year term beginning January 1, 2017 and ending December 31, 2021 or until their successors have been appointed.

#### **SUSTAINABILITY ADVISORY BOARD**

Elizabeth Adler is appointed to the Sustainability Advisory Board for a one year term beginning January 1, 2017 and ending December 31, 2017 or until her successor has been appointed.

Steven Schultz is appointed to the Sustainability Advisory Board to complete an unexpired term ending November 30, 2016 or until his successor has been appointed.

Steven Schultz is appointed to the Sustainability Advisory Board for a one year term beginning December 1, 2016 and ending November 30,

2017 or until his successor has been appointed.

Vice Mayor Trantalis introduced the Resolution as amended which the City Clerk read by title only.

**ADOPTED AS AMENDED**

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

**R-2 16-1344**

Quasi-Judicial - De Novo Hearing of Site Plan Level II Review - Tattoo Blues Sign - 927 Sunrise Lane, Fort Lauderdale - Edward Cumiskey  
FH/E Amanda Hunt - Case R16052

Anyone wishing to speak must be sworn in. City 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.

Vice Mayor Trantalis noted his questions had been answered.

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

Commissioner Trantalis introduced the Resolution which the City Clerk read by title only.

**ADOPTED**

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

**ORDINANCE FIRST READING**

**OFR-1 16-1220**

Ordinance Amending Unified Land Development Regulations (ULDR), Section 47-19.3 Boat Slips, docks, boat davits, hoists and similar mooring structures, providing a maximum elevation for seawalls, docks and related structures and criteria for determining whether an improvement constitutes a substantial repair

Commissioner Roberts introduced the Ordinance on First Reading which the City Clerk read by title only.

**PASSED FIRST READING**

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

**ORDINANCE SECOND READING****OSR-1 16-1402**

Ordinance Amending the Code of Ordinances of the City of Fort Lauderdale Relating to the Review and Suspension of Permits that Authorize the Extension of the Hours of Operation for Businesses Selling, Delivering, Serving, or Permitting Consumption of Alcoholic Beverages

Vice Mayor Trantalis introduced the Ordinance on Second Reading which the City Clerk read by title only.

**ADOPTED ON SECOND READING**

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

**OSR-2 16-1179**

Ordinance Amending Article X, Vacation Rentals, Chapter 15 of the Code of Ordinances of the City of Fort Lauderdale (Code)

Mayor Seiler recognized Steve Ganon, representing Lauderdale Beach Homeowners Association, who addressed the Commission stating a vacation rental in his neighborhood was used for illicit purposes and that this underscores the transient nature of vacation rentals in the City's residential neighborhoods. He requested the Commission regulate vacation rentals and stated that his neighborhood will begin policing vacation rental homes.

Mayor Seiler recognized Brian May, on behalf of *airbnb*. Mr. May commented that the City is turning the short-term vacation rental business into a hotel business due to the extensive standard requirements in its ordinance. He commented on the proposed ordinance's requirements. Until an inspection by the City is completed, these properties could not be rented out and this would

cause a delay in owners' ability to rent out due to the timeline for City inspections. Over 600 airbnb rentals in the City which would create a backlog. Mr. May requested the following amendments:

Allow owner-occupied properties to be exempt from the standards in the ordinance but they must be registered with the City, and

Allow for a certificate of compliance to operate to be issued initially and having the required inspection during the first year of operation along with annual inspections yearly.

Mayor Seiler recognized Count Rosenthal who expressed his opinion on this item on the number of guests in non-designated sleeping rooms.

Mayor Seiler recognized Penny Shea, short-term rental owner, who addressed the Commission with her opinion and comments in opposition to this item's fee structure. Additionally, she stated that the number of children should not be regulated, the number of people in her residence should not be dictated by the City and it is unfair to penalize those who followed the rules from the beginning.

Mayor Seiler recognized Robert Linder, Vacation Rental Liaison and Director of Harbour Inlet Homeowners Association, who addressed the Commission with his comments in support of this item stating he is asking the Commission to approve Article 10 of the Vacation Rental Ordinance. He stated the three subjects the Commission needs to address tonight are:

Licensing Fee  
Occupancy  
Classification

Mr. Linder expounded in detail on his recommendations about each of these topics.

Mayor Seiler recognized Marty Bilowich, 2621 Center Avenue, who addressed the Commission in favor of the ordinance as written. Mr. Bilowich emphasized the occupancy standard of two people per bedroom being a major factor with vacation rentals and should reflect the occupancy standards of the neighborhood.

Mayor Seiler recognized Jim Miller, 509 SW 18th Court, who addressed the Commission in opposition to this item stating the City has done a good job of identifying problem vacation rental properties



and noted the bulk of the problem properties come from the beach area. Mr. Miller noted owner-occupied vacation rentals are not the problem and an exemption for owner-occupied properties should have been included in the original 2015 ordinance. Mr. Miller recommended the exemption be included in this ordinance in addition to a registration fee reduction, and noted the City of Wilton Manors and Flagler County includes this exemption. Mr. Miller also commented on other aspects of the wording of the ordinance and recommended changes.

Mayor Seiler recognized Greg Brewton, 6014 SW 183rd and on behalf of Florida Vacation Rentals, who addressed the Commission in support of this item stating the City is missing the issue of the activities and events taking place in the vacation rentals. Mr. Brewton noted that restricting the number of people does not solve the problem. Mr. Brewton further commented on focus issues to address the problems of vacation rentals. He stated that children are not the problem rather the events taking place in the vacation rental is where the focus is needed.

Mayor Seiler recognized Lars Heldre, 877 E. Palmetto Park Road and on behalf of Superior Florida Rentals, who addressed the Commission in support of this item stating he agreed with Mr. Brewton's comments. Mr. Heldre stated the vacation rental business is intended for families and recommended the ordinance be family friendly. Mr. Heldre noted that eight of other City's ordinances on vacation rentals had an exemption for children that are eighteen or younger. Mayor Seiler noted the City of Pacific Grove's ordinance limits the occupancy for overnight guests to 1.5 as well as other aspects of that ordinance. Further discussions continued on this subject. Mayor Seiler stated that those who are here tonight do not represent the problem vacation rental homes and the need exists to strike a balance for all vacation rentals in the City.

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road, who addressed the Commission with his comments, thoughts, concerns, and questions regarding this item. Mr. King noted the vacation rental business is profit motivated and recommended two people per bedroom. He stated that the vacation rental business is undermining the City's communities and commented on the City possibly giving a break to owner-occupied vacation rentals as this would keep vacation rentals on a smaller scale.

Mayor Seiler recognized Milic Mic Novovic who addressed the Commission in opposition to this item stating he would like to see the ordinance prevent parties and events at vacation rentals and noted he

has this restriction in his vacation rental contracts. Mr. Novovic also said he hoped there could be some type of standard, uniform contract for all vacation rentals in the City for the safety of the neighborhoods to ensure everyone is on the same page. Mr. Novovic also commented on the illicit activities going on in a vacation rental stating he called the on-site owner advising him to discontinue those activities.

Commissioner Rogers commented on duplex and triplex's paying two and three times the registration fee with the City which he stated was not appropriate as they are all essentially under the same roof. Discussions continued among the Commission on this aspect of fees for duplexes and triplexes. Commissioner Rogers also commented on the importance of crew houses that are vital to the marine community.

Mayor Seiler recommended and the Commission discussed and agreed on the following:

a fifty percent reduction in owner-occupied vacation rentals registration fees;

a reduction in the registration fee (one registration fee) for numerous dwellings under a common roof (up to four units);

the number of bedrooms as it relates to occupancy will be determined by the City during its inspection of the vacation rental;

an exemption for a maximum of four children under the age of 12; and

the restriction of one and one half persons per bedroom staying overnight and occupying the dwelling but no more than 20 adults per dwelling (excluding the four children exemption) (owner occupied properties are exempt from this restriction).

Discussion ensued on the type of contract necessary to regulate negative behavior in vacation rentals. It was confirmed that the City's current vacation rental ordinance became effective on November 1, 2015. Assistant Attorney D'Wayne Spence addressed the Commission noting the ordinance deals with the number of people allowed to occupy the vacation rental regardless of age. Mayor Seiler pointed out that the City should encourage families and the ordinance should allow a maximum of four children under the age of twelve over the occupancy allowed.

Assistance City Attorney D'Wayne Spence confirmed how the five items noted above will be addressed in a resolution and an ordinance and the specific modifications to the ordinance.

Vice Mayor Trantalis moved to approve the motion to amend this ordinance and was seconded by Commissioner McKinzie.

**APPROVED a Motion to Amend applicable Vacation Rental legislation to include:**

- 1. owner-occupied pay 1/2 registration fee – this item was understood to be a part of a separate resolution**
- 2. one fee for up to four (4) units under common roof**
- 3. up to 4 children under the age of 12 are exempt and do not count towards the occupancy requirement**
- 4. no more than 1 and 1/2 times the maximum number of occupants overnight at the dwelling unit (no more than 20 adults at any vacation rental)**
- 5. owner-occupied properties and up to 4 children under the age of 12 are exempt from requirement 4 as listed above**

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

**Nay:** 1 - Vice Mayor Trantalis

Commissioner Roberts moved to continue the Second Reading of this Ordinance until the December 6, 2016, City Commission Meeting.

**CONTINUED - Motion to Continue to December 6, 2016**

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

## **REQUEST FOR EXECUTIVE CLOSED DOOR SESSION**

City Attorney Cynthia Everett requested that pursuant to Florida Statute, Section 286.011(8)(a), she will be seeking advice during the City Commission Meeting on December 6, 2016, for approximately one hour at a time to be determined, on the following matters of:

**Denise F. Reynolds v. Edward James Sawyer, City of Fort Lauderdale, and Asplundh Tree Expert Company**  
**Case No. CACE 14-023048 (21)**

**Arnold Abbott & Love Thy Neighbor Fund, Inc. v. City of Fort Lauderdale**  
**Case No. CACE 99-03583 (05)**

**Arnold Abbott & Love Thy Neighbor Fund, Inc. &**

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- 5. owner-occupied properties and up to 4 children under the age of 12 are exempt from requirement 4 as listed above**

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

**Nay:** 1 - Vice Mayor Trantalis

Commissioner Roberts moved to continue the Second Reading of this Ordinance until the December 6, 2016, City Commission Meeting.

**CONTINUED - Motion to Continue to December 6, 2016**

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

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**Case No. CACE 99-03583 (05)**

**Arnold Abbott & Love Thy Neighbor Fund, Inc. &**

Mayor Dwayne Black v. City of Fort Lauderdale  
Case No. CACE 14-024037 (21)

**ADJOURN**

There being no additional business before the City Commission at this Regular City Commission Meeting of November 15,, 2016, Mayor Seiler adjourned the meeting at 10:53 p.m.

  
\_\_\_\_\_  
John P. "Jack" Seiler  
Mayor

ATTEST:

  
\_\_\_\_\_  
Jeffrey A. Modarelli  
City Clerk



GOING,  
GOING,

GONE?

MID-CENTURY MODERN ARCHITECTURE IN SOUTH FLORIDA

JULY 8 -  
NOVEMBER 6  
2005

MUSEUM OF ART | FORT LAUDERDALE

THIS CATALOG GRACIOUSLY FUNDED BY:

Francie Bishop Good  
and David Horvitz

#### EXHIBITION ORGANIZERS

The Broward Trust for Historic preservation and the North Beach Development Corporation are grateful to the Museum of Art Fort Lauderdale for returning *Going Gone? To South Florida* after its successful run at the Museum of History in Tallahassee where it was shown from October, 2004 to May of 2005.





## INTRODUCTION

Like the baby boom with which it so neatly coincides, Mid-Century Modern architecture came about as an expression of hope and optimism after the end of World War II. Americans were beloved at home and abroad, the economy was expanding, and the future seemed to hold endless possibilities. A celebration was in order, and it manifested itself in both babies and buildings.

As a baby-boomer, I grew up alongside Mid-Century Modern. And as a relatively recent transplant to South Florida, I have been delighted to find myself surrounded by so much of it. In almost all but the very newest neighborhoods in Broward and Miami-Dade counties, you stand a good chance of running across an example of this exhilarating style. Whether it's architectural details as basic as jalousie windows or as flashy as the biomorphic shapes Morris Lapidus called "woggles," they're out there, waiting to be discovered by discerning eyes.

Unfortunately, intact examples of Mid-Century Modern in its full splendor are becoming harder and harder to find. This forward-looking style has become the architectural equivalent of an endangered species, especially here in Broward, where for many years it was the county's signature style. It's ironic that so much of today's South Florida architecture looks back on the Mediterranean palazzo model. This pendulum swing will certainly be the subject of a future sociological discourse.

Fortunately we have Robin Hill along with Thomas Delbeck and Arthur Marcus paying homage in their photographs to this ever-interesting period of our recent past. Our thanks to Diane Smart and the Broward Trust for Historic Preservation as well as Randall Robinson, North Beach Development Corporation and Teri D'Amico, interior designer for presenting these photographs. We would also like to extend our appreciation to Lori Twietmeyer for her work in designing this book. Here indeed is a distinctive style of architecture that deserves many more decades, if not centuries, of enjoyment.

IRVIN M. LIPPMAN  
EXECUTIVE DIRECTOR  
MUSEUM OF ART | FORT LAUDERDALE





# Lido Spa Hotel

## MIAMI-DADE COUNTY BUILDINGS

**Miami Modern** (MiMo) comprises a generation of Miami architecture spanning the epoch between the end of World War II and the end of the Viet Nam War in the 1970s. Miami grew exponentially during those years, and produced a varied architectural legacy that covered all parts of its metropolitan area. Resort activity expanded rapidly northward, engulfing almost all the oceanfront in Northeast Dade County. Here, new hotel and apartment districts arose, designed by such architects as Roy France, Morris Lapidus, Norman Giller, Robert Swartburg, Albert Anis, Gilbert Fein, and Melvin Grossman. Miami expanded west and southward, creating vast new suburbs and a new architectural culture adapted to the car. Within these suburbs, the tropical home experiments of architects like Robert Law Weed, Igor Plevitzky, Alfred Browning Parker, Rufus Nims, Marion Manley and Robert Little redefined domestic life in the tropics.

< **THE LIDO SPA**, A MIMO CLASSIC DESIGNED BY A. HERBERT MATHES IN 1960 WAS RECENTLY PURCHASED BY HOTELIER ANDRE BALAZS AND IS UNDERGOING A RENOVATION, WHICH WILL RESTORE ITS FAÇADE.

## MIAMI-DADE COUNTY BUILDINGS

A HAUNTING IMAGE  
OF THE GUTTED AND  
HALF DEMOLISHED  
CARILLON HOTEL,  
DESIGNED BY  
NORMAN M. GILLER  
IN 1957. IT IS DUE  
TO BE INCORPORATED  
INTO THE NEW  
CANYON RANCH LIVING  
RESORT AND SPA. >

Miami International Airport developed from a small airfield into a port of world reach. The development of the University of Miami campus by Weed, Manley and Little, was followed by new campuses for Florida International University and Miami-Dade Community College. Industrial parks sprang up as Miami moved from a seasonal resort into a dynamic year round city with a diversified economy.

Following the decorative impulses of the prewar period, Miami Modern generally aimed to appear austere and highly rational. It enlisted the technical innovations of the day, like pre-cast concrete, curtain wall building skins and jalousie windows. Its functional attitude and clean lines, however, were often marred with lyrical, hopeful and often outlandish forms that unabashedly warped the functionalist dogma of the era.



A BACARDI USA ENRIQUE GUTIERREZ, ARCHITECT. MIAMI, 1964.



A PEPSI COLA BOTTLING COMPANY ARCHITECT UNKNOWN. MIAMI, C. 1965.













^ LOCATED IN THE CENTER OF CORAL GABLES OWN MID-CENTURY CAMPUS AT THE UNIVERSITY OF MIAMI, LITTLE'S PICK MUSIC LIBRARY HAS THE APPEARANCE OF AN EARLY MOON LANDER. ROBERT LITTLE, ARCHITECT. CORAL GABLES, 1959.



< 301 SOUTH SHORE DRIVE G.M. FEIN, ARCHITECT. MIAMI BEACH, 1953.



(PREVIOUS PAGES)

UNION PLANTERS BANK  
FRANCIS HOFFMAN, ARCHITECT.  
MIAMI, 1958.

## MIAMI-DADE COUNTY BUILDINGS

These flights of fancy mirrored dreams of modernity that had special resonance in Florida during the postwar period. As the world entered the atomic era, Florida boasted the Space Center at Cape Canaveral, the Sunshine State Parkway and growing cities on almost every virgin landscape between limitless sky and broad waters. Architects parodied the airplane wings of the jet age, the paraboloid arch of St. Louis, the stone walls and the cantilevers of Falling Water. They also enhanced their buildings with emblematic features of tropical architecture, like bris soleil, screen block dividers and broad overhanging roofs. A mix of modern and traditional elements indicated that MiMo was both a reflection and a critique of purist modern ideals. Perhaps it achieved a “Post Modern” quality, years before that term became fashionable.



▲ FONTAINEBLEAU HOTEL MORRIS LAPIDUS, ARCHITECT. MIAMI BEACH, 1953.

▲ CASABLANCA HOTEL ROY F. FRANCE, ARCHITECT. MIAMI BEACH, 1949.



GILLER BUILDING >  
NORMAN M. GILLER,  
ARCHITECT.  
MIAMI BEACH, 1957.

## MIAMI-DADE COUNTY BUILDINGS

Miami Modern comes into focus more than 50 years after its inception as its monuments and its neighborhoods, its academic buildings and its industrial parks, its motels and condominiums are explored with renewed interest. As in the case with Miami's Tropical Art Deco, a contemporary term the subsumes the eclectic movements of the 1920s and 30s, it embraces a diverse legacy of often competing ideals. In the continuum of Miami's development, MiMo relays the pioneering European modernism of before the war into equally eclectic experiments of a purely American architecture. As a new term, MiMo begins to fill the void of our understanding of the postwar period, which may now be examined as fostering a regional architecture adapted to the peculiar environment of the tropics.

ALLAN T. SCHULMAN  
ARCHITECT



▲ VAGABOND MOTEL ROBERT SWARTBURG, ARCHITECT. MIAMI, 1953.

▲ 350 SOUTH SHORE DRIVE G.M. FEIN/MORTON GELLMAN, ARCHITECTS. MIAMI BEACH, 1954.





350 SOUTH SHORE DRIVE  
G.M. FEIN/MORTON GELLMAN  
1954  
MIAMI BEACH



UNION PLANTERS BANK  
FRANCIS HOFFMAN  
1958  
MIAMI



PEPSI COLA BOTTLING COMPANY  
ARCHITECT UNKNOWN  
C. 1965  
MIAMI



301 SOUTH SHORE DRIVE  
G.M. FEIN  
1953  
MIAMI BEACH

CARILLON HOTEL  
NORMAN M. GILLER  
& ASSOCIATES  
1957  
MIAMI BEACH



LIDO SPA  
A. HERBERT MATHES  
1960  
MIAMI BEACH



SUNSHINE STATE  
INTERNATIONAL PARK  
CHARLES GILLER  
1964  
MIAMI







BACARDI USA  
*ENRIQUE GUTIERREZ*  
 1964  
 MIAMI



VAGABOND MOTEL  
*ROBERT SWARTBURG*  
 1953  
 MIAMI

CASABLANCA HOTEL  
*ROY F. FRANCE*  
 1949  
 MIAMI BEACH



FONTAINEBLEAU HOTEL  
*MORRIS LAPIDUS*  
 1953  
 MIAMI BEACH



GILLER BUILDING  
*NORMAN M. GILLER*  
 1957  
 MIAMI BEACH



PICK MUSIC LIBRARY  
*ROBERT LITTLE*  
 C. 1959  
 CORAL GABLES





## FORT LAUDERDALE-BROWARD COUNTY BUILDINGS

Fort Lauderdale... was a post-war baby. Unlike Miami Beach, its neighbor to the south which had its first real boom in the Deco decade of the 30s, Lauderdale had its coming out party two decades later. Long after the frenzy for the stylized, applied decoration found in Art Deco had waned, Fort Lauderdale came into its own. The 1950s put this resort city firmly on the map.

As America's love affair with the auto kicked into high gear, much of Florida grabbed onto this dream of mobility. Fort Lauderdale was no exception. The drive-in restaurant was born, the carport came into vogue and the place to stay became the motor-hotel. Modern architecture in Fort Lauderdale took its cues from International Style Modernism, but then injected it with tropical style. Mid-Century Modern architecture in Fort Lauderdale and Hollywood, or what is left of it, is a celebration of modern life in the tropics.

< IRELAND'S INN ATTRIBUTED TO CHARLES F. MCKIRAHAN/GEORGE WADDEY, ARCHITECTS. FORT LAUDERDALE, 1964. CONTINUOUS "EYEBROWS" ABOVE THE WINDOWS OF THIS S-SHAPED BEACHFRONT HOTEL UNDERSCORE ITS EMPHASIS ON THE HORIZONTAL.

## FORT LAUDERDALE-BROWARD COUNTY BUILDINGS

HYATT REGENCY PIER 66 >  
ORIGINALLY DESIGNED AS  
A HOTEL FOR THE  
PHILIPS 66 COMPANY  
IN 1967 BY ROBERT TODD  
AND CLARENCE REINHARDT,  
THIS HIGH-RISE  
BRISTLES WITH LATE  
MID-CENTURY STYLE.

Instead of the post-war rectilinear box often found in the north, here that same structure might be stretched into an S-shaped building with protruding “eyebrows” above the windows and then be painted shell pink. Suddenly, modern architecture had an indoor/outdoor life.

Celebrating new ways of manipulating materials, mainly steel-reinforced concrete, architects spread their wings and got the International Style to fly. Staircases were pushed to the exterior of sunny Florida buildings and became plastic, able to span long stretches with very little visible support.



▲ IRELAND'S INN ATTRIBUTED TO CHARLES F. MCKIRAHAN/GEORGE WADDEY, ARCHITECTS. FORT LAUDERDALE, 1964.

▲ EVERGLADES BANK ARCHITECT UNKNOWN. FORT LAUDERDALE, 1960s.







^ YANKEE CLIPPER HOTEL  
TONY SHERMAN, ARCHITECT. FORT LAUDERDALE, 1956.



< TIMES SQUARE SHOPPING CENTER  
CHARLES F. MCKIRAHAN, ARCHITECT.  
FORT LAUDERDALE, 1954.



(FOLLOWING PAGES) >

SEA TOWER

IGOR POLEVITZKY,

ARCHITECT.

FORT LAUDERDALE, 1957.

THE BOOMERANG-SHAPED

SEA TOWER CO-OPERATIVE

WITH ITS CONTINUOUS

TRAY BALCONIES AND

GROUND FLOOR LIFTED

ON PILOTIS IS POLEVITZKY

AT HIS PUREST.

FORT LAUDERDALE-BROWARD COUNTY BUILDINGS

Mid-century architects reveled in this "Because We Can" mentality and created works of art which completed their buildings like beautiful jewelry.... Ornamentation without the ornament. Livening up the strict lines of Modernist architecture with cantilevered, space-age canopies, gull-winged rooflines and floor to ceiling glass windows.



▲ CORAL COVE CHARLES F. McKIRAHAN, ARCHITECT. FORT LAUDERDALE, 1955.

▲ CASTRO CONVERTIBLES SHOWROOM CHARLES F. McKIRAHAN, ARCHITECT. FORT LAUDERDALE, 1954.











< McKIRAHAN EXPLORED  
TENSILE SHELL STRUCTURES  
IN HIS AMERICAN/MARINA  
MOTOR INN OF 1964,  
ECHOING THE WORK  
OF ONE OF HIS  
CONTEMPORARIES,  
SPANISH ARCHITECT  
FELIX CANDELA.

## FORT LAUDERDALE-BROWARD COUNTY BUILDINGS

These buildings, from an era just before “central air” became household words, often went to great lengths to capture tropical breezes for their occupants. Igor Polevitzky’s fabulous 1957 confection, the Sea Tower, was shaped like a boomerang and angled to collect the breeze from the ocean, 400 feet away. It is also one of many “catwalk” buildings in Fort Lauderdale; all units open onto a long walkway and allow breezes to blow through from east to west.



▲ CITCO/PHILLIPS SERVICE STATION WILLIAM CRAWFORD, ARCHITECT. FORT LAUDERDALE, 1954.

▲ PIZZA PARLOR ARCHITECT UNKNOWN. HOLLYWOOD, DATE UNKNOWN.



## FORT LAUDERDALE-BROWARD COUNTY BUILDINGS

SHERI-LEA APARTMENTS >  
OVERSIZED DETAILS LIKE  
THIS ONE AT THE  
SHERI-LEA WERE ONCE  
COMMON TO THE WORK  
OF ARCHITECTURE FIRM  
GAMBLE, PARNELL & GILROY,  
ESPECIALLY ON  
HENDRICKS ISLE AND  
THE ISLE OF VENICE.  
MANY OF THEIR BUILDINGS,  
LIKE THIS ONE BUILT IN 1949,  
HAVE BEEN LOST  
TO DEVELOPMENT.

As shade, sun and breeze became the focus of architects, details like the brise soleil (a sun screening device originally developed by the famous Swiss architect Le Corbusier) were used and transformed by Florida architects from Paul Rudolph in Sarasota to William Bigoney Jr. in Fort Lauderdale. Screen block walls were developed to reduce solar radiation while allowing breezes to pass through.

With devices like these, the austere became playful. Displays were made of these panels, which ranged in style from fishnet to virtual Pop art.



▲ PREMIERE MOTEL ARTHUR H. RUDE, ARCHITECT. FORT LAUDERDALE, 1964.

▲ LIGHTHOUSE COMMUNITY CHURCH LEROY T. CROUCH, ARCHITECT.  
DANIA BEACH, SANCTUARY 1961; BELL TOWER 1973.







< PERHAPS MCKIRAHAN'S  
ANSWER TO POLEVITZKY'S  
NEARBY SEA TOWER OF 1957,  
BIRCH TOWER, COMPLETED  
IN 1959 IS RAISED ON  
PILOTIS AND RETAINS ITS  
ORIGINAL COLOR SCHEME.

## FORT LAUDERDALE-BROWARD COUNTY BUILDINGS

These filigree panels, along with the floating staircases, pylons and constant erasure of the line between indoor and outdoor are some of the defining characteristics of buildings of this period. At Charles McKirahan's 55-unit Coral Cove, apartments are wrapped in floor-to-ceiling jalousie windows and surrounded by catwalks...creating a mid 20th century Maison de Verre as well as a love letter to the Fort Lauderdale climate. Other buildings by McKirahan – by far the city's most prolific architect from the mid 50s to the mid 60s – take cues from contemporary architecture in Brazil and India. The 1959 Birch Tower, a sleek white and sea foam green high-rise which was constructed at about the same time as Plevitzky's Sea Tower, is raised up on pylons or pilotis, allowing the all-important tail-finned automobile to drive right through unimpeded.



^ JOLLY ROGER TONY SHERMAN, ARCHITECT. FORT LAUDERDALE, 1952.

^ BAY CLUB CHARLES F. MCKIRAHAN, ARCHITECT. FORT LAUDERDALE, 1955.

MANHATTAN TOWER >  
CHARLES F. MCKIRAHAN,  
ARCHITECT.  
FORT LAUDERDALE,  
1954.

## FORT LAUDERDALE-BROWARD COUNTY BUILDINGS

Fort Lauderdale is fortunate to still have a trove of these pieces of our mid-century heritage and every effort must be made to preserve and restore the best of these. Like the Mid-Century Modern architecture of Miami, now referred to as MiMo or Miami Modern, Fort Lauderdale's Mid-Century Modern is unique to just this place and time. It is representative of an exuberant post-war American era and its importance to the history of American architecture must be recognized... while there is still time.

JOHN T. O'CONNOR  
PUBLISHER  
HOME FORT LAUDERDALE, HOME MIAMI



▲ DOCTOR'S OFFICE ARCHITECT UNKNOWN. HOLLYWOOD, DATE UNKNOWN.

▲ ENTRADA MOTEL ARCHITECT UNKNOWN. HOLLYWOOD, DATE UNKNOWN.







HYATT REGENCY PIER 66  
ROBERT TODD/GEORGE WIESMAN  
1967  
FORT LAUDERDALE



ENTRADA MOTEL  
ARCHITECT UNKNOWN  
DATE UNKNOWN  
HOLLYWOOD



SEA TOWER  
IGOR POLEVITZKY  
1957  
FORT LAUDERDALE



MANHATTAN TOWER  
CHARLES F. MCKIRAHAN  
1954  
FORT LAUDERDALE

IRELAND'S INN  
ATTRIBUTED TO  
CHARLES F. MCKIRAHAN/  
GEORGE WADDEY  
1964  
FORT LAUDERDALE



IRELAND'S INN  
ATTRIBUTED TO  
CHARLES F. MCKIRAHAN/  
GEORGE WADDEY  
1964  
FORT LAUDERDALE



AMERICAN/MARINA  
MOTOR INN  
ATTRIBUTED TO  
CHARLES F. MCKIRAHAN  
1964  
FORT LAUDERDALE





PIZZA PARLOR  
ARCHITECT UNKNOWN  
DATE UNKNOWN  
HOLLYWOOD



BIRCH TOWER  
CHARLES F. MCKIRAHAN  
1959  
FORT LAUDERDALE



SHERI-LEA APARTMENTS  
GAMBLE, PARNELL & GILROY  
1949  
FORT LAUDERDALE



TIMES SQUARE  
SHOPPING CENTER  
CHARLES F. MCKIRAHAN  
1954  
FORT LAUDERDALE



PREMIERE MOTEL  
ARTHUR H. RUDE  
1964  
FORT LAUDERDALE



DOCTOR'S OFFICE  
ARCHITECT UNKNOWN  
DATE UNKNOWN  
HOLLYWOOD



CORAL COVE  
CHARLES F. MCKIRAHAN  
1955  
FORT LAUDERDALE





BAY CLUB  
CHARLES F. MCKIRAHAN  
1955  
FORT LAUDERDALE



CITCO/PHILLIPS SERVICE STATION  
WILLIAM CRAWFORD  
1954  
FORT LAUDERDALE

JOLLY ROGER  
TONY SHERMAN  
1952  
FORT LAUDERDALE



LIGHTHOUSE COMMUNITY  
CHURCH  
LEROY T. CROUCH  
SANCTUARY 1961;  
BELL TOWER 1973  
DANIA BEACH



EVERGLADES BANK  
ARCHITECT UNKNOWN  
1960s  
FORT LAUDERDALE



YANKEE CLIPPER HOTEL  
TONY SHERMAN  
1956  
FORT LAUDERDALE



CASTRO CONVERTIBLES  
SHOWROOM  
CHARLES F. MCKIRAHAN  
1954  
FORT LAUDERDALE



## ABOUT THE EXHIBITION'S CREATORS

The Broward Trust for Historic Preservation, Inc. is a private, non-profit 501(c) (3) corporation dedicated to identifying, preserving, restoring and maintaining the architectural heritage of Broward County.

North Beach Development Corporation is a non-profit community development organization dedicated to promoting the economic and physical revitalization of the North Beach section of Miami Beach which stretches north from 63rd Street to the City limit at 87th Terrace. NBDC is a membership organization open to residents, merchants and others who share a concern for revitalizing North Beach.

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(COVER IMAGE) IRELAND'S INN ATTRIBUTED TO CHARLES F. MCKIRAHAN/ GEORGE WADDEY. FORT LAUDERDALE, 1964.

NORTH BEACH DEVELOPMENT CORPORATION  
BROWARD TRUST FOR HISTORIC PRESERVATION, INC.



PRES-2 11/15/2016  
Provided by Steve Glassman



THE FORT LAUDERDALE JUNIOR WOMAN'S CLUB  
& BROWARD TRUST FOR HISTORIC PRESERVATION

PRESENT

# HISTORIC HOLIDAY HOME TOUR

## DECEMBER 4th, 2016

FORT LAUDERDALE JUNIOR WOMAN'S CLUB  
IN PARTNERSHIP WITH BROWARD TRUST FOR HISTORIC PRESERVATION

PRESENT  
HISTORIC HOLIDAY HOME TOUR

SUNDAY, DECEMBER 4, 2016

TIME: 3:00 PM - 8:00 PM

For Tickets and information visit: [www.historicholidayhometour.org](http://www.historicholidayhometour.org)





# HOLIDAY HOME TOUR

- ① ANNIE BECK HOUSE - 1916  
MIDDLE RIVER TERRACE PARK  
1329 NE 7TH AVENUE
- ② THE NEEDHAM ESTATE - 1925  
828 SE 4TH STREET
- ③ TELLI'S TARA - 1923  
1209 N RIO VISTA BLVD
- ④ THE PINK HOUSE - 1928  
1000 N RIO VISTA BLVD
- ⑤ VILLA RIO VISTA - 1935  
1220 N RIO VISTA BLVD
- ⑥ CASA PALMS - 1926  
900 SE 5TH COURT
- ⑦ FIRE & SAFETY MUSEUM 1927  
1022 W LAS OLAS BLVD
- ⑧ THE MARSHALL HOUSE - 1918  
1130 SW 6TH STREET

This just in!  
NEW SUN TROLLEY OPTION TO THE SELF-GUIDED TOUR!



For Tickets and information visit: [www.historicholidayhometour.org](http://www.historicholidayhometour.org)



PRES-2

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THE FORT LAUDERDALE JUNIOR WOMAN'S CLUB  
IN PARTNERSHIP WITH THE BROWARD TRUST FOR HISTORIC PRESERVATION



# HISTORIC HOLIDAY HOME TOUR

SUNDAY, DECEMBER 4th, 2016 | 3:00 - 8:00 PM



ANNIE BECK HOUSE - 1916  
MIDDLE RIVER TERRACE PARK  
1329 NE 7TH AVENUE



THE MARSHALL HOUSE - 1918  
1130 SW 6TH STREET



TELL'S TARA - 1923  
1209 N RIO VISTA BLVD



THE NEEDHAM ESTATE - 1925  
828 SE 4TH STREET

This just in!

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The Sun Trolley continuous loop has just been added to the self-guided tour. You still have the option of the self-guided tour by using our recommended map order, beginning and ending wherever is convenient for you. Please note that four of the eight properties are in Rio Vista and are in walking distance to each other. In addition, you may park at the Annie Beck House in Middle River Terrace Park, pick up the trolley there and continue to the other seven properties. The trolley will start at 3pm at the Annie Beck House and does a continuous loop of all the properties enabling you to visit the Annie Beck House at the beginning or after the tour. Please keep in mind that the trolley runs continuously which means you may have to wait several minutes before it comes back around again to your stop.

Thank you and we hope this additional option is helpful; enjoy the tour!

Tickets are \$40 and can be purchased online at [www.historicholidayhometour.org](http://www.historicholidayhometour.org)  
For more information, contact michaela conca at 954-536-4297 or [michaela54@live.com](mailto:michaela54@live.com)



CASA PALMS - 1926  
900 SE 5TH COURT



FIRE & SAFETY MUSEUM - 1927  
1022 W LAS OLAS BLVD



THE PINK HOUSE - 1928  
1000 N RIO VISTA BLVD



VILLA RIO VISTA - 1935  
1220 N RIO VISTA BLVD

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A	<b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> ANY AUTO ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	X X	SISIPCA08233815	05/14/2016	06/08/2017	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$		1000336908161	05/14/2016	06/08/2017	EACH OCCURRENCE \$5,000,000 AGGREGATE \$5,000,000 \$
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CR-8  
Submitted by  
Paul Chettle  
and  
Craig Fisher

# **Report to City Commission**

**August 25, 2016**

**Fire-Rescue Bond Blue Ribbon Committee**

**City of Fort Lauderdale, Florida**



DATE: August 25, 2016

TO: Mayor Jack Seiler  
Vice-Mayor Commissioner Dean Trantalis  
Commissioner Bruce Roberts  
Commissioner Robert McKinzie  
Commissioner Romney Rogers  
Lee Feldman, City Manager  
John Herbst, City Auditor  
Jeff Modarelli, City Clerk  
Robert Hoecherl, Fire Chief

FROM: Fire-Rescue Bond Blue Ribbon Committee  
Thornie Jarrett, Chair  
Douglas Meade, Vice Chair  
Patrick McTigue  
Doug Ruth  
Frederick Nesbitt  
Frank Snedaker  
Mark Booth

**SUBJECT: Report to City Commission**

The Fire-Rescue Bond Committee submits this report to the City Commission as requested to inform the Commission of the progress of the Bond Project. This report includes recommendations, status, background and conclusions.

Previous recommendations of the Committee in the past to the City Commission have not been supported and have resulted in the Bond Project following a path to failure to meet the goals presented to the Citizens. Action by the City Commission now cannot reverse the mistakes of over-building the first two stations completed nor correct the mistake of under-building some of the subsequent stations that were built. However, action by the Commission could result in the remaining Fire Stations to be built meeting the needs of our City for years to come and fulfill the commitment to the Citizens.

### **Recommendations**

- The committee is concerned with the location selected for Fire Station #8. The location seems to be driven more by a land swap than following the site recommendations from the *Fire Station Feasibility Study* (completed November 8, 2010). The study's summary stated, "The addition of Station 8 would optimally be near the intersection of S.W. 7<sup>th</sup> Street and South Federal Highway, and if built, should be approximately the same size as Station 54 (10,098 square feet)." Attached are pages from the report detailing the Station 8 location analysis.
- The Committee advises redesign of the Southeast Fire Station (Fire Station #8) to include a Community Room and Medical Treatment Room. These areas were very much a part of the proposal presented to the Citizens when the Fire Bond was first presented to the Citizens and Neighborhood Associations. It would be less than what

the Citizens voted for to have these features to be omitted. The Committee was told the room was needed for a Bay for the Hazardous Material Team Truck. The Committee agrees a Bay should be provided the Haz-Mat Truck as it should be centrally located in the City for better response. The current station design has a much smaller second floor than other stations built or planned. Expansion of the second floor would easily allow for the Community Room and the Medical Treatment Room to be included in the Plan. The City has already determined the appropriate areas required to service the needs of the Fire Department. This was further confirmed by the Feasibility Study. These areas should be considered minimum requirements for this and all other stations.

- The Committee is aware there will be a shortage of funds to properly complete the goals of the Fire Bond. Recommendation is to allocate funds in future City budgets to complete the ten Fire Stations as planned and to meet the needs of the City and not to cut corners on the last stations to meet the Bond Funds amount.
- The committee continues to be frustrated with its inability to get a good detailed financial picture of how the bond money has been spent and the balance remaining in the bond fund. We request that the city auditor complete an examination of the expenditures and share with the committee the details of his report, showing the detailed expenditures and balance in the bond fund account.
- The Committee has addressed concerns of information exchange in a timely manner with City Staff. Upon direction of the Committee, the Committee Chair has spoken with the City Manager about this matter and has been assured that information would flow in a faster manner. Recommendation is to reaffirm to City Staff to provide the Committee with all detailed information as required to perform evaluation of the project and report to the Commission before action is taken.
- The Committee strongly supports building a new Fire Station # 13 and opposes any plans to renovate or refurbish this station. The original Fire Bond called for building 10 stations and this is one of the 10. The physical conditions of the station warrant a new facility to meet the needs of the fire service.
- The Committee is frustrated with the construction pace at which the stations, specifically FS# 54 and FS#13, have progressed. What was understood to be an eight-year program to build 10 stations has evolved into a 12-year program, with three stations not yet build. For the past three years, the Committee has been frustrated with the lack of progress on the building of the remaining three fire stations.
- The Committee continues to be concerned with the City expensing costs against the Fire Bond's \$40 million and transferring these funds into the general operating budget of the City. While we understand cost accounting and the necessity to fairly appropriate costs of City projects, given that the Bond Fund is limited and there are no new funds available in this program, it supports the idea that the City should use either general operating funds, Community Investment Plan (CIP) funds, or other funds for building the 10 fire stations.
- The Committee wishes to remind the Commission that the Fire Rescue Bond was implemented with the goal of constructing fire stations that will serve the Fire Rescue Department for the next 50 years. By reducing the size of the stations from the minimum areas already determined, the City will already have failed in this goal from

the initial ribbon cutting. The Committee recommends that the Bond Program be viewed in the long term and not the short term regardless of current budget issues

### **Status**

- The Citizens approved the Forty Million Dollar Fire Bond on November 2<sup>nd</sup>, 2004. The Fire Station Building Project was to be an eight-year program. The Fire Bond Project is now nearing the twelfth year with seven Fire Stations completed.
- The Fire Bond amount of Forty Million Dollars allowed for an average of just less Four Million Dollars per station with an allowance for purchasing land for the new Southeast Station.
- Fire Station 53/88 was completed in June 2008. The station is 2-story 4-bay and is 26,423 sq. ft. including the City Emergency Operations Center. Total costs exceeded \$10,000,000 with \$6,000,000 in Fire Bond funds spent. Additional funds were from several sources. The station is at full capacity with no room for any additional companies or personnel.
- Fire Station 47 was completed in August 2008. The station is 2-story 4-bay and is 15,242 sq. ft. Total costs exceeded \$5,000,000 with \$4,000,000 in Fire Bond funds spent. Additional funds were from CIP funds.
- Fire Station 29 was completed in February 2010. It was designed twice to accommodate size adjustments. The station is 2-story 2-bay and is 10,267 sq. ft. Total costs exceeded \$3,800,000 plus an additional cost of \$120,000 for a temporary station. All funds were from Fire Bond.
- Fire Station 3 was completed in May 2010. The station is 1-story 2-bay and is 8,745 sq. ft. Total costs were \$2,778,000. Funds were from Fire Bond.
- Fire Station 49 was completed in May 2010. It was designed twice to accommodate size adjustments. The station is 2-story 2-bay and is 11,820 sq. ft. Total costs were \$3,860,000, plus an additional cost of \$310,000 for a temporary station. Funds were from Fire Bond.
- Fire Station 46 was completed in July 2013. The station is 1-story 3-bay and is 10,491 sq. ft. Total costs were \$3,357,000. Funds were from Fire Bond.
- Fire Station 35 was completed in June 2012. The station is 2-story 3-bay and is 12,689 sq. ft. Total costs were \$3,627,000. Funds were from Fire Bond.
- The original Fire Bond referendum was for construction of eight 12,000 sq ft satellite stations and two 15,000 sq ft Battalion stations. City Staff changed that early in the project to five 13,500 sq ft satellite stations and five 16,000 sq ft Battalion stations. The current (third) plan for the remaining Fire Stations is to reduce the station sizes below the original Fire Bond language.
- Construction costs have escalated since the passing of the Fire Bond and there was no inflation factor in the Fire Bond construction budget. Also, the first two stations went over budget, construction management fees are paid which are not in the original bond, and design changes have further drained the bond funds. Therefore, there are not sufficient funds to complete the project as presented to the Citizens who voted for the Fire Bond.

## **Background**

- The need to complete the Fire Stations is real. The City Staff told Citizen Groups that a Fire Bond was needed for all new Fire Stations to serve the City for next fifty years.
- The Fire Bond was approved by voters November 2, 2004.
- Forty Million Dollars was approved for construction or replacement of nine existing Fire Stations and one additional station in the southeast area.
- New Fire Station 2 was completed in 2003, before the Fire Bond. The Fire Bond Plan combined Executive Airport Fire Station 53 and Fire Station 88.
- The Bond Referendum called for the construction of eight 12,000 sq ft satellite stations and two 15,000 sq ft Battalion stations. Fire Station 53/88 was not sized in the Bond Referendum.
- The Bond Referendum stated that design and engineering fees, cost of temporary quarters, and station furnishings were included.
- The Bond Referendum allowed \$250.00 per sq ft for hard construction costs for a total of \$3,000,000.00 for a 12,000 sq ft station and \$3,750,000.00 for a 15,000 sq ft station. Land acquisition for the new southeast station was included at \$35.00 per sq ft for a total of \$1,350,000.00. Fire Station 53/88 was allowed \$3,535,000.00 with no details as to how it was to be spent.
- The Bond Referendum included a three phase plan over an eight-year time span.
- The Bond Referendum did not include any inflationary costs.
- The complete Bond Referendum package was prepared by the Fire Chief and his Deputy Chief in 2004. Neither had any experience in Fire Station planning, growth demographics, construction estimating or project management. Officials above the Fire Chief signed off on the package.

## **Conclusions**

- The Citizens of Fort Lauderdale approved the expenditure of Forty Million Dollars to construct modern Fire Stations to meet the demands of today and the future. The Citizens have an expectation that the funds will be spent wisely and the resulting Fire Stations will be of the highest quality. The Committee believes these recommendations, relating to numerous issues, all have one goal: the construction of quality Fire-Rescue facilities.



# **Report to City Commission**

**August 25, 2016**

## **Attachment**

City of Fort Lauderdale

Fire Station Feasibility Study

July 1, 2010

Figure 7: Current Travel Time Capability

*Page 2-10*

Figure 12: Population Density

*Page 2-15*

Figure 16: Community Risk

*Page 2-19*

Station 8 Location Analysis

*Pages 2-35 Thru 2-37*

Stations 8 and 54 – Space Needs

*Pages 3-1 Thru 3-2*

Executive Summary

*Page 3-11*

CR-8 11/15/2016  
Provided by Paul Chettle

**FIRE-RESCUE FACILITIES BOND ISSUE  
BLUE RIBBON COMMITTEE MINUTES  
REGULAR MEETING**  
City of Fort Lauderdale  
100 North Andrews Avenue  
8<sup>th</sup> Floor Conference Room  
Fort Lauderdale, Florida, 33301  
July 21, 2011 - 6:00 p.m.

Committee Member	Attendance	1/2011 through 12/2011 Cumulative Attendance	
		P	A
June Page, Chair	P	4	0
Steve Kirsch, Vice Chair	P	4	0
Frank Anderson	P	4	0
Nadine Hankerson	A	1	3
Thornie Jarrett	P	4	0
Allan Kozich	P	2	2
Patrick McTigue	P	4	0
Frederick Nesbitt	P	4	0
Douglas Ruth	A	1	3

There are currently nine appointed members to the Committee. Therefore, attendance of five members constitutes a quorum.

**Staff**

Frank Snedaker, City Architect  
Chantal Botting, Battalion Chief  
Albert Carbon, Public Works Director  
Doug Wood, Director of Finance  
Stanley Hawthorne, Assistant City Manager  
A. Lebofsky, ProtoType Services recording clerk

**Communications to the City Commission**

**Motion** made by Mr. Nesbitt, seconded by Mr. Kirsch, to recommend the City use funding sources other than the Fire Bond Funds to purchase land at 3201 NE 33rd Avenue, controlled by PNC Bank, for Station 54 while continuing to operate Station 54 at its current location. Upon completion of construction, the property is to be sold and the proceeds used to reimburse the funding source. In a voice vote, motion passed unanimously.

**Motion** made by Mr. Nesbitt, seconded by Mr. Kozich, to recommend the City Commission direct the City Manager to capitalize all City-provided engineering, architectural and construction management fees from the General Fund rather than charge these fees to the Fire Bond program. This is consistent with the decision the Commission made in the past, with its direction to the prior City Manager. Charging these fees to the Fire Bond Fund would jeopardize the program's ability to complete its mission to build the ten designated new Fire Stations as set forth in the Fire Bond referendum. In a voice vote, motion passed unanimously.

**1. Call to Order/Roll Call**

Chair Page called the meeting of the Fire-Rescue Bond Blue Ribbon Committee to order at 6:00 p.m.

**2. Approval of Minutes: May 2011 Meeting**

[This item was heard out of order]

**Motion** made by Mr. Nesbitt, seconded by Mr. McTigue, to approve the minutes of the Committee's May 2011 meeting. In a voice vote, the Committee unanimously approved.

**3. Staff Liaison Report**

[This item was heard out of order]

Station 35

Mr. Carbon stated Station 35 was under construction.

Station 46

Mr. Carbon said they had received the okay from the gas company and he anticipated breaking ground in September.

Station 13

Mr. Carbon said they had sent a proposal to the State two weeks ago that included 200 feet north from Sunrise Boulevard and the distance from the existing driveway to the Intracoastal so there would be water access.

Station 54

Mr. Carbon said the property was still in foreclosure. He had sent a packet describing his plan to Mayor Seiler and PNC Bank and agreed to forward this to the Board if they wished.

**4. Engineering, Architectural and Construction Management Fees**  
[This item was heard out of order]

Chair Page introduced Mr. Wood and Mr. Hawthorne. She explained that the City was considering charging the Fire Station projects for engineering, architectural and construction management fees. She recalled that the City Commission had agreed that these fees would be paid from the General Fund, but Mr. Wood could not find a record that this had occurred.

Mr. Carbon stated in 2005 and 2006, the Board's report to the Commission included a recommendation that the Fire Bond should not be charged for time for City staff; it was not specific that this would be capitalized from the General Fund. The Commission had agreed to this at their conference meeting. Mr. Wood stated they must now capitalize staff time that was charged to the Fire Stations. They did not have the action/*motion/resolution indicating the Commission wanted to capitalize this from the General Fund*. Mr. Carbon had a copy of the documents for the City's budget that indicated \$700,000 for this purpose would be part of the budget.

Mr. Carbon said their options were to capitalize this from the General Fund or to use Fire Bond proceeds. He explained how he had calculated the staff costs, which totaled \$1.4 million, and distributed a spreadsheet describing the costs.

Mr. Wood asked if it would have been more or less expensive to contract the work out; Mr. Carbon felt it would have been more expensive. Mr. Wood warned that if they were not consistent in the application of internal cost recovery, this could jeopardize construction grants. Mr. Wood added that the underlying issue was that the City would be using taxpayer dollars to cover construction costs approved under a different methodology and he was not sure this was authorized. Mr. Wood said they needed to capture the historical cost of the assets.

Mr. Jarrett explained that the first two stations had exceeded budget, and the City had agreed to subsidize the cost of the first two stations by not charging the project for staff engineering fees. The size of the remaining stations had been reduced in size to reduce future costs. Mr. Jarrett felt if they had money left over, they should build remaining stations to their original size specifications and/or buy land for Station 8.

Mr. Wood remarked that any decision by the Commission was not official until they voted on a resolution at a Commission meeting.

Mr. Nesbitt said residents believed they had approved the \$40 million bond issue to build 10 Fire Stations. He was concerned that if funds were short, they would be unable



to complete all of the Stations. He felt this could affect anything the City wanted to do in the future.

Chair Page wanted the Board to go to the Commission. Mr. Jarrett said another issue was why they should pull out \$1.4 million in one year; the fees would have been pulled out gradually.

Mr. Carbon stated the cost originally quoted by the City at 20% included soft costs, such as engineering, design, construction oversight and all other costs.

Mr. Kozich said they had always had problems with charges for the Fire Station design and engineering fees. He did not know how the City's flat 17% fee had been calculated, and noted that his engineering fees were typically a third of what the City had wanted. He agreed they must appeal to the City Commission.

**Motion** made by Mr. Nesbitt, seconded by Mr. Kozich, for the Fire Bond Committee to recommend the City Commission direct the City Manager to capitalize all City-provided engineering, architectural and construction management fees from the General Fund rather than charge these fees to the Fire Bond program. This is consistent with the decision the Commission made in the past, with its direction to the prior City Manager. Charging these fees to the Fire Bond Fund would jeopardize the program's ability to complete its mission to build the ten designated new Fire Stations as set forth in the Fire Bond referendum. In a voice vote, motion passed unanimously.

Mr. Wood recommended a specific amount be noted, and Mr. Carbon explained that there had been a change in accounting philosophy over the past 10 years or so, and they were being asked to capitalize City staff time.

Mr. Nesbitt recommended his motion be included in the Board's Communication to the City Commission.

## **5. Land Purchase for Fire Station 8**

Mr. Snedaker said they were investigating two properties. One was Grady's Bar on 9<sup>th</sup> Street and Andrews Avenue. Mr. Snedaker stated the property was not officially for sale. Mr. Carbon said the price was affordable for what they had budgeted.

## **6. Committee Report to the City Commission**

No discussion.

## **7. Communication to the City Commission**

[Discussed earlier]

**Motion** made by Mr. Nesbitt, seconded by Mr. Kozich, for the Fire Bond Committee to recommend the City Commission direct the City Manager to capitalize all City-provided engineering, architectural and construction management fees from the General Fund rather than charge these fees to the Fire Bond program. This is consistent with the decision the Commission made in the past, with its direction to the prior City Manager. Charging these fees to the Fire Bond Fund would jeopardize the program's ability to complete its mission to build the ten designated new Fire Stations as set forth in the Fire Bond referendum. In a voice vote, motion passed unanimously.

Mr. Carbon informed the Board that their Communication to the City Commission regarding Station 54 from May had not been heard by the Commission, and He advised the Board to re-submit this.

**Motion** made by Mr. Nesbitt, seconded by Mr. McTigue, to re-submit their May Communication to the City Commission regarding Station 54. In a voice vote, motion passed unanimously.

## **8. Adjournment**

With no further business to come before the Committee, the meeting was adjourned at 7:11 p.m.

The Board scheduled their next meeting for August 18.

### Attachments:

- Financial Report
- Minutes –May Regular Meeting
- Fire Station Monthly Reports

[Minutes prepared by Jamie Opperee, Prototype, Inc.]

11/15/2016  
OSR-2  
Submitted by Jim Miller

Vacation Rental Ord. FT. Land  
11-15-2016

My name is Jim Miller from Croissant Park. First of all, I respectfully request you do not approve today's 2nd reading of the ordinance revisions.

I certainly understand the city's need for regulations that specifically focus on the nuisance properties in our city. The city has done a good job in identifying those properties. *VACATION RENTALS*

The Commission has also expressed that the bulk of issues come from the beach area...in particular, entire homes being rented for parties, weddings, and large family reunions. Most of those properties have already received code notices. So, you know who they are.

However, it has been generally agreed by the City Commission, city staff, and stakeholders from all sides, that owners sharing a portion of their homes are NOT the problem. An exemption for such owners should have been included in the original 2015 ordinance, and now is the time to add such exemption. This will allow the city resources to ~~narrowly~~ focus on the nuisance properties, without wasting time on non-issues.

As I have stated before, Wilton Manors includes such exemption in their ordinance...not because they lack hotel rooms in the city...But, as stated in their resolution, "if the owner of a short term rental resides on the property as their permanent residence, the onsite owner will likely manage any vacation rental more restrictively than any local government regulation because the owner has a direct, vested interest in how the property the owner resides in is used and maintained."

Fort Lauderdale seems to have modeled much of their ordinance after Flagler County's Vacation Rental Ordinance. The **same** exemption exists in Flagler for the same reason.

Some policy makers fear that a rush of homesteading would occur to circumvent the rules. It seems most properties are already skirting the rules based on your low compliance rate. If problems occur with owner occupied properties, then it is an easy fix...**simply repeal that section of the ordinance.** I should note that Flagler continued with this ~~after~~ ~~they~~ exemption after they revised theirs.

Jim Miller  
Vacation Rentals  
11-15-2016

I am asking for fairness and compromise in your ordinance. After all the workshops and public input, NONE of the vacation rental community's ideas were included in tonight's revisions. Except perhaps a fee reduction sometime in the future.

We are residents too. When the Mayor stated at previous meetings that relief might be in order, we hoped and expected an exemption, not just a fee reduction.

Also, the vacation rental community wanted the term sleeping room versus bedroom. But, the city narrowly defined it as a bedroom. We wanted one common area, such as a living room or Florida room to be allowed as a sleeping area. In today's City Manager memo on page 4, it mentions language directly related to comments about sleeping room verification from the VR community. However, I made those comments in context of a living room as a sleeping room...I did not make them to satisfy the problem with the property appraiser records.

A solution is to include the same language as the other city ordinances mentioned before. Restrict occupancy to two (2) persons per bedroom, plus 2 in one common area. This also solves the issue regarding children. A one-bedroom unit could sleep a maximum of 4 people; a five-bedroom house would be limited to 12. This idea seems to be a reasonable compromise. The 2 plus 2 concept is within many of the municipality's listed as part of Mr. Feldman's memo.

After today's public comments, I respectfully request that a Commissioner step forward and move to include an exemption for owner occupied properties. I also request that the Commission move to include a provision for 2 people per sleeping room, plus no more than 2 in one common area.

Please vote no on tonight's second reading until these provisions are included.

also, does Ft. Lauderdale want to be known  
as a vacation (rental) destination? Or do they  
want to be known as a sober home haven? Pg 2



**From:** Jim Miller <jwencil@aol.com>

**To:** jack.seiler <jack.seiler@fortlauderdale.gov>

**Cc:** rrogers <rrogers@fortlauderdale.gov>; dtrantalis <dtrantalis@fortlauderdale.gov>; rmckinzie <rmckinzie@fortlauderdale.gov>; broberts <broberts@fortlauderdale.gov>

**Subject:** Re: Vacation Rental Ordinance

**Date:** Tue, Nov 1, 2016 1:14 pm

**Attachments:** AirBNB10-24.pdf (329K), Blockletter.pdf (216K)

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Mayor Seiler,

Thank you again for speaking with me on the phone last week. I also had the pleasure to meet with several Commissioners regarding the ordinance. I understand your desire to "know who all the vacation rental operators are". However, the City already knows which specific properties are the problem.

Many stakeholders and city staff agree the vacation rental problems come from "high occupancy" homes, and investor/absentee owners. Fort Lauderdale might be well served using their limited resources to focus on those areas. There is little issue with small operators renting a portion of their property where they reside. Public input and statistics support this view. Let me know if you would like exact sources.

Therefore, a reasonable compromise would be an exemption added to the Vacation Rental Ordinance for the "Owner of a Vacation Rental who resides on the subject property as their permanent residence". This is consistent with both Flagler County's Ordinance 2016-01 and Wilton Manor's Ordinance 2016-002. Our ordinance seems to be modeled after the Flagler County ordinance, thus contending the exemption could be included for Ft. Lauderdale. If substantial issues are determined with owner occupied properties, then simply repeal the exemption at that time in the future. It's noteworthy that Flagler County continued the exemption after revising their ordinance.

The other item missing in Fort Lauderdale's ordinance is the provision "allowing two (2) persons per sleeping room...plus two (2) additional persons that may sleep in a common area", such as a living room. This compromise would solve the issue with parents and their children, while keeping occupancy restrictions manageable. Please refer to the above ordinances for their complete language.

The City requested input from the vacation rental community. But, none of their suggestions/comments made any difference for change (with the exception of a possible fee reduction). The City certainly responded to neighborhood complaints by enacting the comprehensive ordinance in the first place. Please respond to the other good citizens by including their input for revisions. Plenty of other issues exist with the ordinance. However, your consideration of the above is certainly appreciated.

Sincerely,

Jim Miller  
954-560-7748

## Attachments:

1. AirBNB position
2. Neighbor support (from just my one block)

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

From: Jim Miller <[jwencil@aol.com](mailto:jwencil@aol.com)>

To: jack.seiler <[jack.seiler@fortlauderdale.gov](mailto:jack.seiler@fortlauderdale.gov)>

Sent: Tue, Oct 25, 2016 4:07 pm

Subject: Vacation Rental Occupancy

Mayor Seiler,

Thank you for calling me today regarding two important vacation rental issues. I will mainly address occupancy here. The on-site owner issue I will reserve to separate correspondence. However, both of my positions are included in the following two vacation rental ordinances.

Flagler County Ordinance 2016-01 on page 5 may resolve your children/sleeping room issue. It states "*Two (2) persons per sleeping room, meeting the requirements for a sleeping room, plus two (2) additional persons that may sleep in a common area.*"

By striking "living room" from Fort Lauderdale's exclusion list, this should solve the issue for children without grossly increasing occupancy of a rental, or "creating a flop house". Examples, 4 people maximum in a one bedroom unit, 8 for a 3 bedroom, and 12 for a 5 bedroom.

The Flagler link can be found here:

<http://www.flaglercounty.org/DocumentCenter/View/10770>

Wilton Manors offers similar language on page 13 of their Ordinance 2016-002, which can be found here:

<http://www.wiltonmanors.com/DocumentCenter/View/1854>

Thank you for your consideration.

Jim Miller  
954-560-7748



**Date:** October 24, 2016

**From:** Tom Martinelli, Public Policy, Florida

A handwritten signature in black ink, appearing to read 'T. Martinelli'.

**Re:** Owner Occupied Exemption in the City of Ft. Lauderdale Short-Term Rental Ordinance

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As it relates to the City of Ft. Lauderdale's Code of Ordinances Article X, Chapter 15 relating to Short-term rentals, Airbnb strongly favors an exemption from this ordinance for owners and tenants who reside in the home while renting. Although not stated in our letter dated October 18, 2016 to the City Manager regarding the City's proposed short-term rental ordinance, we find the ordinance - as written - to inordinately burden those who only seek to rent a space within their home while they occupy it.

We understand the City's desire to create a workable set of rules to govern the growing demand for alternative accommodations when traveling and we will offer this revision to the proposed ordinance when we revisit this item with them in the coming weeks.

We believe this exemption will facilitate the regulatory process for the City and improve the compliance rate while preserving the rich character of the Ft. Lauderdale community.

From: helpme@rhondakramer.com  
Subject: Vacation rentals in Croissant Park  
Date: Oct 24, 2016, 10:12:22 AM  
To: Jim Miller jwencil@aol.com

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Dear Jim - please feel free to take this letter to your meeting with Romney.

Dear Romney,

Re: Vacation Rentals

I own a Vacation Rental in Croissant Park - it is right next door to our primary residence. The experience has been a positive one and I feel Vacation Rentals can be an asset to our neighborhood when 'done right'. They are certainly preferable to the unlimited and unregulated Sober Homes that are all over our neighborhood. With that in mind, I support the registration of non-owner occupied vacation rentals for the purpose of keeping them an asset and not a liability to the neighbors around them - even though the registration fee seems excessive! We also have many neighbors who have Owner Occupied rentals where the guests are staying on the same property with the owner and there is direct supervision of the guests activities. There does not seem to be any reason other than financial gain for the City to force these owners to register their rental. Yes, rental sales tax should be paid with any rental under six months as always. But City registration seems unnecessary and burdensome for this situation. So, I have no objections to this type of vacation rental NOT being registered with the City even though mine is.

We have neighbors who are subsidizing their property tax bill or mortgage payment by renting out a room to students or people who want to be near family members being cared for at Broward General, etc. I know of one young person who rents a room in her condo one weekend a month to help pay her college tuition. This should be a



gracious activity allowing people to afford the ever-increasing cost of living - not an opportunity for the City to make money off them.

So, please consider the different circumstances that are out there and not punish the little guy who is just trying to make ends meet in a very expensive town to live in.

Thanks very much,

Rhonda Kramer  
Remax Consultants Realty I  
1625 SE 17th Street Causeway  
Fort Lauderdale FL 33316  
[954-294-3360](tel:954-294-3360)  
[1-888-830-8431](tel:1-888-830-8431) e-fax

\_LIVE SIMPLY, EXPECT LITTLE, GIVE MUCH\_

**From:** Sharon Ragoonan <SRagoonan@fortlauderdale.gov>  
**To:** Jim Miller <jwencil@aol.com>; D'Wayne Spence <DSpence@fortlauderdale.gov>  
**Cc:** Lillian Haughton <LHaughton@fortlauderdale.gov>  
**Subject:** RE: Vacation Rental amendments  
**Date:** Thu, Jun 30, 2016 12:20 pm

Thanks Jim. I recently read about Wilton Manor's exceptions last week.

I appreciate the feedback,

**Sharon P. Ragoonan, Division Manager**

City of Fort Lauderdale | Code Compliance Division

700 NW 19<sup>th</sup> Avenue | Fort Lauderdale FL 33311

P: (954) 828-5402 E: [sragoonan@fortlauderdale.gov](mailto:sragoonan@fortlauderdale.gov)



DEPARTMENT OF  
**Sustainable  
Development**

**From:** Jim Miller [<mailto:jwencil@aol.com>]  
**Sent:** Wednesday, June 29, 2016 8:54 PM  
**To:** Sharon Ragoonan; D'Wayne Spence  
**Subject:** Vacation Rental amendments

Sharon and D'Wayne,

Thank you for listening to concerns about this hot topic. Today's speakers made many good points, including enforcing existing ordinances and codes (noise, trash, parking, etc). This could eliminate the need for any Vacation Rental ordinance or amendments altogether. That would be my position as well. But just in case...

**First and foremost**, I would like to see an addition to the proposed amendments to include exemption for many small property owners like myself.

1. The Wilton Manor's resolution and Vacation Rental ordinance No. 2016-002 states, **"Whereas**, if the owner of a short term rental resides on the property as their permanent residence, the onsite owner will likely manage any vacation rental more restrictively than any local government regulation because the owner has a direct, vested interest in how the property the owner resides in is used and maintained."

Furthermore, the ordinance states, *"The following rentals are exempt from the provisions of Article XII: If the owner of the Vacation Rental resides on the subject property as their primary residence.* See page 6 of this link to Wilton Manor's ordinance:

<http://www.wiltonmanors.com/documentcenter/view/1854>

2. Occupancy restrictions. Leave as is..."sleeping room" not "bedroom". Fort Lauderdale already has space and occupancy limitations within current code. See:

[http://fortlauderdale.elaws.us/code/coor\\_apxid115819\\_ch9\\_artvi\\_div3\\_sec9-277](http://fortlauderdale.elaws.us/code/coor_apxid115819_ch9_artvi_div3_sec9-277)

3. Lowering the fee. Maybe \$100 per year, or \$200 for a multiyear certificate. The \$750 per unit fee, plus \$500 annual renewal is prohibitive. By comparison, the Division of Hotels and Restaurants charges only \$280 for 100 units!!

4. The land line is an antiquated device. Strike that from the requirements. Hotels/Motels are not required to have them either.

Fort Lauderdale's Vacation Rental ordinance seems to masquerade as public safety issue, neighborhood quality, and the like. There is no difference if a guest stays 21 days or 31 days, other than the excessive burden being legislated by the city for the shorter duration. The ordinance and amendments operate effectively to prohibit Vacation Rentals for many owners. To me, the only appropriate local requirements would be the city's business license, or registering a property representative. Any other requirements would met through current codes (building, fire and municipal), and through licensing/inspection requirements by the Division of Hotels and Restaurants in Tallahassee.

Thank you for your consideration.

Jim Miller

From: Jim Miller [jwencil@aol.com](mailto:jwencil@aol.com)  
Subject: Re: Jim Miller of Croissant Park on Vacation Rentals  
[per inserted e-mail]  
Date: May 31, 2016, 10:58:25 AM  
To: [RRogers@fortlauderdale.gov](mailto:RRogers@fortlauderdale.gov)

Dear Commissioner Rogers,

Thank you for your time today listening to concerns shared by myself and many other rental property hosts. We want to continue to showcase Fort Lauderdale without onerous burdens placed by the City.

As requested, here is the ordinance from Wilton Manors showing rentals are exempt from the provisions of Article XII **"if the owner of the vacation rental resides on the subject property as their permanent residence"**.

<http://www.wiltonmanors.com/DocumentCenter/View/1854>

The exemption should be found in Article XII of Chapter 10, Section 10-277, Paragraph (c) 2. of Wilton Manor's Vacation rental ordinance number [2016-002](#).

I plan to attend the July 12th commission meeting to express these concerns and suggestions. If you have any questions in the meantime, please feel free to contact me.

Sincerely,

Jim Miller  
[954-560-7748](tel:954-560-7748)

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

From: Romney Rogers <[RRogers@fortlauderdale.gov](mailto:RRogers@fortlauderdale.gov)>  
To: 'Romney C. Rogers' <[rcrogers@rmzlaw.com](mailto:rcrogers@rmzlaw.com)>; '[lori@rmzlaw.com](mailto:lori@rmzlaw.com)' ([lori@rmzlaw.com](mailto:lori@rmzlaw.com))' <[lori@rmzlaw.com](mailto:lori@rmzlaw.com)>; 'Jim Miller' <[jwencil@aol.com](mailto:jwencil@aol.com)>  
Sent: Thu, May 26, 2016 4:17 pm  
Subject: Jim Miller of Croissant Park on Vacation Rentals [per inserted e-mail]

**Contact:**

Mr. Miller at [954-560-7748](tel:954-560-7748)

Attached Message

From Jim Miller <[jwencil@aol.com](mailto:jwencil@aol.com)>  
To Romney Rogers <[RRogers@fortlauderdale.gov](mailto:RRogers@fortlauderdale.gov)>  
Cc Jack Seiler <[Jack.Seiler@Fortlauderdale.Gov](mailto:Jack.Seiler@Fortlauderdale.Gov)>; Bruce G. Roberts <[BRoberts@fortlauderdale.gov](mailto:BRoberts@fortlauderdale.gov)>; Robert McKinzie <[RMcKinzie@fortlauderdale.gov](mailto:RMcKinzie@fortlauderdale.gov)>; Cynthia Everett <[CEverett@fortlauderdale.gov](mailto:CEverett@fortlauderdale.gov)>; Lee Feldman



<[L.Feldman@fortlauderdale.gov](mailto:L.Feldman@fortlauderdale.gov)>

Subject Vacation Rental ordinance

Date Thu, 26 May 2016 19:53:12 +0000

Dear Commissioner Rogers,

I am a Croissant Park resident interested the vacation rental ordinance and amendments. It seems the subject was postponed from the May 3rd Commission agenda until June 7th. Will public comments/questions be allowed? Or, is it possible to meet with you in advance of the meeting for 10-15 minutes to discuss?

My foremost comment is for rejection the vacation rental ordinance as a whole, at least ***until an exemption is added for owners who permanently reside on property***. This is the same provision Wilton Manors included in their recently adopted ordinance number [2016-002](#). I have other serious issues with the Fort Lauderdale ordinance. But, for me personally, they become inconsequential if this exemption is added.

Please, could this be considered by the commission and city staff?

Sincerely,

Jim Miller  
954-560-7748

My name is .....

I am an AirBNB host.

Thank you for the opportunity to speak today. First, (I agree with others that) it's be pointed out Fort Lauderdale already has ordinances and codes that, if enforced, eliminate the need for any vacation rental ordinance. Examples include codes regarding noise, dwelling unit occupancy limits, parking and garbage.

I am not interested in hosting weekend parties. However, I am interested in filling short-term vacancies between monthly stays. This may happen more than 3 times per year.

Pam Bondi, our Attorney General, has stated that local municipalities can't adopt any ordinance restricting duration or frequency of such rentals. However, her opinion does allow for common sense local ordinances such as requiring the normal city and county business license, or registering contact information for an off property owner. Registering with the Division of Hotels and Restaurants in Tallahassee covers many of your local concerns, including inspections. The other requirements are an excessive burden to a small onsite owner like myself. Your ordinance and amendments effectively restricts and prohibits our efforts. *I know of several owners in this room who feel the same way.*

As mentioned at your last workshop, the owner of a short-term rental, who permanently resides on property, will likely manage the property more restrictively than any local government regulation. We have a direct and vested interest in how the property is used and maintained. We want to maintain harmony in our neighborhoods.

Therefore, please support an exemption to any vacation rental ordinance for such owners.

From: **Jim Miller** [jmiller@cityofftl.com](mailto:jmiller@cityofftl.com)  
Subject: Fwd: Vacation Rental amendments  
Date: September 7, 2016 at 9:56 PM  
To: [afajardo@fortlauderdale.gov](mailto:afajardo@fortlauderdale.gov)  
Cc: [sragoonan@fortlauderdale.gov](mailto:sragoonan@fortlauderdale.gov), [rrogers@fortlauderdale.gov](mailto:rrogers@fortlauderdale.gov), [dtrantalis@fortlauderdale.gov](mailto:dtrantalis@fortlauderdale.gov), [jack.seiler@fortlauderdale.gov](mailto:jack.seiler@fortlauderdale.gov), [broberts@fortlauderdale.gov](mailto:broberts@fortlauderdale.gov), [rmckinzie@fortlauderdale.gov](mailto:rmckinzie@fortlauderdale.gov)

Mr. Fajardo,

I am sending my input directly to you and the Commissioners, because it seems the last three workshops yielded very little change to May 3rd's deferred revisions. Those changes include advertising language, sexual predator notice information, and increased suspension penalties. None of these I recall were raised by the attendees. Staff indicated certain items cannot be changed because of directives from the Commission.

**First and foremost**, I would like to see an addition to the proposed amendments to include exemption for homesteaded small property owners like myself. This would provide relief for those who rent a bedroom in their home, rent 1/2 of their duplex, or rent their "mother-in-law" unit.

The Wilton Manor's resolution and Vacation Rental ordinance No. 2016-002 states, "**Whereas**, if the owner of a short term rental resides on the property as their permanent residence, the onsite owner will likely manage any vacation rental more restrictively than any local government regulation because the owner has a direct, vested interest in how the property the owner resides in is used and maintained."

Furthermore, the ordinance states, "*The following rentals are exempt from the provisions of Article XII: If the owner of the Vacation Rental resides on the subject property as their primary residence.* See page 6 of this link to Wilton Manor's ordinance:

<http://www.wiltonmanors.com/documentcenter/view/1854>

According to a data and analytic firm, there are over 1,300 AirBNB hosts in the Ft. Lauderdale area. Over 1,000 list only a single property. Around 300 list multiple properties. I attended an AirBNB local host meeting last week where the vast majority indicated they rent space on the same property they reside. We are just trying to supplement income, as well as showcase Fort Lauderdale

to guests from around the world. Most enjoy the cultural exchange and the feeling of family between guests and hosts.

Secondly, I noticed sleeping room is basically defined as a bedroom. Not all properties have the number of bedrooms listed on [BCPA.net](http://BCPA.net). How will this be enforced? One concern raised was regarding parents and children visiting, but can't stay in a one bedroom studio or unit because of further occupancy restrictions?

Thank you for your consideration.

Jim Miller

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

From: Sharon Ragoonan <[SRagoonan@fortlauderdale.gov](mailto:SRagoonan@fortlauderdale.gov)>

To: Jim Miller <[jwencil@aol.com](mailto:jwencil@aol.com)>; D'Wayne Spence <[DSpence@fortlauderdale.gov](mailto:DSpence@fortlauderdale.gov)>

Cc: Lillian Haughton <[LHaughton@fortlauderdale.gov](mailto:LHaughton@fortlauderdale.gov)>

Sent: Thu, Jun 30, 2016 12:20 pm

Subject: RE: Vacation Rental amendments

Thanks Jim. I recently read about Wilton Manor's exceptions last week.

I appreciate the feedback,

**Sharon P. Ragoonan, Division Manager**

**City of Fort Lauderdale | Code Compliance Division**

700 NW 19<sup>th</sup> Avenue | Fort Lauderdale FL 33311

P: (954) 828-5402 E: [sragoonan@fortlauderdale.gov](mailto:sragoonan@fortlauderdale.gov)



DEPARTMENT OF  
**Sustainable  
Development**



**From:** Jim Miller [<mailto:jwencil@aol.com>]  
**Sent:** Wednesday, June 29, 2016 8:54 PM  
**To:** Sharon Ragoonan; D'Wayne Spence  
**Subject:** Vacation Rental amendments

Sharon and D'Wayne,

Thank you for listening to concerns about this hot topic. Today's speakers made many good points, including enforcing existing ordinances and codes (noise, trash, parking, etc). This could eliminate the need for any Vacation Rental ordinance or amendments altogether. That would be my position as well. But just in case...

**First and foremost**, I would like to see an addition to the proposed amendments to include exemption for many small property owners like myself.

1. The Wilton Manor's resolution and Vacation Rental ordinance No. 2016-002 states, "**Whereas**, if the owner of a short term rental resides on the property as their permanent residence, the onsite owner will likely manage any vacation rental more restrictively than any local government regulation because the owner has a direct, vested interest in how the property the owner resides in is used and maintained."

Furthermore, the ordinance states, "*The following rentals are exempt from the provisions of Article XII: If the owner of the Vacation Rental resides on the subject property as their primary residence.* See page 6 of this link to Wilton Manor's ordinance:

<http://www.wiltonmanors.com/documentcenter/view/1854>

2. Occupancy restrictions. Leave as is..."sleeping room" not "bedroom". Fort

Lauderdale already has space and occupancy limitations within current code.  
See:

[http://fortlauderdale.elaws.us/code/coor\\_apxid115819\\_ch9\\_artvi\\_div3\\_sec9-277](http://fortlauderdale.elaws.us/code/coor_apxid115819_ch9_artvi_div3_sec9-277)

3. Lowering the fee. Maybe \$100 per year, or \$200 for a multiyear certificate. The \$750 per unit fee, plus \$500 annual renewal is prohibitive. By comparison, the Division of Hotels and Restaurants charges only \$280 for 100 units!!

4. The land line is an antiquated device. Strike that from the requirements. Hotels/Motels are not required to have them either.

Fort Lauderdale's Vacation Rental ordinance seems to masquerade as public safety issue, neighborhood quality, and the like. There is no difference if a guest stays 21 days or 31 days, other than the excessive burden being legislated by the city for the shorter duration. The ordinance and amendments operate effectively to prohibit Vacation Rentals for many owners. To me, the only appropriate local requirements would be the city's business license, or registering a property representative. Any other requirements would met through current codes (building, fire and municipal), and through licensing/inspection requirements by the Division of Hotels and Restaurants in

Tallahassee.

Thank you for your consideration.

Jim Miller

TOURISM &amp; CRUISES JULY 20, 2016 6:48 PM

# Airbnb strongholds: Miami, Fort Lauderdale home to half of all Florida rentals

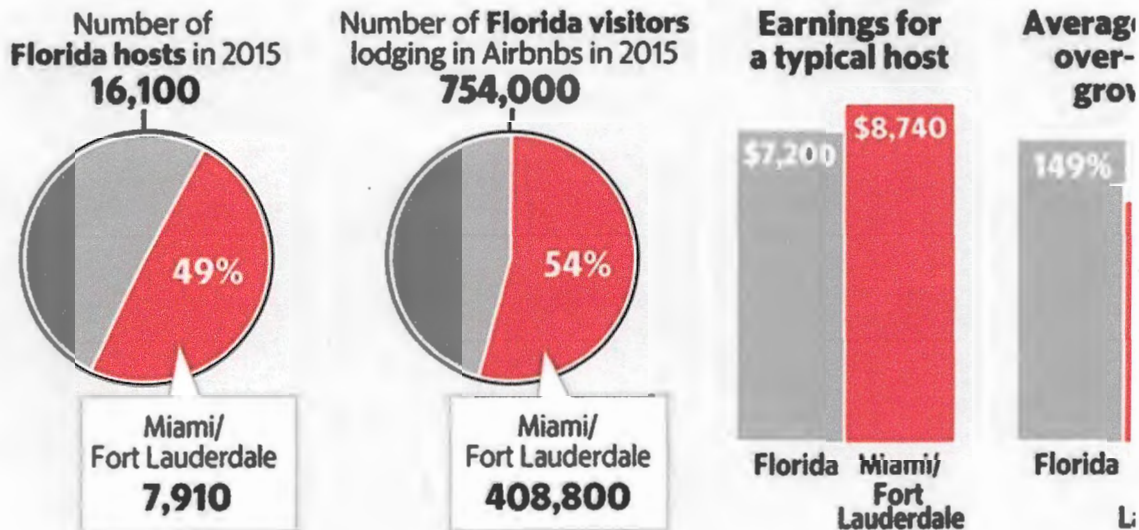
New in-depth data from Airbnb shows that half of the platform's hosts are in South Florida

Miami, Fort Lauderdale hosts made an average of \$8,740 last year, higher than state average of \$7,200

Airbnb has submitted a proposal to Miami-Dade County to begin collecting, remitting county bed tax

## Airbnb's Florida footprint

The Miami and Fort Lauderdale area accounted for nearly half of home-sharing platform according to new data released Wednesday. The home-sharing platform and Miami-Dade County are working on an agreement that would include hotel tax collection from Airbnb renters.



Source: Airbnb

# BUSINESS INSIDER

## Airbnb might not be hurting the hotel industry after all



AVERY HARTMANS  
OCT. 12, 2016, 9:15 AM



Reuters



Ever since Airbnb came on the scene, the hotel industry has been worried the home-sharing company could hurt the hospitality and real estate industries.

It turns out that at least some of those concerns might be unfounded.

Data research firm STR [took a look at Airbnb data](#) alongside hotel data in 13 US and international markets. STR compared Airbnb to the biggest hotel chains in the world, like Marriott and Starwood (which recently [merged](#)), Hilton, Intercontinental Hotels Group, and more.

The data found that Airbnb has more than double the number of listings worldwide than Marriott/Starwood and Hilton combined, but it's not actually replacing hotels.



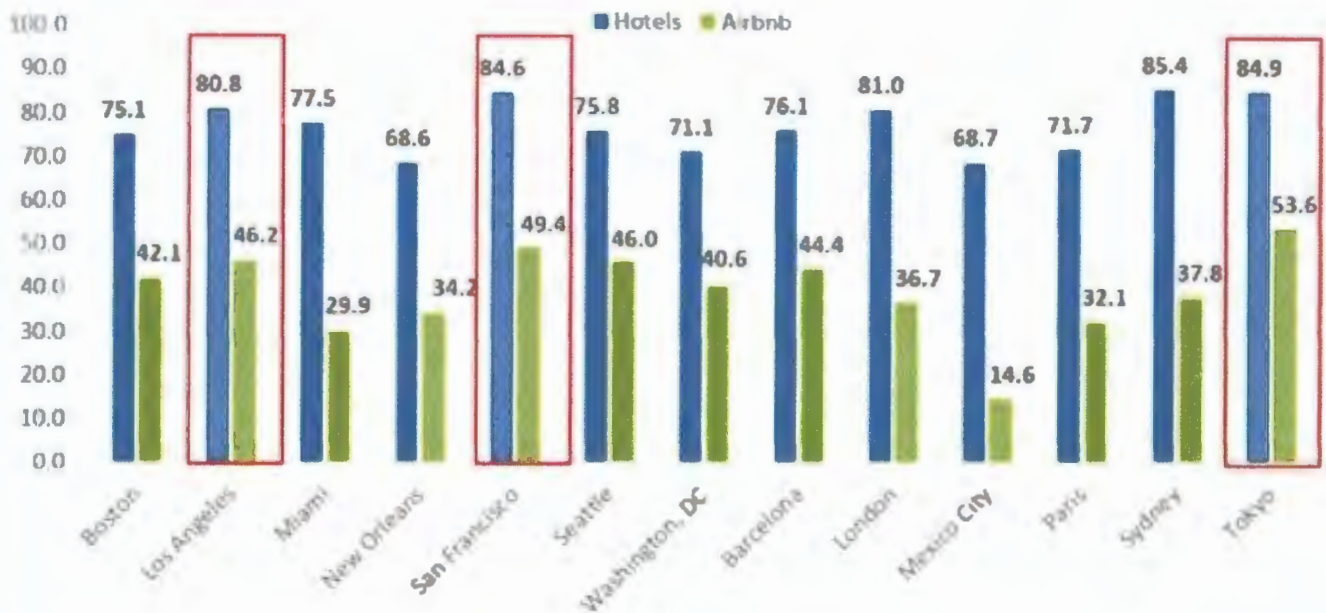
Comparing Airbnb and hotels in the first place is "apples to oranges," as STR senior research analyst Jessica Haywood notes [in her breakdown of the data](#). Travelers who choose to stay in an Airbnb versus a hotel are often looking for an entirely different type of experience. They want to interact with hosts, want to be immersed in the local culture, or simply can't afford to stay in a hotel, so will only travel if they have free or very cheap accommodations.

Beyond that, Airbnb offers accommodations that hotels don't, like shared spaces or more whimsical places like tree houses and tents. Haywood notes that those kinds of atypical lodgings may have skewed her findings.

Still, hotels crushed Airbnb in terms of occupancy in every market measured in the study.

## Airbnb occupancy the highest in markets that are full

07/16 12MMA



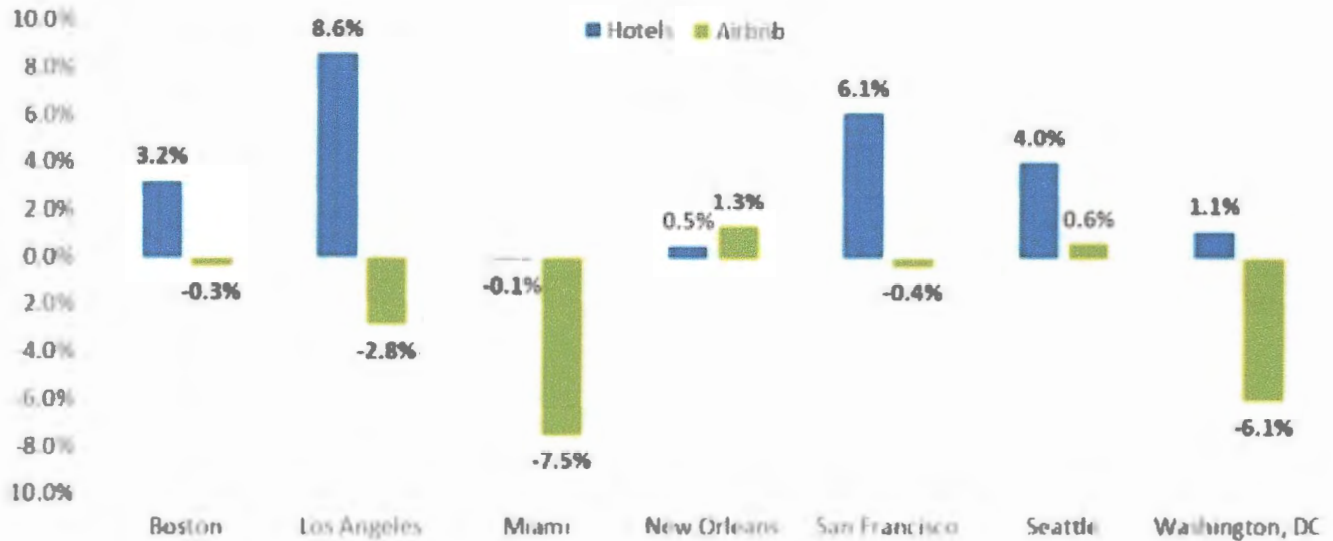
Includes Airbnb listings of all sizes

STR

Hotel occupancy was still significantly higher in major markets like Los Angeles and San Francisco — Airbnb's home town — and the gap was even larger in international cities like Mexico City and London. Haywood estimates that in US cities, Airbnb is picking up the slack when hotels are full. Hotels also saw higher growth than Airbnb in nearly every US city.

## Hotel rate growth stronger in almost all markets

07/16 12MMA



Includes Airbnb listings of all sizes

STR

While Airbnb may certainly be stealing a [small portion of hotel guests](#), that portion isn't nearly enough to unseat traditional lodgings. And while the hotel industry has other qualms with Airbnb — many believe Airbnb is [contributing to gentrification](#) and impacting housing costs — there's no reason to think Airbnb will put hotels out of business anytime soon.

x



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### Airbnb Host Information

1,405

active hosts ?

350

multiple listing hosts ?

201

superhosts ?

Leave a review or message





Hosts by # of Listings Managed



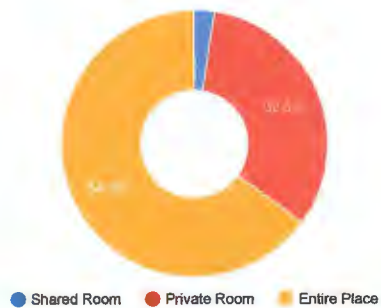
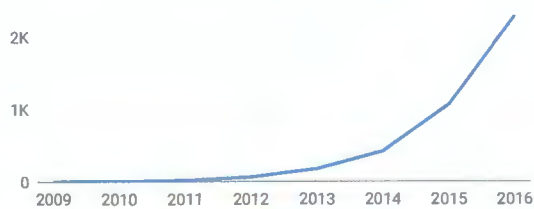
Airbnb Property Information

**2,293**  
active Airbnb rentals ?

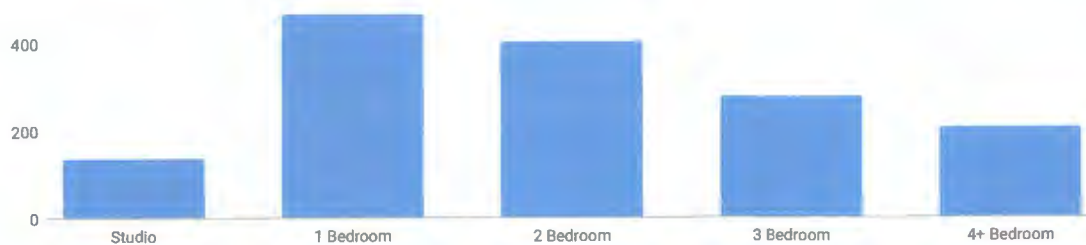
**632**  
10 or more reviews

**817**  
rated 5 stars

Cumulative Listed Properties



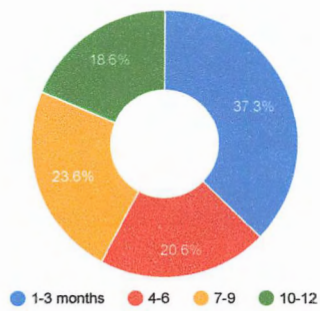
Listings by # of Bedrooms



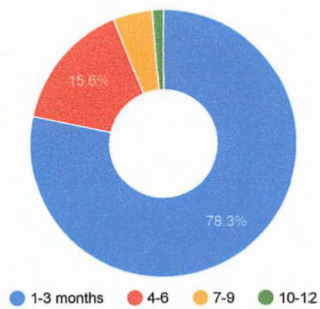
Airbnb Rental Activity

Leave us a message!

## Months Available for Rent ?



## Months Rented ?



## Airbnb Occupancy ?

## Occupancy Rate by Percentile

Entire place listings with at least 1 booking in the month

Sign up to view this chart

[Sign up \(/register/\)](/register/)

Data shown is not representative

☒ See how occupancy rates vary for different size vacation rentals[View Full Report \(/sample/us/florida/fort-lauderdale\)](/sample/us/florida/fort-lauderdale)

## Airbnb Prices ?

Leave us a message!



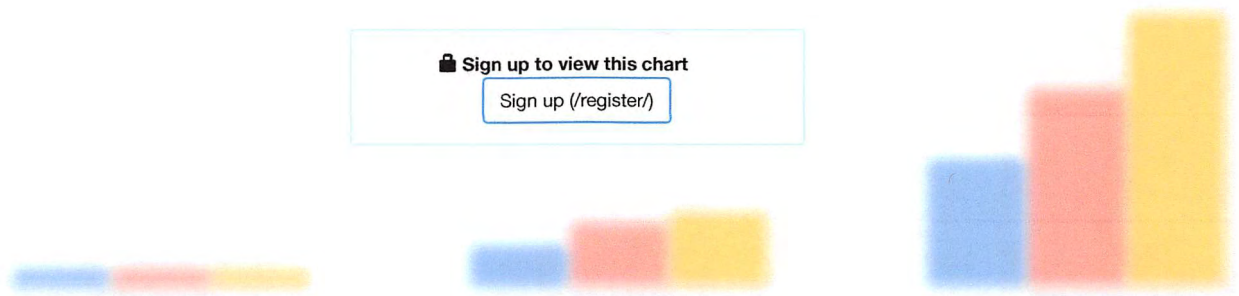
## Average ADR by Listing Type



## Airbnb Revenue

## Revenue by Room Type

Of listings rented at least 30 days over last 12 months



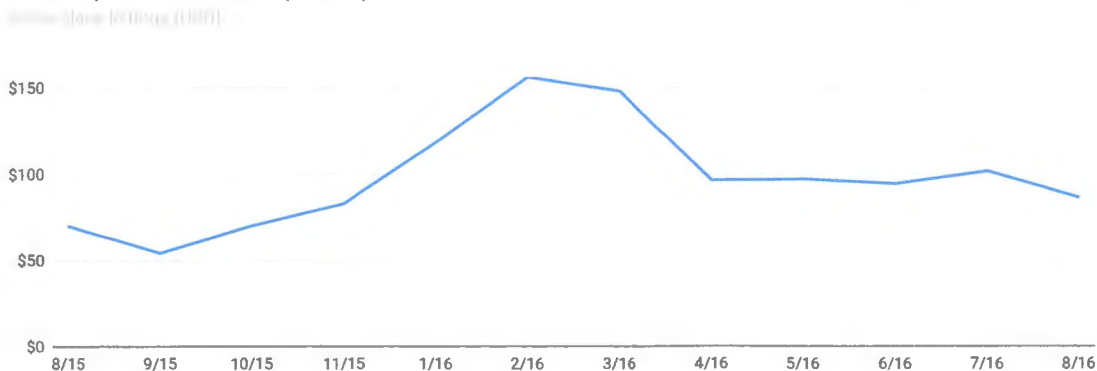
Data shown is not representative

How much are the best 1, 2, 3 & 4 bedroom Airbnb rentals earning?

[View Full Report \(/sample/us/florida/fort-lauderdale\)](/sample/us/florida/fort-lauderdale)

## Airbnb Seasonal Demand (RevPAR)

## Revenue per Available Room (RevPAR)



See daily RevPAR to learn exactly what days demand surges in this market

[View Full Report \(/sarr\)](/sarr)

[Leave us a message!](#)

