

# 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, December 1, 2015

6:00 PM

City Commission Chambers

### City Commission Regular Meeting

*FORT LAUDERDALE CITY COMMISSION*

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

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

**Mayor Seiler called the meeting to order at 6:08 p.m. in the City Commission Chambers.**

**Vote Roll Call Order** Commissioner Roberts, Commissioner Trantalis, Vice-Mayor McKinzie, Commissioner Rogers, Mayor Seiler

**Invocation** Pastor Thompson, Fort Lauderdale Baptist Church.

**Pledge of Allegiance** Led by Chris Wrenn

**ROLL CALL** Mayor John P. "Jack" Seiler, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Commissioner Romney Rogers

**Present: 4**

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

Vice-Mayor Robert L. McKinzie arrived at 6:14 pm.

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

No public comments were submitted by email for the December 1, 2015, City Commission Regular Meeting Agenda.

15-1560

Minutes for May 19, 2015 Conference Meeting

Motion to approve made by Commissioner Roberts and seconded by Commissioner Trantalis.

**APPROVED**

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

**CONSENT AGENDA** Mayor Seiler announced the procedure for consent items.

**CONSENT MOTION** Motion made by Vice-Mayor McKinzie and seconded by Commissioner Bruce Roberts that consent Agenda Item CR-8, be deleted from the Consent Agenda and heard separately and all remaining Consent Agenda items be approved as recommended. Mayor Seiler announced CR-7 would be removed from the Agenda and deferred.

**APPROVED**

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

### Approval of the Consent Agenda

Motion to approve Consent Agenda made by Vice-Mayor McKinzie and seconded by Commissioner Roberts.

**APPROVED**

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

**CM-1** [15-1450](#) Motion to Approve Event Agreements: Jingle Bells and Barbells Comp, Sanctuary Church Farmers Market, Christmas Eve Baptism Potential Church, Tour de Coast, North Beach Village Winterfest Boat Parade Event, Farmers Market at Broward Health Medical Center, Farmers Market at Whole Foods Market, and Dive Bar Christmas Party

**APPROVED**

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

**CM-2** [15-1451](#) Motion to Approve Event Agreements and Related Road Closings: 33311 Walk, Fort Lauderdale Valentines Day 5K and A Holiday in Sistrunk.

**APPROVED**

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

**CM-3** [15-1487](#) Motion Approving Memorandum of Understanding with Haiti CityLinks facilitated as part of the United States Agency for International Development-funded Project "LOKAL+"

**APPROVED**

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

- CM-4**    [15-1517](#)    Motion Authorizing Settlement of Auto Liability Claim in the Matter of Shadia Traish v. City of Fort Lauderdale Case No. 14-000093 (12) in the amount of \$30,000.
- APPROVED**
- Aye:** 5 - Mayor Seiler, Vice-Mayor McKinzie, Commissioner Roberts, Commissioner Trantalis and Commissioner Rogers
- CM-5**    [15-1518](#)    Motion Authorizing Settlement of Workers' Compensation Claims of Jason Vanchoff, in the amount of \$69,000.
- APPROVED**
- Aye:** 5 - Mayor Seiler, Vice-Mayor McKinzie, Commissioner Roberts, Commissioner Trantalis and Commissioner Rogers
- CM-6**    [15-1480](#)    Motion Authorizing Facility Use License Agreement - State of Florida Department of Transportation and South Florida Regional Transportation Authority
- APPROVED**
- Aye:** 5 - Mayor Seiler, Vice-Mayor McKinzie, Commissioner Roberts, Commissioner Trantalis and Commissioner Rogers
- CM-7**    [15-1524](#)    Motion to Approve Dockage/Facility Use Agreement with Winterfest, Inc. for the 2015 Winterfest Boat Parade
- APPROVED**
- Aye:** 5 - Mayor Seiler, Vice-Mayor McKinzie, Commissioner Roberts, Commissioner Trantalis and Commissioner Rogers
- CM-8**    [15-1430](#)    Motion Accepting FY2015-2016 Florida Inland Navigation District Waterways Assistance Program Grant - \$21,000
- APPROVED**
- Aye:** 5 - Mayor Seiler, Vice-Mayor McKinzie, Commissioner Roberts, Commissioner Trantalis and Commissioner Rogers
- CM-9**    [15-1431](#)    Motion Accepting FY2015 Edward Byrne Justice Assistance Grant - Local Solicitation - \$96,909.40
- APPROVED**
- Aye:** 5 - Mayor Seiler, Vice-Mayor McKinzie, Commissioner Roberts, Commissioner Trantalis and Commissioner Rogers
- CM-10**    [15-1510](#)    Motion Approving Utilization of Federal Law Enforcement Trust Fund to Purchase Services from LL Research and Consulting Incorporated - \$50,000

**APPROVED**

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

**CM-11** [15-1441](#)

Motion to Authorize Professional Engineering Services for George T. Lohmeyer Wastewater Treatment Plant Operating Permit Renewal - CDM Smith, Inc. \$133, 035 Task Order

**APPROVED**

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

**CM-12** [15-1442](#)

Motion to Approve Professional Engineering Services for the George T. Lohmeyer Wastewater Treatment Plant (GTL) Capacity Analysis and the Renewal Replacement Report Updates - CDM Smith, Inc. - \$67,065 Task Orders

**APPROVED**

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

**CM-13** [15-1453](#)

Motion to Authorize Professional Engineering Services for a 12 Inch Force Main Replacement on East Las Olas - Tetra Tech, Inc. - \$154,177 Task Order

**APPROVED**

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

**CONSENT RESOLUTION****CR-1** [15-1550](#)

APPOINTMENT OF NABORS, GIBLIN & NICKERSON, P.A., AS SPECIAL COUNSEL; *CPC Finance II, LLC, v. Sheltair FXE Northside, LLC, et al.*, Case No. CACE-15-019804 (14), Circuit Court of the Seventeenth Judicial Circuit in and for Broward County, Florida.

**ADOPTED**

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

**CR-2** [15-1555](#)

A Resolution of the City Commission of the City of Fort Lauderdale, Florida, appointing the law firm of Brinkley, Morgan, Solomon, Tatum, Stanley, Lunny & Gordon, LLP, as special counsel for General Employee Retirement System (GERS) issues

**ADOPTED**

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



**CR-3**    [15-1506](#)    Resolution Declaring the Intent to Lease the Las Olas Marina

**ADOPTED**

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

**CR-4**    [15-1377](#)    Resolution Imposing Special Assessment Liens for Lot Clearing

**ADOPTED**

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

**CR-5**    [15-1378](#)    Resolution for Imposition of Special Assessment Liens for Costs  
Associated with the Securing of Properties

**ADOPTED**

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

**CR-6**    [15-1352](#)    Resolution Supporting the Establishment of a Countywide Quiet Zone  
Along a Portion of the FEC Railway Corridor, with the City of  
Hollywood as the Lead Applicant

**ADOPTED**

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

**CR-7**    [15-1495](#)    Resolution to Approve an Amendment to the Boys & Girls Club of  
Broward County to provide Advertising Bus Benches

**CR-7 has been removed from the Agenda.**

**REMOVED FROM AGENDA**

**CR-8**    [15-1474](#)    Resolution Approving Consolidated Budget Amendment to Fiscal Year  
2016 - Appropriation

CR-8 was removed from the agenda for discussion. Mayor Seiler stated that they are removing the CRA Community Investment funding transfer in the amount of \$379,011.00 from the City budget. City Manager Lee Feldman stated there will be another item on the December 15, 2015 agenda with regard to the Progresso Project. A motion was made by Commissioner Trantalis to add this item as amended and seconded by Vice-Mayor McKinzie.

**ADOPTED AS AMENDED**

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

**PURCHASING AGENDA**

- PUR-1**   [15-1105](#)      Motion to Approve Police Distributed Multimedia Display System - Audio Visual Innovations, Inc. - \$374,726
- APPROVED**
- Aye:**   5 -   Mayor Seiler, Vice-Mayor McKinzie, Commissioner Roberts, Commissioner Trantalis and Commissioner Rogers
- 
- PUR-2**   [15-1353](#)      Motion to Approve Second One-Year Renewal of Agreements for Landscape Architectural Consultant Services - EDSA, Inc., Calvin, Giordano & Associates, Inc., and Keith and Schnars, P.A.
- APPROVED**
- Aye:**   5 -   Mayor Seiler, Vice-Mayor McKinzie, Commissioner Roberts, Commissioner Trantalis and Commissioner Rogers
- 
- PUR-3**   [15-1367](#)      Motion to Approve Hose-less Exhaust Removal System - Air Vacuum Corporation - \$58,950
- APPROVED**
- Aye:**   5 -   Mayor Seiler, Vice-Mayor McKinzie, Commissioner Roberts, Commissioner Trantalis and Commissioner Rogers
- 
- PUR-4**   [15-1390](#)      Motion to Approve Citywide Computer Hardware Additions and Replacements - Dell Marketing L.P. - \$411,828
- APPROVED**
- Aye:**   5 -   Mayor Seiler, Vice-Mayor McKinzie, Commissioner Roberts, Commissioner Trantalis and Commissioner Rogers
- 
- PUR-5**   [15-1488](#)      Motion to Award Continuing Contracts for Traffic and Transportation Engineering Services - \$1,898,635
- APPROVED**
- Aye:**   5 -   Mayor Seiler, Vice-Mayor McKinzie, Commissioner Roberts, Commissioner Trantalis and Commissioner Rogers
- 
- PUR-6**   [15-1500](#)      Motion to Approve License Agreement with Innovative Custom Software, Inc. for Quality Management Software - \$16,000
- APPROVED**
- Aye:**   5 -   Mayor Seiler, Vice-Mayor McKinzie, Commissioner Roberts, Commissioner Trantalis and Commissioner Rogers

**MOTIONS****M-1**     [15-1503](#)

Motion to Terminate the Developer's Agreement with Recreational Design and Construction, Inc. (RDC)

The Commission received a communication from the Beach Redevelopment and Advisory Board recommending approval to terminate the developer's agreement with RDC to explore and evaluate the parameters of the deed restrictions on the property and to explore the costs updating the existing facilities to meet international standards using available CRA funding. This decision passed unanimously by a 9-0 vote from the Beach Redevelopment and Advisory Board.

Mayor Seiler opened up the floor for a public hearing.

Mayor Seiler recognized Linda Webb. Ms. Webb commented on her views on this issue and urged the commission to consider both residents, both young and old, as well as visitors when making a decision on this issue.

Mayor Seiler commented on his agreement with exploring the cost of updating the existing facilities to meet international standards. The goal being to do it in a more efficient and cost-effective manner.

Mayor Seiler recognized Charles King. Mr. King expressed his agreement with the Commission's decision. Mr. King expressed his opinion regarding this issue.

Commissioner Trantalis noted that the Beach Redevelopment Advisory Board recommended moving forward to cost out the rehabilitation of the existing facility.

Mayor Seiler recognized Doug Bukan, who expressed his support keeping the current facility and upgrading it to meet international standards. Mr. Bukan read a quote from an email sent to him today from Nicki Grossman, Convention and Visitors Bureau, stating the International Swimming Hall of Fame's events and competitions have generated over 100,000 room nights in the area hotels using the International Swimming Hall of Fame of the City of Fort Lauderdale as a destination. Mr. Burkan also volunteered his services to assist with the project.

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



Mayor Seiler closed the public hearing.

Commissioner Trantalis moved to approve motion the and was seconded by Commissioner Roberts. There were no objections.

**APPROVED**

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

[15-1549](#)

**WALK-ON - Motion to Approve Refuse Truck Purchase - Trucks & Parts of Tampa, Inc. - \$199,500**

Motion was read by title only. Motion to approve made by Commissioner Roberts and seconded by Commissioner Romney.

**APPROVED**

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

[15-1604](#)

**WALK-ON - CALL UP**

**Applicant: AT&T and Crown Castle**

**Proposed installation of Above-Grade Communication Facilities in Residential Areas**

Call-Up by Commissioner Roberts for a motion to schedule a DeNovo Hearing for no later than 30 days and asking for December 15, 2015, on the AT&T - Crown Castle USA matter. It is a proposed installation of above grade communication facilities in residential areas involving all four districts. There were no objections. Commissioner Rogers moved to approve the motion and was seconded by Commissioner Trantalis.

**APPROVED**

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

**NEIGHBOR PRESENTATIONS**

**NP-1** [15-1544](#)

Christine Timmon - Government constitutional illiteracy

Christine Timmon spoke regarding her views on Government Constitutional issues.

*The material Ms. Timmon presented is attached to these minutes.*

RECEIVED

NP-2     [15-1545](#)

Justin D. Plean, Esquire - WaterWorks lien on foreclosed property located at 1415 SW 24th Court

NOT PRESENT

NP-4     [15-1547](#)

Bradley Davis, Esquire - Free mass transit

Attorney Brad Davis spoke recommending the City take a study determining if mass transit should be free. He gave his opinion and analysis regarding this issue. Commissioner Trantalis noted that the Commission does not run the mass transit system in the City.

RECEIVED

## RESOLUTIONS

R-1       [15-1539](#)

Appointment of Board and Committee Members

Resolution 15-1539 appointments the following individuals to the referenced boards and were read into the record:

### **BEACH BUSINESS IMPROVEMENT DISTRICT ADVISORY COMMITTEE**

Anna MacDiarmid (Primary Member) and Michael Notten (Alternate Member) representing W Hotel, Capri Hotel, LLC, are appointed to the Beach Business Improvement District Advisory Committee, in the category of seven of the ten Highest assessed property owners or a representative of such assessed property owners, to fill unexpired terms ending August 31, 2016 or until their successors have been appointed.

### **CITIZENS POLICE REVIEW BOARD**

Kevin Borwick and Christina Currie are appointed to the Citizens Police Review Board for one year terms beginning December 20, 2015 and ending December 19, 2016 or until their successors have been appointed.

### **COMMUNITY APPEARANCE BOARD**

Tom Yianilos is appointed to the Community Appearance Board for a one year term beginning January 2, 2016 and ending January 1, 2017 or until his successor has been appointed. Ismail Liker Uzun is appointed the Community Appearance Board to complete an unexpired term ending February 16, 2016 or until his successor has been appointed.

### **DOWNTOWN DEVELOPMENT AUTHORITY**

Alan Hooper is appointed to the Downtown Development Authority for a four year term beginning January 1, 2016 and ending December 31, 2019 or until his successor has been appointed.

**ECONOMIC DEVELOPMENT ADVISORY BOARD**

PJ Espinol is appointed to the Economic Development Advisory Board, in the category of Female Business Owner, for a two-year term beginning January 6, 2016 and ending January 5, 2018 or until her successor has been appointed.

Ken Keechl is appointed to the Economic Development Advisory Board, in the category of Represents Small Business Interests, for a two-year term beginning January 6, 2016 and ending January 5, 2018 or until his successor has been appointed.

Steve Buckingham is appointed to the Economic Development Advisory Board, in the category of Represents International Business Interests, for a two-year term beginning January 6, 2016 and ending January 5, 2018 or until his successor has been appointed.

**EDUCATION ADVISORY BOARD**

Lauren Wood is appointed to the Education Advisory Board to complete an unexpired term ending June 16, 2016, or until her successor has been appointed.

**HOUSING AUTHORITY OF THE CITY OF FORT LAUDERDALE,  
BOARD OF COMMISSIONERS**

Dan Lindblade is appointed to the Housing Authority of the City of Fort Lauderdale, Board of Commissioners, to complete an unexpired term ending May 28, 2016 or until his successor has been appointed.

**INSURANCE ADVISORY BOARD**

Ted Hess is appointed to the Insurance Advisory Board for a one-year term beginning January 6, 2016 and ending January 5, 2017 or until his successor has been appointed.

**SUSTAINABILITY ADVISORY BOARD**

Jeff Huber and Jason Liechty are appointed to the Sustainability Advisory Board for one-year terms beginning January 1, 2016 and ending December 31, 2016 or until their successors have been appointed.

Mate Thitisawat is appointed to the Sustainability Advisory Board for a one-year term beginning December 1, 2015, and ending December 31, 2016 or until his successor has been appointed.

Commissioner Trantalis moved to approve the resolution and was seconded by Commissioner Rogers. The resolution was read into the record by title only.

**ADOPTED**

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

**NEIGHBOR PRESENTATIONS****RESOLUTIONS****NP-5    [15-1548](#)**

Jason Handel - Citation for parking in prohibited area

The Mayor recognized Jason Handel a Fort Lauderdale City resident and beach resident. Mr. Handel stated he was cited for parking illegally in an area that he had a permit to park. However, the Mayor pointed out the location where Mr. Handel received his citation is currently a construction zone, and there is no parking between construction barrels in any construction zone in the City. Special Parking Permits do not apply in construction zones regardless of whether construction equipment is on site.

**RECEIVED****R-2    [15-1558](#)**

City Representative on Broward County Tourist Development Council

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

**ADOPTED**

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

**R-3    [15-0732](#)**

Resolution Approving an Interlocal Agreement (ILA) between Broward County and the City of Fort Lauderdale for the Segment II Shore Protection Project

Mayor Seiler opened the floor up for public comment.

Mayor Seiler recognized Richard Whitecloud, Founding Director of Sea Turtle Oversight Protection. Mr. Whitecloud brought up numerous issues relating to address the needs of nesting sea turtles during the beach renourishment project and other components of this project affecting the sea turtles.

Mayor Seiler recognized Mr. Stasis, 4010 Galt Ocean Drive. Mr. Stassis expressed his concerns regarding the Galt Ocean Miles beach being a public beach and being harassed on the beach. *Material presented by Mr. Stassis is attached to these minutes.*

Mayor Seiler recognized Pio Eraci, President of the Galt Ocean Mile Community Association. Mr. Eraci commented on the beach renourishment project being long overdue. He thanked the County and the City for their efforts in bringing this project to fruition and urged the City to move this



project forward as quickly as possible. He urged the Commission to approve this agreement.

Mayor Seiler recognized Leonard Sanders, a resident of H'Ermitage on Galt Ocean Mile. Mr. Sanders expressed his concerns and urging the Commission to move forward with the beach renourishment project as soon as possible noting there is no beach left. *Material provided by Mr. Sanders are attached to these minutes.*

Mayor Seiler recognized Art Seitz. Mr. Seitz commented on the beach replenishment project urging the Commission to move forward as soon as possible. He also expressed additional concerns.

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

Mayor Seiler closed the public hearing.

City Manager Feldman read into the record changes to the language in Section 3.2 of the Interlocal Agreement with the County. Commissioner Roberts introduced the resolution as amended. City Manager Feldman noted the project is estimated to begin any day.

The Commission thanked all involved for their efforts in moving this project forward.

The resolution was read by title only.

**ADOPTED AS AMENDED**

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

**R-4      [15-1529](#)**

**Resolution to Create a Special Events Review Committee**

Submission of names for this board are requested by the January 20, 2016 City Commission meeting.

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

**ADOPTED**

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

**PUBLIC HEARINGS****PH-1**    [15-1460](#)

Quasi-Judicial -Ordinance Amending the Official Zoning Map - 2990 West State Road 84 - Florida Marine Propulsion Corporation - Case Number ZR15005

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

Members of the Commission disclosed with whom they had spoken and site visits made concerning this item.

Mayor Seiler opened up the floor for a public comment.

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

Mayor Seiler closed the public hearing.

Commissioner Trantalis introduced the ordinance for a first reading that was read by title only.

**PASSED FIRST READING**

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

**ORDINANCE SECOND READING****OSR-1**    [15-1502](#)

Ordinance Amending the Local Business Tax Provisions of the Code of Ordinances of the City of Fort Lauderdale to Duplicate the Language Provided within Florida Statutes that Authorize the Levy of a Business Tax

Commissioner Trantalis introduced the ordinance for a second meeting that was read by title only.

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ADOPTED ON SECOND READING

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

## REQUEST FOR CLOSED-DOOR EXECUTIVE SESSION

City Attorney Cynthia Everett requested a closed-door meeting on two matters, *Barbara Carswell vs. the City of Fort Lauderdale, Case No. 14-016723*, and *Albion Staffing Solutions, Inc. vs. the City of Fort Lauderdale, Case No. 15-018760*. Mayor Seiler scheduled the closed-door meeting before the City Commission Meeting on January 6, 2016 beginning at 4:30 pm.

## NEIGHBOR PRESENTATIONS CONTINUED

NP-3 [15-1546](#)

Robin Haines Merrill - Request that Indigenous Peoples Day replaces Columbus Day (October 12)

Mayor Seiler recognized Robin Haines Merrill. Ms. Merrill submitted a petition to abolish Columbus Day and replace it with Indigenous People Day. Ms. Merrill commented on the history of this issue and the reasons the petition.

RECEIVED

## ADJOURNMENT

There being no further business before the Commission at this time, Mayor Seiler adjourned the meeting at 7:08 p.m.

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

ATTEST:

  
\_\_\_\_\_

Jeffrey A. Modarelli  
City Clerk



R-3  
Provided by C. Stassis

C. Stassis  
4010 Galt Ocean Dr., Apt 506  
Fort Lauderdale, FL 33308  
(954) 568-1458

December 1, 2015

Dear Honorable City of Fort Lauderdale Mayor and Commissioners,

Before you decide to waste, once again, (Please see attachment I) the taxpayers money on the so-called "Broward County Segment II Renourishment and Restoration Project", a 55 million dollar "project", 55% of which is funded by the Federal Government, in my opinion you should first adopt the following long overdue ordinance enforced on all public beaches I know:

(1) All items, including wheelchairs used by disabled persons, must be removed from the beach at sunset. Persons venturing on the beach after dark, do so at their own risk, as stated by posters at the entrance(s) to the beach. No bulldozers or other heavy vehicles, hand or mechanical sand rakers are allowed on the beach, and certainly no unauthorized persons are allowed to work on the beach. Only light SUV's with usually two city employees who are excellent swimmers and also trained to provide medical help are allowed on the beach. These are fundamental regulations common to public beaches in Florida (for instance those in Boca Raton and the City of Lauderdale by the Sea (LTBS)) and throughout the world. Beachgoers from all over the world who visit these beaches spend a lot of money in the state without damaging the beaches. In contrast, the City of Fort Lauderdale's beaches are not even listed among the 50 recommended beaches in Florida (please see page viii of the Blair and Dawn Witherington book Florida's Living Beaches).

You do not have to spend even a dime of the taxpayers' money for this so-called Broward County Project. The artificial inlet in Hillsboro Beach and the pier in the city of LBTS are stopping the natural flow of sand to the south.\* This fact, combined with the destructive practices on the City's beaches which hopefully you will finally stop by ordinance (1) and the rising of sea levels are responsible for the deplorable state of the City's beaches. In a few years according to maritime experts you will again have to renourish the beaches at the expense of the taxpayer. In fact, the taxpayer is burdened by a Sisyphean task imposed on him by the County and City officials for no reason at all.

I sincerely hope honorable Mayor and City Commissioners that you lead the way into the 21<sup>st</sup> century realities. Your ambition should be not only that the City's beaches be the best in Florida, but also that they eventually be listed among the best beaches in the world.

\* "Inlets are the most important cause of rapid shoreline change (net erosion)". Please, see page 28 of Florida's Living Beaches cited above



I also hope that you will make every effort to create well paid jobs for Floridians. In the opinion of many including myself the first thing you could do is to eliminate the monopolies adopted on these beaches. On the Galt Mile Beach, Greener Beach Raker is being used for more "than thirty years" according to the President of GMCA and the city is using a bulldozer for, probably, as many years. I do not know why we do not switch to one of several environmental service companies. In my experience whenever we had a major project the state expected that we try to find a local company and to give special consideration to companies headed by women and minorities. In contrast, recently a New York based company Meyer Davis was awarded the contract of designing the interiors of the two towers on the former Ireland's Inn property.

Presently you are in a hurry to proceed with this so-called project without waiting to see what terms our President agrees to in the climate change conference in Paris and what new opportunities can be exploited. Whether we like it or not, environmental and climate change issues will become increasingly important throughout the entire world. Waiting a month even one or two years will not change the state of our beaches. Actually the beaches will considerably improve if ordinance (1) is adopted and the so called "Broward County Project" is stopped.

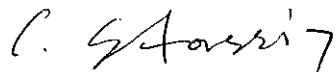
Incredibly, the so-called "Broward County Project" places the berm and the dune away from the seawalls toward the ocean! There is overwhelming evidence that the berm is beyond the seawalls (obtained most recently during this Thanksgiving weekend) since the seaweed reaches the walls of these condominiums during high tide and moderate winds from the east of approximately 20-25 miles per hour. Under these circumstances the best thing one can do is to build the dune against the walls of these condominiums. Unbelievably the so called "project" was simply designed to perpetuate (notice that the expiration date of the permit issued by the FDEP is January 31, 2029!!) the myth that there are parts of the beach that are privately owned.

It never was the case: these condominiums were built on a barrier island too close to the ocean by destroying the existing dunes. Many engineers and scientist including myself have reviewed hundreds of proposals for funding by various Federal Agencies. We never saw a proposal like this. From a myriad of examples I will give only two: Berm is a precisely defined scientific term; the so called "mean high water line (MHWL)" has no meaning unless the condition under which it is measured are precisely specified; if this is done, this line coincides with the berm. On the very first page of this "project" it is stated that "The dune will have a crest width of 10 feet, a crest height of +11 feet and side slopes of 1:2 (vertical:horizontal)" without explaining precisely how these numbers were determined.

It should also be pointed out that moving the dune closer to the ocean may have a devastating effect on the sea turtles (Please see "How Rising Seas Could Sink the Sea Turtle" by Nsikan Akpan aired on PBS on September 16, 2015. Also notice the approach taken by the Republican Governor Chris Christie of New Jersey in preparation for the flooding expected due to the hurricane Joaquin in October 2015 (Please see attachment 2).

Dear Honorable Mayor and City Commissioners, I am not an environmental activist, but a retired professor of physics who enjoys swimming in the ocean. I simply listen and read expert opinions regarding the beaches. The "status quo" is simply unsustainable period! As I mentioned earlier, your purpose should be to make our beaches at least the best in the nation.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Stassis". The signature is fluid and cursive, with a large, stylized "S" and a trailing flourish.

C. Stassis  
Professor of Physics  
Iowa State University and  
Senior Physicist – Ames Laboratory  
Department of Energy (retired)  
4010 Galt Ocean Dr., Apt 506  
Fort Lauderdale, FL 33308

# Dune loss dooms beaches

Once again, illustrious government officials had their heads buried in the sand. Too bad it wasn't the destroyed sand dune they buried their heads in. They are bound to raise our taxes to foot the bill for our public beach restoration because they all wore blinders for the years it took to erode our public beach to the point where the Atlantic just sailed on in over A1A. Dunes attract and hold sand; we knew that when we were in elementary school.



Sea oats help fight erosion.

There were endangered flora on that dune they signed the death warrant for; I have pictures of it, including the sea oats that people like you and I would be arrested for removing. There were two endangered green turtle nests there, too, and the green turtles have nested there safely for years. I know, because I have lived in my house on A1A for 59 years, and our private beach has withstood every hurricane — because it has protective dunes.

The Governor has shown his true colors; he will not be re-elected, if there are any true Floridians left.

Thank you for reporting this crime.

**Rev. Caroline King Groshart, Fort Lauderdale**

# Residents Feud Over Building Dune Defenses At Jersey Shore

By PATRICK MCGEEHAN

Three years after Hurricane Sandy left the Jersey Shore in flood-soaked tatters, the debate over how to defend homes and businesses there against the next big storm rages on, pitting neighbor against neighbor and driving the state to sue owners of beachfront property.

The obvious answer, many flood-prevention experts and elected officials say, is to build huge dunes to hold off the surging tide. But even as crews bulldoze sand dredged from the floor of the Atlantic Ocean to form a bulwark along stretches of the shore, homeowners are still standing in the way of consensus.

The holdouts have driven the state to invoke its eminent domain over their land and angered Gov. Chris Christie enough that he urged residents of some towns to go "knock on doors" and confront the homeowners, who he said were being selfish. Some of those residents, in turn, have challenged the Christie administration to be more forceful in support of the dunes.

Through three summer seasons, the seemingly anodyne plan to have the federal government pay for the construction of protective dunes has caused division, frustration and fear among residents of shore towns.

Even in Toms River, which was devastated by Hurricane Sandy in 2012, dune-building remains a point of contention. Residents of the Ortley Beach section of that township have staged protests on the boardwalk and at the State House in Trenton, demanding an end to delays of the Army Corps of Engineers' plan to build a dune from the Manasquan Inlet to Island Beach State Park.

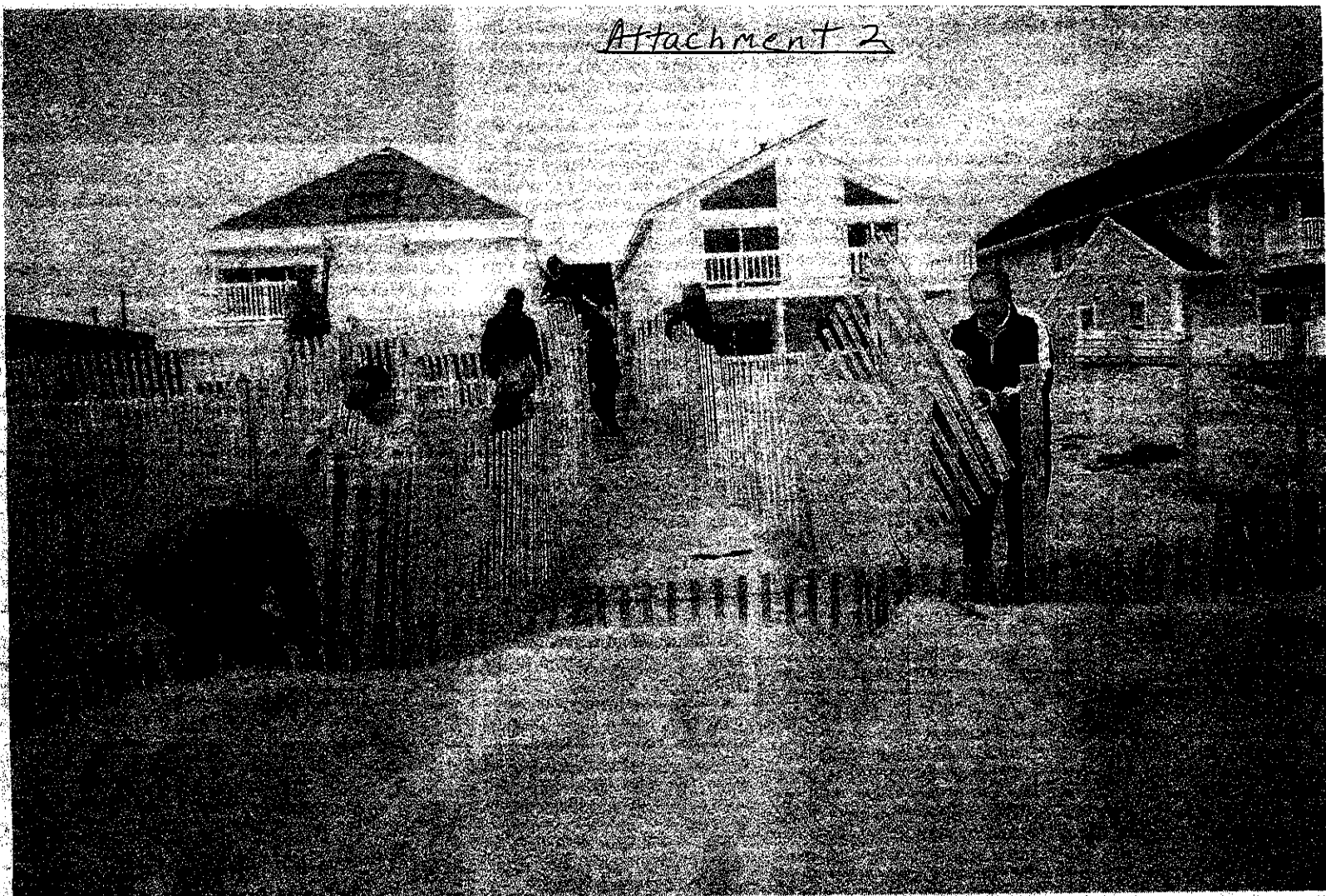
On Wednesday, the Township Council passed another resolution calling on the Army Corps to move ahead using "all available measures," which may include having the state take property from residents.

"We regard this project as essential for the community's survival," said Anthony Merlino, assistant township attorney in Toms River. Reflecting on Hurricane Sandy, he said, "We've been lucky in the past three years that while we're rebuilding and while the dune project is trying to get off the ground that we haven't had another storm of this nature."

Joseph Hartnett and his neighbors in the Normandy Shores section of Toms River worried that the intransigence of property owners in the nearby communities of Bay Head and Point Pleasant Beach had left all of them "sitting ducks," vulnerable to rising waters. He said he would not be surprised if the next protest was aimed at the holdouts in towns that Mr. Christie, a Republican, called out.

"People have already taken to the streets, but they've taken to the wrong streets," Mr. Hartnett said, referring to the public demonstrations in Ortley Beach. He said he and many of his neighbors were baffled that the state had not taken swifter action against those property owners who had banded together to oppose the dune project.

On Monday, a lawyer representing a group of beachfront property owners in Bay Head filed a complaint in Superior Court in Ocean County, asserting that the state was misusing its power of eminent domain to try to force them to grant



PHOTOGRAPHS BY MARK MAKELA FOR THE NEW YORK TIMES

Above, homeowners in Toms River, N.J., making storm preparations this month. Left, dredging on Long Beach Island that is planned throughout the Jersey Shore.



the Army Corps access to build a dune. Their critics say they want only to preserve their views of the ocean, but their lawyer, Anthony Della Pelle, said they wanted to maintain their property rights and choose to rely on a rock wall that they recently reinforced.

Jersey Shore residents got a scare early this month when Hurricane Joaquin briefly appeared to be headed their way just as another storm barreled toward the coast. That unnamed storm tested the temporary dunes Toms River had created, affirming the town's view that something bigger was needed, Mr. Merlino said.

The Army Corps stands ready to start building the dune — an "engineered beach" in corps parlance — that would stand between Toms River and the next hurricane or tropical storm, said Stephen Rochette, a spokesman for the corps in Philadelphia. But that project, at a cost of more than \$150 million, has been bogged down in wrangling over the wording of easements and side agreements negotiated with the coastal property owners.

Mr. Hartnett and other representatives of homeowners' associations that share control of sections of beach in the Toms River area met with state and federal officials recently to try to reach an accord. Toms River officials had persuaded them to provide the necessary easements, but have opted out of the

## Christie rebukes holdouts on plans made after Hurricane Sandy.

process now that lawyers for the Army Corps have rejected the first set of agreements, Mr. Merlino said.

That setback may leave the state no choice but to take those property owners to court, as it has already done with a few private landowners and the City of Margate, south of Atlantic City. This month, the state filed an eminent domain action against Margate seeking easements

to 87 oceanfront lots owned by the city, whose residents voted to oppose a dune the Army Corps has planned to build. Margate is scheduled to respond to that filing next week.

Mayor Michael Becker of Margate said the town believed that the retaining wall that runs the length of the city was a better barrier against storm surge in the long run than the dune system the governor demanded.

"We don't think that the state's one-size-fits-all process works," Mr. Becker said. "We are the only city that has end-to-end bulkheads."

"We've had good experience during past storms, including Sandy," he added.

But state officials and some flood-prevention experts argued that Margate simply got lucky. It did not suffer as much as other shore towns because the storm made landfall farther up the coast, they said, not because it had a retaining wall.

"Had the storm impacted land a little farther south, then that bulkhead would have been meaningless," said Lawrence Hajna, a

spokesman for the New Jersey Department of Environmental Protection. "They would have wished they had the dunes and the beaches in Margate. We're puzzled that they don't understand this. Is it just about the view?"

Or, as Mr. Christie phrased it: "Margate, you are among the most selfish people in the state of New Jersey. If this hurricane had come to shore, the lives it would have cost, I hope it would have been worth the vanity act."

Mr. Becker maintained that preserving the view of the ocean was not the issue.

Either way, Mr. Rochette said, Margate's neighboring communities of Ventnor and Longport believe in the dunes. The corps has reinforced a dune that protects Ventnor, but it had to be tapered at its southern end near the Margate border, he said. With a gap the size of Margate between them, dunes protecting those towns would be less effective in keeping seawater from pouring onto the island, he said.

"What happens in Margate has an effect on Longport and Ventnor," Mr. Rochette said. "When you have gaps in there or you have to taper the dune, as we did in the southern end of Ventnor, that's not ideal."

Still, Mr. Rochette said a great deal of progress had been made, including the recently completed creation of dunes in Sea Isle City and part of Ocean City. Bob Martin, the commissioner of the environmental department, spoke in Sea Isle City on Thursday morning to celebrate that accomplishment.

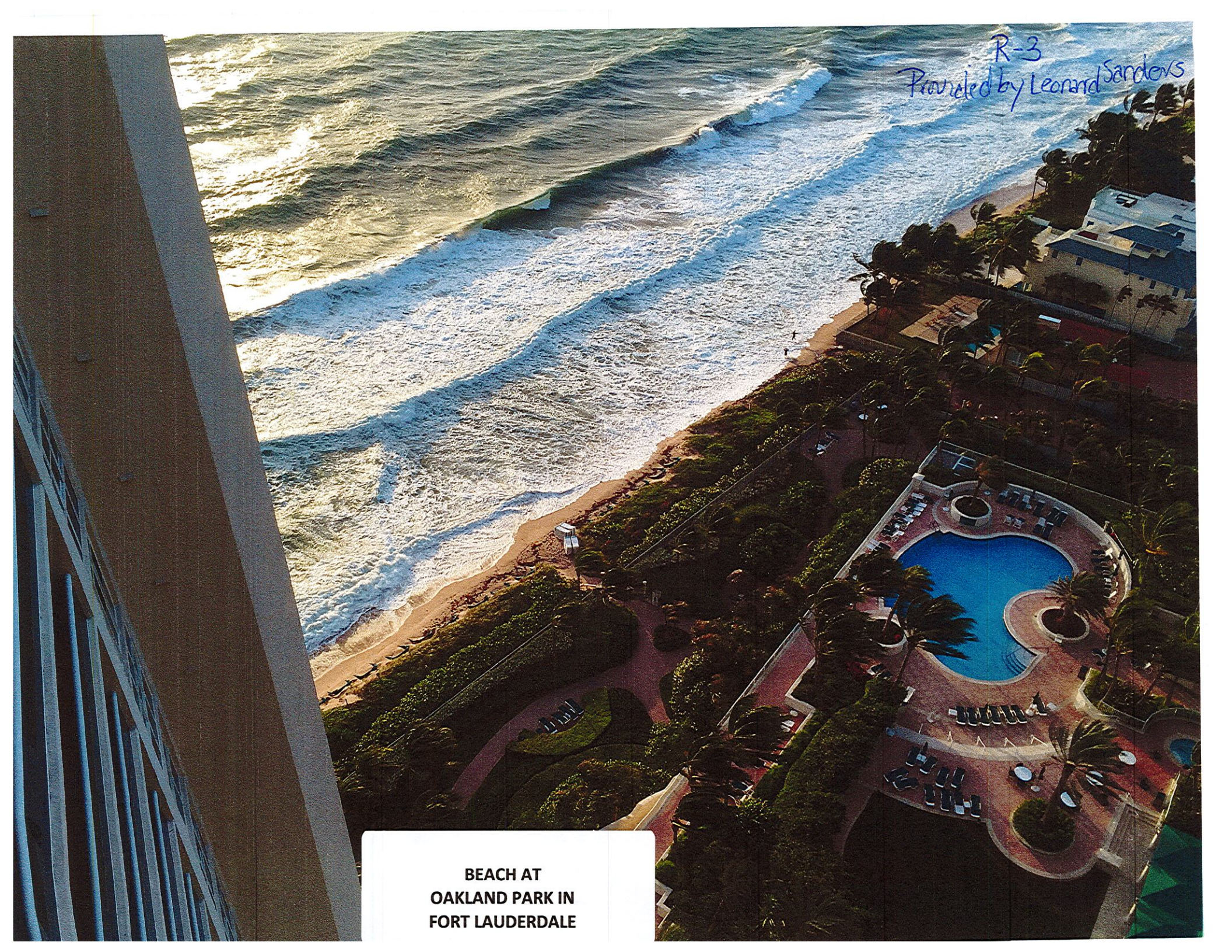
Mr. Hajna, the department spokesman, said: "We were hopeful that we would have secured all of the easements this year. But the fact of the matter is there's a lot of work out there for the Army Corps of Engineers to do."

"Here we are on the third anniversary of Sandy and we have projects that are complete or are underway along virtually the entire coastline."



R-3  
Provided by Leonard Sanders

**BEACH AT  
OAKLAND PARK IN  
FORT LAUDERDALE**

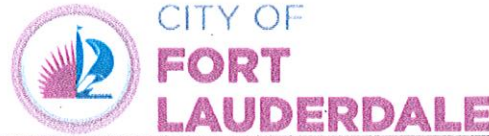






NP-3  
Provided by  
Robin Haines  
Merrill

**We kindly request the City of Fort Lauderdale to vote to recognize  
Indigenous People's Day in place of Columbus Day on October 12**



**Print, Sign & Date:**

ROBIN MERRILL	OCT 12 2015	Robin Merrill
Cheyanna Bert	OCT 12, 2015	Cheyanna Bert
ANITA FRIED	OCT. 12, 2015	Anita Fried
TARA CHADWICK	OCT. 12, 2015	Tara Chadwick
ERIK EBRIGHT	OCT, 12, 2015	Erik Ebright
Brenda Mabbitt	OCT 12, 2015	Brenda Mabbitt
BRIAN HILL	OCT 12, 2015	Brian Hill
MIKE OSCEOLA II	OCT 12, 2015	Mike Osceola II
Jacqueline Osceola	10-12-15	Jacqueline Osceola
RANDY HILLIARD	10/12/15	Randy Hilliard
JULEE FELINSKI	10/12/15	Julee Felinski
Mari Mennel-Bell	10/12/15	Mari Mennel-Bell
Jennifer Polanco	10/27/15	Jennifer Polanco
Cassie Kifer	10/27/15	Cassie Kifer
Heather Lopez	10/27/15	Heather Lopez

dan francis	spokane valley Washington	99216 United States	10/13/15
Josh Alfonso	Deerfield Beach Florida	33442 United States	10/13/15
Milind Gadre	Menlo Park California	94025 United States	10/13/15
John Allyn	Fort Lauderdale Florida	33306 United States	10/13/15
Stefan Harzen	Jupiter Florida	33458 United States	10/13/15
Jessica Osceola	Naples Florida	34120 United States	10/13/15
Laurie Allen	Miami Florida	33161 United States	10/13/15
Neeta Shah	Fort Lauderdale Florida	33327 United States	10/13/15
amy walker	fort lauderdale Florida	33305 United States	10/13/15
Donta Morris	cape coral Florida	33993 United States	10/13/15
Allen Stewart	Punta Gorda Florida	33955 United States	10/13/15
Marisa Kahn	Plantation Florida	33324 United States	10/13/15
Ronnie Newman	Fort Lauderdale Florida	33319 United States	10/13/15
Steve Fernandez	Miami Florida	33233 United States	10/13/15
Bill Savarese	Ft Lauderdale Florida	33305 United States	10/13/15
Kelly Smith	Clermont Florida	34711 United States	10/13/15
dave lee	north lauderdale Florida	33068 United States	10/13/15
Lorraine Wilby	Fort Lauderdale Florida	33301 United States	10/14/15
Allan Barsky	Fort Lauderdale Florida	33308 United States	10/14/15
ilkin Unal	Fort Lauderdale Florida	33316 United States	10/14/15
David Cohen	Fort Lauderdale Florida	33305 United States	10/14/15
Kaitlin Allen	Cape Coral Florida	33991 United States	10/14/15
apurva desai	North Miami B Florida	33160 United States	10/14/15
Tony Tiger	Tahlequah Oklahoma	74464 United States	10/14/15
Donna Pomponi	Fort Lauderdale Florida	33301 United States	10/15/15
Scott Burton	Fort Lauderdale Florida	33312 United States	10/15/15
Liz Joseph	Fort Lauderdale Florida	33301 United States	10/15/15
Valrie Reid	Miami Florida	33136 United States	10/18/15
Barbara Laxon	Miramar Florida	33025 United States	10/20/15
Melissa May	Fort Lauderdale Florida	33317 United States	10/20/15
Ray Strack	FORT LAUDER Florida	33305 United States	10/20/15
Eric Temple	Ft. Lauderdale Florida	3331 United States	10/20/15
Brad Schmidt	Fort Lauderdale Florida	33316 United States	10/21/15
Glenda Fegers	Fort Lauderdale Florida	33315 United States	10/21/15
Jeanne Sheridan	Caledon I7k015 Canada		10/21/15
Malgorzata Tiger	Franklin North Carolina	28734 United States	10/21/15
Doris Bravo	Miami Florida	33137 United States	10/23/15
Mike Osceola	Fort Lauderdale Florida	33311 United States	11/30/15
Christen Borrás	Fort Lauderdale Florida	33315 United States	11/30/15
harry burnett	Hollywood Florida	33021 United States	11/30/15
Johns Willie	Okeechobee Florida	34974 United States	11/30/15
Matthew Competiello	Fort Lauderdale Florida	33311 United States	11/30/15
Mark Merrill	Pompano Beach Florida	33060 United States	12/1/15



Name	City	State	Postal Code	Country	Signed On
Robin Haines Merrill	Pompano Beach	Florida		United States	10/13/15
amy Baum	Fort Lauderdale	Florida	33314	United States	10/13/15
tammy lettieri	deerfield	Florida	33442	United States	10/13/15
MIKE TROUT	Boca Raton	Florida	33434	United States	10/13/15
Jill Mosovich	Coral Springs	Florida	33076	United States	10/13/15
Geovanny Perez	Miami	Florida	33178	United States	10/13/15
Eric Dumbaugh	Boca Raton	Florida	33433	United States	10/13/15
Lloyd Goradesky	Hollywood	Florida	33019	United States	10/13/15
Debbie Allen	Hollywood	Florida	33021	United States	10/13/15
Nikki Grimes	Corona	California	92879	United States	10/13/15
judith seidenberg	pembroke pines	Florida	33027	United States	10/13/15
Ned Small	Everglades	Florida	34139	United States	10/13/15
Ryan Coons	Madison	Alabama	35758	United States	10/13/15
Didier Ortiz	Fort Lauderdale	Florida	33312	United States	10/13/15
Craig Watts	Coral Springs	Florida	33071	United States	10/13/15
Kelly McNulty	Boca Raton	Florida	33433	United States	10/13/15
Dona Knapp	Naples	Florida	34108	United States	10/13/15
Theresa Brewer	Miami	Florida	33180	United States	10/13/15
Hitesh Mehta	Fort Lauderdale	Florida	33301	United States	10/13/15
Chantal Buslot	Hasselt	Texas	78756	United States	10/13/15
Concerned Citizen	New City	New York	10956-2406	United States	10/13/15
Drew Breen	Fort Lauderdale	Florida	33301	United States	10/13/15
Priscilla Elwell	Minneapolis	Minnesota	55416	United States	10/13/15
frank allegro	miami	Florida	33127	United States	10/13/15
Vicki Eckels	Fort Lauderdale	Florida	33316	United States	10/13/15
casey eckels	pompano beach	Florida	33060	United States	10/13/15
Nanette Saylor	Boca Raton	Florida	33486	United States	10/13/15
Lee Tiger	Davie	Florida	33324	United States	10/13/15
MaryBeth BURTON	Fort Lauderdale	Florida	33312	United States	10/13/15
Valerie Kemp	Walled Lake	Michigan	48390	United States	10/13/15
Matthew Kalap	Gainesville	Florida	32611	United States	10/13/15
Harsha Kabaria	Tampa	Florida	33618	United States	10/13/15
Keith Taylor	Fort Lauderdale	Florida	33301	United States	10/13/15
Alkesh Dave	New Tecumseth		L9R 1E2	Canada	10/13/15
Carl Hildebrand	Fort Lauderdale	Florida	33301	United States	10/13/15
Bridgett Roode	Winter Haven	Florida	33880	United States	10/13/15
Rachel Shah	Cheltenham		GL54 5TA	United Kingdom	10/13/15
Peggy Green	Louisville	Kentucky	40205	United States	10/13/15
Federica Armstrong	Palo Alto	California	94301	United States	10/13/15
Cathi Bohl	Fort Lauderdale	Florida	33312	United States	10/13/15
Tara Backhouse	Estero	Florida	33928	United States	10/13/15
Kelly Rothman	Boynton Beach	Florida	33472	United States	10/13/15
Jennifer Gomez	Fort Lauderdale	Florida	33304	United States	10/13/15
Gina Jungles	Fort Lauderdale	Florida	33316	United States	10/13/15
Michael Mut	Hialeah	Florida	33014	United States	10/13/15
Teresa Verplanck	Bailey	Colorado	80421	United States	10/13/15
Lynn Williams	Prosper	Texas	75078	United States	10/13/15
Anthony Abbate	Fort Lauderdale	Florida	33301	United States	10/13/15