

City of Fort Lauderdale



Meeting Minutes

Tuesday, October 20, 2020

6:00 PM

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City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

DEAN J. TRANTALIS Mayor

STEVEN GLASSMAN Vice Mayor - Commissioner - District II

HEATHER MORAITIS Commissioner - District I

ROBERT L. McKINZIE Commissioner - District III

BEN SORENSEN Commissioner - District IV

CHRIS LAGERBLOOM, City Manager

JOHN HERBST, City Auditor

JEFFREY A. MODARELLI, City Clerk

ALAIN E. BOILEAU, City Attorney

CALL TO ORDER Mayor Trantalis called the meeting to order at 6:07 p.m.

ANNOUNCEMENT Mayor Trantalis announced details regarding the virtual format of this meeting, including how members of the public can view and participate.

Pledge of Allegiance Mayor Dean J. Trantalis

ROLL CALL **Present:** 5 - Commissioner Robert L. McKinzie (arrived at 6:10 p.m. - participated telephonically) Commissioner Ben Sorensen (participated telephonically), Commissioner Heather Moraitis (participated telephonically), Vice Mayor Steven Glassman (participated telephonically) and Mayor Dean J. Trantalis

QUORUM ESTABLISHED **Also Present:** City Manager Chris Lagerbloom (participated telephonically), City Clerk Jeffrey A. Modarelli, City Attorney Alain E. Boileau and City Auditor John Herbst (participated telephonically)

MOMENT OF SILENCE Mayor Trantalis requested a *Moment of Silence* in recognition of Rick Case and Alan Levy, expounding on their civic contributions.

Approval of MINUTES and Agenda

[20-0835](#)

Minutes for October 6, 2020 Commission Conference Meeting and October 6, 2020 Commission Regular Meeting - (Commission Districts 1, 2, 3 and 4)

Commissioner Sorensen made a motion to approve this item and was seconded by Vice Mayor Glassman.

APPROVED

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis

PRESENTATIONS

PRES- [20-0843](#)**1**

Commissioner Sorensen will present a Proclamation declaring October 2020 as Breast Cancer Awareness Month in the City of Fort Lauderdale

Commissioner Sorensen presented a Proclamation declaring *October 2020 as Breast Cancer Awareness Month in the City of Fort Lauderdale.*

PRESENTED

PRES- [20-0846](#)**2**

Vice Mayor Glassman will present a Proclamation declaring October 19-25, 2020 as Florida City Government Week in the City of Fort Lauderdale

Vice Mayor Glassman presented a Proclamation declaring *October 19-25, 2020 as Florida City Government Week in the City of Fort Lauderdale.*

PRESENTED

CONSENT AGENDA PUBLIC COMMENT

Mayor Trantalis explained procedures for members of the public wishing to speak on Consent Agenda items.

Mayor Trantalis pulled Consent Agenda items CR-4 and CR-8.

CR-6 and CR-7:

Mayor Trantalis recognized J. Scott Bayne, 309 SW 26 Street. Mr. Bayne commented on the smooth negotiation process involving City Manager Lagerbloom and Staff for Consent Agenda items CR-6 and CR-7. He expounded on details and thanked those involved.

CONSENT AGENDA**CONSENT MOTION****Approval of the Consent Agenda**

Commissioner Sorensen made a motion to approve the Consent Agenda and was seconded by Vice Mayor Glassman.

Approve the Consent Agenda

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis

- CM-1** [20-0763](#) Motion Approving Event Agreements and Related Road Closures: Latino Festival and 14th Annual Cleveland Clinic Florida 13.1 Fort Lauderdale and Veterans Day 5K - (Commission Districts 2 and 4)

APPROVED

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis
- CM-2** [20-0807](#) Motion Approving Memorandum of Understanding with United Way of Broward County, Inc. Accepting Grant Funds to Support the Parks and Recreation Department's Supervised E-Learning Program - \$57,600 - (Commission Districts 1, 2, 3 and 4)

APPROVED

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis
- CM-3** [20-0747](#) Motion Approving a Dock Use Agreement with Rubber Duck Holdings, Inc. d/b/a/ Yachtsalesinternational.com from October 1, 2020 to September 30, 2021 - (Commission District 4)

APPROVED

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis
- CM-4** [20-0790](#) Motion Approving a Dock Use Agreement with Yachting Promotions, Inc. and the Marine Industries Association of South Florida, Inc. for the 2020 Fort Lauderdale International Boat Show for Use of Dockage at Las Olas Marina - (Commission Districts 2 and 4)

APPROVED

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis
- CM-5** [20-0778](#) Motion Approving a Facility Use Agreement with Gold Coast Ski Club, Inc. for Use of the Lake at Mills Pond Park with Two, One - Year Extension Options - (Commission District 3)

APPROVED

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis

CONSENT RESOLUTION

- CR-1** [20-0689](#) Resolution Approving an Amendment to the Public Transportation Grant Agreement (PTGA) with the Florida Department of

Transportation (FDOT) for the Construction of Taxiway Intersection Improvements Project at Fort Lauderdale Executive Airport - (Commission District 1)

ADOPTED

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis

CR-2 [20-0705](#)

Resolution Accepting Bid of Stiles Corporation for the Leasing, Development, and Improvement of City-Owned Property Located at 100 SE 1 Street & 155 SE 2 Street, Fort Lauderdale, Florida, 33301, Commonly Known as the "Riverwalk Center" and Authorizing Negotiation and Preparation of a Lease Pursuant to Section 8.09 of the City Charter - (Commission District 4)

ADOPTED

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis

CR-3 [20-0834](#)

Resolution Approving Notice of Award and Sale of City Owned Property Located at 221 NW 6 Street, Fort Lauderdale, FL 33311 to Green Mills Holdings, LLC. - (Commission District 2)

ADOPTED

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis

CR-4 [20-0791](#)

Resolution Approving and Ratifying a Collective Bargaining Agreement Between the City of Fort Lauderdale and the Fraternal Order of Police, Lodge 31 - Police Lieutenants and Captains Effective October 1, 2020 Through September 30, 2022 and Authorizing Execution of the Collective Bargaining Agreement - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis acknowledged and thanked City Manager Lagerbloom and Staff for their efforts to negotiate the two-year First Responders contract. He discussed their importance in the community and thanked the Fraternal Order of Police. Vice Mayor Glassman concurred, expounding on his perspective and thanking First Responders for their service.

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

ADOPTED

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis

- CR-5** [20-0792](#) Resolution Approving and Ratifying a Collective Bargaining Agreement Between the City of Fort Lauderdale and the Fraternal Order of Police, Lodge 31 - Police Officers and Sergeants Effective October 1, 2020 Through September 30, 2022 and Authorizing Execution of the Collective Bargaining Agreement - (Commission Districts 1, 2, 3 and 4)
- ADOPTED**
- Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis
- CR-6** [20-0793](#) Resolution Approving and Ratifying a Collective Bargaining Agreement Between the City of Fort Lauderdale and the Fort Lauderdale Professional Firefighters, Inc., International Association of Firefighters (IAFF), AFL-CIO-CLC, Local 765 Effective October 1, 2020 through September 30, 2021 and Authorizing Execution of the Collective Bargaining Agreement - (Commission Districts 1, 2, 3 and 4)
- ADOPTED**
- Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis
- CR-7** [20-0794](#) Resolution Approving and Ratifying a Collective Bargaining Agreement Between the City of Fort Lauderdale and the Fort Lauderdale Professional Firefighters, Inc., International Association of Firefighters (IAFF), AFL-CIO-CLC, Local 765- Battalion Chiefs Effective October 1, 2020 through September 30, 2021 and Authorizing Execution of the Collective Bargaining Agreement - (Commission Districts 1, 2, 3 and 4)
- ADOPTED**
- Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis
- CR-8** [20-0688](#) Resolution Approving the Consolidated Budget Amendment to Fiscal Year 2021 - Appropriation - (Commission Districts 1, 2, 3 and 4)
- Mayor Trantalis commented on the importance of the public understanding aspects of this Budget Amendment. There is new Federal Government relief funding to address *Rapid Rehousing for the Homeless*. Mayor Trantalis explained the importance of this item and expounded on related details.
- Commissioner Sorensen introduced this Resolution which was read by

title only.

ADOPTED

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis

CONSENT PURCHASE

- CP-1** [20-0724](#) Motion Approving Proprietary Purchases for Water Distribution, Wastewater Collection, and Stormwater System Infrastructures and Treatment Facilities - Estimated Total Not to Exceed \$6.4 Million - (Commission Districts 1, 2, 3 and 4)

APPROVED

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis

- CP-2** [20-0746](#) Motion Approving Increase in Funds to Contract for General Wastewater Professional Architectural-Engineering Services- CDM Smith, Inc. - \$57,025 - (Commission Districts 1, 2, 3 and 4)

APPROVED

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis

- CP-3** [20-0757](#) Motion Approving Purchase of Streetlight Fixtures, Annual Contract - Transportation Solutions & Lighting, Inc. - \$839,090 - (Commission Districts 1, 2, 3 and 4)

APPROVED

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis

- CP-4** [20-0779](#) Motion Approving Negotiated Fee Schedule and Continuing Agreements for General Environmental Engineering Consulting Services - Wood Environment and Infrastructure Solutions, Inc. and Langan Engineering and Environmental Services, Inc. - (Commission Districts 1, 2, 3 and 4)

APPROVED

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis

- CP-5** [20-0780](#) Motion Rejecting All Bids Under Bid Number 12416-203 - Fort Lauderdale Executive Airport Runway Incursion Mitigation Project and Motion Authorizing Task Order No. 9 for Revisions to Bid

Package Services for the Fort Lauderdale Executive Airport Runway Incursion Mitigation Project - HDR Engineering, Inc. - \$27,028 - (Commission District 1)

APPROVED

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis

MOTIONS

M-1 [20-0818](#)

Motion Accepting Second Round Coronavirus Relief Fund (CRF) Funds and Using the Services of Housing Foundation of America, Inc., to Process the Intake for the Rental and Mortgage Assistance Program - (Commission Districts 1, 2, 3 and 4)

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

APPROVED

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis

M-2 [20-0826](#)

Presentation of an Initiative Proposed Ordinance, Pursuant to Section 3.15 of the Charter of the City of Fort Lauderdale, Seeking to Create a New Section 47-25A of Article V of the Unified Land Development Regulations - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis recognized Ebonni Chrispin, 700 SE 3rd Avenue. Ms. Chrispin requested this item be removed from the Agenda, noting the upcoming November 3, 2020 election and related details.

City Attorney Alain Boileau confirmed outreach from *AIDS Healthcare Foundation (AHF)* counsel to remove this Agenda item.

Mayor Trantalis commented on the City's position regarding the proposal to build an *AHF Affordable Housing Project* adjacent to *AHF Offices (AHF Project)*. The *Office of the City Attorney and Board of Adjustment (BOA)* determined the *AHF Project* did not comply with *Unified Land Development Regulations (ULDR)*. The City has prevailed in court decisions. Mayor Trantalis commented on *AHF Project* concerns, i.e., unit size. He discussed progress towards addressing *Affordable Housing* needs, citing examples and expounding on his perspective.

In response to Mayor Trantalis' question, Ms. Chrispin said she did not

have a postponement date. City Attorney Boileau said *AHF* counsel did not provide a postponement date.

Commissioner McKinzie inquired about the reason this item was not removed as discussed in the *Commission District 3 Pre-Agenda Meeting*. City Attorney Boileau commented on how Agenda items can be removed, including how the *City Charter* addresses related notice requirements. Counsel for *AHF* requested removal of this item post-publication.

Commissioner Sorensen made a motion to remove this item from the Agenda and was seconded by Commissioner McKinzie.

REMOVED FROM AGENDA - Motion to Remove Item from Agenda

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis

RESOLUTIONS

R-1 [20-0823](#)

Appointment of Board and Committee Members - (Commission Districts 1, 2, 3 and 4)

City Clerk Jeffrey Modarelli read the names of the Board and Committee nominees for appointment and/or reappointment at the upcoming November 5, 2020 Commission Regular Meeting.

City Clerk Modarelli read into the record the names of Board and Committee appointments and/or reappointments for Agenda item R-1. He noted corrections to the terms of Christina Currie, Citizens Police Review Board, and Carol Ortman, Citizens Review Board, which should read "ending December 19, 2021".

Commissioner Sorensen introduced this Resolution as amended which was read by title only.

ADOPTED AS AMENDED

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis

R-2 [20-0773](#)

Resolution Declaring a Public Purpose and Necessity for the Acquisition of the Property Located at 1201-1205 SW 1st Street, Fort Lauderdale, FL 33312 and Authorizing the Acquisition of Property by Purchase or Eminent Domain for the Purpose of Constructing New Police and Public Safety Facilities - (Commission District 2)

City Manager Lagerbloom explained the intent of this Resolution, confirming his position to continue working in good faith with the property owner towards an equitable purchase agreement for acquisition of the property located at 1201-1205 SW 1st Street (*Property*). The property is necessary to construct police and public safety facilities. City Manager Lagerbloom explained the status of negotiations.

In response to Commissioner McKinzie's question, City Attorney Boileau confirmed the ability and legality of the City acquiring the *Property* through eminent domain. City Attorney Boileau explained details regarding Staff's determination, Florida Statue requirements and court proceedings. This item would return to the Commission following successful negotiations or court proceedings.

Vice Mayor Glassman introduced this Resolution which was read by title only.

ADOPTED

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis

R-3 [20-0850](#)

Resolution Rejecting Unsolicited Proposals Received for the City's Water Treatment Plants and Associated Infrastructure; Providing for Implementation; and Providing for An Effective Date - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis explained this item does not preclude applicants from submitting modified proposals for Commission consideration at a later time.

Vice Mayor Glassman introduced this Resolution which was read by title only.

ADOPTED

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis

R-4 [20-0748](#)

Resolution Approving the First Amendment to the Lease Agreement between the City of Fort Lauderdale and the Fort Lauderdale Fire and Safety Museum, Inc. - (Commission District 2)

Vice Mayor Glassman introduced this Resolution which was read by title only.

ADOPTED

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis

R-5 [20-0845](#)

Resolution Approving Subaward Agreement Between Broward County and the City of Fort Lauderdale for CARES Act Funding - (Commission Districts 1, 2, 3 and 4)

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

ADOPTED

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis

R-6 [20-0796](#)

Resolution Repealing Resolution 20-174 and Approving a New Development Permit Fee Schedule to Provide for the Inclusion of Certain Fees Related to Historic Preservation, and Corrections in Fee Calculations - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis recognized Maggie Hunt, 1307 SW 4th Court. Ms. Hunt explained her perspective, including historic homes purchasers understanding costs associated with renovations. She commented on historical homes in *Sailboat Bend* and subsidies.

Vice Mayor Glassman thanked Staff for their work on this item. Ms. Hunt's comments were the reason he wanted to revisit and move forward with this item.

Vice Mayor Glassman introduced this Resolution which was read by title only.

ADOPTED

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis

R-7 [20-0847](#)

City Attorney Annual Performance Review - (Commission Districts 1, 2, 3 and 4)

Commissioner Sorensen explained his perspective regarding the positive work and contributions of City Attorney Boileau. He recommended a three percent (3%) merit increase, similar to the increase given to City Auditor Herbst. Mayor Trantalis noted City Attorney Boileau was not looking for an increase. Comment and discussion ensued on ensuring equitable *Performance Reviews* for all Commission Charter Officers.

In response to Mayor Trantalis' question, City Attorney Boileau noted his

salary.

Vice Mayor Glassman noted a question at the *Commission District 2 Pre-Agenda Meeting* regarding an increase to amounts being spent on special counsel from 2018 to date versus handling legal matters internally. City Attorney Boileau said he did not have those calculations available for this meeting, commenting on the difficulty to gauge amounts due to unique litigation. He cited examples and said he would provide specific numbers.

Mayor Trantalis commented on his support of a three percent (3%) merit increase, thanking City Attorney Boileau for his service.

City Attorney Boileau thanked the Commission. City Clerk Modarelli thanked the Commission, Commission Staff and City Clerk Staff.

Commissioner McKinzie introduced this Resolution for a 3% salary increase for City Attorney Alain Boileau and City Clerk Jeffrey Modarelli which was read by title only.

ADOPTED - Resolution 3% salary increase for City Attorney Alain Boileau and City Clerk Jeffrey Modarelli

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis

ORDINANCE FIRST READING

OFR-1 [20-0634](#)

First Reading - Ordinance Amending the Code of Ordinances Chapter 9, Building and Construction Fees, and Landscaping and Tree Removal Permit Fees - (Commission Districts 1, 2, 3 and 4)

Vice Mayor Glassman introduced this Ordinance for the First Reading which was read by title only.

PASSED FIRST READING

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis

OFR-2 [20-0721](#)

First Reading - Ordinance Amending the Noise Ordinance Relating to the Construction of Large or Complex Projects (Transportation and Non-Transportation) Exemption for Time to Comply, Establishing Additional Criteria for the Approval and Revocation of Special Permits. - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis recognized Brian Rudolph, 734 NE 5th Avenue. Mr. Rudolph explained concerns regarding the impact of ongoing construction at the project adjacent to and above his property line. The

Prime Hospitality Group's (Prime Group) Quantum project (Project) in Flagler Village is the subject construction. He cited examples, including flat tires, lack of site maintenance and blocking his property's ingress and egress.

Mr. Rudolph expounded on details of violations, the admissibility of video under permitting law, efforts to address concerns with owners of the *Prime Group*, the impact on his family and his ability to work from home during COVID. He confirmed twenty (20) signatures from neighbors impacted by this *Project*. Mr. Randolph requested the *Project* not be granted the ability to begin work at 6:00 a.m. Further comment and discussion ensued.

City Manager Lagerbloom explained details regarding benefits of this Ordinance and discussed details related to the need for extended work hours for construction projects in specific circumstances, i.e., concrete pours and work being less intrusive when starting earlier or ending later in the day. He commented on enforcement details incorrectly applied.

City Manager Lagerbloom explained Ordinance details allowing exceptions subject to specific plans to address concerns impacting neighborhoods. This Ordinance provides Staff the ability to use discretion regarding granting exceptions to contractors who do not abide by rules to accommodate neighborhood concerns as described Mr. Randolph.

In response to Mayor Trantalis' question, City Manager Lagerbloom said *Building Code Enforcement* Staff makes an assessment. Mr. Randolph expounded on concerns related to reporting incidents, meaningful consequences, repeated infractions and his experience with the *Prime Group*.

Mayor Trantalis acknowledged concerns regarding the impact of this Project on neighbors and the need to address. Anthony Fajardo, Department of Sustainable Development Director, confirmed Staff would follow-up.

Vice Mayor Glassman concurred with Mr. Rudolph. Vice Mayor Glassman confirmed his office had reached out numerous times to no avail. He discussed concerns with the First Reading of this Ordinance due to input received from the *Flagler Village Civic Association*. Their position is to not move forward with this Ordinance. Vice Mayor

Glassman expounded on his perspective, concerns and the untenable nature of this situation.

In response to Vice Mayor Glassman's question, City Manager Lagerbloom explained remediation plans. Vice Mayor Glassman noted similar concerns in other areas of *Commission District 2*, recommending a different approach.

City Manager Lagerbloom confirmed his willingness to follow Commission direction on this topic, expounding on details. The genesis of this Ordinance relates to concrete pours requiring longer work hours. The City is not required to grant an exception under special circumstances. Further comment and discussion ensued on the Ordinance and Code Enforcement's interpretation.

City Manager Lagerbloom said this Ordinance brings back previous Staff authority.

Commissioner Sorensen discussed his understanding of Staff on this topic, explaining his perspective. Further comment and discussion ensued. Mr. Randolph said a Building Inspector must view an infraction in order to enforce penalties, stating it inhibits reasonable enforcement and citing examples.

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

PASSED FIRST READING

Aye: 3 - Commissioner McKinzie, Commissioner Sorensen and Commissioner Moraitis

Nay: 2 - Vice Mayor Glassman and Mayor Trantalis

OFR-3 [20-0023](#)

First Reading - Ordinance Amending City of Fort Lauderdale Unified Land Development Regulations (ULDR); Amending Section 47-13.10, List of Permitted and Conditional Uses; Amending Section 47-13.20, Incorporating by Reference Chapter 4 of the Downtown Master Plan; Amending Open Space Regulations; Defining Downtown Character Areas and Transition Zones; Amending Downtown Landscape and Tree requirements; Amending Section 47-13.21, Table of Dimensional Requirements for the Downtown Regional Activity Center (DRAC) District to Provide Dimensional Requirements for the DRAC Character Areas; Amending Section 47-24, Table 1, Development Permits and Procedures; Amending Section 47-25.3, Neighborhood

Compatibility Requirements; and Removing Conflicting Requirements
- Case No. PLN-ULDR-20090001 (formerly Case T19013) -
(Commission Districts 2, 3 and 4)

Mayor Trantalis recognized Stan Eichelbaum, 411 N. New River Drive East. Mr. Eichelbaum commented on his perspective and concerns related to this item. Two (2) issues of concern remain: 1) mitigation of winds in downtown related to construction (*down-wash*); and 2) a more expeditious development process, i.e., developer responsibility for presenting a staging plan to neighborhood associations prior to approval, mitigating problems and expediting the development process.

Mr. Eichelbaum explained concerns regarding continuation of *Downtown Core* development that had been realized. Mixed development has raised residential neighborhood sound and building rights concerns. He commented on the need to suspend development to allow a quiet residential neighborhood and investment confidence.

Mayor Trantalis recognized Jenni Morejon, President and Chief Executive Officer, Fort Lauderdale *Downtown Development Authority (DDA)*. Ms. Morejon commented on her perspective regarding the *Downtown Master Plan*, explaining the *DDA* position that codification is not necessary to build a successful downtown. This item as presented is acceptable to the *DDA*. She expounded on details and cited examples.

Ms. Morejon said additional unanticipated revisions to this item should not be included in this *Ordinance* because they have not been adequately reviewed.

Mayor Trantalis recognized Melinda Margaret Bowker, 511 SE 5th Avenue and President of the *Downtown Fort Lauderdale Civic Association (DFLCA)*. Ms. Bowker explained *DFLCA* membership input on this item, including *ULDR* amendments updating minimal square footage for downtown residential units to four hundred (400) square feet and minimum parking requirements that do not exist. Additional recommendation address tower separation, consideration of future climate change and flooding, building setbacks, public input on *Affordable Housing*, building height and wind flow, smart growth and sustainability.

Mayor Trantalis recognized Stephanie Toothaker, Esq. Ms. Toothaker concurred with Ms. Morejon's comments. She confirmed support of this item as presented by Staff without recommendations that have not been vetted.

In response to Vice Mayor Glassman's question regarding how *P&Z Board* recommendations are addressed, Mr. Fajardo explained Staff did not incorporate *P&Z Board* recommendations because they had not been reviewed and vetted. The Commission has the discretion to consider *P&Z Board* recommendations and incorporate them into the Ordinance. Staff does not have an issue with the *P&Z Board* recommendation to update minimal downtown residential unit square footage to four hundred (400) square feet. Staff needs to vet the three (3) remaining *P&Z Board* recommendations prior to recommending them.

Vice Mayor Glassman expounded on his perspective regarding the importance of a thorough review by stakeholders and the process, thanking Staff for its work. He urged Staff to pursue the same type of outreach for *P&Z Board* recommendations.

Commissioner Moraitis concurred with Vice Mayor Glassman's comments. Comment and discussion ensued regarding the process, including *P&Z Board* recommendations.

Commissioner Sorensen noted the massive undertaking to address this Ordinance, thanking all stakeholders and expounding on details. He discussed including the *P&Z Board* recommendation to include the minimum four hundred (400) square footage requirement for downtown residential units. Commissioner Moraitis confirmed her support of Commissioner Sorensen's recommendation.

Commissioner McKinzie recommended introducing the Ordinance as presented, expounding on his perspective. Further comment and discussion ensued on how this Ordinance would be introduced.

Mr. Fajardo noted a correction to Exhibit 9, stating it would be corrected prior to the Second Reading. Further comment and discussion ensued on how this Ordinance would be introduced for the First Reading and the timeline for future amendments.

Commissioner McKinzie introduced this Ordinance for the First Reading without the *P&Z Board's* four (4) recommendations which was read by title only.

PASSED FIRST READING - Four (4) Proposed Recommendations NOT included

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

Nay: 1 - Commissioner Sorensen

PUBLIC HEARINGS**PH-1** [20-0288](#)

Public Hearing - Ordinance Amending City of Fort Lauderdale Unified Land Development Regulations (ULDR) Sections 47-1.6 through the Revision of the Official Zoning Map of the City Attaching Addendum "A" Entitled "Official Downtown Character Area Map" Depicting the Boundaries of the Downtown Regional Activity Center Character Areas - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis opened the public hearing.

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

Vice Mayor Glassman introduced this Ordinance for the First Reading which was read by title only.

PASSED FIRST READING

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis

PH-2 [20-0532](#)

Public Hearing - Ordinance Amending City of Fort Lauderdale Unified Land Development Regulations (ULDR) Sections 47-1.6 through the Revision of the Official Zoning Map of the City Attaching "Official Downtown Transition Zone Area Map" Depicting the Boundaries of the Downtown Regional Activity Center Transition Zones - (Commission Districts 2, 3 and 4)

Mayor Trantalis opened the public hearing.

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

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

PASSED FIRST READING

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis

ORDINANCE SECOND READING

OSR-1 [20-0789](#)

Second Reading-Ordinance Amending the City of Fort Lauderdale General Employees' Retirement System - (Commission Districts 1, 2, 3 and 4)

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

ADOPTED ON SECOND READING

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis

[20-0871](#)

WALK-ON - Motion Suspending Portions of City Resolution 12-84

City Attorney Boileau recommended preparing a Declaration for execution by Mayor Trantalis. The Declaration would suspend portions of *Resolution 12-84 (Resolution)* with the exception of paragraph three (3) requiring a physical Commission quorum as required by State law (*Declaration*).

City Attorney Boileau explained the *Declaration* would provide adequate time to draft a resolution amending *Resolution 12-84* permanently, allowing the Commission, Boards and Committees the opportunity to meet in a virtual format following expiration of the Governor's Executive Order on November 1, 2020. The resolution would be presented to the Commission at the November 5, 2020 Commission Regular Meeting. Further comment and discussion ensued.

In response to Commissioner Moraitis' question regarding the November 5, 2020 resolution vote, City Attorney Boileau confirmed three (3) Commission Members need to be physically present in Commission Chambers.

In response to Mayor Trantalis' question, Commission Members confirmed their understanding.

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

APPROVED

Aye: 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis

Additional Discussion

Commissioner Sorensen discussed concerns regarding the lifespan of the Fiveash Water Treatment Plant (Fiveash) and options moving forward due to rejection of Public Private Partnership (P3) unsolicited proposals.

City Manager Lagerbloom explained the reason for proposal rejections due to objections regarding an operate/maintain option over thirty (30) years. He said this does not preclude moving forward with a P3 scenario. Staff will continue to push forward with an Owner Representative model that works for the City.

In response to Commissioner Sorensen's question regarding a future rate increase, City Manager Lagerbloom confirmed, expounding on details regarding discussions with financial advisors and the various spectrum of options discussed at a previous Conference Meeting. Further comment and discussion ensued.

Susan Grant, Finance Director, concurred with City Manager Lagerbloom's comments, stating P3 options are similar to ones discussed at the *UDPA Joint Government Center Meeting* earlier today.

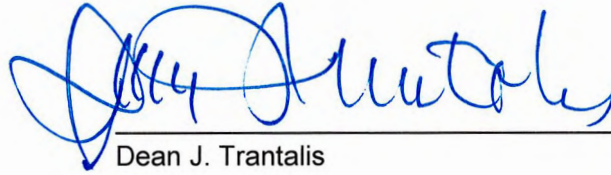
Ms. Grant expounded on discussions with the financial consultant who is refining the slide presentation for public input. She explained additional details, including moving forward with an Owner Representative. Ms. Grant confirmed the City would be controlling the design of a replacement water treatment plant.

Mayor Trantalis explained the Commission position to not privatize the water treatment system. The Commission would still consider a P3 or other types of unsolicited proposals. He concurred with Commissioner Sorensen, confirming the need to move forward without delay and retention of water treatment plant operation, management and rate setting.

Commissioner Sorensen recommended the Commission continue to move forward on this subject and have updates every two weeks.

ADJOURNMENT

Mayor Trantalis adjourned the meeting at 8:09 p.m.



Dean J. Trantalis
Mayor

ATTEST:



Jeffrey A. Modarelli
City Clerk