

City of Fort Lauderdale

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Meeting Minutes

Tuesday, November 16, 2021

6:00 PM

**City Commission Chambers
100 North Andrews Avenue, Fort Lauderdale, FL 33301**

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

***DEAN J. TRANTALIS Mayor
HEATHER MORAITIS Vice Mayor - Commissioner - District I
STEVEN GLASSMAN Commissioner - District II
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.

Pledge of Allegiance

Mayor Dean J. Trantalis

MEETING ANNOUNCEMENT

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

ROLL CALL

Present: 5 - Commissioner Ben Sorensen, Vice Mayor Heather Moraitis, Commissioner Steven Glassman, Commissioner Robert L. McKinzie (arrived at 6:40 p.m.) and Mayor Dean J. Trantalis

QUORUM ESTABLISHED

Also Present: City Manager Chris Lagerbloom, City Clerk Jeffrey A. Modarelli, City Attorney Alain E. Boileau and City Auditor John Herbst

AGENDA ANNOUNCEMENTS

Mayor Trantalis announced the following updates to the Agenda:

WALK-ON - Motion to Approve Settlement Agreements and Releases Between the City of Fort Lauderdale, Hartford Accident & Indemnity Company, Continental Casualty Company, The Glen Falls Insurance Company, and American Fire & Casualty of Orlando, FL and American Fire & Casualty Company (Liberty Mutual)

Approval of MINUTES and Agenda

[21-1126](#)

Minutes for September 21, 2021 Commission Regular Meeting, October 5, 2021 Commission Conference Meeting and October 5, 2021 Commission Regular Meeting - (Commission Districts 1, 2, 3 and 4)

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

APPROVED

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

Not Present: 1 - Commissioner McKinzie

PRESENTATIONS

PRES- [21-1106](#)
1

Sister Cities Flag Exchange between the City of Fort Lauderdale and Constanta, Romania

Mayor Trantalis requested the following representatives of the City of Constanta, Romania join him in front of the dais, Ionut Rusu, Deputy Mayor of Constanta and Catalin Ghenea, Romanian Consul General.

Mayor Trantalis also requested International Relations & Culture Advisor Dorin Popescu, Ph.D., and *Greater Fort Lauderdale Sister Cities International (GFLSCI)* representatives join him at the dais.

Russell Weaver, President of *GFLSCI*, remarked on the history of the *GFLSCI* relationship between the City of Fort Lauderdale and the City of Constanta, Romania.

Mayor Trantalis and Constanta Deputy Mayor Rusu exchanged municipal flags along with tokens of appreciation in recognition of their *GFLSCI* relationship.

Deputy Mayor Rusu thanked Mayor Trantalis and remarked on the sizeable Romanian community in Fort Lauderdale, the opening of a Romanian consulate in South Florida and enhancement of Romania's relationship with the United States.

PRESENTED

PRES- [21-1108](#)
3

Commissioner Glassman will present a Proclamation declaring Saturday, November 20, 2021, as the 6th Annual Unity in the Community Grocery and Turkey Giveaway Day in the City of Fort Lauderdale

Commissioner Glassman requested Marty Kiar, Broward County Property Appraiser, Father Lully of St. Anthony's Church, Pastor Black of Sanctuary Church, Wayne Barton, Good News of Christ Ministries, Ray Rapaglia, James Club Foundation, Michael Albetta, Lake Ridge Civic Association President, Fort Lauderdale Police Chief Larry Sciroto and Fort Lauderdale Fire-Rescue Department Battalion Chief Daniel Oatmeyer join him at the dais.

Commissioner Glassman presented a Proclamation declaring

November 20, 2021, as the *6th Annual Unity in the Community Grocery and Turkey Giveaway Day in the City of Fort Lauderdale*, reading the Proclamation in its entirety.

Sanctuary Church Pastor Black thanked those contributing to the success of *Unity in the Community Grocery and Turkey Giveaway* and thanked Mayor Trantalis and the Commission for this recognition. Broward County Property Appraiser Kiar remarked on the positive impact of this event during the holiday season and thanked all those contributing to its success.

PRESENTED

PRES- [21-1107](#)
2

Florida Inland Navigation District (F.I.N.D.) Commissioner Frank Gernert to make Check Presentation to Commission Districts 3 (Sweeting Park) and 4 (Coontie Hatchie Park)

Frank Gernert, *Florida Inland Navigation District (F.I.N.D.)* Commissioner, presented checks representing grant proceeds towards inspiring operations and activities on the Intercoastal Waterway and adjacent waterways.

F.I.N.D. Commissioner Gernert presented a check for *Coontie Hatchie Park* in District 4.

F.I.N.D. Commissioner Gernert presented a check for *Sweeting Park* in District 3.

Commissioner Sorensen accepted the checks.

PRESENTED

PRES- [21-1109](#)
4

Fire-Rescue Good Samaritan Presentation to the Fort Lauderdale High School Swim Team

Mayor Trantalis requested Fire-Rescue Chief (Chief) Rhoda Mae Kerr, Fire-Rescue Battalion Chief Stephen Gollan, *Fort Lauderdale High School Swim Team (FLHS Swim Team)* Coach Adam Drucker and *FLHS Swim Team Members* Jimmy McCrady, Evangeline Meyler, Sean Meyler, Aiden Carey, Catherine Kilroy, Kylie Bennett, Orion Morales, Natalie Carpenter, Amira Solimon, Isabella Maisonette, Alexandra Medrano, Charlotte Lucas, Emiliano Vallejo, Carole Hynes, Giuliana Silva, Maya Coan, James Boardman, Rylie Barnhardt and Trent Jacklich join him in front of the dais.

Chief Kerr described life-saving efforts of *FLHS Swim Team Members* Jimmy McCrady, Evangeline Meyler, Sean Meyler and Coach Drucker,

who administered *Cardiopulmonary Resuscitation (CPR)* to a fellow teammate. The entire *FLHS Swim Team* assisted in additional rescue efforts that included leading Fire-Rescue Paramedics to the scene.

Chief Kerr presented *FLHS Swim Team Members* with *City of Fort Lauderdale Fire-Rescue Department Good Samaritan Award* commendations and *Fort Lauderdale Fire-Rescue Challenge Coins*.

PRESENTED

PRES- [21-1128](#)
5

City Manager will present Re-accreditation Award from the Association's Commission for Accreditation of Park and Recreation Agencies to Parks and Recreation Director, Phil Thornburg

City Manager Chris Lagerbloom requested Phil Thornburg, Parks and Recreation Department Director, join him in front of the dais. City Manager Lagerbloom announced the reaccreditation of the City of Fort Lauderdale Parks and Recreation Department awarded by the *National Recreation and Park Association's (NRPA) Commission for Accreditation of Park and Recreation Agencies (CAPRA)*. He read details associated with *CAPRA* reaccreditation.

A video entitled *Parks and Recreation - City of Fort Lauderdale* showcasing Parks and Recreation Department programming was shown.

A copy has been made part of the backup to this Agenda item.

Mr. Thornburg thanked Parks and Recreation Department Staff for their work and recognized their efforts towards achieving *CAPRA* reaccreditation. He thanked Mayor Trantalis, Commission Members and City Manager Lagerbloom for their support of the Parks and Recreation Department.

Mayor Trantalis presented Mr. Thornburg with the *CAPRA Reaccreditation Award*.

PRESENTED

CONSENT AGENDA PUBLIC COMMENT

Mayor Trantalis explained procedures and details regarding how members of the public could speak on Consent Agenda items.

City Manager Lagerbloom requested deferment of Agenda item CR-1 to December 7, 2021. In response to Mayor Trantalis' question, City Attorney Boileau explained this would not significantly impact

redistricting. It allows additional briefing of Commission Members.

CONSENT AGENDA

Mayor Trantalis pulled Consent Agenda items CP-2, CP-3 and CP-6 to allow for public comment. CR-1 was removed from the Agenda.

CONSENT MOTION

Approval of the Consent Agenda

Commissioner Glassman made a motion to approve the balance of the Consent Agenda items and was seconded by Commissioner Sorensen.

Approve the Consent Agenda

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

CM-1 [21-1089](#) Motion Approving an Event Agreement for All Saints Boat Parade Festival - (Commission District 4)

APPROVED

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

CM-2 [21-1105](#) Motion Approving a License Agreement with David Mancini & Sons, Inc. for a Portion of City Owned Property Located at 3110 SW 8 Avenue, Fort Lauderdale, FL 33315 - (Commission District 4)

APPROVED

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

CM-3 [21-0731](#) Motion Authorizing the Execution of (A) a Five (5) Year Florida Department of Transportation (FDOT) Use and Occupancy Agreement formerly known as FDOT Airspace Agreement and (B) Amended and Restated Revocable License and (B) an Amended and Restated Revocable License with Water Taxi - (Commission District 4)

APPROVED

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

CM-4 [21-1055](#) Motion Approving a Dockage Facility Usage Agreement with Winterfest, Inc. for the 2021 Winterfest Boat Parade - (Commission Districts 2 and 4)

APPROVED

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

- CM-5** [21-1090](#) Motion Approving an Application for Temporary Beach License and Outdoor Event Agreement with Richard Quadri, Individual, for the JPT's 11 Years for '11 Grads - (Commission District 2)

APPROVED

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

- CM-6** [21-0794](#) Motion Accepting Grant Application - Broward County Enhanced Marine Law Enforcement Grant Program Funds - \$145,256 - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

- CM-7** [21-0999](#) Motion Authorizing the Execution of two Sovereignty Submerged Lands Easements with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida - South Redundant Sewer Force Main - (Commission District 4)

APPROVED

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

- CM-8** [21-1036](#) Motion Approving Revisions to a Parking Enforcement Agreement with First Baptist Church of Fort Lauderdale, Inc. Located at 301 East Broward Boulevard - (Commission District 2)

APPROVED

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

- CM-9** [21-0256](#) Motion Authorizing Execution of a Revocable License with FLL Hospitality LLLP for a Temporary Closure of a 16-Foot Alley Right-of-Way, in Association with the Aloft Hotel Development Located at 501 SE 24th Street - (Commission District 4)

APPROVED

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

CONSENT RESOLUTION

- CR-1** [21-1119](#) Resolution Appointing Robert Vaughan, and the Law Firm of Kim Vaughan Lerner LLP, as Special Counsel to the City of Fort Lauderdale in Connection with Reestablishing the Boundaries of the Four City Commission Districts Following the 2020 Decennial Census (Redistricting) - (Commission Districts 1, 2, 3 and 4)

REMOVED FROM AGENDA

- CR-2** [21-0255](#) Resolution Disposing of City-Owned Surplus Property Located at 4270 SW 11 Street, Plantation, Florida 33317, Pursuant to Section 8.02 of the Charter of the City of Fort Lauderdale - (Commission Districts 1, 2, 3, and 4)

ADOPTED

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

- CR-3** [21-1056](#) Resolution Authorizing the City Manager to Execute an Amendment to the Motorized Watercraft Concession Agreement with Atlantic Beach Clubs-Two, Inc, to Defer Rent Payments for a Period of Three Months from October 2021 through and including December 2021 - (Commission District 2)

ADOPTED

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

- CR-4** [21-0944](#) Resolution Approving Amendment Number One to the Landscape Maintenance Memorandum of Agreement with the Florida Department of Transportation for Improvements within the Right-of-Way of State Road 811 (Dixie Highway/NE 4th Avenue) and Assumption of Liability and Hold Harmless Agreement with Plaza Street Fund 90, LLC - (Commission District 2)

ADOPTED

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

- CR-5** [21-0997](#) Resolution Rescinding Resolution No. 21-151, and Approving a Highway Maintenance Memorandum of Agreement with Florida Department of Transportation for Bayview Drive Improvements - (Commission District 1)

ADOPTED

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

- CR-6** [21-0998](#) Resolution Rescinding Resolution No. 21-153, and Approving a Local Funding Agreement and a Three-Party Escrow Agreement with Florida Department of Transportation for Bayview Drive Improvements in the Amount \$637,014 - (Commission District 1)

ADOPTED

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

- CR-7** [21-1029](#) Resolution Supporting Broward County Traffic Engineering Division to Retain "NO THRU TRUCKS" Signage and Install "AREA SPEED LIMIT" Signage on the Eastbound Lane of NE 49th Street at Bayview Drive - (Commission District 1)

ADOPTED

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

- CR-8** [21-0790](#) Resolution Approving Contributions to Nonprofit Organizations Receiving \$25,000 or less for Fiscal Year 2022 - \$419,012 - (Commission Districts 1, 2, 3 and 4)

ADOPTED

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

- CR-9** [21-0927](#) Resolution Approving the Consolidated Budget Amendment to Fiscal Year 2021 - Appropriation - (Commission Districts 1, 2, 3 and 4)

In response to Commissioner McKinzie's inquiry regarding the *WAVE Project* reimbursement, Laura Reece, Management and Budget Office Director, explained the portion of this Agenda item refinances outstanding debt related to the *WAVE Project*. Ms. Reece said the City had not received reimbursement.

City Attorney Boileau discussed the cancellation of the *WAVE Project* agreements. The *Community Redevelopment Agency (CRA)* borrowed money for the *North Loop of WAVE Project (North Loop)*, which the City did not pay back.

City Attorney Boileau said the *WAVE Project* loan has not been satisfied, resulting in ongoing debt service. Initial funding expended by

the *South Florida Regional Transit Authority (SFRTA)* for *WAVE Project* designs and other items was not refunded. A subsequent City public records request to the *SFRTA* for related accounting indicated the *SFRTA* had spent those funds. The *CRA* financed the *North Loop* portion of the *WAVE Project (North Loop)*, which now has debt service.

In response to Commissioner McKinzie question regarding reimbursement of the *CRA* loan for the *North Loop*, City Manager Lagerbloom confirmed reimbursement was sought.

In response to Mayor Trantalis' question regarding reimbursement of residential assessments for the *WAVE Project*, City Attorney Boileau confirmed residential assessments were reimbursed.

Ms. Reece explained financial details included in Agenda items CR-9 and CR-10 associated with use of remaining year-end *CRA* funds for the prepayment of the *North Loop* loan, which allows refinancing at a lower interest rate.

In response to Commissioner McKinzie's questions, City Auditor Herbst explained the *SFRTA* owes the City reimbursement but has declined to pay. The *SFRTA* should have only spent City funding through the *CRA* on the *North Loop* of the *WAVE Project* but began to expend those funds improperly. When the City claimed reimbursement, the *SFRTA* declined reimbursement and declined the request for documentation on how those funds were spent. The City is now refinancing what was borrowed and includes a shortfall from leftover *CRA* funds.

Commissioner McKinzie commented on his understanding and perspective. City Auditor Herbst explained details associated with addressing this from an accounting perspective, i.e., it had been written off. From a legal perspective, the *SFRTA* still owes this funding.

City Attorney Boileau discussed his perspective and said he has not seen evidence of inappropriate spending by the *SFRTA*. The City clawed back as much as it could, and there were expenditures due to the City's involvement in the *WAVE Project* process. He commented on related details and reconfirmed resident assessments were refunded.

City Attorney Boileau commented on prior discussions regarding the City paying back the *CRA*. The previous City Manager contemplated giving *One Stop Shop* to the *CRA*, but the Commission never agreed.

In response to Mayor Trantalis' inquiry regarding the City having a cause

of action against the *SFRTA*, City Attorney Boileau said he does not believe so because the City authorized the expenditure of those funds contemplated as part of the *WAVE*.

City Auditor Herbst clarified funding given to the *SFRTA* for the *North Loop* was only to be spent for activities related to the *North Loop of the WAVE Project*. The majority of incurred expenditures were for the total *WAVE Project*, not the minor portion of the *North Loop*. The *SFRTA* commingled those funds, using *CRA* capital funding for general *WAVE Project* funding. *CRA* funding should have been spent on construction-related activities for the *North Loop*, not commingled.

City Attorney Boileau said if there is related evidence, it could be addressed. Further comment and discussion ensued.

ADOPTED

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

CR-10 [21-0926](#)

Resolution Approving the Consolidated Budget Amendment to Fiscal Year 2022 - Appropriation - (Commission Districts 1, 2, 3 and 4)

ADOPTED

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

CR-11 [21-1004](#)

Resolution Approving Fiscal Year 2022 Not For Profit Grant Participation Agreement with Areawide Council on Aging of Broward County, Inc. - \$127,842 - (Commission Districts 1, 2, 3 and 4)

CONSENT PURCHASE

CP-1 [21-0127](#)

Motion Approving the Ranking of Firms, Negotiated Fee Schedule and Agreement for Construction, Engineering and Inspection Services to Replace the Oxygen Generating System for the George T. Lohmeyer Wastewater Treatment Plant - CDM Smith Inc. - \$643,000 - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

CP-2 [21-0678](#)

Motion Approving Agreements for Federal Legislative and Executive Branch Representative Services - Alcalde & Fay, Ltd. Inc, and Akin Gump Strauss Hauer & Feld LLP - \$480,000 - (Commission Districts

1, 2, 3 and 4)

In response to Mayor Trantalis' questions, Daphnee Sainvil, Government & Economic Development Manager, confirmed lobbying firms listed in this Agenda item are the best firms to represent the City. Staff will assign Commission Priorities to either Alcalde & Fay, Ltd. Inc., or Akin Gump Strauss Hauer & Feld, LLP, based on their areas of lobbying expertise and strong relationships to aggressively pursue funding and policy changes.

In response to Commissioner McKinzie's question regarding a relationship with a previous lobbying firm, City Manager Lagerbloom noted procurement efforts for this Agenda item went through a competitive procurement process. Staff recommendations were based on ratings of proposals. Further comment and discussion ensued on the process.

Commissioner McKinzie commented on his perspective regarding a previous lobbying firm, the process for this Agenda item and questioned the opportunity for Commission input. Mayor Trantalis noted the opportunity for Commission Members to meet with Staff.

Vice Mayor Moraitis remarked the previous lobbying firm contract had lapsed and they were doing pro bono work on behalf of the City. She recommended in the future starting the Request for Proposal (RFP) process earlier.

In response to Vice Mayor Moraitis' question, Ms. Sainvil confirmed the current duration of lobbying contracts associated with this Agenda item is three (3) years with an optional one (1) year renewal and Commission direction for more aggressive lobbying efforts.

Vice Mayor commented on her understanding that the City had procured an additional state-wide lobbying firm, similar to this Agenda item that adds another lobbying firm for federal lobbying efforts. Further comment and discussion ensued.

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

APPROVED

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

CP-3 [21-0878](#)

Motion Approving Agreements for Stormwater Infrastructure Cleaning and Maintenance - EnviroWaste Services Group, Inc. and Drainage

Partners LLC -\$500,000 - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis recognized Boyd Corbin, 12 NE 26th Street, Wilton Manors. Mr. Corbin spoke on stormwater drains, flooding, sewage spills and water quality, public-private partnerships and plans for a new City Hall. He discussed costs associated with plans to replace the water treatment plant and the *Carollo Engineers, Inc., Report (Carollo Report)*. Further comment and discussion ensued.

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

APPROVED

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

CP-4 [21-1017](#)

Motion Approving Amendment No. 1 for Sexual Assault Response Team Kit Testing - Bode Cellmark Forensics, Inc. - \$83,325 - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

CP-5 [21-1042](#)

Motion Approving Purchase of Turf Grass Maintenance - Fire, Parking, Utility Plants - C & M Landscaping, Inc. - \$136,004 - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

CP-6 [21-1047](#)

Motion Approving Agreement for Purchase of Water Meter Boxes - Fortiline, Inc. - \$502,000 (one year total) - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis recognized Boyd Corbin, 12 NE 26th Street, Wilton Manors. Mr. Corbin spoke regarding concerns associated water meter billing overcharges, inquiring about details and discussing his perspective.

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

APPROVED

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

MOTIONS

- M-1** [21-1125](#) Motion to Approve Settlement Agreement and Release between the City of Fort Lauderdale and Continental Construction USA, LLC - (Commission Districts 1, 2, 3 and 4)

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

APPROVED

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

- M-2** [21-1030](#) Motion Approving Increase to the Stormwater Master Plan Modeling and Design Implementation Continuing Contract Cost Capacity - Hazen and Sawyer, P.C. - \$5,400,000 - (Commission Districts 2, 3 and 4)

Mayor Trantalis recognized Boyd Corbin, 12 NE 26th Street, Wilton Manors. Mr. Corbin commented on the need for robust stormwater drainage throughout Broward County. He discussed two (2) storm drainage system options, explained related details and remarked on concerns in several areas.

Vice Mayor Moraitis said the District 1 Pre Agenda Meeting included a discussion of stormwater drainage. She commented on input from Ralph Zeltman, Imperial Point resident and her appointee to the Infrastructure Task Force Advisory Committee.

Dr. Nancy Gassman, Assistant Public Works Department Director Sustainability Division, explained Mr. Zeltman's correspondence related to a request to retrofit storm drainage pipes in Imperial Point, which he understood to be an exfiltration system. She said the storm drainage system in Imperial Point is not an exfiltration system.

Dr. Gassman said that stormwater drainage utilize blind catch basins in that area. They are connected by pipes that create capacity under the roadway to prevent water ponding and percolation occurs through the catch basin. This infrastructure is cleaned regularly. Stormwater is slower to drain due to aging infrastructure.

In response to Vice Mayor Moraitis' question regarding addressing stormwater infrastructure needs in the Imperial Point area, Dr. Gassman explained what would be required to handle this type of large-scale, significant infrastructure project. It would require adding this capital

improvement project to the five-year Capital Improvement Plan and allocating funding.

In response to Vice Mayor Moraitis' question, City Manager Lagerbloom commented on handling this in the budget. Further comment and discussion ensued.

Mayor Trantalis acknowledged the need to address these types of infrastructure needs and the possibility of receiving federal assistance from recently enacted federal infrastructure legislation.

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

APPROVED

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

RESOLUTIONS

R-1 [21-1103](#)

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

City Clerk Jeffrey Modarelli read the names of Board and Committee nominees for appointment and reappointment at the *December 7, 2021 Commission Regular Meeting*.

City Clerk Modarelli advised Commissioner Glassman's term on the International Swimming Hall of Fame is coming up.

City Clerk Modarelli read into the record the names of Board and Committee appointments and or reappointments for Agenda item R-1.

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

ADOPTED

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

R-2 [21-1078](#)

Resolution Approving the 2022 State Legislative Program for the City of Fort Lauderdale - (Commission Districts 1, 2, 3, and 4)

Commissioner Glassman commented on and recommended including Commission enacted Resolutions in the State Legislative Program. He suggested a review of Commission Resolutions to ensure items of significance have not been overlooked, i.e., categories relating to civil

rights and human rights, which should be included in Commission Legislative Priorities.

Mayor Trantalis concurred. City Manager Lagerbloom explained Commission input on this Resolution would typically be addressed during the Commission Conference Meeting but was not due to time constraints and desire for expediency for transmitting the City's State Legislative Program to lobbyists. Commissioner Glassman's recommendations could be added to State Legislative Program. Further comment and discussion ensued.

Vice Mayor Moraitis confirmed her preference to adopt this Resolution based on the attached Commission Agenda Memo without the amendment. Commissioner McKinzie concurred and recommended voting separately on Commission Legislative Priorities and Commission enacted Resolutions.

City Attorney Boileau provided his perspective and recommended not bifurcating this Resolution. Further comment and discussion ensued.

Commissioner Glassman expounded on his perspective to approve this Resolution as amended and remarked on examples listed in the Commission Agenda Memorandum backup. Further comment ensued.

Vice Mayor Moraitis discussed State legislative appropriation funding requests and the impact of Commission Resolutions on specific subjects. Further comment and discussion ensued.

Commissioner McKinzie confirmed the separate nature of legislative initiatives, his opposition to Resolutions adopted by the Commission and expounded on his perspective.

In response to Commissioner Sorensen's question, Mayor Trantalis confirmed the amended Resolution would include Commission Resolutions adopted during 2021.

Commissioner Glassman recommended adding historic preservation to the arts and culture appropriation request title. City Manager Lagerbloom confirmed.

Vice Mayor Moraitis inquired about her representing the Commission on the *Broward League of Cities* and *Florida League of Cities*. Further comment and discussion ensued.

Commissioner Sorensen recommended Vice Mayor Moraitis remain the

Commission representative for the Broward League of Cities and Florida League of Cities. Further comment and discussion ensued.

City Attorney Boileau clarified enacted Commission Resolutions state and direct the City's State lobbyists to advocate for those to the extent those Resolutions stand. Further comment and discussion ensued.

Commissioner Glassman introduced this Resolution as amended to include Commission Resolutions adopted during 2021 which was read by title only.

ADOPTED AS AMENDED - to include Resolutions passed in 2021

Aye: 3 - Commissioner Sorensen, Commissioner Glassman and Mayor Trantalis

Nay: 2 - Vice Mayor Moraitis and Commissioner McKinzie

R-3 [21-1085](#)

Resolution Providing Notice of Intent to Enter into a Comprehensive Agreement for a Qualifying Project Submitted as an Unsolicited Proposal to Develop, Operate, and Maintain a Multi-Use Structure with Public Parking and Notice of Intent to Accept Other Proposals for the Same Project - (Commission District 4)

Commissioner Sorensen recommended a thirty-day (30) response time for additional unsolicited proposals.

Commissioner Sorensen introduced this Resolution to include a thirty-day (30) response time for submission of additional unsolicited proposals which was read by title only.

ADOPTED - 30 Days Notice

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

R-4 [21-1094](#)

Resolution Authorizing the Execution of a Facilities Relocation Agreement with Florida Power and Light Company (FPL) for Relocation of Transmission Lines Contingent on the Fort Lauderdale Community Redevelopment Agency's Approval of the Expenditure, Approval of an Excess Cost and Grant Of Easement Agreement, an Eleventh Amendment to the Development Agreement with Village of the Arts, Ltd., a Guaranty Agreement with Milton and Barbara Jones and a Recognition Agreement with Bank of America, N.A., and Authorizing the City Manager to Execute Certain Documents and Instruments, To Take Certain Actions and Providing for an Effective Date - (Commission District 3)

Commissioner McKinzie introduced this Resolution which was read by

title only.

ADOPTED

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

PUBLIC HEARINGS

PH-1 [21-0760](#)

Public Hearing - Resolution to Establish Minimum Annual Lease Rates and a Real Estate Brokerage Commission Policy for Property Available for Lease at the Fort Lauderdale Executive Airport - (Commission District 1)

Mayor Trantalis opened the Public Hearing.

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

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

ADOPTED

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

PH-2 [21-0721](#)

Resolution Authorizing the Issuance by the Fort Lauderdale Community Redevelopment Agency of Fort Lauderdale Community Redevelopment Agency Tax Increment Revenue and Refunding Notes, Series 2021 (Northwest-Progresso-Flagler Heights Community Redevelopment Area Projects) in an Amount Not to Exceed \$23,100,000 - (Commission Districts 2 and 3)

Mayor Trantalis opened the Public Hearing.

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

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

ADOPTED

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

ORDINANCE FIRST READING

OFR-1 [21-0967](#)

First Reading - Ordinance Amending the Non-Bargaining Unit Classification Table of the Pay Plan of the City of Fort Lauderdale, Florida, by Creating Two New Classifications - (Commission Districts 1, 2, 3 and 4)

In response to Vice Mayor Moraitis' questions regarding the need and benefit of these two (2) new positions, City Manager Lagerbloom noted the ability to improve in the areas of cultural affairs and diversity and discussed the Cultural Affairs Officer position.

City Manager Lagerbloom explained other cities of similar size have moved towards focusing on Diversity Equity Inclusion Initiative (DEII) strategies to attract, hire and maintain a diverse workplace, i.e., developing and implementing recruitment outreach programs to promote inclusion and diversity.

Vice Mayor Moraitis commented on the City receiving ratings and awards based on diversity efforts and commented on addressing diversity in the Fire-Rescue Department. She commented on her perspective that diversity is and should be addressed at the departmental level. Vice Mayor Moraitis noted the salary range of these two (2) positions and her preference to use this funding for Police Department personnel needs.

Commissioner Glassman noted these positions were included in the Fiscal Year 2022 Budget (Budget). City Manager Lagerbloom explained procedural nature of this Agenda item allows the creation of these positions in the personnel complement.

In response to Vice Mayor Moraitis' question, City Manager Lagerbloom confirmed the ability to reallocate approved Budget items. She reiterated her position regarding utilizing this funding for Police Department personnel needs and noted she was not comfortable with Police Department Staffing efforts.

In response to Vice Mayor Moraitis' question regarding the Human Resource Department adequately fulfilling the role of hiring a diverse workforce, Tarlesha Smith, Assistant City Manager - Human Resources Director, confirmed it is being accomplished and noted diversity efforts can continually be improved.

Ms. Smith confirmed several budgeted Police Department vacancies are available, and there are several candidates from a diverse pool of candidates moving through the process to fill those positions. The Fire-Rescue Department is fully staffed except for a few resignations or separations within the last month.

Vice Mayor Moraitis commented on requests for additional budgeted Police Department positions and her recommendation to add additional positions rather than the positions included in this Agenda item.

Commissioner Sorensen discussed the importance of a Diversity Officer. In response to Commissioner Sorensen's question, Ms. Smith confirmed a Diversity Officer would assist the Police Department and Fire-Rescue Department in attracting and cultivating diverse candidates. She expounded on details associated with the role of a Diversity Officer that addresses numerous duties in areas of diversity and commented on details related to a Diversity Officer's focused efforts.

Vice Mayor Moraitis suggested providing Diversity Officer training for department heads and human resources department personnel. Further comment ensued.

In response to Mayor Trantalis' question, Ms. Smith confirmed a Diversity Officer is also involved in sensitivity training and expounded on related details.

Mayor Trantalis concurred with Commissioner Sorensen's comments and remarked on his viewpoint regarding needs associated with this type of Police Department training.

Commissioner Glassman confirmed his support of this Agenda item. He commented on his perspective regarding the growth of the City, the need for these two (2) positions and details associated with their importance.

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

PASSED FIRST READING

Aye: 4 - Commissioner Sorensen, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

Nay: 1 - Vice Mayor Moraitis

OFR-2 [21-1051](#)

First Reading - Ordinance Amending Schedule VI of the Pay Plan of the City of Fort Lauderdale, Florida, by Increasing the Minimum

Salary of the Pay Ranges that are less than the State of Florida Minimum Wage effective September 30, 2021- (Commission Districts 1, 2, 3 and 4)

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

PASSED FIRST READING

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

ORDINANCE SECOND READING

OSR-1 [21-1093](#)

Second Reading - Ordinance Amending the City of Fort Lauderdale Code of Ordinances Sec. 28-1B, Relating to Year-Round Landscape Irrigation Conservation Measures - (Commission Districts 1, 2, 3 and 4)

City Manager Lagerbloom noted updates were made to this Ordinance prior to the Second Reading.

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

ADOPTED ON SECOND READING

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

[21-1147](#)

WALK-ON - Motion to Approve Settlement Agreements and Releases Between the City of Fort Lauderdale, Hartford Accident & Indemnity Company, Continental Casualty Company, The Glen Falls Insurance Company, and American Fire & Casualty of Orlando, FL and American Fire & Casualty Company (Liberty Mutual)

City Attorney Boileau provided background information regarding this Agenda item. It addresses settlements with insurance companies identified in this Agenda item. Staff retained outside counsel to thoroughly review historical documents referencing insurance policies associated with pending cases related to environmental claims, resulting in reduced settlement costs of those claims.

City Clerk Modarelli acknowledged the contribution of Casandra Brown, Assistant City Clerk III, working in conjunction with the Office of the City Attorney, to research and locate historical City documents reviewed by outside counsel.

Commissioner Sorensen made a motion to approve this item and was

seconded by Commissioner Glassman.

APPROVED

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

CITY MANAGER UPDATE

City Manager Lagerbloom discussed his recommendation to return to in-person attendance at Commission Meetings.

City Attorney Boileau confirmed the ability to accommodate Commission Members who are unable to attend.

Commissioner McKinzie noted the need to maintain the thorough cleaning of the Commission Chambers.

ADJOURNMENT

Mayor Trantalis adjourned the meeting at 8:13 p.m.

Dean J. Trantalis
Mayor

ATTEST:

Jeffrey A. Modarelli
City Clerk