City of Fort Lauderdale

https://fortlauderdale.legistar.com/Calendar.aspx www.fortlauderdale.gov/fltv www.youtube.com/cityoffortlauderdale Cable Television - Comcast Channel 78 and AT&T U-verse Channel 99



Meeting Minutes

Tuesday, June 7, 2022 6:00 PM

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

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

DEAN J. TRANTALIS Mayor
BEN SORENSEN Vice Mayor - Commissioner - District IV
HEATHER MORAITIS Commissioner - District I
STEVEN GLASSMAN Commissioner - District II
ROBERT L. McKINZIE Commissioner - District III

CHRIS LAGERBLOOM, City Manager DAVID R. SOLOMAN, City Clerk ALAIN E. BOILEAU, City Attorney PATRICK REILLY, Interim City Auditor

CALL TO ORDER

Mayor Trantalis called the meeting to order at 6:15 p.m.

Meeting Minutes

Pledge of Allegiance

Mayor Dean J. Trantalis

MEETING ANNOUNCEMENT

Mayor Trantalis explained the format of the meeting, appropriate decorum and how members of the public can view and participate.

ROLL CALL

Present: 5 - Commissioner Robert L. McKinzie (arrived at 6:46 p.m.), Vice Mayor Ben Sorensen, Commissioner Heather Moraitis, Commissioner Steven Glassman and Mayor Dean J. Trantalis

QUORUM ESTABLISHED

Also Present: Assistant City Manager Greg Chavarria, City Clerk David R. Soloman, City Attorney Alain E. Boileau, and Interim City Auditor Patrick Reilly

AGENDA ANNOUNCEMENTS

Mayor Trantalis announced the following changes to the published Agenda:

WALK-ON ITEMS:

WALK-ON - Resolution Calling 2022 Special Municipal Election for District 3 on November 8, 2022 - (Commission District 3)

WALK-ON - Resolution Calling 2022 Special Municipal Election for District 4 on November 8, 2022 - (Commission District 4)

REVISIONS:

CP-7 - Revision to Exhibit 5 - updated the scope of services

R-4 - Additional information provided

R-8 - CAM was revised to correct two typos

WALK-ON items and Revisions are attached to the Meeting Minutes.

Approval of MINUTES and Agenda

22-0532

Minutes for March 1, 2022 Commission Regular Meeting, March 15, 2022 Joint Workshop with Sustainability Advisory Board and March 15, 2022 Commission Special Meeting - (Commission Districts 1, 2, 3 and 4)

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

APPROVED

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

Not Present: 1 - Commissioner McKinzie

PRESENTATIONS

PRES- <u>22-0544</u>

Mayor Trantalis will present a Proclamation declaring June 2022, as Pride Month in the City of Fort Lauderdale

Mayor Trantalis presented a Proclamation declaring *June 2022 as Pride Month in the City of Fort Lauderdale*, reading the Proclamation in its entirety.

Terry Dyer, Executive Director of the World AIDS Museum, thanked Mayor Trantalis and Commission Members for this recognition.

PRESENTED

PRES- <u>22-0545</u> 2 Vice Mayor Sorensen to present a Proclamation declaring Tuesday, June 7, 2022, as Esther Charles Day in the City of Fort Lauderdale

Vice Mayor Sorensen presented a Proclamation declaring *Tuesday, June 7, 2022, as Esther Charles Day in the City of Fort Lauderdale,* recognizing Ms. Charles as a *2022 Broward County Public Schools Teacher of the Year Award* finalist, reading the Proclamation in its entirety.

Ms. Charles accepted the Proclamation and thanked Mayor Trantalis and Commission Members for this recognition.

PRESENTED

PRES- <u>22-0546</u>

Vice Mayor Sorensen to present a Proclamation declaring Tuesday, June 7, 2022, as Elizabeth Fahy Day in the City of Fort Lauderdale

Vice Mayor Sorensen presented a Proclamation declaring *Tuesday*, *June 7, 2022, as Elizabeth Fahy Day in the City of Fort Lauderdale*, recognizing Ms. Fahy as a *Broward County Public Schools 2022 Teacher of the Year Award* finalist, reading the Proclamation in its entirety.

Ms. Fahy accepted the Proclamation and thanked Mayor Trantalis and Commission Members for this recognition.

PRESENTED

PRES- <u>22-0547</u>

Commissioner Glassman to present a Proclamation declaring Tuesday, June 7, 2022, as Heilange Porcena Day in the City of Fort Lauderdale

Commissioner Glassman presented a Proclamation declaring Tuesday, June 7, 2022, as Heilange Porcena Day in the City of Fort Lauderdale in recognition of her achievement as Broward County 2022 Public Schools Principal of the Year, reading the Proclamation in its entirety.

Principal Porcena accepted the Proclamation and thanked Mayor Trantalis and Commission Members for this recognition.

PRESENTED

PRES- <u>22-0548</u>

Commissioner Glassman to present District II Community Appearance Board "WOW" Award

Commissioner Glassman presented the District II Community Appearance Board (CAB) "WOW" Award to homeowners Maria Cristina Montes and Stuart Todd Doss, 444 NE 11th Avenue.

Mr. Doss thanked Mayor Trantalis and Commission Members for this recognition.

PRESENTED

CONSENT AGENDA

Mayor Trantalis announced the following Consent Agenda items were pulled by Commission Members for separate discussion:

None.

CONSENT AGENDA PUBLIC COMMENT

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

Mayor Trantalis recognized Boyd Corbin, 12 NE 26th Street, Wilton Manors. Mr. Corbin commented on concerns related to water quality, engineering consultant costs and the *Fiveash Water Treatment Plant*.

Approval of the Consent Agenda

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

Approve the Consent Agenda

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

CONSENT MOTION

CM-1	22-0504	Motion Approving Event Agreements and Related Road Closures for
		Stonewall Pride and Vegan BBQ Party - (Commission Districts 2 and
		4)

APPROVED

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

CM-2 22-0503 Motion Approving an Application for Temporary Beach License and Outdoor Event Agreement for Dig the Beach Volleyball Series (August 2022) - (Commission Districts 2 and 4)

APPROVED

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

CM-3 22-0487 Motion Approving an Amendment to the Agreement with Broward County for the Leasing of Real Property located at 80 SW 1st Avenue - (Commission District 4)

APPROVED

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

CM-4 22-0493 Motion Approving the First Amendment to an Agreement Between Broward County, City of Fort Lauderdale and Fort Lauderdale

Country Club, Inc., for Reimbursement Funding of a Saltwater Intrusion Monitoring Well - \$9,795.50 - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

CM-5 22-0511 Motion Approving Agreement with the School Board of Broward County, Florida for the School Resource Officer Summer School Program - (Commission Districts 2, 3 and 4)

APPROVED

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

CM-6 22-0521 Motion Eliminating July 19, 2022, and August 2, 2022, Conference and Regular Meetings for Vacation - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

CONSENT RESOLUTION

CR-1 22-0015 Resolution Approving the Consolidated Budget Amendment to Fiscal Year 2022 - Appropriation - (Commission Districts 1, 2, 3 and 4)

Assistant City Manager Greg Chavarria remarked on earlier Commission discussions during the Conference Meeting regarding pulling this Consent Agenda item and amending to allow the opportunity to fund \$5,000 for costs associated with the unveiling of Nilda Comas' statue of Mary McLeod Bethune in Washington D.C. on July 13, 2022.

Yvette Matthews, Office of Management and Budget Division Manager, confirmed funding availability and said there was no need to amend this Agenda item or remove from the Consent Agenda.

ADOPTED

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

CR-2 22-0416 Resolution Calling for an Election to be Held for the Lauderdale Isle
Water Management District Governing Board Due to Vacancy (Commission District 4)

ADOPTED

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

CR-3 22-0488 Resolution (a) Approving an Application for a Dock Permit for Usage of Public Property by Matthew and Kathryn Friedman Located at 901 Cordova Road and (b) Authorizing Execution of a Declaration of Restrictive Covenants - (Commission District 4)

ADOPTED

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

CR-4 22-0489 Resolution Approving the Naming of Baseball Field No. 3 at Holiday Park to "Bill Joyner Baseball Field" - (Commission District 2)

ADOPTED

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

CR-5 22-0490 Resolution Declaring Notice of Intent to Lease City-Owned Property Located at SW 42 Terrace, Unincorporated, Florida 33317, Pursuant to Section 8.13 of the City Charter, to Covenant House Florida, Inc. - (Unincorporated Broward)

ADOPTED

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

CR-6 22-0520 Resolution (a) Approving an Application for a Dock Permit for Usage of Public Property by Nelson & Jasmin Fernandez Located at 1342 Ponce De Leon Drive and (b) Authorizing Execution of a Declaration of Restrictive Covenants - (Commission District 4)

ADOPTED

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

CR-7 22-0441 Resolution Approving an Order Form, General Terms and Conditions, and Addendum, for the Proprietary Purchase of Online Legal Research Services - West Publishing Corporation - (Commission Districts 1, 2, 3 and 4)

ADOPTED

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

CONSENT PURCHASE

CP-3

22-0354

CP-1 22-0150 Motion Approving Agreements for Purchase of Turf Grass Maintenance - Cemeteries with SFM Landscape Services, LLC and Weed-A-Way, Inc. - \$143,007.96 - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

CP-2 Motion Approving Funding for Projects Utilizing Consultants'
Competitive Negotiation Act (CCNA) Professional Services Library 3.0 Water and Wastewater Systems - Continuing Services Contracts
- Chen Moore and Associates, Inc., Kimley-Horn & Associates, Inc.,
Tetra Tech, Inc., Calvin, Giordano & Associates, Inc., Craven,
Thompson & Associates, Inc., EAC Consulting, Inc., CDM Smith,
Inc., Jacobs Engineering Group, Inc., and Hazen and Sawyer, P.C.
- \$3,000,000 - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

Motion Authorizing Additional Funding in the Amount of \$11,300,000 for the Parks Bond and Parks Master Plan Design and Implementation Services Agreement - AECOM Technical Services, Inc. - \$11,300,000 - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

CP-4 22-0361 Motion Approving Increase in Funds to the Annual Asphalt Mill and Resurfacing Contract - M & M Asphalt Maintenance Inc. - \$300,000 - (Commission Districts 2 and 4)

APPROVED

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

CP-5 <u>22-0411</u> Motion Approving Consent of Assignment of Agreement from Lanzo Trenchless Technologies, Inc. - South to Lanzo Construction Co.,

Florida - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

CP-6 22-0425

Motion Terminating for Cause an Agreement with Screen Graphics of Florida, Inc. and Approving a New Agreement for Vehicle & Equipment Graphics, Installation, and Removal with Graphic Designs International, LLC - \$300,000 (estimated two-year total) - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

CP-7 22-0498

Motion Approving a Service Agreement for Advanced Metering Infrastructure Solution Consultant Services - Black & Veatch Corporation - \$237,138 - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

MOTIONS

M-1 22-0528

Motion Denying an Application for an Outdoor Event with Related Road Closures and an Agreement with Exotics on Las Olas 5 - (Commission District 4)

Mayor Trantalis recognized Lorne Berkeley, Esq., on behalf of *Exotics on Las Olas* (Applicant). Mr. Berkeley explained the Applicant's position regarding the Staff's recommendation to deny and expounded on details. Mr. Berkeley commented on aspects of this event over the past five (5) years that benefited the City and efforts to rectify barricade, sanitation, and additional Staff concerns. He expounded on details related to event logistics and related information. Further comment and discussion ensued.

Mayor Trantalis discussed his perspective, remarking on the burden this event has on Las Olas Boulevard merchants and the *Las Olas Association*, and inquired about the Applicant reimbursing those costs. Mr. Berkeley commented on the rising reimbursement costs and the Applicant's position. Further comment and discussion ensued.

Mayor Trantalis recognized Luke Moorman, 1004 SW 18th Street, Las

Olas Association (Association) President. Mr. Moorman spoke in support of this Agenda item to deny and explained details related to the Association's participation with Las Olas Boulevard events.

In response to Mayor Trantalis' question, Mr. Moorman explained financial funding details included in the contract with the Applicant including the general event operation, promotion, management, and cleanup.

In response to Vice Mayor Sorensen's questions, Mr. Moorman explained details of the *Association's* efforts to negotiate contractual aspects of the event with the Applicant. Further comment and discussion ensued.

City Attorney Boileau remarked on the need to address concerns related to holding a public event open on a City right of way with a private entity benefiting financially. Further comment and discussion ensued.

Vice Mayor Sorensen commented on his willingness to work with the Applicant and the *Association* towards continued negotiations. Mr. Moorman and Mr. Berkeley confirmed their willingness to re-engage in negotiations.

Mayor Trantalis commented on his viewpoint and noted that the City should be the entity making decisions about public road closures related to outdoor events. City Attorney Boileau confirmed.

Commissioner Moraitis remarked on the value of input from area businesses when approving special events in District 1 that require road closures and commented on Staff's recommendation to deny this outdoor event application. Further comment and discussion ensued.

Mayor Trantalis recognized Charles Ladd, 442 NE 7th Street. Mr. Ladd spoke in support of this Agenda Item, denying approval of the outdoor event application. He clarified details regarding road and sidewalk areas adjacent to Las Olas Boulevard, which consists of private property and public rights of way. Further comment and discussion ensued.

Mayor Trantalis recognized Mike Weymouth, *Las Olas Company*President, 620 E. Las Olas Boulevard. Mr. Weymouth, spoke in support of this Agenda Item denying approval of the outdoor event application. Further comment and discussion ensued.

In response to Mayor Trantalis' question, Vice Mayor Sorensen reiterated

his recommendation to defer this item to allow stakeholders to meet and arrive at a mutual agreement to allow this Special Event to move forward. Further comment and discussion ensued.

Mayor Trantalis recognized Jon Hirsch, 800 E. Broward Boulevard, Applicant. Mr. Hirsch remarked on his viewpoint and past support of this outdoor event.

In response to Mayor Trantalis' question, Jon Hirsch addressed comments from previous speakers in opposition to this outdoor event.

Mayor Trantalis recognized Floyd Raglin, North Miami. Mr. Raglin discussed his support of this outdoor event.

In response to Commissioner Glassman's question regarding Staff's recommendation to deny this outdoor event application, Phil Thornburg, Parks and Recreation Department Director, explained Staff input was based upon feedback from neighborhoods, the *Las Olas Association*, and other City departments. Further comment and discussion ensued regarding additional concerns related to this event.

Commissioner Glassman remarked on his viewpoint and ongoing construction in the vicinity of this event. Further comment and discussion ensued.

Vice Mayor Sorensen made a motion to defer this Agenda item until the June 21, 2022, Commission Meeting. There was no second to the motion.

Commissioner Moraitis made a motion to approve this Agenda item, denying this Application for an Outdoor Event, and was seconded by Commissioner Glassman.

APPROVED

Yea: 3 - Commissioner McKinzie, Commissioner Moraitis and Commissioner Glassman

Nay: 2 - Vice Mayor Sorensen and Mayor Trantalis

M-2 <u>22-0556</u>

Motion Approving Interim Agreement with The Boring Company for the Subsurface Tunnel System from Downtown Fort Lauderdale to Fort Lauderdale Beach, Pursuant to Florida Statutes Sec. 255.065(6) - (Commission Districts 1, 2, 3 and 4)

In response to Mayor Trantalis' questions, City Attorney Alain Boileau and City Manager Chris Lagerbloom clarified aspects of the interim

agreement. The interim agreement allows *The Boring Company* to assess subsurface conditions to determine project costs, the geological feasibility, a definitive path to move the tunnel project forward. The interim agreement includes four (4) milestones, which the City is committed to when related work is completed.

Commissioner Glassman discussed his perspective and noted the interim agreement model utilized for the East and West buildings at the *Aquatic Center*.

City Manager Lagerbloom explained the interim agreement associated with this Agenda item transfers all risk to the City. Further comment and discussion ensued. City Attorney Boileau commented on efforts to negotiate this with counsel for *The Boring Company*.

In response to Mayor Trantalis' question, City Manager Lagerbloom confirmed there is a cap associated with The Boring Company's interim agreement and remarked on the need for the Commission to have a comfort level with the caps contained in the interim agreement.

In response to Commissioner Moraitis' questions, City Attorney Boileau explained aspects of the interim agreement associated with the *Aquatic Complex* and related details. Further comment and discussion ensued.

Commissioner Moraitis remarked on the numerous unknown factors and variables related to the proposed tunnel.

Commissioner Glassman commented on concerns related to the lack of a funding model. City Manager Lagerbloom remarked that work associated with the interim agreement would serve to determine costs and subsequent funding sources. Further comment and discussion ensued.

Vice Mayor Sorensen inquired about the possibility of funding the interim agreement in an incremental linear manner.

City Attorney Boileau explained that to move forward with a comprehensive agreement, the four (4) milestones in the interim agreement need to be achieved.

Mayor Trantalis remarked on his perspective regarding the interim agreement. Further comment and discussion ensued.

In response to Commissioner Moraitis' question, City Manager

Lagerbloom confirmed funding for this Agenda item. Further comment and discussion ensued regarding costs associated with the interim agreement.

In response to Commissioner Glassman's questions, City Manager Lagerbloom said the cost estimate range for the tunnel project is between \$60,000,000 - \$100,000,000 and explained details regarding funding sources. Further comment and discussion ensued.

Mayor Trantalis recognized John Roth, 333 Sunset Drive. Mr. Roth spoke in opposition to this Agenda item and discussed concerns. Further comment and discussion ensued.

Mayor Trantalis recognized Nancy Thomas, 1924 SE 24th Avenue. Ms. Thomas opposed this Agenda item and remarked on the need for additional public input.

Mayor Trantalis explained the need for more information associated with the interim agreement, which will allow for additional public input. Further comment and discussion ensued.

Mayor Trantalis recognized Michael Ray, 6130 NW 33 Terrace. Mr. Ray Spoke in opposition to this Agenda item and explained his perspective.

Commissioner Moraitis commented on her perspective in support of the interim agreement.

Commissioner Glassman commented on his perspective, confirmed his support of moving forward with the interim agreement and noted numerous outstanding questions. He recommended that Staff bring forth funding options when presenting the comprehensive agreement to the Commission.

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

APPROVED

Yea: 3 - Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

Nay: 1 - Commissioner McKinzie

Not Present: 1 - Vice Mayor Sorensen

RESOLUTIONS

R-1 22-0525 Appointment of Board and Committee Members - (Commission

Districts 1, 2, 3 and 4)

City Clerk David Soloman read the names of Board and Committee nominees for appointment and/or reappointment at the June 21, 2022, Commission Regular Meeting.

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

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

ADOPTED

Yea: 4 - Commissioner McKinzie, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

Not Present: 1 - Vice Mayor Sorensen

R-2 22-0389

Resolution Authorizing the Execution of the First Amendment to the Affordable Housing Development Agreement Between West Village, LLC. and the City of Fort Lauderdale Replacing the Affordable Housing Plan - West Village, LLC - UDP-A22002 - (Commission District 3)

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

ADOPTED

Yea: 4 - Commissioner McKinzie, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

Not Present: 1 - Vice Mayor Sorensen

R-3 22-0507

Resolution Approving an Affordable Housing Development Agreement Between Wright Dynasty, LLC and the City of Fort Lauderdale for Three Residential Affordable Housing Units, to Be Set Aside in Perpetuity - Wright Dynasty, LLC - UDP-S21022 - (Commission District 3)

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

ADOPTED

Yea: 4 - Commissioner McKinzie, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

Not Present: 1 - Vice Mayor Sorensen

R-4 22-0463 Quasi-Judicial - Resolution Approving Site Plan Level IV Development

Permit for a 54 Multifamily Residential Units and 100-Room Hotel Development with Setback Modifications Development known as "Ocean Park" - Sunrise FTL Ventures, LLLP - (Commission District 2)

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.

Each Commission Member disclosed verbal communications, written communications, site visits, and expert opinions received.

Mayor Trantalis opened the public hearing.

Anthony Fajardo, Development Services Department Director, stated for the record there was supplemental material provided. Staff has revised the Ninth (9th) Condition of Approval (9th Condition) that he will read into the record.

Mayor Trantalis recognized Nectaria Chakas, Lochrie and Chakas, P.A., on behalf of the Applicant. Ms. Chakas narrated a slide presentation entitled OCEAN PARK HOTEL AND RESIDENCES, 2851 and 2901 NE 9th Court, Case No. UDP-S21031 (Project).

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

In response to Commission Glassman's question, Ms. Chakas confirmed the unanimous Planning and Zoning Board (P&Z Board) vote on this Project, eight (8) to zero (0).

In response to Mayor Trantalis' question, Ms. Chakas confirmed shade trees would line NE 9th Court.

Ms. Chakas requested that all information the Commission received related to this Agenda item be placed into the record, and she provided related documentation to City Clerk David Soloman.

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

Mayor Trantalis recognized Cecelia Ward, AICP, *JC Consulting* President, on behalf of the Applicant. Ms. Ward remarked on her qualifications and professional experience and continued narrating the *Planning Review* portion of the slide presentation.

In response to Mayor Trantalis' questions, Ms. Chakas said the residential units range from one thousand ninety-two square feet (1092') to two thousand one hundred five square feet (2,105'). According to Code, the residential parking component is 1.75 for a one (1) bedroom unit and 2.1 for a two (2) bedroom unit.

Mayor Trantalis recognized Suzanne Danielson, Danielson Consulting Engineers, on behalf of the Applicant. Ms. Danielson commented on her qualifications and professional experience and narrated the portion of the slide presentation entitled *Traffic Review*.

In response to Commissioner Glassman's questions, Anthony Fajardo, Development Services Department Director, explained details related to the updated 9th Condition, which Ms. Chakas agreed to. Mr. Fajardo read into the record the updated 9th Condition.

Prior to the final approval of the Development Review Committee (DRC), a professional archeologist shall perform a Phase one archeological survey of the proposed development site to determine methodologies for further testing and monitoring requirements needed during demolition and new construction. Further information concerning the methodologies and requirements shall be adhered to for the Phase One Archeological Survey are outlined in the letter from the City's Archeological Consultant, Coastal Archeology & History Research, LLC dated July 30th, 2021, attached to the DRC Report.

Commissioner Glassman remarked on the need for archeological reports and to adhere to the related recommendations. Mr. Fajardo confirmed. Further comment and discussion ensued.

Mayor Trantalis passed the gavel to Commissioner Moraitis.

Commissioner Moraitis recognized Ray McElroy, 1808 SW 11th Street. Mr. McElroy commented on affordable housing needs in the City.

Commissioner Moraitis recognized Glenn Pitt, 2800 E. Sunrise Boulevard. Mr. Pitt spoke in support of this Agenda item.

Commissioner Moraitis passed the gavel back to Mayor Trantalis.

Mayor Trantalis recognized Matt Cain, 919 N. Birch Road. Mr. Cain spoke in support of this Agenda item.

Mayor Trantalis recognized Richie Baptista, 2800 E. Sunrise Boulevard. Mr. Baptista spoke in support of this Agenda item.

Mayor Trantalis remarked on addressing speeding concerns at NE 9th Court. Ms. Chakas discussed travel calming measures included in the project design, i.e., parallel parking with ten feet (10') of travel lanes in each direction and landscaping.

Mayor Trantalis recognized Robert Dean, 3000 E. Sunrise Boulevard. Mr. Dean spoke in support of this Agenda item.

Mayor Trantalis recognized Peter Hechenbleikner, 2800 E. Sunrise Boulevard, *Sunrise East Condominium Association* President. Mr. Hechenbleikner spoke in support of this Agenda item.

Mayor Trantalis recognized Daniel Dugan, 2800 E. Sunrise Boulevard, *Sunrise East Condominium Association* Secretary. Mr. Dugan spoke in support of this Agenda item.

Mayor Trantalis recognized Kristy Armada, Esq., Counsel for *LeClub International Condominium Association (LeClub)*. Ms. Armada narrated a slide presentation opposing this Agenda item entitled *LeClub International Condominium Association, Inc. Opposition to Ocean Park Hotel and Residences* and requested the presentation be made part of the record. Further comment and discussion ensued.

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

Mayor Trantalis recognized Juan Calderon, 790 NW 109th Avenue, *CALTRAN Engineering Group, Inc.* (Traffic Consultant). Mr. Calderon discussed items of concern included in the traffic study: 1) the zero point five percent (0.5%) growth factor versus the one percent (1.0%) growth factor included in the circuit model analysis, which is part of the long-range transportation planning model; 2) future approved area development was not included in the traffic study; and 3) concerns related to land use and traffic intensity.

Mayor Trantalis recognized Stephen Hoffman, Esq., Olive Judd, 2426 E. Las Olas Boulevard, designated representative of *Le Club Condominium*. Mr. Hoffman commented on his viewpoint that mixed-use

land development is not permitted in the *Sunrise Lane Area (SLA)* and remarked on concerns related to setbacks and the traffic study.

Ms. Chakas noted the change to an all-suite hotel was made between the Planning and Zoning Board Meeting and this Commission Meeting. She explained ancillary uses for an all-suite hotel and related details.

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

In response to Commissioner Glassman's questions, Mr. Fajardo confirmed mixed-use development is allowed in *Sunrise Lane Area* (*SLA*). Mr. Fajardo noted his understanding of Ms. Armada's position that there is a conflict between the density and intensity on the site related to *Regional Activity Center* (*RAC*) land use, which Staff determined does not exist. He noted lengthy internal discussions with land use attorney D'Wayne Spence, Assistant City Attorney III, which resulted in the same conclusion that the application as submitted does meet the ULDR. Mr. Fajardo confirmed the eastern portion of the *SLA* is primarily hotel and retail. Further comment and discussion ensued.

Commissioner Glassman commented on his efforts to address concerns of all stakeholders and expounded on his viewpoint.

Mr. Fajardo requested confirmation that introduction of this Resolution includes the 9th Condition read into the record. Mayor Trantalis and Commissioner Glassman confirmed.

Ms. Chakas requested this Resolution include the Commission's determination that the Project complies with the City's Comprehensive Plan and the ULDR.

Commissioner Glassman confirmed the amendments to this Resolution comply with the City's Comprehensive Plan in addition to the updated 9th Condition as read into the record by Mr. Fajardo.

Commissioner Glassman introduced the Resolution to approve this Agenda item as amended, including the change to the 9th Condition of Approval read into the record by Mr. Fajardo and the Commission's determination that the Project complies with the City's Comprehensive Plan and the ULDR, which was read by title only.

ADOPTED AS AMENDED - APPROVING

Yea: 4 - Commissioner McKinzie, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

Not Present: 1 - Vice Mayor Sorensen

R-5 22-0464

Quasi-Judicial Resolution Vacating a Three-Foot Utility Easement Located on NE 9th Court - Sunrise FTL Ventures, LLLP, - Case No. UDP-EV21005- (Commission District 2)

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.

Each Commission Member disclosed verbal communications, written communications, site visits and expert opinions received.

Mayor Trantalis opened the public hearing.

Mr. Fajardo explained conversations with the applicant and Engineering Staff about two (2) conditions of approval included in this Resolution related to the vacation of the right of way, which Staff would like to remove.

Nectaria Chakas clarified that the two (2) conditions are in Section 3 and can be removed.

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

Commissioner Glassman introduced this Resolution as amended, removing Section Three (3), which was read by title only.

ADOPTED AS AMENDED

Yea: 4 - Commissioner McKinzie, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

Not Present: 1 - Vice Mayor Sorensen

R-6 22-0529

Quasi-Judicial - Resolution Approving Plat Known as "Landaukaras Plat" - Located at 1555 N. Federal Highway - El Car Wash FL Federal, LLC. - Case No. UDP-P21005 - (Commission District 1)

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.

Each Commission Member disclosed verbal communications, written communications, site visits and expert opinions received.

Mayor Trantalis opened the public hearing.

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

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

ADOPTED - APPROVING

Yea: 4 - Commissioner McKinzie, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

Not Present: 1 - Vice Mayor Sorensen

22-0594 WALK-ON - Motion to Extend Commission Meeting until 11 pm

Commissioner Glassman made a motion to extend the meeting until 11:00 p.m. and was seconded by Commissioner Moraitis.

APPROVED

Yea: 4 - Commissioner McKinzie, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

Not Present: 1 - Vice Mayor Sorensen

R-7 22-0557

Resolution Providing Notice of Decision to Proceed with the Unsolicited Proposal Submitted by Fort Lauderdale Studio Initiative LLC to Develop, Construct, Operate, and Maintain a Full-Service Movie Studio Complex at 1400 NW 31st Avenue, and Authorizing Negotiations for a Proposed Interim and/or Comprehensive Agreement in Accordance with Section 255.065, Florida Statutes - (Commission District 3)

Mayor Trantalis recognized John Milledge, Esq., 200 SW First Avenue, on behalf of *Fort Lauderdale Studios Initiative (Project)*. Mr. Milledge commented on working with the City Attorney toward developing a comprehensive agreement like that of the War Memorial Auditorium and confirmed details of community outreach.

Mayor Trantalis recognized Greg Brewton, 208 SE 8th Street. Mr.

Brewton provided an overview of neighborhood outreach efforts and support of this Agenda item.

Mayor Trantalis recognized Susie Fletcher, 1710 NW 24th Terrace. Ms. Fletcher spoke in opposition to this Agenda item.

Mayor Trantalis recognized April Young, 1820 NW 28th Avenue, *Lake Aire Homeowners Association* Vice Chair. Ms. Young spoke in opposition to this Agenda item. Further comment and discussion ensued.

In response to Commissioner Glassman's question, City Attorney Alain Boileau confirmed the lease associated with this Agenda item would be completed prior to the Commission's summer break.

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

ADOPTED

Yea: 4 - Commissioner McKinzie, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

Not Present: 1 - Vice Mayor Sorensen

R-8 22-0560

Resolution Providing Notice of Decision to Proceed with the Unsolicited Proposal Submitted by My Park Initiative, LLC, to Develop, Operate, and Maintain a Pickleball Facility on the Southwest Portion of Snyder Park located at 3299 SW 4th Avenue, Fort Lauderdale, Florida, 33315, and Authorizing Negotiations for a Proposed Interim and/or Comprehensive Agreement in Accordance with Section 255.065, Florida Statute - (Commission District 4)

Mayor Trantalis recognized Nancy Long, 2361 SW 28th Avenue, President of River Oaks Civic Association. Ms. Long spoke in opposition to this Agenda item and remarked on related concerns from the River Oaks neighborhood.

In response to Commissioner McKinzie's question, Phil Thornburg, Parks and Recreation Department Director, remarked on Pickleball court locations throughout the City and expounded on related details. Further comment and discussion ensued.

Mayor Trantalis recognized Shauna Boughton, 1316 SW 17th Street. Ms. Boughton commented on her perspective regarding this Agenda item and requested additional information. Mayor Trantalis confirmed additional information would be forthcoming as the process moves

forward.

Mayor Trantalis recognized Ellyn Bogdanoff, Esq., One East Broward Boulevard, on behalf of *My Park*. Ms. Bogdanoff remarked on upcoming community outreach regarding this Agenda item.

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

ADOPTED

Yea: 4 - Commissioner McKinzie, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

Not Present: 1 - Vice Mayor Sorensen

PUBLIC HEARINGS

PH-1 22-0516

Public Hearing to Consider a Resolution Approving a Development Agreement Between the City of Fort Lauderdale and 551 Bayshore Concepts, LLC for the Development known as "Olakino House" - Case No, UDP-S20009, Pursuant to Chapter 163.3220-163.3243, Florida Statutes - (Commission District 2)

Mayor Trantalis opened the public hearing.

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

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

ADOPTED

Yea: 4 - Commissioner McKinzie, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

Not Present: 1 - Vice Mayor Sorensen

ORDINANCE FIRST READING

OFR-1 22-0264

First Reading - Ordinance Amending the City of Fort Lauderdale Unified Land Development Regulations (ULDR) to Revise Section 47-13.30, Table of Dimensional Requirements for the SRAC Districts, Section 47-13.31, NWRAC-MU Table of Dimensional Requirements, Section 47-13.51, SRAC-SA Special Regulations, Section 47-13.52,

NWRAC-MU Special Regulations, Section 47-20.3, Reductions and Exceptions, Section 47-24.1, Generally - Table 1. Development Permits and Procedures, Section 47-37B.3, Applicability and General Regulations and Create New Section 47-23.16, Affordable Housing Regulations. Case No. UDP-T21010 - (Commission Districts 1, 2, 3 and 4)

In response to Commissioner Moraitis' questions, Stephanie Toothaker, Esq., explained details associated with this Ordinance amendment and requested Commission consideration of additional incentives in the amended Ordinance. Further comment and discussion ensued regarding allowing Staff to review proposed additional incentives before the Second Reading of this Ordinance.

Anthony Fajardo, Development Services Department Director, commented on previous discussions with Ms. Toothaker and a willingness to continue the related dialogue. Staff has not had an opportunity to analyze the proposed additional incentives. He remarked on related concerns and noted the need for neighborhood outreach.

Commissioner Glassman remarked on his viewpoint and confirmed the need for discussions with neighborhoods. He concurred with Commissioner Moraitis' comments regarding the need for affordable housing.

In response to Commissioner Moraitis' questions, Mr. Fajardo confirmed Ordinance language mimics language in the Broward County (County) *Geller Amendment* related to affordable housing. Anticipated changes to the County's *Geller Amendment* would require an additional amendment to the City's Ordinance. The County's anticipated changes to the *Geller Amendment* allow for a stream of market-rate units as a ratio of each affordable housing unit.

Mr. Fajardo explained items being reconsidered in the *Geller Amendment* as currently written. Staff is providing the County with feedback. If appropriately addressed, changes to the *Geller Amendment* could result in language the City could utilize to support affordable housing.

In response to Commissioner Moraitis' question, Mr. Fajardo explained the \$10,000 in lieu of fee would be split between the City and Broward County for placement in the *Affordable Housing Trust Fund* to use as gap financing or to support the construction of affordable housing projects. Further comment and discussion ensued regarding *Accessory Dwelling Units (ADUs)*.

In response to Commissioner McKinzie's questions, Mr. Fajardo explained details related to *ADUs* and existing zoning. Commissioner McKinzie expounded on his understanding and viewpoint regarding *ADUs* and affordable housing and the impact of vacation rentals on affordable housing. Further comment and discussion ensued.

Commissioner Moraitis inquired about prohibiting a vacation rental property from adding an *ADU*. Mr. Fajardo confirmed his understanding of the Commission's direction and will work with the Office of the City Attorney to determine options. City Attorney Boileau said the City has no jurisdiction over landlord-tenant issues.

Mayor Trantalis explained the intent of Broward County's *ADU* exemption. This type of ADU on a homesteaded property is limited to 600 square feet, and the individual residing in the ADU has to be the age of sixty-two (62) or older and must be a parent or relative. He recommended Staff begin with this model. Further comment and discussion ensued.

There was consensus for Staff to amend this Ordinance as discussed before the Second Reading. Mr. Fajardo noted the need for an increased timeline prior to the Second Reading of this Ordinance to allow Staff sufficient time to include the Commission's requested changes and to match the County's changes to the *Geller Amendment*. Alternatively, these changes could be addressed as two (2) separate items. Further comment and discussion ensued.

City Attorney Boileau commented on the need for specific Commission direction to Staff prior to the Second Reading.

Ms. Toothaker explained her requested amendments to this Ordinance. Further comment and discussion ensued.

In response to Mayor Trantalis' question regarding this amendment conflicting with State statute that penalize cities for requiring affordable housing, Mr. Fajardo explained those amendments are incentive-based and not mandated and cited examples. Mr. Fajardo noted that a limited number of flex units in the City remain. The only two (2) methods to get additional units are either through the *Geller Amendment* for additional units as a ratio or through a land use amendment.

Commissioner Moraitis confirmed support of including Ms. Toothaker's recommendations as an amendment to this Ordinance. Further comment

and discussion ensued.

Mr. Fajardo commented on his understanding of Commission direction. Between the First Reading and the Second Reading, Staff will include Ms. Toothaker's amendments and conduct additional neighbor outreach. An Ordinance amendment to include ADUs would be brought forward to the Commission for separate consideration. Further comment and discussion ensued.

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

PASSED FIRST READING

Yea: 4 - Commissioner McKinzie, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

Not Present: 1 - Vice Mayor Sorensen

<u>22-0595</u> WALK-ON - Motion to Extend Commission Meeting until 12 am

Commissioner Glassman made a motion to extend the meeting until 12:00 a.m. and was seconded by Commissioner McKinzie.

APPROVED

Yea: 4 - Commissioner McKinzie, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

Not Present: 1 - Vice Mayor Sorensen

OFR-2 22-0465 First Reading - Ordinance Amending the City of Fort Lauderdale

Unified Land Development Regulations (ULDR) Section 47-14.10., List of Permitted, Conditional, and Accessory Uses, General Aviation Airport (GAA) District and Section 47-14.11., List of permitted, Conditional Uses, and Accessory Uses in the Airport Industrial Park (AIP) - (Commission District 1)

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

PASSED FIRST READING

Yea: 4 - Commissioner McKinzie, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

Not Present: 1 - Vice Mayor Sorensen

ORDINANCE SECOND READING

OSR-1 22-0522 Second Reading - Ordinance Amending the City of Fort Lauderdale

Unified Land Development Regulations Sec. 47-21, Relating to Landscaping and Tree Preservation Requirements (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis recognized Charlie Leikauf, 2110 Riverland Road. Mr. Leikauf discussed his perspective regarding this Agenda item.

Mayor Trantalis recognized Nancy Long, P.O. Box 22045, President of *River Oaks Civic Association*. Ms. Long commented on aspects of this Ordinance that she supports and opposes.

Mayor Trantalis recognized Bianca Bryant, 1722 SW 20th Street. Ms. Bryant spoke in opposition to this Agenda item.

Mayor Trantalis recognized Doug Coolman, 1911 Bayview Drive. Mr. Coolman spoke in opposition to this Agenda item and requested deferral.

Mayor Trantalis recognized Ann Poe, 2437 Marathon Lane. Ms. Poe spoke in opposition to this Agenda item.

Mayor Trantalis recognized Natalia Barranco, 801 SW 20th Street. Ms. Barranco spoke in opposition to this Agenda item.

Mayor Trantalis recognized Ryan Emmer, 635 NE 11th Avenue. Mr. Emmer spoke in opposition to this Agenda item and recommended deferral.

Mayor Trantalis commented on his understanding of items included in this Agenda item intended to protect sidewalk and roadway infrastructure. He remarked on the timeline involved with this Ordinance that started in 2019.

Mayor Trantalis recognized DeAndre Francis, 1244 NE 11th Avenue. Mr. Francis commented on aspects of the Ordinance.

Commissioner Moraitis confirmed her support for protecting trees. She commented on her opposition to the overburdensome regulations contained in this Ordinance and the negative impact on affordable housing efforts.

Mayor Trantalis discussed his perspective regarding real estate developer incentives and the negative impact on tree preservation efforts. He remarked on the purpose of Staff efforts to require a certain amount of landscaping. Further comment and discussion ensued.

In response to Commissioner McKinzie's question, Mr. Fajardo explained specific items addressed in this Ordinance and remarked on the direction given to Staff that started with a focus on tree protection. Commissioner McKinzie commented on the need for enforcement.

Commissioner Glassman remarked on Vice Mayor Sorensen's involvement with this Ordinance. Mr. Fajardo provided additional context. Following the passage of this Ordinance on the First Reading, discussions included Vice Mayor Sorensen and were centered around additional outreach to address concerns of the *Tree Ordinance Working Group (Working Group)*. Each *Working Group* item discussed and agreed to is included in this version of the Ordinance and working Group items not agreed upon are not included.

Commissioner Glassman remarked on his viewpoint that this Ordinance does not contain adequate tree canopy protection.

In response to Commissioner Glassman's question regarding developer incentives to retain mature trees when redeveloping a property. Mr. Fajardo and Dr. Nancy Gassman, Assistant Public Works - Sustainability Director, said incentives are not included in this Ordinance. Commissioner Glassman confirmed he could not support this Ordinance until those incentives were included.

Dr. Gassman commented that part of the Commission's direction to Staff was to develop tree protection guidelines and increase penalties associated with removing trees illegally. Staff efforts included the development of an *Urban Forestry Master Plan*. Staff plans to research other municipalities' tree preservation ordinance incentives towards Staff developing incentives to be included in a future Ordinance amendment. Further comment and discussion ensued.

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

FAILED

Yea: 2 - Commissioner Glassman and Mayor Trantalis

Nay: 2 - Commissioner McKinzie and Commissioner Moraitis

Not Present: 1 - Vice Mayor Sorensen

In response to Commissioner Glassman's question regarding the upcoming De Novo Hearing scheduled for June 21, 2022, Commission

Regular Meeting, City Attorney Boileau confirmed the cancellation of the De Novo Hearing is at the discretion of the Commission. Further comment and discussion ensued.

Mayor Trantalis remarked that the applicant should be allowed to respond to the opinion of City Attorney Boileau.

<u>22-0592</u> WALK-ON - Resolution Calling 2022 Special Municipal Election for District 3 on November 8, 2022 - (Commission District 3)

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

ADOPTED

Yea: 4 - Commissioner McKinzie, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

Not Present: 1 - Vice Mayor Sorensen

<u>22-0593</u> WALK-ON - Resolution Calling 2022 Special Municipal Election for District 4 on November 8, 2022 - (Commission District 4)

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

ADOPTED

Yea: 4 - Commissioner McKinzie, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis

Not Present: 1 - Vice Mayor Sorensen

ADJOURNMENT

Mayor Trantalis adjourned the meeting at 11:42	p.m.
--	------

Dean J. Trantalis
Mayor

ATTEST:

David R. Soloman
City Clerk