

City of Fort Lauderdale

*City Hall
100 North Andrews Avenue
Fort Lauderdale, FL 33301
www.fortlauderdale.gov*



Meeting Minutes - DRAFT

Tuesday, March 15, 2016

6:00 PM

City Commission Chambers

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

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

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

Invocation

Reverend Daniel Boyd, Sr.
Church of God Christian Center

Mayor Seiler asked for a moment of silence in remembrance of the loss of highly regarded Firefighter Driver Engineer Daniel Joseph Falcone and our friends in our sister city Ankara, Turkey, who are mourning the loss of 37 lives due to a terrorist attack.

Pledge of Allegiance

Mykesha Stevens and Charisma Buchana – God's Gift

ROLL CALL

Present: 5 - Mayor John P. "Jack" Seiler, Vice-Mayor Robert L. McKinzie, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Commissioner Romney Rogers

QUORUM ESTABLISHED

Also Present: City Manager Lee R. Feldman, City Auditor John Herbst, City Clerk Jeffrey A. Jeffrey Modarelli, Paul Bangel Senior Assistant City Attorney, and Sergeant At Arms Jaime Costa

Mayor Seiler called the meeting to order at 6:07 p.m.

VOTE ROLL CALL ORDER

Commissioner Rogers, Commissioner Roberts, Commissioner Trantalis, Vice-Mayor McKinzie and Mayor Seiler

Mayor Seiler recognized Maryann Winfield from the City's Sister Cities organization. Ms. Winfield announced the special guests present at the Commission Meeting visiting from Turkey to discuss business, tourism, commerce, and trade noting both cities are strong cruise and commercial ports. Ms. Winfield thanked Mayor Seiler and the Commission for the opportunity to invite the distinguished guests from Turkey to meet with the City Commission and the community. Ms. Winfield introduced Turkey's Counsel General, Mr. Özgür Kývanç Altan. Mr. Altan addressed the Commission and meeting attendees thanking them for their solidarity and for honoring their visiting entourage. Mr. Altan also noted the U.S. and Turkey are working together on a host of issues and thanked all those soldiers and servicemen working for good in the world.

Commissioner Trantalis mentioned his visit to Turkey last summer as a guest of the Turkish Federation of South Florida which was one of the most pleasurable trips he has taken. During his visit, Commissioner Trantalis had the opportunity to meet many officials within the Turkish government, city officials, state officials, and encouraged anyone wishing for a great adventure and to learn more about our world to make it a point of visiting Turkey.

Approval of MINUTES and Agenda

16-0392 Minutes for February 2, 2016 Regular Meeting, February 16, 2016 Regular Meeting and February 16, 2016 Conference Meeting

Vice-Mayor McKinzie moved to approve the minutes and was seconded by Commissioner Roberts.

APPROVED

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

City Attorney Cynthia A. Everett arrived at 6:27 p.m.

PRESENTATIONS

PRES- 16-0388 Proclamation declaring March 15, 2016 as Dr. Ciara Bostick Day in the
1 City of Fort Lauderdale - Education Advisory Board Member and Author of "Welcome to Womanhood: A Pre-Teen Survival Guide"

Commissioner Roberts presented a Proclamation declaring March 15, 2016 as Dr. Ciara Bostick Day in the City of Fort Lauderdale. Ms. Bostick is a member of the City's Education Advisory Board and author of *"Welcome to Womanhood: A Pre-Teen Survival Guide"*. Commissioner Roberts read the Proclamation in its entirety and Dr. Ciara Bostick accepted the Proclamation and thanked the Commission for their recognition.

PRES- 16-0389 Proclamation declaring March 28 - April 2, 2016 as National Community
2 Development Week in the City of Fort Lauderdale

Vice Mayor McKinzie presented Mr. Jonathan Brown, Housing and Community Development Manager, with a Proclamation declaring March 28 - April 2, 2016 as National Community Development Week in the City of Fort Lauderdale. Vice Mayor McKinzie read the Proclamation in its entirety and Mr. Brown accepted the Proclamation and thanked the Commission.

PRES- 16-0280 Police Officer of the Month for March, 2016
3

Chief Adderley announced the Fort Lauderdale Police Officer of the Month for the month of March, Officer Matthew Porterfield. Chief Adderley presented Officer Matthew Porterfield, who has been a member of the Police Department for six years and currently assigned to the City's Patrol Division working in the Rio Vista neighborhood, with the Police Officer of the Month Award for March 2016. Officer Porterfield is being recognized for his outstanding work product on eight separate occasions and noting a specific incident Officer Porterfield was involved in that exhibited his exemplary service to the City.

On September 9, 2015 Officer Porterfield was working an off-duty detail at a music festival at 515 NW 1st Avenue when a disorderly suspect leaving the festival threatened to return and injure one of the security guards. Within minutes, Officer Porterfield watched as the suspect returned armed with a handgun and shot the security guard in the head and neck. The suspect fled on foot, and Officer Porterfield chased the suspect eastbound on NW 5th Street then southbound into an alley adjacent to

North Andrews Avenue. While in the alley, the suspect turned and pointed his handgun at Officer Porterfield. In fear for his life, Officer Porterfield discharged his duty weapon and struck the suspect in the leg. The suspect was then taken into custody, charged with attempted murder, and the firearm used to shoot the security guard and threaten Officer Porterfield's life was recovered. Officer Porterfield was commended by Chief Adderley for his split-second decisions that lead to the apprehension of the armed and dangerous suspect. The Commission and the entire audience applauded Officer Porterfield for his great work and a job well done.

PRES- 16-0344 City of Fort Lauderdale - Recipient of 2016 State Surgeon General
4 Healthy Weight Community Champion Award

City Manager Feldman called Mr. Carl Williams, Manager of the City's Park and Recreation Department, to the podium. Mr. Williams spoke to the audience about the State Surgeon General's Award recognizing the City of Fort Lauderdale's successful efforts to encourage and promote a Healthy Weight Community. Mr. Williams introduced Candy Simms, the Public Information Officer for the Florida Department of Health. Ms. Simms presented the award to Mr. Williams. Mr. Williams accepted the 2016 State Surgeon General's Healthy Weight Community Champion Award on behalf of the City. Mr. Williams spoke stating this award is a result of a true collaboration of efforts between the City's Departmental Staff, and our neighbors and homeowners associations. Mr. Williams thanked everyone involved recognizing additional City components' contributions to this effort such as community gardens, fitness zones in our parks, healthy vending options, Complete Streets, Vision Zero all of which led to the efforts allowing the City to become a Healthy Weight City.

City Manager Feldman added that the Florida Department of Health has recently become one of the City's partners in the Vision Zero efforts and recently participated with our City's team at the first Vision Zero Conference.

CONSENT AGENDA

Mayor Seiler announced the procedure for consent agenda items and the noted the updates to the Consent Agenda including CM-1 was pulled by a member of the public, Art Timpone, CM-4 was pulled by City Attorney Everett, and CM-10 was pulled by Commissioner Trantalis. CM-1, CM-4, and CM-10 will be removed from the Consent Agenda and considered separately. All remaining Consent Agenda items will be approved as recommended.

Mayor Seiler also announced changes to CM-4's Exhibit 1. There was a date change on page 3 and the change of entity name on page 11. City Attorney Everett stated that additional changes are ongoing, and any approval by the Commission should be contingent on the City Attorney's approval of the letter but noting there was nothing substantive being changed.

Commissioner Roberts motioned for the removal of Consent Agenda items CM-1, CM-4, and CM-10 from the Consent Agenda for separate consideration and the remaining Consent Agenda items be approved as recommended, which was seconded by Commissioner Trantalis.

Approval of the Consent Agenda

Approval of the Consent Agenda

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

CONSENT MOTION

CM-2 16-0302 Motion to Approve Event Agreements and Related Road Closings: Mud Bug, Sean Mahoney 5K Fun Run, Walk Like MADD and MADD Dash Fort Lauderdale 2016, and 21st Annual Las Olas Wine & Food Festival

APPROVED

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

CM-3 16-0363 Motion Approving First Amendment to Lease with Harare Development Inc. and the City of Fort Lauderdale

APPROVED

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

CM-5 16-0201 Motion Authorizing the Execution of an Agreement with CareerSource Broward for the Summer Youth Employment Program

APPROVED

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

CM-6 16-0324 Motion Authorizing Settlement of Auto Liability Claim in the Matter of Gary Pettigrossi v. City of Fort Lauderdale, Case No. 13-07072 (18) in the amount of \$25,000.

APPROVED

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

CM-7 16-0254 Motion to Approve an Agreement with Broward County for Water Safety Education and Instruction Services

APPROVED

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

CM-8 16-0211 Motion to Authorize Professional Engineering Services for 441 Northwest 7th Avenue Sewer Extension - Tetra Tech, Inc. - \$31,291 Task Order

APPROVED

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

CM-9 16-0274

Motion to Approve Change Orders Numbers One and Two for Fiveash Water Treatment Plant Filter Rehabilitation - Poole & Kent Company of Florida

APPROVED

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

CM-11 16-0311

Motion Approving an Amendment to the Installation and Maintenance Bus Shelter Agreement with Broward County Transit to Relocate Bus Shelter at Sistrunk Boulevard and NW 12th Avenue

APPROVED

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

CM-12 16-0252

Motion Authorizing a Revocable License Agreement among the County, City of Fort Lauderdale, and Wisdom Village Crossings, LP and an Agreement Ancillary to Revocable License Agreement for Improvements in the County Right of Way

APPROVED

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

CONSENT RESOLUTION

CR-1 16-0269

Resolution Approving the Disposal of City-Owned Surplus Property located at 520 SW 31st Avenue

ADOPTED

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

CR-2 16-0337

Resolution Approving the Consolidated Budget Amendment to Fiscal Year 2016 - Appropriation

ADOPTED

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

CR-3 16-0387

Resolution Urging the Florida Legislature to Adhere to the Appropriate Use of Land Acquisition Trust Fund and Requesting that the Florida League of Cities Join in this Effort

ADOPTED

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

CR-4 16-0291 Resolution Authorizing Grant Application to the Florida Inland Navigation District FY2016 Waterways Assistance Program - \$42,000
ADOPTED

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

CR-5 16-0381 Resolution Delegating Authority to Settle Unpaid Alarm Fees to the City Manager
ADOPTED

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

CR-6 16-0271 Resolution in Support of the Florida Department of Transportation Signal at SW 4th Avenue and SW 28th Street Installation
ADOPTED

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

PURCHASING AGENDA

PUR-1 16-0184 Motion to Approve a Six-Month Contract Extension for Credit Card Processing Services - Elavon, Inc. - \$983,620
APPROVED

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

PUR-2 16-0278 Motion to Approve Purchase of Stagehand Services for the War Memorial Auditorium - Show Masters Production Logistics, Inc. - \$84,432
APPROVED

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

PUR-3 16-0299 Motion to Approve Purchase of Multi-Space Parking Meters, Supplies, Parts, Components and Data Management Service - Global Parking Solutions USA LLC - \$391,560
APPROVED

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

PUR-4 16-0312 Motion to Approve Purchase of Professional Training Services from Florida Atlantic University - \$93,547

APPROVED

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

CM-1 16-0301 Motion to Approve Event Agreements: Walk in my Shoes, Victoria Park Easter Egg Hunt, Take Steps for Crohn's & Colitis, Las Olas Sunday Market, Family Easter Picnic and The Spring Festival at Victoria Park

Mayor Seiler recognized Mr. Art Timpone, a resident of Victoria Park Road, who stated he had witnessed every "malady" of traffic in the area of Victoria Park Road and Broward Boulevard for a long time. His concern in this area is from a safety perspective for citizens, children, dogs, and those attending any events in Victoria Park. He showed the Commission pictures resulting from traffic incidents in this area of Victoria Park and described them for the Commission. Mr. Timpone also thanked the Commission for addressing a previous concern regarding a broken seawall and staircase which was addressed and corrected within days.

The pictures provided by Mr. Timpone and shown to the Commission are attached to these minutes.

Mayor Seiler encouraged Mr. Timpone to meet with the civic association for Victoria Park first to address his safety concerns as they had requested approval of these event agreements. Commissioner Trantalis stated there is merit to what Mr. Timpone is saying as illustrated by the photos. Commissioner Trantalis requested Andrew Gordon, President of the Victoria Park Civic Association, step up to the podium to respond from the Homeowners Association's perspective this issue.

Mr. Carey Villeneuve of the Victoria Park Civic Association Crime Watch Committee was invited to the podium by Mr. Gordon to speak to this issue. Mayor Seiler asked Mr. Villeneuve what the association has done to create a safe and secure environment in this area to host these requested events. Mr. Villeneuve said they tried to contact the City's Transportation and Mobility Department to have collaboration for an open streets type of event. It was determined this was not possible due to budgetary constraints. However, they are now looking to obtain citizens volunteers to patrol and assist with people crossing the street, and to keep people out of the street and in the Park. Additionally, there will be signage and offsite parking on the south side of Broward Boulevard allowing people to walk to the park without having to cross Broward Boulevard.

Commissioner Trantalis acknowledged the corner of Broward Boulevard and Victoria Park Road is a dangerous area due to those who speed and drive under the influence. He further stated there are ongoing discussions with the City Manager to making changes to improve safety in this area.

Additional options to address safety concerns during the requested events were discussed. Mayor Seiler requested Mr. Villeneuve and Mr. Gordon come up with a plan to address the safety concerns raised by Mr. Timpone and to work with Mr. Timpone. Mr. Timpone asked that this item be approved unless the safety concerns are addressed.

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

Commissioner Trantalis requested the portion of this item relating to the Easter Egg Event be accompanied by a proviso that the City assists the neighborhood in trying to install safety devices such as a marked police vehicle or barrier, so to ensure from this point forward the City has improved safety in the area of Victoria Park Road and Broward Boulevard.

Commissioner Trantalis moved the item and was seconded by Vice-Mayor McKinzie.

APPROVED

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

CM-4 16-0364 Motion to Approve Letter of Collaboration between the City of Fort Lauderdale, Results for America, Johns Hopkins and the Sunlight Foundation

Mayor Seiler announced changes to CM-4's Exhibit 1. There was a date change on page 3 and the change of entity name on page 11. City Attorney Everett stated that additional changes are ongoing, and any approval by the Commission should be contingent on the City Attorney's approval of the letter. City Attorney Everett noted there was nothing substantive being changed in the letter of collaboration. City Manager Feldman confirmed the changes had already been done and were not substantive in nature. Commissioner Roberts asked who composed the letter. City Manager Feldman stated the City did not compose it.

APPROVED

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

CM-10 16-0315 Motion to Approve Change Order Number One for South Side School Restoration - DiPompeo Construction Corporation

Commissioner Trantalis raised the issue of utilizing value engineering methods allowing the City to reap a credit of \$266,000. City Attorney Everett wanted to ensure the City is complying with the original specifications outlined for the project with regard to the air conditioning system. City Attorney Everett was concerned the City may be compromising a quality factor regarding the air conditioning. Commissioner Trantalis asked City Attorney Everett if there was any additional testimony tonight about this issue. City Attorney Everett stated the architect is in attendance and will be able to address the threshold issue. It was also noted there is currently an issue as to whether there is a fully executed signed contract in place. City Attorney Everett stated if there is no signed agreement, the City should not approve this item, a proposed change order relating to the air conditioning and the \$266,000 credit to the City.

Alan Dodd, Assistant Public Works Director, confirmed the contractor has not yet signed the

underlying contract and is awaiting resolution of Change Order Number One. Mr. Dodd stated the intent is once the changes have been worked through, the contract and the change order would be signed concurrently. City Manager Feldman confirmed this was his understanding as well.

Commissioner Rogers stated his reaction was what the Commission is approving is a credit based on instructions given to the City Manager by the Commission to take the lowest bidder and try to get within the budget under a value engineering approach.

Mr. Manuel Synalovski of the Architectural Firm Synalovski Ramnik Saye, 1800 Eller Drive, addressed the Commission regarding the air conditioning issue at Southside School. Mr. Synalovski stated the air conditioners are precisely the same quality system that was previously specified and is a chilled water system. The facility's original infrastructure was designed for a chilled water system. Mr. Synalovski provided the Commission with the background and an explanation for the selection of the air conditioning system stating there is no degradation to the system that is being installed regarding lesser tonnage, or lesser CFM. Additionally, there will be increased longevity including new warranties. Further discussions ensued on this item.

Commissioner Rogers moved the item and was seconded by Commissioner Trantalis.

APPROVED AS AMENDED (Contingent on Execution of the Contract)

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

RESOLUTIONS

R-1 16-0354 Appointment of Board and Committee Members

For April 5, 2016 board appointments, the following reappointments were discussed:

CENTRAL CITY REDEVELOPMENT ADVISORY BOARD

- Chenara Anderson

BOARD OF ADJUSTMENT

- Gina Ellis
- Douglas Reynolds

COMMUNITY APPEARANCE BOARD

- Ronald Alrose

EDUCATION ADVISORY BOARD

- Towana Bonaparte
- Jason Dunn
- Sherry Hadge

HISTORIC PRESERVATION BOARD All Expire May 20, 2016

- Ginger Coffey

HOUSING AUTHORITY BOARD OF COMMISSIONERS

- Dan Lindblade

MARINE ADVISORY BOARD

- Grant Henderson
- Cliff Berry

NORTHWEST PROGRESSO FLAGLER HEIGHTS REDEVELOPMENT BOARD

- Dev Motwani
- Jacqueline Reed

SUSTAINABILITY ADVISORY BOARD

- Doug Meade

CODE ENFORCEMENT BOARD

- Howard Elfman

UNSAFE STRUCTURES BOARD

- Howard Nelson

Regarding Resolution R-1, Commission Memo 16-0354, the following reappointments include:

AVIATION ADVISORY BOARD

Ed Rebholz is appointed to the Aviation Advisory Board for a one-year term beginning April 7, 2016 and ending April 6, 2017 or until his successor has been appointed.

CHARTER REVISION BOARD

Ron Gunzburger is appointed to the Charter Revision Board for a one-year term beginning May, 2, 2016 and ending May 1, 2017 or until his successor has been appointed.

COMMUNITY APPEARANCE BOARD

Alissa Ayden is appointed to the Community Appearance Board for a one-year term beginning March 15, 2016 and ending March 14, 2017 or until her successor has been appointed.

EDUCATION ADVISORY BOARD

Maureen Dinnen and Gregory Boardman have been appointed to the Education Advisory Board for one-year terms beginning April 16, 2016 and ending April 15, 2017 or until their successors have been appointed.

HISTORIC PRESERVATION BOARD

Timothy Mark Lyons is appointed to the Historic Preservation Board for a three-year term beginning May 21, 2016 and ending May 19, 2019 or until his successor has been appointed.

NORTHWEST PROGRESSO FLAGLER HEIGHTS REDEVELOPMENT BOARD

Scott Strawbridge is appointed to the Northwest Progresso Flagler Heights Redevelopment Board for a three-year term beginning May 22, 2016 and ending May 21, 2019 or until his successor has been appointed.

Steffen Lue is appointed to the Northwest Progresso Flagler Heights Redevelopment Board for a three-year term beginning May 22, 2016 and ending May 21, 2019 or until his successor has been appointed.

Commissioner Trantalis introduced the motion and was read in its entirety.

ADOPTED

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

R-2 16-0378 Appointing a Director, Alternate and Second Alternate to Broward League of Cities Board of Directors

City Clerk Jeffrey Modarelli stated the City's current appointees include Commissioner Trantalis as Director, Vice-Mayor McKinzie as the first alternate, and Commissioner Roberts as the second alternate. The Commission endorsed keeping the current appointees, as noted, for the Broward League of Cities Board of Directors.

Commissioner Rogers introduced the resolution, as endorsed by the Commission, which was read by title only.

ADOPTED

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

R-3 16-0156 Resolution Approving the Use of a 200,000 Barrel Capacity Fuel Storage Tank at Marathon Spangler Terminal, Port Everglades - Case Number A15014 (Request Deferment to April 5, 2016)

Mayor Seiler noted that City Manager Feldman requested deferment of this item until the April 5, 2016 City Commission Meeting. Commissioner Rogers made a motion to defer this item until April 5, 2016 and was seconded by Commissioner Trantalis.

DEFERRED to April 5, 2016

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

R-4 16-0226 Quasi - Judicial Resolution Vacating an Aerial Easement located at 1441 S Federal Highway - Holman Automotive Inc. - E15007

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.

The Commission members disclosed their site visits and communications.

Steven Wherry, Esq., on behalf of the applicant, Holman Automotive, addressed the Commission stating this item is requesting the vacating of the remaining 2 foot by 7 and one-half foot portion of a previously vacated aerial easement. Mr. Wherry explained the remaining portion of the easement was previously reserved when the alley was vacated on or about 1982 and Florida Power, and Light had reserved it for a future street light. The reason for this request tonight is to construct a new Holman Automotive BMW Sales Center. Commissioner Rogers asked about the timeline for the beginning of construction. Mr. Wherry stated there is compaction work that will occur approximately within the next six weeks.

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

Commissioner Trantalis introduced the item, which was read by title only.

ADOPTED

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

PUBLIC HEARINGS

PH-1 16-0249 Public Hearing - Community Development Block Grant (CDBG) Program Substantial Amendment

Jonathan Brown, Housing and Community Development Manager, addressed the Commission stating the City has received a request for assistance from Northwest Federated Women's Club for repairs to a leaking roof. This amendment will allow the City to assist with those roof repairs and, if necessary, replace the roof. It estimated that the cost will be \$50,000 but should be less. Commissioner Trantalis asked Mr. Brown how the Northwest Federated Women's Club is eligible for this funding. Mr. Brown stated it is based on the nature of their activities. Mayor Seiler asked if the City has provided any funding previously. Mr. Brown stated the last assistance the City provided was to assist them in securing a van so they can transport the elderly to and from their facility. Additionally, the City assisted them with the rehabilitation of one of their other buildings. Mr. Brown confirmed for Mayor Seiler there are no audit concerns and no issues have been raised from anyone regarding use of Community Development Block Grant (CDBG) funds for this entity.

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

Commissioner Rogers moved the item and was seconded by Commissioner Trantalis.

APPROVED

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

PH-2 16-0250 Public Hearing to Expend the Unspent FY 14-15 Housing Opportunities for Persons with HIV/AIDS (HOPWA) Rehabilitation Funds

Mr. Jonathan Brown, Housing and Community Development Manager, addressed the Commission giving a brief history of the background of this item. Mr. Brown noted the previous agreement has expired, and this is an extension in order to complete the rehabilitation. Discussions on this item ensued as to the proper procedures which must be followed. City Manager Feldman asked Mr. Brown if this item could be deferred until the underlying agreement is clarified. Mr. Brown concurred that this item could be deferred. City Attorney Everett also agreed and stated the legal department will do a full review to determine what the City's obligation is with unspent funds regarding this item.

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

Commission Roberts made a motion to defer this item until the April 5, 2016, City Commission meeting which was seconded by Vice-Mayor McKinzie.

DEFERRED to April 5, 2016

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

Mayor Seiler explained that in the past, these funds have created some controversy which necessitates the need for the City Attorney to confirm the correct way to handle this request.

PH-3 16-0332 Public Hearing to Consider the Adoption of a Resolution Approving an Amendment to the Northwest-Progresso-Flagler-Heights Community Redevelopment Plan

Mr. Jonathan Brown, Housing and Community Development Manager, addressed the Commission giving brief history of the background of this item. Mr. Brown, in his position as Northwest Progresso Flagler Heights CRA Area Manager, attended the CRA Board Meeting held earlier today, and the CRA Board offered a recommendation to the City Commission to approve this amendment to the CRA Plan. This item seeks approval of this CRA Plan.

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

Commissioner Trantalis moved the item and was seconded by Commissioner Roberts, which was read by title only.

ADOPTED

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

ORDINANCE SECOND READING

OSR-1 16-0313 Ordinance Amending the Unified Land Development Regulations
Revising the Criteria for Reviewing and Approving Rezoning Requests

Mr. Kelly Overman, 2500 East Las Olas Boulevard, spoke regarding the amendment to Section D.2.b. of the Unified Land Development Regulations and felt the 500 feet noted in the amendment was a challenge relative to the scale of various projects. Mr. Overman suggested using a multiple for larger sites as 500 feet does not seem enough. Anthony Fajardo, Department of Sustainable Development, addressed the Commission on this item, and further discussions ensued on the language of the proposed amendment. It was agreed a concept about the proposed amendment would be sent to the Council of Civic Associations after a review by the City's Planning and Zoning Board to allow them to come back to the Commission with their recommendations and input.

Mr. Brett Wood, 1619 Seabreeze Boulevard, addressed the Commission suggesting a second component regarding height should also be considered as it would also affect surrounding neighbors. He requested incorporating a height component into the formula for an analysis of a structure or property.

Commissioner Trantalis motioned to defer this item for the Second Reading to the April 19, 2016 City Commission Meeting, which was seconded by Commissioner Roberts.

DEFERRED to April 19, 2016

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

City Auditor Herbst addressed the Commission regarding a letter requesting the Commission's consideration of an opportunity he has to attend the Harvard Kennedy School of Government. It is a three-week program held over the summer. City Auditor Herbst noted it is a competitive program and

there is no guarantee he would be accepted but it is their Executive Program For State and Local Government Leaders. He asked if this would be something the Commission would entertain.

Mayor Seiler noted the only things the Commission would need to address is the cost and if the cost comes from an existing budget. He thought the concept and opportunity is good. City Manager Feldman noted the cost is borne by the employer as the City has a vested interest in the development of the attendee. City Manager Feldman discussed the tuition reimbursement program the City has and professional development funds that are at the discretion of the departments to further the development of non-degree work. It was noted City Auditor Herbst's request falls into the latter and they are done on a program-by-program basis. Further discussions ensued on this topic.

There were no objections from members of the Commission to Mr. Herbst's request to attend the Harvard Kennedy School of Government and have it paid for by the City .

Commission Roberts motioned to approve City Auditor Herbst's attendance at the Harvard Kennedy School of Government to be borne by City Auditor Herbst's existing budget with the requirement that he repay the cost should he leave the employment of the City within two years. The motion was seconded by Vice-Mayor McKinzie.

APPROVED

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

ADJOURNMENT

There being no further business before the Commission, Mayor Seiler adjourned the City Commission Meeting at 7:41 p.m.

John P. "Jack" Seiler
Mayor

ATTEST:

Jeffrey A. Modarelli
City Clerk