

City of Fort Lauderdale

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



Meeting Minutes - DRAFT

Tuesday, March 1, 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. MODARELLI, City Clerk
CYNTHIA A. EVERETT, City Attorney***

Invocation

Commissioner Romney Rogers

Pledge of Allegiance:

Former Wilton Manors Mayor Sandy Steen

ROLL CALL

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

QUORUM ESTABLISHED

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

Mayor Seiler introduced the City's new Police Chaplain Ben Sorenson.

Mayor Seiler called the meeting to order at 6:10 p.m.

Approval of MINUTES and Agenda

16-0325 Minutes for January 11, 2016 Joint Workshop with Affordable Housing
Advisory Committee - Affordable Housing Study, January 26, 2016
Northwest Progresso Flagler Heights Community Redevelopment Agency
Workshop and February 2, 2016 Conference Meeting

Name corrections of attendees in the meeting minutes of February 2, 2016 were noted by City Clerk Jeffrey Modarelli. Commissioner Trantalis moved to approve the minutes as amended, and was seconded by Commissioner Roberts.

APPROVED AS AMENDED

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

PRESENTATIONS

PRES- 16-0263 Proclamation Declaring the Month of March, 2016, as Conservation
1 Pays Neighborhood Water Challenge Month in the City of Fort
Lauderdale

Commissioner Rogers presented Samantha Baker, on behalf of Jennifer Durago, with the City of Fort Lauderdale's Proclamation declaring the month of March, 2016 as Conservation Pays Neighborhood Water Challenge Month in the City of Fort Lauderdale. Commissioner Rogers read the proclamation in

its entirety. Samantha Baker accepted the proclamation on behalf of Dr. Durango and thanked the City for its water conservation efforts.

PRES- 16-0331 Proclamation Declaring the Month of March, 2016, as Bike Month in
2 the City of Fort Lauderdale

Commission Roberts presented Diana Alarcon, Director of Transportation and Mobility Department, and her staff with a proclamation declaring the Month of March, 2016 as Bike Month in the City of Fort Lauderdale. Commissioner Roberts read the proclamation in its entirety. Diane thanked the Commission for their acknowledgement and recognition of the City's efforts to lead by example by kicking off the City's Employee Bike Share Program. Ms. Alarcon also thanked all City Staff who participated in the City's activities in support of bicycling as an alternative to driving, including the family fun bicycle rides held on a quarterly basis throughout the City. Ms. Alarcon announced new bicycle lanes that will be added to various areas of the City.

PRES- 16-0288 Community Appearance Board WOW Awards for District II
3

Commissioner Trantalis recognized District II's WOW Awards for May 2015 and January 2016. Commissioner Trantalis presented the May 2015 WOW Award to Donald and Pam Crile of 2639 Castilla Isle, Seven Isles. Commissioner Trantalis presented the January 2016 WOW Award to M. Elaine Wilson of 543 N. Victoria Park Road, Victoria Park.

PRES- 16-0251 Recognition of Arnette Torrence - Recipient of the Department of
4 Defense Patriot Award Granted by the Employer Support of the Guard and Reserve

Mayor Seiler recognized Warren Lubow, Area Chair with the Department of Defense Employer Support of the Guard and Reserve (ESGR) Award. Mr. Lubow introduced members of his team and presented Annette Torrence with the Department of Defense Patriot Award.

Mayor Seiler announced an annual breakfast event the ESGR hosts on the first Friday in May. Mr. Lubow gave a brief overview of the breakfast that is done in conjunction with Broward Navy Days and known as the Employer Recognition Breakfast. The ESGR hosts this event as a way to thank employers for supporting those serving in the National Guard and Reserve.

CONSENT AGENDA

Mayor Seiler announced the procedure for consent agenda items and updates to the Consent Agenda: Item PUR-10 is being removed entirely from the Agenda and NP-2 was withdrawn from the Agenda. Additionally, CR-1, CR-2, have been pulled by members of the public, and CM-2 was pulled by Commissioner Trantalis. CR-1, CR-2, and CM-2 will be considered separately. All remaining Consent Agenda Items will be approved as recommended.

Vice-Mayor McKinzie motioned for Consent Agenda items CR-1, CR-2, and CM-2 to be pulled from the Consent Agenda and considered separately and the remaining Consent Agenda items be approved as recommended, which was seconded by Commissioner Trantalis.

Approval of the Consent Agenda

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

CONSENT MOTION

CM-1 16-0231 Motion to Approve Event Agreements: Farmer's Market at Whole Foods, 82nd Easter Sunrise Service, 2nd Annual Kids Power Wheel Car Show, YogaFest, Walk MS Fort Lauderdale, and Farmer's Market at Broward Health

APPROVED

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

CM-2 16-0232 Motion to Approve Event Agreements and Related Road Closings: Corporate Run and 10th Annual Duck Fest Derby

Commissioner Trantalis noted he requested this be discussed based on a question he received at his District meeting regarding a request to compile a list and prioritizing the road closings requests from applicants. Commissioner Trantalis asked City Manager Feldman where the City stands with regard to this issue. Commission discussions ensued on this and City Manager Feldman noted the Commission had not prioritized this list noting the City is careful as to how the road closings are staged and the time limits. Commissioner Rogers stated that as the list of requests for road closing increases, there will be a need to prioritize the requests and distinguish between nonprofits and for profit companies making these requests to ensure the City's costs for road closings are recovered. Further discussions among the Commission ensued.

APPROVED

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

CM-3 16-0309 Motion Approving Sovereignty Submerged Lands Lease for Submerged Lands along the Riverwalk

APPROVED

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

CONSENT RESOLUTION

CR-1 16-0186 Resolution Approving the Consolidated Budget Amendment to Fiscal Year 2016 – Appropriation

Mayor Seiler opened the public hearing and recognized Charles King, 105 North Victoria Park Road, who expressed his questions, concerns, and ideas regarding this budget amendment, Victoria Park's decorative street signs and lights being damaged by drunk drivers in Victoria Park, and funds from the NCIP Grant. Commissioner Trantalis acknowledged that there seems to be accidents in this area of Broward Boulevard and Victoria Park.

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

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

ADOPTED

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

Mayor Seiler announced there will be no discussions on the subject of PH-1 tonight. PH-1 is being deferred until a date in April 2016 and after Commission discussions, it will be heard at a Special Public Hearing.

CR-2 16-0295 Resolution Declaring the Intent to Lease the Las Olas Marina

Mayor Seiler recognized Mr. James Musters, 115 Fiesta Way, who spoke in opposition to this item. To address Mr. Musters' concerns, Mayor Seiler gave Mr. Musters a brief outline of the history of this item and a complete explanation based on today's Commission Conference Meeting. Commissioner Trantalis also addressed Mr. Musters' concerns.

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

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

ADOPTED

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

CR-3 16-0306 Disposal of City-Owned Surplus Property located at 2941 NW 19th Street

ADOPTED

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

CR-4 16-0133 Resolution to Join the Clean Energy Green Corridor for Administration of a Property Assessed Clean Energy (PACE) Program

ADOPTED

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

CR-5 16-0146 Resolution Imposing Special Assessment Liens for Lot Clearing

ADOPTED

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

CR-6 16-0155 Resolution for Imposition of Special Assessment Liens for Costs Associated with the Securing of Multiple Properties

ADOPTED

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

PURCHASING AGENDA

PUR-1 16-0088 Motion to Approve Annual Concrete and Paver Stones Contracts - Team Contracting, Inc. and Weekley Asphalt Paving, Inc. - \$3,200,000

APPROVED

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

PUR-2 16-0124 Motion to Approve a Continuing Contract for Aviation Engineering Services for the Airport Taxiway Foxtrot Pavement Rehabilitation

Project - Kimley-Horn and Associates, Inc.

APPROVED

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

PUR-3 16-0188

Motion to Approve Purchase of Cargo Vans and Police Sedans - Duval Ford, LLC, Beck Nissan, Inc., Garber Chrysler-Dodge Truck, Inc., and Alan Jay Import Center, Inc. - \$804,062

APPROVED

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

PUR-4 16-0190

Motion to Approve Rose Drive Sanitary Sewer Repair Project - Molloy Bros. Inc. - \$162,638

APPROVED

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

PUR-5 16-0203

Motion to Approve Purchase of Citywide Janitorial Services - United States Service Industries, Inc. - \$385,990

APPROVED

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

PUR-6 16-0205

Motion to Approve Contract for the Purchase of Executive Airport Runway Painting and Markings - Hi-Lite Airfield Services, LLC - \$263,161.37

APPROVED

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

PUR-7 16-0223

Motion to Approve Purchase of Turf Maintenance Equipment - Wesco Turf, Inc. - \$361,531.77

APPROVED

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

PUR-8 16-0242 Motion to Approve Purchase of Minutes Secretary Services - Prototype, Inc. - \$173,550

APPROVED

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

PUR-9 16-0279 Motion to Reject all Proposals - Marina Management and Construction Services for the Las Olas Marina

APPROVED

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

PUR- 16-0305 Motion to Approve an Agreement for Medical Director Services for the
10 Fire Rescue Department - \$150,865

REMOVED FROM AGENDA

PUR- 16-0215 Motion to Approve a Contract for an Entertainment District Study-
11 Responsible Hospitality Institute, Inc. - \$75,000

APPROVED

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

MOTIONS

M-1 16-0243 Motion to Approve an Event Agreement with Downtowner Saloon, LLC for St. Patrick's Day Downtowner Saloon

City Manager Feldman stated as a matter of procedure, the motion needs to recognize if the City is going to grant the exception to the extended hours. Commissioner Rogers confirmed the applicant is requesting the event's hours be extended one hour until 11:00 p.m.

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

APPROVED

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

M-2 16-0244 Motion to Approve an Event Agreement with Cildara, Inc. for St. Patrick's Day Festival Maguire's Hill 16

APPROVED

Commissioner Rogers confirmed the applicant is requesting the event's hours to be extended two hours until 12:00 a.m. It was confirmed that the outdoor music will stop at 10:00 p.m. and the breakdown of the equipment requires the closing to be extended until 12:00 a.m.

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

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

M-3 16-0245 Motion to Approve an Event Agreement with the Museum of Discovery and Science for the 21st Annual Bank of America Wine, Spirits and Culinary Celebration

City Manager Feldman confirmed the applicant is requesting the event's hours be extended until 11:00 p.m.

Commission Trantalis moved the item and was seconded by Commissioner Roberts.

APPROVED

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

M-4 16-0246 Motion to Approve an Event Agreement with Multirace, LLC for the Las Olas International Triathlon

Commission Roberts moved the item and was seconded by Commissioner Roberts.

APPROVED

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

NEIGHBOR PRESENTATIONS

NP-1 16-0240 Timothy Wright - Fort Lauderdale Youth Basketball Program Volunteers

REMOVED FROM AGENDA

NP-2 16-0307 Charles King - "Hope and Healing Highway" and Renegade Lobbyists

Charles King, 105 North Victoria Park Road, expressed his concerns and questions regarding the proposal occurring at the State legislative level to rename a portion of Broward Boulevard located from Broward Boulevard north to East Sunrise Boulevard after Lauren Book's (daughter of City lobbyist Ron Book) nonprofit, "Hope and Healing Highway". Mr. King also noted that Lauren Book is running for a Florida State Senate seat. Mr. King stated Florida Senate Bill 114 also contained renaming of a portion of I-95 as "Potters Field." Mr. King stated it is the wrong message for the City.

Commissioner Trantalis asked City Manager Feldman to reconfirm the City had been given no information this is moving forward. Mayor Seiler stated for the record to his knowledge, no one on the City Commission has ever requested the renaming of these areas. Mayor Seiler noted things are often done at the State capital without asking local governments, and a street designation is something the State has the authority to do. Additionally, City Manager Feldman stated this item was requested to be removed from S.B. 114 on February 18, 2016, and was removed on February 19, 2016.

16-0213 WALK-ON - Art Seitz - Enhance, Protect and Improve Quality of Life and City Assets

Art Seitz, addressed the Commission regarding individuals who contribute positive items to the City and look after the beach to ensure it is protected, preserved and enhanced for future generations. Mr. Seitz noted the efforts of the following individuals Tony Abbate, JoAnn Medali, Miranda Lopez, Ann Hilmer, Mary Fertig, Mary Graham, Gail Deal, and Charlie King. (NOT SURE ABOUT SPELLINGS)

Mr. Seitz also spoke about the City's Bicycle Month noting his ideas, concerns and questions regarding with bicycle and pedestrian safety.

RESOLUTIONS

R-1 16-0293 Appointment of Board and Committee Members

City Clerk Jeffrey Modarelli read the appointments to the Board and Committee as noted below:

ECONOMIC DEVELOPMENT ADVISORY BOARD

Dustin Robinson is appointed to the Economic Advisory Board, in the category of small business interests, to complete an unexpired term ending January 5, 2018 or until his successor has been appointed.

EDUCATION ADVISORY BOARD

Austin Edward Scott and Ciara Bostick are 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.

MARINE ADVISORY BOARD

Joe Cain and James Batchelor are appointed to the Marine Advisory Board for one year terms beginning April 16, 2016 and ending April 15, 2017.

PARKS, RECREATION AND BEACHES BOARD

Nunzio Girdano is appointed to the Parks, Recreation and Beaches board to complete an unexpired term ending October 6, 2016.

Commissioner Rogers introduced the resolution which was read by title only.

ADOPTED

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

PUBLIC HEARINGS

PH-1 16-0322 Quasi-Judicial - Ordinance Rezoning from South Beach Marina and Hotel Area District to Innovative Development Zoning District including Approval of Associated Development Plan - Bahia Mar - TRR Bahia Mar LLC - Case Number 15001 (Request Deferment to Date to be Determined)

Mayor Seiler confirmed it was the Commission's consensus to move this public hearing to a separate day. The Commission members confirmed this was the consensus. Mayor Seiler noted the Commission is awaiting a site plan and an appraisal of the property. Commissioner Rogers recommended having a workshop prior to the May 10, 2016 Special Public Hearing date. Commissioner Trantalis asked about the criteria for having the site plan go to back to the Planning and Zoning Board. Jenni Morejon, Department of Sustainable Development, stated the parameters for the site plan going back to the Planning and Zoning Board.

Commissioner Rogers clarified and stated for the record that upon receipt of a new revised site plan from the developer, a determination will be made if the site plan will need to go back to the Planning and Zoning Board and then deciding if and when a Workshop would occur. Once this has been determined, the public then will be made aware of the process and timeline in a clear, concise manner to allow for public participation and input.

City Attorney Everett clarified the motion to continue is a continuation of the initial, first public hearing, and a second public hearing is also necessary.

Additionally, City Attorney Everett noted, due to the nature of the public hearing being quasi-judicial, a Town Hall Meeting with the City Manager, City Staff and the public is recommended in lieu of a Commission Workshop.

Commissioner Rogers requested City Attorney Everett to send the Commission a memorandum outlining these items and steps along her recommendations. This memorandum will then be published to the community for a clear understanding of the process to allow for public participation noting that the dates are subject to change based on the date of receipt of the necessary new revised site plan and appraisal.

Commissioner Rogers motioned to continue this public hearing until May 10, 2016 and was seconded by Commissioner Trantalis.

MOTION to Continue to May 10, 2016

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

Mayor Seiler requested City Manager Feldman and City Attorney Everett keep the public informed regarding any updates or changes to meeting dates and times regarding the new revised site plan and appraisal.

ORDINANCE FIRST READING

OFR-1 16-0176 Ordinance Amending the Unified Land Development Regulations
Revising the Criteria for Reviewing and Approving Rezoning Requests

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

Commissioner Rogers asked about the wording of Section 2.a and 2.b. Anthony Fajardo, Department of Sustainable Development, answered Commissioner Rogers' questions about the different terminologies of "adjacent" and "neighboring" properties was due to the fact the City did not want to give a standard distance requirement. Additional questions and discussions ensued on the need to clearly define "neighboring". It was decided to pass this item on first reading with possible edits to the wording prior to the second reading.

Commissioner Trantalis moved the item, which was read in its entirety.

PASSED FIRST READING

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

16-0345 WALK ON - Motion approving Benny Menendez, M.D., as Interim Medical Director for the Fire-Rescue Department - \$32,864

Mayor Seiler stated this motion was an extension of the previous interim agreement with Benny Menendez, M.D. as Medical Director for the City's Fire-Rescue Department. City Manager Feldman confirmed that this continuation was to work out the details of the final agreement and to ascertain if there is any interest from other outside providers. City Attorney Everett noted for the record that Benny Menendez, M.D. would provide medical services for the Fire-Rescue Department pursuant to Florida Statutes 401.265.

Commissioner Roberts motioned to approve the item and was seconded by Vice Mayor McKinzie.

APPROVED

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

16-0339 WALK-ON - Motion to Approve Donation to the Fort Lauderdale Police Department - 2016 Jeep Wrangler

Mayor Seiler stated this motion will be approved subject to the City Attorney's review and approval.

Commissioner Roberts moved the item subject to the City Attorney's approval and was seconded by Commissioner Trantalis.

APPROVED AS AMENDED

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

City Manager Feldman read into the record the Commission members FY 2017 – FY 2021 Community Investment Plan Prioritization Matrix Relative Weight Determination.

A copy of each Commission member's rankings is available at the City Clerk's Office.

The compilation sheet is attached to these minutes.

REQUEST FOR EXECUTIVE CLOSED DOOR SESSION

Pursuant to Florida Statute, Section 286.011(8) City Attorney Everett requested a closed door session with the City Commission on Tuesday, March 15 Florida Statute, Section 286.011(8) concerning:

Gary Pettigrossi v. City of Fort Lauderdale Case No. 13-007072 (18)

Travis Switzer v. City of Fort Lauderdale Case No. 12-007006 (09)

ADJOURNMENT

There being no further business before the Commission, Mayor Seiler adjourned the meeting at 7:38 p.m.

John P. "Jack" Seiler
Mayor

ATTEST:

Jeffrey A. Modarelli
City Clerk