

City of Fort Lauderdale

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



Meeting Minutes - DRAFT

Tuesday, May 17, 2016

6:00 PM

City Commission Chambers

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

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

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

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

Invocation Chorbishop Michael Thomas
Heart of Jesus Church

Pledge of Allegiance

ATTENDANCE ROLL CALL

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

QUORUM ESTABLISHED

Also Present: City Manager Lee R. Feldman, City Auditor John Herbst, City Clerk, Jeffrey A. Modarelli, City Attorney Cynthia Everett, and Sergeant At Arms Travis O'Neal

VOTING ORDER FOR MEETING: Vice Mayor Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler

Approval of MINUTES and Agenda

16-0639 Minutes for April 5, 2016 Neighborhood Survey Workshop, April 12, 2016 Joint Workshop with Budget Advisory Committee, April 13, 2016, Joint Workshop with Beach Redevelopment Advisory Board, April 19, 2016 Conference Meeting, April 19, 2016 Regular Meeting and August 18, 2015 Conference Meeting

A motion to approve the Minutes for the April 5, 2016 Neighborhood Survey Workshop, April 12, 2016 Joint Workshop with the Budget Advisory Committee, April 13, 2016, Joint Workshop with Beach Redevelopment Advisory Board, April 19, 2016 Conference Meeting, April 19, 2016 Regular Meeting and August 18, 2015 Conference Meeting and the agenda for tonight's meeting, was made by Vice Mayor Trantalis and was seconded by Commissioner Roberts:

APPROVED

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

PRESENTATIONS

PRES- 16-0642 Proclamation declaring May 17, 2016 as Broward Housing
2 Solutions® Day in the City of Fort Lauderdale

Vice Mayor Trantalis requested Lisa Vecchi President and CEO of Broward Housing Solution come to the podium for a Proclamation declaring May 17, 2016 as Broward Housing Solutions Day in the City of Fort Lauderdale. Vice Mayor Trantalis noted Broward Housing Solutions provides affordable housing to low-income families and people with mental illness many of whom were formerly homeless noting several properties are in the City of Fort Lauderdale. Vice Mayor Trantalis read the proclamation issued by the Office of the Mayor in the City of Fort Lauderdale in its entirety thanking Broward Housing Solutions for honoring the needs of low-income families in our community and members of the community with mental illness for all their hard work in addressing this issue.

Ms. Vecchi thanked the Mayor and the City Commission for its recognition.

PRES- 16-0641 Proclamation declaring May, 2016 as Lupus Awareness Month in the
3 City of Fort Lauderdale

Commissioner Rogers requested Charmaine Hines of the Florida Chapter of the Lupus Foundation of America come to the podium for presentation of the Proclamation declaring May, 2016 as Lupus Awareness Month in the City of Fort Lauderdale. Commissioner Rogers wanted to make citizens aware of what lupus is explaining lupus is a chronic autoimmune disease causing inflammation and damage to almost every organ in the body. Commissioner Rogers read the proclamation issued by the Office of the Mayor of the City of Fort Lauderdale in its entirety honoring the Lupus Foundation for all their hard work in addressing this issue.

Ms. Hines thanked the Mayor and the City Commission for its recognition.

PRES- 16-0643 Proclamation declaring May 15-21, 2016 as Public Service
5 Recognition Week in the City of Fort Lauderdale

Commissioner McKinzie requested Averill Dorsett, Director of the City of Fort Lauderdale's Human Resources Department, to come to the podium for presentation of the Proclamation declaring May 15-21, 2016 as Public Service Recognition Week in the City of Fort Lauderdale. Commissioner McKinzie noted Public Service Recognition Week is the time set aside to recognize men and women who serve our nation as Federal, State, County, and Local Government Employees and ensure that our government is the best in the world. Commissioner McKinzie read the proclamation issued by the Office of the Mayor of the City of Fort Lauderdale in its entirety honoring those who serve our nation on the Federal, State, County and Local Government levels for all their hard work in addressing this issue.

Ms. Dorsett thanked the Mayor and the City Commission for its recognition of those serving as public service employees specifically noting the 2,400 City employees who serve as Community Builders who deliver services to the City's residents and neighbors.

Ms. Dorsett shared a short video what some of the City's Community Builders do for our City, who are just one call away.

PRES- 16-0640 Recognition of Students and Mentors Participating in the Neighbor
6 Volunteer Office's Show Up Step Up Stand Out Youth Leadership Program

Mayor Seiler asked City Manager Feldman, Jorg Hruschka and Jay Forte to come to the podium. Mr. Hruschka called the 2016 graduating class of Show Up, Stand Up and Stand Out Youth Leadership Program congratulating them and noting this is the program's second year for this which is made possible by a grant from the Community Foundation of Broward County. Mr. Hruschka expounded on the requirements of this program's curriculum noting that each member of the graduating class is required to make a difference in their community with a high impact community project positively impacting over 750 over the program's two years. Mr. Hruschka also thanked the County for their assistance with the Show Up, Stand Up and Stand Out Youth Leadership Program noting the 2016 graduating class completed a four-month curriculum and community service project in the City. Mr. Hruschka thanked all of the programs participants and mentors involved in assisting the students in their efforts.

Mr. Jay Forte, the Program's Instructor, outlined the program and what was required for the successful completion of the Youth Leadership Program including awareness, accountability, adaptability, achievement, and authenticity regarding their participation and community service. Mr. Forte gave the audience specific examples of what community service projects were completed by the 2016 graduating class of Show Up, Stand Up and Stand Out Youth Leadership Program. Mr. Forte stated for the audience that this program's goal is to prepare the next generation of leaders and to develop leadership skills in the City's youth.

PRES- 16-0573 Proclamation declaring May 15-21, 2016 as National Public Works
7 Week in the City of Fort Lauderdale

Commissioner Roberts requested Paul Berg, Acting Director of the City of Fort Lauderdale's Public Works Department, come to the podium for presentation of the Proclamation declaring May 15-21, 2016 as National Public Works Week in the City of Fort Lauderdale. Commissioner Roberts noted the importance of the City's Public Works Department whose responsibility it is to keep the City's vital public services and infrastructure operational. Commissioner Roberts read the proclamation issued by the Office of the Mayor of the City of Fort Lauderdale in its entirety honoring those in the Public Works Department who serve the City's health, safety and comfort needs that result in a sustainable and resilient community. Mr. Berg thanked the Mayor and the Commission. Mr. Berg also noted for the audience all of the many aspects of what the Public Works Department manages, maintains and is responsible for in the City. Mr. Berg also expounded on the community service activities of which it will participate in during Public Works' Week as well as honoring those members of the Public Works Department for their long lengths of service.

PRES- 16-0283 Police Officer of the Month for May 2016
4

Police Chief Frank Adderley, recognized the May 2016 Police Officer of the Month, Detective Larry Reyes, who came to the podium. Police Chief Adderley noted Detective Reyes as always being "one call away" serving the Fort Lauderdale Police Department since 2008. Detective Reyes has received seven commendations for his outstanding work product. He has been named Officer of the Month on three separate occasions. Detective Reyes, and is currently assigned to the Violent Crimes Unit. Police Chief Adderley noted an incident on June 7, 2015, when two individuals committed and armed

robbery at the 7-11 Store located 6300 North Federal Highway, followed by a second robbery at the 7-11 Store located at 820 West McNab Road. Within four hours, Detective Reyes identified the suspects and discovered the two individuals were responsible for seven additional robberies throughout Broward and Palm Beach Counties. Utilizing the assistance of the Federal Bureau of Investigation, the Broward Sheriff's Office, the Palm Beach Sheriff's Office and the Boca Raton Police Department, Detective Reyes created an Operation Plan targeting the two robbery suspects. Within three days, surveillance detectives observed the two suspects drive to three separate retail stores, park in the store parking lots and "casing" the businesses. On June 11, 2015, surveillance followed the two suspects to a CVS Pharmacy located at 3680 North Federal Highway in the City of Lighthouse Point. Surveillance detectives watched as the suspects dressed in black gloves, hats, and masks. As the suspects exited their vehicles, armed with loaded firearms and began to walk towards the CVS Pharmacy, surveillance detectives immediately took the suspects into custody. Both suspects were charged with a total of nine armed robberies and are currently being prosecuted by the United States Attorney's Office under the Federal Hobbs Act.

Detective Reyes is being honored for his investigative skills, his ability to develop and implement an Operational Plan leading to the apprehension of two armed and dangerous suspects. The Mayor, the Commission, and the entire audience rose and acknowledged Detective Reyes.

PRES- 16-0636

Representative George Moraitis - 2016 Florida Legislative Session's
Anchoring Bill

1

Mayor Seiler stated due to a conflict State Representative George Moraitis was unable to attend tonight's meeting. Representative Moraitis assisted in passing the 2016 Florida Legislative Session's Anchoring Bill and instead of speaking this evening, he sent the letter noted which Mayor Seiler read aloud to the audience.

Dear Mayor Seiler,

Thank you for your invitation to address the Commission this evening, and I regret that a conflict has come up making me unavailable to attend. I did want to express to you, the commission and your staff what a privilege it was to work with you to address the problem in the Middle River with overnight anchoring as well as my appreciation for the invaluable assistance which you and your staff provided with passing this year's legislation. Together we were able to achieve a great success in this year's legislative session by prohibiting overnight anchoring in the Middle River beginning July 1 of this year. My hope is that this legislation will restore the Middle River as a place for water sports and recreation and that the neighbors who live in the area can once again enjoy the privacy of their homes. I want to particularly thank our City Manager, Lee Feldman and our [Assistant] City Attorney Robert Dunckel as well as Ron Boone and Kelly Mallette for the critical role they played in drafting and passing this legislation. Thank you for the work that you do as a commission and it is my privilege to work together with you to represent the citizens of this great city in our state capitol.

Sincerely, George

George R. Moraitis, Jr.
Moraitis, Cofar, Karney & Moraitis

A copy of Representative Moraitis's letter is attached to these minutes.

M-2 16-0638 Motion to Approve Lien Settlement Agreement - 301 and 307 SW Second Street

REMOVED FROM AGENDA

PUR-1 16-0488 Motion to Approve a Revenue Contract for Purchase of Aerial Adventure Course - Airplay Adventures LLC - \$196,800

Vice Mayor Trantalis moved to defer this item and was seconded by Commissioner Roberts.

DEFERRED to June 7, 2016

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

OSR-2 16-0426 Ordinance Amending ULDR Section 47-22.3.J - Message Center Signs to Permit Message Center Signs Within the Public Right-of-Way Subject to Specific Criteria (Request Deferment to June 7, 2016)

Vice Mayor Trantalis moved to defer this item and was seconded by Commissioner McKinzie.

DEFERRED to June 7, 2016

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

OSR-5 16-0564 An Ordinance Amending the Code of Ordinances of the City of Fort Lauderdale to Create a New Article entitled "Communications Facilities in the Public Rights-of-Way"

Mayor Seiler requested all those in the industry in attendance at tonight's meeting regarding this item including AT&T, T-Mobile, Hotwire Communications, Comcast, and FPL to stand and acknowledge they will attend a workshop to be scheduled with the City Attorney Bob Dunckel, the City's outside counsel, and City Manager Feldman to address the specific language of this ordinance. Mayor Seiler also stated the current moratorium will remain in place until appropriate language in this ordinance can be addressed.

Commissioner McKinzie moved to defer this item and was seconded by Commissioner Roberts.

DEFERRED to August 16, 2016

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

16-0513 WALK ON - Motion to Approve Purchase of Sanitation Rate Study - Burton & Associates, Inc. - \$39,834

Vice Mayor Trantalis moved to include this Walk-On Motion in tonight's Consent Agenda and was seconded by Commissioner Roberts.

APPROVED – Motion to Add Walk-On to the Consent Agenda

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

CONSENT AGENDA

Mayor Seiler announced the procedure for consent agenda items and announced the following revisions to tonight's Consent Agenda: CM-1, change in the title from the word "Approve" to "Consider"; PH-1 revision to the resolution to reflect the correct respondents to the Request for Proposal (RFP) which are Suntex Marina Investors, LLC and Edgewater Resources, LLC; and, OSR-3 revised last page of ordinance to reflect proper Memo number.

Mayor Seiler also noted the following item had been pulled from the Consent Agenda for separate discussion: CM-2 was pulled by Mr. King for separate discussion.

Approval of the Consent Agenda

A motion was made by Vice Mayor Trantalis and seconded by Commissioner Rogers that Consent Agenda Item CM-2 be pulled from the Consent Agenda and considered separately, and that all remaining Consent Agenda Items be approved as recommended.

Approval of the Consent Agenda

APPROVED ON THE CONSENT AGENDA

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

CONSENT MOTIONS

- CM-1 16-0560** Motion to Approve an Event Agreement with Lanakila Iki, Inc. for the 2016 Lanakila Iki Canoe Club Ocean Challenge

APPROVED

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

- CM-2 16-0637** Motion Authorizing Settlement of Police Liability Claim in the Matter of Michael Cuniff v. City of Fort Lauderdale, et al, Case No. 15-62281-Civ-Cohn/Seltzer in the amount of \$30,000.

Mayor Seiler recognized Mr. Charles King, 105 N. Victoria Park Road, who addressed the Commission on his concerns, thoughts, and questions regarding this item. Mr. King stated he pulled this item due to the fact there was not back-up as to what transpired about this settlement. Mr. King asked if there was a reason there were no details as to what happened. Vice Mayor Trantalis stated the details of this matter were discussed in an Executive Closed Door Session, and no members of the Commission are allowed to disclose those conversations. Mayor Seiler added there were no crimes involved as it was a civil dispute.

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

Mayor Seiler closed the public hearing.

Commission Roberts moved to approve this item and was seconded by Commissioner McKinzie.

APPROVED

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

- CM-3 16-0411** Motion to Approve an Agreement with Broward County and the Downtown Development Authority of Fort Lauderdale for Allocation of Funding Responsibility for the Local Share of Capital Cost Overruns for the Wave Streetcar Project

APPROVED

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

- CM-4 16-0492** Motion to Approve a Noise Mitigation Plan and Authorization for City Manager to Grant Special Permit for Noise Mitigation Plan

APPROVED

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

- CM-5 16-0565** City Request for Compatibility Review per Broward County Administrative Rules Document, Article 9.4, Regarding Notice of Allocation of Flexibility by Town of Davie

APPROVED

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

- 16-0513** WALK ON - Motion to Approve Purchase of Sanitation Rate Study - Burton & Associates, Inc. - \$39,834

APPROVED

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

CONSENT RESOLUTION

- CR-1 16-0101** Resolution for Imposition of Special Assessment Liens for Costs Associated with the Securing of Multiple Properties

ADOPTED

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

- CR-2 16-0183** Resolution Imposing Special Assessment Liens for Lot Clearing

ADOPTED

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

- CR-3 16-0485** Resolution Approving an Amended Lease Agreement with Sheltair Executive South, Inc. for an Additional Six-Month Lease Extension for Parcel 20, 20A at Fort Lauderdale Executive Airport

ADOPTED

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

- CR-4 16-0631** Resolution Encouraging Reduction of Aircraft Noise at Fort Lauderdale-Hollywood International Airport

ADOPTED

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

PURCHASING AGENDA

- PUR-2 16-0504** Motion to Approve Purchase of Information Technology Security Services - Akamai Technologies, Inc. - \$83,856

APPROVED

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

- PUR-3 16-0508** Motion to Approve a Revenue Contract of Beverage Concession Services - Professional Concessions, Inc. - \$25,000

APPROVED

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

- PUR-4 16-0514** Motion to Approve Purchase of Irrigation Supplies - Various Vendors - \$180,000 (2 year aggregate cost)

APPROVED

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

MOTIONS

M-1 16-0558 Motion to Approve Land Swap Agreement with Randolph Equity Partners, LLC

Stephanie Toothaker, Esq. of the law firm Tripp Scott and on behalf of the applicant, Randolph Equity Partners, LLC the owners of Bahia Cabana addressed the Commission in support of this item. Ms. Toothaker introduced her team who were in attendance. Ms. Toothaker addressed the Commission regarding a land swap for Fire Station 49 and gave a brief history of Fire Station 49 noting several items that were compromised when it was built. Ms. Toothaker elaborated on these items and various aspects of the current zoning for Fire Station 49 and the Bahia Cabana. Ms. Toothaker made it very clear that rezoning is not part of the currently requested land swap. Ms. Toothaker expounded on the safety enhancements that could come as a result of the proposed land swap and redevelopment of the site that could become improvements in the future. Ms. Toothaker noted she and her team had met with numerous stakeholders related to this requested land swap to update them on this proposed request. Ms. Toothaker stressed the developer is at risk about any future rezoning requests and are not requesting any at this time regarding the land swap and any differences in appraisals for the two properties will be to the benefit to the City.

A copy of Ms. Toothaker's presentation and submissions for the record is attached to these minutes.

Sam Ferrari, Principal with PGAL, the Architect for the proposed new Fire Station, addressed the Commission on the PGAL's, thanking Fire Chief Hoersch and his staff their time spent discussing several options to replace Fire Station 49. Mr. Ferrari presented and described the proposed redesigned enhancements to Fire Station 49 for the Commission, which is attached to these minutes within Ms. Toothaker's presentation.

Questions, answers, and discussions ensued between Ms. Toothaker and the Commission regarding parking, contingencies, and the timeline for a change of title for the requested land swap. Assistant City Attorney Bob Dunckel noted there was a timeline within the land swap agreement with a projected completion date is 37 months from the effective date which is the first day of the month after approval by the Commission. Assistant City Attorney Dunckel noted the City Manager can extend the deadlines cumulatively up to twelve months with the possibility to amend the agreement to provide for further extensions.

Commissioner Rogers asked if there were any issues with tearing down a structure that was funded with bonds that were floated for the purchasing. Assistant City Attorney Dunckel deferred to City Manager Feldman, who stated the firm who served as bond counsel for the bonds' issuance is the proper entity who should opine on this question. City Attorney Everett stated her department was working on getting a definitive response on Commissioner Rogers' inquiry.

Mayor Seiler recognized Charlie Cassel, 1525 S. Ocean Drive, who addressed the Commission, who stated he is conditionally in support of this item.

Mayor Seiler recognized Mary Fertig, President Idlewyld Improvement Association, who addressed the Commission in opposition to this item.

A copy of Ms. Fertig's submission for the record is attached to these minutes.

Mayor Seiler recognized Bryan Broeman, 1617 S. Federal Highway, who addressed the Commission, stating he is in support of this item.

Mayor Seiler recognized George Platt, 333 N. New River Drive, and on behalf of Mar Vista Apartments, who addressed the Commission in opposition to this item.

A copy of Mr. Platt's submission for the record is attached to these minutes.

Mayor Seiler recognized Marijke White, no address noted on her speaker card, addressed the Commission in support of this item.

Mayor Seiler recognized Robert Kagan, 3055 Harbour Drive, who addressed the Commission in opposition to this item.

A copy of Mr. Kagan's submission for the record is attached to these minutes.

Mayor Seiler recognized Greg Marker, 226 SE 12th Avenue, who addressed the Commission in support of this item.

Mayor Seiler recognized Count Rosenthal, 1237 NW 4th Avenue, who addressed the Commission in opposition to this item.

Mayor Seiler recognized Juan Noriega, 450 E. Las Olas Boulevard, who addressed the Commission in support of this item.

Mayor Seiler recognized Abby Laughlin, 425 Bayshore Drive, who addressed the Commission in opposition to this item.

A copy of Ms. Laughlin's submission for the record is attached to these minutes.

Mayor Seiler recognized Donald Medalie, Esq., on behalf of Harbor Ridge Place Condominium who addressed the Commission in opposition to this item.

A copy of Mr. Medalie's submission for the record is attached to these minutes.

Mayor Seiler recognized Kelly Churchan, 34 Isla Bahia Drive, who addressed the Commission in support of this item.

Mayor Seiler recognized Bonnie Barnett, 3055 Harbour Drive, who addressed the Commission in support of this item.

Mayor Seiler recognized John Burchan, 34 Isla Bahia Drive, who addressed the Commission in support of this item.

Mayor Seiler recognized Tom Gerrard, 3055 Harbour Drive, who addressed the Commission in opposition to this item.

Mayor Seiler recognized Wayne Abbott, 4210 Isle of Capri Drive, who addressed the Commission in support of this item.

Mayor Seiler recognized Nancy Thomas, 1924 Admirals Way, who addressed the Commission in opposition to this item.

Mayor Seiler recognized Ronald May, 1516 NW 31st Way, who addressed the Commission in support of this item.

Mayor Seiler recognized Paul Chettle, 200 S. Birch Road, who addressed the Commission in opposition to this item.

Mayor Seiler recognized Sheila Chatfield, 2100 S. Ocean Lane, who addressed the Commission in support of this item.

Mayor Seiler recognized Dr. Amed Osman, 3055 Harbour Drive, who addressed the Commission in opposition to this item.

Mayor Seiler recognized Torry Watson, 152 Island Views, who addressed the Commission in support of this item.

Mayor Seiler recognized Craig Fisher, 200 S. Birch Road, who addressed the Commission in opposition to this item.

Mayor Seiler recognized David Glassman, 3055 Harbour Drive, who addressed the Commission in opposition to this item.

Mayor Seiler recognized Chad Moss, no address noted on speaker card, who addressed the Commission in support of this item.

Mayor Seiler recognized Raj Motwani, 3081 Harbour Drive, who addressed the Commission in support of this item.

Mayor Seiler recognized Laura Hover, 3081 Harbour Drive, who addressed the Commission in support of this item.

Mayor Seiler recognized Charles King, 105 North Victoria Park Road, who addressed the Commission on this item giving his comments, thoughts and concerns. Mr. King noted on his speaker card his position was neutral on this item.

Mayor Seiler recognized Steve Tate, 3309 NE 37th Street, who addressed the Commission in support of this item.

Mayor Seiler recognized Steve Garon, 2517 N. Atlantic Boulevard, who addressed the Commission in opposition to this item.

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

Mayor Seiler closed the public hearing.

Commissioner Roberts requested City of Fort Lauderdale Fire Chief Robert Hoecherl to come to the podium. Mayor Seiler recognized Fire Chief Robert Hoecherl. Commissioner Roberts asked Fire Chief Robert Hoecherl about the public safety issues involved in this item noting this will be his deciding factor as to whether or not to vote in favor of this item. Commissioner Roberts raised several issues regarding public safety for Fire Chief Robert Hoecherl to opine on including emergency response times efficiently and safely, traffic issues, line of sight issues, width of the roadway, ingress and egress abilities of the Fire Department, and the associated impact of activity around the proposed redevelopment in the area.

Fire Chief Robert Hoecherl addressed the Commission addressing Commissioner Roberts' questions and concerns regarding this item stating that the present facility allows for adequate deployment of assets rapidly onto A1A north or south. Fire Chief Robert Hoecherl stated his comments and concerns including traffic preemption that would be needed at the new intersection as is done at the current intersection. Fire Chief Robert Hoecherl concurred with Commissioner Roberts' concern regarding the line of sight issues raised with the new location. Fire Chief Robert Hoecherl stated there was a need to further study the developer's proposal. Mayor Seiler noted his concerns regarding the ability to police a Fire Lane located in the middle of a street. Fire Chief Hoecherl noted that responses to his department's concerns were contained in Ms. Toothaker's responses to Fire Chief Hoecherl which he received late today. Fire Chief Hoecherl noted the need for verification of the contents of Ms. Toothaker's response and his concern that the responses need to be both in writing and in a proposed contract. Additionally, he stated response time concerns and other responses by Ms. Toothaker need to be further studied and evaluated. Further comments, discussions, concerns and questions ensued among the Commission members, City Manager Feldman, and Fire Chief Hoecherl concerning the congested traffic area both at the current site and for the proposed new Fire Station 250 feet away with its proposed modifications.

Vice Mayor Trantalis voiced his concern over the safety issues and the opposition of members of the community regarding the location of the Fire Station at the current location as it is below par with regard to response times. He noted the proposed choices presented tonight are not the only choices with regard to finding a new location on the beach for a new Fire Station, one optimally closer to Las Olas Boulevard. He recommended thinking "outside the box" regarding this issue and looking at all options available.

Mayor Seiler noted his primary concerns are public safety and answers to the bond issue.

Commissioner Rogers made a motion to deny which was seconded by Commissioner Roberts.

DEFEATED - Motion to Deny was approved - 5-0

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

M-3 16-0562 Motion to Approve an Event Agreement with American Cancer Society for Relay for Life of Carter Park

Commissioner McKinzie made a motion to approve this item which was seconded by Commissioner Rogers.

APPROVED

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

RESOLUTIONS

R-1 16-0606 Appointment of Board and Committee Members

City Clerk Modarelli read the appointments for approval of the current resolution's following board and committee members:

AFFORDABLE HOUSING ADVISORY COMMITTEE

Katharine Barry and Mitchell Rosenstein are appointed to the Affordable Housing Advisory Committee for a three-year term beginning June 30, 2016 and ending June 29, 2019 or until their successors have been appointed.

AVIATION ADVISORY BOARD

Mark Volchek is appointed to the Aviation Advisory Board for a one-year term beginning July 1, 2016 and ending June 30, 2017 or until his successor has been appointed.

CEMETERY SYSTEM BOARD OF TRUSTEES

Myrna Pototsky and Michael Ruddy are appointed to the Cemetery System Board of Trustees for a one-year term beginning June 3, 2016 and ending June 2, 2017 or until their successors have been appointed.

EDUCATION ADVISORY BOARD

Lauren Wood is appointed to the Education Advisory Board for a one-year term beginning June 16, 2016 and ending June 15, 2017 or until her successor has been appointed.

Barbara Singer is appointed to the Education Advisory Board for a one-year term beginning May 17th, 2016 and ending May 16, 2017 or until her successor has been appointed.

SUNRISE KEY NEIGHBORHOOD IMPROVEMENT DISTRICT BOARD OF DIRECTORS

Caldwell Cooper, Mark Grant, Jay Weiss, Larry Eldridge and Cliff Berry are appointed to the Sunrise Key Neighborhood Improvement District, Board of Directors for a three-year term beginning May 17, 2016 and ending May 1, 2019 or until their successors have been appointed.

Vice Mayor Trantalis introduced the resolution which was read by title only.

ADOPTED

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

R-2 16-0617 Resolution Approving the Use of Four Fuel Storage Tanks with a Capacity of 1,300,000 Gallons Each at Buckeye Terminal, Port Everglades - Case Number A16011

Mayor Seiler thanked Keith Poliakoff, Esq., representative Buckeye Oil, for his efforts in working with the City on this item.

Mayor Seiler recognized Charles King, 105 North Victoria Park Road, who addressed the Commission on this item and noting on his speaker card his position was neutral on this item.

Commissioner Rogers introduced this resolution with the provision that signage on the property be installed directing drivers exiting west to 595 to use Eller Drive in order to keep traffic off of 17th Street, Federal Highway, and State Road 84. He stated that although the applicant does not have total control of the drivers, would install this requested signage. The resolution was read by title only.

ADOPTED AS AMENDED

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

**R-3 16-0599 Resolution Rescinding Resolution 16-43 to Dispose of the Property
Located at 520 SW 31st Avenue**

Mayor Seiler questioned City Staff of the rescission of this resolution. City Manager Feldman noted that there was no bid on this property and the minimum bid requirement was the amount of the appraisal. Ryan Henderson, Assistant to the City Manager, advised the Commission on the history of this item noting it was a vacant lot and will be revisited at a later time noting the City Charter's requirements. The procedures for these types of situations were also discussed. Commissioner McKinzie commented on this several aspects of item. Further discussions and comments among the Commission ensued.

Commissioner Rogers introduced this item which was read by title only.

ADOPTED

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

PUBLIC HEARINGS

**PH-1 16-0618 Resolution to Approve Award for Marina Management and
Construction Services for Las Olas Marina (Re-Bid) - Suntex Marina
Investors, LLC - \$1.6 Million (estimated annual revenue)**

City Auditor Herbst requested this item be deferred until June 7, 2016. City Manager Feldman stated he had a concern regarding this date due to the Bahia Mar item already scheduled for June 7, 2016. Mayor Seiler stated this was important issue needing to be addressed and requested it be deferred to June 7, 2016 rather than June 21, 2016.

Mayor Seiler recognized Tom Muckamal, Island Global Yachting, briefly addressed the Commission asking if he could voice his concerns. Mayor Seiler stated due to the item being deferred, the

Commission would not hear his comments on the merits of this item tonight. Mayor Seiler confirmed there would an opportunity to speak on this issue at the June 7, 2016 City Commission Meeting.

Mayor Seiler recognized Grant Sinte who briefly addressed the Commission asking about the procedures involved in the deferral of this item and if there would be an opportunity to speak at the next meeting. Mayor Seiler confirmed there would an opportunity to speak on this issue at the June 7, 2016 City Commission Meeting.

Commissioner Roberts motioned to defer this item until June 7, 2016 which was seconded by Commissioner McKinzie.

DEFERRED to June 7, 2016

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

Discussions ensued on the procedures involved in this matter and the deferral. Mayor Seiler stated all questions and concerns regarding this item should be sent to the Mayor, each Commissioner, the City Attorney Everett and the City Manager Feldman concurrently.

ORDINANCE SECOND READING

OSR-1 16-0624 Ordinance Amending Chapter 15, Business Tax Receipts and Miscellaneous Business Regulations, to Add Article XI, Filming Regulations, of the Code of Ordinances of the City of Fort Lauderdale

Commissioner Roberts commented on this item explaining the reason for this ordinance was the need to address negative impacts on neighborhoods. He requested City Manager Feldman to establish and convene a taskforce/workgroup to work with the film industry to look at this ordinance and achieve the goals of the neighborhoods' quality of life and addressing the film industry's concerns. He stated anyone in attendance concerned with this ordinance contact the City Manager's Office. Mayor Seiler stated the need for this ordinance to address timelines and permitting fees being more objective. Commissioner Roberts requested this item be deferred to September 7, 2016.

Commission Roberts made a motion to defer the Second Reading of OSR-1 until September 7, 2016 and was seconded by Commissioner McKinzie.

DEFERRED ON SECOND READING to September 7, 2016

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

It was requested that members of the film industry in attendance give the City Clerk's Office their contact information.

OSR-3 16-0459 Quasi-Judicial - Ordinance Approving Rezoning from Residential Mid Rise Multifamily/Medium Density District (RMM-25) to Exclusive Use - Parking Lot (X-P) with Commercial Flex Allocation - WB Devine Investments LLC - 3025 East Commercial Boulevard -Case ZR15007

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 and Mayor Seiler disclosed their site visits, communications, and expert opinions received.

Mayor Seiler opened the floor up for a public hearing.

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

Vice Mayor Trantalis introduced the ordinance for the Second Reading which was read in its entirety.

ADOPTED ON SECOND READING

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

OSR-4 16-0474 Quasi-Judicial Ordinance Vacating a Right of Way - Location: South of 3212 NE 32 Street - PDNK P-4 LLC - Case #7P13

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 and Mayor Seiler disclosed their site visits, communications, and expert opinions received.

Mayor Seiler opened the floor up for a public hearing.

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 Commissioner Roberts. Roll call showed: AYES: Vice Mayor Dean J. Trantalis, Commissioner Robert L. McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, and Mayor Seiler. NAYS: None.

Commissioner Rogers introduced the ordinance for the Second Reading which was read in its entirety.

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ADOPTED ON SECOND READING

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

CM-5 16-0565 City Request for Compatibility Review per Broward County Administrative Rules Document, Article 9.4, Regarding Notice of Allocation of Flexibility by Town of Davie

Mayor Seiler commented on the compatibility issue on the proposed project in Davie being incompatible. The Commission requested the County to conduct a compatibility review as the Commission had concerns with the conversion of rezoning residential property to commercial which passed earlier this evening. Commissioner Roberts stated the next step for those who have concerns is to deal with and communicate with the County on this issue.

Commissioner Rogers stated he spoke to the Commissioner in Dania Beach telling him of the residents opposition. Commissioner Rogers also stated he will advise his constituents the results of his meetings with the County on this issue. Mayor Seiler stated any communications on this item with Commissioner Rogers' should also include copies to the other Commissioners to keep everyone in the loop on the concerns regarding this issue and ensuring everyone is on the same page.

REQUEST FOR EXECUTIVE CLOSED DOOR SESSION

City Attorney Everett requested, under Florida Statute, Section 286.011 (8)(a) an executive closed door session to seek advice on the matter noted below of during the City Commission Meeting on June 7, 2016, at a time to be determined.

Alex Pierre v. City of Fort Lauderdale, James Wells and Christopher Sousa
Federal Case No. 16-61053-Civ-Williams State Court Case No. CACE - Pending

It is expected this session will take approximately 15 minutes and those present will be:

Mayor, John P. "Jack" Seiler
Vice Mayor Dean J. Trantalis
Commissioner Robert L. McKinzie
Commissioner Bruce G. Roberts
Commissioner Romney Rogers
City Manager Lee R. Feldman
City Attorney Cynthia A. Everett
Assistant City Attorney Alain E. Boileau
Certified Court Reporter with Daughters Reporting, Inc.

ADJOURNMENT

There being no further business before the City Commission at this Regular Meeting, Mayor Seiler adjourned the meeting at 9:46 p.m.

John P. "Jack" Seiler
Mayor

ATTEST:

Jeffrey A. Modarelli
City Clerk