

City of Fort Lauderdale

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



Meeting Minutes - DRAFT

Tuesday, November 3, 2015

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

Pastor Wiley Thompson, First Fort Lauderdale

Meeting called to order at 6:15 p.m. on Tuesday, November 3, 2015, in the City Commission Chambers.

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. Modarelli, City Attorney Cynthia A. Everett, Sergeant At Arms Sergeant Travis M. O'Neal

Pledge of Allegiance

County Commissioner Chip Lamarca

Approval of MINUTES and Agenda

15-1398 Minutes for May 5, 2015, Conference and October 12, 2015, Joint Workshop with Beach Redevelopment Advisory Board

A motion to approve the Minutes for May 5, 2015, Conference and October 12, 2015, Joint Workshop with Beach Redevelopment Advisory Board was made by Vice Mayor McKinzie and was seconded by Commissioner Roberts.

APPROVED

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

PRESENTATIONS

PRES- 15-1438 Proclamation Declaring November 3, 2015, Rogers, Morris and
1 Ziegler LLP 90th Anniversary Day in the City of Fort Lauderdale

County Commissioner Chip Lamarca presented Commissioner Romney Rogers with the Broward County Commission's Proclamation declaring Friday, November 13, 2015 as Rogers, Morris and Ziegler LLP's 90th Anniversary Day in Broward County for the 90 years of service the firm has provided to the residents of Broward County.

Vice Mayor McKinzie presented Commissioner Romney Rogers with the City of Fort Lauderdale's Proclamation declaring Friday, November 3, 2015 as Rogers, Morris and Ziegler LLP's 90th Anniversary Day in Broward County for the 90 years of service the firm has provided to the residents of the City of Fort Lauderdale noting it is the City of Fort Lauderdale's oldest law firm. Vice Mayor

McKinzie read the City's Proclamation in its entirety.

Commissioner Romney Rogers accepted each Proclamation from Broward County Commissioner Chip Lamarca and the City of Fort Lauderdale's Vice Mayor Robert L. McKinzie acknowledging and thanking those in his office who have contributed to the firm's success.

Mayor Seiler noted for the audience the Citizen Recognition Awards presented earlier in the day to Sharon Major Hughes as the City of Fort Lauderdale's Citizen of the Year; Donald Singer as the City of Fort Lauderdale's Distinguished Citizen of the Year, Stanford K. Smoker as the City of Fort Lauderdale's Honored Founder, and Greg Brewton as the City of Fort Lauderdale's Exemplary Former Employee.

Mayor Seiler requested from the audience a moment of silence in honor of the following individuals who had passed: Boyd Anderson a long time resident of the City; Fred Carlson a member of the City's Advisory Boards, and Julia Cross a pedestrian recently killed in a car accident in the City.

Mayor Seiler announced that today's CRA-3 15-1354 item that was not addressed during the CRA Board Meeting earlier today would be taken up during tonight's meeting following tonight's Consent Agenda.

PRES- 15-1436 Proclamation Declaring February 20, 2016, as Funky Fun Run 5K and
2 Anything Goes Stroll Day in the City of Fort Lauderdale

Commissioner Trantalis presented a Proclamation Declaring February 20, 2016, as Funky Fun Run 5K and Anything Goes Stroll Day in the City of Fort Lauderdale. Commissioner Trantalis requested Mr. Sal Gatanio and Ms. Katharine Barry, H.O.M.E.S., Inc. CEO, to come to the podium for the presentation of the Proclamation Declaring February 20, 2016, as Funky Fun Run 5K and Anything Goes Stroll Day in the City of Fort Lauderdale. Commissioner Trantalis read the Proclamation in its entirety.

Ms. Barry thanked the Commission and introduced those in attendance who contributed to the Funky Fun Run 5K and Anything Goes Stroll Day in the City of Fort Lauderdale.

PRES- 15-1435 Proclamation declaring November 2015 as Pancreatic Cancer Month
3 in the City of Fort Lauderdale

Commissioner Rogers requested Ann Bywaters, Dennis Bartle, and Ricky Bartle to join him at the podium. Commissioner read the Proclamation in its entirety.

Commissioner Rogers presented a Proclamation declaring November 2015 as Pancreatic Cancer Month in the City of Fort Lauderdale to Ann Bywaters, Dennis Bartle, and Ricky Bartle.

Mr. Bartle thanked Commissioner Rogers, Mayor Seiler, Vice Mayor McKinzie and the Commissioners for the Proclamation and their continued support. Mr. Bartle invited everyone to join them at Burt Aaronson South County Regional Park in Boca Raton, Florida, on Sunday, November 22, 2015, for to the Annual Purple Stride Event a Family 5K. Mr. Bartle also invited everyone to participate by wearing the color purple in recognition of World Pancreatic Cancer Day on Friday, November 13, 2015.

Commissioner Roberts acknowledged Mr. Alex Coffee in attendance at tonight's meeting who has been a strong activist in the Coral Ridge Country Club Estates Association and stating Mr. Coffee has returned to the

City after his graduation from the University of Florida and will be involving himself in issues important to the City. Commissioner Roberts thanked Mr. Coffee for all of his hard work.

PRES- 15-1401 Community Appearance Board WOW Award for Districts I and II
4

Commissioner Roberts requested the District I WOW Award recipients, Melissa and Larry Rocker of 2701 NE 35th Drive in Coral Ridge Country Club Estates to join him at the podium.

Commissioner Roberts presented the District I WOW Awards Award to recipients Melissa and Larry Rocker, and describing their residence as being an example of contemporary Key West architecture with landscaping for both a friendly and sustainable environment. Mr. and Mrs. Rocker accepted the WOW Award for District I thanking Commissioner Roberts, the entire Commission and the City of Fort Lauderdale.

Mayor Seiler noted the District II WOW Awards had been deferred to November 17, 2015

WALK-ON Career Source Broward Presentation of A Certificate of Thanks for
PRESENTATION – Support of the Summer Youth Employment Program

Mr. Mason Jackson, CEO, and Board Member Ben Chen of Career Source Broward presented the City with a Certificate of Support for its cooperation and collaboration in support of Career Source Broward's Summer Youth Employment Program. Mr. Jackson expounded on the many ways Career Source Broward supports employment in the City.

Commissioner Trantalis accepted the Certificate of Support on behalf of the City residents and all of its neighbors thanking Career Source Broward for recognition of the City's efforts.

PRES- 15-1411 Certificate of Recognition to Richard A. Cahlin for work with the Bicycle
5 Action Committee in support of the City of Fort Lauderdale's Vision
Zero Initiative

City Manager Feldman introduced Diana Alarcon, Transportation and Mobility Director, who requested Mr. Richard A. Cahlin join her at the podium. Ms. Alarcon presented a Certificate of Recognition to Mr. Cahlin for his work with the Bicycle Action Committee in support of the City of Fort Lauderdale's Vision Zero Initiative. Ms. Alarcon noted the receipt of \$635.00 raised by Mr. Cahlin through the sale of bicycle shirts to kick off this program which will go towards the City's bicycle and pedestrian safety program known as Vision Zero. Ms. Alarcon thanked Mr. Cahlin on behalf of the City for his active community support. Mr. Cahlin accepted the Certificate of Recognition and expounded on the regional efforts regarding bicycle and pedestrian safety programs thanking the City Commission and City Staff. Mr. Cahlin requested those viewing this presentation to go to the website, <http://bicycleactioncommittee.com> and shop for their bicycle wear to support the efforts of the Bicycle Action Committee for the safety of bicyclists throughout the City.

Mayor Seiler noted that item R-4 and PH-3 on tonight's agenda had been deferred to November 17, 2015.

CONSENT AGENDA

Mayor Seiler announced the procedure for consent items and stated that items CM-4, CM-7, CR-1, CR-2, PUR-1, PUR-3, and PUR-11 were pulled from the Consent Agenda and will be considered separately. All remaining Consent Agenda items will be approved as recommended.

CONSENT MOTION

A motion was made by Vice Mayor McKinzie that Consent Agenda items that CM-4, CM-7, CR-1, CR-2, PUR-1, PUR-3, and PUR-11, be pulled from the Consent Agenda and considered separately, and that all remaining Consent Agenda items be approved as recommended. Commissioner Trantalis seconded this motion.

Approval of the Consent Agenda

Approve the Consent Agenda

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

CONSENT MOTION

CM-1 15-1327 Motion to Approve Event Agreements: Mahoney Charity Event, Inlet Challenge, Bonnet House Orchid, Garden & Gourmet Food Festival, Chanukah Fair on Las Olas and Saint Jerome Fall Festival 2015.

APPROVED

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

CM-2 15-1328 Motion to Approve Event Agreements and Related Road Closings: Light Up Downtown, CCA 5K, and 12th Annual Home for the Holiday's to benefit Ronald McDonald House.

APPROVED

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

CM-3 15-1392 Motion to Approve a Lease Amendment with Tower 101 Associates, LLC

APPROVED

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

- CM-4 15-1273** Motion Approving an Application for a Temporary Beach License and Outdoor Event Agreement with Sports Endeavors, Inc. for a Volleyball Competition

Mayor Seiler recognized Art Seitz, 1905 N. Atlantic Blvd.

Mr. Seitz addressed the Commission noting his comments, questions, and concerns regarding this item and the possibility of promoting volleyball in the City.

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

APPROVED

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

- CM-5 15-1237** Motion Accepting FY2015 Paul Coverdell Forensic Science Improvement Grant - \$53,435

APPROVED

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

- CM-6 15-1238** Motion Accepting FY2016 Florida Department of Transportation Grant - \$13,719.42

APPROVED

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

- CM-7 15-1366** Motion Approving Agreement with the Sheriff for Use of the City's Compost Site

Mayor Seiler recognized Mr. Nathan Pim, 855 NW 3rd Terrace, Dania, Florida.

Mr. Pim addressed the Commission with his comments in support of this item.

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

APPROVED

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

- CM-8 15-1269** Motion Authorizing Design Services for Las Olas Boulevard Corridor Improvement Project - EDSA, Inc. - Amount Not-to-Exceed \$2,844,519 Task Order

APPROVED

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

- CM-9 15-1335** Motion Authorizing Professional Engineering Services for the Peele-Dixie Water Treatment Plant Deep Injection Well Permit Renewal - Hazen and Sawyer, P.C. - \$31,892 Task Order

APPROVED

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

- CM-10 15-1221** National Endowment of the Arts Our Town Grant Acceptance and Match

APPROVED

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

- CM-11 15-1375** Motion Approving Co-Sponsorship of the Capitol One Orange Bowl for purposes of installing banners in the City of Fort Lauderdale

APPROVED

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

CONSENT RESOLUTION

- CR-1 15-1432** Resolution appointing the law firm of Nabors, Giblin, and Nickerson, P.A., as special counsel, to represent the City of Fort Lauderdale in connection with litigation commenced in the United States District Court for the Southern District of Florida, in the case styled "Premier Parks, LLC., a Delaware Limited Liability Company v. City of Fort Lauderdale, a Municipal Corporation of the State of Florida", Case No. 15-62218-CIV-BLOOM.

City Attorney Cynthia Everett commented on her recommendation to appoint the law firm Nabors, Giblin and Nickerson, P.A. with lead counsel Edward Dion, Esq., at the rate of \$250 per hour for partners and a rate of \$200 for associates for services as special counsel to represent the City of Fort Lauderdale in connection with litigation commenced in the United States District Court for the Southern District of Florida, in the case styled *Premier Parks, LLC., a Delaware Limited Liability Company v. City of Fort Lauderdale, a Municipal Corporation in the State of Florida*, Case No. 15-62218-CIV-BLOOM.

Comments ensued from the Commission regarding a cap on the attorney's fees. Assistant City Attorney stated the Commission would have an opportunity to review the attorney's fees on the quarterly report they receive from the City Attorney's Office noting this is the tool used for monitoring legal fees.

Mayor Seiler recognized Mr. Charles King, 105 N. Victoria Park Road, who addressed the Commission with this comments, thoughts, and questions on this item.

Commissioner Trantalis introduced this resolution which was read by title only.

ADOPTED as amended Nabors, Giblin, and Nickerson, P.A.

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

CR-2 15-1433 Resolution appointing the law firm of Kim Vaughan and Lerner, LLP as special counsel, to represent the City of Fort Lauderdale in connection with litigation commenced in the Circuit Court of the 17th Judicial Circuit in and for Broward County, Florida, in the case styled "Albion Staffing Solutions, Inc., a Florida corporation, v. City of Fort Lauderdale, a Florida municipal corporation," Case No. 15-018760 (09)

City Attorney Cynthia Everett commented on her recommendation to appoint the law firm Kim Vaughan and Lerner, LLP at a rate of \$185.00 per hour for partners time and \$150.00 for associates time as special counsel to represent the City of Fort Lauderdale in connection with litigation commenced in the Circuit Court of the 17th Judicial Circuit in and for Broward County, Florida, in the case styled *Albion Staffing Solutions, Inc., a Florida corporation, v. City of Fort Lauderdale, a Florida municipal corporation*, Case No. 15-018760 (09).

Mayor Seiler commented on the nature of this lawsuit at the request of Commissioner Trantalis noting for the record there have been discussions with the Mayor on this issue and stating City Auditor John Herbst, and City Attorney Cynthia Everett have been working on this item for several months. Further discussions ensued.

Commissioner Trantalis introduced this resolution which was read by title only.

ADOPTED as amended Kim Vaughan and Lerner, LLP

Aye: 4 - Commissioner Roberts, Commissioner Trantalis, Vice Mayor McKinzie, and Mayor Seiler

Nay: 1 - Commissioner Rogers

- CR-3 15-1312** Resolution Approving Consolidated Budget Amendment to Fiscal Year 2016 – Appropriation

ADOPTED

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

- CR-4 15-1419** Resolution Approving an Extension of a Temporary Moratorium on the Installation of Wireless Personal Telecommunication Towers and Distributed Antenna Systems through February 16, 2016

ADOPTED

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

- CR-5 15-1302** Resolution to Approve Performing Arts Center Authority Budget and Tri-Party Grant Agreement for Fiscal Year 2016

ADOPTED

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

- CR-6 15-1280** Resolution Authorizing the Acceptance of Grant Funds and Execution of a Joint Participation Agreement with Florida Department of Transportation for the Design of Western Perimeter Road at Fort Lauderdale Executive Airport

ADOPTED

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

- CR-7 15-1281** Resolution Authorizing the Acceptance of Grant Funds and Execution of a Joint Participation Agreement with the Florida Department of Transportation for Taxiway Intersection Improvements at Fort Lauderdale Executive Airport

ADOPTED

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

- CR-8 15-1282** Resolution Authorizing the Acceptance of Additional Grant Funding

And the Execution of a Supplemental Joint Participation Agreement with Florida Department of Transportation for Airfield Lighting Rehabilitation at Fort Lauderdale Executive Airport

ADOPTED

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

CR-9 15-1305

Resolution to Adopt *Vision Zero: Fort Lauderdale*

ADOPTED

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

CR-10 15-1355

Resolution Calling a Public Hearing to Establish Minimum Annual Lease Rates and Adopt a Brokerage Commission Policy at Fort Lauderdale Executive Airport

ADOPTED

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

CR-11 15-1384

Resolution Accepting a Deed of Release from the Federal Aviation Administration and Terminating the Associated Pledge Agreement on the Oster Property at Fort Lauderdale Executive Airport

ADOPTED

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

CR-12 15-1409

Resolution Authorizing the Acceptance of Grant Funds and Execution of a Supplemental Joint Participation Agreement with Florida Department of Transportation for the Uptown Link Route

ADOPTED

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

CR-13 15-1410

Resolution Authorizing the Acceptance of Grant Funds and Execution of a Supplemental Joint Participation Agreement with Florida Department of Transportation for the Downtown Link Route

ADOPTED

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

CR-14 15-1421 Resolution Rescheduling Four City Commission Meeting Dates in 2016

ADOPTED

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

PURCHASING AGENDA

PUR-1 15-0885 Motion to Approve Contract for South Side School Restoration Project - DiPompeo Construction Corporation - \$3,114,000

Mayor Seiler recognized Mr. Charles King, 105 N. Victoria Park Road, who addressed the Commission with this comments, thoughts, and questions on this item.

Commissioner Trantalis moved to approve this item. It was seconded by Commissioner Roberts and was read by title only.

APPROVED

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

Commissioner Trantalis asked City Manager Feldman if this was the last item being put before the Commission on the South Side School Restoration Project. City Manager Feldman stated there would be a Deductive Change Order forthcoming to the Commission.

PUR-2 15-1035 Motion to Approve Loader Backhoe and Yard Wheel Loader - Nortrax, Inc. - \$232,495

APPROVED

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

PUR-3 15-1138 Motion to Approve Office Furniture - Compass Office Solutions, LLC - \$138,196

Mayor Seiler recognized Mr. Nathan Pim, 855 NW 3rd Terrace, Dania, Florida.

Mr. Pim addressed the Commission with his comments, concerns, and questions regarding this item.

Commissioner Roberts moved to approve this item and was seconded by Commissioner Trantalis. It was read by title only.

APPROVED

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

PUR-4 15-1148

Motion to Approve Industrial Painting Services - J & J, Inc. d/b/a Eagle Painting - \$93,000 (two-year cost)

APPROVED

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

PUR-5 15-1180

Motion to Approve Fort Lauderdale Executive Airport Sustainability Master Plan - Bereau Veritas North America, Inc. - \$144,754

APPROVED

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

PUR-6 15-1243

Motion to Approve On-Line Information Management System - Backflow Solutions Inc. - \$127,463 (Revenue)

APPROVED

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

PUR-7 15-1262

Motion to Approve Emergency Lighting & Equipment - Strobes-R-Us, Inc. - \$420,000

APPROVED

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

PUR-8 15-1289

Motion to Approve Contracts for the Purchase of Mulch and Wood Chips through Southeast Florida Governmental Purchasing Cooperative Contract - \$72,120

APPROVED

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

PUR-9 15-1308 Motion to Approve Vehicles for Fire Department - Stingray Chevrolet, LLC and Pembroke Motors d/b/a AutoNation Chrysler Dodge Jeep Ram Pembroke Pines - \$294,292

APPROVED

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

PUR- 15-1324 10 Motion to Approve High-Speed Wireless Data Services - Verizon Wireless Personal Communications LP - \$389,607

APPROVED

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

PUR- 15-1389 11 Motion to Approve Continuation of Trash and Recycling Collection Services, Public Spaces and Special Events - Republic Services of Florida, Limited Partnership - \$897,612

Vice Mayor McKinzie moved to approve this item and was seconded by Commissioner Trantalis. It was read by title only.

APPROVED

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

MOTIONS

M-1 15-1333 Motion Approving an Application for a Temporary Beach License and Outdoor Event Agreement with Aids Healthcare Foundation, Inc. for a 5k and Music Event on Fort Lauderdale Beach

Commissioner Trantalis moved to approve this item and was seconded by Commissioner Roberts. It was read by title only.

APPROVED

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

M-2 15-1332 Motion to Approve an Event Agreement with Las Olas Association, Inc. for the 53rd Annual Christmas on Las Olas.

Mayor Seiler recognized Mr. James Saint, 53 Taft Street.

Mr. Saint addressed the Commission with his comments, concerns, and questions regarding this item and the importance of addressing the needs of the homeless especially during the spirit of the Christmas Season.

Mayor Seiler recognized Mr. David Hitchcock, 110 SW 8th Avenue.

Mr. Hitchcock also addressed the Commission with his comments, concerns, and questions regarding this item and the importance of addressing the needs of the homeless especially during the spirit of the Christmas Season.

Commissioner Trantalis moved to approve this item and was seconded by Commissioner Roberts. It was read by title only.

APPROVED

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

M-3 15-1427 Motion to Approve Designation of City of Fort Lauderdale Voting Delegate and Alternate(s) for the National League of Cities - 2015 Congress of Cities and Annual Business Meeting

Commission Trantalis made a motion to approve the appointment of Commissioner Rogers as the delegate and Commissioner Rogers as an alternate delegate for the City's delegate to the National League of Cities – 2015 Congress of Cities and Annual Business Meeting. This motion was seconded by Commissioner Roberts.

APPROVED

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

Mayor Seiler took up the November 3, 2015 CRA Item 15-1354 that was unable to be heard earlier today due to timing constraints. Please see the CRA Minutes of November 3, 2015.

NEIGHBOR PRESENTATIONS

NP-1 15-1404 Dennis Ulmer - Honoring Our Veterans - Veteran's Day, November 11th

Mr. Dennis Ulmer addressed the Commission and audience on the importance of the community honoring our veteran's on Veteran's Day, November 11, 2015. Mr. Ulmer gave a brief history of the significance and the importance of Veterans Day to the audience.

NP-2 15-1405 Haylee Becker - The Importance of Community Involvement and Sharing

Ms. Haylee Becker, 118 NW 7th Avenue, Dania Beach, addressed the Commission and the audience expressing her ideas about on the importance of Community Involvement and Sharing and her three-point

plan to rid the City of homelessness.

NP-3 15-1406 William Toole - Serious Issue Effecting Fort Lauderdale

Mr. William Toole, 118 NW 7th Avenue, Dania Beach, addressed the Commission and the audience regarding his ideas and concerns relating to the topic of feeding the homeless people in our City. Mr. Toole read from a story illustrating this issue.

NP-4 15-1407 Cara Claar-Reaser - Sharing is Caring

Cara Claar-Reaser, 1470 North Dixie Highway, addressed the Commission and the audience expressing her ideas on the topic of sharing and caring and the City's position regarding the homeless and homeless veterans.

NP-5 15-1408 Art Seitz - Fort Lauderdale Barrier Island - The Beach Redevelopment Advisory Board and Fort Lauderdale Aquatic Complex

Art Seitz, 1950 N. Ocean Drive, addressed the Commission and the audience expressing his ideas, concerns, and questions on the Fort Lauderdale barrier island, the Beach Redevelopment Advisory Board, and Fort Lauderdale Aquatic Complex as well as his concerns regarding pedestrian and bicycle safety.

RESOLUTIONS

R-1 15-1397 Appointment of Board and Committee Members

Discussions ensued among the Commission regarding additional appointments to the City's Advisory Boards for the appointments at the City Commission on November 17, 2015.

City Clerk Jeffrey Modarelli noted tonight's appointment to the various City's Advisory Boards as noted below:

AVIATION ADVISORY BOARD

Joshua Kroon has been appointed to the Aviation Advisory Board for a one-year term beginning November 3, 2015, and ending November 2, 2016, or until his successor has been appointed.

BOARD OF ADJUSTMENT

Roger Bond has been appointed to the Board of Adjustment for a two-year term beginning September 21, 2015, and ending September 20, 2017, or until his successor has been appointed.

COMMUNITY SERVICES BOARD

Jonathan May has been appointed to the Community Services Board, in the category of District 2, to complete an unexpired ending March 2, 2016, or until his successor has been appointed.

GENERAL EMPLOYEES RETIREMENT SYSTEM-BOARD OF TRUSTEES

Ronald Cameron has been appointed to the General Employees Retirement System-Board of Trustees to complete an unexpired term ending December 31, 2015, or until his successor has been appointed.

Commissioner Trantalis introduced the resolution which was read in its entirety.

ADOPTED

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

R-2 15-1271

Quasi-Judicial - Resolution Approving Plat known as "JM Cypress Creek" - Bank of America c/o Corp Real Estate Assmt - Case Number PL15006

Anyone wishing to speak must be sworn in. Commission will announce any site visits, communications or expert opinions received and make them part of the record.

Each Commission member disclosed their site visits and communications regarding this resolution.

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 Romney Rogers, Commissioner, Bruce G. Roberts, Commissioner Dean J. Trantalis, Vice Mayor McKinzie, and Mayor Seiler. **NAYS:** None.

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

ADOPTED approving

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

R-4 15-1298

Quasi-Judicial - Resolution Authorizing a Port Everglades Development District Conditional Use Permit for a 200,000 Barrel Capacity Fuel Storage Tank at Port Everglades - Case Number A15014

Anyone wishing to speak must be sworn in. Commission will announce any site visits, communications or expert opinions received and make them part of the record.

Each Commission member disclosed their site visits and communications regarding this resolution.

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:** Commissioner Romney Rogers, Commissioner, Bruce G. Roberts, Commissioner Dean J. Trantalis, Vice Mayor McKinzie, and Mayor Seiler. **NAYS:** None.

Commissioner Roberts made a motion to defer this resolution until the November 17, 2015, City Commission Meeting and was seconded by Vice Mayor McKinzie.

Deferred to November 17, 2015

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

ORDINANCE SECOND READING

OSR-1 15-1342 Ordinance Amending and Restating the City of Fort Lauderdale General Employees' Retirement System for Tax Qualification

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: Commissioner Romney Rogers, Commissioner, Bruce G. Roberts, Commissioner Dean J. Trantalis, Vice Mayor McKinzie and Mayor Seiler. NAYS: None.

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

ADOPTED ON SECOND READING

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

OSR-2 15-1343 Ordinance Amending Section 20-135 of the Code of Ordinances Relating to the City of Fort Lauderdale Police and Firefighters' Retirement System Plan - Authorizing In-Service Distributions

Charlie King, 105 N. Victoria Park Road, addressed the Commission expressing his concerns and ideas and questions regarding this ordinance.

Commissioner Roberts stated he would be recusing himself from this vote.

There being no one 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 Romney Rogers, Commissioner, Bruce G. Roberts, Commissioner Dean J. Trantalis, Vice Mayor McKinzie and Mayor Seiler. NAYS: None.

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

ADOPTED ON SECOND READING

Aye: 3 - Commissioner Rogers, Vice Mayor McKinzie, and Mayor Seiler

Abstain: 1 - Commissioner Roberts

Not Present: 1 - Commissioner Trantalis

PUBLIC HEARINGS

PH-1 15-1239 Quasi-Judicial Ordinance Vacating a Right of Way North of 4th Street between NE 3rd Avenue and NE 4th Avenue - Putnam Realty Limited, et al. - Case Number V15003

Anyone wishing to speak must be sworn in. Commission will announce any site visits, communication or expert opinions received and make them part of the record.

Each Commission member disclosed their site visits and communications regarding this resolution.

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: Commissioner Romney Rogers, Commissioner, Bruce G. Roberts, Commissioner Dean J. Trantalis, Vice Mayor McKinzie and Mayor Seiler. NAYS: None.

Commissioner Trantalis introduced the ordinance for the First reading.

PASSED FIRST READING

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

PH-2 15-1296 Quasi-Judicial - Resolution Approving a Landmark Designation - Alhambra Beach Resort - 3021 Alhambra Street - Case Number H15019

Anyone wishing to speak must be sworn in. Commission will announce any site visits, communications or expert opinions received and make them part of the record.

Each Commission member disclosed their site visits and communications regarding this resolution.

Mayor Seiler noted the items being made part of the record on this item for tonight's meeting.

Mayor Seiler recognized Marla Sherman Dumas, MSSD Consulting, who addressed the Commission on behalf of Historic Preservation Solutions on this item. She cited the criteria used by the City in the designation of a historic building in the City specifically focusing on criteria D of the City Land Development Regulations 47-24.11.B6, Identification as the Work of Master Builder, Designer, or Architect Whose Individual Work has Influenced the Development of the City, or State or Nation. Ms. Dumas referenced Marilyn Rathbun's Report, the City's Consultant on behalf of the City's Historic Preservation Board, regarding this criterion which was confirmed as being part of the City's record on this item. Ms. Dumas noted that Ms. Rathbun's report focused on the history of the design by architect Courtney Stewart, Jr. Ms. Dumas expounded on the history of Mr. Stewart as an architect in the City of Fort Lauderdale, Florida, and making them part of the record. Ms. Dumas noted Mr. Stewart is the architect of record for this item and additional buildings in South Florida. Further comments, discussions, and questions ensued between the Commission and Ms. Dumas pursuant to Mr. Stewart being the architect of record, subsequent modifications to the building, and this item's being designated a historic landmark.

A copy of Ms. Dumas' presentation to the Commission is attached to these minutes.

Charlie Esposito and Erika Klee, applicants, addressed the Commission.

Mayor Seiler recognized Ms. Erika Klee, one of the applicants, who addressed the Commission in support of this item with her comments regarding this building being designated as a historic landmark noting the building is 80 years old and is one of the oldest buildings on Fort Lauderdale Beach. Ms. Klee noted the history of this building, the City, and the need for keeping historic buildings in the City.

A copy of Ms. Klee's presentation to the Commission is attached to these minutes.

Mayor Seiler recognized Ms. Charles Esposito, one of the applicants, who addressed the Commission in support of this item with his comments regarding this building being designated as a historic landmark. Mr. Esposito noted the evolution of the City's architecture had not been considered concerning historic preservation specifically as it relates to Art Deco's evolution into Art Moderne. He stated Alhambra Street is one of the only streets in the City that contain buildings with historic significance. Further comments and discussions ensued.

Mayor Seiler recognized Mr. Steve Glassman, Broward Trust for Historic Preservation, who addressed the Commission in support of this item. Discussions, comments, and questions ensued from the Commission during Mr. Glassman's presentation regarding conflicting ordinances in the City's Code about historic properties. Additional discussions and comments ensued on the Historic Preservation Board's vote against this item.

A copy of Mr. Glassman's comments and additional items he provided for the record are attached to these minutes.

Mayor Seiler recognized Mr. Charles King, 105 N. Victoria Park Road, who addressed the Commission in opposition to this item noting his comments, thoughts, and questions regarding this item focusing on an owner's property rights.

Mayor Seiler recognized Mr. Mark Nelson, 824 SE 2nd Street and owner of the Towers Retirement Home, who addressed the Commission in opposition to this item. Mr. Nelson offered his perspective on this item as he stated he is also an owner of a small business who has had someone submit an application for designating his business, the Towers Retirement Home, as a historic landmark.

Mayor Seiler recognized Ms. Jordana Jarjura, Esq., on behalf of OTO Development, who addressed the Commission in opposition to this item with a presentation. She expounded on the reasons for not approving the applicants' request for designating this property as a historic landmark. Questions and comments ensued from the Commission on Ms. Jarjura's presentation and the subsequent renovations done to the West Façade of this building.

A copy of Ms. Jarjura's presentation to the Commission is attached to these minutes.

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: Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis, Vice Mayor McKinzie and Mayor Seiler. NAYS: None.

Commissioner Rogers asked City Attorney Everett if this was being reviewed by the Commission as a de novo hearing considering the recommendation of the Historic Preservation Board as an Advisory Board.

Assistant City Attorney Spence confirmed this is a de novo hearing before the Commission. Further comments and discussions ensued on the applicant's meeting the criteria for review of the City's Code.

Commissioner Trantalis stated his comments and concerns regarding the appreciation of historic buildings in the City and the City's conflicting Codes in this area. He stated this area had been designated a redevelopment area. Commissioner Trantalis noted he feels that this building does qualify for designation as a historic building and the property rights do not need to be taken away.

Commissioner Rogers noted his respect for the Historic Preservation Board's recommendation.

Further discussions and comments ensued from the Commission on the Historic Preservation Board's vote and recommendation on this item, other aspects of the argument for and against this item, and owner's property rights.

Commissioner Rogers noted an error in the Whereas Clause in Exhibit 7 and noted the correction to deny the designation as a historic landmark for the building located at 3021 Alhambra Street.

Commissioner Rogers introduced the resolution.

ADOPTED denying designation as a historic landmark

Aye: 4 - Commissioner Rogers, Commissioner Roberts, Vice Mayor McKinzie, and Mayor Seiler

Nay: 1 - Commissioner Trantalis

PH-3 15-1297

Quasi-Judicial - Resolution approving a Landmark Designation - Towers Apartments/Towers Retirement Home - 824 SE 2 Street - Case Number H15023 (Request Deferment to November 17, 2015)

Anyone wishing to speak must be sworn in. Commission will announce any site visits, communications or expert opinions received and make them part of the record.

Each Commission member disclosed their site visits and communications regarding this resolution.

Commissioner Trantalis motioned to defer this item until the November 17, 2015 Regular City Commission Meeting and was seconded by Commissioner Roberts.

DEFERRED to November 17, 2015

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

R-3 15-1272

Quasi-Judicial - Resolution Approving Site Plan Level IV Development Permit - OTA/AC Marriott 3107-3029 Alhambra Street - Case Number R15015

Anyone wishing to speak must be sworn in. Commission will announce any site visits, communications or expert opinions received and make them part of the record.

Each Commission member disclosed their site visits and communications regarding this resolution.

Mayor Seiler opened the floor up for a public hearing.

Mayor Seiler recognized Ms. Stephanie Toothaker, Esq., on behalf of OTO Development the entity proposing the development of the AC Marriott, who addressed the Commission on this item. Ms. Toothaker noted the members of the OTO team in attendance. Ms. Toothaker noted the two investors behind OTO/AC Marriott are Wayne Huizenga and George Johnson. Ms. Toothaker also reiterated the outreach done on behalf of OTA/AC Marriott to all stakeholders involved in this project.

A copy of Ms. Toothaker's presentation to the Commission is attached to these minutes

Commissioner Trantalis questioned the traffic impact statement regarding the number of trips per day noting the generation of one thousand trips per day.

Mayor Seiler recognized Adrian Dabkowski, P.E., Kimley-Horn, 600 N. Pine Island Drive, representing the applicant who was sworn in and addressed Commissioner Trantalis' question. Mr. Dabkowski noted the land use of this project was for a hotel, the most conservative, and it was within those parameters. Ms. Toothaker stated this hotel would be a life style high-end hotel. Commissioner Trantalis questioned the statistics submitted to the Commission from Mr. Dabkowski. Mr. Dabkowski clarified these statistics for Commissioner Trantalis.

Commissioner Rogers asked if the applicant had an agreement with Casablanca for the loading zones. Ms. Toothaker confirmed she had spoken Casablanca Cafe's attorneys, and an agreement has been reached on the three parallel parking spots in front of the hotel for use by Casablanca's valet service for their restaurant, and AC Marriott has agreed to support this. Additionally, Ms. Toothaker stated AC Marriott has agreed to open up the eastern edge of its site plan to accommodate the sharing of its loading zone with the Casablanca Café. She stated the site plan would be modified to reflect this. Ms. Toothaker also stated that AC Marriott would do appropriate screening for minimal impact on the Casablanca Café during construction. Ms. Toothaker stated all of these items were noted in a letter to Casablanca's attorney and had been submitted to the Commission as part of the record.

Commissioner Roberts requested Ms. Toothaker to review the setbacks for this project which she reviewed for the Commission. Comments, questions, and discussions ensued on the proposed building's setbacks.

Mayor Seiler noted the following people had signed up in support of this item but had to leave. Those individuals were Ms. Maria Veronica Caraccido, 501 SE 2nd Street, and Ms. Midge Clark, Ritz Carlton Penthouse Residences Association.

Mayor Seiler recognized Ms. Marla Dumas who stated she was attending tonight's meeting representing 200 unit owners in the area and was being paid to do so. Mayor Seiler stated that Ms. Dumas needed to register as a lobbyist. City Attorney Everett stated she spoke to Ms. Dumas, and Ms. Dumas is aware of her obligations, but City Attorney Everett could not give Ms. Dumas legal advice. Further discussions ensued on this topic. Ms. Dumas stated she had only been paid tonight to represent the City's Historic Preservation Advisory Board.

Ms. Dumas put up a PowerPoint Presentation and distributed some handouts to the City Commission. Ms. Dumas gave her comments, concerns and suggestions to the Commission presented in her PowerPoint Presentation noting she did not feel the project meets the intent and purpose of the City's Zoning District. Ms. Dumas additionally noted that the applicant claims it complies with the Central Beach Master Plan and noting that it had never been codified. Additionally, Ms. Dumas stated when she attempted to get a copy of the 1988 Central Beach Revitalization Plan, it was not made available to her. Ms. Dumas commented on the projects setbacks and walked the Commission through the setbacks of the proposed project and other outstanding issues. Further comments and discussions ensued including questions from Commissioner Trantalis as to comments from Ms. Dumas. Ms. Toothaker corrected for the record that the proposed hotel is a lifestyle hotel, not a business hotel and stated the definition of a lifestyle hotel is one which is targeted towards families as opposed to a business hotel that is geared to business travelers. Further comments and discussions followed including discussions with the Planning and Zoning Board that no discussions took place regarding the type of hotel being proposed.

Copies of Ms. Dumas's PowerPoint Presentation and the handout she distributed are attached to these minutes.

Mayor Seiler recognized Mr. Steve Glassman, 2821 N. Ocean Blvd., who addressed the Commission in opposition to this item with his comments, suggestions, questions and concerns on this item. Discussions, questions, and comments ensued following Mr. Glassman's statement and presentation. Further discussions ensued regarding the setbacks of the proposed building.

A copy of Mr. Glassman's statement and submissions for the record are attached to these minutes.

Ms. Virginia Alvarado stated she was speaking on behalf of Nivea Cordova Berrios of the Seasons Condominium and addressed the Commission in opposition to this item with her comments, suggestions, questions and concerns on this item.

Ms. Alvarado submitted for the record a statement from Nivea Cordova Berrios which Ms. Alvarado read aloud and is attached to these minutes.

Mr. James Ostryniec, 3017 Alhambra Street, addressed the Commission in support of this item stating his comments, suggestions, questions, and concerns on this item. Mr. Ostryniec disclosed that he is selling his property to the applicant.

Ms. Erika Klee, 209 N. Fort Lauderdale Beach Blvd., addressed the Commission in opposition to this item stating her comments, suggestions, questions, and concerns on this item. Ms. Klee stated that the Central Beach Alliance's (CBA) vote on this project was corrupted, and not all were allowed to vote as noted in Ms. Klee's email to Mayor Seiler and the entire Commission. Ms. Klee also noted other issues with the applicant's presentation to the CBA at the June 2015 Meeting. Further comments and discussions ensued including Commissioner Trantalis' input on the CBA's agreement that there should be a building on this site, but they did not agree on the initial design, and the CBA felt it needed a redesign. Further comments and discussions ensued.

Ms. Vicky Ferron, President of Seasons Condominium, addressed the Commission in opposition to this item stating her comments, suggestions, questions and concerns on this item.

Mr. James Novick, 215 N. Birch Road and president of the Alhambra Condominium Association, addressed the Commission in opposition to this item stating his comments, suggestions, questions, and

concerns on this item. In full disclosure, Mr. Novick stated he is a member of the Board of the Central Beach Alliance but was not in attendance at the June 2015 vote on this item.

Commissioner Trantalis commented on the proposed project resembling a business hotel rather than a lifestyle hotel and questioning if the zoning allows for a business hotel. Ms. Toothaker clarified this for Commissioner Trantalis

Dr. John Gaeta, 209 N. Fort Lauderdale Blvd., addressed the Commission in opposition to this item stating his comments, suggestions, questions and concerns on this item focusing on existing issues with delivery trucks servicing the Casablanca Café and other traffic related matters. Dr. Gaeta stated he attended the CBA Meeting discussed by Ms. Klee and corroborated her statement concerning the CBA vote on this item and not allowing the Seasons Condominium to vote.

Dr. Gaeta submitted items for the record, and a copy of his submissions is attached to these minutes.

Mr. Marc Karmatz for Mauro Amato, 209 N. Fort Lauderdale Beach Blvd. a resident and member of the Board of Directors of The Seasons Condominium, addressed the Commission with his comments, suggestions, questions and concerns on this item focusing on the traffic congestion implications and referencing the pictures he handed out to the Commission.

Mr. Karmatz submitted picture relating to this item to the Commission and a copy is attached to these minutes.

Mr. Mark Levin, 215 N. Birch Road former president of the Versailles Condominium, addressed the Commission in opposition to this item stating his comments, suggestions, questions, and concerns on this item focusing on the loading zone concept for this project.

Mr. Charles Esposito, 3009 Seville Street, addressed the Commission with his comments, suggestions, questions and concerns on this item focusing on the voting disparity raised earlier by Ms. Klee and describing his recollection of conversations with the president of the Central Beach Alliance regarding the voting disparity. Further comments ensued from Mr. Esposito on the historic designations of other buildings in the City and the previous voting record of the owners of 3017 Alhambra Street and 3021 Alhambra Street. Mr. Esposito stated his concerns with people who testified before the Planning and Zoning Board who had something to gain from the brokerage of the sale of this property as reported in *The Sun Sentinel*. Additionally, Mr. Esposito questioned the appropriateness of the Chair of the Beach Redevelopment Advisory Board being a paid consultant for the subject property. Mr. Esposito commented further on other current issues.

Mr. Charles King, 105 N. Victoria Park Road, addressed the Commission in support of this item stating his comments, suggestions, questions, and concerns on this item.

Mayor Seiler recognized Ms. Toothaker who addressed statements made clarifying this ULDR's list of permitted uses for this site in the CBA District. Ms. Toothaker also addressed the issue of loading zones which are not required, and that the applicant is providing a loading zone because it is in the best interests of the street, the neighborhood, the hotel, as well as being beneficial to the Casablanca Café. Ms. Toothaker noted there would not be tractor trailers using the loading zones but would be used by box trucks, and a loading dock would provide an opportunity for the Casablanca Café to get their delivery trucks off the street. Ms. Toothaker also addressed the issue of the Central Beach Alliance vote stating she had an email from John Weaver, the president of the CBA which stated

At the CBA Meeting on 6-3-15, the AC Marriott presented for the second time. The following motion and vote were taken after the presentation. The motion was made to approve the project subject to architectural enhancements – 93 to 60 in favor of the motion.

Ms. Toothaker stated her understanding was the Seasons Condominium was not a member of the CBA at the time. She further stated, if they had been entitled to vote, they would have been entitled to 10 votes and even if the Seasons Condominium had voted, it would have changed the vote from 93 to 70 in favor of the motion. Ms. Toothaker stated this email had been entered into the record at the Planning and Zoning Board Meeting clearly stating the CBA voted for the project subject to architectural enhancements which were then made and went back to the CBA to present those architectural enhancements which were minor. Ms. Toothaker stated these architectural enhancements were discussed at length at the Planning and Zoning Board Meeting, and the Planning and Zoning Board voted to approve the project as well. Mayor Seiler asked Ms. Toothaker what the vote was at the Planning and Zoning Board Meeting. Ms. Toothaker stated the vote was five in favor and two against.

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 Romney Rogers, Commissioner, Bruce G. Roberts, Commissioner Dean J. Trantalis, Vice Mayor McKinzie, and Mayor Seiler. NAYS: None.

Discussions ensued from the Commission on issues regarding the width of a loading dock, and Staff stated they would look into getting the DRC comments to see how the issue of the loading dock was addressed. It was confirmed that the width of the loading zone width was 22.8 feet, and the setback is 30 feet.

Discussions ensued among the Commission on the ongoing need for redevelopment in this area and on Alhambra, and this is the beginning of the necessary redevelopment to address the needs of the area as stated by Commissioner Rogers.

Commissioner Roberts asked City Staff about their recommendations. He requested a better explanation of what the floor area ratio means and the increased size of this project versus the previously proposed project. Jenni Morejon, Sustainable Development, noted that as each project comes in, it is looked at on its own merits and meeting the ULDR requirements. Ms. Morejon gave an explanation and expounded on the process in these types of applications and confirmed that the adequate number of parking spaces is being provided by the applicant. Further comments and discussions ensued.

Commissioner Trantalis commented on his disclosures and corrected them for the record. Commissioner Trantalis voiced his concern over neighborhood compatibility disagreeing with Jenni Morejon's comments that the City should take each building on its own merits to determine its viability based on its compliance with the ULDR. Commissioner Trantalis stated he felt each building should be looked at in the context of what already exists in that area especially as it relates to neighborhood compatibility. He expounded on the need to ascertain the needs of the Alhambra neighborhood area especially due to the fact it is at the crossroads of very significant traffic patterns in the City. Commissioner Trantalis stated this proposed building is inappropriate and not compatible with the infrastructure and needs of the Alhambra neighborhood noting most of the buildings in the area are two and three story buildings. He stated the large high rise buildings in the area were built at a time when the design criteria for this area were different, and this building is not consistent with the ULDR. He further noted his desire for an AC Marriott on Fort Lauderdale Beach, just not in this location. Commissioner Trantalis recommended voting against this item tonight.

Discussions ensued from Commissioner Rogers and Mayor Seiler regarding Commissioner Trantalis' comments and the CBA's approval of this project. Additional comments ensued focusing on traffic issues in

this area.

Ms. Morejon stated for the record the two recommended conditions from the Planning and Zoning Board:

- At the time of permit submittals the applicant will be required to pay a park impact fee for the proposed residential units before the issuance of a building permit (standard procedure for City projects); and
- Prior to final DRC, the applicant must comply with Section 47-25.2p regarding archaeological resources by requesting information from the state, county, or local government or other entity with jurisdiction over archaeological matters in submitting this information to the City.

Ms. Toothaker stated for the record the additional four conditions to which the developer as agreed includes:

- OTO will not object to Casablanca requesting approval from the City of Fort Lauderdale for the Casablanca Café to utilize two of the City of Fort Lauderdale public on-street parallel parking spaces in front of the AC Marriott for a valet parking stand to serve the restaurant;
- OTO will provide the Casablanca Café with the use of AC Marriott's loading area at mutually agreeable times;
- OTO will provide adequate screening between the OTO and Casablanca properties during construction that will include a screen wrap on the east side of the building to reduce any impacts on the Casablanca Café; and
- OTO will provide the name and number of a person available at all times to Casablanca Café so in the unlikely event any construction issues arise they can be addressed immediately.

Commissioner Trantalis requested that the park impact fee be used on the barrier island. It was noted that this could not be done, and further discussions ensued on this topic.

Commissioner Roberts introduced the resolution which was ready by title only.

ADOPTED AS AMENDED (with the six noted conditions above)

Aye: 4 - Commissioner Rogers, Commissioner Roberts,
Vice Mayor McKinzie, and Mayor Seiler

Nay: 1 - Commissioner Trantalis

15-1439 Walk On - Motion to Amend Condition Requiring an Amended Restrictive Covenant on the Development of Northwest Gardens Phase V.

City Manager Feldman noted the Commission approved this motion two meetings ago and the need tonight is to comply with the home regulations requested by the Housing Authority which this amendment addresses and the City supports. City Manager Feldman stated this motion for an amendment provides for a restrictive covenant is to encumber the new development to provide for the units to be leased to low-income residents for twenty years starting from the date the units are placed in service. He stated if

not passed Northwest Gardens Phase V would not qualify for their federal tax credit funding.

Commissioner Rogers moved to approve this motion and was seconded by Commissioner Roberts. The motion was read by title only.

APPROVED

Aye: 4 - Commissioner Rogers, Commissioner Roberts, Vice Mayor McKinzie, and Mayor Seiler

Not Present: 1 - Trantalis

15-1456 WALK-ON - Motion to Reconsider Event Agreements: National Marine Suppliers Customer Appreciation Party and Home for the Holidays

City Manager Feldman stated the National Marine Event Agreement hours would be from 6:00 pm until 2:00 a.m. with no music after 1:00 a.m. City Manager Feldman stated the Home for the Holidays Event Agreement at Tarpon Bend Event would be from 5:00 p.m. to 2:00 a.m.

Comments and discussions ensued on the initial request and restrictions on the amplified music and stage set up for the first event.

Commissioner Roberts made a motion to reconsider the event agreements with the National Marine Suppliers Customer Appreciation Party and was seconded by Commissioner Rogers.

APPROVED – Motion To Reconsider

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

Commissioner Roberts made a motion to approve the National Marine Event Agreement hours would be from 6:00 pm until 2:00 a.m. with no music after 1:00 a.m. and was seconded by Vice Mayor McKinzie.

APPROVED National Marine Suppliers Customer Appreciation Party as Amended from 6:00 pm until 2:00 a.m. with no music after 1:00 a.m.

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

Comments and discussions ensued on the initial request and restrictions on the amplified music and stage set up on the first event.

Commissioner Trantalis made a motion to reconsider the event agreement for Home for the Holidays event at Tarpon Bend and was seconded by Commissioner Roberts

APPROVED – Motion To Reconsider

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

The applicant stated there were no problems with the event or the hours of the event last year and explained to that the stage faces north and is on Second Avenue.

Commissioner Roberts made a motion to approve the National Marine Event Agreement hours would be from 5:00 p.m. until 2:00 a.m. with amplified music until 2:00 a.m. and was seconded by Vice Mayor McKinzie.

APPROVED as amended for the Home for the Holidays at Tarpon Bend from 5:00 p.m. until 2:00 a.m.

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

Mayor Seiler reconvened the earlier Commission Conference Meeting at 12:55 a.m. to address the following items from the City Commission Conference Meeting.

BD-2 Communications to the City Commission

Sustainability Advisory Board Communication to the City Commission

Subject: Food Forest Proposal

In an effort to promote local food literacy, food security, and healthy lifestyles, the Sustainability Advisory Board encourages consideration of the development of a Food Forest on city-owned property. The Board also recommends the inclusion of a Food Forest Project in the 2015 Parks Master Plan. Food Forest planning, scope, development, and operations responsibility would be determined by City staff.

The Board has determined that a Food Forest is consistent with the following Goals, Objectives, Actions, of the Sustainability Action Plan:

Sustainability Action Plan, Leadership, Goal 1- Lead by Example,

Objective 1.1 – Increase Organizational Capacity,

Action 1.1.1 – Assign City Staff to Implement Sustainability Initiatives;

Action 1.1.2 – Set Aside Annual Budget for Sustainability Projects and Staff Time; Action 1.1.4 – Create Strategic Partnerships with Local Educational Institutions and Businesses; Large Energy and Water Users, Regional Organizations.

....and

Sustainability Action Plan, Leadership, Goal 2: Implement and Enforce Sustainability Policies

Objective 2.2 – Promote and Support Sustainability Initiatives

Action 2.2.3 – Use Demonstration Center for Education, Workshop, and Outreach Activities

....and

Sustainability Action Plan, Leadership, Goal 3: Stimulate Local Economy

Objective 3.1 – Recruit Green Local Workforce

Action 3.1.1 – Support Green Training of the Local Workforce

Motion

Motion made by Ms. Whitfield seconded by Mr. Huber to advance the above Communication to the City Commission. The motion passed unanimously.

Mayor Seiler stated this communication from the Sustainability Advisory Board would be taken up at the next City Commission Conference Meeting on November 17, 2015.

Beach Business Improvement District Advisory Committee Communication to the City Commission

A motion made by Ms. Lee, seconded by Mr. Roy, that the Beach Business Improvement District Advisory Committee is opposed to the Beach Wrack pilot program at the location, the time of year, and have a big concern with anything that disturbs the pristine quality of the beach environment, which is the number one reason people come here from all over the world, and residents come from all over to enjoy the beach. In a voice vote, the motion passed unanimously.

City Manager Feldman explained the background on this communication to the Commission and aspects of the current Beach Wrack program where the City removes the seaweed from the beach and takes it to Snyder Park for composting. The Commission agreed with the Beach Improvement District Advisory Committee that this would continue.

Sustainability Advisory Board Communication to the City Commission

In response to the Commission's request of July 7, 2015, the Sustainability Advisory Board would like to commend Fleet Services for its recent ISO 14001:2004 certification and its diligent efforts to evaluate options for incorporating alternative fuel vehicles into the City fleet. The Board recommends that Fleet Services continue its efforts and suggest an emphasis on evaluating plug-in electric vehicles for use in the fleet.

Motion

Motion made by Mr. Clark seconded by Ms. Whitfield to advance the above Communication to the City Commission. The motion passed unanimously.

Mayor Seiler stated he would like to see the City continue with its efforts regarding ISO 14001:2004 certification and to continue its evaluation of options for incorporating alternative fuel vehicles into the City fleet.

Request for Executive Closed Door Session

City Attorney Cynthia Everett requested an Executive Closed Door Session on November 17, 2015, with the City Commission to meet privately under Florida Statute, Section 286.011(8) concerning:

Rice and Grimes v. City of Fort Lauderdale Case No.: CACE 14-017210(21)

ADJOURNMENT

There being no further business before the Commission, Mayor Seiler adjourned the meeting at 1:08 a.m.

John P. "Jack" Seiler
Mayor

ATTEST:

Jeffrey A. Modarelli
City Clerk