

City of Fort Lauderdale

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



Meeting Minutes - DRAFT

Wednesday, September 7, 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***

Invocation

Commissioner Romney Rogers

Pledge of Allegiance

Matthew Williams, Senior Management Fellow, City of Fort Lauderdale

Mayor Seiler called the Regular City Commission Meeting of September 7, 2016 to order at 6:09 p.m.

ROLL CALL

Present: 5 - Commissioner Bruce G. Roberts, Vice Mayor Dean J. Trantalis, Commissioner Robert L. McKinzie, 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 Heather Lee

PRES- 1 [16-0768](#) Recognition of Fire Rescue Training Officer Mark Rossi - Recipient of the Elizabeth Jordan Educator of the Year Award - Fire Chief's Association of Broward County

DEFERRED to October 18, 2016

PUR-6 [16-0902](#) Motion to Approve Contract for Proprietary Purchase of Upgrade to Workforce Telestaff Software - Kronos, Inc. - \$31,935

REMOVED FROM AGENDA

Approval of MINUTES and Agenda

[16-1087](#) Minutes for October 6, 2015 Conference Meeting, October 6, 2015 Regular Meeting, October 20, 2015 Conference Meeting, October 20, 2015 Regular Meeting, November 3, 2015 Conference Meeting, November 3, 2015 Regular Meeting, and November 10, 2015 Tourist Development Tax and Sales Tax Workshop.

Mayor Seiler stated Presentation 1 was being deferred until October 18, 2016, and item PUR-6 had been removed from the agenda.

Mayor Seiler announced the following revisions to items on the Agenda: CM-10 had revisions to the CAM, CR-1 had revisions to the background section of the CAM, and the Resource Impact Sections of items PUR-3, PUR-5, PUR-8, PUR 13, and PUR-14 were revised.

Commissioner Roberts made a motion to approve the Consent Agenda and the Minutes, and was seconded by Commissioner McKinzie.

APPROVED AS AMENDED

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

CONSENT AGENDA

Mayor Seiler announced the procedure for the consent agenda items and announced the following items had been pulled from to tonight's Consent Agenda to be heard and considered individually: CM-5, CM-10, CR-2, PUR-3, and PUR-14. Additionally, Mayor Seiler announced that Consent Motion CM-3 had been changed to Consent Resolution CR-7.

Approval of the Consent Agenda

Approve the Consent Agenda

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

CONSENT MOTION

CM-1 [16-0996](#) Motion to Approve Event Agreements: Farmers Market at Whole Foods Market Fort Lauderdale, Sandz, Potential Church Beach Baptism, Friday Night Sound Waves and Pine Crest Cross Country Meets

APPROVED

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

Approval of the Consent Agenda

Approve the Consent Agenda

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

CM-2 [16-0995](#)

Motion to Approve Event Agreements and Related Road Closings: Miami Dolphins Watch Party, 29th Annual Las Olas Art Fair and Indie Craft Bazar

APPROVED

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

CM-4 [16-1074](#)

Motion Authorizing Execution of an Agreement with the Greater Fort Lauderdale Chamber of Commerce Inc. and the City of Fort Lauderdale for the BusinessFirst Program

APPROVED

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

CM-5 [16-0843](#)

Motion Approving a Participation Agreement with Mount Olive Development Corporation, Inc. in Support of the City's Chronic Homeless Housing Collaborative Project

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

Vice Mayor Trantalis made a motion 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-6 [16-0910](#)

Motion to Amend the 2016-2019 State Housing Initiatives Partnership (SHIP) Local Housing Assistance Plan (LHAP) and Accept Additional 2015-2016 SHIP Funds and Program Income

APPROVED

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

CM-7 [16-1031](#)

Acceptance of a Grant from the United States Department of Homeland Security, FEMA FY 2015 Assistance to Firefighters Grant Program in the amount of \$428,010

APPROVED

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

CM-8 [16-0959](#) Motion to Accept the Parks and Recreation System Master Plan**APPROVED**

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

CM-9 [16-0986](#) Motion to Approve Agreement with CARFAX - Police Crash Assistance Enrollment Program**APPROVED**

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

CM-10 [16-0741](#) Motion Approving Access Agreement for Mount Olive Gardens #1, Inc. to Implement Remediation Strategies and Authorize Reimbursement for Playground Equipment

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

Commissioner McKinzie made a motion to approve this item and was seconded by Vice Mayor Trantalis.

APPROVED

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

CM-11 [16-0947](#) Motion to Approve Participation in the U.S. Department of Energy's Better Building Initiative Performance Contracting Accelerator Program**APPROVED**

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

CM-12 [16-1047](#) Motion Authorizing the Execution of a Consent to Easement to Use Corps of Engineers Right-Of-Way with the U.S. Army Corps of Engineers**APPROVED**

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

CM-13 [16-1093](#) Motion to Approve Task Order Number Two for the Water and Sewer Revenue Refunding Bonds Feasibility Report 2016 - CH2M Hill Engineers, Inc. - \$112,334

APPROVED

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

CM-14 [16-0583](#)

Motion to Approve Execution of First Amendment to Education Mitigation Agreement with Broward County, the City of Fort Lauderdale, and the School Board of Broward County, Florida for the Downtown Regional Activity Center (RAC)

APPROVED

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

CM-15 [16-0722](#)

Motion to Approve the Execution of Development Monitoring Agreement with Broward County for the Downtown Regional Activity Center

APPROVED

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

CM-16 [16-0949](#)

Motion Authorizing a First Amendment to a Revocable License with LM Hotels, LLC, for Temporary Overhead Protective Canopy over the Alley Associated with the Fairfield Inn Fort Lauderdale Development

APPROVED

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

CONSENT RESOLUTION**CR-1** [16-0982](#)

A Resolution of the City Commission of the City of Fort Lauderdale, Florida, appointing the law firm of Brinkley, Morgan, Solomon, Tatum, Stanley, Lunny & Gordon, LLP, as Special Counsel for rendering an Opinion of Title as to the FXE Airport Property

ADOPTED

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

CR-2 [16-1009](#)

A Resolution providing for a three percent (3%) merit salary increase for City Auditor John Herbst, effective August 1, 2016

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

Commissioner McKinzie introduced this item.

City Clerk Jeffrey Modarelli read the resolution by title only.

ADOPTED

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

CR-3 [16-0985](#)

Resolution Approving an Extension of a Temporary Moratorium on the Installation of Communication Facilities and Distributed Antenna Systems within the Public Rights-of-Way through December 6, 2016

ADOPTED

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

CR-4 [16-1028](#)

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

ADOPTED

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

CR-5 [16-0948](#)

Resolution to Approve the First Amendment to the Agreement among the Settling Municipalities relating to the Resource Recovery Board Asset Litigation Settlement Proceeds

ADOPTED

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

CR-6 [16-0878](#)

Resolution Authorizing the Acceptance of Additional Grant Funds and Execution of a Supplemental Joint Participation Agreement with Florida Department of Transportation for Runway 9/27 and 13/31 Pavement Rehabilitation at Fort Lauderdale Executive Airport

ADOPTED

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

CR-7 [16-0831](#)

Qualified Target Industry (QTI) Tax Refund Incentive for Project Sego

APPROVED

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

PURCHASING AGENDA**PUR-1** [16-0663](#)

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

APPROVED

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

PUR-2 [16-0720](#)

Motion to Approve Contract for Purchase of Fort Lauderdale Executive Airport Runway Rehabilitation - Weekley Asphalt Paving, Inc. - \$692,851

APPROVED

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

PUR-3 [16-0794](#)

Motion to Approve Community Housing Development Organization Funds - New Visions Community Development Corporation - \$289,000

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

Vice Mayor Trantalis made a motion 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

PUR-4 [16-0872](#)

Motion to Approve Interlocal Agreement with Broward County for Water Conservation Incentives Program - \$335,422 (Five-Year Period)

APPROVED

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

PUR-5 [16-0879](#)

Motion to Approve Contract for Purchase of Vehicle Graphics Installation and Removal - Graphic Designs International, Inc. - \$133,324

APPROVED

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

PUR-7 [16-0943](#)

Motion to Approve Contract for Purchase of Emergency Generator Connection and Electrical Switchgear Upgrades for the George T. Lohmeyer Wastewater Treatment Plant - Florida Design Contractors, Inc. - \$3,153,000

APPROVED

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

PUR-8 [16-0950](#)

Motion to Approve Contract for Purchase of Energy Efficient Garage Lighting - ECO Lighting Solutions, LLC - \$466,175

APPROVED

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

PUR-9 [16-0951](#)

Motion to Approve Final Ranking and Commencement of Negotiations for Construction Engineering Inspection Services Continuing Contracts - Various Consultants

APPROVED

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

PUR-10 [16-0965](#)

Motion to Approve Cancellation of Contract Negotiations and Reject All Responses Received for River Oaks Neighborhood and Stormwater Preserve Park - Conceptual Design Work

APPROVED

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

PUR-11 [16-0970](#)

Motion to Approve Additional Expenditures for Proprietary Purchase of Equipment for Water Distribution, Wastewater Collection, and Stormwater System Infrastructure and Treatment Facilities - \$477,000 (estimated)

APPROVED

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

PUR-12 [16-0979](#)

Motion to Approve Cancellation of Existing Contract and Approval of New Contract for Purchase of Semi-Automated Refuse and Recycling Carts - Schaefer Systems International, Inc. - \$1,520,979

APPROVED

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

PUR-13 [16-0989](#)

Motion to Approve Cancellation of Current Contract and Approval of New Contract for Purchase of Disaster Debris Monitoring Services - Thompson Consulting Services - \$9,215,850

APPROVED

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

PUR-14 [16-0900](#)

Motion to Approve Contracts for Purchase of Enterprise Resource Planning System Solution and Professional Services - Ciber, Inc. and Infor (US), Inc. - \$6,562,618 (estimated ten-year cost)

City Manager Feldman made two points regarding this item: The title indicates an estimated ten-year cost and it should be an estimated twelve year cost; and this item should be subject to the City's receipt of a properly executed Cyber Incorporated Certification of third party software suppliers licensing terms and conditions in a form acceptable to the City Attorney.

Commissioner Roberts made a motion to approve this item as amended and was seconded by Commissioner McKinzie.

APPROVED AS AMENDED

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

NEIGHBOR PRESENTATIONS

NP-1 [16-0908](#)

Dennis Ulmer - Remembering September 11th

Mr. Dennis Ulmer, 1007 NW 11th Place, addressed the Commission on the significance and importance of remembering September 11, 2001.

RECEIVED

NP-4 [16-1072](#)

Charles King - Penny Sales Tax

Mayor Seiler recognized Mr. Charles King, 105 N. Victoria Park Road, who addressed the Commission on the proposed Penney Sales Tax referendum on the November 2016 Ballot.

RECEIVED

RESOLUTIONS**R-1 [16-1021](#) Appointment of Board and Committee Members**

Discussions ensued among the Commission regarding additional appointments to the City's Advisory Boards. City Clerk Modarelli read the names that were submitted before tonight's resolution which will appear on a September 7, 2016, Commission Meeting resolution appointing members of the City's Advisory Committees.

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

AFFORDABLE HOUSING ADVISORY COMMITTEE

Donna Lee Minott has been appointed to the Affordable Housing Advisory Committee in the category of advocate for low income persons in connection with affordable housing, for a three year term beginning September 7th, 2016 and ending September 6, 2019 or until her successor has been appointed.

Debbie Orshefsky has been appointed to the Affordable Housing Advisory Committee in the category of real estate professional in connection with affordable housing, for a three year term beginning September 7, 2016 and ending September 6, 2019 or until her successor has been appointed.

AUDIT ADVISORY BOARD

Keith Cobb is appointed to the Audit Advisory Board for a one year term beginning October 1, 2016 and ending September 30, 2017 or until his successor has been appointed.

AVIATION ADVISORY BOARD

John Milledge is appointed to the Aviation Advisory Board for a one year term beginning October 6, 2016 and ending October 5, 2017 or until his successor has been appointed.

BUDGET ADVISORY BOARD

Bob Oelke, David Orshefsky, and Johnnie Smith have been appointed to the Budget Advisory Board for one year terms beginning October 1, 2016 and ending September 30, 2017 or until their successors have been appointed.

CEMETERY SYSTEM BOARD OF TRUSTEES

Richard Kurtz is appointed to the Cemetery System Board of Trustees for a one year term beginning September 7, 2016 and ending

September 6, 2017 or until his successor has been appointed.

CENTRAL CITY REDEVELOPMENT ADVISORY BOARD

Jeff Torkelson is appointed to the Central City redevelopment Advisory Board, in the category of Lake Ridge Neighborhood Resident, for a one year term beginning October 20, 2016 and ending October 19, 2017 or until his successor has been appointed.

COMMUNITY APPEARANCE BOARD

Craig Handley is appointed to the Community Appearance Board for a one year term beginning September 7, 2016, and ending September 6, 2017 or until his successor has been appointed.

COMMUNITY SERVICES BOARD

Jasmin Shirley, Mark Fillers and Wanda Frances are appointed to the Community Services Board for one year terms beginning October 1, 2016 and ending September 30, 2017 or until their successors have been appointed.

EDUCATION ADVISORY BOARD

Deniece Jones is appointed to the Education Advisory Board for a one year term beginning October 6, 2016 and ending October 5, 2017 or until her successor has been appointed.

HISTORIC PRESERVATION BOARD

Arthur Marcus is appointed to the Historic Preservation Board to complete an unexpired term ending May 21, 2019 or until his successor has been appointed.

MARINE ADVISORY BOARD

Ed Strobel and Duke Siotkas are appointed to the Marine Advisory Board for one year terms beginning September 7, 2016 and ending September 6, 2017.

George Cable is appointed to the Marine Advisory Board for a one year term beginning October 6, 2016 and ending October 5, 2017.

PARKS, RECREATION AND BEACHES BOARD

Debby Eisinger and Joann Medalie are appointed to the Parks, Recreation and Beaches Board for one year terms beginning October 7, 2016 and ending October 6, 2017.

Ronald Goff is appointed to the Parks, Recreation and Beaches Board to complete an unexpired term ending October 6, 2016.

Ronald Goff is appointed to the Parks, Recreations and Beaches

Board for a one year term beginning October 7, 2016 and ending October 6, 2017.

JoAnn Smith is appointed to the Parks, Recreation and Beaches Board to complete an unexpired term ending October 19, 2016.

JoAnn Smith is appointed to the Parks, Recreation and Beaches Board for a one year term beginning October 20, 2016 and ending October 19, 2017.

Brucie Cummings is appointed to the Parks Recreation and Beaches Board for a one year term beginning October 20, 2016 and ending October 19, 2017.

SUSTAINABILITY ADVISORY BOARD

Susan Wood is appointed to the Sustainability Advisory Board to complete an unexpired term ending January 19, 2017 or until her successor has been appointed.

Vice Mayor Trantalis introduced this item as amended that was read by title only.

ADOPTED AS AMENDED

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

R-2 [16-1037](#)

Resolution Declaring Notice of Intent to Lease the Property at 707 NE 8 Street to The Parker Theatre, Inc

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

Vice Mayor Trantalis introduced this item that was read by title only.

ADOPTED

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

R-3 [16-1011](#)

Resolution Approving a Waiver of Conflict of Interest for Jacqueline Reed

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

A discussion ensued among the Commission and City Attorney's Office, and the Commission reached a consensus to discuss a policy for potential future conflicts.

Vice Mayor Trantalis introduced this item as amended that was read by title only.

ADOPTED AS AMENDED - Denying Waiver of conflict of interest

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

Nay: 1 - Commissioner McKinzie

R-4 [16-1012](#)

Resolution Approving a Waiver of Conflict of Interest for Steve Lucas

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

Vice Mayor Trantalis introduced this item as amended that was read by title only.

ADOPTED AS AMENDED - Denying Waiving a Conflict of Interest

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

Nay: 1 - Commissioner McKinzie

R-5 [16-1007](#)

Quasi-Judicial Resolution Approving a Site Plan Level III Development Permit Allocating 168 Post 2003 Downtown Dwelling Units - Alta Flagler Village - Alta Flagler Village LLC and Alta Flagler Village Phase II, LLC - 421 NE 6th Street - Case Number R16005

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

Each City Commission member disclosed their verbal and written communications, site visits, and expert opinions received.

Mayor Seiler opened the public hearing.

There being no one 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 Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler. NAYS: None.

Commissioner McKinzie introduced the resolution approving this item:

ADOPTED Approval of Development Permit

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

PUBLIC HEARINGS

PH-1 [16-0975](#)

Public Hearing - Community Development Block Grant (CDBG) Program Substantial Amendment

Mayor Seiler opened the public hearing.

There being no one 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 Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler. NAYS: None.

Vice Mayor Trantalis moved to approve this item and was seconded by Commissioner McKinzie. City Clerk Jeffrey Modarelli read the item by title only.

APPROVED

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

PH-2 [16-0945](#)

Public Hearing - Elimination of the Sun Trolley Uptown Link Route

Mayor Seiler opened the public hearing.

There being no one 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 Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler. NAYS: None.

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

City Clerk Jeffrey Modarelli read this item by title only.

APPROVED

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

ORDINANCE FIRST READING

OFR-1 [16-0954](#)

Amendment of Vacation Rental Registration Program Ordinance (Chapter 15, Article X, Code of Ordinances of the City of Fort

Lauderdale)

Vice Mayor Trantalis gave his comments on this ordinance after discussions with his constituents. Vice Mayor Trantalis stated he would like to know more about how this ordinance can be "massaged" to be a little more lenient in cases where residents are renting their rooms out rather than the entire property.

Mayor Seiler noted the need to work out quirky details regarding this ordinance. Commissioner Rogers agreed with the need to defer this item to address the different levels of rentals. Commissioner Roberts asked City Manager Feldman how this ordinance was vetted. City Manager Feldman stated there had been two workshops with residents of neighborhoods and the vacation rental industry representatives. Further comments and discussions ensued.

Mayor Seiler recommended this ordinance be deferred to early October to give the City time to look at everyone's concerns. Commissioner McKinzie noted that four months ago at a previous Commission Meeting, the Commission requested City Staff go back and use the lease that was presented to the Commission during that meeting for the workshops. Commissioner McKinzie further commented from what he has heard, this did not occur. Further discussions ensued and it was agreed that there needs to be additional public outreach to be fair to both the public and the Commission. City Manager Feldman stated City Staff can schedule additional public outreach in the next few days to look at the ordinance and see the City's final version of the ordinance.

City Manager Feldman stated the Department of Sustainable Development Director Anthony Fajardo is the lead person addressing this matter. Mr. Fajardo addressed the Commission stating he will be able to do what is necessary to have this come back to the Commission in early October. Further discussions ensued regarding the emails from homeowners and residents, and those in the vacation rental industry.

Mayor Seiler requested that those who signed up to speak on this item tonight will be asked to include their business card or email address on your speaker card so as to be heard on their input regarding this vacation rental ordinance.

Vice Mayor Trantalis made a motion to defer this item for the First Reading to October 5, 2016, and was seconded by Commissioner Roberts.

DEFERRED ON FIRST READING to October 5, 2016

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

ORDINANCE SECOND READING

OSR-1 [16-1057](#)

Ordinance Amending the Code of Ordinances of the City of Fort Lauderdale Relating to the Permitted Hours of Sale, Consumption and Service of Alcohol on Sundays

Mayor Seiler opened the public hearing.

There being no one 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 Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler. NAYS: None.

Commissioner Roberts introduced this item on Second Reading.

City Clerk Jeffrey Modarelli read this item by title only.

ADOPTED ON SECOND READING

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

OSR-2 [16-0987](#)

Ordinance Amending Code of Ordinances of the City of Fort Lauderdale by Amending Purchasing Approval Thresholds

Mayor Seiler opened the public hearing.

Mayor Seiler recognized Mr. Charles King, 105 N. Victoria Park Road, who addressed the Commission with his comments, thoughts, concerns, and questions regarding 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 Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler. NAYS: None.

Vice Mayor Trantalis commented on the reductions in signing authority amounts for City Manager Feldman. Further discussions ensued.

Commissioner Roberts introduced this item on Second Reading.

City Clerk Jeffrey Modarelli read this item by title only.

ADOPTED ON SECOND READING

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

OSR-3 [16-1056](#)

Ordinance Amending the Unified Land Development Regulations
Revising the Criteria for Reviewing and Approving Rezoning
Requests

Mayor Seiler opened the public hearing.

Mayor Seiler recognized Count Rosenthal, 1237 NW 7th Avenue, who addressed the Commission with his comments, thoughts, concerns, questions regarding 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 Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler. NAYS: None.

Vice Mayor Trantalis asked for confirmation from City Manager Feldman about this ordinance's change noting it modifies the standard where the DRC reviews these projects and goes from there being a substantial change to an anticipated change. This will adversely impact the character of the development. Vice Mayor Trantalis noted it is very subjective noting a "*substantial change*" is quantifiable and "*adversely impact*" is much more subjective and if there is any other standard other than the subjective judgment of the DRC.

City Manager Feldman stated this is the language the Commission requested. Further discussion ensued on this topic.

Assistant City Attorney D'Wayne Spence stated this language is the criteria for the City Commission to review when considering the rezoning of property. Additionally, Mr. Spence stated the Planning and Zoning Board has to review in the Quasi-Judicial capacity when making recommendations to the City Commission and they recommended revising this criteria to make it more in line with how the City Commission currently reviews the criteria. Further discussions ensued.

Vice Mayor Trantalis introduced this item on Second Reading.

City Clerk Jeffrey Modarelli read this item by title only.

ADOPTED ON SECOND READING

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

OSR-4 [16-1058](#)

Ordinance Amending the Code of Ordinances of the City of Fort Lauderdale to Allow for the Immediate Removal of Vehicles For Sale Parked on Public and Private Property

Mayor Seiler opened the public hearing.

There being no one 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 Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler. NAYS: None.

Vice Mayor Trantalis asked for clarification that residents can use their driveways to have a for sale sign on their vehicles. City Manager Feldman stated that residents can use their driveways to have a for sale sign on their vehicles. However, residents cannot allow a non-resident to use their driveways to have a for sale sign on their vehicles

Vice Mayor Trantalis introduced this item on Second Reading.

City Clerk Jeffrey Modarelli read this item by title only.

ADOPTED ON SECOND READING

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

BUDGET**BGT-1** [16-0924](#)

Resolutions Adopting the FY 2017 Sunrise Key Neighborhood Improvement District Tentative Millage Rate and Budget - (1) Tentative Millage Rate (1.000) and (2) Tentative Budget

Mayor Seiler announced this is the first of two public hearings as required by law on the Sunrise Key Neighborhood Improvement District Budget for Fiscal Year 2017 and announced the purpose.

The Mayor opened the public hearing.

City Manager Lee Feldman presented the proposed millage rate and the tentative budget.

A copy of the City Manager's presentation for this budget item is attached to these minutes.

Mayor Seiler opened the public hearing.

There being no one 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 Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler. NAYS: None.

Vice Mayor Trantalis introduced this resolution adopting the 2017 Sunrise Key Neighborhood Improvement District Tentative Millage Rate.

City Clerk Jeffrey Modarelli read resolution by title only.

ADOPTED Tentative Millage Rate

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

Not Present: 1 - Commissioner Roberts

Vice Mayor Trantalis introduced this resolution adopting the 2017 Sunrise Key Neighborhood Improvement District Tentative Budget.

City Clerk Jeffrey Modarelli read this item by title only.

ADOPTED Tentative Budget

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

Not Present: 1 - Commissioner Roberts

BGT-2 [16-0922](#)

Resolution Adopting the FY 2017 Tentative Millage Rate (4.1193) for the City of Fort Lauderdale

Mayor Seiler announced this is the first of two public hearings as required by law on the millage rate for Fiscal Year 2017 and announced the purpose.

City Manager Lee Feldman presented the proposed millage rate on which the Fiscal Year 2017 Budget is based and Mayor Seiler announced the proposed millage rate.

A copy of the City Manager's presentation and the Mayor's proposed millage rate announcement is attached to these minutes.

Mayor Seiler opened the public hearing.

Mayor Seiler recognized Count Rosenthal, 1237 NW 7th Avenue, who addressed the Commission with his comments, thoughts, concerns, questions regarding this item.

Mayor Seiler recognized Mr. Charles King, 105 N. Victoria Park Road, who addressed the Commission with his comments, thoughts, concerns, and questions regarding 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 Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler. NAYS: None.

Mayor Seiler stated the City of Fort Lauderdale has the lowest tax rate of the 25 largest cities in the State of Florida. Further comments and discussion ensued from the Commission on the City's 2017 Budget.

Vice Mayor Trantalis introduced this resolution adopting the 2017 Tentative Millage Rate for the City of Fort Lauderdale.

City Clerk Jeffrey Modarelli read resolution by title only.

ADOPTED

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

BGT-3 [16-0920](#)

Resolution Adopting the Tentative Five-Year Community Investment Plan

Commissioner Rogers recommended a budget amendment at the next meeting to include the availability of sufficient funding for the purchase of the Riverland Road property if a purchase agreement can be made with the current property owner. Further discussions ensued on where this requested funding could possibly come from and the benefits which the community would receive and other aspects of making the property a park. Vice Mayor Trantalis stated the City should not have to sell current park property, located near the One-Stop Shop, to purchase another parcel for use as a park and cautioned the Commission about drawing money from funds already targeted for other areas.

Mayor Seiler announced this is the first of two public hearings as required by law on adopting the Tentative Five Year Community Investment Plan for Fiscal Year 2017 and announced the purpose.

City Manager Lee Feldman presented the proposed Tentative Five Year Community Investment Plan on which the Fiscal Year 2017 Budget is based and Mayor Seiler announced the proposed millage rate.

A copy of the City Manager's presentation and the Mayor's proposed millage rate announcement is attached to these minutes.

Mayor Seiler opened the public hearing.

Mayor Seiler recognized Count Rosenthal, 1237 NW 7th Avenue, who addressed the Commission with his comments, thoughts, concerns, questions regarding this item.

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

Mayor Seiler recognized Ms. Johanna Fields, 2081 SW 38th Avenue, who addressed the Commission with her comments, thoughts, concerns, and questions regarding 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 Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler. NAYS: None.

Commissioner McKinzie introduced this resolution adopting the Tentative Five-Year Community Investment Plan.

City Clerk Jeffrey Modarelli read this item by title only.

ADOPTED

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

Mayor Seiler recessed the City Commission Regular Meeting and opened the CRA Board Meeting for a vote on the CRA-4 item regarding the Tentative Community Redevelopment Agency (CRA) Operating Budget and community Investment Plan Allocations for Fiscal Year 2017.

Mayor Seiler reconvened the City Commission Regular Meeting at 9:04 p.m.

BGT-4 [16-0923](#)

Resolution Adopting the FY 2017 Tentative Budget for the City of Fort Lauderdale

Mayor Seiler announced this is the first of two public hearings as required by law on the City of Fort Lauderdale Budget for Fiscal Year 2017 and announced the purpose.

City Manager Lee Feldman thanked the City Staff's Budget Team for their work on the 2017 Budget.

City Manager Lee Feldman presented the Fiscal Year 2017 Tentative Budget including changes to the proposed budget.

A copy of the City Manager's presentation is attached to these minutes.

Mayor Seiler opened the public hearing.

Mayor Seiler recognized Joanne Richter, 1977 NE 15th Avenue and speaking on behalf of Broward Regional Health, who addressed the Commission with her comments, thoughts, concerns, questions regarding this item and thanked the Commission for their current contributions to the 2016 Fiscal Year and look forward to the support for Fiscal Year 2017. Ms. Richter gave an overview and an explanation of how the Child Care Centers Program's function stating the payments are paid to the Child Care Centers not the parents and is paid on a sliding scale.

Mayor Seiler recognized Count Rosenthal, 1237 NW 7th Avenue, who addressed the Commission with his comments, thoughts, concerns, questions regarding this item.

Mayor Seiler recognized Mr. Charles King, 105 N. Victoria Park Road, who addressed the Commission with his comments, thoughts, concerns, and questions regarding 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 Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler. NAYS: None.

Commissioner McKinzie introduced this resolution for the Tentative 2017 Budget for the City of Fort Lauderdale.

City Clerk Jeffrey Modarelli read this resolution by title only.

ADOPTED

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

BGT-5 [16-0921](#)

Ordinance Amending Stormwater Management Rates

Mayor Seiler opened the public hearing.

Mayor Seiler recognized Count Rosenthal, 1237 NW 7th Avenue, who addressed the Commission with his comments, thoughts, concerns, questions regarding 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 Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler. NAYS: None.

Vice Mayor Trantalis introduced this Ordinance Amending Stormwater Management Rates

City Clerk Jeffrey Modarelli read this ordinance on First Reading by title only.

ADOPTED

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

BGT-6 [16-0957](#)

Ordinance Amending the Schedule of Rates and Charges for Garbage and Trash Collection, Disposal, and Operating Costs (Solid Waste Rate)

Mayor Seiler opened the public hearing.

There being no one 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 Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler. NAYS: None.

Vice Mayor Trantalis introduced this Ordinance Amending the Schedule of Rates and Charges for Garbage and Trash Collection, Disposal, and Operating Costs (Solid Waste Rate).

City Clerk Jeffrey Modarelli read this ordinance for First Reading by title only.

ADOPTED

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

BGT-7 [16-1036](#)

An Ordinance of the City of Fort Lauderdale, Florida, Amending Schedule I of the Pay Plan of the City of Fort Lauderdale, Florida,

("Pay Plan"), by Creating and Adding Two New Classes and Amending the Pay Ranges of Two Classes, Adjusting the Pay Ranges for Schedule I, Schedule II, and Schedule VI of the Pay Plan by Providing a One-Half of One Percent General Wage Increase, and Providing for Severability, Repeal of Conflicting Ordinance Provisions, and An Effective Date

Mayor Seiler opened the public hearing.

There being no one 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 Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler. NAYS: None.

Vice Mayor Trantalis introduced this Ordinance and City Clerk Jeffrey Modarelli read this ordinance on First Reading by title only.

ADOPTED

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

NP-2 [16-1070](#)

Christine Timmon - U.S. Supreme Court 4-4 decision against 2014 Executive Orders on Immigration

Mayor Seiler recognized Ms. Christine Timmon, 820 NW 1st Avenue, who addressed the City Commission on the U.S. Supreme Court's four to four decision against President Obama's November 20, 2014 Executive Orders on U.S. Immigration.

RECEIVED

NP-3 [16-1071](#)

Mary C. Fertig - Certification of two petitions - next steps in the process (Support Public Purpose for Public Lands and Building Moratorium Pending Infrastructure & Traffic Analysis & Plan)

Mayor Seiler recognized Ms. Mary Fertig, 511 Poinciana Drive, who addressed the Commission and discussed the certification of two petitions by the Broward County Supervisor of Elections Dr. Brenda Snipes, the Support Public Purpose for Public Lands, and a Building Moratorium Pending an Infrastructure and Traffic Analysis and Plan along with her comments about the next steps in the process.

Assistant City Attorney D'Wayne Spence addressed the Commission on the City's Charter requirement that it receive the actual petitions and the need from the County of a Public Records Request. Discussions ensued on the cost of receiving copies of the petitions, and the next steps within the City's Charter to address the process

regarding these certified petitions of the residents. Further discussions ensued.

City Attorney Everett commented on the progress of this request and the County's redaction of the signatures provided on public records. Further discussions ensued.

Ms. Fertig expounded on the goals involved for the two certified petitions.

RECEIVED

REQUEST FOR EXECUTIVE CLOSED DOOR SESSION

City Attorney Cynthia Everett announced that pursuant to Florida Statute, Section 286.011(8)(a), during the City Commission Meeting on September 20, 2016 at a time to be determined, she will be seeking advice on the matters of:

City of Fort Lauderdale v. Performance Trading, Inc., et al., Case No. CACE 15 013255 (12)

Molly McCrae v. City of Fort Lauderdale, Case No. 15 61927 CIV ZLOCH

Judith Donato v. City of Fort Lauderdale, Case No. CACE 14 024440 Gregory

Johnson v. City of Fort Lauderdale, Case No. 15 002774

Present at the attorney client session 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

Re: City of Fort Lauderdale v. Performance Trading, Inc., et al, Royal Ellison v. City of Fort Lauderdale; and Molly McCrae v. City of Fort Lauderdale, Counsel will be Assistant City Attorney, Alain E. Boileau;

Re: Judith Donato v. City of Fort Lauderdale, Outside Counsel will be W. Tucker Craig, Esq., of Billing Cochran Lyles Mauro & Ramsey PA, and a Certified Court Reporter with Daughters Reporting, Inc.

The estimated length of this attorney client session is approximately 60 minutes.

ADJOURNMENT

There being no further business before the City Commission at this Regular Meeting, Mayor Seiler adjourned the meeting at 9:44 p.m.

John P. "Jack" Seiler
Mayor

ATTEST:

Jeffrey A. Modarelli
City Clerk