

City of Fort Lauderdale

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



Meeting Minutes

Wednesday, January 18, 2017

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

Father Kim Katinas, Saint Demetrius Greek Orthodox Church

Pledge of Allegiance

Roosevelt Walters, Affordable Housing Advisory Board Member

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 Clerk Jeffrey A. Modarelli, City Attorney Cynthia A. Everett, City Auditor John Herbst, and Sergeant at Arms Travis O'Neal

No public e-comments were submitted for this meeting

CALL TO ORDER

Mayor Seiler called the Regular City Commission Meeting of January 18, 2017, to order at 6:13 p.m.

ANNOUNCEMENTS

Mayor Seiler announced the following revisions to the meeting agenda:

PUR-6: Las Olas Boulevard Corridor Improvement Project Construction Contract - Revision to funding Box

CR-1: Resolution Urging the School Board of Broward County to use the Revenue Generated from the Sale of the Edgewood Administrative Complex for the Purpose of Improving Stranahan High School's Cafeteria - Revision to the Second Whereas Clause

Approval of MINUTES and Agenda

[17-0119](#)

December 6, 2016, City Commission Conference Meeting, December 14, 2016, Investment Policy Joint Workshop, December 15, 2016, Joint Workshop with the School Board of Broward County

Vice Mayor Trantalis made a motion to approve the noted minutes and tonight's meeting agenda. The motion was seconded by Commissioner Roberts.

APPROVED

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

Not Present: 1 - Commissioner McKinzie

CONSENT AGENDA PUBLIC COMMENT

Mayor Seiler announced that no members of the public had signed up to speak on items on the Consent Agenda other than the items that were pulled by members of the City Commission for individual comment and discussion.

Approval of the Consent Agenda

Mayor Seiler announced that the following items had been pulled for discussion by members of the City Commission and would be heard individually:

CM-8
CR-3
CR-4
PUR-5
PUR-6

Commissioner Roberts made a motion to approve the Consent Agenda and was seconded by Vice Mayor Trantalis.

Approve the Consent Agenda

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

AGENDA ITEMS PULLED BY COMMISSION

CM-8 [17-0076](#)

Motion Authorizing a Revocable License with Beach Majors GMBH, LLC for the Construction of a Temporary Beach Statue

Mayor Seiler recognized Stephanie Toothaker, Esq., who addressed the Commission in support of item CM-8. Ms. Toothaker's comments

focused on her clients request to put up a statue on the Beach at the Swatch Volleyball event. She gave a description of its appearance, noting it will inform the public that the event is free of charge to the public.

City Manager Feldman gave the City's position on outdoor advertising in the public right of way. Discussions continued and Mayor Seiler stated this is a sponsorship issue and not a billboard.

Commissioner Rogers asked where the statue would be and Ms. Toothaker stated it would be in the same vicinity as Olaf the Snowman during the Holiday Season.

Commissioner Roberts made a motion to approve this item and was seconded by Commissioner Rogers.

APPROVED

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

PRESENTATIONS

PRES- [17-0125](#)
1

Greater Fort Lauderdale Sister Cities International - Winner of the Citizen Diplomacy Award from the United States Department of State

Mayor Seiler announced this presentation recognizes the Greater Fort Lauderdale Sister Cities International organization as recipient and the first winner of the Citizen Diplomacy Award from the United States Department of State. Ms. Winfield described the details involving receiving this award, the Sister Cities organization and its history. Ms. Winfield announced those in attendance from the Sister Cities organization who contributed to its efforts. Ms. Winfield thanked the members of the Commission for their work as diplomats for the City and the Sister Cities organization. She also recognized the efforts of City Staff.

PRESENTED

PRES- [17-0126](#)
2

Recognition of the Fort Lauderdale Beach Sweep Team

Commissioner Rogers requested Jorg Hruschka and members of the Beach Sweep Team in attendance to join him at the podium. On behalf of the City, Commissioner Rogers thanked them for their participation in the 17th consecutive Beach Sweep month. He discussed the details involved in the Beach Sweep Team's efforts

that contribute to both the community, visitors and wildlife. Commissioner Rogers acknowledged the representatives of this volunteer organization in attendance .

Barry Levy, President of the Beach Sweep Team, thanked the Commission, City Manager Feldman, and Jorg Hruschka for their assistance in creating this volunteer program and its ongoing success. Mr. Levy invited members of the public to join the Beach Sweep Team every second Saturday of the month for this beach cleanup event.

PRESENTED

PRES- [17-0120](#)

3

Recognizing Finance Department Employees - Pamela Winston and Dawn Johnson - Designation of Certified Public Finance Officer

Kirk Buffington, Director of Finance, requested Pam Winston, Senior Accountant, and Althea Johnson, Senior Accountant, to join him at the podium for recognition of becoming Certified Government Finance Officers from the Florida Government Finance Officers Association. Mr. Buffington spoke about the details involved in their achieving this certification. Mayor Seiler congratulated Ms. Winston and Ms. Johnson for their achievement.

PRESENTED

PRES- [17-0121](#)

4

Police Officer of the Month for January, 2017

Interim Chief Rick Maglione called Sergeant Todd Bunin, Officer Collis Atkinson, Detective Jared Gross, Detective Steven Smith, and Detective Christopher Troiano to the podium to recognize them as Police Officers of the Month for January 2017. Chief Maglione also requested Lieutenant Steve Greenlaw, SWAT Team Commander, to assist with the awards. Chief Maglione gave a detailed narrative of these officers' involvement and their efforts to diffuse a domestic violence/abuse incident that took place on May 21, 2015 in the southwest section of the City.

Chief Maglione also announced that Officer Collis Atkinson will be promoted to Sergeant effective February 12, 2017, and there will be a formal ceremonial promotion event in early February, 2017. Mayor Seiler congratulated Officer Atkinson.

PRESENTED

AGENDA ITEMS PULLED BY COMMISSION (CONTINUED)

CR-3 [17-0039](#)

Resolution Approving the Consolidated Budget Amendment to Fiscal Year 2017 - Appropriation

Mayor Seiler recognized Nancy Thomas, 1924 SE 24th Avenue, who addressed the Commission in opposition to this item and requested the appropriation of these funds to infrastructure. She also commented on the tripping hazards of sidewalks.

In response to Vice Mayor Trantalis's question, City Manager Feldman stated that the quick fix for repairing the City's sidewalks is approximately \$3,000,000. City Manager Feldman raised the issue of the City ordinance requiring adjacent property owners to pay for fixing those sidewalks. He noted that the City pays for those damaged sidewalks that were created by the City and sidewalks in high-traffic areas.

Mayor Seiler recognized Carla Bogdahn, 200 S. Birch Road, who addressed the Commission on this item. Ms. Bogdahn recommended that the Commission focus on the City's failed infrastructure and using these funds for that purpose.

Vice Mayor Trantalis commented that AAA recently rated the City number two in its top five 2017 summer trip destinations.

Mayor Seiler recognized Craig Fisher on behalf of Leisure Beach Condominium Association. Mr. Fisher addressed the Commission in opposition of moving funds out of those intended for the City's Aquatic Complex and into this Las Olas Improvement Project's parking lot. He also recommended using the funds for a proactive approach to infrastructure needs.

Vice Mayor Trantalis asked City Manager Feldman to clarify the purpose of this item's transfer of funds. City Manager Feldman stated this item is purely a cash flow measure for moving forward with the parking lot project due to annual Community Redevelopment Agency (CRA) funding restrictions, stating the City is not yet prepared to move forward with the Aquatic Complex. Vice Mayor Trantalis asked City Manager Feldman for confirmation that he anticipates to restore the Aquatic Complex fund with future Tax Increment Financing (TIF), which City Manager Feldman confirmed, stating this is part of the budget process and the City's intent.

Mayor Seiler recognized Paul Chettle, 200 S. Birch Road, who addressed the Commission in opposition to this item. Mr. Chettle pointed out the length of time remaining in the Beach Area CRA and the opportunity for CRA to use this money for the infrastructure issues. He also pointed out the citizens opposition to this project and their consensus to put these funds towards the infrastructure, citing

specific examples.

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

Mayor Seiler recognized former Commissioner Charlotte Rodstrom, 66 Nurmi Drive, who addressed the Commission in opposition of the transfer of funds from the Aquatic Complex. She acknowledged knowing all of the relevant facts and previous points raised by the City Commission and City Manager Feldman. Ms. Rodstrom briefly outlined the history of the Aquatic Complex restoration estimates, recommending that the Commission wait on the parking garage project and move forward to make improvements to the delayed Aquatic Complex project.

Ms. Rodstrom asked about the software costs for an infrastructure related Capital improvement Project (CIP) going forward from 2017-2021, asking if this would be in conjunction with determining and tracking inventory for piping in the City. City Manager Feldman explained the City's goal to create automated records from manual records to determine the life cycle costing of all of the City's infrastructure inventory to properly allocate utility entities costs.

Vice Mayor Trantalis asked if this software CIP project is being taken from another CIP project, quoting from the item backup. City Manager Feldman stated they are taking this from other sources of funding, not from other CIP or streetscape projects. Commissioner Roberts confirmed for the record that the Aquatic Complex's estimated budget is still \$17,000,000.

Mayor Seiler recognized Kristen Maus, 1778 Marietta Drive, who addressed the Commission. Her comments focused on pedestrian safety, stating that the parking garage location would contribute to safety issues when pedestrians attempt to reach the beach from the garage. Ms. Maus recommended these funds could be better spent on infrastructure, noting the CRA funds can be used for infrastructure priorities on the barrier island's sewer and water pipes, roads and sidewalk repair, heightening seawalls and pedestrian safety. Ms. Maus also commented on the net loss in the number of parking spaces and the high cost of the parking spaces in the proposed garage as compared to the national average.

Commissioner Roberts stated that the garage is not a traffic generator, therefore no parking study was necessary. He also asked Ms. Maus to forward her information regarding the national average of the cost of a parking space to the Commission. Ms. Maus stated she

would forward those numbers to the Commission.

Mayor Seiler recognized Charlie King, 105 N. Victoria Park Road, who addressed the Commission on the meeting's procedures. He also commented on the implications of the City's funding of the homeless, previously funded entirely by the Federal government, and the City's history on the ways it has addressed the needs of the homeless.

Vice Mayor Trantalis commented on his opposition to this item primarily due to its location, stating he intends to vote against this item. Commissioner Roberts asked if Vice Mayor Trantalis had alternative sites. Vice Mayor Trantalis raised the point that other alternative locations were never explored by City Staff. Further comments and discussion ensued on other possible alternative site.

Commissioner Rogers commented on the CRA's ability to fund infrastructure projects and his interpretation of the State statute. Vice Mayor Trantalis referenced the Grand Jury Report submitted for the record by Paul Chettle. City Manager Feldman commented on the number of pipe breaks in the City and his interpretation of replacing pipes with CRA funds, and a developer's obligations in addressing infrastructure issues. Further discussions ensued on this matter.

City Auditor Herbst stated his opinion on the appropriateness of using CRA dollars to address the City's infrastructure needs, giving specific examples. He also discussed other modifications that would need to be made to utilize CRA funds for infrastructure needs.

City Attorney Everett stated using CRA funds for infrastructure needs is a possibility. However, the Commission needs to determine what it proposes to allow for an analysis to ascertain what appropriate modifications need to be made to the City's CRA and CIP plans to ensure consistency with the State statute.

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

ADOPTED

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

Nay: 1 - Vice Mayor Trantalis

CR-4 [17-0048](#)

Resolution Declaring the City's Official Intent to Reimburse Itself for Certain Capital Expenditures by Incurring Debt for the Las Olas Parking Garage

Vice Mayor Trantalis stated for the record that he would vote against this item as it is in furtherance of moving forward with the parking

garage project.

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

ADOPTED

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

Nay: 1 - Vice Mayor Trantalis

PUR-5 [17-0054](#)

Motion to Approve Contracts for Wastewater Conveyance System Long-Term Rehabilitation - Pre-Qualified Pool of Contractors - \$15,000,000

Commissioner Rogers stated he pulled this item based on an email he received from one of the bidders. He commented on the bidder's qualifications for installing lateral pipe linings and their claim that due to the way the bid was written, it was single sourced due to the bid specifications. Commissioner Rogers asked City Staff for an explanation.

City Manager Feldman stated he was not aware of this bidder filing a bid protest.

Mayor Seiler recognized Kirk Buffington, Director of Finance, who confirmed that no bid protest was filed by the firm in question, BLD. He discussed the bid request specifications, its proprietary standard, and the reasons for BLD's ranking as well as the methodology they used for remedying their previous failed work in the City.

Discussions and comments by the Commission followed and Commissioner Rogers requested that the record indicate that it was not a single source bid.

Commissioner Rogers made a motion to approve this item and was seconded by Commissioner Roberts.

APPROVED

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

PUR-6 [17-0106](#)

Motion to Approve the Las Olas Boulevard Corridor Improvement Project Construction Contract with Skanska USA Building Inc. for a Guaranteed Maximum Price of \$49,379,324

Mayor Seiler recognized, Larry Burnette, President of the Venetian Condominium Association, representing 237 owners. Mr. Burnette's comments to the Commission focused on the residents of the Venetian's opposition to the Las Olas Corridor Improvements Project's

parking garage, giving their twelve reasons for rejecting the project and emphasizing the need to reprioritize these funds for infrastructure and traffic needs on the barrier island.

Mayor Seiler recognized Charles Wigo, 2900 Banyan Street, who addressed the Commission in opposition to this item. Mr. Wigo's comments focused on the parking garage, and the needs of the Swimming Hall of Fame and the barrier island infrastructure. Mr. Wigo also requested moving the transformers located in a vault room at his residence, Leisure Beach South Condominium, into a room at the proposed parking garage.

A copy of Mr. Wigo's handout is attached to these minutes.

Mayor Seiler recognized Tim Sterling, 2900 Banyan Street, who addressed the Commission with his comments in opposition to the proposed parking garage primarily due to the high cost. Mr. Sterling submitted a cost study indicating the national average cost paid by other municipalities for parking garages. He also noted the devaluation of his home due to the parking garage, the effects of the parking garage lighting system on the residents of Leisure Beach Condominium at night, and his additional reasons for opposition to this item.

A copy of Mr. Sterling's handout is attached to these minutes.

Mayor Seiler recognized Jack Newton, One Las Olas Circle, who addressed the Commission in opposition to this item. Mr. Newton gave comments on the parking garage height, lighting, placement of bathrooms on the top amenity deck, and the implications of having restaurants and bars across from condominium residences. Mr. Newton's also discussed his recommended compromise.

Mayor Seiler recognized Mary Fertig, 511 Idlewyld Drive, who addressed the Commission in opposition to this item due to current infrastructure needs, specifically sidewalks and underground utilities in the area. Ms. Fertig recommended taking a step back to look at those opportunities as they are a more prudent approach to addressing the most critical needs.

Mayor Seiler recognized Craig Fisher, 2900 Banyan Street, who addressed the Commission in opposition to this item. Mr. Fisher commented on the net loss of parking with this project, stating it was not representative of what the public was told. He discussed the issue of the parking garage construction costs, flooding in the area due to infrastructure issues, and the hiring of a consultant for the

selection of the contractor. Mr. Fisher requested the Commission to listen to the public's concerns and give them answers.

A copy of Mr. Fisher's handout is attached to these minutes.

Mayor Seiler recognized Paul Chettle, 200 S. Birch Road, who addressed the Commission in opposition to this item. He commented on the construction contractor for this project, Skanska, and their lack of community outreach. Mr. Chettle discussed another contractor's lower costs for building parking garages in the area, the changing of the traffic flow of the Central Beach Area, and the additional amount of pedestrian traffic interactions resulting from the garage.

Mayor Seiler recognized Kristen Maus, 1778 Marietta Drive, who addressed the Commission in opposition to this item focusing on the net loss of parking spaces with the garage and its high cost, noting that nothing in this project complies with the City's Vision Zero policy. Ms. Maus requested the Commission listen to the residents, rethink this project and use these funds to address other needs of the area.

Mayor Seiler recognized former City Commissioner Charlotte Rodstrom, 66 Nurmi Drive, who addressed the Commission on the concerns heard tonight from the public including the loss of parking spaces, the parking lot's ability to address slum and blight, the lack of public participation with the exception of the Beach Redevelopment Board, and the Beach Redevelopment Board's previous CRA plan. Commissioner Rodstrom discussed previous plans for the Beach CRA.

Vice Mayor Trantalis requested Paul Kissinger, EDSA, to come to the podium. He asked Mr. Kissinger about aspects of the project's value engineering, other contractor's lower cost and the national average cost statistics.

Mr. Kissinger stated the other garages referenced are basic garages without the proposed additions and high standards that drove up the cost of the garage. He addressed the issue relating to the national average costs of a parking garage, showing several lower cost garages on the television monitor and explaining the increased cost was due to the addition of the mesh wrap, lights, and amenity deck. Mr. Kissinger noted the top-floor amenity deck contributes to its high cost as it requires additional structural support, noting it takes away at least 40 parking spaces that could have further reduced the per space cost.

At the request of Commissioner Rogers, Mr. Kissinger explained the

value engineering process for the parking garage to address the point noted earlier that Skanska picked themselves. Mr. Kissinger explained the City used a Construction Manager at Risk Process to implement projects in the east CRA. The contract awarded the Construction Manager at Risk to Skanska, noting it was a two Phase Contract. He gave an explanation of both phases and a brief historical overview of the design process for this project to date that included the requested parking garage enhancements. Mr. Kissinger stated the City picked Skanska in Phase 2 of the Construction Manager at Risk Process.

Commissioner Roberts commented on the number of enhancements for this garage that are not seen in an average garage, including security, Wi-Fi, emergency phones, and other items. Mr. Kissinger confirmed that this garage is not a typical garage.

Commissioner Rogers commented that the garage is intended to improve traffic circulation in this area of the beach and also serves to improve the beach area.

Commissioner Roberts noted that the garage is being funded partially by CRA funds and partially by a parking bond. Additionally, the City's land swap with Natchez will serve to add parking in a more evenly distributed manner. Vice Mayor Trantalis confirmed he emphasized the need to work towards having 200 parking spaces at the Natchez site.

Commissioner Roberts acknowledged the need to address infrastructure needs, stating he believes the parking garage and the infrastructure needs can be done simultaneously.

Vice Mayor Trantalis commented on his viewpoint that the garage is not properly located, emphasizing the need for greenspace in the area across from the Venetian condominium, and as planned for the Oceanside Park and Southside Park areas, noting they are currently parking lots.

Mayor Seiler commented that this process included many publicly noticed meetings and that compromises were reached to move this project forward. He also commented on the issue of net parking at the garage, and it is being dispersed to another area of the beach. Mayor Seiler discussed the positive aspect of having an Oceanside Park and Southside Park, instead of the current parking areas for the benefit of the community and visitors. Mayor Seiler reviewed and commented on the numerous compromises made during this process in order not to have a parking garage on the south side of the Las

Olas Bridge as requested by the Venetian, and the large amount of support received from the Beach Redevelopment Board for this project.

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

APPROVED

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

Nay: 1 - Vice Mayor Trantalis

CONSENT AGENDA

CONSENT MOTION

CM-1 [17-0057](#) Motion to Approve Event Agreements and Related Road Closings: 7th Annual Outrun Hunger 5K, CCA 5K, Dolphins Cancer Challenge, Fort Lauderdale 5K, Loco Rio 8K, Super Sunday, and National Black HIV/Awareness Day March

APPROVED

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

CM-2 [17-0045](#) Motion to Approve Beach Improvement District (BID) Funding for Friday Night Sounds Waves Event Series 2017 in the Amount of \$150,000

APPROVED

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

CM-3 [17-0087](#) Motion Authorizing Settlement of Workers' Compensation Claim of Vanessa Frisbee - \$27,500

APPROVED

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

CM-4 [17-0088](#) Motion Authorizing Settlement of General Liability Claim of Joseph Dragone - \$42,382

APPROVED

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

- CM-5** [17-0014](#) Motion to Approve a Revised Five Year Agreement with Beach Majors GMBH, LLC for SWATCH Beach Volleyball - Federation International de Volleyball (FIVB) World Tour

APPROVED

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

- CM-6** [17-0059](#) Motion to Approve an Event Agreement with Mahashakti Foundation, Inc. for YogaFest

APPROVED

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

- CM-7** [17-0068](#) Motion to Approve a Revised First Amendment to Master Lease Agreement between the School Board of Broward County and the City of Fort Lauderdale for Use of the Restroom Facilities at Croissant Park Elementary

APPROVED

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

- CM-9** [17-0095](#) Motion Accepting FY16 Department of Justice - Office of Community Oriented Policing Services - COPS Hiring Program Award - \$1,000,000

APPROVED

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

CONSENT RESOLUTION

- CR-1** [17-0032](#) Resolution Urging the School Board of Broward County to use the Revenue Generated from the Sale of the Edgewood Administrative Complex for the Purpose of Improving Stranahan High School's Cafeteria

ADOPTED

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

- CR-2** [17-0025](#) Resolution Authorizing Submittal of a Co-Application with the City of Oakland Park for a Continuous Quiet Zone along the South Florida Rail Corridor in Broward County

ADOPTED

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

CR-5 [17-0021](#)

Resolution Approving a Community Aesthetic Feature Agreement with the Florida Department of Transportation for the State Road A1A Pedestrian Bridge Sign Project

ADOPTED

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

CR-6 [17-0024](#)

Resolution Adopting the Existing Street Name of Seven Isles Drive (NE/SE 23rd Avenue) between Las Olas Boulevard and Desota Drive

ADOPTED

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

PURCHASING AGENDA

PUR-1 [17-0030](#)

Motion to Approve Contract for Main Air Compressor "A" Replacement - Curtis-Toledo Distribution, Inc. d/b/a Comp-Air Service Co. - \$297,653

APPROVED

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

PUR-2 [17-0034](#)

Motion to Approve Contract for Purchase of Uniforms - Global Trading, Inc. - \$328,029

APPROVED

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

PUR-3 [17-0035](#)

Motion to Cancel Contract with Delad Security, Inc. and Award Contract to FPI Security Services, Inc. for Security Guard Services - \$123,603.60

APPROVED

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

PUR-4 [17-0043](#)

Motion to Approve Contract for Construction of Snyder Park Bike Trail - Sagaris Corp. - \$184,760

APPROVED

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

MOTIONS

M-1 [17-0085](#) Motion to Approve an Event Agreement with St. Demetrios Greek Orthodox Church of Fort Lauderdale, Florida, Inc. for Fort Lauderdale Greek Festival

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

APPROVED

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

M-2 [17-0061](#) 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

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

APPROVED

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

Not Present: 1 - Commissioner Roberts

RESOLUTIONS

R-1 [17-0090](#) Appointment of Board and Committee Members

City Clerk Modarelli read the board and committee member appointments for Resolution R-1 as noted below:

BEACH REDEVELOPMENT BOARD

Christian Luz, Anthony Abbate and Andrew Mitchell are appointed to the Beach Redevelopment Board for a one year term beginning February 5, 2017 and ending February 4, 2018 or until their successors have been appointed.

CEMETERY SYSTEMS BOARD OF TRUSTEES

Patricia Hayes and Mark Van Rees are appointed to the Cemetery System Board of Trustees for a one year term beginning February 6, 2017 and ending February 5, 2018 or until their successors have

been appointed.

COMMUNITY APPEARANCE BOARD

Duane Sinclair and Anthony Quackenbush are appointed to the Community Appearance Board for a one year term beginning January 18, 2017 and ending January 17, 2018 or until their successors have been appointed.

MARINE ADVISORY BOARD

Richard Graves is appointed to the Marine Advisory Board for a one year term beginning February 3, 2017 and ending February 2, 2018 or until his successor has been appointed.

SUSTAINABILITY ADVISORY BOARD

Enrique Vadiveloo is appointed to the Sustainability Advisory Board for a one year term beginning January 18, 2017 and ending January 17, 2018 or until his successor has been appointed.

Vice Mayor Trantalis commented on a consensus appointment already made to the Code Enforcement Board and his desire to appoint William Marks to replace Howard Nelson who is term limited. Mayor Seiler stated he did not have a problem with this request, recommending Mr. Nelson apply for another board position. Further discussions continued on board appointments. City Clerk Modarelli noted that Kim Jackson would be appointed on the next resolution for board appointments at the February 7, 2017, City Commission Meeting.

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

ADOPTED

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

Not Present: 1 - Commissioner Roberts

R-2 [17-0044](#)

Resolution Approving the Transfer of City Owned Property in the Northwest-Progresso-Flagler Heights Community Redevelopment Area to the Fort Lauderdale Community Redevelopment Agency

Mayor Seiler recognized Charles King, 105 N. Victoria Park Drive, who addressed the Commission. Mr. King's comments focused on his viewpoint opposing the City giving away real estate for subsidized housing through the Community Redevelopment Agency (CRA). He

also commented on the original purpose of the City hiring CBRE to sell surplus City properties.

Mayor Seiler recognized Count Rosenthal, 12237 NW 4th Avenue, who addressed the Commission in support of this item noting importance of subsidized housing assistance for low-income City residents. He noted the efforts of the Commission members in building the community, serving the needs of all residents, and helping people help themselves in order to get ahead.

Mayor Seiler recognized Roosevelt Walters, Affordable Housing Advisory Committee, who stated he approved of the transfer but does not approve of the cost of the transfer. He noted costs associated with the properties and the amount the City is receiving, asking where the additional funds will be placed. Mayor Seiler noted the compromise reached, stating the City will be reimbursed for its costs associated with these properties and the excess funds would be placed in the Affordable Housing Trust Fund.

Vice Mayor Trantalis asked City Manager Feldman if CBRE was making a commission on this sale. City Manager Feldman stated CBRE is not involved in any aspect of this item.

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

ADOPTED

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

Nay: 1 - Commissioner McKinzie

R-3 [17-0012](#)

Quasi-Judicial Resolution Approving a Site Plan Level II Development Permit Allocating 388 Post 2003 Downtown Dwelling Units and 31 Flexibility Units from Flex Zone 54 - Residences of Las Olas - TREH 200 E. Las Olas Holdco, LLC - 215 N. New River Dr. E. - Case Number R16023

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

Mayor Seiler recognized Charles King, 105 N. Victoria Park Drive, who addressed the Commission suggesting a focus on infrastructure needs rather than the public safety budget.

Mayor Seiler recognized James McGrath, 333 Las Olas Way, who addressed the Commission. Mr. McGrath voiced his objection to this high-rise project on the south end of the parcel. He suggested locating the high rise at the north end of the parcel to allow for a lower impact on the residents of his building, The River House. He noted issues regarding its effect on the resident's public health due to lack of sunlight on the building's east side and traffic noise. In terms of public welfare, he noted the significant loss in property values for over 100 east facing property owners. Mr. McGrath stated the benefits of relocating the building on the parcel's north end. Mr. McGrath submitted documents for the record. He requested the Planning Department to convene a meeting to arrive at a solution for the benefit of all parties and avoid unnecessary litigation.

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

Vice Mayor Trantalis commented on Mr. McGrath's statement, asking if he expected this parcel to be built upon in this urban center of the City.

Mayor Seiler recognized Count Rosenthal, 1237 NW 4th Avenue, commented on previous litigation in Miami Beach over blocking sunlight and views, stating that under State law there are currently no remedies. He also discussed ways to alter this through restrictive zoning.

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 item which was read by title only.

ADOPTED - Approving

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

R-4 [17-0084](#)

Quasi-Judicial Resolution Approving a Site Plan Level II Development Permit Allocating 659 Post-2003 Downtown Dwelling Units, for Phase 1 of the Proposed Development - Riverfront - Las Olas Riverfront, L.P. - 300 SW 1 Avenue - Case Number R16049

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

Mayor Seiler recognized Michael Tuck, 400 SW 1st Avenue and a business owner at 21 West Las Olas. Mr. Tuck stated his concern about lane closures due to construction and the possibility of making West Las Olas a two-lane roadway. He also noted this development is located in a 4:00 a.m. Entertainment District and future potential residents in the development should be made aware. Mr. Tuck asked which District Commissioner he should contact regarding updates to this development. Commissioner Rogers stated it is within his District.

Mayor Seiler recognized Steve Glassman, President of the Broward Trust for Historic Preservation, who addressed the Commission. Mr. Glassman submitted for the record the Consultant Memo dated December 5, 2016, as backup for the Historic Board Meeting Agenda.

A copy of Mr. Glassman's submission to the Commission is attached to these minutes.

Mr. Glassman comment's focused on the lack of attention to the historic resources on the site and the adjacent H-1 District. He noted the historic impacts and lack of archaeological related research in reports from City Staff. Mr. Glassman talked about numerous issues in the Staff Report, commenting on the site plans and its compliance with the downtown area Master Plan Guidelines and New River Design Guidelines. Mr. Glassman raised numerous other points regarding historic aspects of the area and the project's interaction with the H-1 District. He commented on the minutes of the City's Historic Preservation Board communication to the City Commission that reflect serious concerns about this project impact on the H-1 District. He stated the summary conclusion of the City's Staff Consultant was this development negatively impacts the Historic H-1 District and the historic properties on Brickell Avenue.

Commissioner Rogers commented on the developer's sensitivity in working with the City to provide a view corridor, and the developer and architect efforts to enhance the opportunity for pedestrian activity in the Riverwalk. He also noted the importance of ground views maintaining historic attributes.

Vice Mayor Trantalis stated the need to save historic aspects of the City with a goal of providing a positive pedestrian urban experience in the downtown area. The amenities which will be provided by the developer were noted. He also gave a brief overview of other large-scale developments in the City moving into the 21st Century

Mayor Seiler gave his comments, thanking the developer and their counsel for being flexible and working with the neighbors and neighborhoods in the downtown area to build a consensus. He noted the benefits to the development of having the adjacent H-1 as a neighbor.

Vice Mayor Trantalis asked City Attorney Everett about the need for the developer to disclose the fact that this development is located in a 4:00 a.m. Entertainment District. It was noted that this would be communicated in the residential lease.

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 item which was read by title only.

ADOPTED - Approving

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

PUBLIC HEARINGS

PH-1 [17-0067](#)

Public Hearing to Amend fiscal years 2012-2013, 2013-2014, and 2014-2015 Annual Action Plans of the 2010-2015 Consolidated Plan for the Housing Opportunities for Persons with HIV/AIDS (HOPWA) Program

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

APPROVED

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

ORDINANCE FIRST READING

OFR-1 [17-0006](#)

Ordinance Amending the Code of Ordinances of the City of Fort

Lauderdale, Creating a New Article Entitled Communications Facilities in the Public Rights-of-Way- Request Deferment to February 7, 2017

Commissioner Roberts made motion to defer this item until the February 7, 2017, Regular City Commission Meeting and was seconded by Vice Mayor Trantalis.

DEFERRED to February 7, 2017

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

ORDINANCE SECOND READING

OSR-1 [17-0077](#)

Ordinance Establishing a Moratorium on the Cultivation, Processing, Dispensing or Retail Sale of Cannabis for a Period of 180 Days

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road, who addressed the Commission on this item. Mr. King's comments focused on Ron Book lobbying for this item on behalf of his other clients and the perceived conflicts of interest. Mr. King also commented on how the City of Hollywood is handling issues related to this item. He also noted the State Health Department's local meetings scheduled in February on this topic, recommending the Commission attend.

Vice Mayor Trantalis introduced this Ordinance on Second Reading which was read by title only.

ADOPTED ON SECOND READING

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

EXECUTIVE CLOSED DOOR REQUEST FOR FEBRUARY 7, 2017, CITY COMMISSION MEETING

Mayor Seiler recognized City Attorney Everett who read her request for an Executive Closed Door Session on February 7, 2017, as follows:

Pursuant to Florida Statute, Section 286.011(8)(a), I am seeking advice on the matters of:

· **Albion Staffing Solutions, Inc. v. City of Fort Lauderdale**
Case No. CACE 15-018760 (09)

Horace Smith v. City of Fort Lauderdale
Case No. CACE 15-015707 (09)

During the City Commission Meeting on February 7, 2017 at a time to be determined. 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. Albion Staffing Solutions, Inc. v. City of Fort Lauderdale,
Outside Counsel will be Robert Vaughan, Esq., Kim Vaughan
Lerner, LLP,
Re. Horace Smith v. City of Fort Lauderdale, Counsel will be
Assistant City Attorney Alain E. Boileau, and a
Certified Court Reporter with Daughters Reporting, Inc.

The estimated length of this attorney-client session is approximately one (1) hour.

ADJOURNMENT

There being no further business before the City Commission at the Regular Meeting of January 18, 2017, Mayor Seiler adjourned the meeting at 11:00 p.m.

John P. "Jack" Seiler
Mayor

ATTEST:

Jeffrey A. Modarelli
City Clerk