

City of Fort Lauderdale

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



Meeting Minutes

Tuesday, February 21, 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

Dr. Phillip Hall, The Lighthouse Worship Center Church of God in Christ

Moment of Silence

Mayor Seiler requested a moment of silence in remembrance of Leanore "Lu" Deaner.

Pledge of Allegiance

Student Council, Bayview Elementary School

Mayor Seiler acknowledged and thanked Ms. Tonya Frost, Principal Bayview Elementary School. Ms. Frost thanked and acknowledged Mr. Hinely, Student Council Coordinator and Fifth Grade Teacher at Bayview Elementary who arranged tonight's visit and acknowledged and thanked those parents in attendance. Ms. Frost also thanked the Commission, and specifically Mayor Seiler for the time he has donated to Bayview Elementary.

ROLL CALL

Present: 5 - Commissioner Robert L. McKinzie, Commissioner Romney Rogers, Commissioner Bruce G. Roberts, Vice Mayor Dean J. Trantalis 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, Assistant City Attorney Cole Copertino, and Sergeant at Arms Jaime Costas

No public e-comments were submitted for this meeting.

CALL TO ORDER

Mayor Seiler called the meeting to order at 6:08 p.m.

Mayor Seiler invited the students from Bayview Elementary School to the dais to experience and gain first-hand knowledge of how the Commission functions. The Student Council participated with the Commission during the Presentation portion of the Agenda.

ANNOUNCEMENTS

Mayor Seiler announced the following WALK-ON Motion:

WALK-ON - Motion to Approve an Event Agreement with Florida Panthers Hockey Club, LTD for Florida Panthers NHL Hockey Celebration

Mayor Seiler announced the following revisions to the noted Agenda items:

CM-3 - Page 3, Section E Revised

CR-1 - Change to Section 4 of the Resolution

CR-6 - Changes to Memo in the Background and Resource Impact

Mayor Seiler announced the following items had been pulled from the Consent Agenda for separate discussion by members of the Commission:

CR-3

PUR-5

[17-0289](#)

WALK ON - Motion to Approve an Event Agreement with Florida Panthers Hockey Club, LTD for Florida Panthers NHL Hockey Celebration

Vice Mayor Trantalis made a motion to add the Walk-On Motion to Approve an Event Agreement with Florida Panthers Hockey Club, LTD for Florida Panthers NHL Hockey Celebration to the Agenda and was seconded by Commissioner Roberts.

APPROVED - Motion to add Walk-On Item to Agenda

PRESENTATIONS

Members of the Bayview Elementary School Student Council assisted Mayor Seiler in announcing each of the following presentations.

PRES- [17-0276](#)
1

Proclamation declaring March 10, 2017 as Chen Moore and Associates Appreciation Day in the City of Fort Lauderdale

Commissioner Roberts, with the assistance of members of the Bayview Elementary School Student Council, presented the Proclamation declaring March 10, 2017 as "Chen Moore and Associates Appreciation Day". The Proclamation acknowledged Chen Moore and Associates high-quality engineering and landscape

architecture service on projects throughout the City, in addition to their extensive community service efforts. Commissioner Roberts read the Proclamation in its entirety. It was accepted by Jose L. Acosta, P.E., Vice President of Chen Moore and Associates who thanked the City Commission for this recognition on behalf of Dr. Chen Moore and his firm.

PRESENTED

PRES- [17-0256](#)
2

Recognition of Pine Crest Girls Cross Country Team - Winners of the Florida High School Athletic Association State Championships

Commissioner Roberts, assisted by members of the Bayview Elementary Student Council, presented the Certificate of Recognition to the Pine Crest School Girls Varsity Cross Country Team - Winners of the FHSAA State Championship. The Certificate of Recognition was accepted by team members and Coach Paul Baur. Coach Baur introduced members of the Coaching Staff, thanking Pinecrest School Athletic Director Jeff Johnson. He introduced each member of the Cross Country Team and thanked the Commission for the Certificate of Recognition. Senior Simone Vreeland from the Cross Country Team described what it took for the team to accomplish their dream of becoming State Champions. Ms. Vreeland described the hard work and efforts of all who contributed to the Cross Country Team becoming State Champions, thanking everyone for celebrating this accomplishment.

Commissioner Rogers thanked Coach Paul Baur and his coaching staff for their hard work and contributions to the Pinecrest School Girls Varsity Cross Country Team.

PRESENTED

PRES- [17-0275](#)
3

Proclamation declaring March 4, 2017 as Marine Industries Association of South Florida 40th Annual Waterway Cleanup Day in the City of Fort Lauderdale

Vice Mayor Trantalis, with the assistance of two members of the Bayview Elementary Student Council, presented the Proclamation declaring March 4, 2017 Marine Industries Association of South Florida 40th Annual Waterway Cleanup Day. Vice Mayor Trantalis discussed the details and location of the clean-up event, reading the proclamation in its entirety. The Proclamation was accepted by Nicole Hoekstra, Events Coordinator of the Marine Industries Association, who thanked the Commission for their long-standing support of this event.

Ms. Hoekstra invited all those in attendance to go to [waterway cleanup.org](http://waterwaycleanup.org) and find a site to participate in this waterway clean-up

event, noting the time contributed counts towards community service hours. Ms. Hoeskstra also noted the clean-up is followed by the *Trash Bash*, a fun event for those who participate.

PRESENTED

PRES- [17-0281](#)
4

Community Appearance Board WOW Awards for Districts III and IV

Commissioner McKinzie welcomed Community Appearance Board members, Ayisha Gordon and Kenneth Green to the podium. Commissioner McKinzie presented the Wow Award Award to Barbara and Walter Roberts, affectionately known by their neighbors as Nana and Uncle Walt, who contribute to their Dorsey-Riverbend neighborhood community. Commissioner McKinzie discussed the details of the Roberts home and the hard work that contributed to making their home the Wow Award Winner for District III.

A detailed description of the Roberts property is attached to these minutes along with photos.

Commissioner McKinzie welcomed Susan Jorge to the podium for the Wow Award for District IV. Commissioner Roberts read the detailed description of the Jorge property and awarded the WOW Award for District IV to Ms. Jorge. Ms. Jorge thanked the Commission for this recognition.

A detailed description of the Roberts property is attached to these minutes along with photos.

PRESENTED

Approval of MINUTES and Agenda

[17-0272](#)

Minutes for January 11, 2017 MPO Workshop Meeting, January 11, 2017 Galleria Community Meeting, January 18, 2017 City Commission Conference Meeting and January 18, 2017 City Commission Regular Meeting.

Commissioner Roberts made a motion to approve the meeting minutes listed in item 17-072 and was seconded by Vice Mayor Trantalis.

APPROVED

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

CONSENT AGENDA

The procedures for public comment on items on the Agenda are noted below:

Any member of the public will be allowed the opportunity to speak for three (3) minutes on all Consent Agenda items not pulled by a member of the Commission.

For any items pulled by a member of the Commission, a member of the public will be allowed the opportunity to speak on that specific item for three (3) minutes.

Each member of the public wishing to address the Commission as noted above must submit a completed speaker card to the City Clerk's representative so Mayor Seiler may announce the speaker and recognize them at the podium.

CONSENT AGENDA PUBLIC COMMENT

The following speakers signed up to address the items on the Consent Agenda:

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road, who requested information on item CM-5 regarding a settlement with the City. Mr. King also requested information from City Attorney Everett regarding payments for remediation of sewer main breaks and impact on future liability regarding its sovereign immunity. Mr. King also asked for information on the Police Body Camera Program.

Approval of the Consent Agenda

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

Approve the Consent Agenda

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

CONSENT MOTION

CM-1 [17-0161](#)

Motion to Approve Event Agreements: Hilton Fort Lauderdale Beach Resort 10-Year Anniversary Celebration, Street Revival, 40th Annual Waterway Cleanup, Walk MS Fort Lauderdale, Fort Lauderdale Spring Fine Art Festival and Clueless on Las Olas

APPROVED

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

CM-2 [17-0162](#)

Motion to Approve Event Agreements and Related Road Closings: Duck Fest Derby, Fort Lauderdale St. Patrick's Day Parade and Festival, Downtown Himmarshee Village Celebrates St. Patrick's Day, Sistrunk 5k and Fort Laudis Gras

APPROVED

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

CM-3 [17-0016](#)

Motion to Approve Beach Business Improvement District (BID) Funding for the 2017 Fort Lauderdale Airshow in the Amount of \$100,000, and to Approve BID Funding After the Fact for the 2016 Fort Lauderdale Air Show in the Amount of \$100,000

APPROVED

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

CM-4 [17-0073](#)

Motion Approving the Acceptance of Equipment from the Broward County Healthcare Coalition - \$9,490

APPROVED

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

CM-5 [17-0238](#)

Motion Authorizing Settlement of Auto Liability Claim in the Matter of Judith Donato v. City of Fort Lauderdale, et al. Case No. CACE 14-02440 (18) - \$92,500.00

APPROVED

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

CM-6 [17-0265](#)

Motion Authorizing Payment of Environmental Cleaning Costs and Settlement of All Potential Liability Claims of Jeffrey Parkes - \$28,318

APPROVED

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

CM-7 [17-0075](#)

Motion to Approve Sovereignty Submerged Land Lease Renewal/Board of Trustees of the Internal Improvement Trust Fund of the State of Florida/ BOT File No. 061391506 - Cooley's Landing

Marina

APPROVED

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

CM-8 [17-0172](#)

Motion Approving an Application for a Temporary Beach License and Outdoor Event Agreement with Exclusive Sports Marketing, Inc. for a Volleyball Competition

APPROVED

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

CONSENT RESOLUTION

CR-1 [17-0270](#)

A Resolution Authorizing the City Attorney or the City Attorney's Designee to Initiate the Foreclosure of Code Enforcement and Other Municipal Liens, Bid on the Foreclosed Properties at Foreclosure Sales, and Seek Deficiency Judgments

ADOPTED

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

CR-2 [17-0202](#)

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 April 19, 2017

ADOPTED

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

CR-3 [17-0207](#)

Resolution Extending the Date for Consideration of Lease Approval for the Las Olas Marina Site to April 19, 2017

Vice Mayor Trantalis addressed City Manager Feldman about the lease involved in this item and the amount paid to CBRE for the Las Olas Marina. City Manager Feldman stated the final number would be provided when the lease is presented to the Commission for approval. Alternatively, he could send it to the Commission by memorandum. Vice Mayor Trantalis requested City Manager Feldman email it to him or have it available at the next Commission Meeting.

City Auditor Herbst handed City Manager Feldman a document from the Request for Proposal (RFP). After review of the document, City Manager Feldman stated based on the calculations by Suntex, the commission paid to CBRE by Suntex will be \$1,300,000.

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

ADOPTED

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

CR-4 [17-0237](#)

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

ADOPTED

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

CR-5 [17-0141](#)

Resolution to Adopt a Debt Management Policy

ADOPTED

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

CR-6 [17-0236](#)

Resolution Waiving Division 2, Purchasing, of Chapter 2, Article V of the Code of Ordinances of the City of Fort Lauderdale, Florida to Approve Amendment to Contract for Additional Expenditures for Water Extraction and Remediation of Water Damage and Mold Impact Services - Decon Environmental & Engineering, Inc. - \$300,000

ADOPTED

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

CR-7 [17-0241](#)

Resolution Waiving Division 2, Purchasing, of Chapter 2, Article V of the Code of Ordinances of the City of Fort Lauderdale, Florida to Approve Contract and Business Associate Agreement for Employee Health Center Professional Medical Services - Marathon Health, LLC - \$3,409,549 (three-year total)

ADOPTED

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

CR-8 [17-0137](#)

Resolution Approving the Submittal of a Grant Application to the Florida Inland Navigation District for Bill Keith Preserve Shoreline Stabilization Phase I Design and Permitting

ADOPTED

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

CR-9 [17-0138](#)

Resolution Approving the Submittal of a Grant Application to the Florida Inland Navigation District for George English Park Boat Ramp Renovations Phase II Construction

ADOPTED

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

CR-10 [17-0052](#)

Resolution Approving a Locally Funded Agreement and an Escrow Agreement with the Florida Department of Transportation for the Tunnel Pedestrian Plaza Project

ADOPTED

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

CR-11 [17-0129](#)

Resolution Approving the Conversion of NW 13 Terrace and NW 14 Avenue between NW 7 Street and NW 8 Street to One-Way Streets

ADOPTED

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

PURCHASING AGENDA

PUR-1 [17-0029](#)

Motion to Approve the Purchase of Vehicles, Buses and Proprietary Options - Multiple Vendors - \$382,950.48

APPROVED

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

PUR-2 [17-0053](#)

Motion to Approve Purchase of Office Furniture, Citywide - Various Vendors - \$475,000

APPROVED

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

PUR-3 [17-0154](#)

Motion to Approve Purchase of Hardware and Software for the Testing and Development of Information Technology Infrastructure Components for the Enterprise Resource Planning System - Various Vendors - \$259,407.67

APPROVED

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

PUR-4 [17-0155](#)

Motion to Approve Final Ranking and Commencement of Contract Negotiations for Integrated Body Worn Cameras and Digital Evidence Management System

APPROVED

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

PUR-5 [17-0175](#)

Motion to Approve Contract for Transportation and Mobility Community Investment Projects - Sun-Up Enterprises Inc. - \$2,733,061 (two-year total)

Mayor Seiler recognized former Commissioner Charlotte Rodstrom who addressed the Commission. Ms. Rodstrom discussed the information provided in the backup of this item, stating density is being increased but the streets are being narrowed, questioning how this will improve transportation and mobility in the City. Ms. Rodstrom stated for the record that she recommended the mobility study be more long ranged, taking into consideration the future increased density.

Mayor Seiler recognized Paul Chettle, 200 S. Birch Road, who addressed the Commission in opposition to this item as it relates to the multi-modal aspects of the Las Olas Boulevard and SE 15th Street traffic patterns. He submitted information from Broward County Transit illustrating a decline in ridership for buses and the Sun Trolley in the 2015-2016 timeframe in that area.

In response to Vice Mayor Trantalis's question, Mr. Chettle confirmed the amount of car and truck traffic, and traffic patterns at the Las Olas Boulevard and SE 15th Avenue intersection. Mr. Chettle asked the Commission to consider the request from local neighborhoods for a regional plan affecting the 2.5 miles of Las Olas Boulevard from the ocean to the riverfront, taking into consideration future development.

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

Mayor Seiler recognized Mary Fertig, President of the Idelwyld Improvement Association, who addressed the Commission, giving a history of the neighborhood meetings of the communities located along East Las Olas to address traffic concerns. She noted their requests for a regional plan for the 2.5 miles of Las Olas Boulevard from the ocean to the river front. Ms. Fertig also discussed the history of meetings with Staff regarding consultant plans for portions of the

2.5 miles and the neighborhood concerns about the lack of addressing future growth. She also addressed specific aspects of the current plan and its costs. Ms. Fertig requested the Commission not move forward with the Las Olas portion of the plan until a comprehensive plan is developed for the Las Olas region.

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

Mayor Seiler recognized Trisha Halliday, 60 Nurmi Drive, who addressed the Commission in opposition to this item, asking if the Commission has studied the back-up information to this item. Mayor Seiler confirmed. Ms. Halliday discussed the truck route on SE 15th Street not being wide enough, noting emergency vehicles also travel on that roadway. She requested the Commission seriously consider Ms. Fertig and Mr. Chettle's comments and defer this item.

Mayor Seiler requested Diane Alarcon, Director of Transportation and Mobility, come to the podium to address the speakers concerns. Ms. Alarcon confirmed that her department has had and will continue to have meetings with the affected neighborhood communities to discuss their concerns. She discussed the left turn lane recommendation from the consultant, stating the low number of turns being made was the basis for suggesting its elimination. However, after hearing from the neighborhoods, Staff is looking at putting the left turn lane back into the design.

Mayor Seiler asked why the plans are based on numbers from a 2013 study. Ms. Alarcon stated Staff is reviewing this and will refresh the study's calculations. She stated seasonal adjustments were made, similar to what was done in the 17th Street Master Plan. Ms. Alarcon discussed other aspects of traffic flow in the City.

Commissioner Roberts stated the importance of addressing future traffic projections on Las Olas Boulevard to prepare for the future and the need for a current study that takes future growth into consideration. In response to Commissioner Roberts question, Ms. Alarcon stated Colee Hammock and Beverly Heights have approved this experimental plan. At the request of Commissioner Rogers, Ms. Alarcon confirmed the duration of the pilot program would be one year.

Mayor Seiler stated for the record that any permanent changes must come back to the Commission for a vote. Ms. Alarcon confirmed. Ms. Alarcon also confirmed that traffic counts could be done during the pilot program.

Vice Mayor Trantalis gave his comments on this issue, stating a road diet between SE12th Avenue and SE 15th Avenue is not appropriate, recommending a current traffic study be done in season. He also commented on *Complete Streets* goals and the impacted neighborhoods. Vice Mayor Trantalis requested the Las Olas Boulevard portion of this plan be removed from the project and be studied separately to ensure its success.

Commissioner Rogers commented on traffic from Himmarshee Bridge to SE 15th Street. Vice Mayor Trantalis responded and discussions ensued on the history of this area of Las Olas Boulevard.

In response to Commissioner Roberts question about Metropolitan Planning Organization (MPO) dollars being available for this project, Ms. Alarcon stated "no" but there were MPO dollars programmed for the area of Himmarshee River moving west for the connection of the bicycle lanes and pedestrian improvements.

Discussions ensued on the timeline involved in getting a current study to include future projected growth. Ms. Alarcon discussed the costs associated with "paint on the ground" for this area Las Olas Boulevard, traffic calming improvements for Colee Hammock and improvements to SE 15th Avenue and Second Street intersection, which were part of the overall study. Ms. Alarcon stated she would provide the Commission with the amount for only the "paint on the ground" portion of this items cost.

City Manager Feldman commented on his conversations with business owners in the area from Himmarshee Bridge to SE 15th Street on Las Olas Boulevard who are in favor of the proposed changes and allowing for the creation of a north south pedestrian flow.

Ms. Alarcon committed to bringing this back to the Commission six months after the paint is on the ground for the Las Olas Boulevard portion of this project. She also confirmed she would provide the exact dates to the Commission and the effected neighborhoods.

Commissioner Rogers moved to approve this item as amended, bringing this item back before the Commission six months following the painting of the streets, and was seconded by Commissioner Roberts.

APPROVED AS AMENDED

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

Nay: 1 - Vice Mayor Trantalis

PUR-6 [17-0185](#)

Motion to Approve Increase in Funds for Architectural Consulting Services Contracts - Various Consultants - \$337,538

APPROVED

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

PUR-7 [17-0231](#)

Motion to Approve Change Order No. 6 for South Side School Restoration Project - DiPompeo Construction Corporation - \$228,186.47

APPROVED

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

PUR-8 [17-0240](#)

Motion to Approve Contract and Business Associate Agreement for Comprehensive Medical Evaluations for Fort Lauderdale Fire and Ocean Rescue Personnel - Life Extension Clinics, Inc. d/b/a Life Scan Wellness Centers - \$469,117

APPROVED

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

MOTIONS

M-1 [17-0173](#)

Motion to Approve an Event Agreement with Historic Downtowner, LLC for St. Patty's Day Party

Vice Mayor Trantalis asked City Manager Feldman why this was a separate item and not part of the Consent Agenda. City Manager Feldman stated it was due to the request for additional hours of amplified music.

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

APPROVED

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

M-2 [17-0174](#)

Motion to Approve an Event Agreement with Waxy O'Conner's, Inc. for Waxy O'Connor's St. Pats Day

The Commission discussed the dates and hours of this event request.

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

APPROVED

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

M-3 [17-0232](#)

Motion to Approve an Event Agreement with Multirace, LLC for the Las Olas International Triathlon

Commissioner Rogers asked about the parking issues related to this event.

Mayor Seiler recognized, Cristian Anderson, Vice President and Certified Race Director, Multirace, LLC, and Aleck DaGrosa, Vice President of Operations of Multirace, LLC, who addressed the Commission outlining the portions of the South Beach Parking Lot they will use on Saturday, March 11, 2017 and Sunday, March 12, 2017 to allow parking for race participants. Discussions continued on sharing the South Beach parking lot with the volleyball event, other aspects of parking, and the event's history. Mr. Anderson expounded on the proactive measure they will be taking to manage both the event and traffic, including hiring police to direct traffic.

Vice Mayor Trantalis voiced his concern about the ability of residents in this area being able to travel. Mr. Anderson commented that they will be sending an impact notice to area residents. At the request of Mayor Seiler, he specifically reviewed and outlined the details of the event, stating the last cone on the roadway is expected to be removed by 10:30 a.m. and the parking lot will be reopened by noon.

Vice Mayor Trantalis discussed the impact of local hotels selling their parking spaces for the event, stating it impacts traffic congestion in the area.

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

APPROVED

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

M-4 [17-0282](#)

Motion to Approve an Event Agreement with Shuck N Dive, Inc. for Mardi Gras

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

APPROVED

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

[17-0289](#)

WALK ON - Motion to Approve an Event Agreement with Florida Panthers Hockey Club, LTD for Florida Panthers NHL Hockey Celebration

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

APPROVED

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

RESOLUTIONS

R-1 [17-0242](#)

Appointment of Board and Committee Members

The Commission discussed and confirmed with City Clerk Modarelli the upcoming appointments for the next resolution at the Regular City Commission Meeting of February 21, 2017, Meeting.

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

AVIATION ADVISORY BOARD

Thomas Moody is appointed to the Aviation Advisory Board for a one year term beginning March 4, 2017 and ending March 3, 2018 or until his successor has been appointed.

BEACH REDEVELOPMENT BOARD

Jason Hughes is appointed to the Beach Redevelopment Board for a one year term beginning February 21, 2017 and ending February 20, 2018 or until his successor has been appointed.

Thomas McManus is appointed to the Beach Redevelopment Board for a one year term beginning April 1, 2017 and ending March 31, 2018 or until his successor has been appointed.

COMMUNITY APPEARANCE BOARD

Ismail Uzun is appointed to the Community Appearance Board for a one year term beginning February 21, 2017 and ending February 20, 2018 or until his successor has been appointed.

Caroline Nutt is appointed to the Community Appearance Board for a one year term beginning March 4, 2017 and ending March 3, 2018 or until her successor has been appointed.

Alissa Ayden is appointed to the Community Appearance Board for a one year term beginning March 15, 2017 and ending March 14, 2018 or until her successor has been appointed.

EDUCATION ADVISORY BOARD

Natasha Wilson has been appointed to the Education Advisory Board for a one year term beginning February 21, 2017 and ending February 20, 2018 or until her successor has been appointed.

NUISANCE ABATEMENT BOARD

John Forman (Alternate Member), Donald Karney, Lorraine Saunders, Cindy Smith, Gustav Schmidt and Robert Wolfe have been appointed to the to the Nuisance Abatement Board for one year terms beginning February 21, 2017 and ending February 20, 2018 or until their successors have been appointed.

PARKS, RECREATION AND BEACHES BOARD

Dermott McQuarrie, Darin Lentner, Karen Povlika and James Jordan have been appointed to the Parks, Recreation and Beaches Board for one year terms beginning February 21, 2017 and ending February 20, 2018 or until their successors have been appointed.

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

ADOPTED

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

R-2 [17-0206](#)

Resolution Approving Sale of City Owned Property Located on NW 13 Street between NW 1 Avenue and North Andrews Avenue to Thomas Allen and Nathapob Kattiengkit

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

ADOPTED

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

PUBLIC HEARINGS

PH-1 [17-0156](#)

Public Hearing to Transfer City Owned Residential Lots in the Northwest-Progresso-Flagler Heights Community Redevelopment Area to the Fort Lauderdale Community Redevelopment Agency

Mayor Seiler opened the public hearing.

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road, who addressed the Commission. He asked why these properties are transferred to the Community Redevelopment Agency (CRA).

Mayor Seiler recognized Count Rosenthal, 1237 NW 4th Avenue, who commented on his reasoning as to why these properties are transferred to the CRA, stating it allows working class middle and lower income residents an opportunity to reside in the City. He also discussed the history of the founders of the City.

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

Vice Mayor Trantalis introduced the resolution declaring its intent to convey property to the CRA with purchase price, other terms, and set a date for a public hearing not less than thirty (30) days after the adoption of the resolution, which was read by title only.

City Manager Lee Feldman read the Public Notice stating this transfer is for the purpose of expanding the Affordable Housing Program.

ADOPTED

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

ORDINANCE FIRST READING**OFR-1** [17-0033](#)

Ordinance Amending Article III - Development Requirements, of the City of Fort Lauderdale, Florida, Unified Land Development Regulations, Creating New Subsections and Amending Existing Subsections to Revise Neighborhood Design Criteria / Case T16005

Mayor Seiler recognized Ella Parker, Urban Design & Development Manager for the Department of Sustainable Development, who addressed the Commission. In response Vice Mayor Trantalis's question about the installation of fences in the front yards of homes that give a stockade like appearance, Ms. Parker stated Staff is

discussing a reduction in height. She then requested Eric Engmann, Urban Planner III Urban Design & Development Department of Sustainable Development, to further expound on this topic.

Mayor Seiler recognized Eric Engmann, Urban Planner III for the Department of Sustainable Development, who stated any new residences, other than multifamily or single family, cannot have a solid wall fence in front of their homes and must remain 75 percent open.

Vice Mayor Trantalis commented on this issue in his neighborhood that take away the curb appeal of properties and the history of this topic in the City. Mr. Engmann noted Staff would follow any recommended changes of the Commission.

Commissioner McKinzie gave his perspective on this issue, recommending investigating this issue prior to making changes. City Manager Feldman commented on the need for the Commission to prioritize its requests. Mr. Engmann expounded on the procedure for researching this issue.

Commissioner Rogers discussed the need for flexibility and his concern over the practicality of this item on a major roadway as noted in Exhibit 4 in the backup. He gave examples of vacant parcels located on SW 4th Avenue and parcels on State Road 84, noting they have a different dynamic. He noted the need for flexibility to let the lot itself dictate the design criteria.

Mr. Engmann commented that when cluster projects are required they are in an RD-15 District and other aspects of the ordinance. Additional discussions ensued on RD-15 areas in the City.

Commissioner Rogers requested Mr. Engmann investigate and get back to him what areas from 7th Street to 17th Street along the east side of 4th Avenue are zoned RD-15. Mr. Engmann also noted numerous meetings with developers in the City on this issue.

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

PASSED FIRST READING

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

OFR-2 [17-0123](#)

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

Mayor Seiler recognized Tony McDowell on behalf of T-Mobile who stated he had two areas of objection:

the 350 foot setback

the "Atlas Map" due to its violation of the Federal Communication Cyber Security Act.

Mr. McDowell suggested a secure third party have access to the "Atlas Map" information to confirm an inventory for the City.

In response to Mayor Seiler's question, Mr. McDowell stated other municipalities have removed the "Atlas Map" requirement from their Ordinances. Mayor Seiler stated the need to know the inventory. City Attorney Everett deferred to Special Counsel for the City, Keith Davis, Esq.

Mayor Seiler recognized Keith Davis, Esq., Special Counsel Corbett, White, Davis, and Ashton, P.A., who addressed the Commission stating he would explore this security issue and come back to the Commission before the Ordinance Second Reading.

Mayor Seiler stated he would not alter the 350 foot setback in order to protect the interests of the residents.

Mr. McDowell thanked the Commission for their work on this issue.

Mayor Seiler recognized Janna Lhota, Esq., Holland and Knight and on behalf of Verizon Wireless, who addressed the Commission, thanking Staff and the Commission for their work on this item.

Ms. Lhota expounded on the requirement of a 350 foot distance separation within the right-of-way of new facilities, stating this could prohibit a new provider from coming in, and is a clear violation of State and Federal law. Ms. Lhota stated she would work with Staff to address the remaining issues of her client and, if necessary, would come back to the Commission prior to the Ordinance Second Reading.

Commissioner Rogers introduced this item on First Reading, recognizing changes would be made to the Ordinance prior to the Second Reading as noted by Mayor Seiler. The Ordinance was read by title only.

PASSED FIRST READING

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

RESOLUTIONS

- R-3** [17-0099](#) Quasi-Judicial - Resolution Approving a Landmark Designation - Commonly Known as the First Evangelical Lutheran Church of Fort Lauderdale and the Property Listed in the Legal Description, Located at 441 NE Third Avenue - HPB Case H16016

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 and the Commission welcomed newly hired Trisha Logan, Planner III for the Department of Sustainable Development, and the City Historic Preservation Officer. Ms. Logan who gave her educational background in historic preservation and experience with municipalities, stating she has not had an opportunity to participate with this item.

Mayor Seiler recognized Robin Merrill, 300 SW 1st Avenue, who addressed the Commission in support of this item and thanked the Commission for hiring a Historic Preservation Officer. She stated the Flagler Village Association voted unanimously for the proposal approving the Landmark Designation for the First Evangelical Lutheran Church of Fort Lauderdale (Church) located at 441 NE Third Avenue - HPB Case H16016.

Ms. Merrill discussed the voting record of the Historic Preservation Board on December 5, 2016 stating the vote was unanimous as the Church met five criteria, noting only meeting one criteria was necessary. Ms. Merrill expounded on the five criteria as noted in her PowerPoint presentation.

A copy of Ms. Merrill's PowerPoint presentation is attached to these minutes.

Mayor Seiler recognized Paul Pfadenhauer, 1842 Coral Ridge Drive, who addressed the Commission in support of the preservation of the Church. Pastor Pfadenhauer expounded on his pastoral work, his support of the landmark designation for the Church and past development proposals. At the request of Vice Mayor Trantalis, Pastor Pfadenhauer confirmed that he was not requesting the Commission to negotiate with the current developer on the Church's behalf.

Mayor Seiler recognized Rosalyn Scherf, 1060 Tyler Street and a member of the congregation, who addressed the Commission in support of the preservation of the Church, reiterating its history and service to the community. Ms. Scherf urged the Commission to make a decision soon.

Mayor Seiler recognized Sara Randel, 816 NE 816 17th Avenue, who addressed the Commission, supporting preservation and historic designation of the Church in order to assist in balancing progress and growth, and preserving historic aspects of the area to maintain the character of the community.

Mayor Seiler recognized Michelle Nunziata, 315 NE 3rd Avenue and on behalf of the Flagler Village Civic Association, who addressed the Commission in support of this item. Ms. Nunziata also commented on meetings with the developer. In response to Mayor Seiler's question, Ms. Nunziata confirmed the Flagler Village Civic Association voted unanimously to designate the Church as a historic landmark.

Mayor Seiler recognized former Commissioner John Aurelius, 2864 NE 24th Court, who addressed the Commission in support of designating the Church as a historic landmark, commenting on his experience with the City when requesting assistance on other historic projects. Mr. Aurelius made recommendations on how the Commission should proceed to allow the public to gain a better understanding of the issue and available options.

Vice Mayor Trantalis commented that there have been discussions with the proposed developer about repurposing the building, preserving the façade and other aspects that will be dependent on the decision made by the Commission. Mr. Aurelius commented on the costs to preserve the building and who would pay those costs.

Mayor Seiler recognized Judy Sommers, 400 N.E. 17th Way, who addressed the Commission, stating her history in the City and with the Church. Ms. Sommers thanked the Commission for hiring a Historic Preservation Officer to address the numerous historic properties in the City. She asked the Commission to work towards preserving other historic buildings.

Mayor Seiler recognized Christopher Brennan, 2721 NE 14th Street, who addressed the Commission in support of this item, noting his close personal and family ties with the Church and recognizing its historical significance. Mr. Brennan suggested listening to the developer to understand his plans to preserve the historical areas of

the property.

Mayor Seiler recognized Nancy DeMartini, 3900 NE 18th Avenue, who addressed the Commission, commenting on her personal history with the Church. She supported the historic designation of the Church, stating the need to strike a balance between respect for both the past and the present.

Mayor Seiler recognized Count Rosenthal, 1237 NW 4th Avenue, who addressed the Commission and commented on his research into this issue. He discussed the responsibility of those in favor of the historic designation of buildings to have a plan to fund the associated costs. He recommended the Commission defer this item to allow the developer to present a plan that would preserve the historic parts of the property.

Mayor Seiler recognized former Commissioner Tim Smith, 1720 NE 9th Avenue, who addressed the Commission in support of this item. Mr. Smith thanked the Commission for their many hours of hard work. He noted the importance of preserving the major buildings enumerated in the Historic Preservation Board's list of historic buildings. He suggested the Commission have this as a Conference Meeting item in order to address funding issues. Mr. Smith stated the Church is one of those on the Historic Preservation Board's list of unique, historic properties that should be saved and designated as a historic landmark. He recommended the Commission approve this item.

Mayor Seiler recognized Richard Rubin, 720 NE 4th Avenue and past President of the Council at the First Lutheran Church, who addressed the Commission in support of this item, commenting on the history and details of past negotiations with a developer. He commented that the Church could pay for the costs associated with its historic designation, stating he Church can be self-supporting through its work with organizations it has worked with in the past.

Mayor Seiler recognized Michaela Conca, 907 N. Federal Highway, who addressed the Commission in support of this item. She commented on why the Church should be designated a historic landmark, noting the Church could be included as part of the City's Annual Historic Homes Tour during the holiday season.

Mayor Seiler recognized Pastor Brad Schmidt, 700 SE 8th Street and Pastor of City Church of Fort Lauderdale, who addressed the Commission in support of this item. He stated what a City values can be evidenced by its great buildings, stating it is a great building with

historic significance. Pastor Schmidt gave a brief historic overview of the Church's community service, stating as a citizen he felt it should not be converted into commercial space, but instead be used as a place for the community to use for the common good, reflecting the City's values. For the record, Pastor Schmidt submitted a petition signed by over 430 people in support of historic designation.

A copy of the petition submitted by Pastor Schmidt is attached to these minutes.

Vice Mayor Trantalis asked Pastor Schmidt if the congregation grew to the point of needing to expand to another facility, who would maintain the Church. Pastor Schmidt acknowledged the growing congregation and popularity of the Church, stating there is room to expand the congregation in the sanctuary in addition to the option of having additional services throughout the day. Pastor Schmidt stated his congregation has a long-term commitment to the Church.

Mayor Seiler recognized Johnny Contini, 888 Spoonbill Circle and member of the theatrical group New City Players, who addressed the Commission in support of this item. Mr. Contini stated he was also representing Joanna Peterson who could not be present. He read a statement from Ms. Peterson in support of the Church being designated as a historic landmark, stating it will uphold the spiritual, emotional and communal needs of the neighborhood with the goal of providing care and support for everyone in the community. Her letter urged the Commission to support this designation. Mr. Contini noted Ms. Peterson's letter appeared in the February 21, 2017 edition of the *Sun Sentinel Newspaper*.

Mayor Seiler recognized Ryan Maloney, 1858 NE 33rd Street and member of the theatrical group New City Players, who addressed the Commission in support of this preserving the Church. Mr. Maloney expounded on his reasons for his family relocating from Indianapolis to Fort Lauderdale, noting their commitment to the area. He noted the litany of community and neighborhood services provided by the Church, commenting on its ability to assist the downtown area in flourishing.

Mayor Seiler recognized Eric Anderson, 888 SW 21st Street, Boca Raton, who addressed the Commission, stating he grew up in the City and his father was the minister of this Church from 1960 until 1985. Mr. Anderson gave an overview of the Church, noting its long history as an outreach church feeding the homeless, embracing the Haitian community by having services in Creole, and welcoming the repatriated South Vietnamese in the 1970's, noting they all became

part of the Church's family. Mr. Anderson stated that as an architect, he feels the developer and their design professionals could come up with a viable solution to maintain the structure and its viability.

Mayor Seiler recognized Tim Davis, 3212 Comoly Club Road and member of New City Players theatre group, who addressed the Commission in support of this item. He stated the New City Players has utilized the Church for performances with the goal of promoting the City through a celebration of the arts. He noted that young people in the City appreciate the appeal of historic buildings and the culture they represent. Mr. Davis commented the Church serves the community and fosters the greater good of the people. He requested the Commission to designate the Church as a historic site.

Mayor Seiler recognized Steve Glassman, designated representative for the Broward Trust for Historic Preservation (Trust), who addressed the Commission in support of historic designation of the Church. Mr. Glassman gave an historic overview of the Trust's meetings and voting record on designating this Church as a historic landmark, stating this issue deserves the Commission's serious consideration. He commented on the Trust and the community concern over the removal of the Church's stained glass windows as well as the possible demolition of the Church, similar to what has happened with other historic structures.

The Trust urges the Commission to make changes to its Code of Ordinances whereby permits are not issued for structures that are in the process of being considered for historic landmark preservation and the requirement for an approved site plan prior to any demolition permits being issued. He noted designating this Church a historic building does not preclude making changes to its structure, stating that the developer can propose any site plan for adaptive reuse and return to the Trust for a Certificate of Appropriateness. Mr. Glassman also discussed the developer's ability to apply for grants and federal tax credits for commercial use. The Trust urged the Commission to uphold its Advisory Board's unanimous vote for historic landmark designation.

Mayor Seiler recognized Marla Sherman Dumas, 1145 Harrison Street, who addressed the Commission in support of this item. Ms. Dumas discussed the appropriateness of the adaptive reuse of this property, citing examples of Cinema Paradiso, a former church, and its history in the downtown area and the Abreu Building in the Sailboat Bend area now actively used as a museum. She cited other examples of adaptive reuse in South Florida. She discussed the importance of the City's history tied to the Church, recommending adaptive reuse as

an option.

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

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road, who addressed the Commission in support of this item. He acknowledged the rarity of this Church, commenting on its value and recommending the historic landmark designation. Mr. King also discussed the Church's recent history in the neighborhood and other historic designations.

Mayor Seiler recognized former City Commissioner Charlotte Rodstrom, 66 Nurmi Drive, who addressed the Commission in support of this item. She acknowledged the positive diversity of advocates who spoke tonight in support of designating the Church as a historic landmark. Ms. Rodstrom stated her concerns with the Commission's process, stating the developer and architect should have addressed the Commission prior to getting the public's input. She also stated an outstanding architect can work with this building, design something to preserve it and making it something magnificent for the community.

Mayor Seiler recognized Merrillyn Rathbun, City Consultant, who addressed the Commission. Ms. Rathbun spoke on the ability to make changes to buildings with historic designation, noting changes can be made and discussing the procedures and requirements involved with the Historic Preservation Board to receive a Certificate of Appropriateness. She also commented on the preferred ways of making changes to historic landmarks.

Vice Mayor Trantalis commented on his experience with historic landmark buildings in the Sailboat Bend area, noting the contentiousness and onerous nature of the process due to the uniqueness of each building.

Vice Mayor Trantalis stated his desire to preserve the Church building along with the need ensure the process is less burdensome, which would allow for repurposing or enhancing its current purpose without incurring excessive costs.

Ms. Rathbun stated that the new Historic Preservation Officer will be able to assist applicants through the process along with design guidelines, commenting on the necessity of extra oversight and the additional layer of governance.

Mayor Seiler recognized Pastor William Knott on behalf of First

Evangelical Lutheran Church, Inc., who addressed the Commission clarifying aspects of the Church congregation's determination to sell their building and invest the proceeds into the City's underserved populations. He shared his history with the Church, his additional cleric responsibilities and duties, stating fifteen congregations are now working now together to serve community needs in areas such as the arts for youth and campus ministry. He stated this work is being done in lieu of the congregation paying for a building it cannot afford.

Pastor Knott noted the financial circumstances involved in the offers received and rejected, noting the Church's revenue stream from rentals was not adequate to sustain the \$50,000 annual costs of the building.

Pastor Knott stated neither the Church nor any of its congregation's officers were contacted by any Staff regarding the details of the decision to sell the Church. Additionally, no members of the Historic Preservation Board or the Trust have been active supporting members of the Church's congregation. The congregation made a choice to sell the building to a responsible party. Pastor Knott gave an overview of the offers made to the Church, commenting on its mission and ministry to serve the community's needs. He also stated it is the Commission's responsibility to determine the historic designation and its scope. He commented on the ability and willingness of the developer to understand, maintain and preserve the value of the building's history. He commented on the building's deteriorating condition due to age and its cinderblock construction, with a stone façade that came from the former Saint Anthony Church building. Pastor Knott recommended the Commission look at the developers plans to ascertain what he proposes.

At the request of Commissioner Roberts, Pastor Knott reiterated and clarified that the façade is historic but the building itself was not moved block by block, rather it is a cinderblock building with an applied historic façade. Additionally, Pastor Knott stated the stained glass windows were not part of the original façade and the Church no longer retains ownership of the stained glass windows. Pastor Knott stated that Father Plunkett did not design the First Church building. Father Plunkett designed the Saint Anthony Church building.

Mayor Seiler recognized Courtney Crush, Esq., on behalf the developer, Itay Avital of the Tahoe Group, who addressed the Commission. Ms. Crush stated Mr. Avital owns all of the south side of the entire block and the Church property is under contract for a proposed mixed use community development. Ms. Crush discussed the history, efforts and commitment to integrate the Church into the

development of this mixed use residential community. She requested the Commission defer a decision on this item to request and allow for the adaptive reuse of the Church in the developer's project. The developer would then present the Commission with a conceptual site plan that would be a prime example of incorporating adaptive use of the Church in this community.

Mayor Seiler recognized Itay Avital, Developer for Tahoe Investment Group, who addressed the Commission, commenting on the history and progress of the contract and negotiations with the community. Mr. Avital acknowledged the desired changes, stating they are willing to make those changes to preserve the sanctuary building in its entirety. If the Church is designated tonight as historic landmark, it will impede the efforts incorporate the sanctuary with an adaptive use. They will work quickly and efficiently to present a site plan to the Commission that incorporates the Church and creates something very unique and a gem for the community. He committed to not requesting any type of building or demolition permits prior to making this presentation to the Commission.

Mayor Seiler recognized Assistant City Attorney D'Wayne Spence who addressed the Commission stating if the Commission is considering deferring this item, he recommended keeping the Public Hearing open as it is the evidentiary part of the hearing. Mayor Seiler acknowledged that this is good advice and kept the Public Hearing open.

Mayor Seiler stated he would like to see this building preserved and recommended continuing this Public Hearing to give the developer an opportunity to come up with an adaptive use site plan. He recommended putting conditions in place that would prevent any work being done that would impact the structural and historic elements of the building.

Commissioner Rogers was concerned in the interim about maintenance of the property. Pastor Knott confirmed that the Church continues to maintain the property and will continue to do so. Pastor Knott stated he Church took their stained glass windows for their new building and they are not using the money from the sale for a new building. He commented on their future plans for the stained glass windows.

Commissioner Roberts commented that the end goal is similar to that of the Fort Lauderdale Beach Hotel.

Discussions continued on the good faith required by all parties. Pastor Knott confirmed that no further items would be removed from the

building or anything altered in any manner until a decision is made by the Commission. Mayor Seiler requested Staff to video tape both the inside outside the Church to confirm its current condition and confirmed the only alterations would be landscaping, upkeep and maintenance. Pastor Knott agreed to Mayor Seiler's request.

Ms. Crush confirmed the video tape would be provided to the City Clerk tomorrow, February 22, 2017. Assistant City Attorney D'Wayne Spence confirmed the appropriateness of the video tape.

Commissioner Rogers asked Mr. Avital for confirmation of his agreement to preserve the main sanctuary of the Church. Ms. Crush responded for Mr. Avital confirming the new design will keep the entire sanctuary area of the Church. Ms. Crush pointed out the portion of the illustration containing the sanctuary that would remain, which she submitted for the record.

A copy of Ms. Crush's submission is attached to these minutes.

Vice Mayor Trantalis commented on additional considerations as a result of preserving the main sanctuary. The structure will be taller and the developer may be applying for Community Redevelopment Agency (CRA) funds, all of which will be part of the conversation with the CRA Advisory Board. As such, he stated a deferral on this item is appropriate.

Mayor Seiler requested Ms. Logan be at the video taping of the Church. Ms. Logan confirmed.

Assistant City Attorney Spence stated his concern about the conditions that the Commission is requesting and the submission of a site plan as evidence for the record at the Public Hearing which is not part of this item's review for the Church's historic designation application.

Mr. Spence stated evidence cannot be accepted that is not relevant to the historic designation, recommended the following:

- The Commission can continue the Public Hearing to a date certain and continue to consider evidence presented toward the criteria for historic preservation designation; or
- The Commission can close the Public Hearing and vote for approval or denial of the application.

Mayor Seiler recommended continuing the Public Hearing to a date

certain and the designation will be deferred to that date. He confirmed the Commission's request for a video tape to be submitted as part of the ongoing Public Hearing and supervised by Ms. Logan. During this continuance, the only alterations to the Church will be maintenance, landscaping and upkeep. Pastor Knott confirmed. Ms. Crush confirmed. Ms. Merrill confirmed. Mayor Seiler confirmed the Public Hearing remains open and the continuance will not affect any timelines.

Vice Mayor Trantalis commented on the benefits of having a Historic Preservation Officer that will assist in the development process by allowing the business community to know in advance properties designated as historic. He also expounded on the need for an ordinance to address the transfer of development rights, recommending to City Manager Feldman bring this forward to the Commission.

Commissioner Rogers made a motion to continue this Public Hearing until May 2, 2017 as set forth in this record and agreed to by the applicant, the developer, and the property owner. Commissioner Roberts seconded the motion.

CONTINUED to May 2, 2017

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

Mayor Seiler recessed the Regular Meeting at 10:23 p.m.

Mayor Seiler reconvened the Regular Meeting at 11:13 p.m.

Request for Executive Closed Door Session on March 7, 2017

City Attorney Everett announced her request for an Executive Closed Door Session on March 7, 2017 as noted below:

The City Commission shall meet privately to conduct discussions between the City Manager, the City Attorney and the City Commission relative to pending litigation pursuant to Section 286.011(8), Florida Statutes, in connection with the following cases:

Blake Wakeman v. City of Fort Lauderdale, Case No. CACE
15-007786 (09)

Walter Hinton, et al. v. City of Fort Lauderdale, Case No. CACE
07-030358 (26)

Tiffany Denmark v. City of Fort Lauderdale, Case No. CACE
14-016830 (09)

Persons in attendance 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.: Blake Wakeman v. City of Fort Lauderdale, Counsel will be
Assistant City Attorney Alain E. Boileau;

Re.: Walter Hinton, et al. v. City of Fort Lauderdale, Outside Counsel
will be William M. Droze, Esq., of Troutman Sanders, LLP; and
Assistant City Attorney Alain E. Boileau;

Re.: Tiffany Denmark v. City of Fort Lauderdale, Outside Counsel will
be Jeffery R. Lawley, Esq. of Billing, Cochran, Lyles, Mauro &
Ramsey, P.A.; and a Certified Court Reporter with Daughters
Reporting, Inc.

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

ADJOURNMENT

There being no further business before the City Commission at the Regular Meeting of February 21, 2017, Mayor Seiler adjourned the meeting at 11:15 p.m.

John P. "Jack" Seiler
Mayor

ATTEST:

Jeffrey A. Modarelli
City Clerk