

# City of Fort Lauderdale

*City Hall  
100 North Andrews Avenue  
Fort Lauderdale, FL 33301  
[www.fortlauderdale.gov](http://www.fortlauderdale.gov)*



## Meeting Minutes

**Tuesday, February 6, 2018**

**6:00 PM**

**City Commission Chambers**

## **City Commission Regular Meeting**

***FORT LAUDERDALE CITY COMMISSION***

***JOHN P. "JACK" SEILER Mayor - Commissioner  
BRUCE G. ROBERTS Vice Mayor - Commissioner - District I  
DEAN J. TRANTALIS Commissioner - District II  
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**

Pastor Godfrey Johnson, Melrose Park Assembly of God

**Moment of Silence**

Mayor Seiler requested a moment of silence for Welcom "Hank" Watson an active member of the Fort Lauderdale community.

**Pledge of Allegiance**

Ina Lee, President of TravelHost Media Group

**CALL TO ORDER**

Mayor Seiler called the Commission Regular Meeting to order at 6:08 p.m.

**ROLL CALL**

**Present:** 5 - Commissioner Robert L. McKinzie, Commissioner Romney Rogers, Vice Mayor Bruce G. Roberts, Commissioner 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, and Sergeant at Arms Jeff Brull

**No e-comments were submitted for this meeting.**

**ANNOUNCEMENTS**

Mayor Seiler announced the following Agenda updates:

Items Removed from Agenda:

CR-4 - Resolution Declaring Notice of Intent to Lease the Property at NE 10TH Street (Dania Farms) Dania Beach, Florida to Broward Maritime Institute, Inc.

Revisions to Agenda items:

CM-3 - Revised Page 2 of the Memo  
CR-2 - Revised Page 11 of the Memo  
M-4 - Revised Page 5 Section 7

## Approval of MINUTES and Agenda

[18-0151](#)

Minutes for January 3, 2018 Commission Conference Meeting,  
January 3, 2018 Commission Regular Meeting and January 23, 2018  
Commission Special Meeting

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

### **APPROVED**

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

## RESOLUTIONS

**R-2** [18-0038](#)

Quasi-Judicial - Villa Medici Association, Inc. - Resolution Denying  
an Amendment to a Site Plan Level II Development Permit -1033 NE  
17th Way - Case No. A17011

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.

As discussed earlier today in the Commission Conference Meeting,  
Commissioner Trantalis confirmed discussions with the representative of  
Villa Medici and his agreement to defer item. Mayor Seiler confirmed  
communications with the President of Lake Ridge Homeowner's  
Association to also defer this item.

Commissioner Trantalis made a motion to defer this item until Tuesday,  
March 20, 2018 and was seconded by Commissioner McKinzie.

### **DEFERRED to March 20, 2018**

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

## ORDINANCE FIRST READING

**OFR-1** [18-0157](#)

Ordinance Amending Unified Land Development Regulations (ULDR)  
for Sign Requirements to Address Content Neutrality - Case T17006  
- Request Deferment to February 20, 2018.

Commissioner Trantalis made a motion to defer this item until Tuesday, February 20, 2018 and was seconded by Vice Mayor Roberts.

**DEFERRED to February 20, 2018**

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

## **PRESENTATIONS**

### **PRES- [18-0171](#)**

**1**

Proclamation declaring February 8, 2018 as TravelHost Greater Fort Lauderdale 50th Anniversary Day in the City of Fort Lauderdale

Commissioner Trantalis presented the Proclamation declaring February 8, 2018 TravelHost Greater Fort Lauderdale 50th Anniversary Day in the City of Fort Lauderdale, reading it in its entirety. The Proclamation was accepted by Ina Lee, President of TravelHost Media Group. Ms. Lee acknowledged the presence of Bill Schroeder, owner of the TravelHost brand in Dallas, Texas. Ms. Lee thanked the travel industry community, Commission and Mayor Seiler for the Proclamation.

**PRESENTED**

### **PRES- [18-0172](#)**

**2**

Proclamation declaring February 8-11, 2018 as Fort Lauderdale Greek Festival Days in the City of Fort Lauderdale

Commissioner Trantalis presented the Proclamation declaring February 8-11, 2018 as Fort Lauderdale Greek Festival Days in the City of Fort Lauderdale, reading the Proclamation in its entirety. Father James Katinas of Saint Demetrius Greek Orthodox Church accepted the Proclamation. He thanked Mayor Seiler and the Commission for the Proclamation and their ongoing support of Saint Demetrius Greek Orthodox Church's Greek Festival now in its 39th year.

**PRESENTED**

## **CONSENT AGENDA PUBLIC COMMENT**

Mayor Seiler announced the upcoming Sistrunk Festival which will include a 5k run and a parade followed by a festival during the last weekend in February, 2018. He also noted the upcoming Walk for the Animals and March for Cancer events during the first weekend in March, 2018.

## **CONSENT AGENDA**

## **CONSENT MOTION**

**Approval of the Consent Agenda**

Commissioner Trantalis made a motion to approve the Consent Agenda and was seconded by Commissioner McKinzie.

**Approve the Consent Agenda**

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

**CM-1** [18-0095](#)

Motion to Approve Event Agreements: 35th Annual German Classic Car Show N Shine, Walk in My Shoes, Donovan Marine Inc. Open House, and Sunday Artesian Market

**APPROVED**

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

**CM-2** [18-0096](#)

Motion to Approve Event Agreements and Related Road Closings: Sistrunk Festival & Parade, Walk for the Animals and March for Cancer

**APPROVED**

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

**CM-3** [18-0078](#)

Motion Approving the Acceptance of a Donation from the Hartford Junior Fire Marshal Program - \$10,000

**APPROVED**

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

**CM-4** [18-0105](#)

Motion to Approve a Memorandum of Understanding with Swim Fort Lauderdale Masters Booster Club, Inc.

**APPROVED**

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

**CM-5** [18-0124](#)

Motion to Approve a Three Year Agreement with Heal the Planet Together, Inc.

**APPROVED**

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

**CONSENT RESOLUTION**

**CR-1**    [18-0025](#)       Resolution Approving and Authorizing the City Manager to Execute FY 2018 Grant Participation Agreement with Early Learning Coalition of Broward County, Inc. - \$41,249

**ADOPTED**

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

**CR-2**    [18-0089](#)       Resolution Approving the Consolidated Budget Amendment to Fiscal Year 2018 - Appropriation

**ADOPTED**

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

**CR-3**    [18-0147](#)       Resolution Amending Resolution No. 17-261 to Announce the Revised Date for Scheduled Lease Approval for the Vacant Parcels at the Fort Lauderdale Executive Airport with Premier Parks, LLC

**ADOPTED**

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

**CR-4**    [18-0150](#)       Resolution Declaring Notice of Intent to Lease the Property at NE 10TH Street (Dania Farms) Dania Beach, Florida to Broward Maritime Institute, Inc.

**REMOVED FROM AGENDA**

**CR-5**    [18-0158](#)       Resolution Approving a Lease Agreement with the Performing Arts Center Authority for Parker Playhouse

**ADOPTED**

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

**CR-6**    [18-0065](#)       Resolution to Join the Seawall Coalition

**ADOPTED**

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

- CR-7**    [18-0062](#)       Resolution Authorizing the Acceptance of Additional Grant Funds and Execution of a Supplemental Joint Participation Agreement with Florida Department of Transportation for Taxiway Intersection Improvements

**ADOPTED**

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

**PURCHASING AGENDA**

- PUR-1**    [18-0044](#)       Motion to Approve Contract for the NE 1st Street Bridge Restoration Project - Seacoast, Inc. - \$293,963

**APPROVED**

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

- PUR-2**    [18-0046](#)       Motion to Approve Correction of Award Amount to Contract for Vehicle Graphics, Installation and Removal - Graphic Designs International, Inc. - \$399,972

**APPROVED**

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

- PUR-3**    [18-0059](#)       Motion to Approve Amendment No. 1 to Task Order No. 4 for Taxiways Echo and Quebec Asphalt Resurfacing - DP Development of the Treasure Coast LLC - \$22,934.50

**APPROVED**

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

- PUR-4**    [18-0060](#)       Motion to Approve Contract for Purchase of Flexible Couplings, Cast Iron and Brass Threaded Fittings - Lehman Pipe and Plumbing Supply Inc. - \$145,054 (estimated two-year total)

**APPROVED**

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

- PUR-5**    [18-0106](#)       Motion to Approve Change Order No. 3 for Fiveash Water Treatment Plant Hydrotreaters 3 and 4 Influent Pipe Modifications Project - RF Environmental Services, Inc. - \$41,290

**APPROVED**

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

**PUR-6** [18-0108](#)

Motion to Approve Contract for Purchase of Water Meter Reading and Related Services - Bermex, Inc. - \$1,097,088 (two-year total)

**APPROVED**

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

**MOTIONS****M-1** [18-0088](#)

Motion Approving an Application for a Temporary Beach License and Outdoor Event Agreement with AIDS Healthcare Foundation, Inc. for a 5k and Music Event on Fort Lauderdale Beach

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

**APPROVED**

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

**M-2** [18-0103](#)

Motion to Approve an Event Agreement with LV Event Designs, Inc. for Cats and Cocktails

Commissioner Rogers commented on the portion of the site plan blocking the sidewalk. The site plan was shown on the screen.

***A copy of the site plan is attached to these minutes.***

Phil Thornburg, Director of Parks and Recreation, confirmed the Riverwalk will be open and the sidewalk along SE 5th Avenue needs to remain open. Earl Macy, LV Event Designs, Inc., confirmed the request for the event's music to last until 10:30 p.m. Mr. Thornburg said the event's music request was until 10:00 p.m. Commissioner Rogers commented about a nearby residential area. He said the caveat for approving the extended time until 10:00 p.m. for music would be that if there are any complaints, the music must be turned off. Brief discussions ensued on the type of music being played during dinner and afterwards.

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

**APPROVED AS AMENDED**



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

**M-3**     [18-0117](#)

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

Mayor Seiler recognized the event's representative Aleck Dagrosa, CEO and Manager of Multirace, LLC. Mr. Dagrosa discussed the reason for requesting an extension of the event's duration. Mayor Seiler commented on the need to clear the roadways by 10:00 a.m. Mr. Anderson concurred.

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

**APPROVED**

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

**M-4**     [18-0155](#)

Motion to Approve the Amended and Restated Interlocal Agreement with Broward County and the Downtown Development Authority of Fort Lauderdale for Allocation of Funding Responsibility for the Local Share of Capital Cost Overruns for the Wave Streetcar Project

Mayor Seiler announced the parameters for those wishing to speak on this item.

In response to Mayor Seiler's request, Jenni Morejon, Executive Director of the Downtown Development Authority announced those presenting on The Wave Streetcar Project (Project). They included Greg Stuart, Executive Director of the Metropolitan Planning Organization (MPO), Chris Walton of Broward County, Robert Bostian, P.E. of FDOT, and Ben Balaban and Brian Hawkins of Seimens.

Mayor Seiler recognized Gregory Stuart, Executive Director of the Metropolitan Planning Organization (MPO). Mr. Stuart explained the purpose of the regional MPO organizations. He began the MPO's presentation, entitled "Improving Transportation - We Are Not Alone," a vision for Broward County's Multi-Modal, Regional Transportation System. The presentation illustrated how the Broward County Region fits into and connects with adjacent transportation regions.

Mayor Seiler recognized Chris Walton representing Broward County (County). Mr. Walton continued the presentation, illustrating the County's long-term vision of increased capacity/high-frequency transportation on the most heavily traveled routes in Broward County (slide 9). He

discussed Phase 2, the East/West Extension from the Broward Central Terminal West to US 441/State Road 7, and the SE 17th Street link from Wave to the Broward County Convention Center (Convention Center) (slide 11).

Mr. Walton said that funding for the links to Fort Lauderdale Hollywood International Airport (Airport) and Port Everglades (Seaport) would not come from The Wave's transportation dollars (slide 12). The airport and seaport are currently undergoing master planning. The southern extension of the Project will be pursued after evaluating the funding options of the Federal Infrastructure Plan and the Port/Airport Master Plan's recommendations to connect the Airport, Seaport and Convention Center.

In response to Commissioner Trantalis' question, Mr. Walton confirmed the likelihood of funding the Airport and Seaport links through the Federal Aviation Administration (FAA). Mr. Walton said the timeline for these links would be available upon completion of the Airport and Seaport's Master Planning process. He continued his portion of the presentation, reviewing the longer-range plans (slides 13-15).

Mayor Seiler recognized the Robert Bostian, P.E., Project Manager with FDOT. Mr. Bostian gave an update on the current status of the Project, stating it is in the design-procurement re-bid process. He reviewed recent efforts to address scope modifications due to significantly higher than expected initial bid prices (slide 17). Mr. Bostian commented on aspects of the Project allowing for its future expansion phases. He reviewed the Project's specifications, contractor incentives and disincentives to reduce costs.

Mr. Bostian reviewed capital costs needed for startup operations, confirming these have been passed through to Broward County, which will use its fleet pricing to purchase at a significant savings. He discussed technical communications pricing which has been clarified for contractors to reduce risk costs. The Project was re-advertised as a design-build construction project with the best value approach in December 2017. Letters of Interest were received on December 18, 2017. On January 11, 2018, two firms were selected to move forward to the next phase. The release of the Request for Proposals (RFP) is scheduled for February 7, 2018. Mr. Bostian reviewed the Project's expected procurement schedule (slide 18 and 19) and its federal grant funding.

Mayor Seiler recognized Brian Hawkins of Siemens. Mr. Hawkins gave a brief overview of streetcar equipment utilized in Charlotte, North Carolina

(slide 20) which can run as a light rail or a streetcar. It fulfills all requirements for federal, state, and local funding. It is the most up-to-date, state-of-the-art equipment currently available.

***A copy of the presentation is attached to these minutes.***

Mayor Seiler recognized Ben Balaban of Siemens. Mr. Balaban explained the streetcar vehicle's (vehicle) Onsite Energy Storage System (OESS). He addressed the concern that this battery technology could be time limited, stating it is not tightly integrated into the vehicle frame and is easily replaceable as battery technology evolves. In response to Mayor Seiler's question, Mr. Balaban confirmed that the modification for future battery technology is straightforward and does not require major modifications to the vehicle.

In response to Commissioner Trantalis' question, Mr. Balaban discussed Buy American requirements, confirming the vehicles are assembled in Sacramento, California. Siemens is not constrained regarding the type of energy cells and that the budget and application are the criteria for selection. Commissioner Trantalis commented on other countries use of an energy system that does not require overhead wires. Mr. Balaban stated that there is no light rail or streetcar system currently running in North America that can run without an overhead wire system.

In response to Commissioner Rogers' question, Mr. Balaban discussed the minimal cost of replacing the battery technology. Further discussions ensued on this topic. Mr. Balaban discussed international technology referred to as super-capacity technology. He discussed the differences in power technology (low energy density) and the trade-offs involved, i.e., the vehicle's optimal transport for weight and passenger capacity, cost-effective technology, and research and development concerns.

In response to Mayor Seiler's question, Mr. Balaban confirmed that due to a change in the procurement process from the 2014 San Diego light rail project, the battery currently being used for their Charlotte, North Carolina project is the same as the one being used for this Project.

In response to Commissioner Trantalis' question about the ability for the Project to run a specific distance on one charge, Mr. Balaban discussed energy density factors, such as weight that determines the ability to run off-wire. He confirmed Charlotte's streetcar system could run approximately one-half mile off-wire. Further discussion ensued on this topic, including the future possibility of eliminating the overhead wire system on the majority of the route.

In response to Commissioner Trantalis' question, Mr. Hawkins confirmed the price of the vehicles ranges from \$4,000,000 - \$5,000,000. Mr. Hawkins confirmed the vehicle is scalable for future retrofits. He also commented on its size, safety, and ability going into the future.

Mayor Seiler recognized Chris Walton who gave a frame of reference regarding battery life. He expounded on the County's use of hybrid buses, stating those battery packs last about ten years with an approximate replacement cost of ten percent.

In response to Commissioner Trantalis' concerns about waiting for improved technology to address overhead wires, Mr. Hawkins reiterated that the technology offered is the most up-to-date currently available. He suggested that the vendor involved in installing the overhead wires may be better equipped to address concerns about wind thresholds.

Mayor Seiler recognized Jenni Morejon. Ms. Morejon gave a brief historic overview of efforts by all stakeholders to invest in, improve, and move the Project forward. She commented on the numerous reasons for the DDA's support of the Project. In response to Commissioner Trantalis' question about the DDA's agreement and ability to participate in future cost increases, Ms. Morejon reviewed the revenue from the assessment district that provides funding to the State Infrastructure Bank (SIB) loan for a portion of the project. The DDA's Board approved the Amended and Restated Interlocal Agreement (Amended ILA) on Friday, February 2, 2018, indicating that the DDA can sufficiently meet their financial obligations.

Mr. Hawkins discussed aspects of the overhead wires, confirming they are designed to withstand a Category 5 Hurricane. He noted the need to address falling trees that could bring down overhead wires. Further discussions ensued on this topic.

Mayor Seiler recognized Doug Egan, Vice Chairman of Stiles Corporation. Mr. Egan spoke in support of this item, commenting on Stiles' development along the light rail line in Charlotte, North Carolina. He said this type of light rail system is the future of transportation in cities.

Mayor Seiler recognized John Cagney, 520 SE 5th Street. Mr. Cagney spoke about his initial opposition to this item, commenting that the presentation made some interesting points. He noted his current position has moved to the middle, noting the need to have additional questions answered.

Mayor Seiler recognized Dan Lindblade, President and CEO of the

Greater Fort Lauderdale Chamber of Commerce (Chamber). Mr. Lindblade commented on his efforts in support of this Project, stating it is the direction the City needs to go and is in the best interest of the community. He confirmed the pledge of the Chamber to continue to move forward in order to make Fort Lauderdale *the place you never want to leave*, encouraging the Commission to vote in favor of the Project.

Mayor Seiler recognized Liz Waranjo, 401 SW 4th Avenue. Ms. Waranjo commented on the need for the incoming Commission to decide this item. She also noted the costs involved, should the incoming Commission decide not to move forward with the plans for the Project.

Mayor Seiler recognized Keith Koenig, Vice Chair of Broward Workshop. Mr. Koenig commented on both the Broward Workshop and the business community's support of the Project. He also discussed the need for mass transit in Broward County.

Mayor Seiler recognized Anne Wiley, 1600 SW 5th Street. Ms. Wiley spoke in opposition to this item, commenting on her previous experience with street trolleys in Seattle, Washington. She also discussed the return of federal funding for high-speed train service at the State level.

Mayor Seiler recognized Nate Ernest-Jones, 1133 NE 3rd Avenue. Mr. Ernest-Jones spoke in support of the Project, noting his experience and educational background in land planning and credentials in urban planning. He confirmed that young professionals are supporting this Project.

Mayor Seiler recognized Nancy Kimble, 938 SW 17th Street. Ms. Kimble commented on her opposition to the Project, stating that there is no evidence it would improve traffic in the downtown area. She also discussed climate conditions which would discourage use versus driving in an air-conditioned vehicle.

Mayor Seiler recognized Commissioner-Elect Heather Moraitis, 1487 NE 60th Street. Commissioner-Elect Moraitis commented on her research about the pros and cons of the Project, along with discussions and vetting leading to her support. The Project is an investment in the revitalized downtown. She encouraged the Commission to support the Project in order to move it forward.

Mayor Seiler recognized, Lenny Steinbaum, 1437 New River Drive East. Mr. Steinbaum spoke in opposition to this item and encouraged tabling until the upcoming Commission takes office. He discussed its excessive cost, commenting that it is over budget. Mr. Steinbaum also commented

on the need to wait until newer technology is available to avoid the additional upgrade costs.

Mayor Seiler recognized, Dana Pollitt, 801 NE 18th Court. Mr. Pollitt said the Project is for future generations and is the future of Broward County's transportation system. He commented on the stakeholders in support of the Project. Mr. Pollitt encouraged the Commission to vote in support of this item.

Mayor Seiler recognized Abby Hand, 1201 River Reach Drive. Ms. Hand spoke in opposition, encouraging the Commission to vote against this item.

Mayor Seiler recognized Justin Caudill, GVIP 110 Tower Owner LLC. Mr. Caudill noted the many reasons to support the Project, including the increasing population growth. The Project will serve to reduce transportation challenges. He also discussed the importance of federal funding, encouraging the Commission to support this item.

Mayor Seiler recognized Christina Baraga, 2132 NW 32nd Avenue. Ms. Baraga commented on the high cost of the Project and the lack of community use of current public transportation.

Mayor Seiler recognized Ken Kalmis, 715 NE 4th Avenue. Mr. Kalmis encouraged the Commission to support the Project, noting the need for the region to have multi-modal transportation to be competitive.

Mayor Seiler recognized Miranda Lopez, 3031 NE 21st Street. Ms. Lopez spoke in opposition to this item, citing her previous experience with this type of multi-modal transportation in another area that was stopped due to its high maintenance and lack of use. She recommended the Commission vote against this item and work towards a better solution.

Mayor Seiler recognized Gonzalo Ballesteros, 12540 Vista Isles Drive. Mr. Ballesteros spoke in support of the Project. He commented on the importance of infrastructure for public transportation due to current concerns about traffic and parking. Moving forward with the Project will be a major turning point for the City.

Mayor Seiler recognized Joanne Richter, 1977 NE 15th Avenue. Ms. Richter discussed the increased cost of the Project and the importance of repairing the sewer system. She noted her support of the concept without overhead wires and tracks. Ms. Richter commented on the associated costs and the possibility of the Project making traffic more

congested.

Mayor Seiler recognized Dennis O'Shea, 805 SE 9th Street, member of the Downtown Development Authority. Mr. O'Shea noted his support of the Project. He commented on his previous experience with Miami-Dade County's implementation of its initial mass transit projects, requesting the Commission to be just as visionary.

Mayor Seiler recognized Susan Peterson, 920 SE 18th Street. Ms. Peterson confirmed her opposition, stating her concern about the City's responsibility for cost overruns and the County receiving all revenues. She also commented on concerns with handicapped access.

Mayor Seiler recognized David Coddington, Greater Fort Lauderdale Alliance. Mr. Coddington commented on the need for this Project to allow continued economic development. He discussed a similar situation in Austin, Texas, and their decision not to implement a similar project. Mass transportation is an essential factor in attracting the millennial workforce and companies.

Mayor Seiler recognized Kathleen Ginestra, 1201 River Reach Drive. Ms. Ginestra discussed her opposition to this item, commenting on the need for responsible funding for this Project. She urged the Commission to vote against this item.

Mayor Seiler recognized John Ropes, 1299 N. Rio Vista Boulevard. Mr. Ropes noted the City is one of the top 10 mid-sized cities for relocating a business. He urged the Commission to vote for this item to keep things moving forward, noting this Project is 14 years in the making.

Mayor Seiler recognized John Roth, 333 Sunset Drive. Mr. Roth spoke in opposition to this item, commenting on the unreliability of the drawbridge and its potential negative impact on both the Project and the Marine Industry. Due to cost reductions, special components and specifications to address these concerns were removed. Mr. Roth suggested a high bridge or a tunnel to replace the current drawbridge.

Mayor Seiler recognized Randall Vitale, 779 NE 4th Avenue. Mr. Vitale commented on initial public input about the proposed New York Subway System and its subsequent success. He discussed his work with the City's 2035 Vision Plan (Plan) and the need to move people quickly and easily. He confirmed that the Project is part of this Plan, acknowledging that change is hard.

Mayor Seiler recognized Jason Basley, 1305 SW 8th Avenue. Mr. Basely

spoke in opposition to the Project. He recommended an alternative solution with a flexible fleet system using small electric cars. Mr. Basely expounded on this alternative.

Mayor Seiler recognized Laurie Menekou, 1733 NE 3rd Avenue. Ms. Menekou expounded on her involvement in the City as a young professional. She discussed her support for the growth of a connected transportation system for the City, County and region. Ms. Menekou confirmed her support for the Project, urging the Commission to vote in support of this item.

Mayor Seiler recognized Dr. Warren Sturman, 520 SE 5th Avenue. Mr. Sturman confirmed a consensus in opposition to the Project in this District. The top three concerns include the high price, the City's disproportionate responsibility for cost overruns, and the detrimental effect of fixed rails on traffic. He urged the Commission to consider the financial consequences of this item.

Mayor Seiler recognized Ian Dawson, 541 NW 1st Avenue. Mr. Dawson discussed his company's reasons for moving to the City, commenting on traffic and parking concerns. The Project will encourage businesses to come to the City. He urged the Commission to vote in support of this item.

Mayor Seiler recognized Dane Hancock, P.E., 516 Bontano Avenue, designated representative of the group entitled *Fort Lauderdale against The Wave*. Mr. Hancock reviewed issues relating to the drawbridge and geotechnical matters along Las Olas Boulevard, SW 2nd Street, and other areas along the track system. He urged the Commission not to approve this item.

Mayor Seiler recognized Tim Petrillo, 2400 NE 7th Place. Mr. Petrillo noted this Project is the first step in a long-term transportation solution. For those living and working in the City, this Project addresses safety and lifestyle concerns. He commented on the vetting involved in the project, encouraging the Commission to approve this item.

Mayor Seiler recognized Bobbi Ocean, 333 Las Olas Way. Ms. Ocean commented on the negative aspects of the Project, including its fixed rails and overhead wires. She discussed the impact of tropical weather on the Project, its high cost, and effect on boat traffic up and down the New River. Ms. Ocean urged the Commission to vote against this item.

Mayor Seiler recognized Charlie King, 105 N. Victoria Park Road. Mr. King spoke in support of this item, commenting on its benefit to the



downtown area. He also noted the future benefits of the Project's routing along the Sistrunk Corridor.

Mayor Seiler recognized Marc Dickerman, 1417 Himmarshee Street. He thanked the members of the Commission who are term-limited for work to reduce slum and blight and keep taxes low. Mr. Dickerman spoke in opposition, urging the Commission to vote against this item.

Mayor Seiler recognized Charlie Ladd, 1201 SE 7th Street. Mr. Ladd spoke in support of this item, commenting on the history of improving the downtown area. He noted that the development of downtown has served to keep taxes from rising. Mr. Ladd urged the Commission to support the Wave.

Mayor Seiler recognized Dr. Ben Sorensen, 701 SE 7th Street. Dr. Sorensen commented on the many attributes of the City. He noted the financial burden of needed infrastructure improvements and the City's responsibility for the Project's price overruns beginning in 2020. He commented on the Commission's responsibility to find solutions to public transportation issues.

Mayor Seiler recognized Anne Hilmer, 621 Idlewyld Drive. Ms. Hilmer discussed the reasons for previous light rail systems not succeeding, i.e., bus routes flexibility and reduced costs. She also commented on the high cost of current infrastructure needs.

Mayor Seiler recognized Carol Henderson, Director of BrightLine. Ms. Henderson expounded on BrightLine and its plans for the future. She noted the importance of the Project connecting BrightLine riders to their final destinations. Ms. Henderson confirmed BrightLine's support of the Project, encouraging the Commission to approve this item.

Mayor Seiler recognized Marc Launer, 333 Las Olas Way. Mr. Launer gave a brief overview of his background. He noted the many unanswered questions regarding the Project and the need for additional due diligence. Mr. Launer confirmed his opposition to the Project's inefficiency but not local mass transportation.

Mayor Seiler recognized Melanie DeJesus, Florida Atlantic University School of Architecture. Ms. DeJesus spoke in support of this item. She commented on her investigations of existing infrastructure in other American cities using a fast-paced transit system that reduces the need for parking and allows for greater walkability. She urged the Commission to support the Project.

Mayor Seiler recognized Carol Ann Bartholemey, 3000 Holiday Drive. Ms. Bartholemey commented on the initial timeline of the Project and the inadequacy of its technology. She commented that it will add to traffic congestion. She recommended the Commission vote against this item.

Mayor Seiler recognized Arthur Bartholomew, Mullet Street Capital. Mr. Bartholomew confirmed his support of the Project, discussing recent transit issues in Flagler Village that illustrates the need to move forward with the Project. He also discussed downtown development projects on the west side of downtown and its potential impact on traffic.

Mayor Seiler recognized former Commissioner Tim Smith. Commissioner Smith spoke in opposition to the Project, giving a brief overview of his history in the City. He commended the Commission for the redevelopment of the downtown area and commented on concerns about the Project's overhead wiring and routing. Commissioner Smith noted changing these aspects could generate increased public support.

Mayor Seiler recognized Doug McCraw, 521 NW 1st Avenue and designated representative of Fat Village Art District. Mr. McCraw commented on the pros and cons of the Project, stating it is a critical long-term decision similar to other large area projects that were initially unpopular. He urged the Commission vote in support of this item.

Mayor Seiler recognized Steven Glassman, 2821 N. Ocean Boulevard. Mr. Glassman commented on the County's decision to move forward with the Project. He discussed the project's financial and liability concerns and neighborhood opposition. Mr. Glassman requested the City Attorney provide a legal analysis of the County's most recent Amended ILA document, requesting the incoming Commission to vote on this item.

Mayor Seiler recognized Elizabeth Bryant, 501 NE 5th Street. Ms. Bryant confirmed her support of the Project, noting the increased involvement of young professionals in the community. She urged the Commission to approve this item.

Mayor Seiler recognized Frank Schnidman, 1858 NE 34th Street. Mr. Schnidman urged the Commission not vote on this item tonight and allow a review by those who can make a thorough examination of the Project. He expounded on his work and experience with the Downtown Development Authority.

Mayor Seiler recognized Anthony Abbate, 1222 SE 1st Street. Mr. Abbate discussed his experience with the rapid rail transit in Washington, DC and his discussions with residents in support of the

Project. He commented on the growth of the downtown area and the need for similar transportation. Mr. Abbate urged the Commission to vote in support of the Project.

Mayor Seiler recognized Janet Scraper, 401 SW 4th Avenue, designated representative of Tarpon River. Ms. Scraper said residents were not against a mass transit system. She confirmed the Tiger Grant expires September 30, 2018 and commented on timelines involved should the Project move forward. Ms. Scraper requested a legal opinion on the County's most recent Amended ILA and its financial ramifications. She also commented on other aspects of the project.

Mayor Seiler recognized Captain Brucie Cummings, 830 SW 9th Street. Captain Cummings urged the Commission to vote against this item due to the high expense. Alternatively, it should be deferred to the next Commission. She said that the business community and developers are the supporters, not the residents who will be responsible for the cost.

Mayor Seiler recognized Clark Stevens, 207 NE 14th Avenue. Mr. Stevens spoke in support of the Project, stating it is the time for the City to move forward. He encouraged the Commission to vote in support of this item.

Mayor Seiler recognized Marilyn Mammano, 1819 SE 17th Street, designated representative of Harbordale Civic Association. Ms. Mammano passed out documentation to the Commission. She noted her support of mass transit, commenting that the County's new agreement is substantive, stating that the City and the Downtown Development Authority will be responsible for 100% of cost overruns after fiscal year 2020. Ms. Mammano commented on her submission of an alternative autonomous bus system operating in other U.S. and Canadian cities. She urged the Commission to vote against this item.

***A copy of this documentation is attached to these minutes.***

Mayor Seiler recognized Count Rosenthal, 1237 NW 4th Avenue. Mr. Rosenthal commented on his support of this item, noting this is the initial step in the City's future transportation system. He commented on the history of the City and evolving technology. Mr. Rosenthal urged the Commission to support this item.

Mayor Seiler recognized Mary Fertig, 511 Poinciana Drive. Ms. Fertig spoke in opposition to this item. She noted the issue before the Commission is to review and make a decision on the County's new ILA. Ms. Fertig commented on issues raised at the December 23, 2017

County Commission Meeting. She also commented on documentation she submitted to the Commission. Ms. Fertig requested the Commission to review the County's most recent ILA. Mayor Seiler reviewed the documentation submitted by Ms. Fertig.

***A copy of this documentation is attached to these minutes.***

Mayor Seiler recognized Alan Hooper, 2718 NE 37th Drive and Chairman of the Downtown Development Authority (DDA). Mr. Hooper discussed his support of this item and the history of DDA's efforts in support of the Project, urging the Commission to approve this item.

Mayor Seiler recognized Stan Eichelbaum, 411 N. New River Drive East. Mr. Eichelbaum discussed those challenging the Project who believe a better, more competent solution is achievable in serving the community's needs. He urged the Commission to vote against this item, commenting on possible future actions of the new Commission on this issue.

Mayor Seiler recognized Dale Reed, Senior V.P. Merrimac Ventures. Mr. Reed noted the Project is the first step in a much larger vision for the region's transportation solutions, commenting on the driving forces that will continue to expand the system. He discussed the need to attract millennials to accomplish desired growth. Mr. Reed encouraged the Commission to vote in favor of this item.

Mayor Seiler recognized Caldwell Cooper, 515 NE 13th Street. Mr. Cooper commented on the traffic congestion along Las Olas Boulevard. He made recommendations for light rail connecting Tri-Rail and BrightLine to downtown that will move people in and out of the City. Mr. Cooper commented that this should be done concurrently with undergrounding electrical lines and new water and sewer infrastructure along Broward Boulevard.

Mayor Seiler recognized Austin Scott, 2070 NE 54th Court. Mr. Scott spoke in support of this item, citing previous opposition to development, including the Kinney Tunnel. He commented on the lengthy discussions involved in this project. Mr. Scott said the future of downtown will be determined by the ability to get around.

Mayor Seiler recognized Alex Ernest-Jones, 2100 S. Ocean Drive. Mr. Jones confirmed his support of the Project.

Mayor Seiler recognized Nicholas Sakhnovsky, 455 SW 5th Avenue. Mr. Sakhnovsky discussed his opposition to this item, commenting on several issues, including FEC Railway position on the Project crossing their tracks, which would prevent it from going to Fort Lauderdale International Airport and down Sistrunk Boulevard. He commented that the routes should be elevated to serve workforce housing down Sistrunk Boulevard. He commented on his review of the Amended ILA and the cost to the City for not moving forward at a later date. Mr. Sakhnovsky urged the Commission to vote against this item.

Mayor Seiler recognized Dev Motwani, 1630 NE 5th Street, President of Merrimack Ventures. Mr. Motwani spoke in support of the Project. He confirmed the need for the Project and its long-term vision for a regional transportation plan. Mr. Motwani urged the Commission to move forward and support the Project.

Mayor Seiler recognized Art Seitz, 1905 N. Atlantic Boulevard. Mr. Seitz commented on communications to members of the Commission and past actions. He discussed his position regarding the Project and its need to be iconic.

Mayor Seiler recognized Charles Douglas Coolman, designated representative of The Broward Workshop. Mr. Coolman commented on the need for fiscal responsibility and the legacy of the Commission. This Project is one component of a larger regional system that needs to move forward. Mr. Coolman further discussed the numerous reasons to support the Project.

Mayor Seiler recognized John Milledge, Esq., representing the Downtown Development Authority. Mr. Milledge addressed concerns relating to the three Interlocal Agreements generated to date. Other than the maintenance facility, the cost overruns remain the same. The City's responsibility remains 25 percent for cost overruns. The State picks up 50 percent of all cost overruns. Mr. Milledge said the City's position has improved, expounding on this point and stating that the City has much more control.

In response to Commissioner Trantalis' question regarding the ILAs, Mr. Milledge confirmed that the City could backout up-front, but not in the middle of the process. Any cost overruns after the year 2020 must be shared fifty/fifty between the City and the DDA. Mr. Milledge expounded on the DDA's cost-sharing responsibility and the City's responsibility for

twenty-five percent of the total cost overruns on the back-end of the project. Commissioner Rogers commented on the language in the ILA agreements. Mr. Milledge confirmed that the County has the responsibility for operations and maintenance (O&M).

Mayor Seiler recognized Angela J. Wallace, Deputy County Attorney, and designated representative of the Office of the Broward County Attorney. Ms. Wallace commented on the original partnership agreement involving the South Florida Regional Transportation Authority in which the City and the DDA were responsible for all capital costs. She expounded on subsequent work involving FDOT to have a more simplified process and arrangement for funding. City Manager Feldman requested that the representative of FDOT comment on the contract and the procurement process. Mayor Seiler said that the remaining public speakers would be heard, followed by FDOT personnel.

Mayor Seiler recognized Stefan Bird, 325 City View Drive. Mr. Bird commented that what makes a great City is its walkability and public transportation, citing cities with these attributes. He noted the need to continue to improve the bus system along the east and west corridors, increase bike lanes, and expand the Project to allow BrightLine passengers access beyond the downtown Riverwalk. Mr. Bird urged the Commission to vote in support of the Project.

Mayor Seiler recognized Isabel Hernandez, 1233 NE 3rd Avenue. Ms. Hernandez spoke in support of the Project, encouraging the Commission to envision what the City would look like in 30 years. She commented on the positive effect of the Project in the downtown area, encouraging the Commission to vote to approve this item.

Mayor Seiler recognized Dave Shalkop, 147 Arklow Avenue. Mr. Shalkop gave a brief historic overview and the background of his involvement in the community. He noted the future is asking for the Project, commenting on the need for support of the Project.

Mayor Seiler recognized Karen Boutros, Executive Director of The Broward Workshop. Ms. Boutros confirmed her support of the Project. As a progressive community with a large future vision, she commented on the need to move forward with the Project's federal funding.

Mayor Seiler recognized John Hooper. Mr. Hooper commented on his support of the Project. He discussed the need to begin this initial phase of the Project in order to eventually have service along Sistrunk Boulevard and other outlying areas including along US 441 and State Road 7.

Mayor Seiler recognized Lawrence Brokaw. Mr. Brokaw noted that in large part, he recently moved from Las Olas Boulevard to Flagler Village due to the Project. He confirmed his support of the Project.

Commissioner Rogers commented on the most recent Amended and Restated ILA, confirming the City is committed. He said that the project's construction contract is between FDOT and the County, the owner of the Project. He said that in his opinion, the Amended ILA allows the City to pay for more though not allowing input. Commissioner Rogers requested a discussion on this point. He also commented on other add-ons, including a larger maintenance facility to accommodate housing for 12 streetcars benefits the City because the Project needs to connect to the Convention Center and the Airport. He recommended modifying the Amended ILA to include a provision that should there be an expansion of scope, the City will have the right to object.

Ms. Wallace confirmed her understanding of Commissioner Rogers' recommendation, stating the City desires to have input on decisions regarding cost overruns. This is not currently provided for in the existing ILA or the Amended ILA. The Project's cost overruns are decided between the County and the State as part of the project agreement. Ms. Wallace expounded on what the County is presenting, confirming it also clarifies the DDA's contribution for overruns.

Commissioner Rogers expounded on his request for the City to be given notice and be allowed to participate in discussions involving cost overruns and change orders once the Project has begun. Ms. Wallace explained and expounded on the reasons for the construction contract being made between the County and the State. They wanted to deal directly with the County as the owner/operator of the system. Due to the County having responsibility for the operations and maintenance, the City and the DDA have responsibility for capital costs. She further expounded on the issue of cost overruns.

Mayor Seiler recognized Stacy Miller, FDOT Acting District Secretary for District 4. Ms. Miller discussed the City's opportunity to have input on the scope and change orders before construction. Once construction begins, responsibility lies solely with FDOT who will sit down and discuss large cost overruns with the Project's partners, confirming the State is responsible for 50 percent of cost overruns. Discussions ensued on a maximum budgetary specification in the bid process. Commissioner Rogers explained his concerns with cost overruns and the City's lack of input though responsible for the funding. He noted the need for the State to acknowledge and concur with the Amended ILA to protect the City.

Ms. Miller reiterated the State has never been a signatory with the ILA. The project agreement is with the County. Commissioner Rogers noted that the project agreement would not go forward without the Amended ILA.

City Manager Feldman gave an overview of how the project agreement came about which resulted in the Amended ILA between the City, the DDA, and the County. Discussions ensued on the change between the DDA and the County's portion and how the County's share would be paid. City Manager Feldman confirmed the City's share remains the same. The State is responsible for 50 percent of cost overruns. Together the DDA and the County are responsible for 25 percent of cost overruns and the City is responsible for 25 percent of cost overruns. Further discussions ensued on the timelines involved for the DDA and County sharing the 25 percent. Following the year 2020, the City and DDA are responsible for 50 percent cost overruns, 25 percent each.

Mr. Milledge confirmed that the County does not have a say in cost overruns. The State will make these decisions. Discussions ensued on cost overruns of more than 125 percent on the front end. Mayor Seiler discussed the State's change order system, stating it is different from the City's because they are design/build projects. Ms. Miller commented on cost overruns for these types of design/build projects. Discussions ensued on the differing language in the ILA's. Ms. Wallace explained the different aspects of the ILA's. The Amended ILA was intended to clarify and simplify the language, and it is restated in a different format. She confirmed the State would make decisions regarding change orders under the project agreement. Ms. Miller said when FDOT assumed responsibility for the Project, they also assumed the associated risk of cost overruns.

Commissioner McKinzie reviewed his perception of the process regarding the Project and discussed the importance of this first phase. Commissioner McKinzie asked City Manager Feldman about the financial risk to the City should it not decide to move forward with the Project. City Manager Feldman outlined the \$21,135,000 expended to date from four sources: the General Fund, the Northwest Progresso Flagler Heights (NWPFH), the Community Redevelopment Fund (CRA), and the Water and Sewer Fund. Should the Project not move forward, he confirmed that the amounts would be returned to the NWPFH CRA, the Water and Sewer Fund. He also commented on the responsible party regarding the federal Tiger Grant.

In response to Vice Mayor Roberts' question regarding the City being protected by the current Amended ILA, City Attorney Everett noted the



short timeline for reviewing the Amended ILA, stating that she would not recommend signing the current version of the Amended ILA. The current agreement in place binds the City for funding of the project. She said there have been no negotiations on the latest Amended ILA, stating it is a unilateral proposal.

Mayor Seiler noted that the Amended ILA gives the City an opportunity to get out of the Project should cost overruns exceed 125 percent. City Attorney Everett suggested the City have the same opportunity in the Amended ILA as the County in protecting its interests. In response to Commissioner Trantalis' question, City Attorney Everett commented on the City Attorney's Office short timeline for review of the Amended ILA.

Commissioner Rogers discussed the City's liability should the Commission not approve the Amended ILA. City Attorney Everett confirmed the County is attempting to shift some costs to the City. Currently, the only entities that can stop the Project are the County and the State by virtue of the project agreement and the loan agreement. The City does not have the authority to stop the Project. The defaulting party may be responsible for damages to the federal government, i.e., the Tiger Grant. She said that the City is not in the position of being a defaulting party. Further discussions and debate ensued on having the best agreement for the City and the possibility of the City being in default. City Attorney Everett confirmed the City has lived up to all of its obligations.

Commissioner Rogers commented on the financial impact of moving forward or not moving forward. City Attorney Everett reviewed specific concerns, including the County's attempt to shift costs to the City and the perception that the City, by not executing the latest Amended ILA will end the Project. Currently, under the existing agreements, the only entities that can stop the Project are the County and the State. The City does not have that authority and would not be a defaulting party. Further discussions ensued on accepting the 125 percent threshold in the Amended ILA and pursuing other levels of protection. City Attorney Everett reiterated that the City had no opportunity to negotiate its position in the Amended ILA. Discussions continued on the impending deadline. City Attorney Everett reiterated that the City has lived up to all of its obligations as of this date.

Commissioner Trantalis asked City Attorney Everett about sharing the Project's costs and the imposition of a greater portion to the City under the most recent Amended ILA. City Attorney Everett confirmed this is a concern. She also discussed concerns with other items in the most recent Amended ILA.

Commissioner Trantalis commented on the public perception of the Project's increased cost and the State's efforts to lower the price by reducing the scope and value engineering the Project. In response to his question about the City being responsible for these costs, City Attorney Everett said it is dependent on what those costs may be, saying that she requested a list of these items. City Manager Feldman confirmed he requested this information, but the document is not yet public record because it is part of the current solicitation process for the FDOT rebid. Mayor Seiler said Ms. Miller confirmed this to be accurate by nodding yes. City Attorney Everett expounded on other concerns regarding the City's legal position in the State Infrastructure Bank loan and the City's lack of control.

In response to Commissioner Rogers' question, City Attorney Everett commented on termination rights and the County's input on cost overruns. In response to Mayor Seiler's question, Mr. Milledge commented on the timeline, the City's financial position in the latest ILA, and the City's ability to stop the Project should cost overruns exceed 125 percent that the County supported. In response to Commissioner Rogers' question about the State needing to acknowledge the Amended ILA as being operative, Mr. Milledge replied "no". Mr. Milledge confirmed the County's agreement with the City. The City has the right to stop the Project should cost overruns exceed 125 percent. He also confirmed that the City makes no other concessions, noting that the language in the Amended ILA includes standard boilerplate language for the security interest in repayment. Discussions ensued on this issue. City Attorney Everett recommended staying with the current ILA until appropriate protections for the City can be added the Amended ILA, commenting on the additional responsibilities for the maintenance facility and the fare boxes. Further discussions ensued.

In response to Commissioner Trantalis' question, City Manager Feldman confirmed the \$21,135,000 referred to as "sunk" costs have had already been expended and were taken from the General Fund, the NWPFH CRA and the Water and Sewer Funds. City Manager Feldman explained where these funds were allocated. He confirmed costs have exceeded the \$21,135,000.

Commissioner Trantalis gave a brief historic overview of the Project. He also discussed the aspects of downtown, its walkability and the purpose of the Project. He commented on his concern about the City's financial exposure. Commissioner Trantalis stated his opposition to the Project due to other financial needs of the City, primarily infrastructure.

Commissioner Rogers commented on the Project's journey, giving his historical perspective regarding the downtown area, the Project's development, and regional growth. He confirmed the need for the ability to transport people with this type of transportation, acknowledging the inability to move forward with the Project should the costs exceed a specified amount. Commissioner Rogers commented on the Project's positive impact on District IV and the development of affordable housing. He confirmed his support of the Project.

Vice Mayor Roberts concurred with Commissioner Rogers's comments. He confirmed his concerns about cost increases and the City's infrastructure, as discussed by Commission Trantalis.

Mayor Seiler also concurred with Commissioner Rogers's comments. He reviewed his perspective of the Project from its inception. Mayor Seiler commented on public input, conversations about funding from all stakeholders, dollars spent to date and MPO support. Mayor Seiler said the concept needs to move forward. It is an investment in the City, the County, and the region. He confirmed his agreement with the protection provided by the Amended ILA confirming that the City has an exit opportunity should cost overruns exceed the 125 percent threshold. Mayor Seiler also acknowledged FDOT's ability to responsibly manage the Project.

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

**APPROVED**

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

**Nay: 2** - Vice Mayor Roberts and Commissioner Trantalis

Mayor Seiler announced a short recess at 12:02 a.m.

Mayor Seiler reconvened the meeting at 12:08 a.m.

**NEIGHBOR PRESENTATIONS****NP-1     [18-0162](#)     Jim Ingersoll - Supplemental Payment for Fort Lauderdale Police and Firefighter Retirees**

Jim Ingersoll, President of the Fort Lauderdale Police and Firefighters Association, gave a Neighbor Presentation on the request for a supplemental payment to Fort Lauderdale Police and Firefighter Retirees. He elaborated on the reasoning for the requested supplemental payment and circumstances surrounding pension reductions, which amount to an 81 percent decrease in pension benefits for widows of elderly firefighters. He commented on the work and challenges faced by these retired firefighters and the low amount of pension benefits based on former salary levels. He requested the Commission to support the supplemental payment of \$966,000.

Mayor Seiler requested Mr. Ingersoll's email communication outlining this request to be made part of the record.

***A copy of this email is attached to these minutes.***

In response to Mayor Seiler's inquiry, Mr. Ingersoll confirmed that this issue is not part of union negotiations because the union is not permitted to negotiate for retirees. They are not part of the bargaining unit for police or firefighters. Further discussions ensued on the circumstances surrounding this supplemental funding request and sources of retiree income.

**RECEIVED****NP-2     [18-0163](#)     Steve Coleman - Code Department - ordinance enforcement**

Steve Coleman, gave a Neighbor Presentation about Code Enforcement's addressing a neighbor's loud pool equipment. He described circumstances at the residence involving the pool's operations. Mr. Coleman also discussed unpermitted renovations at the residence and its former operations as a vacation rental. Mr. Coleman noted Code Enforcement's visits to this property, their evaluation of the decibel levels and lack of cooperation by current owners. Discussions ensued on the time at which the decibel reading was recorded. Mr. Coleman confirmed there was only one decibel reading recorded and available from the City.

Mr. Coleman circulated a document to the Commission on this issue.

***A copy of this document is attached to these minutes.***

Mayor Seiler recognized Anthony Fajardo, Director of Sustainable Development. Mr. Fajardo reviewed recent efforts by Code Enforcement to address this matter. Mr. Coleman discussed decibel levels in violation of the Ordinance, actions of Code Enforcement Staff and other aspects of the Ordinance. Mayor Seiler requested Mr. Fajardo to contact Mr. Coleman by the end of the week.

In response to Commissioner Trantalis' question, Mr. Coleman confirmed this residence is no longer a vacation rental.

**RECEIVED**

**NP-3**    [18-0164](#)    Lisa Quinn - Banning/moving Holiday Park gun show

**NOT PRESENT**

**NP-4**    [18-0165](#)    Charles King - Regime Change

Charles King, 105 N. Victoria Park Road, addressed the Commission about the upcoming election. He noted his support of former and current candidates. Mr. King gave his editorial viewpoint on issues facing the City and surrounding municipalities.

**RECEIVED**

**RESOLUTIONS CONTINUED**

**R-1**    [18-0140](#)    Appointment of Board and Committee Members

City Clerk Jeffrey Modarelli read the Resolution appointing Board and Committee Members into the record.

***A copy of the Board and Committee appointments is attached to these minutes.***

Vice Mayor Roberts introduced this Resolution which was read by title only.

**ADOPTED**

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

**PUBLIC HEARINGS****PH-1**    [18-0090](#)

Quasi-Judicial Resolution Granting a Waiver of Limitations at 1325 East Lake Drive for the Installation of a Floating Dock and Access Ramp

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 opened the public hearing.

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

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

**ADOPTED**

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

**PH-2**    [18-0109](#)

Quasi-Judicial Resolution Granting a Waiver of Limitations at 77 S. Birch Road, Unit 6C for the Installation of a Four Post Boat Lift

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 opened the public hearing.

In response to Commissioner Rogers' question, Mr. David Marcinkevich stated he did not know he needed a variance.

Mayor Seiler recognized David Nutter, designated representative of B&M Marine. Mr. Nutter said there are two brothers with the last name

Marcinkevich, both of whom had put in applications for permits. This variance relates to Darlene and David Marcinkevich. Mr. Nutter stated that a miscommunication occurred as to which Marcinkevich permit application was approved. Following clarification, they initiated the application for a variance in conjunction with the permitting process.

In response to Commissioner Trantalis' question, Mr. Nutter confirmed Portofino's Homeowners Association has provided a letter of approval for this variance.

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

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

**ADOPTED**

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

## **ORDINANCE SECOND READING**

### **OSR-1 [18-0146](#)**

Ordinance Implementing Mitigation Measures Related to High Impact Events on Beach Property

Mayor Seiler recognized Count Rosenthal, 1237 NW 4th Avenue. Mr. Rosenthal commented that there should be a better system to notify citizens about matters of this type.

Commissioner Trantalis introduced this Ordinance for the Second Reading which was read by title only.

**ADOPTED ON SECOND READING**

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

**Nay:** 1 - Commissioner McKinzie

### **OSR-2 [18-0082](#)**

Ordinance Amending Chapter 27 Pertaining to Vehicles for Hire, to Provide for Enforcement Pursuant to Chapter 11 and Section 1-6 of the Code of Ordinances of the City of Fort Lauderdale, Florida

Vice Mayor Roberts introduced this Ordinance for the Second Reading which was read by title only.

**ADOPTED ON SECOND READING**

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

**ADJOURNMENT**

Mayor Seiler adjourned the Commission Regular Meeting of Tuesday,  
February 6, 2018 at 12:46 a.m.

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John P. "Jack" Seiler  
Mayor

ATTEST:

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Jeffrey A. Modarelli  
City Clerk