

# City of Fort Lauderdale

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



## Meeting Minutes

**Tuesday, May 15, 2018**

**6:00 PM**

**City Commission Chambers**

## **City Commission Regular Meeting**

***FORT LAUDERDALE CITY COMMISSION***

***DEAN J. TRANTALIS Mayor - Commissioner  
BEN SORENSEN Vice Mayor - Commissioner - District IV  
HEATHER MORAITIS Commissioner - District I  
STEVEN GLASSMAN Commissioner - District II  
ROBERT L. McKINZIE Commissioner - District III***

***LEE R. FELDMAN, City Manager  
JOHN HERBST, City Auditor  
JEFFREY A. MODARELLI, City Clerk  
ALAIN E. BOILEAU, Interim City Attorney***

**CALL TO ORDER**

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

**Invocation**

Father James Katinas, St. Demetrios Greek Orthodox Church

**Pledge of Allegiance**

Jacquelyn Scott, Planning and Zoning Board

**ROLL CALL**

**Present:** 5 - Commissioner Steven Glassman, Commissioner Robert L. McKinzie, Vice Mayor Ben Sorensen, Commissioner Heather Moraitis and Mayor Dean J. Trantalis

**QUORUM ESTABLISHED**

**Also Present:** City Manager Lee R. Feldman, City Clerk Jeffrey A. Modarelli, Interim City Attorney Alain Boileau, City Auditor John Herbst and Sergeant at Arms Andy Pallen

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

**ANNOUNCEMENTS**

Mayor Trantalis announced the following updates to the Agenda:

CR-3 - Removed

**Approval of MINUTES and Agenda**

[18-0542](#)

Minutes for April 17, 2018 Commission Conference Meeting and April 17, 2018 Commission Regular Meeting

Commissioner requested a modification to the wording of item R-1 in the Meeting Minutes of April 17, 2018. The additional appointment of Howard Elfman to a second term on the Planning and Zoning Board was modified to read "reappointment."

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

**APPROVED AS AMENDED**

**Aye:** 5 - Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis

**Moment of Silence**

In memory of John Weaver, former Chair of Central Beach Alliance

**PRESENTATIONS**

**PRES- [18-0550](#)**  
**1**

Proclamation declaring May 18, 2018 as Relay for Life at Carter Park Day in the City of Fort Lauderdale

Commissioner McKinzie presented a Proclamation declaring May 18, 2018 as Relay for Life at Carter Park Day in the City of Fort Lauderdale, reading the Proclamation in its entirety. Pamela Beasley Pittman - American Cancer Society accepted the Proclamation, expounded on the many cancer-related services provided and thanked Commissioner McKinzie for his work as Honorary Event Chair. Ms. Pittman also thanked Mayor Trantalis and the Commission for the Proclamation and recognition of work in the battle against cancer.

**PRESENTED**

**PRES- [18-0541](#)**  
**2**

Proclamation declaring May 2018 as National Historic Preservation Month in the City of Fort Lauderdale

Commissioner Glassman requested audience members involved in historic preservation join him at the podium. Commissioner Glassman presented the Proclamation declaring May 2018 as National Historic Preservation Month in the City of Fort Lauderdale, reading the Proclamation in its entirety. Michaela Conca, President of the Broward Trust for Historic Preservation thanked Mayor Trantalis and the Commission. She also expressed her thanks to Commissioner Glassman for his individual historic preservation efforts.

**PRESENTED**

**PRES- [18-0532](#)**  
**3**

Proclamation declaring May 20-26, 2018 as National Public Works Week in the City of Fort Lauderdale

Public Works Director Paul Berg showed a brief video highlighting Public Works Department contributions to the community.

Commissioner Moraitis presented a Proclamation declaring May 20-26, 2018

as National Public Works Week in the City of Fort Lauderdale, reading the Proclamation in its entirety. Paul Berg, Public Works Director, accepted the Proclamation, thanking Mayor Trantalis and the Commission. Mr. Berg discussed the continuing efforts of Public Works Community Builders.

**PRESENTED**

**PRES-** [18-0552](#)  
**5**

Police Officer of the Month

Police Chief Maglione requested Officer Joshua Rich join him at the podium to be recognized as Police Officer of the Month for May 2018. Chief Maglione described Officer Rich's work on March 13, 2018 resulting in the apprehension of a dangerous career felon involved with the transportation of illegal narcotics. Police Officer Joshua Rich was recognized for a job well done.

**PRESENTED**

**PRES-** [18-0533](#)  
**4**

Proclamation declaring June 1, 2018 as National Gun Violence Awareness Day in the City of Fort Lauderdale

Vice Mayor Sorensen presented a Proclamation declaring June 1, 2018 as National Gun Violence Awareness Day in the City of Fort Lauderdale, reading the Proclamation in its entirety. Susan El Sheik - Moms Demand Action for Gun Sense in America - accepted the Proclamation, thanking Mayor Trantalis and the Commission. Ms. El Sheik expounded on those being remembered as a result of gun violence.

**PRESENTED**

**CONSENT AGENDA PUBLIC COMMENT**

Commissioner Glassman pulled items CM-5, CR-2 and PUR-2 for separate discussion.

Mayor Trantalis recognized James Jones, President and Chair of the Saba Temple. Mr. Jones confirmed his availability to answer any questions on item CM-1. There were no questions on this item.

**CONSENT AGENDA**

**CONSENT MOTION**

**Approval of the Consent Agenda**

Vice Mayor Sorensen made a motion to approve the Meeting Agenda and the noted minutes which was seconded by Commissioner Moraitis.

**Approve the Consent Agenda**

**Aye:** 5 - Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis

- CM-1**    [18-0503](#)    Motion to Approve Event Agreements with Saba Temple No. 186 for the 9th Annual Diabetes Walk Stepping for Diabetes 2018

**APPROVED**

**Aye:** 5 - Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis

- CM-2**    [18-0449](#)    Motion to Approve Event Agreements: The Taste the Islands Experience 2018 and Mass District Events

**APPROVED**

**Aye:** 5 - Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis

- CM-3**    [18-0468](#)    Motion Approving Two Interlocal Agreements with Broward County for the Distribution of Gas Taxes

**APPROVED**

**Aye:** 5 - Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis

- CM-4**    [18-0551](#)    Motion Approving the Reduction in the Purchase Price for the Contract with Liberty Property Limited Partnership for City Owned Property Located at 4030 South State Road 7, Dania Beach, FL and the Fifth Addendum to the Contract

**APPROVED**

**Aye:** 5 - Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis

- CM-5**    [18-0451](#)    Motion Declaring The Great American Beach Party for Saturday, May 26, 2018 as a Public Purpose Special Event and Creating a Temporary Exemption Relating to the Sale, Possession and Consumption of Alcohol at the Event

In response to Commissioner Glassman's question about why this event is not held on Memorial Day Weekend, Phil Thornburg, Director of Parks and Recreation, explained the reason is to recognize the military on

Memorial Day along with associated family events. Further discussions ensued regarding the event being held on Saturday. Mr. Thornburg confirmed ancillary costs to the City for events.

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

**APPROVED**

**Aye:** 5 - Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis

**CM-6**    [18-0005](#)

Motion Authorizing Execution of an Air Rights License Agreement with Las Olas Walk Owner, LP for the Installation and Maintenance of Two Pedestrian Bridges in Association with the Las Olas Walk Development Located at 116 and 200 South Federal Highway

**APPROVED**

**Aye:** 5 - Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis

**CM-7**    [18-0008](#)

Motion Authorizing Execution of a Revocable License Agreement with 315 Flagler, LP, for Temporary Right-of-Way Closures on NW 1 Avenue and NW 4 Street in Association with the Flagler Village Hotel Project Located at 315 NW 1 Avenue

**APPROVED**

**Aye:** 5 - Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis

**CM-8**    [18-0287](#)

Motion Authorizing Execution of a Revocable License Agreement with 1031 Seminole Drive, LLC, for Temporary Right-of-Way Closures on Seminole Drive and NE 11 Street, in Association with the Belmont Village Project Located at 1031 Seminole Drive

**APPROVED**

**Aye:** 5 - Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis

**CM-9**    [18-0308](#)

Motion Authorizing Execution of a Revocable License Agreement with Rescore 2nd Street, LLC for Temporary Right-of-Way Closures on NE 2nd Street and NE 3rd Street in Association with the Rise Development Located at 405/411 NE 2nd Street

**APPROVED**

**Aye:** 5 - Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis

**CONSENT RESOLUTION**

- CR-1**    [18-0534](#)    Resolution Appointing Haliczzer, Pettis & Schwamm, P.A., Kopelowitz Ostrow Ferguson Weiselberg Gilbert, Morgan & Morgan, P.A., Robbins Geller Rudman & Dowd LLP, and Lieff Cabraser Heimann & Bernstein, as Special Counsel, to Represent the City of Fort Lauderdale in Connection with the Opioid Epidemic Litigation

**ADOPTED**

**Aye:** 5 - Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis

- CR-2**    [18-0538](#)    A Resolution to Authorize Final Compensation to the Law Firm of Lubell and Rosen, LLC, Previously Appointed as Special Counsel to Represent the City of Fort Lauderdale in Connection With Health Insurance Portability and Accountability Act (HIPAA) Compliance and Health Law Issues, and to Discontinue Any Future Work Authorized by Resolution No. 17-123

In response to Commissioner Glassman's question about services provided by Special Counsel, Interim City Attorney Alain Boileau explained Special Counsel began an assessment of HIPPA Compliance. This resolution terminates Special Counsel's initial services. Any future item will have a full description of the scope of work and costs.

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

**ADOPTED**

**Aye:** 5 - Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis

- CR-3**    [18-0473](#)    Resolution Approving the Submittal of a Florida Cultural Facilities Matching Grant Application for War Memorial Auditorium Phase II Renovations - \$200,000

Commissioner McKinzie made a motion to remove this item from the Meeting Agenda and was seconded by Commissioner Glassman.

**REMOVED FROM AGENDA**

**Aye:** 5 - Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis

- CR-4**    [18-0539](#)       Resolution Authorizing the City Manager to Request the Florida Department of Transportation Transfer to Convey Surplus Property to the City of Fort Lauderdale to be Utilized for Public Purpose as Determined by the City

**ADOPTED**

**Aye:** 5 - Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis

**PURCHASING AGENDA**

- PUR-1**    [18-0362](#)       Motion to Terminate for Convenience Contract No. 565-11736 for Sound, Stage, and Lighting Services and Approve New Contract No. 12081-883 for Same Services - All On Stage Productions, Inc. - \$302,900

**APPROVED**

**Aye:** 5 - Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis

- PUR-2**    [18-0448](#)       Motion to Terminate for Convenience Contract No. 853-11599 and Approve New Contract No. 12104-883 for Rental of Bounce Houses, Inflatables, and Various Outdoor Games - All Star Bounce, Inc. - \$230,285

Mayor Trantalis recognized Charles King, 105 N. Victoria Park Road. Mr. King commented on his concern about costs and safety regarding rental of bounce houses. He commented on using this funding for other Parks and Recreation needs.

In response to Commissioner Glassman's question, City Manager Feldman noted the labor and indemnification costs involved if the City were to purchase bounce houses. Mayor Trantalis recognized Phil Thornburg, Director of Parks and Recreation. Mr. Thornburg explained that bounce houses are also utilized with recreational camp activities for children and are well received. He also commented on additional costs related to proper storage should these items be purchased, recommending the prudent decision to continue with rentals.

In response to Vice Mayor Sorensen's concern about safety, Mr. Thornburg discussed efforts to improve safety. Mayor Trantalis commented on safety concerns and further discussion ensued. Mr. Thornburg confirmed readiness for beach events on Memorial Day Weekend.

Commissioner McKinzie introduced this item and was seconded by Commissioner Glassman.

**APPROVED**

**Aye:** 3 - Commissioner Glassman, Commissioner McKinzie and Commissioner Moraitis

**Nay:** 2 - Vice Mayor Sorensen and Mayor Trantalis

**PUR-3** [18-0450](#)

Motion to Approve Contract for Purchase of Turf Grass Maintenance for City Quadrants Northwest, Southwest, and Southeast - Multiple Vendors - \$241,105

**APPROVED**

**Aye:** 5 - Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis

**MOTIONS**

**M-1** [18-0466](#)

Motion to Approve an Event Agreement with J & C Custom Audio & More, LLC for J & C Customer Appreciation Day

Mayor Trantalis recognized a representative of J&C Custom Audio & More, who confirmed this was an extension to play amplified music at its location in a warehouse district.

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

**APPROVED**

**Aye:** 5 - Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis

**RESOLUTIONS**

**R-1** [18-0500](#)

Appointment of Board and Committee Members

City Clerk Modarelli announced names submitted as of this date for Board and Committee appointments for the June 5, 2018 Commission Regular Meeting as noted below:

**EDUCATION ADVISORY BOARD**

Sarah DeINegri is appointed to the Education Advisory Board to complete an unexpired term ending February 6, 2019 or until her successor has been appointed.

**HOUSING AUTHORITY OF THE CITY OF FORT LAUDERDALE,**

**BOARD OF COMMISSIONERS**

Robert Kelley and Shirley Carson are appointed to the Housing Authority of the City of Fort Lauderdale, Board of Commissioners for four year terms beginning May 29, 2018 and ending May 28, 2022 or until their successors have been appointed.

**BEACH REDEVELOPMENT BOARD**

Arthur Bengochea is appointed to the Beach Redevelopment Board for a one year term beginning June 5, 2018 and ending June 4, 2019 or until his successor has been appointed. Kristen Maus is appointed to the Beach Redevelopment Board to complete an unexpired term ending February 4, 2019 or until her successor has been appointed.

City Clerk Modarelli announced the Board and Committee appointments for Agenda item R-1.

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

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

**ADOPTED**

**Aye:** 5 - Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis

**R-2      [18-0433](#)**

Quasi-Judicial - De Novo Hearing-Site Plan Level II Development Permit- Alexan-Tarpon River - Case Number R17055

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 verbal and written communications, site visits and expert opinions.

Mayor Trantalis gave a brief historical overview of concerns relating to this item. He commented on the applicant's efforts with stakeholders and the evolution of design modifications.

Vice Mayor Sorensen commented on the importance of neighbor involvement and developer engagement.

Mayor Trantalis opened the public hearing.

Mayor Trantalis recognized Courtney Crush, on behalf of the applicant. Ms. Crush introduced the applicant's team and gave a presentation on the applicant's current site plan proposal. For the record, Ms. Crush submitted items relating to the site plan, confirming her objection to the process as stated at the April 3, 2018 Call-Up Hearing. Ms. Crush gave a brief review of the applicant's efforts with Staff and neighbors, opportunities and enhancements involved with developing this project, and programming the area. In response to Mayor Trantalis' question, Ms. Crush confirmed the distance of 135 feet from the seawall to the building would be dedicated to the City as a park.

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

In response to Mayor Trantalis' inquiry about the ferry, Ms. Crush referred to the public realm plan of the New River Master Plan which contemplated a green area at that location. Currently, the blue water trolley is at this location. Ms. Crush commented about the opportunity to create a park at this location. Ms. Crush expounded on neighbor outreach efforts, the consensus achieved and resulting modifications to the project. Mayor Trantalis acknowledged community engagement by the developer to address neighbor concerns, acknowledging the revised project proposal. Mayor Trantalis inquired about Affordable Housing considerations with this project. Ms. Crush confirmed Affordable Housing for this project is 17 percent.

In response to Vice Mayor Sorensen's inquiries, Ms. Crush deferred to Cecelia Ward, President of J.C. Consulting and on behalf of the applicant. Ms. Ward explained that the Comprehensive Plan is the planning foundation and the basis upon which all land development is to occur within the City, as required within Florida Statute 163 and subsequent Unified Land Development Regulations (ULDR). The ULDR are the implementation tools for how development occurs and is in compliance with the Comprehensive Plan. She expounded on details of the Comprehensive Plan, including updates and details. Ms. Ward confirmed that this project's original and revised site plan complies with the Downtown Regional Activity Center (RAC) and the City's **2018 Press/Play Strategic Plan**. The 2007 Downtown Master Plan is a framework document. It is not the Comprehensive Plan or Florida Statute 1163's adherence to the ULDR but a guide for a vision of the future. Ms. Ward expounded on addressing downtown transitional mixed use areas in the Downtown RAC and specific criteria within the ULDR that apply to downtown transition zones. This has not been done for the expanded transition zones contained in the 2007 Downtown Master Plan updates to be amended in the zoning maps within the ULDR. In response to Vice Mayor Sorensen's question, Ms. Ward said that the

Comprehensive Plan suggests that if the Commission desires, the 2007 Downtown Master Plan updates should be codified.

In response to Mayor Trantalis' question about this could be considered "zoning in progress", Interim City Attorney Alain Boileau said that the **Press/Play** documents do not refer to this as "zoning in progress". Mayor Trantalis commented that proposed transitional areas be considered before adoption of policies. Interim City Attorney Boileau confirmed that until they are codified, they are a guideline and can be considered.

Vice Mayor Sorensen noted the opportunity to improve the ULDR and moving the 2007 Downtown Master Plan towards codification. In response to Vice Mayor Sorensen's question about transitional zones in the Downtown RAC and discussed in the Comprehensive Plan, Ms. Ward referred to and expounded on page 9 of her Expert Opinion Report submitted as backup.

City Manager Feldman commented on the procedural standpoint for Staff to testify about aspects of the 2007 Downtown Master Plan and ULDR. Mayor Trantalis confirmed Ms. Ward's testimony is her expert opinion. Ms. Ward gave a review of the background, details and efforts to date by Staff and the applicant as referenced in the backup to this item. She commented about the topic of neighborhood criteria. She discussed project compliance with the Downtown RAC, ULDR and Comprehensive Plan. Ms. Ward gave a review of her findings and conclusions, stating the project as currently and previously submitted meets all required criteria and is in compliance.

In response to Commissioner Glassman's question about Ms. Ward's opinion that neighborhood compatibility is not a factor, Interim City Attorney Boileau confirmed. In response to Commissioner Glassman's questions, Ms. Crush confirmed the applicant, Edgewater Condominium, owns the site. Ms. Crush confirmed that the pass-through under the lower height portion of the building no longer exists and is part of the redesign. The recess is 19 feet in height.

In response to Commissioner Glassman's question about the status of the archaeological survey of the property, Ms. Crush confirmed that an expert, Bob Parr, has been retained and she would follow-up to ascertain completion of his survey. Ms. Crush expounded on the Shadow Study done for Smoker Park, commenting on proposed modifications and confirming it is part of the backup.

Ms. Crush expounded on the traffic calming measures from the

completed Traffic Study done by Kimley-Horn, meetings with Transportation and Mobility Staff, Florida Department of Transportation (FDOT) and representatives of the Rio Vista Neighborhood Board. Ms. Crush confirmed the project has no hotel units, only residential units. Ms. Michelle Latte, a member of the applicant's team, confirmed trees numbered 18 and 19 would be relocated. Tree number 16 is will not be relocated. Ms. Crush commented on efforts to retain separation between Smoker Park and the construction area.

In response to Vice Mayor Sorensen's question about the number of residential units in the modified site plan, Ms. Crush confirmed 180 residential units. This was accomplished by reducing the tower height to 14 stories. Two floors were put on the north wing in addition to the bottom floor. The bottom floor will be active. Ms. Crush reconfirmed that one-tenth of an acre park with be deeded to the City.

In response to Vice Mayor Sorensen's questions about the Traffic Study, Ali Hanes, Kimley-Horn, reviewed the optimal routes for those driving to the development. Vice Mayor Sorensen commented on his concern about the number of vehicles in the queue for the turning lane that may impact traffic on Federal Highway prior to entering the tunnel. Ms. Hanes confirmed the Traffic Study analysis of the queue for the turning lane. Parking on the access road parallel to Federal Highway was discussed. Ms. Crush stated the City concurred that parking would be prohibited for 66 feet prior to the traffic light on the southbound access road.

In response to Vice Mayor Sorensen's question about the 2007 Updated Downtown Master Plan's criteria and intent, Ms. Ward clarified that compatibility with that is not a criteria, rather a guideline. Compatibility with the Comprehensive Plan is a regulation and implemented in the ULDR. Ms. Ward further expounded on this topic. She confirmed this aligns with the 2007 Downtown Master Plan's intention of intense residential development. All recommendations were weighed equally and were considered guidelines.

At 8:28 p.m. Mayor Trantalis recessed for a short break.

At 8:40 p.m. Mayor Trantalis reconvened the meeting.

In response to Vice Mayor Sorensen's request for Staff to provide an overview perspective, Mayor Trantalis recognized Anthony Fajardo, Director of Sustainable Development. Mr. Fajardo confirmed the duration of Staff's meetings and review of the initial project. The most recent edition of this project was received a short time ago. He requested additional time for Staff to review and make

recommendations.

Mr. Fajardo noted the accuracy of Ms. Ward's presentation regarding the Comprehensive Plan that lays the basic groundwork for Zoning Regulations. The Zoning Code references the 2007 Downtown Master Plan design guidelines. He discussed language in neighborhood compatibility guidelines stating when there is a conflict between the ULDR and the 2007 Downtown Master Plan, the Master Plan prevails. Mr. Fajardo confirmed for the record his agreement with Ms. Ward's statements in her presentation. The 2007 Downtown Master Plan applicability to projects is strictly through the allocation of residential units. This project requests the Commission to allocate 150 units (30 units located on the ground floor are credited and applied to the 180 residential units). As per the 2007 Downtown Master Plan, design guidelines are used when allocating units. Mr. Fajardo confirmed this is not mandated for commercial projects. Staff works with developers on all types of development to apply the design guidelines to all projects. Non-residential projects are only required to meet the basic requirements of the ULDR. Further discussions ensued on this topic.

Mr. Fajardo confirmed a two-day timeline for Staff's review of the modified project. In response to Interim City Attorney Boileau's question, Mr. Fajardo confirmed that if the Commission were to approve the revised development, Staff would ensure that the final Development Review Committee (DRC) review would comply with modifications.

In response to Mayor Trantalis' request for clarification on guidelines, Mr. Fajardo confirmed compliance would be with the 2007 Downtown Master Plan Guidelines that have been approved and voted on by the City Commission (all guidelines referenced in the 2007 Downtown Master Plan are not codified). Mr. Fajardo explained Staff's review of the approval process for proposed projects and application of the context in which the 2007 Downtown Master Plan Guidelines are applied.

In response to Vice Mayor Sorensen's question to the interactions with the applicant since initial application, Ella Parker, Urban Design and Development Manager, explained and reviewed Staff's multiple meetings, recommendations and open dialogue with the applicant from initial project application.

Mayor Trantalis recognized Benjamin Restrepo, Project Manager II - Transportation and Mobility. He explained aspects of traffic queuing from southbound traffic on Federal Highway turning east on Seventh Street. He gave his assessment, stating there is approximately 230 feet of length for the left-turn pocket which will fit approximately ten vehicles.

Projections are for five vehicles. Mr. Restrepo confirmed that he does not anticipate traffic backup.

In response to Vice Mayor Sorensen's question about reduction of the parking spaces on the west side of the access road, Ms. Hanes confirmed this was coordinated with the Rio Vista neighborhood to allow trucks to have an adequate turning radius. Regarding an adequate turning radius for a Fire Ladder Truck and Fire Ladder Tower Truck, Acting Fire Chief Chantel Botting said there were no concerns following their review. The Fire Department's comments and the applicant's responses were read. Ms. Botting confirmed she would provide the Commission with information regarding the adequacy of the turning radius at the access road.

In response to Commissioner Glassman's questions about the adequacy of infrastructure, Alan Dodd, Deputy Director of Public Works, expounded on infrastructure capacity resulting from the new eight inch wastewater pipe installation and subsequent water flow analysis.

Commissioner Glassman commented on his concerns relating to the last paragraph in the project's Water and Wastewater Capacity Availability Letter (WWCAL) that he read for the record. In response to Commissioner Glassman's question about the adequacy of current infrastructure, Mr. Dodd commented that this project is not dependent on the A7 Lift Station located on the north side of the River. The project depends on the A11 Lift Station. Further discussions ensued on the duration of the WWCAL and additional future projects in the area. Mr. Dodd explained the WWCAL commitment occurs at the time of permitting. He confirmed adequate capacity for future projected development within permit capacity. City Manager Feldman discussed the reasoning and duration of the WWCAL language relating to permitting issues for projects that move forward.

In response to Mayor Trantalis' question and concerns about the George T. Lohmeyer Wastewater Treatment Plant (Lohmeyer Plant) capacity, Mr. Dodd explained capacity concerns are based on projections 8 years out, commenting on current average daily flow, future population and capacity projections. Further comments and discussion ensued on this topic. Mayor Trantalis noted his concern about the capacity of the Lohmeyer Plant, commenting on the need to anticipate consequences. City Manager Feldman commented on the Lohmeyer Plant's capacity in extreme events and ongoing infrastructure improvements to address rainwater impacting the system. Mr. Dodd expounded on the engineering details involved with these infrastructure improvements.

In response to Vice Mayor Sorensen's question about projects conforming to the 2007 Downtown Master Plan and implications, Interim City Attorney Boileau said every project stands on its own regarding the approval process. There is no precedential value.

In response to Vice Mayor Sorensen's question about the turning radius at the access road, both north and southbound, Ms. Crush said that she would confirm and inform the Commission.

Commissioner Glassman noted the process involved with site plan approvals and this item being Called-Up due to neighbor concerns. He confirmed the goal of greater transparency which is precedent setting. Commissioner Glassman requested Interim City Attorney opine on this process. Interim City Attorney Boileau said that the Commission has a right to grant the project as initially submitted, grant the project with modifications or to deny the project. Discussions ensued on deferring this item to allow for further review. Mr. Boileau commented on constraints for further Commission review.

Commissioner Glassman stated that going forward with future projects, current Code should be modified to mandate Site Level II Plans be approved by the Commission in lieu of Staff. He also stated his desire to codify Neighborhood Master Plans.

Mayor Trantalis asked if the Commission would request the applicant agree to additional review time for the project's revised site plan. Discussions ensued about continuing this item to a future date. Ms. Crush commented on efforts to work with all stakeholders and modify the site plan to address concerns. Mayor Trantalis acknowledged those efforts.

Each Commissioner noted their position on moving forward. Vice Mayor Sorensen confirmed his position to allow additional review time for the revised site plan. Commissioner Moraitis confirmed her willingness to continue this item on a future separate night or voting to move forward with this item tonight. Commissioner McKinzie confirmed his position to move forward and make a decision on this item tonight, noting his agreement to adhere to current Code.

Commissioner Glassman confirmed his desire to continue this item, stating his desire to hear from attorneys representing the Water Garden and Las Olas Grand Condominiums. He commented on numerous concerns still to be addressed. Discussions ensued about receiving public input from all residents. Mayor Trantalis recommended continuing this item to a date certain, allowing all stakeholders an opportunity to

review the revised site plan. He emphasized that a continuation is intentional so that all stakeholders work towards a compromise to move forward.

Mayor Trantalis recognized Jim Berardinelli, Managing Director of Trammel Crowe Residential. Mr. Berardinelli commented on the duration of this process and the applicant's efforts to work with stakeholders. Mr. Berardinelli requested clarification on what will occur during the continuation. Mayor Trantalis confirmed a continuation will provide an opportunity for Staff and Commissioners to review recent project modifications, allowing for a complete understanding of what is currently being presented and shared with the public. Further comments and discussions ensued.

Mr. Berardinelli discussed having opposition counsel's position memorialized.

In response to Commissioner McKinzie's question, Mr. Berardinelli confirmed that the applicant received direction from members of the Commission and neighbors for a revised site plan to address specific design concerns. Mayor Trantalis confirmed the desire for a complete understanding of the latest proposed site plan. Mr. Fajardo confirmed that there will be an additional Staff recommendation based upon revisions to the original site plan. Interim City Attorney Boileau confirmed everything is being continued, both the original site plan and the recently submitted modified site plan.

Discussions ensued on continuing this item to a date certain time. Vice Mayor Sorensen requested continued communication and dialogue between all stakeholders in order to achieve compromise. Due to Commissioner Glassman being out of town for the June 5, 2018 Commission Regular Meeting, discussions ensued on scheduling continuation of this item to June 19, 2018 that will include public comment.

City Manager Feldman noted the numerous time sensitive items on the June 19, 2018 Commission Regular Meeting which will lengthen the duration of the meeting with the inclusion of this continued item.

Vice Mayor Sorensen made a motion to continue this item to June 19, 2018 and was seconded by Commissioner Moraitis.

**CONTINUED to June 19, 2018**

**Aye:** 4 - Commissioner Glassman, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis

**Nay:** 1 - Commissioner McKinzie

**R-3**     [18-0505](#)

Quasi-Judicial - Amendment to a Site Plan Level II Development Permit - Villa Medici Association, Inc. - 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.

Commissioner Glassman made a motion to defer this item until June 19, 2018 which was seconded by Commissioner McKinzie.

**DEFERRED to June 19, 2018**

**Aye:** 5 - Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis

### **WALK-ON Motion to extend Regular Meeting 10 minutes.**

Commissioner McKinzie made a motion to continue this meeting for 10 minutes and was seconded by Vice Mayor Sorensen.

**APPROVED**

**Aye:** 5 - Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis

### **PUBLIC HEARINGS**

**PH-1**     [18-0431](#)

Resolution Designating a Site-Specific Green Reuse Area Pursuant to Florida's Brownfields Redevelopment Act - Property Located at or near 1615 NW 23rd Avenue, Fort Lauderdale, Broward County, Florida 33311

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

Mayor Trantalis opened the public hearing.

Mayor Trantalis recognized Michael Goldstein. Mr. Goldstein, on behalf of the applicant Suncrest Court Redevelopment LLC, and in partnership with the Housing Authority of Fort Lauderdale confirmed this request is pursuant to the Florida's Brownfields Redevelopment Act, for the site to be a green reuse area. He expounded on aspects and benefits that include Affordable Housing. He also discussed environmental issues in and around the project, explaining that the project satisfies the five criteria requirements which Staff has confirmed. Mr. Goldstein

discussed the project designation and benefits, stating there is no impact on the City's General Fund.

Commissioner McKinzie commented about the five required criteria and environmental concerns in District III. He requested Mr. Goldstein continue to reach out to District III constituents on these matters. Commissioner McKinzie confirmed his desire of homeownership in District III in lieu of rental units. He also commented on expired financial commitment letters for the project. Mr. Goldstein confirmed the applicant will provide updated documentation prior to the second hearing. Further discussions ensued on continued community outreach and receiving approval of surrounding Homeowner Associations.

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

Commissioner McKinzie introduced this Resolution as amended to include the applicant's continued community outreach and providing updated financial documentation which was read by title only.

**ADOPTED AS AMENDED**

**Aye:** 5 - Commissioner Glassman, Commissioner McKinzie, Vice Mayor Sorensen, Commissioner Moraitis and Mayor Trantalis

**REQUEST FOR EXECUTIVE CLOSED DOOR SESSION**

Interim City Attorney Alain Boileau made a request for an Executive Closed Door Session during the Commission Conference Meeting of June 5, 2018 for the following matter:

Anthony Stone, et al. v. City of Fort Lauderdale Case No.  
17-61211-CIV-DIMITROULEAS/SNOW

## ADJOURNMENT

Mayor Trantalis adjourned the Commission Meeting of May 15, 2018 at 10:10 p.m.

---

Dean J. Trantalis  
Mayor

ATTEST:

---

Jeffrey A. Modarelli  
City Clerk