

# City of Fort Lauderdale

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



## Meeting Minutes

**Tuesday, October 23, 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, City Attorney***

**CALL TO ORDER**

Mayor Trantalis called the Commission Regular Meeting to order at 6:16 p.m.

**Invocation**

Reverend Timothe Jacques, New Life United Methodist Church

**Pledge of Allegiance**

Anna Sorensen

**ROLL CALL**

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

**QUORUM ESTABLISHED**

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

**ANNOUNCEMENTS**

Mayor Trantalis announced the following revision to the Agenda:

PH-2 - Revised Exhibit 5 - August 15, 2018 Planning and Zoning Board Minutes

**Approval of MINUTES and Agenda**

[18-1148](#)

Minutes for September 25, 2018 Commission Conference Meeting, September 25, 2018 Commission Regular Meeting and October 9, 2018 Commission Conference Meeting

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

**APPROVED AS AMENDED - Amended to remove October 9, 2018 Conference Minutes for approval on November 6, 2018**

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

**PRESENTATIONS****PRES-** [18-1091](#)**1**

Proclamation declaring October 2018 as Domestic Violence Awareness Month in the City of Fort Lauderdale

Vice Mayor Sorensen presented a Proclamation declaring October 2018 as Domestic Violence Awareness Month in the City of Fort Lauderdale, reading the Proclamation in its entirety. Michael Barron, Director of Operations for Women in Distress, expounded on the ongoing work of Women in Distress, including the opening of a family pet shelter to assist with the needs of families. Mr. Barron accepted the Proclamation, thanking Mayor Trantalis and the Commission for this recognition.

**PRESENTED**

**PRES-** [18-1072](#)**2**

Proclamation declaring October 23, 2018 as Broward Art Guild Day in the City of Fort Lauderdale

Commissioner Glassman commented on the Art Guild's major contributions to the community, noting the artwork exhibit in the lobby of City Hall bringing awareness for Breast Cancer Awareness Month. He thanked the Art Guild for their work. Commissioner Glassman presented a Proclamation declaring October 23, 2018 as Broward Art Guild Day in the City of Fort Lauderdale, reading the Proclamation in its entirety. Marc Gave, President of the Broward Art Guild, accepted the Proclamation, thanking Mayor Trantalis and the Commission for this recognition.

Mayor Trantalis commented on the monthly art work displays located in the lobby of City Hall and available to the community for viewing. He announced the opening of next month's art work exhibition on November 8, 2018 by artist Toby Gotesman Schneier that explores the social issues of homelessness.

**PRESENTED**

**PRES-** [18-1093](#)**3**

Proclamation declaring October 2018 as Guardianship Awareness Month in the City of Fort Lauderdale

Commissioner Moraitis presented a Proclamation declaring October 2018 as Guardianship Awareness Month in the City of Fort Lauderdale, reading the Proclamation in its entirety. The Proclamation was accepted by Cindy Kramer, member of the Florida State Guardianship Association (FSGA), and members of the Broward County FSGA. Ms. Kramer thanked Mayor Trantalis and the Commission for this recognition.

**PRESENTED**

**PRES- [18-1092](#)  
5**

Proclamation declaring October 23-31, 2018 as Red Ribbon Week in the City of Fort Lauderdale

Commissioner McKinzie presented a Proclamation declaring October 23-31, 2018 as Red Ribbon Week in the City of Fort Lauderdale, reading the Proclamation in its entirety. The Proclamation was accepted by Fort Lauderdale Fire-Rescue Division Chief Douglas Stanley and Fort Lauderdale Police Department Chief Rick Maglione. Fire-Rescue Chief Division Stanley thanked Mayor Trantalis, the Commission and City Manager Feldman for this recognition and their support of this initiative.

Fire-Rescue Division Chief Stanley acknowledged the efforts of the Emergency Management Services, Jamie Waskowiak, Paramedic/Firefighter, for his dedication, initiative and leadership in addressing this important need. He thanked Benny Menendez, MD, FAAEM, Medical Director of Fort Lauderdale Fire Rescue and Police Chief Maglione for their support in bringing this enhanced service to the community.

Jamie Waskowiak, Paramedic/Firefighter, gave a brief overview of the details of the program addressing the opioid epidemic. Police Lieutenant Steven Greenlaw thanked those involved who have contributed to this initiative, expounding on opioid related calls for service and subsequent follow-up.

**PRESENTED****PRES- [18-1179](#)  
4**

Proclamation declaring October 2018 as Community Enhancement and Compliance Appreciation Month in the City of Fort Lauderdale

Commissioner McKinzie presented a Proclamation declaring October 2018 as Community Enhancement and Compliance Appreciation Month in the City of Fort Lauderdale, reading the Proclamation in its entirety. Porshia Goldwire, Code Compliance Manager, accepted the Proclamation thanking Mayor Trantalis, the Commission, the Community Enhancement and Compliance Team and the community for this recognition.

**PRESENTED****CONSENT AGENDA PUBLIC COMMENT**

Commissioner Glassman requested the following Consent Agenda items be pulled for separate discussion:

CM-2, CM-10 and PUR-6

**CONSENT AGENDA****CONSENT MOTION****Approval of the Consent Agenda**

Commissioner Glassman made a motion to approve this item and was seconded by Vice Mayor Sorensen.

**Approve the Consent Agenda**

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

**CM-1**    [18-0956](#)

Motion to Approve Event Agreements: School Lunch Fairy, Giro Bella Bike Ride and 36th Annual German Classic Car Show N Shine

**APPROVED**

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

**CM-2**    [18-1043](#)

Motion to Approve an Agreement with Riverwalk Fort Lauderdale, Inc. for Calendar Year 2019 Events

Mayor Trantalis recognized Paul Chettle, 200 S. Birch Road. Mr. Chettle spoke in opposition, commenting on the large geographic area, the amount of funding and event policy.

Commissioner Glassman commented on his appreciation of Riverwalk Fort Lauderdale, Inc.'s (Riverwalk Trust) activation of the Riverwalk area. He discussed the need for transparency, fairness and equal opportunity regarding blanket event agreements for all non-profit organizations, noting the recent establishment of the Office of Nighttime Economy for oversight of special events.

Commissioner Glassman recommended deferring this item, requesting Staff present a study to evaluate how Riverwalk Trust is addressed compared to other groups. Commissioner Glassman commented on the unique nature of this agreement and Riverwalk Trust's net event proceeds over the last two years. He also requested Riverwalk Trust include specific deliverables in the agreement.

Commissioner Glassman made a motion to defer this item. In response to Mayor Trantalis, Vice Mayor Sorensen seconded the motion for discussion purposes.

In response to Mayor Trantalis, City Manager Feldman expounded on the two types of agreements with Riverwalk Trust, a participation agreement approved by the Commission and a master event policy. The item before the Commission is a master events policy for 2019 that alleviates the need for each annual event to come before the Commission for individual approval. City Manager Feldman gave a brief historic overview of how Riverwalk Trust was created at the request of the City, expounding on details relating to Riverwalk Trust's coordination, contribution and interaction with the Parks and Recreation Department.

Mayor Trantalis noted the oversight provided in the associated Memo 18-1043 which includes the stipulation that each individual event application will be subject to administrative review and approval by City Staff. In response to Mayor Trantalis, City Manager Feldman confirmed approval of this item can be revoked at any time. Commissioner Glassman reiterated his request for a comfort level, commenting on previous funding of Riverwalk Trust Magazine. Further comment and discussion ensued.

In response to Commissioner Glassman's question about the City being entitled to non-profit organization net profits, City Manager Feldman referenced Riverwalk Trust's purpose and inception under their Charter regarding how they can spend revenue. Further comment and discussion ensued. Commissioner Glassman requested the Riverwalk Trust's event list be updated, noting that some events no longer take place or are part of other organizations.

Commissioner Glassman withdrew his motion to defer this item.

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

**APPROVED**

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

**Nay:** 1 - Commissioner Glassman

**CM-3**    [18-1054](#)

Motion to Approve Event Agreements: Fit Lauderdale Beach Bash, Health Fair, Lakeshore Management Conference Luncheon - November 6th, The Amazing Hunt and Icarus Florida UltraFest 2018

**APPROVED**

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

- CM-4**    [18-1055](#)       Motion to Approve an Event Agreement and Related Road Closure with Historic Downtown Saloon, LLC for Craftoberfest

**APPROVED**

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

- CM-5**    [18-1140](#)       Motion to Approve a Restated and Amended Lease Agreement with Broward Trust for Historic Preservation, Inc. for the Lease of the Historic "Annie Beck House" in Middle River Terrace Park

**APPROVED**

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

- CM-6**    [18-1003](#)       Motion Authorizing Purchase of Basic Life Insurance Policy - The Standard Life Insurance Company - \$258,258.00

**APPROVED**

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

- CM-7**    [18-1134](#)       Motion to Approve a Services Agreement between the City of Fort Lauderdale and the Fort Lauderdale Community Redevelopment Agency (CRA)

**APPROVED**

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

- CM-8**    [18-1002](#)       Motion Authorizing Purchase of Long Term Disability (LTD) Insurance Policy for City Employees Eligible for 401(a) Retirement Benefits - Cigna \$366,438.00

**APPROVED**

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

- CM-9**    [18-1061](#)       Motion to Approve a Dock Usage Agreement with Yachting Promotions, Inc. and the Marine Industries Association of South Florida, Inc. for the 2018 Fort Lauderdale International Boat Show

**APPROVED**

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

- CM-10**   [18-1121](#)       Motion Approving a Revocable License Agreement with Autonation,

Inc. for the Construction and Installation of a Pink Ribbon Statue at Welcome Park

Commissioner Glassman commented on the need to make landscaping improvements at Welcome Park, acknowledging his appreciation of Auto Nation. In response to Commissioner Glassman's question, City Attorney Alain Boileau commented on the permissibility of the "Drive Pink" trademark signage under the sign Ordinance 47-22.11 (Ordinance). Mayor Trantalis discussed his concern about the signage being an advertisement for a private entity, commenting on other options.

Mayor Trantalis recognized Stephanie Toothaker, Esq., on behalf of Auto Nation. Ms. Toothaker discussed Auto Nation's charitable efforts and donations to cancer research and facilities resulting from the "Drive Pink" effort, noting the land donation for Welcome Park by Auto Nation (Applicant) and Alamo Car Rental. Further comment and discussion ensued on the Ordinance and its application to other similar charitable campaigns. Ms. Toothaker discussed making the signage temporary, commenting on its history in other areas.

In response to Vice Mayor Sorensen, City Attorney Boileau discussed the applicability of the Ordinance on trademark signage. There are exceptions to signage at events co-sponsored by the City. In response to Commissioner Glassman's question about co-sponsoring the signage, City Attorney Boileau noted co-sponsoring pertains to events and would require further research. Ms. Toothaker commented on the Applicant's commitment to the City.

Mayor Trantalis recommended this signage display during the month of October, Breast Cancer Awareness Month. Ms. Toothaker confirmed there is only one ribbon. It is displayed at the beach during the month of October. The Applicant is proposing its relocation to Welcome Park following Breast Cancer Awareness Month. Commissioner Moraitis confirmed her support of the applicant's request.

In response to Commissioner Glassman, Ms. Toothaker expounded on the Applicant's commitment to landscaping improvements at Welcome Park. City Manager Feldman commented on conversations with the Applicant regarding additional modifications to Welcome Park in recognition of the Breast Awareness Cancer Pink Ribbon Campaign, expounding on details relating to a pink theme. Ms. Toothaker confirmed.

Mayor Trantalis recognized Anthony Fajardo, Director of Sustainable Development. Mr. Fajardo confirmed conversation with City Attorney Boileau and Assistant City Attorney D'Wayne Spence regarding the



trademark logo, requesting clarification on the Commission's expectations. Further comment and discussion ensued. Commissioner McKinzie commented on the need to update the signage Ordinance. Further comment and discussion ensued.

In response to Vice Mayor Sorensen, Mr. Fajardo discussed co-sponsorship signage with urban farms and gardens referenced in the Code. Further comment and discussion ensued. City Manager Feldman expounded on the history of this topic.

Vice Mayor Sorensen made a motion to approve this item as amended permitting signage display for a period of six months and was seconded by Commissioner McKinzie.

**APPROVED AS AMENDED**

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

**CM-11** [18-1000](#)

Motion to Approve Acceptance of Grant #2015-DC-NY-K002 from the Center for Court Innovation, Inc., the Fund for the City of New York, and the Department of Justice to Implement a Community Court Pilot Program in the Amount of \$200,000, and to Authorize the City Manager to Negotiate and Execute the Grant Agreement, Subject to Review by the City Attorney

**APPROVED**

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

**CM-12** [18-1122](#)

Motion to Approve a Gopher Tortoise Donor Agreement with Wiregrass Ecological Associates, LLC to Relocate Gopher Tortoises Associated with the West Perimeter Loop Road Project at Fort Lauderdale Executive Airport

**APPROVED**

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

**CM-13** [18-0810](#)

Motion Authorizing Execution of a Revocable License with ALTA Flagler Village, LLC for a Temporary Right-of-Way Closure on NE 5th Avenue in Association with the ALTA Flagler Village Development Located at 421 NE 6th Street

**APPROVED**

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

- CM-14**   [18-1038](#)      Motion Approving the Acceptance of Equipment from the Hazardous Materials Emergency Planning (HMEP) Grant Program in the amount of \$5,200

**APPROVED**

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

**CONSENT RESOLUTION**

- CR-1**   [18-1119](#)      Resolution Authorizing Qualified Target Industry Tax Refund Incentive for Project Momentum

**ADOPTED**

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

- CR-2**   [18-1128](#)      Resolution Rescheduling City Commission Meeting Dates in 2019

**ADOPTED**

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

- CR-3**   [18-0529](#)      Resolution Approving the Consolidated Budget Amendment to Fiscal Year 2019 - Appropriation

**ADOPTED**

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

- CR-4**   [18-1153](#)      Resolution Approving the First Amendment to the Lease Agreement with the Young Men's Christian Association (YMCA) of South Florida, Inc. for the Property at 1409 Sistrunk Boulevard (Mizell Center)

**ADOPTED**

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

- CR-5**   [18-1017](#)      Resolution Authorizing the Submittal of Grant Applications to the Broward Metropolitan Planning Organization Complete Streets and other Local Initiatives Program Grant

**ADOPTED**

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

**PURCHASING AGENDA**

**PUR-1** [18-1001](#) Motion to Approve Termination of Contract with Eastern Elevator Service Inc. for Elevator Repair and Modernization

**APPROVED**

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

**PUR-2** [18-1060](#) Motion to Approve Contract for Purchase of Sludge Dewatering Polymer for the George T. Lohmeyer Wastewater Treatment Plant - Polydyne Inc. - \$327,000

**APPROVED**

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

**PUR-3** [18-1062](#) Motion to Approve Cancellation of License Agreement for Aerial Adventure Course - Airplay Adventures, LLC - \$24,000

**APPROVED**

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

**PUR-4** [18-1079](#) Motion to Approve Consent to Assignment of Contract for Medical Services to Occupational Health Centers of the Southwest, PA. d/b/a Concentra Medical Centers

**APPROVED**

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

**PUR-5** [18-1120](#) Motion to Approve Corrected Contract Price for Parking Modifications on SE 1st Avenue and Broward Boulevard - Concrete Works & Paving Inc - \$158,789

**APPROVED**

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

**PUR-6** [18-0969](#) Motion to Approve Contract for Purchase of Integrated Body Worn Cameras and Digital Evidence Management System - Axon Enterprise, Inc. - \$3,421,566

In response to Commissioner Glassman, City Manager Feldman confirmed that this purchase of Police Department Body Cameras are not the type that were problematic in New York.

Mayor Trantalis recognized Charles King, 105 N. Victoria Park Road.

Mr. King inquired about details involved in the process. Mayor Trantalis discussed details of the Police Body Camera Program (Program), stating every sworn Police Officer will be required to wear and operate the body cameras as established in the Program's practices and procedures.

Commissioner Glassman made a motion to approve this item and was seconded by Vice Mayor Sorensen.

**APPROVED**

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

**MOTIONS**

**M-1**     [18-1178](#)

Motion to Approve Designation of the City of Fort Lauderdale Voting Delegate and Alternate(s) for the National League of Cities - 2018 City Summit and Annual Business Meeting

In response to Mayor Trantalis, City Manager Feldman confirmed date and location of the National League of Cities - 2018 City Summit and Annual Business Meeting as November 7-10, 2018 in Los Angeles, California.

Commissioner Moraitis, Commission Representative to the National League of Cities, confirmed she would defer to another member of the Commission to attend. Commissioner McKinzie confirmed his attendance. City Manager Feldman also confirmed his attendance. Mayor Trantalis confirmed Commissioner Robert L. McKinzie as Delegate and City Manager Lee R. Feldman as Alternate Delegate.

Vice Mayor Sorensen made a motion to approve Commissioner Robert L. McKinzie as Delegate and City Manager Lee R. Feldman as Alternate Delegate at the National League of Cities 2018 Summit and Annual Business Meeting and was seconded by Commissioner Moraitis.

**APPROVED - Delegate - Commissioner Robert L. McKinzie and Alternate Delegate - City Manager Lee R. Feldman**

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

**M-2**     [18-1131](#)

Motion to Approve Event Dates and Event Hours with Panthers Outdoor Ice, LLC. for Florida Panther's Ice Skating in the Park

Commissioner Glassman made a motion to approve this item and was seconded by Vice Mayor Sorensen.

**APPROVED**

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

## RESOLUTIONS

### R-1 [18-1123](#) Appointment of Board and Committee Members

City Clerk Jeffrey Modarelli read names of Board and Committee appointees added to this Resolution and those listed in the original Resolution.

***A copy of the amended Resolution with Board and Committee appointments and their respective terms is attached to these minutes.***

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

#### **ADOPTED AS AMENDED**

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

## PUBLIC HEARINGS

### PH-1 [18-1053](#) Public Hearing to Consider the Adoption of a Resolution Approving an Amendment to the Northwest-Progresso-Flagler Heights Community Redevelopment Plan

Mayor Trantalis opened the public hearing.

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

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

#### **ADOPTED**

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

### PH-2 [18-0990](#) Quasi-Judicial Ordinance - Rezoning a portion of 1315 West Broward Boulevard from Community Facility (CF) District and Exclusive Use Parking (X-P) District to Boulevard Business (B-1)

District - Jack and Jill Children's Center, Inc. - Case No. Z18005

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

Mayor Trantalis opened the public hearing.

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

Commissioner McKinzie introduced this Ordinance on the First Reading which was read by title only.

**PASSED FIRST READING**

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

**PH-3**    [18-1024](#)

Quasi-Judicial - Appeal of Planning and Zoning Board Denial of a Rezoning Application - Gardenia Park - 501 NW 17th Street - Development 4Life Partners, LP - Case No. Z17009

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.

Mayor Trantalis opened the public hearing.

Mayor Trantalis recognized Hope Calhoun Esq., on behalf of the applicant. Ms. Calhoun referenced the Planning and Zoning Board's (P&Z Board) August 15, 2018 Meeting Minutes (Meeting Minutes) and the application. She discussed the legal basis for a decision in this matter and Staff's recommendation. Ms. Calhoun requested a De Novo hearing before the Commission to present the rezoning application and additional testimony.

In response to Mayor Trantalis' question about the standard applied by the P&Z Board to determine a zoning change request, Ms. Calhoun said substantial and competent evidence for denial was not presented at the P&Z Board Meeting. She confirmed the P&Z Board's deliberation that

denied rezoning included the site plan and comments as reflected in the Meeting Minutes and were not based on criteria.

In response to Commissioner Glassman's question about how the plat for the site was approved and the rezoning denied, City Attorney Alain Boileau explained platting and rezoning are separate processes, expounding on related details.

Commissioner McKinzie commented on the P&Z Board's 3-4 vote on this item and the number of attendees. Commissioner Glassman confirmed one member of the P&Z Board participated by phone. It was confirmed that P&Z Board members participating by phone cannot vote on an item.

Commissioner McKinzie recommended the Commission make a decision regarding setting a De Novo hearing. Mayor Trantalis concurred, explaining details related to this recommendation based upon the record. Commissioner Glassman concurred with Commissioner McKinzie.

Commissioner Glassman requested answers to the following questions: (1) was there compliance with the zoning district proposed and is it consistent with the City's Comprehensive Plan; (2) the changes anticipated by the proposed rezoning will not adversely impact the area in or near the area under construction; and (3) the character of the area proposed is suitable for the uses permitted in a proposed zoning district and is compatible with surrounding districts and uses. Further comment and discussion ensued.

City Attorney Boileau commented on Ms. Calhoun's position that the P&Z Board did not follow procedure because they considered the site plan and there is no competent and substantial evidence provided in the testimony which was not fact based. He said this would meet the criteria for a De Novo Hearing.

Mayor Trantalis recognized Charlene Gunn, 95 NE 17th Court. Ms. Gunn spoke in support of this item confirming the desire to gentrify the area, similar to Progresso Village. She reviewed relevant statistics regarding the area, noting the proposed development would improve the area, expounding on existing aspects of the South Middle River neighborhood.

In response to Ms. Calhoun's request to reserve the right for rebuttal, Mayor Trantalis confirmed.

Mayor Trantalis recognized Aaron Beiswenger, 1644 NW 7th Avenue.

Mr. Beiswenger spoke in opposition to this item. He commented on single family homes in the neighborhood and the current zoning implemented in 1999 for the purpose of stopping encroachment of high density development into the single-family neighborhood. Mr. Beiswenger noted this was a factor in the P&Z Board's decision.

In response to Mayor Trantalis, Anthony Fajardo, Department of Sustainable Development Director, explained the difference in RDs-15 zoning that grandfathered in existing duplexes. The types of housing allowed in the regular RD-15 Zoning District are townhouses, duplexes and standard single-family homes. The lower-case "s" in RDs-15 indicates that if you have a duplex in that zoning district and tear it down voluntarily, you can only rebuild a single detached family home. He said townhomes are considered in the same manner as a single-family residence due to their fee simple ownership. In an RDs Zoning District, the rebuilding of an existing duplex or a multi-family home can only occur if destroyed by an "act of God".

In response to Mayor Trantalis' question that RDs-15 contemplates townhouse development because they are considered single-family homes, Mr. Fajardo clarified that this specific Zoning District has a standard that says only detached single-family homes can be built. The rest of the Zoning Code acknowledges that townhouse development can be built. Mr. Fajardo explained that aspects of density are based upon the Comprehensive Plan, commenting on the concession made for this neighborhood. As new development occurs, there would be only be detached single family homes. Further comment ensued on density and set-back requirements.

Mr. Fajardo confirmed that property lines in this area have set backs of 5 feet on the sides, 25 feet in the front and 15 feet in the rear. Additionally, there is an easement requirement of 5 feet between buildings for a total distance of 10 feet between buildings.

In response to Commissioner Glassman's request for Mr. Fajardo to elaborate on townhomes being considered single family dwellings, Mr. Fajardo said Code lists single-family dwellings as: (1) attached - including townhouses, cluster development and row houses; and (2) single family detached (no party wall).

Mayor Trantalis recognized P.J. Espinal, NW 16th Street. Ms. Espinal commented on her attendance at the meeting and her recollection that a P&Z Board Member discussed the three criteria being met. Ms. Espinal gave a review of the history, actions and direction regarding the 1998 rezoning and establishing the RDs-15 rezoning.



Mayor Trantalis recognized Vicki Kantner, 660 NW 19th Street. Ms. Kantner commented on the applicant's position. She referenced a traffic study and commented on increased traffic, lack of sidewalks, on-street parking, infrastructure and flood zone concerns.

Mayor Trantalis recognized Elly Du Pre, 1641 NW 2nd Avenue. Ms. Du Pre spoke in opposition, commenting that the P&Z Board followed the essential requirements of law in their denial, expounding on details and the impact on the community. In response to Vice Mayor Sorensen's question regarding how the P&Z Board deemed this project inconsistent with the Comprehensive Plan, Ms. Du Pre recalled comments by the P&Z Board about the lack of orderly planning for the five-acre property and other areas of this neighborhood, expounding on additional details. Vice Mayor Sorensen noted that the Comprehensive Plan allows rezoning. In response to Vice Mayor Sorensen, Ms. Du Pre said the P&Z Board did not view this application as orderly rezoning.

Mayor Trantalis recognized Chris Wainwright, 1635 NW 7th Avenue. Mr. Wainwright spoke in opposition, acknowledging the position of the parties involved. He discussed the project not being the correct fit for the neighborhood, expounding on demographics of neighborhood residents and neighborhood attributes. Mr. Wainwright recommended this type of project be located on a main roadway.

Mayor Trantalis recognized Gerry Scanlon, Manager of Development 4 Life Partners, the applicant. Mr. Scanlon was sworn in by City Clerk Modarelli. Mr. Scanlon spoke in support of this item. He discussed density aspects of the neighborhood and work with the community and the civic association to develop a project plan. Mr. Scanlon commented on the position of Staff and zoning details, stating the project has less than 10 units per acre. He confirmed efforts to improve the neighborhood by eliminating blight and crime. Mr. Scanlon also commented on the P&Z Board's decision to deny approval.

In response to Mayor Trantalis' question about the type of structures located to the east of the proposed project, Mr. Scanlon confirmed along 17th Street there are three duplex units. The five-acre development site is currently used as a long-haul truck parking site. Four parcels collectively make up the five acre site. Further comment and discussion ensued on additional surrounding properties. Mr. Scanlon provided Vice Mayor Sorensen with a picture of the site.

Mayor Trantalis recognized Ms. Calhoun. Ms. Calhoun requested the Commission grant the request for a De Novo Hearing, commenting on

the testimony given at this Commission Meeting and Staff's recommendation for approval, referencing the P&Z Board Meeting Minutes of August 15, 2018. She said no traffic study had been done, expounding on details. In response to Mayor Trantalis, Ms. Calhoun confirmed there would be 46 units at the site's development, commenting that land use zoning provides for the building of 70 units and expounding on the reduction from 49 units to 46 units after discussions with residents and the neighborhood.

There being no one 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 McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis. NAYS: None.

Due to the nature of this Quasi-Judicial Hearing, City Attorney Boileau noted the need for disclosures. Each Commission member disclosed verbal and written communications, site visits and expert opinions.

Commissioner Glassman commented on the need for a De Novo Hearing to allow for Staff questions. In response to Mayor Trantalis' question, Commissioner Glassman confirmed the P&Z Board may have departed from the central requirements of law or that they failed to base their decision on substantial and competent evidence, explaining his reasoning.

In response to Vice Mayor Sorensen's request, Mayor Trantalis expounded on the history of this property during his service as a District II Commissioner, acknowledging the community's mixed feelings regarding development. Mayor Trantalis commented on transitional housing. Further discussion ensued on the history of the site.

Mayor Trantalis reviewed options for a decision to move forward with a De Novo Hearing: (a) to adopt a Resolution to set a De Novo Hearing with 60 days to review the Planning and Zoning Board's Denial of a Rezoning Application - Gardenia Park - 501 NW 17th Street - Development 4Life Partners, LP - Case No. Z17009 because the central requirements of law or that they failed to base their decision on substantial and competent evidence; (b) Competent and substantial evidence did not exist to support the Planning and Zoning Board's decision.

Commissioner Glassman introduced this Resolution setting a De Novo Hearing on this item for 6:00 p.m. at the November 20, 2018 Commission Regular Meeting because competent and substantial

evidence did not exist to support the Planning and Zoning Board's decision. This Resolution was read by title only.

**ADOPTED - Resolution setting a De Novo Hearing on November 20, 2018**

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

**PH-4**    [18-0980](#)

Public Hearing Approving Modifications to the Northwest Community Link and Neighborhood Link Routes

Mayor Trantalis opened the public hearing.

There being no one 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 McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis. NAYS: None.

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

**APPROVED**

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

**PH-5**    [18-1046](#)

Public Hearing to Establish Airport Lease Rates and Real Estate Brokerage Commission

Mayor Trantalis opened the public hearing.

There being no one 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 McKinzie, Vice Mayor Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis. NAYS: None.

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

**ADOPTED**

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

**ORDINANCE FIRST READING**

**OFR-1**    [18-1130](#)

Ordinance Amending Section 2-219 - Rules Governing Board and Committees Appointments, of the Code of Ordinances

Mayor Trantalis discussed the Ordinance amendment regarding Boards and Committee appointments. He confirmed when an appointee's term ends, they must cease participation and the appointing District Commissioner must appoint a replacement. Commissioner McKinzie recommended that an appointee whose term has ended cannot be reappointed for two years. City Manager Feldman commented that this rule does not apply to those Boards and Committees designated by State Statute or Charter.

City Attorney Alain Boileau confirmed these rules do not apply to the following: Civil Service Board, Code Enforcement Board, Downtown Development Authority, Code Enforcement Board, Housing Authority, Nuisance Abatement Board, Performing Arts Center Authority (PACA), Planning and Zoning Board, and the Police and Firefighters Retirement System. Review and research is ongoing regarding this rule applying to the Business Improvement District (BID), Cemetery System Board of Trustees and Board of Adjustment.

In response to Commissioner Glassman's question regarding how adoption of this amendment impacts holdover appointees, City Attorney Boileau explained that after adoption of the Ordinance at the Second Reading, current holdovers may remain for a period of six months, then must step down. The position will remain vacant until Commission appointment. During the six month holdover period, they can be replaced. Commission members have the ability to replace appointees at the end of their term. Six year term limit on appointees would be enforced. Further comment and discussion ensued on Commissioner McKinzie's earlier recommendation. It was confirmed this Ordinance would be amended to reflect his recommendation that appointees whose term has ended cannot be reappointed by another Commissioner for two years.

Assistant City Attorney D'Wayne Spence explained that when a Commission member changes, the new Commission member has six months to replace the appointee. At the end of the six months, the appointee must step down. Should a new Commissioner reappoint a departing Commissioner's appointee, that appointee may remain and serve out the balance of the six-year term and can be appointed to a different term. Assistant City Attorney Spence clarified that holdovers cannot be reappointed because their term has expired. Further comment and discussion ensued on the process and notifying current appointees.

Commissioner McKinzie introduced the Ordinance on the First Reading which was read by title only.

**PASSED FIRST READING**

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

**OFR-2** [18-1147](#)

Ordinance Repealing Classification Schedules I (Supervisory, Professional, and Management Employees - P.E.R.C Exempt) II [Non-Bargaining Unit (Confidential) General Employees], X {Non-Bargaining Unit Community Redevelopment Agency (CRA) Employees}, and Corresponding Pay Range Schedules I(h), II(h), and 10(b) of the Pay Plan of the City of Fort Lauderdale, Florida; Adopting a New Classification and Compensation Plan Including a Classification Table and Compensation Table; and Authorizing the City Manager to Adjust Pay Grades Assigned to Classifications Subject to a Notice and Call-up Procedure

City Manager Feldman discussed the two-step process involved with this item. The first step deals with non-bargaining unit employees. At the Second Reading there will be resolutions modifying the Teamsters and Federated contracts which will implement the balance of the Compensation Plan. A Second Reading will not be scheduled until those negotiations have been completed. Discussions are ongoing regarding how to implement the 75% percentile language within the Police and Firefighters contracts. City Manager Feldman expounded on the holistic nature of this endeavor and other details. Further comment and discussion ensued on details of the Compensation Study, the 75% percentile language and the impact on the budget.

Mayor Trantalis recognized Scott Bayne, Professional Firefighters. Mr. Bayne thanked Staff for their efforts, urging the Commission to move forward with this item.

Commissioner McKinzie noted that on the Second Reading all employee tiers will be included. City Manager Feldman confirmed. Further comment and discussion ensued.

Commissioner McKinzie introduced the Ordinance on the First Reading which was read by title only.

**PASSED FIRST READING**

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

**OFR-3** [18-1132](#)

Ordinance Revising Building, Fire and Other Fees for Services Related to Land Development and Permitting

Commissioner McKinzie introduced the Ordinance on the First Reading

which was read by title only.

**PASSED FIRST READING**

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

**ORDINANCE SECOND READING**

**OSR-1** [18-1135](#)

Ordinance Requiring Certain Contractors to Provide Non-discriminatory Health Benefits to Domestic Partners

In response to Commissioner Glassman, City Attorney Alain Boileau confirmed the amount of cash equivalent had been added to this item since the First Reading.

Commissioner Glassman introduced the Ordinance on the Second Reading which was read by title only.

**ADOPTED ON SECOND READING**

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

**OSR-2** [18-1125](#)

Ordinance Amending the Pay Plan, to Provide for a General Wage Increase to Employee Wage Rates and Salary Ranges Effective the First Full Pay Period in October 2018

Vice Mayor Sorensen introduced the Ordinance on the Second Reading which was read by title only.

**ADOPTED ON SECOND READING**

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

**EXECUTIVE CLOSED DOOR REQUEST**

City Attorney Alain Boileau requested an Executive Closed Session following the November 6, 2018 Commission Conference Meeting, at a time to be determined, to discuss pending legal matters on the following case:

Florida Gun Shows, Inc. vs. City of Fort Lauderdale  
Case No.: 18-62345-Civ-FAM (Moreno)

Mr. Boileau announced those who would be in attendance and the expected duration of the session.

## ADJOURNMENT

Mayor Trantalis adjourned the Commission Regular Meeting at 9:16 p.m.

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Dean J. Trantalis  
Mayor

ATTEST:

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Jeffrey A. Modarelli  
City Clerk