

# City of Fort Lauderdale

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



## Meeting Minutes

**Tuesday, November 20, 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 6:04 p.m.

**Invocation**

Chaplain Ron Perkins, Fort Lauderdale Public Safety Chaplain

**Pledge of Allegiance**

Vice Mayor Ben Sorensen

**ROLL CALL**

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

**QUORUM ESTABLISHED**

**Also Present:** City Manager Lee R. Feldman, City Clerk Jeffrey A. Modarelli, Assistant City Attorney D'Wayne Spence, City Auditor John Herbst, and Sergeant at Arms Jeff Brull

**ANNOUNCEMENTS**

City Clerk Jeffrey Modarelli announced the following Agenda updates:

CR-1 - Revised Memo - Exhibit title - Page 2  
CR-2 - Revised Memo - Exhibit title - Page 1  
CR-7 - Revised Memo - Strategic Connections Section - Page 2  
PH-1 - Resolution Revised - Title and Sections 4 and 5  
PH-2 - Resolution Revised - Title and Section 3

**Approval of MINUTES and Agenda**

[18-1254](#)

Meeting Minutes for October 17, 2018 Joint Workshop with Economic Development Advisory Board, October 23, 2018 Workshop - New Police Headquarters Discussion and October 23, 2018 Commission Conference Meeting

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

**APPROVED**

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

**PRESENTATIONS**

**PRES-** [18-1265](#)  
**1**

Recognition of Participants in the City of Fort Lauderdale's Fourth Neighbor Leadership Academy

Marsha Noel and Angela Hughes, Senior Management Fellows - Neighbor Support, recognized participants in the City of Fort Lauderdale's Fourth Neighbor Leadership Academy. Ms. Noel acknowledged the contributions of all involved in this effort, expounding on numerous aspects of the program. Miguel Wright, Fourth Neighbor Leadership Academy Graduate, shared insights and the understanding he gained as a participant. Ms. Noel thanked all those who contributed to the Fourth Neighbor Leadership Academy. She read a list of Fourth Neighbor Leadership Academy graduates.

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

Commissioner McKinzie and Commissioner Glassman requested Agenda Item PUR-1 be pulled for separate discussion.

City Manager Feldman requested Agenda Item CR-6 be pulled to reflect modifications made during the Community Redevelopment Agency (CRA) Meeting earlier today.

Mayor Trantalis recognized Charles King, 105 N. Victoria Park Road. Mr. King asked about details of item CR-7. Mayor Trantalis confirmed it is funding for homelessness, expounding on details. Mr. King commented on his perspective. Further comment and discussion ensued.

Mayor Trantalis recognized Ray Cox. Mr. Cox commented on the funding for CR-7 and other items.

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

**Approve the Consent Agenda**

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

**CM-1**    [18-1186](#)

Motion to Approve Event Agreements and Related Road Closures: Junior League of Greater Fort Lauderdale 19th Annual Riverwalk Run, Rotary Club of Fort Lauderdale Pirate Fest and South Florida Exotic Car “Toy Rally” to Benefit Toys for Tots

**APPROVED**

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

**CM-2**    [18-1237](#)

Motion Approving an Application for a Temporary Beach License and Outdoor Event Agreement with AIDS Healthcare Foundation (AHF), Inc., for 2019 Florida AIDS Walk & Music Festival

**APPROVED**

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

**CM-3**    [18-1243](#)

Motion to Approve Second Lease Amendment with Third Street Development, LLC for the City’s Health & Wellness Center; and Subordination, Non-Disturbance and Attornment Agreement

**APPROVED**

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

**CM-4**    [18-1263](#)

Motion to Approve an Event Agreement with HOPE South Florida, Inc. for a Mobile Showers Program

**APPROVED**

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

**CM-5**    [18-1252](#)

Motion Authorizing Purchase of Reinsurance for Self-Funded Medical Plan - Cigna Health and Life Insurance Company - \$1,044,386

**APPROVED**

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

**CONSENT RESOLUTION**

**CR-1**    [18-1241](#)

Resolution to Accept Transfer of Parcel located at 2200 NW 6 Court from Broward County to the City of Fort Lauderdale without

## Restrictions

**ADOPTED**

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

**CR-2**    [18-1242](#)

Resolution to Reject Transfer of Parcel located at W Prospect Road from Broward County to the City of Fort Lauderdale

**ADOPTED**

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

**CR-3**    [18-1004](#)

Resolution Imposing Special Assessment Liens for Lot Clearing

**ADOPTED**

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

**CR-4**    [18-1157](#)

Resolution in Support of the City of Wilton Manors' NE 26th Street Improvement Project

**ADOPTED**

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

**CR-5**    [18-1250](#)

Resolution in Support of Final Design and Construction of the Henry E. Kinney Tunnel Top Park

**ADOPTED**

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

**CR-6**    [18-1234](#)

Resolution Approving the Final Consolidated Budget Amendment to Fiscal Year 2018 - Appropriation

In response to Mayor Trantalis, City Manager Feldman confirmed modifications to this item reflecting action at the Community Redevelopment Agency (CRA) Meeting earlier today. It reappropriates funds in the amount of \$370,589 from account FT106.02-9901 to account 119CRA091804-4203.

Commissioner Glassman introduced this Resolution as amended reappropriating \$370,589 from account FT106.02-9901 to account 119CRA091804-4203 which was read by title only.

**ADOPTED AS AMENDED**

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

**CR-7**    [18-1260](#)

Resolution Approving Fiscal Year 2019 Not-For-Profit Grant Participation Agreement with United Way for Homelessness - \$800,000

**ADOPTED**

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

## **PURCHASING AGENDA**

**PUR-1**    [18-0819](#)

Motion to Reject all Bids and Rebid Comprehensive Parking Demand Management System

Commissioner Glassman commented on concerns regarding this item, including its lengthy duration and history. He recommended no further delays and selection of the number one ranked vendor. Commissioner McKinzie concurred. City Manager Feldman confirmed his agreement to move forward with this recommendation.

Mayor Trantalis recognized John Milledge, Passport Labs, Inc. Mr. Milledge requested the Commission move forward and approve the vendor ranked number one, Passport Labs, Inc., expounding on details.

In response to Vice Mayor Sorensen, City Manager Feldman explained details involved in the evaluation and ranking of vendor responses to the Request for Proposal (RFP), noting the details of this item's history. Further comment and discussion ensued on pricing being a weighted factor and the current procurement Code. Vice Mayor Sorensen concurred with Commissioner Glassman and Commissioner McKinzie's recommendation to move forward with the first ranked vendor.

City Auditor John Herbst commented on his recommendation for pricing being part of the procurement process, requesting this item be an exception to existing procurement policy. Assistant City Attorney D'Wayne Spence commented on the adoption of a formal policy, expounding on procedure. Further comment and discussion ensued.

In response to Mayor Trantalis, City Manager Feldman discussed the vendor ranked number one being the lowest cost vendor.

Commissioner Glassman noted the need for a clear understanding of procurement policy. Assistant City Attorney Spence discussed the procurement language stating there is an exception for this particular

item, confirming policy is not being changed. Further comment and discussion ensued. Mayor Trantalis noted the need for pricing to be a bid component.

Assistant City Attorney Spence confirmed the form of the motion for this item, a motion to approve Passport Labs, Inc., (Passport) as the first ranked bidder. He confirmed that the terms of the contract agreement with Passport would be presented at an upcoming Commission Regular Meeting.

Commissioner McKinzie made a motion to approve this item as amended accepting Passport Labs, Inc., as successful bidder subject to contract terms to be presented at a later Commission Meeting and was seconded by Commissioner Glassman.

**APPROVED AS AMENDED**

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

**PUR-2** [18-0860](#)

Motion to Approve Ranking of Firms, Negotiated Fee Schedule and Contract for Electrical Engineering, Instrumentation and Telemetry Consulting Services - Smith Engineering Consultants, Inc. - \$300,000 (two-year cost)

**APPROVED**

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

**PUR-3** [18-1041](#)

Motion to Approve Amendment to Agreement for Enterprise Asset Management System - Woolpert, Inc.

**APPROVED**

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

**PUR-4** [18-1187](#)

Motion to Approve Contract for Purchase of Industrial Painting Services - J&J Inc. d/b/a Eagle Painting - \$700,000 (two-year total)

**APPROVED**

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

**MOTIONS**

**M-1** [18-1185](#)

Motion to Approve an Event Agreement, Related Road Closure and Music Exemption with Ark of Freedom Alliance, Incorporated for

**Night on the Streets: Ending the Trafficking of Homeless Youth**

Mayor Trantalis recognized Ray Cox. Mr. Cox confirmed his support of this item.

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

**APPROVED**

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

**M-2      [18-1203](#)**

Motion Authorizing Task Order No. 11 for Professional Architectural and Engineering Services for the Carter Park Multipurpose Center - Walters Zackria Associates, PLLC - \$199,759

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

**APPROVED**

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

**RESOLUTIONS****R-1      [18-1244](#)**

Appointment of Board and Committee Members

Mayor Trantalis recognized Ray Cox. Mr. Cox commented on providing agenda item backup in hard copy format. City Clerk Jeffrey Modarelli confirmed agenda back-up is digital and through the public records request process, information is provided in a timely manner. Further comment and discussion ensued.

City Clerk Modarelli read names of Board and Committee appointees and their respective terms.

***A copy of this Resolution listing all Board and Committee appointments and their respective terms is attached to these minutes.***

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

**ADOPTED**

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



**PUBLIC HEARINGS****PH-1**    [18-0988](#)

Quasi-Judicial Resolution Approving a Historic Landmark Designation of the Building Commonly Known as the “Bender Residence” Located at 1100 SW 6th Street, HPB Case No. H18017, Applicant: Tom Forney

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.

Mayor Trantalis recognized Tom Forney, 1100 SW 6th Street. Mr. Forney confirmed his availability to address Commission questions.

Mayor Trantalis recognized Ray Cox. Mr. Cox commented on his perspective regarding historic designation.

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

Commissioner Glassman commented on the 15-day timeline of the Historic Preservation Board's (HPB) Meeting, noting the need for an opportunity to review the HPB Meeting Minutes regarding a decision on this item. City Manager Feldman expounded on the reasons for the 15-day timeline from the HPB's recommendation and presentation to the Commission, stating this is an exception.

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

**ADOPTED - Resolution Approving Historic Landmark Designation**

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

**PH-2**    [18-0989](#)

Quasi-Judicial Resolution Denying the Rescission of a Historic Landmark Designation of the Buildings Commonly Known as the “Mary Cutler House” Located at 1500 NE 4th Place, HPB Case No.

H18014, Applicant: M. Elaine Wilson

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.

Mayor Trantalis recognized, Larry Wallenstein, 1100 NE 3rd Street. Mr. Wallenstein discussed his lengthy involvement researching the history of the Victoria Park neighborhood. He confirmed his opposition to the historical designation rescission of the building commonly known as the "Mary Cutler House" located at 1500 NE 4th Place, expounding on details and efforts.

Mayor Trantalis recognized Charles King, 105 N. Victoria Park Road. Mr. King commented on his perspective regarding this item, recommending the Commission approve rescission of the historic designation.

Mayor Trantalis recognized Paul Chettle, 200 S. Birch Road. Mr. Chettle commented on his perspective of this item and the sales history of this property.

Mayor Trantalis recognized Ray Cox. Mr. Cox discussed his perspective on this item, commenting on aspects of the property and other details.

Mayor Trantalis recognized M. Elaine Wilson, 1500 NE 4th Place. Assistant City Attorney D'Wayne Spence informed Ms. Wilson that this is her opportunity to present her case that this property no longer meets Code criteria for historic designation and why the Commission should grant rescission. Ms. Wilson discussed her current financial hardship, expounding on related details.

Mayor Trantalis reiterated Assistant Attorney Spence's comments regarding Ms. Wilson speaking to the property not meeting current Code criteria for historic designation. Ms. Wilson commented on her financial investment in the property, tax benefits received and other financial details.

In response to Commissioner Glassman's question about the amount paid for the property in 1978, Ms. Wilson confirmed the previous owners

and the price she paid for the property. Ms. Wilson expounded on the other historic property she owns. She also confirmed the subject property has no kitchen.

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

In response to Commissioner Glassman, Trisha Logan, Historic Preservation Officer and Urban Planner III, presented a draft copy of the Historic Preservation Board (HPB) November 5, 2018 Meeting Minutes. Commissioner Glassman discussed the finding of fact regarding the rescission of the historic designation, examining related criteria based upon the property's 2005 historic designation and review of any changes. Further comment ensued regarding work done on historic properties.

Ms. Logan expounded on details of the November 5, 2018 HPB Meeting and the historic designation criteria approving this property for historic designation in 2005. She said Code states that a determination must be made that this property no longer meets the criteria for historic designation.

In response to Commissioner Glassman, Ms. Logan confirmed the options for property owners to apply to the HPB for a certificate of appropriateness for other actions on a historic property. Further comment and discussion ensued on this topic. In response to Vice Mayor Sorensen, Ms. Logan expounded on applications for full demolition and other changes in the Historic Sailboat Bend District. She also commented on additions to historically designated properties and other details.

In response to Commissioner Glassman, Assistant City Attorney Spence explained details of this quasi-judicial process, confirming Commission findings must be based on competent and substantial evidence presented that this property no longer meets the initial criteria granting historic designation which was criterion "e." In response to Commissioner Moraitis, Assistant City Attorney Spence explained aspects of adopting or denying this Resolution.

Commissioner Glassman introduced this Resolution denying the application for rescission of historic landmark designation which was read by title only.

**ADOPTED - Resolution Denying Application for Rescission of Historic**

**Landmark Designation**

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

**Nay:** 1 - Commissioner McKinzie

**PH-3    [18-1063](#)**

Quasi-Judicial Ordinance - Rezoning from Mobile Home Park (MHP) to Residential Multifamily Mid Rise/ Medium High Density (RMM-25) - Clarkson-Bergman Family Partnership, LTD - Case No. Z18007

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.

Mayor Trantalis recognized Ray Cox. Mr. Cox commented on his perspective of this item.

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

Assistant City Attorney D'Wayne Spence explained that in accordance with State Statute and prior to the Second Reading of this Ordinance, language regarding the need to determine that there are adequate mobile home park facilities suitable for the relocation of mobile home residents would be included. The Staff Report has included this finding as part of this item. In response to Mayor Trantalis' question about a financial payment and alternative housing for mobile home residents, Mr. Spence confirmed aspects of the Staff Report, expounding on details as noted in Exhibit 7.

Vice Mayor Sorensen introduced this Ordinance for the First Reading which was read by title only.

**PASSED FIRST READING**

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

**ORDINANCE FIRST READING**

**OFR-1** [18-0983](#)

Ordinance to Permit the City Manager to Amend the Nuisance Abatement Non-Ad Valorem Tax Roll When a Property Owner Pays the City Directly

Mayor Trantalis recognized Ray Cox. Mr. Cox discussed his perspective on this item. Further comment ensued.

Vice Mayor Sorensen introduced this item for the First Reading which was read by title only.

**PASSED FIRST READING**

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

[18-1279](#)

WALK-ON - Motion to Reject the Planning and Zoning Board's Decision - Denial of Application

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

See related discussions under Agenda Item OFR-2.

**APPROVED**

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

**OFR-2** [18-1023](#)

De Novo Hearing; Quasi-Judicial Consideration of an Ordinance to Rezone 4.85 Acres from Residential Single Family / Medium Density District (RDs-15) and Residential Low Rise Multifamily / Medium-High Density District (RML-25) to Residential Single Family Cluster Dwellings / Medium Density District (RC-15) - Gardenia Park - Development 4Life Partners, LP. - 501 NW 17th Street - 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 reviewed the rezoning criteria pursuant to the City's Unified Land Development Regulations (ULDR) Section 47-24.4.D, Rezoning Criteria noted in the backup to this item.

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

Mayor Trantalis opened the public hearing.

Mayor Trantalis recognized Hope Calhoun, Esq., on behalf of the applicant. Ms. Calhoun announced those speaking on behalf of the applicant. She stated for the record items submitted include written testimony and the Staff Report regarding the applicant meeting rezoning criteria. Ms. Calhoun noted the decision on this rezoning request will be based on facts and review of competent and substantial evidence presented in determining the established criteria has been met.

Ms. Calhoun reviewed details of the proposed project and rezoning details as illustrated in the slide presentation.

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

Ms. Calhoun reviewed neighbor outreach efforts, rezoning criteria and items noted in the Staff Report. She expounded on the proposed townhome project area improvements and aspects of the surrounding area. Ms. Calhoun reviewed the original Site Plan, commenting on modifications based upon neighbor input that included additional access, parallel parking, traffic calming measures, landscape improvements and other amenities including a community pool. In response to Vice Mayor Sorensen, Ms. Calhoun confirmed members of the townhouse community would have access to the pool.

***A copy of items submitted by Ms. Calhoun is attached to these minutes.***

Mayor Trantalis recognized Cecelia Ward on behalf of the applicant. Ms. Ward reviewed historic details related to this item, including the creation of subdistricts within single family neighborhoods, expounding on details. She also explained smart growth planning principals within the Comprehensive Plan, Unified Land Development Regulations (ULDR) and the Strategic Plan. Ms. Calhoun reviewed Staff recommendations that this meets rezoning criteria.

Ms. Calhoun submitted Ms. Ward's resume for the record.

***A copy of this Ms. Ward's resume is attached to these minutes.***

Mayor Trantalis recognized Gerry Scanlon, property owner. Mr. Scanlon commented on his perspective supporting the rezoning request. He discussed efforts in support of the neighborhood and the townhome project, urging the Commission to approve this item.

Mayor Trantalis recognized Robert Miller, 1545 NW 2nd Avenue. Mr.

Miller spoke in opposition to this item, expounding on his reasoning. He commented on a map of the area submitted to the Commission, urging the Commission to deny the requested zoning change.

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

Mayor Trantalis recognized Chris Wainwright, 1635 NW 7th Avenue. Mr. Wainwright spoke in opposition to this item. He discussed the reasons for his opposition and the impact on the surrounding single-family community.

Mayor Trantalis recognized Edward Catalano, 1245 NW 2nd Avenue. Mr. Catalano spoke in support of this item, commenting on real estate values of existing properties and the project's positive impact on property values.

Mayor Trantalis recognized William Cody, 1245 NW 2nd Avenue. Mr. Cody spoke in support of this item.

Mayor Trantalis recognized Steve Kantner, 660 Tennis Club Drive. Mr. Kantner presented a poster to the Commission regarding the subject property.

Mayor Trantalis recognized Michael Prendergast, 742 NW 18th Street. Mr. Prendergast spoke in opposition to this item. He submitted photographs of the existing neighborhood. Mr. Prendergast commented on aspects of the neighborhood, traffic concerns and the project's impact.

***Mr. Michael Prendergast included photographs for the record and area available in the City Clerk's Office.***

Assistant City Attorney D'Wayne Spence noted items submitted for the record will remain with the Office of the City Clerk and the Applicant will have the opportunity to view all the items submitted.

In response to Vice Mayor Sorensen's question about adherence to the Comprehensive Plan, Mr. Prendergast commented that the proposed project does not reflect the neighborhood, expounding on details.

Mayor Trantalis recognized Aaron Beiswenger, 1644 NW 7th Avenue. Mr. Beiswenger spoke in opposition to this item. He discussed the Planning and Zoning Board's (P&Z Board) determination on meeting required criteria. Mr. Beiswenger commented on criterion two not being met, the changes anticipated by the proposed rezoning will not adversely

impact the area in or near the area under consideration. He also expounded on related zoning details and the character of the neighborhood, and zoning implemented in 1999 to stop encroachment of high density development into the single-family neighborhood.

Mayor Trantalis recognized Terry Nolan, President of the South Middle River Civic Association (Association). Mr. Nolan spoke in support of this item, confirming the Association's support and urging the Commission to reject the P&Z Board's denial of this item.

Mayor Trantalis recognized Lorraine Saunders, 1735 NW 7th Avenue. Ms. Saunders spoke in support of this item, commenting on existing housing in the area and the proposed project being a transition from single family homes to buildings proposed for Andrews Avenue.

Mayor Trantalis recognized Marion Brown, 1641 NW 5th Avenue. Ms. Brown spoke in opposition to this item, expounding on the character of the neighborhood and the proposed project's impact. She urged the Commission to deny this rezoning request.

Mayor Trantalis recognized Elly Du Pre, 1641 NW 2nd Avenue. Ms. Du Pre spoke in opposition to this item, stating her concern about adherence to criteria one - was there compliance with the zoning district proposed and is it consistent with the City's Comprehensive Plan, expounding on this point. Ms. Du Pre discussed the purpose of the current zoning established in 1999, neighbor participation in the rezoning process, the impact of this proposed development and the petition signed by residents in opposition. She urged the Commission not approve the zoning change.

Mayor Trantalis recognized Michael Madfis, 673 NE 3rd Avenue. Mr. Madfis spoke in opposition to this item, commenting on his background and experience in architecture and planning. He discussed a similar rezoning situation in the River Oaks area. Mr. Madfis commented on the compatibility of this item's proposed project with the neighborhood. In response to Mayor Trantalis' question, Mr. Madfis said that the La Preserve project was completed.

Mayor Trantalis recognized Ray Thrower, 1239 NW 1st Street. Mr. Thrower expressed his support for the proposed project, commenting on the condition of the property that is currently in need of redevelopment. He requested the Commission support this project.

Mayor Trantalis recognized Lynn Morgan, 1621 NW 7th Avenue. Ms. Morgan spoke in opposition to this item, noting the traffic implications.



She submitted real estate information on a similar project in Oakland Park utilized as rental properties and expounded on details relating to maintaining the current zoning.

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

In response to Vice Mayor Sorensen's question about limiting the number of rental properties at the proposed project, Ms. Morgan commented on the issue of enforcement. Assistant City Attorney Spence expounded on this point.

Ms. Calhoun gave rebuttal comments to issues raised by members of the public in opposition, stating the proposed project is on the peripheral area of the neighborhood and serves as a good transition area to more intense development. She also commented on proposed rezoning by the Central City Community Redevelopment Agency (CRA), noting the Staff Report's input that planning tools and neighborhoods change over time.

Ms. Calhoun confirmed the applicant's position that they are preserving the character of the neighborhood, expounding on details. She confirmed satisfaction of all rezoning criteria and the developer, D.R. Horton, has offered to restrict rentals at the proposed project. Ms. Calhoun also said due to the low volume of traffic, a traffic study is not required.

In response to Mayor Trantalis' question, Ms. Calhoun said the proposed market rate townhome project form of ownership will be *fee simple*. The price point would be in the mid \$300,000s. The average square footage is approximately 1,500 - 1,800.

In response to Commissioner Glassman, Ms. Calhoun expounded on details of rental restrictions. Further comment and discussion ensued on rental restrictions and homeowner association restrictions. Ms. Calhoun said no more than thirty percent of units would be rentals at any point.

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

In response to Commissioner Glassman, Anthony Fajardo, Director of Sustainable Development, expounded on details of Staff's agreement that the three rezoning criteria has been met. Mr. Fajardo discussed aspects of the area which make the proposed project a suitable

transition for the neighborhood. He also opined on the topic of neighborhood character, confirming the difference in the change in zoning allows attached single-family dwellings, townhomes. Mr. Fajardo explained details regarding evaluating traffic peak hour trips, confirming that the proposed project does not generate the traffic threshold for a traffic study. A traffic statement was required and there was a negligible impact per Ordinance requirements.

In response to Vice Mayor Sorensen, Mr. Fajardo confirmed this proposed project is a Site Level Plan II, expounding on details regarding a call-up provision. Mr. Fajardo expounded on recent adoption of Neighborhood Design Criteria Revisions (NDCR) requirements adopted by neighbor civic associations and resulting modifications to development patterns for townhomes that have attributes similar to single family homes.

Commissioner Glassman commented on ensuring that Staff protects the current flora and fauna in the project area to ensure that the character of the neighborhood is maintained. Mr. Fajardo explained the ability of Staff to address concerns raised by Commissioner Glassman, expounding on details relating to Code requirements and Staff's interaction with applicants. Further comment and discussion ensued on ensuring the design of the proposed project maintains neighborhood character.

Commissioner Glassman commented on the retention area of the proposed project. Ms. Calhoun commented on work with Broward County, confirming the applicant will continue to work with the neighborhood through the Site Plan process. Further comment and discussion ensued on the retention area being maintained as open greenspace for the entire neighborhood.

In response to Vice Mayor Sorensen's question, Ms. Calhoun expounded on neighborhood involvement, confirming they would be involved in the process going forward. Vice Mayor Sorensen confirmed the need for neighbor involvement and adaptation by the applicant. Ms. Calhoun confirmed the applicant would continue to work with Mr. Nolan and the Association.

In response to Commissioner Glassman's question about the need for traffic calming measures, Ms. Calhoun said neighborhood input indicated they did not want traffic calming measures, stating that having on-street parking would contribute towards traffic calming. Further comment and discussion ensued on this topic.

Commissioner Glassman commented on the site's density and other details relating to the previously proposed development of 35 single family homes.

Commissioner Moraitis confirmed that this proposed project meets the rezoning criteria, expounding on her review of the area and commenting that the transitional attributes of the proposed project will spur additional development. She said that the proposed project meets the character of the neighborhood, confirming her support.

Commissioner Glassman thanked the neighborhood for their engagement, urging them to remain involved throughout the process. He urged Staff to address the concerns discussed. Vice Mayor Sorensen concurred, urging the applicant to work with the neighborhood on their Site Plan feedback.

Mayor Trantalis gave a brief historic review of the site and the surrounding areas. He discussed the importance of addressing the neighborhood concerns. Mayor Trantalis commented on a similar situation in Victoria Park, citing the transitional nature of The Ellington townhome development that served to benefit the community. He expounded on his perspective of the residential aspects of the South Middle River Neighborhood. Mayor Trantalis voiced his concern on the need for a recreational area in the retention section of the proposed development, commenting on the need for Staff to address concerns discussed.

Assistant City Attorney Spence explained the way this item must be voted upon.

Commissioner Glassman introduced this Ordinance for the First Reading which was read by title only.

**PASSED FIRST READING**

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

**ORDINANCE SECOND READING**

**OSR-1** [18-1239](#)

Ordinance Creating Section 20-84, Code of Ordinances of the City of Fort Lauderdale, Florida to Provide Post-Retirement Pay Steps for Members of the City of Fort Lauderdale Police and Firefighters' Retirement System

City Manager Feldman requested this item be continued to the December 4, 2018 Commission Regular Meeting.

Commissioner Moraitis made a motion to continue this item to 6:00 p.m. on December 4, 2018 at the Commission Regular Meeting and was seconded by Commissioner McKinzie.

**CONTINUED - Motion to Continue to December 4, 2018**

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

**OSR-2** [18-1248](#)

Quasi-Judicial Ordinance - Rezoning from Residential Single Family/Low Medium Density (RS-8) to Community Business (CB) with 0.25 acre of Commercial Flex Allocation and Rescinding Ordinance No. C-08-21 - Pier 17 Investments 2014, LLC. - Case No. ZR17007

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.

Mayor Trantalis recognized Shelby Smith on behalf of Shady Banks. Mr. Smith addressed traffic calming in the area, requesting confirmation on the two specific traffic calming areas.

Mayor Trantalis recognized Stephanie Toothaker, Esq., on behalf of Pier 17 Investments. Ms. Toothaker confirmed the applicant's agreement to the Twenty-Five Conditions of Approval (Conditions) attached to the Site Plan and Rezoning Application. She confirmed meeting with neighbors and with Department of Transportation and Mobility (TAM) Staff. The applicant will contribute an amount up to \$50,000 towards improvements as part of the Master Plan for the neighborhood. Further comment and discussion ensued on the responsible party should the traffic calming improvements exceed \$50,000. City Manager Feldman confirmed his understanding from a Staff standpoint that there is no objection to the City's responsibility for costs in excess of the \$50,000. Vice Mayor Sorensen said the cost estimate from TAM is approximately \$100,000.

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

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

**ADOPTED ON SECOND READING**

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

**REQUEST FOR EXECUTIVE CLOSED-DOOR SESSION**

Assistant City Attorney D'Wayne Spence announced that on December 4, 2018 commencing at approximately 4:30 p.m., or as soon thereafter as it may be heard, the City Commission shall meet privately to discuss pending litigation, pursuant to Section 286.011(8), Florida Statutes, for the following case(s):

Irons, Zilla B. vs. City of Fort Lauderdale  
Case No.: CACE 17-008406 (18)

Goussen, Marcia vs. City of Fort Lauderdale  
Case No.: CACE 17-007425 (18)

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

## ADJOURNMENT

Mayor Trantalis adjourned the Commission Regular Meeting at 9:18 p.m.

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Dean J. Trantalis  
Mayor

ATTEST:

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Jeffrey A. Modarelli  
City Clerk