

City of Fort Lauderdale

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



Meeting Minutes

Tuesday, March 5, 2019

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***

***CHRIS LAGERBLOOM, City Manager
JOHN HERBST, City Auditor
JEFFREY A. MODARELLI, City Clerk
ALAIN E. BOILEAU, City Attorney***

CALL TO ORDER

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

Invocation

Vice Mayor Ben Sorensen

Pledge of Allegiance

Mayor Trantalis

ROLL CALL

Present: 4 - Vice Mayor Ben Sorensen, Commissioner Heather Moraitis,
Commissioner Robert L. McKinzie and Mayor Dean J. Trantalis
Excused: 1 - Commissioner Steven Glassman

QUORUM ESTABLISHED

Also Present: City Manager Chris Lagerbloom, City Clerk Jeffrey A. Modarelli, City Attorney Alain E. Boileau, City Auditor John Herbst and Sergeant at Arms Jeff Brull

ANNOUNCEMENTS

Mayor Trantalis made the following Agenda announcements:

Walk-On Resolution:

Resolution Appointing Mullen Coughlin LLC as Special Counsel for Data Security Matters, Authorizing The City Attorney to Execute an Engagement Letter with Mullen Coughlin LLC. Mayor Trantalis announced that the maximum expenditure associated with this Resolution would be \$50,000 as a self-insured retention. Any subsequent amounts would be paid by our insurance carrier. The funds will be expended from Account No. 543-INS010101-5113 - General Liability Claims.

Agenda Item Revisions:

CP-7 - Revised Exhibit 1 - Pages 2, 10 and 11
PH-2 - Revised Exhibit 3 - Pages 11-13

In response to Mayor Trantalis' questions regarding the lawsuit filed by

operators of the Gun Show, City Attorney Alain Boileau confirmed that the lawsuit had been dropped, expounding on details related to litigation costs. City Attorney Boileau confirmed that the \$150,000 allocated would not be exceeded. After all outstanding billing amounts have been paid, he will provide the Commission with details regarding costs.

Approval of MINUTES and Agenda

[19-0244](#)

Minutes for February 5, 2019 Commission Joint Workshop with Budget Advisory Board, February 5, 2019 Commission Conference Meeting and February 5, 2019 Commission Regular Meeting

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

APPROVED

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

Excused: 1 - Commissioner Glassman

PRESENTATIONS

PRES- [19-0275](#)

1

Proclamation declaring March 2019 as Bleeding Disorders Awareness Month in the City of Fort Lauderdale

Commissioner Moraitis requested Debbi Adamkin, Florida Hemophilia Association, join her at the podium. Commissioner Moraitis presented a Proclamation declaring March 2019 as Bleeding Disorders Awareness Month in the City of Fort Lauderdale, reading the Proclamation in its entirety. Ms. Adamkin accepted the Proclamation, thanking Mayor Trantalis and the Commission, expounding on the work of the Florida Hemophilia Association.

PRESENTED

PRES- [19-0276](#)

2

Proclamation declaring March 2019 as Red Cross Month in the City of Fort Lauderdale

Vice Mayor Sorensen requested Cindy Imperato, Chair, American Red Cross Broward Chapter, join him at the podium. Vice Mayor Sorensen presented a Proclamation declaring March 2019 as Red Cross Month in the City of Fort Lauderdale, reading the Proclamation in its entirety. Ms. Imperato accepted the Proclamation, thanking Mayor Trantalis and the Commission. She commented on Red Cross responses to recent local emergencies and additional local community efforts.

PRESENTED

PRES- [19-0227](#)
3

Proclamation declaring March 2019 as Bike Month in the City of Fort Lauderdale

Commissioner McKinzie invited Ben Rogers, Acting Director of the Transportation and Mobility (TAM) Department, Eric Barton and Shea Smith, Bike/Walk FTL, join him at the podium. Commissioner McKinzie presented a Proclamation declaring March 2019 as Bike Month in the City of Fort Lauderdale, reading the Proclamation in its entirety. Mr. Smith accepted the Proclamation, thanking Mayor Trantalis and the Commission. He commented on Bike/Walk FTL's work towards making the City more walkable and bikeable.

PRESENTED

CONSENT AGENDA PUBLIC COMMENT

Mayor Trantalis recognized Neal R. Kalis on behalf of the applicant and as Trustee of the 1700 Brickell Land Trust (Trust). Mr. Kalis addressed the Commission regarding Consent Agenda item CR-5. Mr. Kalis commented on details related to dock maintenance costs and five-year permit renewals, recommending automatic permit renewals unless permit holders have breached a permit. Mr. Kalis noted historic ownership details related to the Trust's current permit, suggesting modifications to termination language.

In response to Mayor Trantalis' question, Mr. Kalis confirmed his request to not revoke a dock permit without cause. Mr. Kalis said that the permit automatically terminates after five years and the Ordinance is unclear about what occurs following permit termination, commenting on related concerns. In response to Mayor Trantalis' question, Mr. Kalis clarified his comments, noting termination for cause would include using a dock for a public purpose. City Attorney Alain Boileau confirmed the policy in place, expounding on details and recommending that exceptions not be made. Mr. Kalis said he would accept the Resolution as written.

CONSENT AGENDA

No Consent Agenda items were pulled for separate discussion.

CONSENT MOTION

Approval of the Consent Agenda

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

Approve the Consent Agenda

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

Excused: 1 - Commissioner Glassman

CM-1 [19-0172](#) Motion to Approve Event Agreements: Friday Night Sound Waves (FNSW), Hope Floats Benefiting Tomorrow's Rainbow and Pooch & Hooch

APPROVED

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

Excused: 1 - Commissioner Glassman

CM-2 [19-0259](#) Motion to call Special Meetings on September 3, 2019 at 5:01 p.m. and September 12, 2019 at 5:01 p.m. for the purpose of City of Fort Lauderdale Budget Hearings

APPROVED

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

Excused: 1 - Commissioner Glassman

CM-3 [19-0171](#) Motion Approving an Application for a Temporary Beach License and Outdoor Event Agreement with FIU Athletics Finance Corporation for FIU Beach Volleyball Invitational

APPROVED

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

Excused: 1 - Commissioner Glassman

CM-4 [19-0192](#) Motion Authorizing the Execution of an Agreement with CareerSource Broward for the Summer Youth Employment Program

APPROVED

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

Excused: 1 - Commissioner Glassman

CM-5 [19-0213](#) Motion to Approve the Donation of a Granite Base for the Marker of Private Gregory Carter

APPROVED

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

Excused: 1 - Commissioner Glassman

CM-6 [19-0086](#) Motion to Approve a Parking Enforcement Agreement with 955 S. Federal LLC, Inc.

APPROVED

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

Excused: 1 - Commissioner Glassman

CONSENT RESOLUTION

CR-1 [19-0019](#) Resolution Approving the 2019 Federal Legislative Priorities and Funding Requests for the City of Fort Lauderdale

ADOPTED

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

Excused: 1 - Commissioner Glassman

CR-2 [19-0024](#) Resolution Approving the Consolidated Budget Amendment to Fiscal Year 2019 - Appropriation

ADOPTED

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

Excused: 1 - Commissioner Glassman

CR-3 [19-0128](#) Resolution Authorizing the City Manager to Provide and Execute the Annual Certifications and Assurances to the Federal Transit Administration

ADOPTED

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

Excused: 1 - Commissioner Glassman

CR-4 [19-0217](#) Resolution Approving and Ratifying a Memorandum of Understanding with Teamsters Local Union No. 769, Affiliated with International Brotherhood of Teamsters

ADOPTED

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

Excused: 1 - Commissioner Glassman

CR-5 [19-0215](#)

Resolution Approving an Application for a Dock Permit for Usage of Public Property by Neal R. Kalis as Trustee of the 1700 Brickell Land Trust located at 1700 Brickell Drive

ADOPTED

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

Excused: 1 - Commissioner Glassman

CR-6 [19-0278](#)

Resolution Urging the Florida Legislature to Enact Legislation that would Authorize Tactical Medical Professionals to Possess and Carry Firearms during Certain Tactical Law Enforcement Operations

ADOPTED

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

Excused: 1 - Commissioner Glassman

CR-7 [19-0096](#)

Resolution to Approve a 1) Maintenance Memorandum of Agreement with the Florida Department of Transportation for Installation and Maintenance of Landscape Improvements within the Right-of-Way on State Road 842 (Broward Boulevard) from NW 24th Avenue East to NW 22nd Avenue and, 2) Assumption of Liability and Hold Harmless Agreement with Riverbend Master Association, Inc.

ADOPTED

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

Excused: 1 - Commissioner Glassman

CONSENT PURCHASE

CP-1 [19-0110](#)

Motion to Approve Contract for Purchase and Installation of Custom Canopy at Fort Lauderdale Executive Airport U.S. Customs & Border Protection Facility - Walker Design & Construction Co. - \$518,851

APPROVED

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

Excused: 1 - Commissioner Glassman

CP-2 [19-0123](#) Motion to Approve Contract for Construction of Utilities Storage Building at Prospect Wellfield - Kalex Steel Buildings Corp. - \$433,131

APPROVED

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

Excused: 1 - Commissioner Glassman

CP-3 [19-0130](#) Motion to Approve Contract for Port Condo Large Water Main Improvements - Sun-Up Enterprises Inc. - \$395,390

APPROVED

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

Excused: 1 - Commissioner Glassman

CP-4 [19-0174](#) Motion to Approve Contract for Purchase of Hydrogen Peroxide and Odor Control Services - Evoqua Water Technologies LLC - \$338,100

APPROVED

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

Excused: 1 - Commissioner Glassman

CP-5 [19-0198](#) Motion to Approve Increase in Expenditures to Contract for Fire Protective Clothing, Bunker and Bail-out Gear - Fisher Scientific Company L.L.C. - \$137,191

APPROVED

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

Excused: 1 - Commissioner Glassman

CP-6 [19-0199](#) Motion to Approve Increase in Funds for Parking Lot Clean-Up Services - Ceiling to Floor Cleaning Inc. - \$18,599.78

APPROVED

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

Excused: 1 - Commissioner Glassman

- CP-7** [19-0220](#) Motion to Approve Ranking of Firms, Negotiated Fee Schedule and Contract Award for Breakers Avenue Streetscape Project - Kimley-Horn and Associates, Inc. - \$700,000

APPROVED

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

Excused: 1 - Commissioner Glassman

MOTIONS

- M-1** [19-0158](#) Motion to Approve Event Agreements: St. Pat's Downtown Block Party, Waxy O' Connor's St. Pats and 4 Year Anniversary Event - Rhythm & Vine

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

APPROVED

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

Excused: 1 - Commissioner Glassman

- M-2** [19-0173](#) Motion to Approve Event Agreements and Related Road Closures: St. Patrick's Day Street Festival, 6th Annual Fort Lauderdale Shamrock Run, St. Patrick's Parade, Festival, 2nd Annual Exotics on Las Olas, Mardi Gras Parade and 24th Annual Bank of America Wine, Spirits and Culinary Celebration

City Manager Chris Lagerbloom requested Commission review of this event agreement due to the location of related road closures.

Mayor Trantalis recognized Amber Van Buren, Executive Director of the Las Olas Boulevard Association. Ms. Van Buren said the event would have rolling road closures, confirming there would not be a complete road closure of Las Olas Boulevard and expounding on details. In response to Mayor Trantalis' question, Ms. Van Buren said a Police detail would shield event participants from traffic. The estimated duration of the rolling road closure is 40 minutes.

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

APPROVED

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

Excused: 1 - Commissioner Glassman

M-3 [19-0089](#) Motion to Approve Beach Business Improvement District (BID) Funding for the 2019 Fort Lauderdale Air Show in the amount of \$100,000

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

APPROVED

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

Excused: 1 - Commissioner Glassman

NEIGHBOR PRESENTATIONS

NP-1 [19-0270](#) Lori Baer - Economic Engine Performance Report event April 26 - Thanking City Commission for their continued support

Mayor Trantalis recognized Lori Baer, Executive Director of Port Everglades Association. Ms. Baer presented the upcoming Economic Engine Performance Report Event being held on April 26, 2019. She invited the Commission to attend, expounding on the event's purpose and goals. Ms. Baer thanked the Commission for their continued support.

RECEIVED

NP-2 [19-0271](#) J Whitt Markum - Sustainability/Transportation and Mobility Department

Mayor Trantalis recognized J. Whitt Markum, 790 East Broward Boulevard and on behalf of the Stiles Company. Mr. Markum commented on the work of the Departments of Sustainable Development and Transportation and Mobility (TAM). Mike Wood, Stiles Company, expounded on the excellent work of Staff. He commented on details related to the daily volume of Maintenance of Traffic (MOT) Plans received by TAM, requesting additional personnel to address this need.

RECEIVED

RESOLUTIONS

R-1 [19-0250](#) Appointment of Board and Committee Members

City Clerk Jeffrey Modarelli confirmed that no names were brought forward for Board and Committee appointments for the March 19, 2019

Board and Committee Appointments Resolution.

City Clerk Modarelli announced amendments to this item. He read the names of Board and Committee appointments, reappointments for tonight's R-1 Resolution as amended.

A copy of the list of Board and Committee appointees and terms as amended is attached to these minutes.

Commissioner McKinzie introduced this item as amended which was read by title only.

ADOPTED AS AMENDED

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

Excused: 1 - Commissioner Glassman

- R-2** [19-0249](#) Resolution Authorizing the City Manager to Enter into a Lease Agreement with FPA III, LLC - \$124,880 (three-year gross rent total)
- Vice Mayor Sorensen introduced this item which was read by title only.

ADOPTED

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

Excused: 1 - Commissioner Glassman

- R-3** [19-0109](#) Resolution Imposing Special Assessment Liens for Lot Clearing
- Commissioner McKinzie introduced this item which was read by title only.

ADOPTED

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

Excused: 1 - Commissioner Glassman

- R-4** [19-0115](#) Resolution for Imposition of Special Assessment Liens for Costs Associated with the Securing of Multiple Properties
- Vice Mayor Sorensen introduced this item which was read by title only.

ADOPTED

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

Excused: 1 - Commissioner Glassman

- R-5** [19-0185](#) Resolution Authorizing the Acceptance of Grant Funds and Execution of a Grant Agreement with the Florida Department of Environmental Protection for Resilient Coastline Funding Grant in the amount of \$45,300

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

ADOPTED

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

Excused: 1 - Commissioner Glassman

PUBLIC HEARINGS

- PH-1** [19-0247](#) Resolution Amending Resolution No. 19-05 to Announce the Revised Date for Scheduled Lease Approval for City Owned Property Located 3110 SW 8 Avenue to Nova Southeastern University, Inc.

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: Vice Mayor Sorensen, Commissioner Moraitis, Commissioner McKinzie, and Mayor Trantalis. NAYS: None. EXCUSED: Commissioner Glassman

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

ADOPTED

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

Excused: 1 - Commissioner Glassman

- PH-2** [19-0188](#) Resolution Approving a Lease Agreement with the Downtown Fort Lauderdale Transportation Management Association, Inc. for Administrative Office Space

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 Moraitis. Roll call showed: AYES: Vice Mayor Sorensen, Commissioner Moraitis, Commissioner McKinzie, and Mayor Trantalis. NAYS: None. EXCUSED: Commissioner Glassman

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

ADOPTED

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

Excused: 1 - Commissioner Glassman

ORDINANCE FIRST READING

OFR-1 [19-0010](#)

Ordinance Amending Section 5-26 of the Code of Ordinances of the City of Fort Lauderdale to Allow Additional Establishments to Request a Special Exception for the Distance Measurement Between Establishments that Serve Alcohol or Intoxicating Beverages

Mayor Trantalis recognized Jason Crush, Esq., 400 SE 12th Street. Mr. Crush confirmed his support of this item correcting a discrepancy and expounding on related details.

Mayor Trantalis recognized Christina Currie, 644 SE 5th Avenue. Ms. Currie commented on aspects of the Ordinance and distance concerns raised by neighbor boards, recommending consideration and review of those concerns. In response to Commissioner McKinzie, Ms. Currie expounded on details related to the amount of neighbor feedback received, urging the Commission to address their questions. Ms. Currie submitted items for the record.

Copies of these items are attached to these minutes.

Mayor Trantalis recognized Marilyn Mammano on behalf of the Council of Civic Associations. Ms. Mammano submitted a copy of the email sent to the Commission.

A copy of this item is attached to these minutes.

Ms. Mammano commented on the criteria used to evaluate exceptions and the change in process. City Attorney Alain Boileau clarified the amendment language that permits the Board of Adjustment to grant special exceptions beyond what is enumerated in the Ordinance. This amendment conforms and clarifies Ordinance language as it relates to past practices. He said that addressing neighbor feedback should be addressed separately. Further comment and discussion ensued. Ms. Mammano requested that Staff returns to the Council of Civic Associations to clarify concerns. Mayor Trantalis confirmed Staff could

address this request prior to the Second Reading.

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

PASSED FIRST READING

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

Excused: 1 - Commissioner Glassman

City Manager Chris Lagerbloom briefed the Commission regarding ongoing efforts to resolve the recent International Association of Fire Fighters (IAFF) contract and was originally anticipated to be an Agenda item. Ongoing work includes determining how it would be implemented within the Fire Department. Outstanding items are expected to be resolved and the contract is anticipated to be on the March 19, 2019 Commission Regular Meeting Agenda with a recommendation.

[19-0285](#)

WALK-ON Resolution Appointing Mullen Coughlin LLC as Special Counsel for Data Security Matters

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

ADOPTED

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

Excused: 1 - Commissioner Glassman

ADJOURNMENT

Mayor Trantalis adjourned the Commission Regular Meeting of March 5, 2019 at 7:10 p.m.

Dean J. Trantalis
Mayor

ATTEST:

Jeffrey A. Modarelli
City Clerk