

City of Fort Lauderdale

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



Meeting Minutes

Tuesday, June 4, 2019

6:00 PM

City Commission Chambers

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

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

***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 6:11 p.m.

Invocation

Reverend Dr. Patrick Wrisley, Senior Pastor First Presbyterian Church

Pledge of Allegiance

Mayor Dean J. Trantalis

ROLL CALL

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

QUORUM ESTABLISHED

Also Present: City Manager Chris Lagerbloom, City Clerk Jeffrey A. Modarelli, City Attorney Alain E. Boileau, City Auditor John Herbst, and Sergeant of Arms Richard Fortunato

ANNOUNCEMENTS

Mayor Trantalis made the following Agenda Announcement:

Removal of Item M-2 - Walk of Fame Committee for 2019
Walk of Fame Inductees

Approval of MINUTES and Agenda

[19-0582](#)

Minutes for May 7, 2019 Joint Workshop with Education Advisory Board, May 7, 2019 Commission Conference Meeting and May 7, 2019 Commission Regular Meeting - (Commission Districts 1, 2, 3, and 4)

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

APPROVED

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

PRESENTATIONS

PRES- [19-0578](#)**1**

Welcome and Introduction of Consul General Dora Gonzalez, Consul General of Colombia in Miami - (Commission Districts 1, 2, 3 and 4)

Russell Weaver, President, Greater Fort Lauderdale Sister Cities International, discussed details of the Sister Cities relationship with Columbia. He introduced Pedro Agustín Valencia Laserna, Consul General of Colombia in Miami. Consul General Valencia Laserna addressed the Commission and audience members. He discussed aspects of Columbia's trade, investment, culture and tourism. Consul General Valencia Laserna gave an overview of Columbia's attributes and its Sister Cities relationship. He thanked Mayor Trantalis and the Commission for the warm welcome and introduction.

PRESENTED**PRES- [19-0576](#)****2**

Proclamation declaring June 4, 2019 as Sun Sentinel Pulitzer Prize Winners Day in the City of Fort Lauderdale - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis presented a Proclamation declaring June 4, 2019 as *Sun Sentinel* Pulitzer Prize Winners Day in the City of Fort Lauderdale. The Proclamation was accepted by *Sun-Sentinel* Publisher Nancy Meyer and Editor-in-Chief Julie Anderson. Ms. Meyer thanked Mayor Trantalis and the Commission for the Proclamation and recognition of *Sun Sentinel's* award of journalism's top honor, the *Pulitzer Prize Gold Medal for Public Service (Award)*, for its coverage of the February 2018 events at Marjory Stoneman Douglas High School in Parkland, Florida. Ms. Meyer expounded on details related to this *Award*. Ms. Anderson addressed the Commission, expounding on efforts of the *Sun Sentinel* staff, thanking Mayor Trantalis and the Commission for recognizing the importance of their work. Mayor Trantalis read the Proclamation in its entirety.

PRESENTED**PRES- [19-0587](#)****3**

Proclamation declaring May 2019 as Brain Cancer Awareness Month in the City of Fort Lauderdale - (Commission Districts 1, 2, 3 and 4)

Vice Mayor McKinzie requested former Florida State Senator Christopher L. "Chris" Smith join him at the podium for presentation of this Proclamation declaring May 2019 as Brain Cancer Awareness Month in the City of Fort Lauderdale. Vice Mayor McKinzie commented on a well-known member of the community battling this disease, James Teague. Senator Smith acknowledged Mr. Teague's contributions to the community and the community support for Mr. Teague and all those fighting this disease. Vice Mayor McKinzie read the Proclamation in its entirety. The Proclamation was accepted by Mr. Teague's spouse, Tina

Teague. Ms. Teague thanked Mayor Trantalis and the Commission.

PRESENTED

19-0618

WALK-ON - Presentation - Sistrunk Scholarship Recipients

Vice Mayor McKinzie discussed his work in the community, including fund raising efforts for disadvantaged young people and efforts to address gun safety awareness. He requested Katharine Barry, founder of H.O.M.E.S., Inc., join him at the podium. Vice Mayor McKinzie expounded on the efforts of Ms. Barry to assist young people who age out of the foster care system with housing and other needs. Vice Mayor McKinzie presented Ms. Barry with a fund raising check.

Vice Mayor McKinzie announced each Sistrunk Scholarship recipient, their high school and the college they would be attending. Each scholarship recipient joined Vice Mayor McKinzie at the podium and was presented with their Scholarship check. Mayor Trantalis and the Commission congratulated all scholarship recipients.

PRESENTED

**PRES- [19-0577](#)
4**

**Community Appearance Board WOW Awards for District II -
(Commission District 2)**

Commissioner Glassman requested Duane Sinclair, Chair of the Community Appearance Board (CAB) and Paul Lemire, CAB Member, join him at the podium for the WOW presentations. Commissioner Glassman presented two (2) District II Properties with CAB WOW Awards.

Commissioner Glassman presented the first District II CAB WOW Award to Samantha DeBianchi, 1200 SW 4 Street, who accepted the award. Commissioner Glassman described details of this property located in the historic Sailboat Bend neighborhood.

Commissioner Glassman presented the second District II CAB Wow Award to Ilan Neuwirth, Yael Neuwirth, Ben Ezra, and Emily Neuwirth who accepted the WOW Award for the Apex Residences located at 1120 NE 9 Avenue. Commissioner Glassman expounded on details of this property located in the Lake Ridge Civic Association neighborhood.

PRESENTED

CONSENT AGENDA PUBLIC COMMENT

No items were pulled by the Commission for separate discussion.

Mayor Trantalis recognized recognized Steve Ganon, Lauderdale Beach Homeowners Association. Mr. Ganon spoke on Consent Agenda item CR-3 regarding the impact of kite surfing on beaches. He noted the kite surfing area has been relocated to the activities area of the beach, thanking the Parks, Recreation and Beaches Board for their efforts to address this topic.

Mayor Trantalis recognized Lisa Jacobs, 2500 N. Atlantic Boulevard. Ms. Jacobs spoke on Consent Agenda item CR-3, commenting on her safety concerns with regard to kite surfing.

Mayor Trantalis recognized Marty Bilowich, 2621 Center Avenue. Mr. Bilowich spoke on Consent Agenda item CR-3, reiterating the concerns raised by Mr. Ganon and Ms. Jacobs. He thanked the Parks, Recreation and Beaches Board for their work to address this safety concern.

Mayor Trantalis commented on safety concerns regarding kite surfing, requesting an update on actions taken. City Manager Chris Lagerbloom confirmed safety measures have been taken to relocate this activity to the beach activities area for resident and visitor safety.

CONSENT AGENDA

CONSENT MOTION

Approval of the Consent Agenda

Vice Mayor McKinzie made a motion to approve the Consent Agenda and was seconded by Commissioner Glassman.

Approve the Consent Agenda

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

CM-1 [19-0487](#)

Motion to Approve Event Agreements: Jesus Block Party, Naked Feet 5K, Sunday Brunch on the Bay, Chanukah Fair on Las Olas and DHL GBS Employee Team Building - (Commission Districts 2, 3, and 4)

APPROVED

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

CM-2 [19-0488](#)

Motion to Approve Event Agreements and Related Road Closures: Wilton Manors Stonewall Pride Parade & Street Festival and 32nd Annual Las Olas Art Fair - (Commission Districts 2 and 4)

APPROVED

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

CM-3 [19-0485](#)

Motion Approving an Application for a Temporary Beach License and Outdoor Event Agreement with Exclusive Sports Marketing, Inc. of Florida for Dig the Beach Volleyball Series - (Commission District 2)

APPROVED

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

CM-4 [19-0517](#)

Motion to Approve Lease Agreement with Camelot of Ft. Lauderdale, LLC for Property Located at 4750 North Federal Highway, Suite 300 - \$35,616 (six-month gross rent) - (Commission District 1)

APPROVED

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

CONSENT RESOLUTION**CR-1** [19-0027](#)

Resolution Approving the Consolidated Budget Amendment to Fiscal Year 2019 - Appropriation - (Commission Districts 1, 2, 3, and 4)

ADOPTED

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

CR-2 [19-0511](#)

Resolution Waiving the Competitive Solicitation and Selection Processes and Mandatory Commission Approval Amount Contained in the Procurement Ordinance Relating to the Creation of a Unified Direct Procurement Authority between the City and Broward County - (Commission Districts 1, 2, 3 and 4)

ADOPTED

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

CR-3 [19-0236](#)

Resolution Approving Amendments to Parks and Recreation Rules and Regulations - (Commission Districts 1, 2, 3 and 4)

ADOPTED

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

- CR-4** [19-0391](#) Resolution Imposing Special Assessment Liens for Lot Clearing -
(Commission Districts 2, 3 and 4)

ADOPTED

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

- CR-5** [19-0557](#) Resolution Amending Resolution No. 18-156 to Correct a Scrivener's Error in the Legal Description of a Vacated Easement - (Commission District 4)

ADOPTED

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

- CR-6** [19-0392](#) Resolution for Imposition of Special Assessment Liens for Costs Associated with the Securing of Multiple Properties - (Commission Districts 2, 3 and 4)

ADOPTED

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

- CR-7** [19-0498](#) Resolution Authorizing the Acceptance of Grant Funds and Execution of a Public Transportation Grant Agreement with Florida Department of Transportation for the Mid-Field Taxiway Extension and Run-up Area Expansion at Fort Lauderdale Executive Airport - \$292,000 - (Commission District 1)

ADOPTED

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

- CR-8** [19-0500](#) Resolution Authorizing the Acceptance of Grant Funds and Execution of a Public Transportation Grant Agreement with Florida Department of Transportation for Taxiway Intersection Improvements at Fort Lauderdale Executive Airport - \$1,080,000 - (Commission District 1)

ADOPTED

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

CONSENT PURCHASE

- CP-1** [19-0277](#) Motion to Approve Proprietary Purchases of Equipment for Water Distribution, Wastewater Collection, and Stormwater System

Infrastructures and Treatment Facilities - Various Vendors- \$3.5 million (estimated not-to-exceed total) - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

CP-2 [19-0520](#)

Motion to Approve Contract for Purchase of Electrical Maintenance and Repair Services - Mills Electric Service, Inc. - \$199,834.60 - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

CP-3 [19-0521](#)

Motion to Approve Contract for Purchase of Plants, Trees and Palms, Citywide - Gardening Angel Nursery, Inc. - \$1,637,808 (estimated three-year total) - (Commission Districts 1, 2, 3, and 4)

APPROVED

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

MOTIONS

M-1 [19-0489](#)

Motion to Approve an Event Agreement with Las Olas Association, Inc. for the 57th Annual Christmas on Las Olas - (Commission District 4)

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

APPROVED

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

M-2 [19-0590](#)

Motion to Approve Recommendation from the Walk of Fame Committee for 2019 Walk of Fame Inductees - (Commission District 2)

REMOVED FROM AGENDA

NEIGHBOR PRESENTATIONS

NP-1 [19-0558](#)

Catherine Maus - Downtown Master Plan - (Commission Districts 2 and 4)

Mayor Trantalis recognized Catherine Maus, 618 NE 17th Way. Ms. Maus submitted a document for the record.

A copy of this document is attached to these minutes.

Ms. Maus gave a Neighbor Presentation on the Downtown Master Plan regarding building heights adjacent to the Victoria Park neighborhood. She reviewed of the Downtown Master Plan for the Downtown Area and the Near Downtown Area (Plans). She explained details regarding the impact on her neighborhood, suggesting recommendations.

Ms. Maus discussed the context of these Plans. The Plans are based on aspects of the City sixteen years ago and population information contained in the 1990 Census. She reviewed the increased growth rates and differences that currently exist. Ms. Maus requested the Victoria Park Civic Association be part of the discussion to have the area adjacent to Victoria Park changed to the lower urban neighborhood designation.

Commissioner Glassman confirmed he would be attending the upcoming Downtown Master Plan Open House on Wednesday, June 5, 2019 at 6:00 p.m. He confirmed support of the points raised by Ms. Maus, requesting Staff address these as the Downtown Master Plan moves forward.

Mayor Trantalis agreed with Ms. Maus' remarks and recommendations. He commented on the community desire to address accelerated development, citing examples and noting the imposition of high-rise developments on residential neighborhoods. Mayor Trantalis concurred with Commissioner Glassman's comments and the desire for Staff to address these concerns.

RECEIVED

RESOLUTIONS

R-1 [19-0564](#)

Appointment of Board and Committee Members - (Commission Districts 1, 2, 3 and 4)

City Clerk Jeffrey Modarelli read the name of the Board and Committee nominee for appointment at the June 18, 2019 Board and Committee Appointment Resolution.

City Clerk Modarelli read the names of Board and Committee appointments and reappointments for Agenda item R-1.

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

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

ADOPTED

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

R-2 [19-0571](#)

Resolution Authorizing the Execution of a Memorandum of Understanding to Participate in the Mission-to-Market for Inclusive Economic Development Initiative with Florida International University - (Commission Districts 1, 2, 3, and 4)

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

ADOPTED

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

R-3 [19-0588](#)

Resolution Delegating to the City Manager the Authority to Approve and Execute Insurance Policies, Applications for Insurance Policies, Applications for Insurance Policy Renewals, Payroll Deduction Documents Associated with Employee Benefit Insurance Policies, and Administrative Insurance-Related Documents - (Commission Districts 1, 2, 3 and 4)

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

ADOPTED

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

R-4 [19-0566](#)

Quasi-Judicial Resolution - Approval of Site Plan Level IV Development Permit for a 205 Room Hotel with 381 Space Parking Garage - Beach Boys Plaza - 401 S. Fort Lauderdale Beach Boulevard - Case No. R18011- (Commission District 2)

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.

Commissioner Glassman acknowledged the closing of the Public Hearing portion of this item. He noted the additional information received and made available to the public, requesting the public input portion of this hearing be reopened to allow for public comment. Comment and discussion ensued.

In response to Commissioner Glassman's questions regarding updated trip allocation chart lists, Anthony Fajardo, Director - Department of Sustainable Development (DSD), explained recent changes, noting a scrivener's error. Upon a thorough review by the Department of Transportation and Mobility (TAM) and DSD, there were no other errors.

Commissioner Glassman reviewed his understanding of trip allocations listed over the past year, commenting on the need to be precise due to trips running out on the barrier island. Mr. Fajardo clarified the calculations of allocated projects and pending projects, explaining details. Further comment and discussion ensued on Commissioner Glassman's concerns regarding these calculations. Jim Hetzel, Principal Urban Planner - DSD, assisted with an explanation of trip allocation calculations.

In response to Mayor Trantalis' question, Mr. Hetzel explained TAM Staff are the experts who should explain the process for what allows for a trip allocation reduction, expounding on details.

Commissioner Glassman commented on concerns with the trip allocation and trip charts presented to Planning and Zoning (P&Z) Board. He commented on concerns when reviewing the minutes and video of the P&Z Board Meeting and previous presentations before the Commission when this item was deferred, stating there was no rationale for reducing trips for this project. Mr. Fajardo discussed Staff efforts regarding maintaining the trip allocation chart lists. Further comment and discussion ensued.

Mr. Fajardo said that the information provided to the deciding bodies is the report from the Traffic Study (Study). The numbers in the Study are what is relied upon to make trip allocations should a project be approved. Mr. Fajardo expounded on details regarding information provided to the P&Z Board. Commissioner Glassman noted the need for back-up information to be precise and accurate. Further comment and discussion ensued.

City Attorney Alain Boileau clarified details related to operative, evidentiary documents. Commissioner Glassman expounded on

concerns related to the information provided to the Commission being accurate and precise. Mayor Trantalis concurred with Commissioner Glassman's concerns, explaining the rationale based upon the Commission's review of Staff's list of trip allocation charts. Vice Mayor McKinzie commented on his perspective. Further comment ensued.

Commissioner Glassman emphasized that public safety on the barrier island is the Commission's first responsibility, commenting on the importance of having accurate information when approving future projects.

In response to Commissioner Glassman's question regarding the Comprehensive Plan's Evaluation and Appraisal Report (EAR), Mr. Fajardo said the Comprehensive Plan is a guiding document, explaining details related to updating the Unified Land Development Regulations (ULDR) and citing examples. Mr. Fajardo said the Commission approved the EAR, but until the adoption process for the Comprehensive Plan has been completed, i.e., approved by the State, County, and City, it is not the adopted language.

Commissioner Glassman discussed numerous recommendations contained in the Comprehensive Plan's EAR discouraging development on the barrier island. Mr. Fajardo said that Staff guidance relies on the will of the Commission. However, until the Comprehensive Plan and the EAR are adopted, Staff cannot use that language in its evaluation. He expounded on the lengthy, ongoing process for adoption.

In response to Mayor Trantalis' question, City Attorney Alain Boileau confirmed that until codification of the Comprehensive Plan, it is not published criteria a developer must meet. Until codification, the intent of the Comprehensive Plan and EAR are aspirational. Mayor Trantalis commented on his perspective regarding the process and addressing resident concerns.

In response to Commissioner Glassman, Mr. Fajardo said Exhibit 8 is a Traffic Statement, not a complete traffic study, due to it not meeting the threshold (1,000 trips). Courtney Crush, Esq., Crush Law, P.A., and on behalf of the applicant, confirmed that this project had a Traffic Study done on December 21, 2018. In response to Commissioner Glassman's question regarding the April 25, 2017 traffic document, Joaquin Vargas, Traf Tech Engineering, explained that the traffic count was done on a Tuesday from 7:00 a.m. - 9:00 a.m. and from 4:00 p.m. - 6:00 p.m., commenting on related details. Commissioner Glassman questioned doing a traffic count on a Tuesday in a beach resort area. Mr. Vargas said this is consistent with the general practice of traffic engineering

unless a Saturday traffic count is requested. Mayor Trantalis commented on his concern regarding the traffic count.

In response to Commissioner Sorensen, Mr. Vargas corrected the time of the a.m. traffic count. He stated it was done between 11:00 a.m. and 1:00 p.m. commenting on details. In response to Commissioner Sorensen, Mr. Vargas confirmed that Staff, in conjunction with outside consultants, could make a recommendation for a traffic count to be done on a Saturday.

Mr. Vargas said that Bahia Mar was the last project to trigger a Saturday analysis, expounding on details. Mr. Vargas said traffic counts done one and two-years ago are still acceptable, commenting on the consideration of historical data and confirming the acceptability of the previous traffic counts. The trip table monitoring system the City has in place does not address Saturday trips. Mr. Vargas expounded on additional details regarding the intent of the trip table monitoring system. Further comment and discussion ensued on this data being acceptable based upon historical data. The monitoring system the City has in place does not look at Saturday trips. Mr. Vargas expounded on details related to this topic. In response to Commissioner Sorensen's question, he explained how to determine if a traffic study is outdated.

In response to Mayor Trantalis' question regarding the timeframe for the traffic count Mr. Vargas explained it is the same analysis used for traffic counts in the downtown area. If there is a different dynamic in the downtown area versus the beach area during these timeframes, Mr. Vargas confirmed procedures used for areas with different dynamics, citing examples and explaining related details. Traffic counts are evaluated on a Thursday, Friday and Saturday. This project did not evaluate these days of the week. Mr. Vargas explained details related to the hours of 11:00 a.m.-1:00 p.m. for the morning traffic count evaluation.

Commissioner Glassman noted his concerns including the small sampling at A1A and Las Olas Boulevard, A1A and Fifth Street, and the date of the traffic study. He commented on the need to verify the accuracy of traffic studies on the barrier island, expounding on details and stating the need for an updated Comprehensive Traffic Study (Updated Study). Commissioner Glassman reiterated his concerns regarding being at a crucial point with regard to development on the barrier island. Mr. Fajardo confirmed that an independent third-party traffic consultant is used to address traffic, expounding on additional information.

Commissioner Glassman reviewed the response from Broward County

to the City's recent 1989 ILA correspondence (ILA Correspondence). In response to his question regarding compliance with items in the ILA Correspondence, Mr. Fajardo explained aspects of how the City is complying with Transit Oriented Concurrency (Concurrency Fund) which is a fee-based system. The applicant pays into this Concurrency Fund that is under the control of Broward County. These Concurrency Funds are used to mitigate traffic. Mr. Fajardo said he is not aware of the County using these funds to mitigate traffic on the barrier island. Further comment and discussion ensued on the ILA Correspondence, the amounts collected from the City for the Concurrency Fund and addressing the 1989 ILA Agreement.

In response to Commissioner Sorensen, Mr. Fajardo explained details regarding the accuracy of the trip-related information given to the P&Z Board, expounding on details. Mr. Vargas commented on additional details regard the calculation of trips for a project, expounding on details of the process and citing examples.

In response to Commissioner Sorensen's question, Mr. Vargas commented on traffic study details regarding the Bahia Mar project, stating that it passed the traffic test and was approved.

In response to Commissioner Glassman's question, Deputy Fire Rescue Chief Chantal Botting confirmed that Fire Station 13 located at Sunrise Boulevard, and A1A is the primary station for servicing the project area. Fire Station 49 located at A1A and Harbor Drive is the back-up Fire Station. Commissioner Glassman commented on the current response times, noting his concerns. Chief Botting confirmed the numbers are not acceptable and are due to traffic congestion on A1A, explaining related details.

Interim Assistant City Manager Rhoda Mae Kerr, explained the Emergency Medical Services (EMS) goal for area 13A. Commissioner Glassman discussed his concerns. Additional comment and discussion ensued.

In response to Commissioner Sorensen, Interim Assistant City Manager Kerr explained details regarding Fire and Rescue Staff's input and assessment for proposed projects.

Commissioner Moraitis commented on her perspective, acknowledging concerns discussed earlier. She said trips remain on the barrier island and she would be voting in favor of this application.

Commissioner Glassman confirmed his research and concerns

regarding traffic and the safety of residents and citizens, explaining related details. He cited examples and confirmed he would vote against this application.

In response to Commissioner Sorensen's question, City Attorney Alain Boileau explained how to evaluate this application when adhering to the Unified Land Development Regulations (ULDR) as discussed in this item's Commission Agenda Memo. He expounded on the roles of the Commission in both a quasi-judicial and a legislative capacity.

In response to Mayor Trantalis' question regarding emergency response times impacting neighborhood compatibility, City Attorney Boileau confirmed it is a standard the Commission could apply.

Discussions ensued on barrier island traffic capacity. Commissioner Glassman said that each project should be evaluated on its own, expounding on traffic-related details in the Central Beach Area. Further comment and discussion ensued. Commissioner Glassman recommended an Updated Study of traffic on the barrier island. Commissioner Sorensen concurred. City Manager Lagerbloom confirmed, suggesting that the Updated Study occur during peak season. Comment ensued.

City Manager Lagerbloom recommended a separate discussion, unrelated to Agenda items R-4 and R-5 and the Las Olas Marina project, to immediately stop development on the barrier island until the completion of the Updated Study. He confirmed that Staff would provide a timeline.

City Attorney Boileau commented on giving notice to developers regarding a change to the methodology used to evaluate a project's impact on traffic so they can respond or comply. He noted the need to follow the criteria applicable to the project. City Attorney Boileau discussed the topic of addressing all future projects on the entire barrier island until the Updated Study is completed.

In response to Mayor Trantalis' question regarding a member of the Commission having an opinion regarding the validity of the data submitted evidence being faulty, City Attorney Boileau confirmed it would be appropriate to defer this item based on a question regarding the substantial, competent evidence component.

In response to Commissioner Sorensen's question, Mr. Vargas commented on adjusting traffic counts to reflect peak season conditions. He said in order to avoid scrutiny, an Updated Study should be done

during the peak season.

City Manager Lagerbloom requested clarity on the Updated Study, noting the need for two studies and expounding on details. The first would validate the accuracy of the data presented as part of this project. The second would validate traffic on the entire barrier island. Validating the data presented could be done by Staff. Further comment and discussion ensued on the timeline.

City Attorney Boileau noted the applicant would have an opportunity to comment on Staff findings, noting related details. Discussions ensued on deferring this item. City Attorney Boileau confirmed the options available to the Commission: to approve; to deny; to approve with conditions; or to request that the applicant agree to a deferral to allow for validation and accuracy of data submitted. Vice Mayor McKinzie commented on his perspective regarding a decision on this item.

In response to Commissioner Sorensen's question, Ms. Crush confirmed that the applicant would be amenable to the validation of the submitted data being a condition for approval. She requested clarification regarding details of the Study.

Mayor Trantalis discussed doing an Updated Study to validate the authenticity of the trip count during season in order to determine the impact of this project on the barrier island and EMS response times. Ms. Crush confirmed there would be no objection to proffer as a potential condition an Updated Study done in season, determined by the Commission, as a final condition of DRC approval .

City Attorney Boileau expounded on details regarding the City's Updated Study being done during a different timeframe, the process and it being a proposed condition of approval. He confirmed that traffic studies are done by the applicant and that the accuracy is verified through the City's third party consultant. City Attorney Boileau commented on the inability to compare the resulting data due the different timeframes for the applicant's study and the Updated Study.

Ms. Crush clarified that the City conducting an Updated Study during peak season at dates and times of its choosing regarding this project is acceptable to the applicant as a final condition of approval from DRC. City Attorney Boileau questioned the criteria for the Updated Study. City Manager Lagerbloom noted the Updated Study would be a report of condition and the need to identify a standard, i.e., what is a satisfactory or unsatisfactory condition. Ms. Crush commented on applying the analysis of mitigation of improvements, including turn lane and easement

dedications, impacting and validating conclusions of an Updated Study or possibly proposing additional traffic mitigation. City Manager Lagerbloom concurred. Ms. Crush said that the applicant would pay for the Updated Study.

The project and Updated Study would go back before the DRC as a condition of approval. The project would not come back before the Commission.

Commissioner Sorensen commented on the language for this Resolution. City Manager Lagerbloom requested the Commission define the dates for the Updated Study. Mr. Vargas said that the definition of peak season is the second week of January through the end of March.

Mayor Trantalis requested defining a standard for the Updated Study, requesting information regarding what the Updated Study would determine. Further comment and discussion ensued on the Updated Study results and its application to criteria. City Attorney Boileau noted that response times are not a criterion. New data would either satisfy criteria or not satisfy criteria. Discussion ensued on levels of service as determined by TAM Staff. City Attorney Boileau said that level of service is not a criterion.

In response to Mayor Trantalis' question regarding the standard for determining a decision regarding the appropriateness of this project, i.e., the level of service, EMS response times, an appropriate litmus test, Mr. Fajardo noted the need for additional research to determine if levels of service are addressed in the Comprehensive Plan, commenting on the County's response to this topic in the 1989 ILA relative to a "D" level of service. Mr. Boileau said that if the level of service has not been a component, it cannot be a component now or going forward.

In response to Commissioner Glassman's question and noting the need for clarity, it was confirmed the trips for this project would be reserved until a determination is made based upon the Updated Study. Further comment and discussion ensued. Ms. Crush confirmed that this project is requesting 155 trips. Mr. Boileau confirmed setting aside 155 trips.

Mr. Vargas confirmed the level of service in the Updated Study must remain at a "D". Should the Updated Study result in a degraded level of service below "D", the project must include improvements to mitigate those impacts. Mr. Vargas discussed ways in which to mitigate a level of service below "D", expounding on details. City Attorney Boileau commented on concerns. Mr. Fajardo confirmed that FDOT determines

the level of service grade, explaining details regarding mitigation.

Commissioner Sorensen introduced this Resolution as amended, to conditionally approve the project pending a Comprehensive Traffic Study done during the January 2020 - March 2020 timeframe to maintain the current level of service; should there be degradation to the level of service below "D", the project must mitigate the degradation to maintain a minimum "D" level of service for review and approval by the DRC. The Resolution was read by title only.

ADOPTED AS AMENDED - Conditional Approval of Site Plan

Aye: 3 - Vice Mayor McKinzie, Commissioner Sorensen and Commissioner Moraitis

Nay: 2 - Commissioner Glassman and Mayor Trantalis

[19-0619](#)

WALK-ON - Motion to Extend Meeting to 11 p.m.

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

APPROVED

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

Nay: 1 - Vice Mayor McKinzie

R-5 [19-0340](#)

Quasi-Judicial Resolution - Approval of Site Plan Level IV Development Permit for 115 Multifamily Residential Units, 168 Hotel Rooms, 3,600 Square Feet Restaurant Use, and 3,156 Square Feet Retail Use - Bayshore Hotel LLC and 3030 Bayshore Properties - 3016 and 3030 Bayshore Drive - Case No. R18058 - (Commission District 2)

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 recognized Courtney Crush, Esq., Crush Law, P.A., on behalf of the applicant. Ms. Crush introduced attendees present available to answer Commission questions. Ms. Crush presented the project in a slide presentation. Mr. Reinaldo Borges, on behalf of the applicant, reviewed the project's architectural and site design as illustrated in the presentation.

A copy of the presentation is attached to this presentation.

In response to Mayor Trantalis' question, Mr. Borges explained details of the sustainable landscaping. Ms. Crush explained additional project details, including the planting of trees both on and off-site and meetings with surrounding neighbors and stakeholders. She discussed the Planning and Zoning (P&Z) Board conditions and recommendations. Ms. Crush discussed the approximate 975 trips generated by the project and Staff input. Discussion ensued on the lobby interior of the project. Ms. Crush discussed meeting the criteria for exceeding the FAR increase. Discussion ensued on the request for a side-yard modification. In response to Mayor Trantalis' question, Ms. Crush explained specific details of requested setbacks and other details.

Discussion ensued on several members of the public giving up their time to Michele Melgren. Mayor Trantalis recognized Michele Melgren, 3350 NW 53rd Street and on behalf of Concerned Citizens of Birch Estates. City Attorney Alain Boileau commented on Ms. Melgren speaking as an expert witness. Mayor Trantalis confirmed Ms. Melgren would be speaking as an individual. Comment and discussion ensued.

Commissioner McKinzie left the meeting at 9:37 p.m.

Ms. Melgren provided information regarding this item, expounding on her experience, background, and historical details regarding beach redevelopment as a member of Staff from 1989-1994, subsequent to the adoption of the 1989 Beach Redevelopment Plan. She discussed the request of the Comprehensive Plan for superlative development in exchange for incentives/waivers and the burden of proof being on the developer.

Ms. Melgren reviewed the future land use element of the Comprehensive Plan, explaining details regarding the translation of modifications used to calculate updated formula for determining an accurate number of trip allocations on the barrier island.

Commissioner McKinzie returned to the meeting at 9:49 p.m.

Mayor Trantalis recognized Paula Yukna, 336 N. Birch Road. Ms. Yukna spoke in opposition to this item, commenting on the history of this Central Beach neighborhood and the impact of this project.

Mayor Trantalis recognized Mark Fox, President - Birch Crest Homeowners Association. Mr. Fox spoke in opposition to this item,

commenting on the impact of development on property values and related details.

Mayor Trantalis recognized Kathy Birr, 336 N. Birch Road. Ms. Birr spoke in opposition to this item, commenting on the impact of ongoing development and this project.

Mayor Trantalis recognized Terri Huml, 336 N. Birch Road. Ms. Huml spoke in opposition to this item, commenting on history related to traffic concerns and the impact of development on Emergency Medical Service (EMS) response times.

Mayor Trantalis recognized Bob Nolan, 336 N. Birch Road. Mr. Nolan spoke in opposition to this item, noting reasons to deny approval and the opposition of the Central Beach Alliance (CBA).

Mayor Trantalis recognized Michele Renick, 336 N. Birch Road. Ms. Renick spoke in opposition to this item, commenting on the negative impact of development in this area during the past five years and safety concerns.

Mayor Trantalis recognized Mary Fertig, 511 Poinciana Drive and on behalf of the Idlewyld Neighborhood Association. Ms. Fertig spoke in opposition to this item, discussing the traffic concerns on the barrier island, roadways leading to State Road A1A in the Central Beach area and EMS response times. She reviewed details in the Comprehensive Plan regarding traffic counts, noting the need for accuracy and expounding on related details. Ms. Fertig submitted a document for the record.

A copy of this document is attached to these minutes.

Mayor Trantalis recognized Dr. Anne Blenke Taylor, 732 Middle River Drive. Dr. Taylor spoke in opposition to this item, confirming the need to provide a safe environment for residents.

Mayor Trantalis recognized Anita Kareska, 550 Bayshore Drive. Ms. Kareska spoke in support of this item, commenting on enhancements to the neighborhood the project would provide.

Mayor Trantalis recognized Rohit Moham, 347 N. Birch Road. Mr. Moham spoke in support of this item, noting the positive aspects this project would provide.

Mayor Trantalis recognized Rhonda Liesenfelt, 101 S. Fort Lauderdale

Beach Boulevard. Ms. Liesenfelt spoke in support of this project, reading from a prepared statement from Mr. Liesenfelt. Ms. Liesenfelt submitted this statement for the record.

A copy of this statement is attached to these minutes.

Mayor Trantalis recognized George Coloney, 606 E. Broward Boulevard. Mr. Coloney spoke in support of this item, commenting on the history of this neighborhood and details related to zoning and investment on the barrier island.

Mayor Trantalis recognized Paul Chettle, 200 S. Birch Road. Mr. Chettle spoke in opposition to this item, citing concerns regarding trips, the need for County approval for any changes to the 1989 Interlocal Agreement (1989 ILA) and weekend levels of service determined by traffic consultants.

Mayor Trantalis recognized Abby Laughlin, 1050 Seminole Drive. Ms. Laughlin spoke in opposition to this item, commenting on the history of the buildings impacted by this project and recommending additional developer trade-offs.

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

Commissioner Glassman questioned what determines the use of the term "may" in the Code for items such as the length of a building. Mr. Fajardo explained details regarding minimum standards for building length and setbacks limitations built into the Ordinance based on the intent for increases that require Commission approval, expounding on related details. He explained this would be a variance, which would be governed by the Board of Adjustment. The same rationale applies to the minimum side yard setback.

Commissioner Glassman questioned the calculation of the project's trips. Comment and discussion ensued.

Commissioner Glassman noted Central Beach District requirement number four regarding the south side of the project, asking if the project's four to five feet of landscaping adequately mitigates the impact on existing uses. Mr. Fajardo explained that Staff's analysis was based on information provided by the applicant, expounding on details. It is up to

the Commission to agree or disagree with the assessment of Staff.

Commissioner Glassman discussed design compatibility and community character scale for the A1A Beachfront Area (ABA) District. In response to Commissioner Glassman's question, Mr. Fajardo explained why projects not located on A1A are categorized as ABA. They were established through a vetting process when land areas were rezoned, expounding on details related to designation as a Central Area Regional Activity Center (RAC) with no delineated boundaries. Further comment ensued.

In response to Commissioner Glassman's question regarding the point given by Staff for design compatibility and community character scale, Mr. Fajardo explained these buildings were not designated historic properties. Mr. Fajardo explained his perspective regarding addressing the point system, expounding on conversations with Staff regarding their determination relative to this project. Mr. Fajardo confirmed the Commission's ability to determine if this is the case. Further comment and ensued on addressing this topic.

Commissioner Glassman confirmed for the record that all comments he made regarding traffic concerns relative to Agenda item R-4 also apply to this Agenda item R-5.

Mayor Trantalis commented on his perspective and the need to recognize the impact of development on the community, including traffic and water and sewer infrastructure, expounding on details.

Mayor Trantalis recognized Ms. Crush and she reiterated the goals of the applicant, expounding on project details addressing neighbor concerns and requesting Commission consideration. Commissioner Glassman acknowledged the time and efforts of the applicant, noting his appreciation.

In response to Commissioner Moraitis' question regarding giving this item the same consideration as Agenda item R-4, Commissioner Glassman confirmed and clarified his position on item R-4.

Commissioner Sorensen concurred with Commissioner Glassman's comments regarding his acknowledgement and appreciation for the efforts of the applicant, commenting on his concerns regarding the requested waivers.

Commissioner Glassman introduced a Resolution to deny the approval of this Site Plan Level IV Project which was read by title only.

APPROVED - Resolution DENYING Site Plan

Aye: 3 - Commissioner Sorensen, Commissioner Glassman and Mayor Trantalis

Nay: 2 - Vice Mayor McKinzie and Commissioner Moraitis

[19-0620](#)

WALK-ON - Motion to Extend Meeting to 11:30 p.m.

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

APPROVED

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

PUBLIC HEARINGS

PH-1 [19-0572](#)

Resolution Approving Lease Agreement for City Owned Property Located at 3110 SW 8 Avenue with Nova Southeastern University, Inc. - Request Deferment to August 20, 2019 - (Commission District 4)

Vice Mayor McKinzie made a motion to defer this item to the August 20, 2019 Commission Regular Meeting and was seconded by Commissioner Glassman.

DEFERRED to August 20, 2019

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

ORDINANCE FIRST READING

OFR-1 [19-0574](#)

Ordinance Increasing the Limit on Campaign Contributions to Candidates for Mayor or City Commissioner to \$1,000, and Eliminating the Prohibition of Campaign Contributions by other than Natural Persons - (Commission Districts 1, 2, 3, and 4)

Mayor Trantalis commented on his perspective regarding the time and the impact on non-incumbents. Comment and discussion ensued on this topic. Commissioner Moraitis noted that approval of this item reflects the policy of the State, Broward County and other municipalities regarding campaign contributions to candidates.

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

PASSED FIRST READING

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

OFR-2 [19-0589](#)

Ordinance Amending Chapter 16 - Miscellaneous Provisions and Offenses, Article VI. - Sexual Offenders and Sexual Predators, Sections 16-126 and 16-127, of the Code of Ordinances of the City of Fort Lauderdale, Providing for a Prohibition for Sexual Offenders Convicted of Crimes Under Certain Florida Statutes from Living Within a Certain Distance of Specified Locations Within the City of Fort Lauderdale - (Commission Districts 1, 2, 3, and 4)

City Attorney Alain Boileau discussed aspects of the current Ordinance, expounding on details.

In response to Mayor Trantalis' question, Mr. Boileau confirmed the precedent set in the Broward County Court regarding the unconstitutionality of the current Ordinance. As the Ordinance is currently written, it is overly restrictive. Further comment and discussion ensued on the need to amend the Ordinance to allow enforcement. He explained how additional changes would impact the residential area for this sector of the community and how the distance from school bus stops are overly restrictive. The amendment would increase the percentage of available residential area for this sector of the community to approximately fifteen percent (15%), providing a defensible position.

Commissioner Moraitis commented on her perspective, the lack of available housing and the impact of the current Ordinance in District I. She discussed the opportunity this amendment provides to house and track this sector of the community, and the collective efforts of community stakeholders. Further comment and discussion ensued.

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

PASSED FIRST READING

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

ORDINANCE SECOND READING

OSR-1 [19-0579](#)

Ordinance Amending the City of Fort Lauderdale Procurement Ordinance - (Commission Districts 1, 2, 3 and 4)

Commissioner Sorensen introduced this Ordinance on the Second Reading as amended which was read by title only.

ADOPTED AS AMENDED

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

City Manager Chris Lagerbloom informed the Commission about a grant entitled "Made to Move". The objective is to connect the Flagler Greenway and the MASS District. The grant has a requirement to create an Oversight Committee requiring membership of one elected official. City Manager Lagerbloom asked Commissioner Glassman if he had an interest in serving on this Oversight Committee. Commissioner Glassman confirmed.

City Manager Lagerbloom commented on discussions with Mary Anne Gray, Executive Director, Broward Navy Days, Inc., regarding the commissioning of the *USS Paul Ignatius* on July 27, 2019. As part of this event, Ms. Gray requested the City sponsor a breakfast for approximately 100 individuals with a cost not to exceed \$10,000. Comment and discussion ensued on the cost. City Manager Lagerbloom confirmed he would bring this request back to the Commission at the June 18, 2019 Commission Regular Meeting.

ADJOURNMENT

Mayor Trantalis adjourned the Commission Regular Meeting of June 4, 2019 at 11:11 p.m.

Dean J. Trantalis
Mayor

ATTEST:

Jeffrey A. Modarelli
City Clerk