

City of Fort Lauderdale

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



Meeting Minutes

Tuesday, September 17, 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 6:09 p.m.

Invocation

Pastor Ricky Scott, New Hope Baptist Church

Pledge of Allegiance

Mayor Dean J. Trantalis

ROLL CALL

Present: 5 - Commissioner Steven Glassman, Vice Mayor Robert L. McKinzie, Commissioner Ben Sorensen, Commissioner Heather Moraitis 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 at Arms Richard Fortunato

ANNOUNCEMENTS

None.

Approval of MINUTES and Agenda

[19-0936](#)

Minutes for August 20, 2019 Commission Regular Meeting - (Commission Districts 1, 2, 3 and 4)

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

APPROVED

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

PRESENTATIONS

PRES- [19-0958](#)

1

Proclamation declaring September 17, 2019 as Stranahan High School Mighty Marching Dragons Day in the City of Fort Lauderdale - (Commission District 4)

Commissioner Sorensen presented a Proclamation declaring September 17, 2019 as Stranahan High School *Mighty Marching Dragons Day* in the City of Fort Lauderdale, reading the Proclamation in its entirety. Mr. Carlos Redman, Stranahan High School Director of Bands, accepted the Proclamation, thanking Mayor Trantalis and the Commission.

PRESENTED

PRES- [19-0610](#)
2

Recognition of Raymond Dettmann - Recipient of 2019 Who's Who in America's Neighborhoods Award from Neighborhoods, USA - (Commission Districts 1, 2, 3 and 4)

Commissioner Sorensen presented a Proclamation recognizing Raymond Dettmann as Recipient of *2019 Who's Who in America's Neighborhoods Award* from Neighborhoods, USA, reading the Proclamation in its entirety. Raymond Dettman accepted the Proclamation, thanking Mayor Trantalis and the Commission.

PRESENTED

PRES- [19-0736](#)
3

Recognition of City of Fort Lauderdale - Recipient of SolSmart Gold Designation and Special Recognition Awards - (Commission Districts 1, 2, 3 and 4)

Jennifer Barenholtz, SolSmart Advisor, recognized the City of Fort Lauderdale as Recipient of the *SolSmart Gold Designation and Special Recognition Award (Award)*. Ms. Barenholtz expounded on details of the Award, citing examples of City achievements. Anthony Fajardo, Director - Department of Sustainable Development, and Dr. Nancy Gassman, Assistant Public Works Director - Sustainability, accepted the Award on behalf of the City.

PRESENTED

PRES- [19-0727](#)
4

Recognition - City of Fort Lauderdale Awards - KAPOW Program - (Commission Districts 1, 2, 3 and 4)

John Casbarro, President of Learning for Success, Inc., recognized the City of Fort Lauderdale as the recipient of the *KAPOW Program (Program) Award*, expounding on details of work with City Schools. The Program in South Florida brings volunteers into schools and students into the workplace to connect student and school experiences with workplace and life applications. More than 300 students from Floranada Elementary, North Side Elementary, William Dandy Middle School, Dillard Middle School and Sunrise Middle School will participate in the Program this year.

Mr. Casbarro recognized Kerry Arthur, *KAPOW* Coordinator of Program volunteers. Ms. Arthur expounded on Program details, recognizing *KAPOW* staff, classroom volunteers and field trip staff volunteers. Kaia Qaiyim, Assistant Principal of Northside Elementary School, discussed Program details. Mr. Casbarro announced City Staff members participating in the Program this year, thanking them for their volunteer efforts. He discussed the Program's Career Fair held at the War Memorial Auditorium.

Commissioner Glassman discussed Commission appreciation of Staff efforts, contributions to the Program and the current Commission's refocused education efforts. He noted his participation in the Northside Elementary Reading Program with Commissioner Sorensen. Commissioner Glassman commended Northside Elementary on its recent improved rating that was just under a *B* Rating.

PRESENTED

Approval of the Consent Agenda

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

Approve the Consent Agenda

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

CONSENT AGENDA PUBLIC COMMENT

Mayor Trantalis announced the following items were pulled by the Commission for separate discussion:

Commissioner Moraitis: CR-3

Commissioner Glassman: CM-7 and CR-4

CONSENT AGENDA

CONSENT MOTION

CM-1 [19-0868](#)

Motion Approving Event Agreements and Related Road Closures: Dillard High School and City of Fort Lauderdale Community Parade and FATVillage Artwalk - (Commission Districts 2 and 3)

APPROVED

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

CM-3 [19-0867](#)

Motion Approving Event Agreements: Oyster Fest, Broward Health Imperial Point Employee Picnic and Igloo Cooler Festival - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

CM-2 [19-0819](#)

Motion Approving an Agreement with the School Board of Broward County, Florida to allow Student Ride Alongs with the City of Fort Lauderdale Fire Rescue Department - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

CM-4 [19-0896](#)

Motion Approving an Event Agreement, Related Road Closure and Extended Hours for Music with Winterfest, Inc. for the Seminole Hard Rock Winterfest Boat Parade - (Commission Districts 1, 2 and 4)

APPROVED

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

CM-5 [19-0831](#)

Motion Approving Jano Coach Lines, Inc., Certificate of Public Convenience and Necessity to Operate Nine Coach Vehicles within the City of Fort Lauderdale - (Commission District 1, 2, 3 and 4)

APPROVED

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

CM-6 [19-0853](#)

Motion Authorizing Execution of a Revocable License with Edengate Las Olas, LLC and Cypress Las Olas LLC for a Temporary Right-of-Way Closure on SE 2nd Street, in Association with the Eden Las Olas Development Located at 419 SE 2nd Street - (Commission District 4)

APPROVED

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

CM-7 [19-0929](#)

Motion Approving Rent Abatement for Riverfront Cruise and

Anticipation Yacht Charters, LLC for Dockage Agreement -
(Commission District 2)

Commissioner Glassman requested additional information from City Manager Chris Lagerbloom regarding this item. City Manager Lagerbloom updated the Commission with background information, confirming visibility and access is limited due to ongoing Riverwalk redevelopment construction.

City Manager Lagerbloom discussed his review of similar requests to previous Commissions and their policy mechanisms, noting work with the Office of the City Auditor. Previous Commissions addressed these types of situations through rent abatement. This request was modeled and similarly brought before the Commission.

In response to Commissioner Glassman's question regarding this item relating to the Bryan Homes Agreement (Agreement) for the use of that space, City Manager Lagerbloom explained the same company is involved with the dockage and Bryan Homes. However, the Bryan Homes is separate. He expounded on the Agreement, stating it is a work in progress and commenting on related details.

Courtney Crush, Crush Law, P.A., confirmed details regarding the status of the Bryan Homes work which was completed in 2017 and has been open for special events. After completion, the City identified repair and replacement items that were addressed. Associated permits are closed. The request for \$53,000 rent abatement is the entire amount from May through October, 2019. It consists of rent, utilities and late fees each month for five months. Ms. Crush said vessels used reduced dock linear footage.

Commissioner Glassman noted full rent abatement is requested though vessels are still utilizing the dock. Further comment and discussion ensued. City Manager Lagerbloom confirmed.

Ms. Crush explained her understanding, commenting on construction impact to Mr. Campbell's business, Riverfront Cruise and Anticipation Yacht Charters, LLC (Riverfront Cruise) and the request for rent abatement. It includes road closures and limited access for purchasers of online tickets.

City Manager Lagerbloom confirmed the lease is with the developer, explaining details. The developer has indicated a desire to exercise its option to start leasing the dock on October 15, 2019 and would come before the Commission as a future separate item.

In response to Commissioner Glassman's question regarding Mr. Campbell's awareness of construction impacting the area, Ms. Crush confirmed. She expounded on details, explaining related efforts, options and the impact of area construction.

City Attorney Alain Boileau confirmed there is no current lease. Mr. Campbell and Riverfront Cruise is a holdover tenant. The contract ended in 2012. Commission comment and discussion ensued.

Vice Mayor McKinzie discussed Mr. Campbell's efforts when the area was less desirable, explaining related circumstances and concerns during the 2019 St. Patrick's Day and Sistrunk Boulevard Festival fundraiser events. He confirmed his request to City Manager Lagerbloom and City Auditor Herbst to provide input regarding the previous Commission policy, commenting on the impact of developer construction in this area of Riverwalk.

Mayor Trantalis commented on the month-to-month tenancy, noting Mr. Campbell's options. Further comment and discussion ensued.

Vice Mayor McKinzie pointed out rent was current until May 2019. He discussed past Commission actions to address similar situations and recent developer actions that will prevent the continuation of Mr. Campbell's business.

In response to Mayor Trantalis' question regarding Mr. Campbell's ability to earn income, Ms. Crush commented on her perspective. She confirmed the need to address this question with Mr. Campbell, noting details relating to Mr. Campbell's plans to continue the business following construction completion. In September 2019, Mr. Campbell was told by the developer that he needed to find another location. Comment and discussion ensued.

Commissioner Glassman noted the lack of backup to this Agenda item, commenting on his perspective to possibly find a middle ground. He also noted his concern with precedent, expounding on details.

City Auditor Herbst confirmed this had been experienced and addressed twice in the past, noting two different approaches. The approach taken with a convenience store during the Waterworks Project included a determination of lost revenues, explaining related details and the Commission policy decision to make the owner whole. The approach taken with The Oasis on the Beach during City construction slowing their ability to take possession was a Commission policy decision to provide rent abatement. This item could be approached in either of these two

ways.

Commissioner Glassman discussed input from District II businesses along A1A and Las Olas Boulevard and the negative financial impact from area construction projects. He commented on the need to treat everyone in the same manner, expounding on details. Commission comments and discussion ensued on this topic.

Vice Mayor McKinzie commented on businesses leasing from the City and circumstances surrounding this item.

Mayor Trantalis commented on the construction of Oceanside Park and the impact on the surrounding area. The construction related to this item does not connect to the City. The private developer impeded Mr. Campbell's business.

Vice Mayor McKinzie reiterated his experience with City-related events and the impact to attendees who purchased online tickets for the Riverfront Cruise, who had to walk through the construction site.

In response to Commissioner Sorensen's questions, James Campbell, owner of the Riverfront Cruise business, confirmed operations started at this site in 2005. During the last two to five years, construction impacted the business. Mr. Campbell expounded on details regarding the negative impact, confirming a perceived lack of access due to construction projects. He discussed the percentage decline in business revenue in December 2018 and its ongoing decline in 2019.

Commissioner Sorensen noted his concern regarding precedent, confirming he would only contemplate the consideration of lost revenue.

Mayor Trantalis confirmed the essential questions raised by the Commission, commenting on his perspective and recommending deferring this item. Commission comment and discussion ensued.

Vice Mayor McKinzie noted the volunteer efforts of Mr. Campbell on behalf of the City, past efforts with the River House before recent development when the area was undesirable.

Commissioner Glassman concurred with Mayor Trantalis' comments, commenting on his perspective, acknowledging the efforts of Mr. Campbell, noting this item is a separate topic. Further comment ensued.

Commissioner Glassman requested City Attorney Boileau's legal opinion. City Attorney Boileau reiterated Mr. Campbell is a holdover

tenant, commenting on liability regarding abatement. The City did not cause the condition and had no obligation, explaining related details.

In response to Mayor Trantalis' question regarding the nexus of this request, City Attorney Boileau noted the need to explore the impact on the business, which is an equitable decision in the purview of the Commission. He commented on the need to confirm all facts.

Commissioner Moraitis commented on her perspective. Mr. Campbell had the option to terminate the lease and move to another space. If space was not rentable, the City should not have been charging a rental fee. Commissioner Moraitis asked if there was another location available during construction, and if the situation has improved to the point abatement is needed only from the previous timeline. Mr. Campbell confirmed his longstanding hope to remain at this location, expounding on details and confirming the developer's position that they require the dockage. He rented the dock from the City in good faith and vice-versa. Due to the volume of construction, he was unable to conduct a profitable business.

Mayor Trantalis concurred, noted the need to identify the liable party, stating taxpayers are not liable.

Commissioner Glassman reiterated his concerns, requesting additional backup to include financial details, noting the possibility of a prorated amount for abatement.

Commissioner Glassman made a motion to defer this item to the October 15, 2019 Commission Regular Meeting and was seconded by Vice Mayor McKinzie.

DEFERRED to October 15, 2019

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

CONSENT RESOLUTION

CR-1 [19-0898](#) Resolution Approving the Consolidated Budget Amendment to Fiscal Year 2019 - Appropriation - (Commission Districts 1, 2, 3 and 4)

ADOPTED

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

CR-2 [19-0909](#) Resolution Approving Sublease Agreement between the Young Men's Christian Association of South Florida, Inc., ("YMCA") and Young

Men's Christian Association of South Florida Support Organization, Inc. ("Support Organization") for the Property located at 1409 NW 6 Street; and Delegating Authority to the City Manager to Execute the Sublease, Consent and Estoppel Agreement, Mortgage Subordination Agreement and Related Instruments - (Commission District 3)

ADOPTED

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

CR-4 [19-0764](#)

Resolution Authorizing the Acceptance of Grant Funds and Authorizing the Execution of a Grant Agreement with the Fort Lauderdale Downtown Development Authority for the One-Way Pair Mobility Study - \$25,000 - (Commission Districts 2 and 4)

In response to Commissioner Glassman's questions regarding the scope, the timeline and details regarding the One-Way Pairing Mobility of Third Avenue and Andrews Avenue Study (Study), Ben Rogers, Interim Director of Transportation and Mobility, explained pertinent details. The cost is \$200,000. The Downtown Development Authority is funding \$25,000, and the County will be requested to fund \$100,000. The City will be contributing \$75,000. The scope addresses Third Avenue and Andrews Avenue from Sunrise Boulevard to Southeast 17th Street. It will consist of nine (9) tasks: project management; data collection; baseline conditions; future forecasting with existing conditions; future forecasting with one-way pair conditions; future capacities; feasibility review; technical reports; recommendations; and optional public meeting involvement.

In response to Commissioner Glassman's questions, the current quote for this work is with Tinder-Oliver & Associates through its continued service contract. The cost was negotiated down ten percent (10%) to \$200,000.

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

ADOPTED

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

CR-3 [19-0782](#)

Resolution Imposing Special Assessment Liens for Lot Clearing - (Commission Districts 1, 3, and 4)

Commissioner Moraitis requested clarification regarding the timeline for clearing property lots being assessed due to no-compliance. Porshia Williams, Code Compliance Manager, confirmed a ten (10) day

compliance period from the citation date. At day fourteen (14), it is referred to the lot clearing contractor (Contractor). The Contractor is required to clear the lot within forty-eight (48) hours of the City sending the work order. If the lot is cleared by the Contractor, the property owner receives a bill within thirty (30) days. If the lot is secured or there is a no-trespassing sign, the violation goes before the Magistrate. The City collects fines until the lot is cleared and brought into compliance. Further comment and discussion ensued on lots maintained by the City. The same process is in place for developers who purchase lots for development.

ADOPTED

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

CONSENT PURCHASE

CP-1 [19-0711](#) Motion Terminating Contract for Convenience with U & Me Transfer Inc. and Approving Contract for Purchase of Records Storage, Retrieval and Disposal Services - VRC Companies, LLC - \$295,542 (estimated three-year total) - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

CP-2 [19-0834](#) Motion Approving Contract for the Coontie Hatchee Canoe Launch Project - Sagaris Corp. - \$530,100 - (Commission District 4)

APPROVED

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

CP-3 [19-0861](#) Motion Terminating for Convenience Contract No. 373-11879 for Special Event Clean-Up Services and Approve New Contract for Same Services - BACM Solution Services LLC - \$124,879 - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

RESOLUTIONS**R-1** [19-0943](#)

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

Mayor Trantalis submitted Chadwick Maxey and Howard Nelson as consensus reappointments to the Board of Adjustment. City Clerk Jeffrey Modarelli confirmed tonight's R-1 Resolution would be amended to include these appointments.

City Clerk Modarelli read the additional 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 as amended which was read by title only.

ADOPTED AS AMENDED

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

R-2 [19-0934](#)

Resolution Authorizing Retention of Bernstein Litowitz Berger & Grossmann LLP as Special Counsel to General Employee's Retirement Plan to Pursue Co-Lead Plaintiff Status in a Federal Securities Class Action Filed against Cardinal Health, Inc. ("Cardinal"), in the United States District Court, Southern District of Ohio (Commission Districts 1, 2, 3, and 4)

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

ADOPTED

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

R-3 [19-0849](#)

Quasi-Judicial Resolution to Approve the Vacation of a Utility, Governmental and Emergency Ingress and Egress Easement Which Runs North and South Through Subject Property Located at 640 N. Andrews Avenue - FV Development, LLC. - Case No. E18021 - (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 received.

There being no one wishing to speak on this item, Commissioner Glassman 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 Sorensen introduced this Resolution which was read by title only.

ADOPTED

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

R-4 [19-0850](#)

Quasi-Judicial Resolution to Approve the Vacation of a Utility, Governmental and Emergency Ingress and Egress Easement Which Runs East and West Partially Through Subject Property Located at 640 N. Andrews Avenue - FV Development, LLC. - Case No. E18022 - (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 received.

There being no one wishing to speak on this item, Commissioner Glassman 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 introduced this Resolution which was read by title only.

ADOPTED

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

PUBLIC HEARINGS

PH-1 [19-0913](#)

Resolution Granting a Waiver of Limitations at 1180 N Federal Highway Unit 1608, slip #10, for the Installation of a Four-Post Boat Lift - (Commission District 2)

Mayor Trantalis confirmed there was no one wishing to speak on this item.

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

ADOPTED

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

PH-2 [19-0918](#)

Resolution Granting a Waiver of Limitations at 2040 SE 17 Street for the Installation of a Floating dock, Gangway, and Fixed Platform - (Commission District 4)

Mayor Trantalis opened the public hearing.

Mayor Trantalis recognized William Cole, Harbor Inlet Association (Association) Board Member. Mr. Cole requested a deferral on this item, citing points unknown to the Association. He said no one objects to the construction of the dock. Mr. Cole questioned how far south vessels utilizing the dock would encroach on neighboring properties, citing examples and challenging the dock borders. Mr. Cole commented on B-1 zoning and property setbacks.

Mayor Trantalis recognized Stephanie Toothaker, Esq., who presented this item on behalf of the applicant, Sails Ventures, LLC. She noted those in attendance on behalf of the applicant available for Commission questions. The Marine Advisory Board approved this application unanimously. The length of the current dock would be decreased by approximately seventy (70) feet from where it sits today. There would be a removal of the existing crank and dock.

In response to Mayor Trantalis' question, Ms. Toothaker explained details regarding the property line as illustrated in the presentation and stated there is no intent to block the canal. The applicant would comply with B-1 zoning, noting there is no setback. Mayor Trantalis emphasized the need for an easement allowing for canal ingress and egress.

A copy of the photographs are attached.

Commissioner Sorensen concurred with Mayor Trantalis' comments

regarding the current dock causing insufficient canal ingress and egress. Mayor Trantalis commented on the need for this Commission to correct previous actions.

Mayor Trantalis recognized Tyler Chappell, The Chappell Group, Inc. Mr. Chappell acknowledged Mayor Trantalis' concerns. He pointed out vessels docked at the proposed new dock would not go beyond existing riparian rights of the property. The Project is permitted through the Broward County Environmental Protection and Growth Management Department, the Florida Department of Environmental Protection and the U.S. Army Corps of Engineers, confirming their review of navigation, ingress and egress. The Project provides better canal access than the current dock. Further comment and discussion ensued on the presentation illustrations and the locations of vessels on the proposed dock Project.

Mayor Trantalis confirmed the need for representation from the applicant that upon the completion and utilization of the new dock, there would be adequate canal ingress and egress. Mr. Chappell confirmed this is the representation, confirming it is required through the permit process.

In response to Commissioner Glassman's question regarding why the Association did not meet with the applicant, Lawrence Gillman, representing Harbor Colony, commented on concerns relating to vessels extending beyond the new dock, referencing a photograph shown on the screen.

A copy of the photograph is attached to these minutes.

Mr. Gillman noted the need to establish a parameter on the north and south sides of the dock, expounding on easements attached to the subterranean land owned by the applicant. Mr. Gillman acknowledged the proposed dock improves the current condition and discussed current challenges to vessels in the canal and how far south vessels could be moored on the proposed dock. Further comment and discussion ensued. Mr. Gillman requested the applicant keep vessels within the edge of the dock and not block the prescriptive easement. Mayor Trantalis stated there is no written legal description of the easement, expounding on the existing prescriptive easement.

City Attorney Bob Dunckel explained the distinction between ownership of the submerged lands and the navigational servitude. A vessel cannot be berthed in a manner that impedes the navigational servitude. Discussion ensued on the question of fact as to what would be an impediment to the navigational rights of neighbors. Further comment and

discussion ensued.

Mayor Trantalis commented on his perspective, urging the Commission to support this item. Issues between those who have the right to use the canal and the dock owners is a private action that do not involve the City.

Mr. Gillman commented on potential concerns when residents apply for building a pier within its riparian rights, confirming it would be forthcoming.

Commissioner Glassman noted that not approving this item would negatively impact neighbors, expounding on related details. Mr. Gillman pointed out the current application allows the applicant to accommodate larger vessels that should not be at the expense of surrounding neighbors. Mayor Trantalis acknowledged Mr. Gillman's position.

Commissioner Sorensen discussed the Commission's inability to limit property rights and this item assisting neighbors' ability to construct a dock. He commented on the applicant being a good neighbor, requesting Mr. Gillman to keep him apprised going forward.

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

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

ADOPTED

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

PH-3 [19-0924](#)

Quasi-Judicial - Ordinance - Rezoning from Residential Midrise Multifamily/Medium-High Density (RMM-25) to Northwest RAC Mixed-Use west (NWRAC-MUw) - City of Fort Lauderdale / Anointed by Christ International Christian Center, Inc. / 220145, LLC. / URBANO 500, LLC. / Sistrunk 2245, LLC. - 501 NW 7th Street - Case No. Z19001 - (Commission District 3)

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 Johnny Gaines, Senior Pastor, Anointed by Christ International Christian Center (Christian Center). Pastor Gaines confirmed the Christian Center's support of the developer, expounding on details benefitting neighbors and the community.

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

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

PASSED FIRST READING

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

PH-4 [19-0928](#)

Quasi-Judicial - Ordinance Vacating an Alley Right-of-Way Located between and perpendicular to NW 5th Street and NW 6th Street - 501 NW 7th Avenue - Fort Lauderdale Community Redevelopment Agency (CRA), Sistrunk 2245 LLC, 220145 LLC, Urbano 500 LLC, Anointed by Christ International Christian Center Inc. - 501 NW 7th Street - West Village - Case No. V19002 - (Commission District 3)

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 Dr. Pamela Beasley Pittman, President of Historic Dorsey-Riverbend. Dr. Pittman confirmed community support of this item and the project, noting this area is one of the gateways to the community. She discussed four (4) meetings with investors and the developer, confirming developer cooperation with addressing neighbor concerns and expounding on details. Going forward the building will be named *The Adderley* to highlight Julian Edwin "*Cannonball*" Adderley, the American jazz alto saxophonist who was a resident of the Historic

Dorsey-Riverbend community.

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.

Mayor Trantalis thanked all stakeholders for their involvement in this project, acknowledging the great things happening in this neighborhood and thanking the developers for their investment.

Vice Mayor McKinzie thanked Pastor Gaines for all of his efforts and important role with this item.

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

PASSED FIRST READING

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

ORDINANCE FIRST READING

OFR-1 [19-0681](#)

Ordinance Amending Section 47-20.3. of the Unified Land Development Regulations (ULDR), to Allow Parking Reductions and Exemptions for Historically Designated Properties - Planning and Zoning Board Case No. T19010 - (Commission Districts 1, 2, 3 and 4)

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

PASSED FIRST READING

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

ORDINANCE SECOND READING

OSR-1 [19-0910](#)

Ordinance Creating Chapter 29, Code of Ordinances of the City of Fort Lauderdale, to be Entitled "Human Relations" - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis reopened the public hearing.

Mayor Trantalis recognized Todd Masnicki. Mr. Masnicki thanked the Commission for their efforts on this human rights protection Ordinance, expounding on the benefits to the LGBT community and his work experience.

Mayor Trantalis recognized Amol Jethwani, South Florida Field Organizer for Equality Florida. He thanked Mayor Trantalis, Commissioner Sorensen and Commissioner Glassman for their efforts to craft this Ordinance and the entire Commission for supporting this Ordinance. He expounded on benefits to the LGBT community.

Mayor Trantalis recognized Michael Rajner. Mr. Rajner commented on his perspective regarding this Ordinance. He requested additional language be added regarding domestic partnership provisions, expounding on details outlined previously. Mr. Rajner discussed the Broward County Human Rights Act. Broward County is in the process of amending the Domestic Partnership Act language within the Human Rights Act to address the health surrogate provision. Mr. Rajner expounded on his perspective, commenting on including this topic in City employment policy.

Mayor Trantalis recognized James LaBrie. Mr. LaBrie confirmed his support of this Ordinance, urging the Commission to approve this item.

In response to Commissioner Sorensen's question about Domestic Partnership Registration, City Attorney Boileau explained the general language in the Ordinance is due to the City not having a registry. The Ordinance refers to and relies upon Broward County for Domestic Partnership Registration. Mayor Trantalis expounded on the Broward County Human Rights Act addressing this point. Further comment ensued.

In response to Commissioner Sorensen's question on including aspects of this Ordinance in City policy, City Attorney Boileau explained the City does not codify personnel rules, expounding on details and citing examples. Should the City decide to do this, Commission would provide direction. He described details regarding exemptions as it relates to governmental entities.

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

ADOPTED ON SECOND READING

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

ADJOURNMENT

Mayor Trantalis adjourned the meeting at 8:18 p.m.

Dean J. Trantalis
Mayor

ATTEST:

Jeffrey A. Modarelli
City Clerk