

City of Fort Lauderdale

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



Meeting Minutes

Tuesday, October 15, 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 6:17 p.m.

Invocation

Father Peter Zougras, Saint Demetrios Greek Orthodox 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 at Arms Richard Fortunato

Vice Mayor McKinzie arrived at 7:22 p.m.

ANNOUNCEMENTS

Mayor Trantalis announced the following Agenda modifications:

CR-3 - Added supplemental Resolution

CR-2 - Change to page 11, Exhibit 1

R-5 - Request to defer to November 5, 2019 from individuals wishing to speak on this item who are unable to attend tonight's meeting

Discussion ensued on R-5 request for deferral to November 5, 2019. Matthew Scott, Esq., on behalf of the applicant, confirmed item R-5 addresses the request for an appeal, not the merits of the rezoning. The deferment requestor does not have party status.

In response to Commissioner Glassman's question, City Attorney Boileau confirmed R-5 is a request for an appeal, commenting on related

details and the process. In answer to Mayor Trantalis' question, City Attorney Boileau expounded on the standard for determining the merits of an appeal that would warrant the scheduling of a subsequent hearing. Comment and discussion ensued on the process.

Commissioner Glassman commented on the Planning and Zoning Board (P&Z Board) Meeting Minutes related to this item. Based upon the P&Z Board Minutes, Commissioner Glassman stated a need for the Commission to hear this appeal due to differing opinions of the Department of Sustainable Development Staff and Office of the City Attorney Staff.

In response to Commissioner Moraitis' question, City Attorney Boileau reconfirmed the requestor of the deferment who wished to speak on this item was not a party to this item, explaining details. The requestor was unable to attend tonight due to extenuating circumstances and is not a party to this item.

Mayor Trantalis recognized Stephanie Toothaker, Esq., Tripp Scott, P.A., on behalf of Gaddis Corporation. Ms. Toothaker requested the Commission defer this item, explaining related details. Mayor Trantalis said that this item only addresses the appeal request. Further comment and discussion ensued.

Commissioner Glassman stated his concern regarding setting a precedent. He said that this is not a hearing on the P&Z Board decision. It is a decision on granting an appeal and setting a Commission hearing to discuss the P&Z Board decision.

Mayor Trantalis explained the procedure should the request for an appeal be granted. Commissioner Sorensen noted his concern if a deferment is not granted. Commissioner Moraitis concurred.

Mr. Scott confirmed a willingness to accommodate the deferment request until November 5, 2019 with the caveat that if the appeal is granted on November 5, 2019, the Commission will proceed with the first De Novo Hearing at that time. He said that this had been done in the past. It would spare Mr. Scott's client from incurring an additional expense due to counsel appearing three times before the Commission. City Attorney Boileau confirmed this request is permissible.

The Commission agreed this is a good compromise. Comment ensued on providing adequate public notice regarding this request. Commissioner Glassman confirmed there are three weeks until the November 5, 2019 Commission Regular Meeting. City Attorney Boileau

said publishing the deferment by Thursday, October 17, 2019 provides sufficient time to advertise.

Mayor Trantalis confirmed a deferment to November 5, 2019 would be voted on when the Commission takes up Agenda item R-5.

Mayor Trantalis recognized the contributions of Jesse Gaddis, a pillar of the community and philanthropist, expounding on Mr. Gaddis' numerous contributions. Mayor Trantalis requested a moment of silence in remembrance of Mr. Gaddis.

City Manager Chris Lagerbloom confirmed a request from the applicant to defer Agenda item M-2 to the November 5, 2019 Commission Regular Meeting. Agenda item M-2 addresses rent abatement for Riverfront Cruises and Anticipation Yacht Charters.

Approval of MINUTES and Agenda

[19-1058](#)

Minutes for September 17, 2019 Commission Conference Meeting, September 17, 2019 Second Budget Hearing and September 17, 2019 Commission Regular Meeting - (Commission Districts 1, 2, 3 and 4)

Commissioner Sorensen made a motion to approve the noted minutes and the Agenda as amended and was seconded by Commissioner Glassman.

APPROVED

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

Not Present: 1 - Vice Mayor McKinzie

PRESENTATIONS

PRES- [19-0959](#) **1**

Proclamation declaring October 23-31, 2019 as Red Ribbon Week in the City of Fort Lauderdale - (Commission Districts 1, 2, 3 and 4)

Commissioner Glassman presented a Proclamation declaring *October 23-31, 2019 as Red Ribbon Week* in the City of Fort Lauderdale, reading the Proclamation in its entirety. Melissa Sauer, *South Florida Young Marines*, expounded on details of the *South Florida Young Marines* organization to serve the needs of boys and girls. Ms. Sauer accepted the Proclamation thanking Mayor Trantalis and the Commission for their support.

PRESENTED

PRES- [19-0987](#)
2

Proclamation declaring November 2, 2019 as Florida Day of the Dead in the City of Fort Lauderdale - (Commission Districts 1, 2, 3 and 4)

Commissioner Sorensen presented a Proclamation declaring *November 2, 2019 as Florida Day of the Dead* in the City of Fort Lauderdale, reading the Proclamation in its entirety. Jim Hammond, Executive Producer, *Florida Day of the Dead*, accepted the Proclamation, acknowledging all who contributed to making this event one of the top ten in the country. Mr. Hammond thanked Mayor Trantalis and the Commission for this recognition.

PRESENTED

PRES- [19-0988](#)
3

Recognition of Officer James Hayes, City of Fort Lauderdale Police Department - Recipient of 2018 Lifesaving Award - Florida Police Chiefs Association - (Commission Districts 1, 2, 3 and 4)

Chief Thomas Nagy, District 11 Director of the Florida Police Chiefs Association, recognized Police Officer James Hayes, City of Fort Lauderdale Police Department as the recipient of the *2018 Lifesaving Award from the Florida Police Chiefs Association*. Chief Nagy described Officer Hayes' immediate lifesaving measures in response to an April 6, 2018 incident. Officer Hayes' actions resulted in the victim surviving his wounds. Chief Nagy presented Officer Hayes with the *2018 Lifesaving Award*.

PRESENTED

PRES- [19-1067](#)
4

Proclamation Declaring the Week of October 7-11 , 2019 as Customer Service Week in the City of Fort Lauderdale - (Commission Districts 1, 2, 3 and 4)

Paul Berg, Director - Public Works Department, presented a Proclamation Declaring the Week of *October 7-11, 2019 as Customer Service Week* in the City of Fort Lauderdale, reading the Proclamation in its entirety. Donna McMahon, Administrative Supervisor - Department of Public Works and Aneisha Daniels, Deputy Director - Public Works Department, accepted the Proclamation. Mayor Trantalis thanked Ms. McMahon and Ms. Daniels for their work on behalf of the City.

PRESENTED

CONSENT AGENDA PUBLIC COMMENT

Mayor Trantalis announced the following items were pulled from the Consent Agenda for separate discussion:

Commissioner Glassman: CR-1 and CR-3

Commissioner Sorensen: CM-8

CONSENT AGENDA

CONSENT MOTION

Approval of the Consent Agenda

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

Approve the Consent Agenda

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

Not Present: 1 - Vice Mayor McKinzie

CM-1 [19-0984](#) Motion Approving Event Agreements: FlockWalk & Run and Canine Companions Paw SUP and Surf Competition - (Commission District 2)

APPROVED

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

Not Present: 1 - Vice Mayor McKinzie

CM-2 [19-0985](#) Motion Approving Event Agreements and Related Road Closures: Novemberfest 2019, 2nd Annual Exotics on Las Olas, NOBE Sunday Block Party/Nightmare on 33rd, FSU-UM Tailgate Watchparty, Craftoberfest and Doc Reno's Bacon, Beer & BBQ - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

Not Present: 1 - Vice Mayor McKinzie

CM-3 [19-1056](#) Motion to Approve Amended and Restated Settlement Agreement between the City of Fort Lauderdale and Outfront Media LLC - (Commission Districts 1, 2, 3, and 4)

APPROVED

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

Not Present: 1 - Vice Mayor McKinzie

CM-4 [19-0997](#) Motion Approving a Fiscal Year 2020 Not-For-Profit Grant Participation Agreement with Winterfest, Inc. - \$225,000 (three-year total) - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

Not Present: 1 - Vice Mayor McKinzie

CM-5 [19-1006](#) Motion Approving Fiscal Year 2020 Not For Profit Grant Participation Agreement with Riverwalk Fort Lauderdale, Inc.; Monthly Go Riverwalk Magazine - \$50,400 - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

Not Present: 1 - Vice Mayor McKinzie

CM-6 [19-0982](#) Motion Approving an Agreement with Yachting Promotions, Inc. and the Marine Industries Association of South Florida, Inc. for the 2019 Fort Lauderdale International Boat Show - (Commission District 2 and 4)

APPROVED

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

Not Present: 1 - Vice Mayor McKinzie

CM-7 [19-0881](#) Motion Authorizing Execution of a Revocable License with CIP 18 Flagler Village, LLC for a Temporary Right-of-Way Closure on NE 5th Terrace, NE 8th Street, and NE 5th Avenue, in Association with the Modera 555 Development Located at 555 NE 8th Street - (Commission District 2)

APPROVED

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

Not Present: 1 - Vice Mayor McKinzie

CM-8 [19-1051](#) Motion Authorizing Execution of a Revocable License with PRII /

Stiles ROLO Apartments Owner LLC for a Temporary Right-of-Way Closure on North New River Drive East, in Association with the Alluvion Development Located at 215 N New River Drive E - (Commission District 4)

Commissioner Sorensen requested additional information regarding this item due to the potential for significant road closures.

Mayor Trantalis recognized Michael Wood, on behalf of the Stiles Construction and Go Tilt Construction, LLC. Mr. Wood explained the reason and timing regarding this item was the removal of a forty-two (42) story tower crane attached to the project located at 215 North New River Drive East. The estimated time for the removal is nine (9) days and would be done as quickly as possible.

Mayor Trantalis recognized Randy Zerra, Project Executive for Stiles Construction. Mr. Zerra commented on the timeline. In response to Mayor Trantalis' question regarding the crane removal inhibiting area residents, Mr. Zerra said "no" explaining related details.

Mayor Trantalis recognized Stan Eichelbaum, President - Downtown Civic Association. Mr. Eichelbaum explained the position of neighbors, commenting on the timeline. He discussed the process and guidelines, requesting more purposeful language in the backup to these types of Agenda items to reduce neighbor concerns. Mr. Eichelbaum noted neighbor concerns regarding forthcoming projects in the downtown area, requesting presentation and explanation of staging plans for new projects. Further comments ensued.

Mr. Eichelbaum asked if this closure would be twenty-four (24) hours. In response to Commissioner Sorensen's question, Mr. Wood confirmed the need for the twenty-four (24) hour closure, expounding on details.

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

APPROVED

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

Not Present: 1 - Vice Mayor McKinzie

CONSENT RESOLUTION

CR-1 [19-0970](#)

Resolution Approving the 2020 State Legislative Priorities and Funding Requests for the City of Fort Lauderdale - (Commission

Districts 1, 2, 3 and 4)

In response to Commissioner Glassman's question regarding resident inquiries about lobbyists, City Manager Lagerbloom gave a high-level overview of the three lobbying firms contracted by the City. City Manager Lagerbloom reviewed their lobbying efforts on behalf of the City, noting related details and citing examples. The duration of the current contracts with the three lobbying firms is from 2016 through 2020 and each one contains a termination for convenience clause with thirty (30) days notice.

Mayor Trantalis recognized Charles King, 105 N. Victoria Park Road. Mr. King discussed his perspective on this item, expounding on related details.

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

ADOPTED

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

Not Present: 1 - Vice Mayor McKinzie

CR-2 [19-1037](#)

Resolution Approving Press Play Fort Lauderdale: Our City, Our Strategic Plan 2024 - (Commission Districts 1, 2, 3 and 4)

ADOPTED

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

Not Present: 1 - Vice Mayor McKinzie

CR-3 [19-1055](#)

Resolution Approving First Lease Amendment for City Owned Property Known as War Memorial Auditorium Located at 800 NE 8 Street with War Memorial Benefit Corporation, and Approving a Site Plan and Benefits Program - (Commission District 2)

In response to Mayor Trantalis' request, City Manager Lagerbloom explained details of this Resolution and the War Memorial Auditorium Site Plan (Site Plan). The City is the owner of the property. This Resolution allows the Commission to review the proposed Site Plan. If the Commission approves the Site Plan and adopts the Resolution, the Site Plan would move forward to the Development Review Committee (DRC) process. Commission approval of the Site Plan can contain conditions that would be part of the DRC process.

City Attorney Boileau confirmed City Manager Lagerbloom's comments, stating related details are contained in Section 4.3 of the Lease.

In response to Mayor Trantalis' question, City Attorney Boileau said this is a Site Plan Level II that would go through the DRC process. As the proprietor of the Auditorium, this item provides the Commission an opportunity to weigh-in on the Site Plan, noting approval cannot be unreasonably withheld.

Commissioner Glassman discussed the supplemental Resolution to this item. City Attorney Boileau said there was a slight shift in the legal description of the original Resolution, explaining details. The second Resolution on the Agenda for this item contains language related to Section 4.3 of the Lease. As the proprietor of the Auditorium, should the Commission adopt the Resolution, it would grant the Applicant the ability to proceed with the Site Plan submission to DRC for regulatory approval.

Commissioner Glassman commented on numerous meetings with the War Memorial Benefit Corporation (Applicant) and the community on this project. He commended Staff for their extensive work with the neighborhood, noting the importance of this project for District II and the City. Commissioner Glassman discussed questions regarding the uses and conditions he would like included in the DRC process. He requested the Applicant present on this item.

Mayor Trantalis recognized John Milledge, Esq., on behalf of the War Memorial Benefit Corporation (Applicant). Mr. Milledge noted the Applicant representatives in attendance. He discussed the public participation as required in the Lease, reviewing specific details of the Applicant's extensive civic engagement.

Mayor Trantalis recognized Sean McCaffrey, Florida Panthers Chief Operating Officer and on behalf of the Applicant. Mr. McCaffrey gave a brief overview of the plan to restore and revitalize the Auditorium, keeping it for multi-use events and Parks and Recreation Department programming events. He expounded on new planned uses, including ice skating rinks for amateur hockey league games, figure skating, public skating, Florida Panthers practice skating and related amenities open to the public. The facility would contain approximately 6,000 square feet of multi-use space.

A copy of the renderings provided by Mr. McCaffrey is attached to these minutes.

Mr. McCaffrey commented on architectural efforts blending old and new aspects of the Auditorium project and the landscape plan incorporated into the surrounding Holiday Park (Park). The landscape architect will

include an additional 112 canopy-focused trees. The plan would include a contiguous walking path connecting the north and south sides of the Park.

In response to Mayor Trantalis' question regarding the removal of trees, Mr. McCaffrey explained four (4) large oak trees would be relocated. Approximately fifty (50) small pine tree saplings would be removed. Large native canopy shade trees would be planted on the backside of the project.

As requested by the Victoria Park neighborhood, Mr. McCaffrey confirmed the addition of an elevated heavily landscaped green walkway leading to a greatly landscaped elevated garden space. Commissioner Glassman noted this berm is on the north side of the project. Mr. McCaffrey said the leasehold is for six acres, stating the area north of the Auditorium would remain greenspace.

Mayor Trantalis recognized Genia Ellis, 429 SE 13th Street. Ms. Ellis acknowledged efforts to encourage the Florida Panthers organization to come to the City, stating that this is an exceptional use for the existing facility. She recommended the Commission support this item.

Mayor Trantalis recognized Charles King, 105 N. Victoria Park Road. Mr. King commented on his perspective item, explaining his concerns and related details. He confirmed Victoria Park's desire for this project.

Mayor Trantalis recognized Gary Roskin, Co-founder and General Manager of the Florida Panthers Warriors. Mr. Roskin explained his organization's work and dedication to its military veterans' program for disabled veterans who play hockey, expounding on related details. He urged the Commission to support this project.

Mayor Trantalis recognized Daniella Acosta, 3403 Barton Road. Ms. Acosta confirmed her support of this project, expounding on details and thanking the Commission for their efforts to remove the Gun Show from this facility.

Mayor Trantalis recognized Chad Maxey, 19 NW 16th Street. Mr. Maxey thanked the Commission for taking up this item, noting his military service and the positive aspects of a Public-Private Partnership for this project that honors military veterans. He urged the Commission to support this item.

Commissioner Glassman reiterated his thanks to the Applicant for the public outreach to residents of District II. He commented on the Sandy

Nininger Statue (Statue) returning to the War Memorial Auditorium site. Mayor Trantalis commented on the future relocation of the Statue to a redefined landscape in and around the War Memorial Auditorium that would serve to induce public participation in recognizing military veterans. Commissioner Glassman concurred, noting this project's tremendous addition to Holiday Park that complements the Parks Bond efforts.

Commissioner Glassman discussed additional conditions raised by District II residents that he would like included in the DRC process, including the Auditorium activity schedule being open to the public in a manner comparable to the Coral Springs Ice Den (Coral Springs Facility). Mr. McCaffrey agreed. Commissioner Sorensen requested additional information on this topic.

A copy of the conditions requested by Commissioner Glassman is attached to these minutes.

Mr. McCaffrey explained specific details of the activity and programming schedule and hours of operation of the Coral Springs Facility. Further comment and discussion ensued on Florida Panthers' two to three-hour morning practice sessions and use of the southern ice rink during the professional hockey season when the team is at home and no game is scheduled. The northern rink would be for use by the community.

Commissioner Glassman reviewed details of the Coral Springs Facility, inquiring about the fee schedule for the Auditorium being comparable, including having a fifteen percent (15%) resident fee reduction for anything fee-related. Mr. McCaffrey confirmed.

Commissioner Glassman discussed the need for an agreement to provide the public one or two months advance notice for public access for recreation activities, play areas and activities programmed by the Parks and Recreation Department. Mr. McCaffrey confirmed this is amenable.

Commissioner Sorensen questioned if a finite commitment from the Applicant is necessary. Discussion ensued on maintaining existing events at the Auditorium. Mr. McCaffrey confirmed there are dates for existing events built into the Lease to be designated by the City. Commissioner Glassman noted the need for flexibility and working towards that goal. Further discussion ensued on future programming of Auditorium space. Mr. McCaffrey confirmed the Applicant would work towards that goal. The Applicant will have a website for the public to determine advance availability and supporting activities. Commissioner

Glassman said that this website information could also be included on the City website and made available to contiguous neighborhoods.

Commissioner Glassman requested a written agreement that there would be no future improvements to the north side of the parcel to preserve the existing open space. Mr. McCaffrey confirmed.

Commissioner Glassman commented on the future building of a parking garage with Parks Bond funding that will free up space for additional amenity programming. Mr. McCaffrey confirmed.

Commissioner Glassman requested an agreement that patrons would no longer be permitted to park on the grass lot west of the site after completion of the garage for the Parker Playhouse garage. Mr. McCaffrey confirmed.

Commissioner Glassman requested agreement that the Applicant would extend an existing youth hockey league scholarship program for disadvantaged youth that funds fees and equipment costing up to \$500 to area youth. He discussed outreach to the Chief Education Officer to advise schools of these opportunities and work with the Applicant to coordinate. Mr. McCaffrey confirmed.

Due to it not being included in the site plan, Commissioner Glassman noted the need for a written agreement for the construction of a northside green berm walkway and rooftop element to add additional greenspace to the site, subject to building engineering standards. Mr. McCaffrey confirmed.

In response to Commissioner Glassman's question, Mr. McCaffrey said the Applicant would explore the possibility of having volleyball nets at the Auditorium. Commissioner Glassman thanked all stakeholders for their work and effort, expounding on his perspective.

In response to Commissioner Moraitis' comments regarding preserving the area currently used for parking on the westside of the Auditorium and using Parks Bond funding to improve that space, Mayor Trantalis confirmed. Commissioner Moraitis suggested connecting Holiday Park and Flagler Village with a pedestrian bridge. Comment and discussion ensued on this topic.

Commissioner Sorensen thanked the Florida Panthers organization for their work with veterans and employing veterans as part of Auditorium Staff. He requested additional information regarding the War Memorial component of the project. Mr. McCaffrey confirmed discussions

regarding incorporating the Sandy Nininger Statue on the Auditorium site and efforts to address the history of veterans. He discussed curating the history of veterans with the assistance of the community as the project is developed, expounding on details. Further comment and discussion ensued on having a Memorial Wall and additional ways to recognize veterans. Mr. McCaffrey concurred, expounding on details.

In response to Mayor Trantalis' question, Mr. McCaffrey agreed to pay for the future relocation of the Sandy Nininger Statue to the War Memorial site. Mayor Trantalis discussed the elevation of the building being kept with the aesthetic of a park to ensure pedestrian views reflect a park-like green setting. He commented on the possibility of having indoor tennis courts inside the Auditorium.

Mayor Trantalis recognized Ann Wiley, 1600 SW 5th Street. Ms. Wiley commented on her perspective on this item, noting concerns regarding maintaining canopy trees and expounding on details. Mr. McCaffrey confirmed they are working with Arborist Jeremy Chancey, who is part of this project. Commissioner Glassman commented on Ms. Wiley's concerns, stating this project encompasses only six (6) acres out of the ninety-eight (98) acres that make up the entire area of Holiday Park.

Vice Mayor McKinzie commented on the subject of relocating the Sandy Nininger Statue, explaining related details.

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

ADOPTED - Authorizing execution of first amendment

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

Discussion ensued on the Commission's hard copy of this Supplemental Resolution discussed earlier by City Attorney Boileau. City Attorney Boileau reiterated and clarified. The Commission confirmed its understanding.

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

ADOPTED - Approving leasehold site plan and benefits

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

CR-4 [19-1069](#)

Resolution Authorizing the City Manager to Execute License Agreements for Parking at City-Owned Property - (Commission

Districts 1, 2, 3 and 4)

ADOPTED

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

Not Present: 1 - Vice Mayor McKinzie

CR-5 [19-0938](#) Resolution Imposing Special Assessment Liens for Lot Clearing -
(Commission Districts 2 and 3)

ADOPTED

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

Not Present: 1 - Vice Mayor McKinzie

CONSENT PURCHASE

CP-1 [19-0904](#) Motion Approving Design-Build Contract for South Middle River
Forcemain Crossing Project - Man-Con, Incorporated - \$1,278,661 -
(Commission District 1)

APPROVED

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

Not Present: 1 - Vice Mayor McKinzie

CP-2 [19-0967](#) Motion Approving Contract for Disaster Cost Recovery and Related
Grant and Project Management Services - Thompson Consulting
Services, LLC - \$4,500,000 (estimated three-year total) -
(Commission Districts 1, 2, 3 and 4)

APPROVED

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

Not Present: 1 - Vice Mayor McKinzie

CP-3 [19-0979](#) Motion Approving Proprietary Purchases for Water Distribution,
Wastewater Collection, and Stormwater System Infrastructures and
Treatment Facilities - Various Vendors - \$6,900,000 (estimated
not-to-exceed total) - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

Not Present: 1 - Vice Mayor McKinzie

MOTIONS

- M-1** [19-1020](#) Motion to Approve Designation of the City of Fort Lauderdale Voting Delegate and Alternate(s) for the National League of Cities - 2019 City Summit and Annual Business Meeting, San Antonio, Texas, November 20-23, 2019 - (Commission Districts 1, 2, 3 and 4)
- Mayor Trantalis confirmed he would be the voting delegate for this item.
- Commissioner Sorensen made a motion to approve this item and was seconded by Commissioner Glassman.
- APPROVED - Mayor Dean J. Trantalis as Voting Delegate**
- Aye:** 5 - Vice Mayor McKinzie, Commissioner Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis
- M-2** [19-1035](#) Motion Approving Rent Abatement for Riverfront Cruise and Anticipation Yacht Charters, LLC for Dockage Agreement - (Commission District 2)
- Commissioner Sorensen made a motion to defer this item until November 5, 2019 at 6:00 p.m. or soon thereafter and was seconded by Commissioner Glassman.
- DEFERRED to November 5, 2019**
- Aye:** 5 - Vice Mayor McKinzie, Commissioner Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis
- M-3** [19-1028](#) Motion Approving a Services Agreement between the City of Fort Lauderdale and the Fort Lauderdale Community Redevelopment Agency (CRA) - (Commission Districts 2 and 3)
- Commissioner Sorensen made a motion to approve this item and was seconded by Commissioner Glassman.
- APPROVED**
- Aye:** 5 - Vice Mayor McKinzie, Commissioner Sorensen, Commissioner Moraitis, Commissioner Glassman and Mayor Trantalis
- M-4** [19-0811](#) Motion Approving an Application for a Temporary Beach License and Outdoor Event Agreement for Brews at the Beach - (Commission District 2)
- Commissioner Sorensen 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

RESOLUTIONS

R-1 [19-1031](#)

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

City Clerk Jeffrey Modarelli read the names of the Board and Committee nominees for appointment and/or reappointment at the November 5, 2019 Commission Regular Meeting.

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 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-2 [19-0876](#)

Resolution Authorizing the City Manager to Execute a Memorandum of Agreement between the State of Florida Division of Emergency Management and the City of Fort Lauderdale, Florida for the Use of a Statewide Alert and Mass Notification System - (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 [19-0663](#)

Quasi-Judicial - Appeal of Planning and Zoning Board Denial of a Parking Reduction Application - Gproulx Warehouse - 3125 South Andrews Avenue - Florida East Coast Railway, LLC. - Case No. R19008 - (Commission District 4)

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.

Mayor Trantalis recognized Stephen Tilbrook, Esq., on behalf of the applicant. Mr. Tilbrook introduced the applicant team. He explained this item relates to granting an appeal followed by a hearing before the Commission. Mr. Tilbrook gave an overview of this item, including the parcel location, zoning and square footage of the warehouse building. The applicant went through the DRC process in November 2017. In February 2019, the tenant was secured and a request for a parking reduction was requested. Mr. Tilbrook commented on related details.

The Planning and Zoning Board (P&Z Board) heard this item on May 15, 2019. The P&Z Board vote was 3-5 to deny this request for a parking reduction. There was no evidence or basis for denial in the record. A notice of appeal was filed on June 13, 2019 and supplemental documents were filed on September 24, 2019, all of which are included in the backup to this item.

Mr. Tilbrook explained the criteria for an appeal. There must be competent and substantial evidence in the record to support the decision or a departure from the essential requirements of the law. In this case, there was no competent and substantial evidence in the record to support the decision. Mr. Tilbrook noted an additional departure from Florida Statute 166.033 that requires a denial of an application to include written findings supporting the decision. There were no written findings supporting this decision. Staff Reports were in favor of a parking reduction.

Mr. Tilbrook submitted Binder I to the Commission that includes the applicant's evidence to support this request for a new hearing. He gave a brief review of the seven (7) tabs of documentary evidence contained in the binder. In response to Mayor Trantalis, Mr. Tilbrook confirmed this evidence is included in the backup to this Agenda item.

A copy of Binder I is on file at the Office of the City Clerk.

Mr. Tilbrook explained items not included in the record that would support a denial of the requested parking reduction. There was no engineering analysis, expert testimony, Staff Report, written findings of fact, neighborhood opposition or any evidence in the record to support a denial.

Mr. Tilbrook summarized his presentation, requesting the Commission

grant an appeal and hold a De Novo Hearing tonight on this request for a parking reduction.

In response to Mayor Trantalis' question regarding proper notice to hold a De Novo Hearing, Mr. Tilbrook confirmed notice is published at the site and in the Agenda, stating Code permits this option. This case differs from another P&Z Board denial appeal listed on the Agenda that addresses rezoning and requires a published newspaper notice. This appeal addresses a parking reduction that does not require the same level of notice.

In response to Mayor Trantalis' question regarding the P&Z Board vote on this item, Mr. Tilbrook explained there were questions regarding the sufficiency of the application. The Staff confirmed it was a complete application. There were questions regarding neighborhood support. Mr. Tilbrook confirmed there was public outreach, though undocumented. Since that time, there has been a letter of support from the Poinciana Park neighborhood (Letter of Support) for the parking reduction and is in the second binder submitted to the Commission. The Letter of Support was not in the P&Z Board hearing record.

Mr. Tilbrook said there was evidence to support the approval of the request for a parking reduction, reiterating that there was no evidence to support the denial. He expounded on what makes up competent and substantial evidence. All evidence in the record supports the approval of the request for a parking reduction.

Mayor Trantalis requested Anthony Fajardo, Director of the Department of Sustainable Development, to provide additional background details regarding no supporting evidence for the P&Z Board decision. Mr. Fajardo said he could not speak to the issue of evidence supporting the P&Z Board decision. He concurred with the applicant's statement that Staff supported the parking reduction based on the analysis by the Transportation and Mobility (TAM) Department. Further comment ensued.

In response to Mayor Trantalis' question regarding the denial of the request for a parking reduction without evidence to support the P&Z Board decision, City Attorney Boileau confirmed that the Commission, in its appellate capacity, can only rely on the record contained in the backup. The record cannot be supplemented. City Attorney Boileau said that the Florida Statute 166.033, referenced earlier by Mr. Tilbrook, did not become effective until July 1, 2019, commenting on related details.

Commissioner Sorensen questioned why the applicant did not build a building to allow the amount of required parking. Mr. Tilbrook said this is a brand new, completed building. There was not a prior use to this building.

In response to Mayor Trantalis' question regarding why the building was not built in a manner to support the required parking, Mr. Tilbrook reviewed the site plan. The City requires one parking space per 800 square feet for warehouses. The Institute of Transportation Engineers (ITE) and Broward County standards require one parking space per 2,000 feet of warehouse space. A significant amount of parking provided in the original site plan was in the rear of the warehouse building along the Florida East Coast Railway line. Since the tenant has moved in, it has become clear this area is needed for off-loading from rail cars and on-loading to trucks for deliveries.

A copy of the site plan is attached to these minutes.

In response to Mayor Trantalis' question regarding limiting the granting of this parking reduction request to the current leasehold tenant and not running in perpetuity with the land, City Attorney Boileau confirmed. Further comments ensued on this topic. Mr. Tilbrook confirmed, reiterating there was nothing to support the denial.

Commissioner Sorensen confirmed the P&Z Board's concern regarding neighborhood support. Mr. Tilbrook reconfirmed the Letter of Support had been obtained. Discussions ensued on the next steps moving forward.

Commissioner Sorensen introduced this Resolution setting a De Novo Hearing for October 15, 2019 which was read by title only.

ADOPTED - Set De Novo Hearing for October 15, 2019

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

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

Mayor Trantalis opened the public hearing.

Mr. Tilbrook reconfirmed the applicant is seeking a parking reduction. He submitted Binder II into evidence. There is sufficient parking on the site and as discussed in the engineering report included in Binder II. There is documentation of neighborhood support included in Binder II. Mr. Tilbrook said the project is complete and is an asset to this

commercial corridor.

A copy of Binder II is on file at the Office of the City Clerk.

Vice Mayor McKinzie confirmed the tenant is a building supply company, commenting on its previous location near Fort Lauderdale Executive Airport and explaining the benefits of the company's current location.

City Attorney Boileau confirmed a condition of Staff is the recording cost of this parking reduction would be done at the expense of the applicant. Mr. Tilbrook confirmed. Mayor Trantalis reiterated that the granting of this parking reduction is limited to the current leasehold tenant and does not run in perpetuity with the land.

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

Commissioner Sorensen made a motion to approve this parking reduction request with the caveat that it would only apply to the current leasehold and would not run with the land in perpetuity and the recording fee would be borne by the applicant. The motion to approve was seconded by Vice Mayor McKinzie.

APPROVED - Motion to approve parking reduction with expectation to not run with the land and only pertinent to this leasehold

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

R-4 [19-0845](#)

Quasi-Judicial Resolution to Approve the Vacation of Various Roadway and Utility Easements - City of Fort Lauderdale - 151 Las Olas Circle - Case No. E19003 - (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.

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-5 [19-0851](#)

Quasi-Judicial - Appeal of Planning and Zoning Board Denial of a Rezoning Application - The Guitar Broker - 816 NW 6th Avenue - Brody Family Investments, LLC- Case No. Z19002 - (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.

Commissioner Sorensen made a motion to defer this item to November 5, 2019 at 6:00 p.m. or soon thereafter and was seconded by Commissioner Glassman.

DEFERRED to November 5, 2019

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

R-6 [19-0899](#)

Quasi-Judicial - Resolution Approving an Affordable Housing Height Bonus for a Site Plan Level II Development Permit for a 65-foot High Mixed-Use Development consisting of 455 units (46 Affordable Housing Units and 409 Market Rate Units) and 17,752 Square Feet of Commercial Use in the North West Regional Activity Center - Mixed Use West (NWRAC-MUw) Zoning District, proposed at 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. - The Adderley (F.K.A. West Village) - Case No. R19014 - (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 received.

Mayor Trantalis opened the public hearing.

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

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

ADOPTED - Approving site plan

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

R-7 [19-1041](#)

City Attorney Annual Performance Review and Merit Adjustment - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis commented on his perspective, thanking City Attorney Boileau for his work, expounding on details. Commissioner Sorensen noted the Office of the City Attorney's good working relationship with the Office of the City Manager.

Discussion ensued on the three percent (3%) merit increase and salary. City Attorney Boileau acknowledged and thanked his Staff. Commissioner Sorensen acknowledged City Attorney Boileau for his professionalism and additional work-related attributes.

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

ADOPTED - 3% Merit salary increase

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

ORDINANCE FIRST READING

OFR-1 [19-0799](#)

Quasi-Judicial Ordinance Amending City of Fort Lauderdale Unified Land Development Regulations (ULDR) Section 47-24, Development Permits and Procedures, Providing Approval Process for Development Permits in the Uptown Urban Village Zoning Districts; Amend Article XIII - Additional Zoning Districts, Establishing Section 47-37B "Uptown Urban Village Zoning Districts", List of Districts, Intent and Purpose of Each District, Applicability and General Regulations, List of Permitted and Conditional Uses, Table of Dimensional Requirements, Special Regulations; and Amend Section 47-28, Flexibility Rules, Applicability; Conditions specific to the Uptown Urban Village Project Area - Case No. T19011 - (Commission Districts 1, 2, 3 and 4)

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.

Commissioner Moraitis noted her perspective on this Ordinance, expounding on opportunities and details related to this item that includes an affordable housing component. She discussed possible opportunities to access Parks Bond funding to purchase public space for greenspace pocket parks in the vicinity of future residential units. Commissioner Moraitis commented on the possible future purchase of Florida East Coast (FEC) Railway's linear tracks to attain *Rails to Trails* goals. She acknowledged and thanked Staff for their work, confirming her full support of this Ordinance.

In response to Commissioner Sorensen's question, Commissioner Moraitis identified the specific parcels she referred to in her comments regarding conserving greenspace. Commissioner Sorensen concurred.

Vice Mayor McKinzie discussed the specific items included on the Parks Bond ballot item. Further comment and discussion ensued. Commissioner Moraitis noted the possible future need to assist developers with greenspace. City Manager Lagerbloom confirmed funds were identified in the Parks Bond for future projects not yet identified. Additional comments ensued on this topic and the use of residual funds from the Lockhart Stadium Site.

Commissioner Sorensen introduced this Ordinance for 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

ADJOURNMENT

Mayor Trantalis adjourned the meeting at 9:07 p.m.

Dean J. Trantalis
Mayor

ATTEST:

Jeffrey A. Modarelli
City Clerk

NOTICE TO MEMBERS OF THE PUBLIC: