

City of Fort Lauderdale

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



Meeting Minutes

Tuesday, December 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 6:11 p.m.

Invocation

Fort Lauderdale Public Safety Chaplain Ron Perkins

Pledge of Allegiance

Commissioner Ben Sorensen

ROLL CALL

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

QUORUM ESTABLISHED

Also Present: City Manager Chris Lagerbloom, City Clerk Jeffrey A. Modarelli, City Attorney Alain E. Boileau, and Sergeant at Arms **Richard Fortunato**

ANNOUNCEMENTS

None

Approval of MINUTES and Agenda[19-1218](#)

Minutes for November 5, 2019 Commission Regular Meeting, November 19, 2019 Commission Legislative Delegation Workshop, November 19, 2019 Commission Conference Meeting, November 19, 2019 Commission Regular Meeting and December 3, 2019 Commission Conference Meeting - (Commission Districts 1, 2, 3 and 4)

Commissioner Glassman noted a scrivener's error.

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

APPROVED AS AMENDED

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

PRESENTATIONS**PRES- [19-1117](#)****1**

Introduction and Welcome - Belo Horizonte, Brazil

Mayor Trantalis recognized Russell Weaver, President, Greater Fort Lauderdale Sister Cities International, and Andrea Faria, Brazilian Chairwoman, Greater Fort Lauderdale Sister Cities International. Mr. Weaver announced *Azul Airlines*, Brazil's third-largest airline, recently started year-round service connecting its hub in Belo Horizonte/Confins Airport to Fort Lauderdale/Hollywood International Airport. Mr. Weaver showed a short film clip of Belo Horizonte, Brazil. He introduced Mr. Gilberto Castro, President of *Belotur*, Belo Horizonte's Tourism Agency. Mr. Castro addressed the audience, commenting on the attributes of the City of Belo Horizonte, Brazil's sixth largest city.

PRESENTED**PRES- [19-1228](#)****2**

Commissioner Glassman will present a Proclamation declaring December 17, 2019 as the 100th Anniversary of 1919 Club Day in the City of Fort Lauderdale

Commissioner Glassman requested Linda Tapp, Mary Meyers and members of the *1919 Club* join him at the Podium. He presented a Proclamation declaring *December 17, 2019 as the 100th Anniversary of 1919 Club Day in the City of Fort Lauderdale*, reading the Proclamation in its entirety. The Proclamation was accepted by Ms. Tapp on behalf of the *1919 Club*. Ms. Tapp expounded on the history and contributions of the *1919 Club* members, thanking Staff, the Commission and Mayor Trantalis for this recognition.

PRESENTED**PRES- [19-1240](#)****3**

Vice Mayor McKinzie will present a Proclamation declaring December 17, 2019 as Zeta Phi Beta Sorority Incorporated Founders' Day

Vice Mayor McKinzie requested members of *Zeta Phi Beta Sorority (Sorority)* join him at the podium. He presented a Proclamation declaring *December 17, 2019 as Zeta Phi Beta Sorority Incorporated Founders' Day*, reading the Proclamation in its entirety. Anita Fain Taylor accepted the Proclamation, highlighting the *Sorority's* charitable efforts and scholarship program in the community and thanking Vice Mayor McKinzie, the Commission and Mayor Trantalis for this recognition.

Mayor Trantalis recessed the Commission Regular Meeting at 6:41 p.m. to convene the Community Redevelopment Agency (CRA) Board Meeting.

Mayor Trantalis reconvened the Commission Regular Meeting at 6:52 p.m.

PRESENTED

CONSENT AGENDA PUBLIC COMMENT

Mayor Trantalis announced the following Consent Agenda item was pulled for separate discussion:

Commissioner Glassman: CP-2

There were no members of the public wishing to speak on any of the remaining Consent Agenda items.

CONSENT AGENDA

CONSENT MOTION

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 Moraitis, Commissioner Glassman, Vice Mayor McKinzie, Commissioner Sorensen and Mayor Trantalis

CM-1 [19-1178](#)

Motion Approving Event Agreements: Sistrunk, Sound Waves, Seaglass Fort Lauderdale Rose Experience, and Floranada Day - (Commission Districts 1, 2, and 3)

APPROVED

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

CM-2 [19-1179](#)

Motion Approving Event Agreements and Related Road Closures: Uptown 5K on the Runway and MASS Districts Events - (Commission Districts 1 and 2)

APPROVED

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

- CM-3** [19-1166](#) Motion Approving FY2020 Beach Business Improvement District (BID) Grant Participation Agreement with Greater Fort Lauderdale Pride Inc. - \$75,000 - (Commission District 2)

APPROVED

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

- CM-4** [19-1202](#) Motion Approving FY2020 Beach Business Improvement District (BID) Grant Agreement with Lauderdale Air Show, LLC.- \$75,000 - (Commission District 2)

APPROVED

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

- CM-5** [19-1204](#) Motion Approving FY2020 Beach Business Improvement District (BID) Grant Agreement with A&R Enterprises of So. FL, Inc. - \$165,000 - (Commission District 2)

APPROVED

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

CONSENT RESOLUTION

- CR-1** [19-1233](#) Resolution appointing the law firm of Greenberg Traurig, LLP as Special Counsel in connection with the Execution of a Stormwater Line of Credit Agreement - (Commission Districts 1, 2, 3 and 4)

ADOPTED

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

- CR-2** [19-1144](#) Resolution Approving the Performing Arts Center Authority Budget and Tri-Party Grant Agreement for Fiscal Year 2020 - (Commission District 2)

ADOPTED

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

- CR-3** [19-0993](#) Resolution Approving a 1) Fifth (5th) Amendment to the Maintenance Memorandum of Agreement Inclusive Agreement for State Road 838 with the Florida Department of Transportation for Landscape Improvements Within the Right-of-Way on the South Side of State

Road 838 (Sunrise Boulevard) and, 2) Assumption of Liability and Hold Harmless Agreement with Andrews Project Development, LLC. - (Commission District 2)

ADOPTED

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

CONSENT PURCHASE

CP-1 [19-1049](#) Motion Approving Contract for Purchase of Roofing Maintenance and Repairs - Advanced Roofing, Inc. - \$3,000,000 (estimated three-year total) - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

CP-2 [19-1165](#) Motion Approving Contract for Purchase of Roving Security Guard Services - Sunstates Security, LLC - \$123,569 - (Commission Districts 2 and 4)

In response to Commissioner Glassman's question, City Manager Chris Lagerbloom explained details related to this item. The contract provides for up to two security guards to be on duty at various times at the three (3) City marinas.

Jodi Hart, Procurement and Contract Manager, clarified details, stating that security services are paid based on Staff's designation of where and when security guards are assigned.

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

APPROVED

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

CP-3 [19-1176](#) Motion Approving Increase in Funds for Purchase of Irrigation Supplies - Various Vendors - \$50,000 - (Commission Districts 1, 2, 3 and 4)

APPROVED

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

MOTIONS

- M-1** [19-1210](#) Motion Approving an Event Agreement, Related Road Closure and Exemption of Music with Strictly Local, Inc. for Food In Motion - (Commission District 2)

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

APPROVED

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

- M-2** [19-1122](#) Motion to Approve an Agreement with Palm Beach Aggregates for the Capacity Allocation of Three Million Gallons of Water Per Day from Phase I of the C-51 Reservoir for a Future Capital Cost of \$13,800,000 and a Reoccurring Annual Operating Cost of \$109,654 - (Commission Districts 1, 2, 3 and 4)

Vice Mayor McKinzie discussed his understanding of this item and the large commitment. Mayor Trantalis noted this agreement ensures the future purchase of fresh water. Further comment ensued.

City Manager Lagerbloom commented on capacity limitations associated with the C-51 Reservoir, confirming the need to ensure an adequate amount of future drinking water. He noted that if an additional reservoir is constructed and a need exists, there is an option to reserve the right to add an additional 3,000,000 gallons.

In response to Vice Mayor McKinzie, City Attorney Alain Boileau provided his perspective, stating that this is suitable from a legal standpoint.

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

APPROVED

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

RESOLUTIONS

- R-1** [19-1214](#) Appointment of Board and Committee Members - (Commission Districts 1, 2, 3 and 4)

City Clerk Modarelli read into the record the names of Board and Committee appointments and/or 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 - Commissioner Moraitis, Commissioner Glassman, Vice Mayor McKinzie, Commissioner Sorensen and Mayor Trantalis

R-2 [19-1215](#)

Appointment of City Representative on Broward County Tourist Development Council - (Commission Districts 1, 2, 3 and 4)

Commissioner Sorensen introduced this Resolution appointing Mayor Dean J. Trantalis as the City's representative to the Broward County Tourist Development Council which was read by title only.

ADOPTED

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

R-3 [19-1113](#)

Resolution of Intent to Use the Uniform Method of Collecting Non-Ad Valorem Assessments for Costs Associated with Stormwater Management (Commission Districts 1, 2, 3 and 4)

In response to Commissioner Glassman's question, City Manager Lagerbloom explained this item reserves the right of the Commission to move the stormwater assessment from the utility bill to a non-ad valorem tax. The related Ordinance would need to be amended. Commissioner Glassman confirmed his desire to further discuss this topic.

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

ADOPTED

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

Nay: 1 - Vice Mayor McKinzie

R-4 [19-1109](#)

Resolution Authorizing Execution of a Non-Revolving Line of Credit Agreement for Stormwater Improvement Projects - (Commission Districts 1, 2, 3 and 4)

In response to Commissioner Sorensen's question, City Manager Lagerbloom explained details related to the revolving Line of Credit (LOC), confirming it is necessary to begin needed infrastructure improvements. He commented on issuing future bonds. This item's LOC would allow work to begin based upon existing stormwater rates.

City Manager Lagerbloom explained the first step for a bond issuance is to amend the stormwater rate. At the direction of the Commission, the proposed revised stormwater rates would support future bonds and are being presented to the Council of Fort Lauderdale Civic Associations (CFLCA) for review and feedback. CFLCA feedback is expected in January 2020. The proposed revised stormwater rates would be brought back before the Commission in February or March 2020. Should a bond be issued, his recommendation is to pay off the LOC and continue additional projects with bond funds.

In response to Vice Mayor McKinzie's question, City Manager Lagerbloom confirmed there is no stormwater rate increase associated with this item.

In response to Commissioner Glassman's question, City Manager Lagerbloom confirmed this LOC would begin to address work in two (2) of the previously identified initial seven (7) adaptation neighborhoods (Seven Neighborhoods) that require stormwater infrastructure. The infrastructure work in those two (2) neighborhoods total approximately \$68,000,000 and would be funded by the LOC. Should a \$200,000,000 bond be issued, stormwater infrastructure work for the balance of the Seven Neighborhoods would continue. Commissioner Glassman noted his desire for these projects to move as quickly as possible.

In response to Mayor Trantalis' question, City Manager Lagerbloom explained how two (2) of the initial Seven Neighborhoods were prioritized and confirmed this infrastructure work would begin in 2020.

In response to Commissioner Moraitis, City Manager Lagerbloom confirmed the stormwater rate model to be presented to the Commission in 2020 is the hybrid-rate model and would include feedback from the CFLCA. He confirmed that the Infrastructure Task Force Committee supports the hybrid-rate model.

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

ADOPTED

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

Easement - City of Fort Lauderdale - 151 Las Olas Circle - Case No. PLN-E19005 - (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 communications, 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 Glassman. Roll call showed: AYES: Commissioner Moraitis, Commissioner Glassman, Vice Mayor McKinzie, Commissioner Sorensen, and Mayor Trantalis. NAYS: None.

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

ADOPTED

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

R-5 [19-1121](#)

Quasi-Judicial Resolution Approving the "New River Sound" Plat - 425 Seabreeze Blvd - Summit Hospitality 134, LLC - Case No. PL19001 - (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 communications, written communications, site visits and expert opinions received.

Mayor Trantalis opened the public hearing.

Mayor Trantalis recognized Stephanie Toothaker, Esq., on behalf of Summit Hospitality 134, LLC (Applicant).

In response to Mayor Trantalis' question, City Attorney Boileau explained details regarding the associated plat. Ms. Toothaker said it is a replat, allowing up to a 150 room hotel, reflecting the level of development approval.

Commissioner Glassman commented on the related Planning and Zoning Board (P&Z Board) Meeting Minutes and the process when addressing plats and site plans. City Attorney Boileau recommended a plat be addressed prior to review of a site plan. Further comment and discussion ensued.

In response to Mayor Trantalis' question, Anthony Fajardo, Director of Department of Sustainable Development, explained that underlying zoning allows for the Applicant's requested use. He said the Applicant has indicated it can fit 150 rooms on the site plan. Mayor Trantalis commented on yard modifications being requested. Discussion ensued on the process, details related to the plat and the ability to build 150 rooms on the site without making zoning changes. Further comment ensued.

Mayor Trantalis recognized John Burns, The Venetian Condominium. Mr. Burns spoke in opposition to this item, commenting on the Applicant's request for a parking reduction from 123 to 104 parking spaces and related details. In response to Mayor Trantalis, Mr. Burns confirmed the applicant's current hotel, *Courtyard by Marriott*, use of this area for parking. It was noted a parking reduction is tied to a site plan, not a plat. Further comment ensued.

In response to Commissioner Glassman's question, City Attorney Boileau explained items to be discussed when platting, which are in accordance the Unified Land Development Regulations (ULDR) Section 47-24.5, Subdivision Requirements.

In response Commissioner Sorensen's question, Mr. Fajardo said plat notes are designed to be restrictive regarding what can occur on the site, citing examples and commenting on plat amendments.

In response to Mayor Trantalis' question, Mr. Fajardo confirmed that if this plat is approved, the applicant can build up to 150 units, noting that Broward County requires any development on this parcel be platted.

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

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

ADOPTED

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

R-7 [19-1137](#)

Quasi-Judicial Resolution - Approval of Site Plan Level IV Development Permit for a 150-Room Hotel - Residence Inn Fort Lauderdale Beach - Case No. R18054 - (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 communications, written communications, site visits and expert opinions received.

Mayor Trantalis opened the public hearing.

Mayor Trantalis recognized the applicant Dan Hansen, President, Chairman and Chief Executive Officer of Summit Hospitality 134, LLC (Applicant). Mr. Hansen discussed details related to the proposed *Marriott Residence Inn* all-suite hotel development (Project) and the nearby *Courtyard by Marriott* (Courtyard). He commented on discussions with the *International Swimming Hall of Fame* regarding meeting the needs of athletes and families, expounding on related details and confirming memorabilia from the *International Swimming Hall of Fame* would be integrated into the Project design. Mr. Hansen discussed meetings with the *Central Beach Alliance* and residents of *The Venetian Condominium*, addressing their respective concerns.

Mayor Trantalis recognized Stephanie Toothaker, Esq., on behalf of the Applicant. Ms. Toothaker narrated the presentation on this Project, confirming it is a Site Plan Level IV project for an eleven (11) story Project located at 425 Seabreeze Boulevard. She noted the Planning & Zoning Board approved the project with a 6-3 vote, explaining related details.

A copy of the presentation is attached to these minutes.

Ms. Toothaker submitted one hundred (100) signed petitions from local residents in support of the Project.

A copy of these petitions is attached to these minutes.

Mayor Trantalis recognized Michael Fleming, 2806 NE 30th Street, General Manager of the Courtyard and on behalf of the Applicant. Mr.

Fleming confirmed his support of this Project and his availability to answer questions.

Mayor Trantalis recognized Debbie Rosenbaum, 2800 East Sunrise Boulevard, on behalf of *Swim Fort Lauderdale*. Ms. Rosenbaum spoke in support of the Project, commenting on the numerous anticipated events following completion of *Aquatic Complex* renovations.

Mayor Trantalis recognized Rick Ramirez, Harbor House. Mr. Ramirez spoke in support of this Project, commenting on the positive changes to Fort Lauderdale Beach.

Mayor Trantalis recognized Thomas Trinajstic. Mr. Trinajstic spoke in opposition to this Project, citing the amount of ongoing construction in the area, traffic and concerns related to infrastructure.

Mayor Trantalis recognized Thetis Palamiotou, 3000 Bayshore Drive. Ms. Palamiotou spoke in support of this item, citing numerous attributes of the area, including the numerous luxury hotels. She commented on the need for a non-luxury hotel to address the needs of families and budget conscious guests.

Mayor Trantalis recognized Dan Teixeira, President of the Harbor House East Condominium Association, Nine North Birch Road. Mr. Teixeira commented on the positive aspects of the Project and the need for a hotel adjacent to the *Aquatic Complex* to serve the needs of athletes, expounding on related details and urging the Commission to support this Project.

Mayor Trantalis recognized John Burns, The Venetian Condominium, One Las Olas Circle. Mr. Burns spoke in opposition to the Project, citing concerns related to the requested parking reduction and parking matters related to the Courtyard. He expounded on details related to parking and traffic congestion.

Mayor Trantalis recognized Shirley Smith, The Venetian Condominium, One Las Olas Circle. Ms. Smith spoke in opposition to this item, citing traffic concerns and recommending the Project be maintained within the scope of existing rules.

Mayor Trantalis recognized Rosie Kurlander, The Venetian Condominium, One Las Olas Circle. Ms. Kurlander spoke in opposition to this item, citing safety, infrastructure and quality of life concerns, and commenting on previously approved projects in the area.

Mayor Trantalis recognized Bill Kent, 2845 NE 9th Street and on behalf of the *International Swimming Hall of Fame*. Mr. Kent spoke in support of the Project, commenting on the need for family-style accommodations for attendees and participants in *International Swimming Hall of Fame* events.

Mayor Trantalis recognized William Brown, President, *Central Beach Alliance (CBA)*. Mr. Brown discussed the applicant's presentations before the *CBA* and the challenge to reach a consensus on this Project. He confirmed the *CBA* vote was 99 in opposition to the Project and 61 in support of the Project.

In response to Commissioner Glassman's question, Mr. Brown explained aspects of *CBA* voting. Each building has ten (10) votes and each individual has one (1) vote. The votes in support came from five (5) condominium buildings and eleven (11) individuals. The votes in opposition came from seventy-nine (79) individuals, or their proxies, and two (2) condominium associations.

In response to Commissioner Glassman's question regarding the *CBA's* approval of the Beach Boys project, Mr. Brown said there was not a large membership attendance during that *CBA* vote.

Mayor Trantalis recognized Karen Turner, 550 Bayshore Drive. Ms. Turner spoke in support of the Project, commenting on the support of the *CBA* for the Beach Boys project and the *CBA* vote regarding this Project.

Ms. Toothaker noted this Project has kitchens, distinguishing it from other area hotels and leading to a synergy with members of the swimming 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 Commissioner Glassman. Roll call showed: AYES: Commissioner Moraitis, Commissioner Glassman, Commissioner Sorensen, and Mayor Trantalis. NOT PRESENT: Vice Mayor McKinzie.

In response to Commissioner Glassman's questions regarding the *Water and Wastewater Capacity Availability Letter (WWCL)*, Igor Vassiliev, Project Manager II, explained details regarding determining available capacity for new projects. He expounded on numerous characteristics of the current infrastructure, including the design perspective, quantitative aspects and the current condition of the infrastructure system.

Mr. Vassiliev explained details related to Pump Station D-31 located near the Las Olas Marina that serves as the force main pumping wastewater south to the George T. Lohmeyer Wastewater Treatment Plant. The wastewater pipe in the ground at the Project is a ten (10) inch clay wastewater pipe (Clay Pipe) installed in the 1960-1970 timeframe and has experienced multiple breaks and is in need of scheduled repairs. The Clay Pipe has concerns related to inflow, infiltration and slope.

Mr. Vassiliev noted that data from the State of Florida is anticipated regarding the condition of pipes beneath State Road A1A. Mr. Vassiliev said it would make sense to replace the Clay Pipe.

In response to Commissioner Sorensen's questions, Mr. Vassiliev explained details regarding use and capacity as listed in the *WWCL*, confirming adequate capacity exists and explaining related details, including the future replacement of Pump Station D-31. As noted in the *WWCL*, the site is currently served by a 6-inch water main along Seabreeze Boulevard and a ten (10) inch wastewater clay pipe along Seabreeze Boulevard. City Manager Lagerbloom confirmed the condition of the wastewater Clay Pipe, expounding on related details.

A copy of the WWCL is attached to these minutes.

Commissioner Glassman stated his position for approval of this Project. The wastewater Clay Pipe needs to be addressed. He requested Ms. Toothaker's input regarding the applicant's willingness to replace the Clay Pipe. Ms. Toothaker noted the prorated share of impact fees paid by the Applicant for water and wastewater. Further comment and discussion ensued on this topic, capacity and the aging infrastructure pipe system.

Commissioner Glassman discussed determining a cost to repair the Clay Pipe. Mayor Trantalis noted the need for a clear understanding of where the Clay Pipe begins and ends.

In response to Commissioner Glassman's question regarding the cost to replace the Clay Pipe, Paul Berg, Director of Public Works, explained available options to address the Clay Pipe, noting the length of the pipe has not been determined. He said that when the D-31 Pump Station is addressed, its line to Las Olas Boulevard would be improved. An agreement and related details for that project is anticipated within the next few months.

City Manager Lagerbloom confirmed the Clay Pipe is in the City's right-of-way parallel to the Project's parcel, noting related details.

Mr. Berg concurred that the Clay Pipe needs to be addressed, noting it is not included in the five-year Capital Improvement Project (CIP). It would likely be addressed in the next tranch of bond issuance funding in the next two to three (2-3) years with an estimated completion date of approximately seven (7) years. Commissioner Glassman noted his concern regarding this timeline and the need for a new threshold of criteria for approving projects on the beach, commenting on expectations. City Manager Lagerbloom commented on the process to obtain a cost estimate to replace the Clay Pipe and related details.

In response to Commissioner Glassman's questions regarding the Applicant participating in the cost, City Attorney Boileau explained legal aspects, confirming the need for there to be a nexus to the Project and noting that the applicant must voluntarily agree. Further comment and discussion ensued on the conditions of approval for the Project include the Applicant's participation in the cost to address the Clay Pipe.

City Manager Lagerbloom confirmed the approximate length of the front edge of this parcel is about one hundred eighty (180) feet.

Ms. Toothaker commented on discussions with Mr. Hansen, confirming the Applicant's agreement to begin preliminary discussions to participate, within reasonable limits, for funding its proportionate share of required improvements to the Clay Pipe. She expounded on details related to determining these costs. Further comment and discussion ensued on this concept, impact fees and other possible repair options, including lining the current Clay Pipe.

In response to Commissioner Glassman's questions, Ms. Toothaker reviewed the four (4) iterations of the Project, explaining significant changes and associated details. She reviewed parking capacity, details related to the parking study and the Applicant's request for a parking reduction. During construction, the Applicant would pay for employee parking off-site at the Las Olas Garage.

In response to Commissioner Glassman's questions regarding hotel employee parking, Mr. Fleming explained details related to current employee parking during Project construction. There are seventy-one (71) parking spaces on the east side of the Courtyard, which are primarily used at night and is approximately seventy-five percent (75%) full on average. He said that the parking ratio has recently lowered to thirty-seven percent (37%), noting that the need for parking has

decreased over the years and explaining related details.

Commissioner Moraitis discussed her perspective regarding the need to make infrastructure a priority for new projects on the beach. She confirmed her support of a hotel property similar to this Project that has kitchens, commenting on related details.

In response to Commissioner Sorensen's questions, Ms. Toothaker confirmed parking at the Project would only be for guests and would not be open to the public.

Suzanne Danielson, DC Engineers, explained details related to the parking study, confirming information from the valet at the Courtyard property was used on two days with maximum occupancy and assumed both properties would be one hundred percent (100%) occupied, explaining related details. It was noted that parking does not impact the grading of roadways. Further comment and discussion ensued.

In response to Commissioner Sorensen's question, Mr. Berg explained details associated with the lining of the Clay Pipe, stating it would minimally impact capacity and reduce infiltration.

In response to Commissioner Sorensen's questions, Ms. Toothaker explained that a pedestrian pathway could not encircle the entire project without impacting the loading area. She said the loading area could be walked, noting impediments to encircling the entire project in this area.

Mr. Fleming commented on nearby businesses which have large trucks temporarily parked for off-loading on the east side of Seabreeze Boulevard that should be pulling in to offload. Comment ensued on this topic.

Mayor Trantalis commented on the need to put this item into context, commenting on his perspective regarding the need for a hotel of this type to accommodate the needs of those attending and participating in events at the *Aquatic Complex*. He discussed the roadway grade of Seabreeze Boulevard and nearby intersections, the four (4) area hotels approved for development, the potential need for additional hotels and the current condition of aging infrastructure.

Vice Mayor McKinzie commented on rerouting infrastructure for the eastern portion of the City that impacted the Northwest area in District III, expounding on details and confirming the state of aging infrastructure. Further comment and discussion ensued.

Mayor Trantalis expounded on development concerns, including blocking ocean views along Seabreeze Boulevard, the need to meet infrastructure obligations and the importance of appropriately timing new development. Due to these concerns, he confirmed that he could not support this item.

Vice Mayor McKinzie commented on denying development, confirming the City's responsibility to address infrastructure and discussing related details. He noted other municipalities are experiencing similar circumstances and that many City projects not yet built were approved by the previous Commission.

Commissioner Glassman discussed his perspective. Comment and discussion ensued on the design of the Project and the ability to have an ocean view.

Mayor Trantalis recognized Jorge Garcia, Project Architect. Mr. Garcia reviewed aspects of the glass portions of the building, noting the goal to reduce its footprint and enhance the pedestrian experience. He said the glass portions of the building do not provide the opportunity to see through to the ocean, expounding on the configuration of the building and related details. Further comment and discussion ensued on the ability to provide an ocean view.

Commissioner Glassman noted expenditures related to the *Aquatic Complex* and the *International Swimming Hall of Fame* and community input regarding the niche that this Project addresses. Further comment ensued on previously approved projects on the barrier island. Commissioner Glassman expounded on his extensive review of numerous Meeting Minutes and other review criteria related to this Project, commenting on details. He noted that major concerns raised at the recent District II Pre-Agenda Meeting had been addressed.

Commissioner Glassman requested an update on the cost to address the Clay Pipe and related input from the Applicant. City Lagerbloom discussed a ballpark amount of \$275 per linear foot for replacement of the Clay Pipe. Lining of the Clay Pipe is estimated at approximately \$75 per linear foot. He discussed the amount the Applicant impact fee would fund towards these costs. Further comment and discussion ensued on the process and use of impact fees to address the Clay Pipe. City Manager Lagerbloom expounded on details related to this subject and existing infrastructure needs.

Mr. Hansen confirmed his commitment to contribute up to \$275 per linear foot to address the Clay Pipe. Further comment and discussion ensued on this topic and the need to ensure this subject is addressed in a

reasonable and appropriate manner, including determining connectivity on either side of the Clay Pipe and the need for further infrastructure assessment to connect to the existing wastewater system.

City Manager Lagerbloom confirmed, commenting on the reasonableness of addressing only the portion of the Clay Pipe running parallel to the Project. Comment and discussion ensued on a possible future scenario regarding significant increases to costs and corresponding delays in future CIPs. City Manager Lagerbloom confirmed that he would need to return to the Commission in such a scenario, discussing available options and future related budget amendments.

City Attorney Boileau discussed the need for clarification on the basis of a Commission decision. Comment and discussion ensued.

City Manager Lagerbloom explained details regarding the Level of Service for the Beach Boys Project Traffic Study dated June 2019.

In response to Commissioner Sorensen's question, City Manager Lagerbloom confirmed current ongoing infrastructure work is proceeding at a pace as fast as the system can sustain based upon available funding and debt level the City is able to service, citing examples. Further comment and discussion ensued on the pace, size and impact of development.

Commissioner Glassman introduced this Resolution based upon Staff recommendations as amended to include the conditions of approval from the Planning and Zoning Board and the voluntary contribution from the Applicant to fund up to \$275 per linear foot for the cost of addressing the Clay Wastewater Infrastructure Pipe running parallel to the parcel to be addressed prior to the issuance of a Certificate of Occupancy (CO). The Resolution was read by title only.

ADOPTED AS AMENDED

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

Nay: 1 - Mayor Trantalis

ORDINANCE FIRST READING

[19-1238](#)

WALK-ON - Motion extending Regular Meeting until 10:30 pm

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

APPROVED

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

OFR-1 [19-0912](#)

Ordinance Amending Chapter 23, Article VI of the Code of Ordinances - Street Performers and Street Artists (Buskers) - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis recognized April Kirk, Executive Director, Stranahan House Museum. Ms. Kirk spoke in opposition to this item, stating this Ordinance amendment removes permitting oversight of Buskers. She requested limiting one artist or one street performer at any time in Laura Ward Park and noted conflicts with Special Events Permitting.

Mayor Trantalis recognized Sarah Spurlock, Nighttime Economy Manager. Ms. Spurlock explained aspects of the current permitting process. All available spots have been purchased but not utilized, inhibiting desired goals. She noted other cities where Busking is successful and prosperous, which do not require permits.

Mayor Trantalis commented on the option to hire street musicians and control aspects in order to provide the desired experience. Ms. Spurlock confirmed that option would assist, noting that Buskers rely on donations. Further comment ensued.

Ms. Spurlock explained this Ordinance amendment addresses the impediment of the permit process currently being experienced, confirming there would continue to be regulation and enforcement, expounding on details. Further comment and discussion ensued on the Ordinance's amendments that include providing six (6) feet of pedestrian access on sidewalks and venue performers having priority. Commissioner Sorensen noted the need for discussions with stakeholders.

Mayor Trantalis recognized Genia Ellis, President and CEO of Riverwalk, Inc. Ms. Ellis noted that Riverwalk had hosted Busker events in Laura Ward Park, expounding on details. She commented on Buskers residing in the area who were precluded from getting a permit under the existing Ordinance and her support of some type of registration. Ms. Ellis expounded on her recommendations based upon identified areas. Further comment and discussion ensued on this topic.

Commissioner Sorensen noted his support of the current Ordinance, making recommendations, including limiting the number of renewals and the number of permits per individual per year. Further comment and discussion ensued on additional alternatives and monitoring.

Mayor Trantalis recommended deferring this item in order to incorporate Commissioner Sorensen's recommendations.

Ms. Ellis commented on the difference in allowing renewable permits and registering Buskers. Mayor Trantalis noted the need to register and recommended updates to the permitting process. Ms. Kirk expounded on her concerns. Further comment ensued.

Commissioner Sorensen made a motion to defer this item to the January 7, 2020 Commission Regular Meeting which was seconded by Commissioner Glassman.

DEFERRED to January 7, 2020

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

OFR-2 [19-0989](#)

Quasi-Judicial Ordinance Vacating Right-of-Way Identified as NE 5th Terrace Located Between and Perpendicular to NE 6th Street and NE 7th Street - Flagler Sixth, LLC. - 627 North Federal Highway - 627 N Federal - Case No. V19005 - (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 communications, written communications, site visits and expert opinions received.

Mayor Trantalis opened the public hearing.

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

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

PASSED FIRST READING

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

ORDINANCE SECOND READING

OSR-1 [19-1216](#)

Ordinance Amending the Pay Plan of the City of Fort Lauderdale, Florida by Amending the Non-Bargaining Compensation Table and Schedule VI Providing a One Percent General Wage Increase Effective October 6, 2019 - (Commission Districts 1, 2, 3 and 4)

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

ADOPTED ON SECOND READING

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

[19-1232](#)

WALK-ON - Motion to extend Regular Meeting for additional 15 minutes

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

APPROVED

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

OSR-2 [19-1217](#)

Quasi-Judicial - Ordinance Vacating a Portion of SW 6th Street Right-of-Way located East of the Tarpon River and West of SW 8th Avenue -Edward and Betty Kirwin - Case No. V19003 - (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 communications, written communications, site visits and expert opinions received.

Mayor Trantalis opened the public hearing.

Mayor Trantalis recognized Allison Foster, Tarpon River Civic Association. Ms. Foster expounded on her perspective, commenting on the Staff process and the clarity of neighborhood communications, details related to access and the purpose of right-of-way. Further comment and discussion ensued on landscaping and water access.

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 Moraitis, Commissioner Glassman, Vice Mayor

McKinzie, Commissioner Sorensen, and Mayor Trantalis. NAYS: None.

In response to Commissioner Sorensen's question, Phil Thornburg, Director of Parks and Recreation, discussed alternatives for this area, including the removal of a large portion of the asphalt and creating a water vista. He noted the need to allow a right-of-way access to the adjacent property. Further comment and discussion ensued. City Attorney Boileau said this area could not be converted to a park due to it being a thoroughfare, expounding on related details.

Ms. Foster commented on concerns regarding discussions at the Planning and Zoning Board (P&Z Board) Meeting, expounding on details and reading from the P&Z Board's Meeting Minutes.

Mayor Trantalis recognized Gregory McAloon, Esq., on behalf of the applicant. Mr. McAloon explained details regarding items raised at the P&Z Board Meeting, stating that the underlying right-of-way belongs to the adjacent property. The easement right belongs to the City for use as a thoroughfare. He commented on the process for converting the area into a park. Mr. McAloon explained the technical differentiation of the Ordinance with regard to the use for a public purpose and its context with the plat, the use as a thoroughfare. City Attorney Boileau confirmed.

Mayor Trantalis recognized Ed Kirwin, 800 SW 6th Street. In response to Commissioner Sorensen's question, Mr. Kirwin confirmed his plan for the property is to build a single-family home.

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

ADOPTED ON SECOND READING

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

In response to Commissioner Glassman's question regarding the ability to enact an ordinance requiring projects to contribute infrastructure related impact fees for infrastructure directly impacting its project, City Attorney Boileau explained the intent of the Florida Legislature pursuant to a recent State Statute. Impact fees must have a nexus to the project. He confirmed he would further research and advise the Commission. City Attorney Boileau noted that the Department of Sustainable Development is also addressing this subject.

ADJOURNMENT

Mayor Trantalis adjourned the meeting at 10:38 p.m.

Dean J. Trantalis
Mayor

ATTEST:

Jeffrey A. Modarelli
City Clerk