



City Manager's Office

2011 OCT -5 PM 2:46

**Memorandum**

**Memorandum No: 11-316**

**Date:** October 4, 2011

**To:** Honorable Mayor and Commissioners

**From:** Lee R. Feldman, ICMA-CM, City Manager *L.R. Feldman*

**Re:** Issue Briefings for the Joint City Commission and County Commission Meeting

COMMISSIONERS  
RECEIVED

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Attached please find issue briefings for the topics on the City/County agenda scheduled for this Thursday, October 6, 2011. Staff has prepared these for information and background. Attached also is a memorandum from County Administrator Bertha Henry detailing these issues from a county perspective.

If you have any questions, please contact me directly at (954) 828-5959.

Thank you.

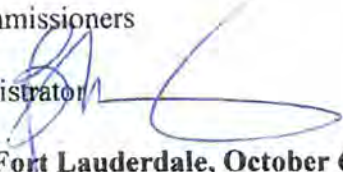
Attachments: 1) Issue Briefings  
2) Memorandum from County Administrator

cc: Stanley D. Hawthorne, Assistant City Manager  
Susanne M. Torriente, Assistant City Manager  
Harry A. Stewart, City Attorney  
Jonda K. Joseph, City Clerk  
John C. Herbst, City Auditor  
Chaz Z. Adams, Acting Public Information Director



**BERTHA W. HENRY**, County Administrator  
115 S. Andrews Avenue, Room 409 • Fort Lauderdale, Florida 33301 • 954-357-7362 • FAX 954-357-7360

## MEMORANDUM

**DATE:** October 3, 2011  
**TO:** Mayor and Board of County Commissioners  
**FROM:** Bertha W. Henry, County Administrator   
**SUBJECT:** **Joint Meeting with the City of Fort Lauderdale, October 6, 2011**  
**Update on Outstanding Issues**

Please find below is a synopsis of the issues to for the upcoming joint meeting with the City of Fort Lauderdale. With the exception of the convention center marquee, the items contained herein were submitted by the City. These issues are not in any particular order, and I will distribute an Agenda for the meeting once agreed with the City.

### Northport DRI/By Pass Road Agreement

The Northport Development of Regional Impact (DRI) is set to expire on December 31, 2011. Since 2008, County staff has been working with the City to extend the DRI build-out date to preserve the remaining development rights within the DRI, which include a 1,000 room hotel and 100,000 s.f. of office/retail use. These efforts have been delayed due to a finding by the City that the DRI is in "significant noncompliance" with the development order because of the security checkpoints established at the entrances to Port Everglades following September 11, 2001. The City has acknowledged that the proposed Bypass Road is an acceptable solution to bring the DRI back into compliance with the Development Order. Additionally since 2007, Port Everglades has been seeking City Development Review Committee (DRC) approval to expand Cruise Terminal 4, which the City has tied to the above.

Over the course of the last ten months, the City and County have held numerous staff level meetings and Commission workshops designed to resolve open issues related to the DRI and the Bypass Road. The outcome of these discussions has led to a draft development agreement to accomplish the following:

1. County commitment to construct the Bypass Road in two phases within certain established timeframes;
2. City approval of the DRI build-out date extension, inclusive of all applicable legislative extensions, which will eventually result in a December 2026 build-out date;
3. City agreement to issue building permits and certificates of occupancy according to Bypass Road phasing and completion date. These permits and certificates of occupancy include all permitted



development within the DRI, as well as the Cruise Terminal 4 Phase I (11/1/11 Interim Improvements) and Phase II (Future Build Out) improvements; and

4. City acknowledgment of allocation of necessary parking for operation of Cruise Terminal 4 prior to November 1, 2011.

The current draft of the DRI Development Agreement accomplishes these goals. However, the following issues necessary to finalize the agreement remain unresolved:

1. Establishing objective criteria and standards for City’s review of the requested queuing analysis and the resulting City remedy in the event an acceptable queuing analysis is not timely submitted.
2. Allocation of City required 169 parking spaces within the convention center garage for operation of Cruise Terminal 4 prior to November 1, 2011.

**WAVE and SEFEC Development**

The South Florida Regional Transit Authority, acting as the WAVE project “sponsor and construction manager”, submitted a Small Starts Section 5309 grant application to the Federal Transit Administration (FTA) on September 12<sup>th</sup>, 2011. The WAVE project is a 2.7 mile north/south corridor streetcar that extends through downtown Fort Lauderdale providing local circulation and transit access to serve downtown residential and employment populations as well as downtown entertainment destinations. The total project capital cost and funding source is as follows:

<b>Agency</b>	<b>Amount (Millions)</b>
Federal Transit Administration	\$ 71.3
Florida Department of Transportation	35.7
Downtown Fort Lauderdale Special Assessment District	20.6
City of Fort Lauderdale	10.5
Broward Metropolitan Planning Agency	4.5
<b>Total</b>	<b>\$142.6</b>

The Small Starts program evaluates projects on cost effectiveness, land use benefits and economic development. If the project receives a medium rating, it would qualify for federal funding. At that point, the project is eligible to compete nationally for funds. If funded, the project will seek FTA’s approval to move into the design phase and ultimately approval to construct. After the project is constructed, Broward County would serve as the project owner and operator with annual operating expenses now anticipated to be in the range of \$2.6 million.

Regarding SEFEC development, the Florida Department of Transportation is currently conducting a study for passenger rail development along the SEFEC corridor. Broward County Transit currently



participates as a stakeholder in the study process. However, a meeting of the study group has not occurred for several months. As identified in the packet submitted to the Board by Commissioner Jacobs at the September Meeting, there are a number of factors affecting this project, including discussions by the Governor's Office which affects Tri-Rail, the anticipated sponsor of the project.

**Traffic Impact Mitigation Policy (Fort Lauderdale and Lockhart Stadiums Redevelopment)**

This issue relates to a City land use plan amendment (LUPA) to change 72 acres of the City's Executive Airport property from Recreation and Open Space and Employment Center to Transportation, which allows for Commercial Recreation uses. According to Planning Council's transportation analysis, the amendment would add 180 trips to Commercial Boulevard from NW 21st Avenue to I-95, which is currently over capacity. This number exceeds the 3% threshold the Planning Council uses to determine significant impact. The City proposes to only mitigate the impact of trips exceeding 3% of the capacity, or 40 trips by paying \$108,630 for traffic signalization engineering improvements on the affected link. Note: that Commercial Blvd cannot be widened so the mitigation is based on the theoretical cost of road widening. This methodology is being applied to many amendments because most of the road rights-of-way in Broward County are built out.

The City's mitigation proposal was reviewed and not accepted by the Planning Council. The recommendation is for payment to mitigate all trips that impact the overcapacity link (180) creating a difference in the two methodologies of \$304,282 (\$108,630 vs. \$412,912). The Planning Council approved staff's recommendation and subsequently approved a policy to require mitigation of all trips for future amendments. The Board voted to transmit the City's LUPA in June 2011 with the understanding that the proportionate share issue would be resolved prior to the February 12, 2012 adoption date.

**Middle River Terrace Park Land Acquisition**

The City has been asked to terminate the contract with property owners Vincent Fazio and Dominick Casale due to nonperformance. The City's contract for purchase of OS-145 in the amount \$929,500 of was originally signed by the City on September 10, 2007; five amendments have since occurred, the most recent on September 8, 2008. The City has been unable to close out the transaction due to unresolved soil and groundwater contamination issues and the inability of the property owners to provide the "clean" site needed to complete the conditions of the contract. The property owners had a court-ordered date of July 16, 2011 to submit a Site Assessment Report for the site. They failed to comply and are now in violation of a Default Final Judgment and Permanent Injunction entered by the Court on May 17, 2011, for not completing a Site Assessment Report and failing to pay Broward County \$12,380 within 60 days.

**Cypress Creek Scrub Parcel**

The City requested County consideration for allowing this Conservation Land site, purchased under the bond program, to be developed as an office building in return for a site of equal or greater size and



ecological value. There have been no proposals submitted for consideration since early January 2011. County staff recently requested that a final proposal be submitted for consideration by December 16, 2011. Currently, the County has set aside \$317,450 to restore the site. Via an ILA with the City, these funds must be spent on this site within the next two years or they will revert back to the County.

**Impact of Broward County Board of Rules and Appeals (BORA) Decisions on Marine Industry**

While the City Manager believes this issue has been temporarily resolved, he asked that it remain on the list. County staff is not quite sure of the issue but offers the following:

At the BORA meeting of September 8, 2011, there were two agenda items relating to the City involving the Lauderdale Marine Center:

1. The City inquired as to whether or not building permits are required for boat related membrane structures erected for less than 180 days. BORA's response was that they were not but there might be requirements by other regulatory agencies.
2. The City as to whether or not a proposed alternate relating to the Florida Fire prevention code meets the required fire safety standards. BORA referred the matter to the fire code technical committee with a mandate to work out a code compliant solution and report back to BORA within 90 days. Subsequently, the City of Fort Lauderdale withdrew its request for fire code interpretation.

**Beach Nourishment – Segment II/Port Everglades Sand By-Pass**

The Segment II beach nourishment project is currently in the final re-design stage. The current Segment II project includes beach fill in Pompano Beach, Lauderdale-by-the-Sea and northern Ft. Lauderdale from Galt Ocean Mile down to approximately Castillo St. The consultant is evaluating the project as it was configured in 2004 under today's beach and nearshore hardbottom conditions and regulatory environment. The northern and southern limits of the project as well as the width, height, and potential benefit of a dune feature are being reevaluated. The latter may be an essential component as it may be viewed as an important environmental and storm protection feature by regulatory agencies. Because of the proximity of nearshore hardbottom, the project's width and length to some degree will be significantly constrained to avoid hardbottom impacts, which is critical to obtaining permits. Since the Segment II project was last evaluated, two species of coral common along the shoreline have been listed as a threatened species and all nearshore hardbottoms along county beaches are listed as critical habitat for these corals. As such, the permitting is expected to be significantly more difficult. The goal is to provide maximum storm protection, recreation and sea turtle benefits while minimizing and/or avoiding impacts to the nearshore hardbottom. Added features such as a dune and a modest increase in the beach berm elevation in areas will likely assist in achieving this goal.

Another project planning matter is sand quality. There are both environmental and aesthetic issues related to sand quality. Fine grained sands with high silt contents are typically not preferred for use as



beach fill, especially where there are sensitive resources such as nearshore hardbottoms. Likewise, sand that has a very different color from the native sand can raise concerns from beach users. Traditionally, beach fill projects in Broward County have been constructed with sand from offshore sources. These sands typically have a gray shade, a little darker than native sands, with silt contents that can cause problematic turbidity levels during dredging and placement. An alternative source of sand can be from upland mines. Upland sand sources can have color characteristics more similar to native beach conditions and can be processed to contain a smaller percentage of silts compared to offshore sources, better controlling turbidity and sedimentation effects on the environment. The biggest concern with the use of upland sand sources is that the material must be delivered to the beach by truck through the Fort Lauderdale communities and it may take several years to complete the entire project. Offshore sand is delivered to the beach from offshore and a project can be completed in one season. Use of upland sand sources also will be more expensive even with the increased cost of environmental monitoring for offshore sources. The sand source decision for beach fill must be made prior to submitting an application, which is currently schedule for late 2013. A legal challenge could delay this schedule.

The Port Everglades Sand By-Pass Inlet project captures sand that is lost to the littoral system at Port Everglades and moves it to down drift beaches south of the inlet. Sand typically moves from north to south along east coast Florida beaches. At most inlets, including Hillsboro and Boca Raton, it is bypassed to beaches south of the inlet where it continues its journey. Capture and beneficial placement of this material at Port Everglades Inlet is very important to maintaining beaches south of the inlet. Although it is not the total solution to maintaining Segment III beaches, it represents approximately 25% of the annual demand at a cost-effective rate which is increasing important as suitable offshore sand previously used in Segment III is almost depleted.

Most by-pass systems have common elements including a "trap" to collect and hold the moving sand for a period of time and then a means to move it south, which can be either temporary or permanent infrastructure. The current concept for Port Everglades includes a sand trap on the north side of the channel with periodic (every 2 to 3 years) dredging of the material and placing it on beaches to the south of the inlet. There have been several major issues associated with this plan in the past and continues today. Early versions of the plans envisioned a reduction in beach width north of the inlet; current plans maintain the beach width and in fact put some additional material on beaches north of the inlet. Permanent above water infrastructure was considered in early plans; this is no longer proposed. Current concerns focus on methods to excavate the sand trap, which may include blasting as a means to help remove the rock and any other construction actions in the area which could be expected to interfere with use of the beach or the quiet enjoyment of the beach during the construction phase. Staff will bring the results and recommendations of the sand trap construction feasibility study to the Board for discussion prior to move ahead with this project.

#### **Annexation of Surrounding Areas**

Approximately 14,000 of Broward's population live in unincorporated areas and receive municipal-level services such as Neighborhood Parks, Fire Rescue, Code Enforcement and Garbage Collection. These



unincorporated areas primarily consist of neighborhoods contiguous to the City including the neighborhoods of Boulevard Gardens, Washington Park, Franklin Park, Roosevelt Gardens and Broadview Park. The County has a policy of encouraging annexation to eliminate service delivery inefficiencies which occur as a result of serving a small population in scattered areas. However, instead of aggressively pursuing Cities in recent years, the County has focused on continuing its efforts to upgrade the areas. Recent annexation activity involving the City includes its 2010 Financial Study of annexing all contiguous areas, which ultimately resulted in only annexing several small enclaves of commercial property in the Cypress Creek area.

#### **BARC and SATC Replacement Facilities**

The Human Services Department is proposing the replacement of two of its aging and inefficient human service facilities located in Ft. Lauderdale. The Central BARC Facility currently operating in Historic Sailboat Bend and the Sexual Assault Treatment Center (SATC) Facility on NE 4<sup>th</sup> St. are proposed to be co-located on County owned property at 2700 SW 4<sup>th</sup> Ave. The majority of clients served at both the SATC and BARC facilities are residents of the City of Ft. Lauderdale. The BARC facility will provide an array of outpatient services and inpatient medical detoxification. Due to an increase in community need, the current detoxification beds are proposed to increase from 34 to 50 and phased use as additional funds are available. Although the SATC is not a residential facility, it operates on a 24/7 basis to provide assessment and treatment services to child and adult victims of sexual assault/abuse. The County is committed to creating a campus that includes aesthetically pleasing landscaping and fencing.

#### **Homeless Services**

Today, 62% percent of county funding for homelessness is allocated to the Homeless Assistance Centers, of which \$2,370,530 is for the Central Homeless Assistance Center (CHAC) located in the City. The CHAC served 1,248 unduplicated homeless persons in FY 2010 (average stay of 60 days). The Broward Partnership for the Homeless, Inc. (BPHI), the CHAC provider, has proposed reconfiguring a section of the child care center on the west side (NW 7<sup>th</sup> Ave) side of the building and re-purposing it to accommodate twenty additional beds and bathroom facilities.

#### **County Parking Garage**

The City asserts that its concerns relate to insufficient public parking available in the County's Parking Garage. Further, the City feels that if the public could park during the day at an affordable rate, it would greatly benefit the area. Additionally, the City expressed concerns regarding the amount of time it takes to exit the garage in the evening and due to lines or traffic on the street. County staff is happy to engage the City in a greater dialogue on this subject.

#### **Hollywood Satellite Booking Facility**

The City wishes to discuss its concerns regarding the closing of this facility by the Broward Sheriff's Office. The City's asserts that an extended period of time is being spent processing bookings, which has reduced the number of officers patrolling the city and requests that the Hollywood facility be reopened.

**Convention Center Marquee**

The FDOT has reviewed and approved the location, design and construction of the convention center electronic marquee and has issued a construction permit. A permit submittal package has been given to the County's land use attorney for delivery to the City. Previously, the designed was approved by City staff; however, the permit was not issued because of an objection from Portside Yachting Center (PYC). The County is in compliance with all aspects of the City's sign ordinance and anticipates that the permit will be issued within the next six weeks bringing to an end a five year period of inaction on this request.

**Funding of Public Safety Communications (9-1-1/Police Dispatch)**

Note: A package will be distributed to the Board under separate cover.

BWH/ds

cc: Pam Madison, Deputy County Administrator  
Pete Corwin, Assistant to the County Administrator  
Monica Cepero, Assistant to the County Administrator  
Department/Office Directors  
Peter Ross, Deputy Director, Environmental Protection & Growth Management Department  
Al Simon, Director, Development & Environmental Regulation Division  
Marcie Gelman, Assistant Director, Office of Management & Budget Services  
Eric Myers, Natural Resources Administrator  
Don Burgess, Land Preservation Administrator



*City of Fort Lauderdale*

# ISSUE BRIEFING

## Northport Development of Regional Impact (DRI)

**Challenge:** The Northport DRI is currently in significant non-compliance with the approved Development Order. In addition, the DRI is set to expire on December 31, 2011. In order to preserve existing entitlements and allow for future development within the DRI, the County wishes to amend the Northport Development Agreement to modify certain conditions of the Development Order and allow for an extension of the build-out date. The County also intends to resolve parking garage allocation issues and finalize site plan approval for Cruise Terminal 4 (CT4).

**Background and Status:** The original approval for the Northport DRI was adopted on February 7, 1989 by Ordinance C-89-9. Since that time, a number of DRI Development Order amendments have been approved including extensions to build-out dates. Due to the 9/11 terrorist attacks, security check-points were set up at all Port Everglades entry points, reducing the roadway capacities of Eisenhower and Spangler Boulevards, and causing the DRI to be in non-compliance with traffic conditions of the Development Order.

In response to this, **the City and County have been working on amending the Development Agreement, with the intent of executing before the end of the calendar year**, permitting the County to receive a four-year extension on the DRI as part of Senate Bills 360 and 1752. In summary, items specifically being addressed in the Development Agreement include, but are not limited to the following:

- The County will **relocate existing security checkpoints on Eisenhower Boulevard** further south in order to allow the free flow of vehicular traffic in and out of the Convention Center from 17<sup>th</sup> Street Causeway, as part of Phase I traffic mitigation.
- The County will **construct the limited access Bypass Road** from the intersection of U.S.1 and Spangler Boulevard to the intersection of Southeast 17<sup>th</sup> Street and Eisenhower Boulevard, as part of Phase II.
- The City will issue building permits for **interim improvements to Cruise Terminal 4, which are necessary for the 2012 cruise season beginning November 1, 2011**. The City will allocate 169 parking spaces within the Convention Center Parking Garage for use by CT4 for the “Nov 1<sup>st</sup>” Improvements. Of this amount, 53 spaces will be allocated on a temporary basis.
- The City will approve **DRC Case No. 32-R-07, which includes the future build-out of Cruise Terminal 4, including a 172-space surface parking lot**, and permanent allocation of 116 parking spaces within the Convention Center Parking Garage.

Past correspondence between City Manager Lee Feldman and County Administrator Bertha Henry are attached to this briefing. At this time, it appears that the City and County staff and legal counsel have come to a stand still regarding certain conditions in the Agreement and will need further direction and input in order to execute the agreement prior to the end of the year.





**BERTHA W. HENRY**, County Administrator  
115 S. Andrews Avenue, Room 409 • Fort Lauderdale, Florida 33301 • 954-357-7362 • FAX 954-357-7360

August 8 2011

Lee Feldman, City Manager  
City of Fort Lauderdale  
100 North Andrews Avenue  
Fort Lauderdale FL 33301

***Re:Northport/Convention Center DRI – Summary of August 3, 2011 meeting***

Dear Mr. Feldman:

Thank you for taking the time to meet with me and my staff to discuss the status of the Northport DRI and the timing for completing open items related to the pending Notice of Proposed Change ("NOPC") Application, Cruise Terminal 4 and parking issues. I believe the meeting was productive and it appears as though both the City and the County are focused on completing the NOPC process prior to December 31, 2011. I have outlined below a brief summary of the County's understanding reached during the meeting. Please review and confirm our understanding and direction as accurate, following which my staff will begin finalizing the documents necessary to complete the NOPC process:

1. Bypass Road Agreement and Development Order – The County will prepare drafts of the Bypass Road Agreement and NOPC Development Order for review by the City Attorney's office. As discussed, the draft Agreement and Development Order will include terms addressing the following issues: phasing of the proposed Bypass Road, issuance of permits and certificates of occupancy within the DRI, an extension of the DRI build out date (including extensions authorized by SB 360, SB 1752 and HB 7207), acknowledgment that the DRI is vested for traffic impacts and modification of other Development Order conditions as outlined in the NOPC Application. It is my understanding based on prior discussions between City and County staff dating back to early 2010 that there is general agreement between the parties and the drafting of the Bypass Road Agreement and Development Order should be fairly routine.

2. Cruise Terminal 4 improvements and parking allocation – The Bypass Road Agreement and Development Order will also include a provision acknowledging an allocation of 290 parking spaces within the County owned Convention Center garage to support Cruise Terminal 4 improvements. 117 parking spaces shall be permanently allocated for future planned improvements, for which an application has been pending at the City since 2007. 173 parking spaces shall be temporarily allocated for current needs, as established by the City, to operate Cruise Terminal 4 for the upcoming cruise season effective November 1, 2011. The period of time for this temporary allocation shall be established at a later date based on the planned schedule to build out the future Cruise Terminal 4 improvements, which include 173 at grade parking spaces immediately west of Cruise Terminal 4. Upon completion of the future Cruise Terminal 4 improvements, the temporary allocation shall expire and return to the overall pool of unallocated spaces in the Convention Center garage. As discussed, the Bypass Road Agreement shall include specific language acknowledging that the County and City do not waive any rights either may have with respect to the process for allocating spaces in the garage.



3. Timeline for current Cruise Terminal 4 improvements – As discussed, the Port has contracts in place with a cruise line that require Cruise Terminal 4 to be ready for delivery by November 1, 2011. The plans necessary to complete the City's permitting process for these improvements were submitted earlier this week, and in order to meet the November 1<sup>st</sup> deadline the Port requests that the City use its best efforts to issue permits no later than August 15, 2011. As noted above, the City has agreed to temporarily allocate 173 parking spaces to support these proposed improvements. In addition, it is our understanding that the City will issue a temporary Certificate of Occupancy upon passing all final inspections prior to November 1<sup>st</sup> in order to account for the shortfall in spaces that will not be officially allocated until the NOPC Development Order and Bypass Road Agreement are approved by your City Commission before the end of the year.

It is our understanding that both the City and County are committed to finalizing the necessary documents and resolving other open issues in order to assure the NOPC Development Order and Bypass Road Agreement will be scheduled for consideration by your City Commission prior to December 31, 2011.

Respectfully,



Bertha W. Henry  
County Administrator

cc: Joni Armstrong Coffey, Esq., County Attorney  
Harry Stewart, Esq., City Attorney  
Noel M. Pfeffer, Esq., Deputy County Attorney  
Sharon Miller, Esq., Assistant City Attorney  
Susanne M. Torriente, Assistant City Manager  
Nicki Grossman, President & CEO of Greater Ft. Lauderdale Convention & Visitors Bureau  
Phil Allen, Port Director  
Greg Brewton, Planning & Zoning Director  
James Koeth, Principal Planner  
Jenni Morejon, Principal Planner  
Wayne Jessop, Architect  
Glen Wiltshire, Deputy Port Director  
David Anderton, Seaport Planning Manager  
Carlos Puentes, Deputy Director, Broward County Convention Center  
Dennis Girisgen, P.E., City Engineer  
Peter Partington, P.E., City Engineer  
Bonnie Miskel, Esq.  
Scott Backman, Esq.





*Venice of America*

CITY OF  
**FORT LAUDERDALE**

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August 18, 2011

Ms. Bertha W. Henry, County Administrator  
Broward County Governmental Center  
115 S. Andrews Avenue, Room 409  
Fort Lauderdale FL 33301

Re: Northport/Convention Center DRI – Summary of Path Forward

Dear Ms. Henry:

This letter is in response to your August 8, 2011 correspondence regarding the Northport DRI and Cruise Terminal 4 (CT4). I concur that the meeting with City and County staff was productive, and I would also like to acknowledge that the City is committed to working with the County in support of efforts that provide for the sustained economic prosperity of both the Port and the Convention Center. The following outlines the City's understanding of the process and requirements necessary for completion of the NOPC and approval of both the short-term and long-term Cruise Terminal 4 improvements:

1. Bypass Road Agreement and Development Order – As discussed at our meeting, and as outlined in your letter, the Bypass Road Agreement and Development Order will include terms addressing, at a minimum, the following issues:

- Phasing of the proposed Bypass Road;
- Issuance of permits and certificates of occupancy within the DRI;
- Extension of the DRI build out date, including those authorized by SB 360, SB 1752 and HB 7207;
- Acknowledgement that the DRI is vested for traffic impacts, and
- Modification of other Development Order conditions as outlined in the NOPC Application.

It is the City's position, as it has been for some time, that development within the DRI boundaries may only be permitted if the Development Order is in compliance. In order for the City to be assured that the Development Order will be brought into compliance, the Bypass Road Agreement addressing the issues of non-compliance must be in effect. As Broward County wants to improve CT4, use the parking garage within the DRI to meet parking requirements, and open the terminal by November 1, 2011 as part of proposed short-term improvements, the Bypass Road Agreement must be approved by our respective governing bodies and executed by both parties prior to November 1, 2011.

2. CT4 Improvements and Parking Allocation – As you stated in your letter, the Bypass Road Agreement and Development Order will also include a provision acknowledging an allocation of the number of parking spaces required for CT4 within the parking garage. However, the City's calculation differs from that in your letter. The total number of required parking spaces for CT4 is based on a ratio of 1 parking space per 335 square feet (SF) of area. This rate was determined by previous parking allocations approved for Cruise Terminals 1 and 2, which assign 446 parking spaces for 149,160 SF of total area.

OFFICE OF THE CITY MANAGER  
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A review of CT4 plans currently on file with the City (both the DRC Case No. 32R07, a/k/a "Future Build Out", and the August 3, 2011 building permit plans, a/k/a "Nov 1 Improvements") indicates the following:

<b>CT4 Project Phase</b>	<b>Total Area</b>	<b>Total Spaces Required</b>	<b>Surface Spaces Provided</b>	<b>Garage Spaces Allocated</b>
Nov1 Improvements	56,681 SF	<b>169</b>	0	169 (40 of which will be temporarily allocated)
Future Build Out	100,954 SF	<b>301</b>	172	129

Based upon these figures, and assuming all Florida Building Code requirements are met and all final inspections are passed, the City agrees to issue a Temporary Certificate of Occupancy for the CT4 Nov 1 Improvements on or before November 1, 2011. This TCO shall provide for a permanent allocation of 129 parking spaces in the garage, and a temporary allocation of 40 spaces in the garage in order to meet the requirement to provide 169 parking spaces.

Subject to the County waiving the limitation of time for a TCO as explained in the next paragraph, the TCO will be permitted to continue for a period of 24 months after the TCO is issued, at which time these 40 spaces will return to the overall pool of unallocated garage spaces. In addition, if the CT4 Future Build Out surface lot is not constructed within the 24-month period, the TCO will expire unless the County provides an approved alternate means of providing the required 40 parking spaces.

The City is willing to offer the TCO for a period of 24 months, however the Broward County Administrative provisions to the Florida Building Code limit issuance of a TCO for a 90-day period, with one (1) 90-day extension. It is incumbent upon the County to approve a waiver or other form of approval in order to permit the City to exceed this 180-day maximum TCO time period regulation. The 24-month time frame proposed is consistent with the site plan approval period for the CT4 Future Build Out, which assuming all requirements of the City's Unified Land Development Regulations (ULDR) have been met, will have been approved by the City on or before November 1, 2011, subject to the parking allocation outlined above.

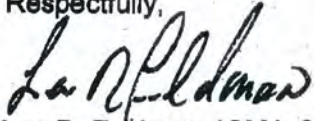
It should also be noted that as of the date of this letter, the County's building permit plans for the Nov 1 Improvements do not meet basic application requirements for building permit issuance. In addition to technical plan issues that are in the process of being addressed by your project manager and the City's plumbing and structural disciplines, your requirement to list the names of contractors for each of the project permits has not been met. In order to expedite the application, the City accepted the permit application without even a general contractor being named for the sake of time, which is not typically done. However, the City cannot issue the permits until this information is provided.

With regards to the original application for the CT4 Future Build Out, DRC Case No. 32R07, the site plan package should be revised to divide the development into Phase I (Nov1 Improvements) and Phase II (Future Build Out). Site plans for each phase should be included in the plan set and corresponding data tables should be updated to reflect the total square footage and parking allocation for each phase.

Ms. Bertha W. Henry, County Administrator  
August 18, 2011  
Page 3 of 3

Upon confirmation of the points listed above and receipt of the draft Bypass Road Agreement, my staff will begin reviewing and finalizing the documents necessary to complete this process by November 1, 2011.

Respectfully,



Lee R. Feldman, ICMA-CM  
City Manager

cc: Honorable Mayor and Commissioners  
Harry Stewart, Esq., City Attorney  
Sharon Miller, Esq., Assistant City Attorney  
Susanne M. Torriente, Assistant City Manager  
Greg Brewton, Planning & Zoning Director  
Wayne Jessop, P&Z Deputy Director  
James Koeth, Principal Planner  
Jenni Morejon, Principal Planner  
Dennis Girisgen, P.E., City Engineer  
Peter Partington, P. E., City Engineer





CITY OF  
**FORT LAUDERDALE**

August 31, 2011

Bertha W. Henry, County Administrator  
Broward County Board of County Commissioners  
115 S. Andrews Avenue, Room 409  
Fort Lauderdale FL 33301

Re: Northport/Convention Center DRI – Update of August 18, 2011 Correspondence

Dear Ms. Henry:

In response to my letter to you dated August 18, 2011, the City received an email from David Anderton, Seaport Planning Manager, clarifying the square footage data and parking calculations for DRC Case No. 32R07, aka "CT4 Future Build Out". City staff concurs with Mr. Anderton's analysis and this letter serves to acknowledge the following modifications to my previous letter (changes represented in strike-through/underline format).

\*\*\*\*\*

CT4 Project Phase	Total Area	Total Spaces Required	Surface Spaces Provided	Garage Spaces Allocated
Nov1 Improvements	56,681 SF	169	0	169 ( <del>40</del> <u>53</u> of which will be temporarily allocated)
Future Build Out	<del>100,954</del> <u>96,525</u> SF	<del>304</del> <u>288</u>	172	<del>129</del> <u>116</u>

Based upon these figures, and assuming all Florida Building Code requirements are met and all final inspections are passed, the City agrees to issue a Temporary Certificate of Occupancy (TCO) for the CT4 Nov 1 Improvements on or before November 1, 2011. This TCO shall provide for a permanent allocation of ~~129~~ 116 parking spaces in the garage, and a temporary allocation of ~~40~~ 53 spaces in the garage in order to meet the requirement to provide 169 parking spaces.

Subject to the County waiving the limitation of time for a TCO as explained in the next paragraph, the TCO will be permitted to continue for a period of 24 months after the TCO is issued, at which time these ~~40~~ 53 spaces will return to the overall pool of unallocated garage spaces. In addition, if the CT4 Future Build Out surface lot is not constructed within the 24-month period, the TCO will expire unless the County provides an approved alternate means of providing the required ~~40~~ 53 parking spaces.

\*\*\*\*\*

OFFICE OF THE CITY MANAGER  
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08/31/11

Northport Convention Center DRI – Update of 8/18/11 Correspondence

Page 2

Respectfully,

A handwritten signature in black ink, appearing to read "Lee R. Feldman". The signature is fluid and cursive, with the first name "Lee" and last name "Feldman" clearly distinguishable.

Lee R. Feldman, ICMA-CM  
City Manager

cc: Honorable Mayor and Commissioners  
Harry Stewart, City Attorney  
Sharon Miller, Assistant City Attorney  
Susanne M. Torriente, Assistant City Manager  
Greg Brewton, Planning & Zoning Director  
Wayne Jessup, Deputy Planning & Zoning Director  
James Koeth, Principal Planner  
Jenni Morejon, Principal Planner  
Dennis Girisgen, P.E., City Engineer  
Peter Partington, P.E., City Engineer



*City of Fort Lauderdale*  
**ISSUE BRIEFING**

## Homeless Population in Downtown Area

**Challenge:** How to best provide meal and referral services for the City's homeless

**Response:** A “homeless task force” in the City of Fort Lauderdale began meeting in September 2009 to discuss the issue of homelessness. The purpose of the task force is to bring together a diverse group of stakeholders to explore how to best address the needs of the City's homeless population in the downtown area, particularly in terms of providing meal and referral services.

- **The task force includes representatives from a variety of groups and organizations,** including but not limited to:

- Fort Lauderdale Women's Club
- Fort Lauderdale Police Department
- Broward County Homeless Assistance Task Force for Ending Homelessness
- Downtown Development Authority
- Hope South Florida (Shepherd's Way)
- Christian Community Foundation of South Florida (CCFSC)
- Victoria Park Civic Association
- Broward Partnership for the Homeless
- Food Not Bombs
- Riverwalk Trust
- Progresso Village Civic Association
- Middle River Terrace Civic Association
- Beverly Heights Civic Association
- Downtown Civic Association
- Chamber of Commerce Downtown Council

- **The task force has explored the idea of identifying an appropriate location where groups who currently provide meals to the homeless could continue to do so in a coordinated, dignified manner.** In addition to providing meals, this facility would serve as a central resource center, offering referrals for shelter, housing, healthcare, employment, Veterans affairs, social security, substance abuse and other services.
- **The work being done by many faith-based, non-profit and community groups to assist the homeless in our community is commendable.** It is the City's intention that by working together, we can collectively find a reasonable solution that meets the needs of the homeless and takes into consideration the needs and concerns of neighbors, residents, neighborhood associations, non-profit groups, faith-based organizations, businesses and other community stakeholders.
- **The City encourages stakeholders to stay involved** by continuing to attend task force and City Commission meetings to communicate their views, provide input and ensure that their voices are heard.

- At the September 7, 2011, City Commission Conference Meeting, the City Commission indicated its support for Broward County's operation of the Homeless Assistance Center, located at 920 NW 7th Avenue, by the [Broward Partnership for the Homeless](#); and directed that proposed changes to the City Ordinance that apply to the use of the property be brought back to an upcoming Commission Regular Meeting.



*City of Fort Lauderdale*

# ISSUE BRIEFING

## Middle River Terrace Park Land Acquisition

The Middle River Terrace Park addition site is located at 1325 NE 7<sup>th</sup> Avenue. It is a .47-acre parcel owned by Vincent Fazio and Dominick Casale. The parcel is located on the southern border of Middle River Terrace Park (MRT).

The City applied to the Broward County Land Preservation Program to purchase the site in January 2007 as a potential addition to MRT Park.

**Background:** A Phase I Environmental Site Assessment (ESA) performed in connection with the purchase of the property in June 2007 identified Recognized Environmental Conditions (REC) necessitating a Phase II ESA.



A Phase II ESA was performed in August 2007 and an expanded Phase II was prepared in September 2007. Based on the findings of these reports it was determined that due to the arsenic-affected groundwater, that an additional groundwater assessment would be warranted, but that such assessment be postponed until after the implementation of a Site Rehabilitation Plan.

The site has been determined to contain contaminants in the soil as well as in the groundwater. Restrictions have been placed on the property precluding the use of well irrigation. The estimate by EE&G to fully remediate the site is \$250,000 plus an additional 20% (\$50,000) for contingencies bringing the estimated remediation to \$300,000.

**Status:** As a result of declining property values, the property owners would not agree to sell the property at the reduced price of \$844,500, the average of the two new property appraisals received in 2008, and were also unwilling to place \$300,000 in escrow for future remediation.

The County advises they will not recommend the approval a purchase that is more than 110% above the average of the two appraisals.

The sellers subsequently agreed to the asking price of \$929,500 (exactly 110% of the two new appraisals).

**Position:** The City's primary focus during negotiations with the property owners has been to ensure that any seen or unforeseen expenditures to bring the property into environmental compliance for park purposes would be borne by the property owners. All remediation would have to be completed prior to the sale of the property. In addition, the seller would also be required to demolish the structures located on the site. The County Manager has indicated that they would not reprogram the funds for other projects in the City if this purchase is not made.

**Commission Action:**

	<b>Agenda Item</b>	<b>Description</b>
09-05-2007	CAR 07-1320	Broward County Interlocal Agreement
09-05-2007	CAR 07-1365	Purchase and Sale Agreement (\$1.1 Million)
11-20-2007	CAR 07-1893	First Amendment to Contract (Ninety Day Extension)
02-05-2008	CAR 08-0190	Second Amendment to Contract (Sixty Day Extension)
04-01-2008	CAR 08-0154	Third Amendment to Contract (Environmental Tests/Surety Bond)
07-01-2008	CAR 08-0788	Fourth Amendment to Contract (Purchase Price/Escrow Funding)
03-04-2008	CAR 08-0352	Safe Parks and Land Preservation Bond Property Update
09-03-2008	CAR 08-1170	Fifth Amendment to Contract Purchase Price (\$929,500)
09-03-2008	CAR 08-1240	Amend Interlocal Broward County Agreement (Purchase Price)



City of Fort Lauderdale

# ISSUE BRIEFING

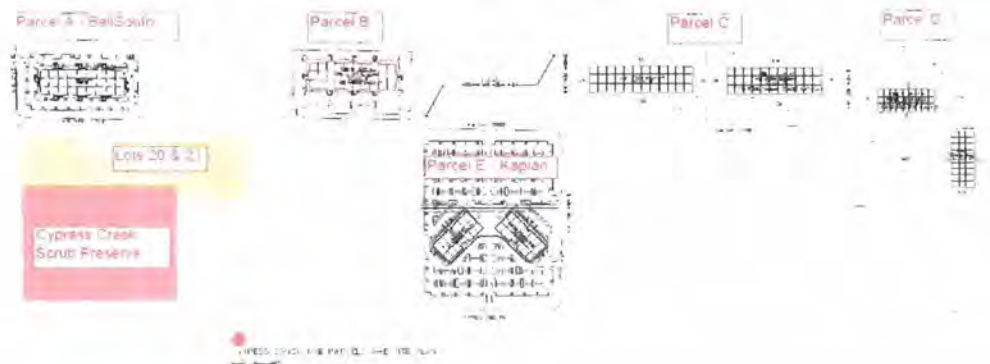
## Proposed Development of Cypress Creek Scrub Sand Pine Parcel and Executive Airport Industrial Airpark Lots 20 and 21

**Challenge:** The Sand Pine Parcel consists of 8.3 acres and was purchased in May 2006 for \$2,703,000 as a conservation site using the Broward County safe parks and land preservation bond funds. As part of the transfer of ownership from the County to the City, Broward County made available up to \$317,450 in Conservation Land Ecological Restoration Plan (CLERP) funds. Development plans include a nature trail with interpretive signs and is designed as a passive park.

**Background and Status:** The Alter Group has approached the City of Fort Lauderdale and Broward County with a concept to develop the Cypress Scrub Parcel and the two adjacent Executive Airport lots by relocating the scrub habitat to a location that could benefit from the environmental restoration. The Alter Group has identified the 58-acre Wingate Landfill site at 1300 NW 31st Ave as possible scrub pine relocation site.

**Benefits:** The Alter group is working with a firm interested in relocating to the site.

- The proposed combined parcel containing Lots 20, 21, and 44, could offer two 125,000 square foot class A office buildings, with frontage on Cypress Creek Road that would attract this world-class company.
- This company is poised to offer over 400 jobs out of this location, providing significant economic impact to the area.
- The development of the property will result in nearly \$500,000 in annual ad valorem tax payments to the County and City.

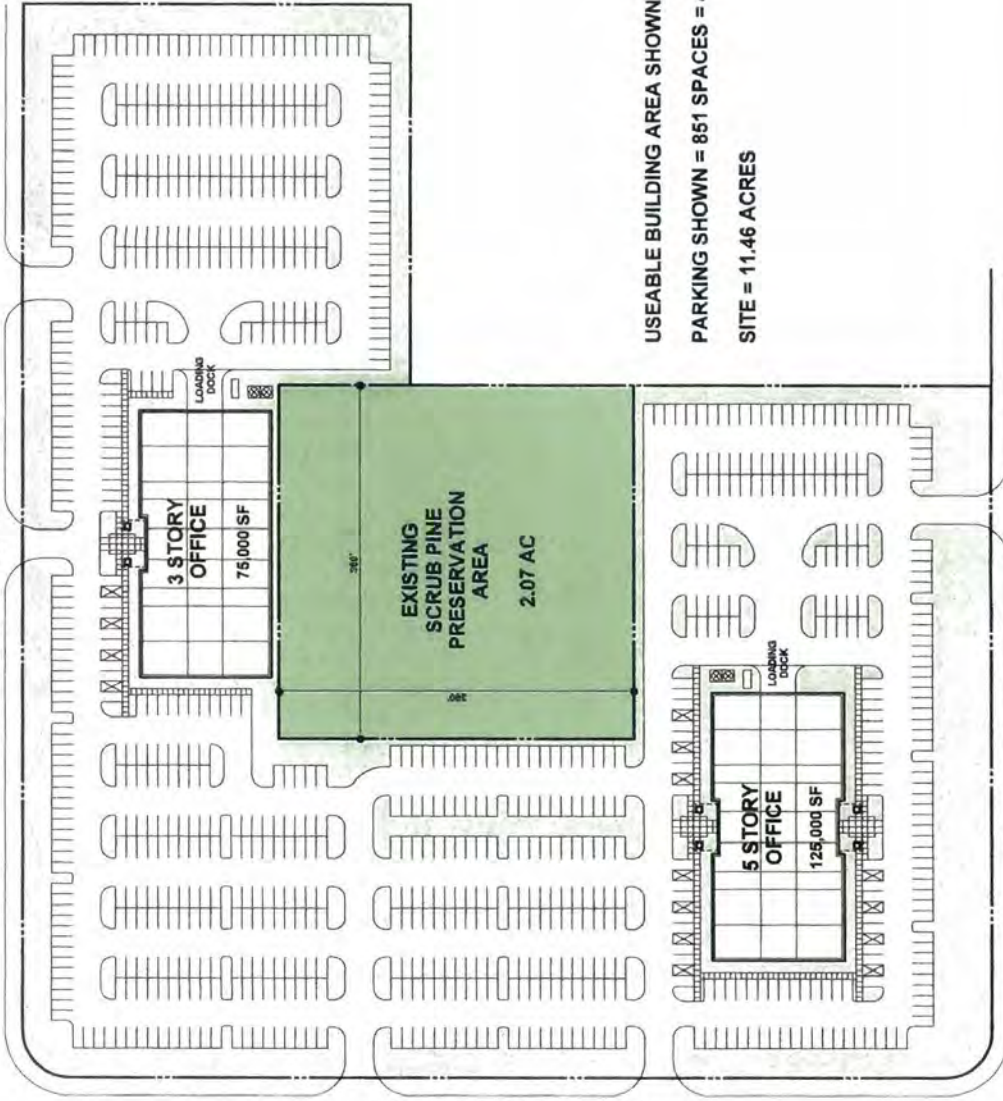


- The Wingate Landfill site will be improved with environmental restoration through the relocation of the sand scrub habitat.

- The Alter Group is a privately held national corporate real estate development firm with four vertically integrated affiliate companies including development, construction and property management.
- The Alter Group has developed over 100,000,000 square feet of projects for its own portfolio and build-to-suit facilities for corporate users in 42 separate markets around the country. The Alter Group underwrites every transaction with its own capital combined with sound long-term financing.
- The Alter Group has been active in the South Florida market since 1997 and has developed almost 700,000 square feet in four office parks, including the Executive Airport Industrial Park, attracting major corporations such as AT&T, Bellsouth, Citrix, Kaplan, Liberty Mutual, Raytheon, Motorola, Medtronic and Travelers.



N.W. 64th STREET



USEABLE BUILDING AREA SHOWN = 200,000 SF  
 PARKING SHOWN = 851 SPACES = 4.25 SPACES / 1,000 SF  
 SITE = 11.46 ACRES

N.W. 62nd STREET (CYPRESS CREEK ROAD)

N.W. 21st AVENUE



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 (770) 395-0092 FAX (770) 392-0057

**CYPRESS CREEK CONCOURSE**  
**BLDG'S G & H**  
 FT. LAUDERDALE, FLORIDA  
 SITE PLAN  
 9/25/11  
**A-1**

City of Fort Lauderdale

# ISSUE BRIEFING

## Wave Streetcar

**Project Background:** The Wave is a 2.7 mile (5.4 miles double tracked) **starter streetcar system planned for Downtown Fort Lauderdale**. The system will serve as the local circulator/distributor connecting major employment centers and regional activity generators with existing and planned regional transit.

The Wave is a partnership among City of Fort Lauderdale, Broward County/Broward County Transit, the Florida Department of Transportation (FDOT), Downtown Development Authority of Fort Lauderdale (DDA), the Broward Metropolitan Planning Organization (MPO) and the South Florida Regional Transportation Authority (SFRTA).



A transit and pedestrian mobility study was completed in 2004 that resulted in the need to invest in transportation and pedestrian improvements. Additionally, the Downtown Masterplan called for a downtown with increased density, residential units and commercial and retail square footage, all connected by a fixed transit system. In 2006, the project partners started the alternatives analysis/environmental assessment studies (required studies to receive federal funding) and in 2008, the locally preferred alternative ("LPA" aka the preferred technology and route) was selected by the County, City and the DDA. The following outline the City and County approvals:

### Broward County -

- May 18, 2004 - initial approval to be the project sponsor and the owner/operator of the system
- September 8, 2008 - By resolution # 2008-579, the County reaffirmed their project sponsor and owner/operator role and committed funds for a minimum of 20 years at \$2.5 million annually and endorsed the LPA and funding plan

### City of Fort Lauderdale -

- March 4, 2008 - Formal presentation of the project history, alternatives and funding plan



- April 1, 2008 - By resolution # 08-71, the City committed \$10.5 million as a capital contribution and to go through a special assessment process to raise the remaining local funds (shown in the funding plan at \$20.585 million) and endorsed the LPA and the funding plan
- July 21, 2009 - the City Commission reiterated their commitment and support for the project

On August 19, 2011, the project team submitted the joint Alternatives Analysis/Environmental Assessment to the Federal Transit Administration (FTA) and on September 12, 2011. The Small Starts application was submitted to FTA.

### Capital Funding Plan:

Grant Sources	Purpose of grant	Status	Total (in millions)
FTA Small Starts Funding	Construction	Anticipated	\$71.31
State of Florida New Starts Program (FDOT)	Design/Construction	Committed	\$35.65
<b>Local Sources</b>			
City of Ft Lauderdale Contribution	Design/Construction	Committed	\$10.50
Broward MPO Local Contribution	Rolling Stock	Pending	\$4.54
Special Assessment Tax District	Construction	Committed	\$20.59
<b>Total (All Sources)</b>			<b>\$142.59</b>

### Project Schedule/Next Steps:

- A finding of no significant impact (environmental clearance) and Federal Transit Administration authorization to enter into Project Development.
- Interlocal agreement outlining all parties' roles, responsibilities and commitments will be developed.
- Project Development (preliminary engineering and final design) is anticipated to start in 2012 with construction beginning in 2014. The system is anticipated to be operational by 2016.

*City of Fort Lauderdale*

# ISSUE BRIEFING

## Beach Nourishment - Segment II (Hillsboro Inlet to Port Everglades)

**Challenge:** Project Implementation and Funding

**Response:** The Segment II project design is currently being reevaluated in the context of current physical, economic, and environmental conditions.

The primary issues are as follows:

- Increased regulations due to the federal listing of two coral species found offshore and the designation of critical hardbottom habitat.
- Limited opportunity for dramatic widening of the beaches due to the proximity of nearshore/hardbottom resources.
- Increased regulatory emphasis on sand quality.
  - Sand can come from one or more of the following sources:
    - Approximately 2.8 million CY of sand offshore of which approximately 1.4 million CY could be of adequate quality for use on the beaches
      - Note: the color of this sand has a slight grayish tone and there have been complaints about the color.
    - Bahamian sand
      - The Bahamian Government has signaled its permission to two Bahamian companies to export aragonite for beaches in SE Florida.
        - Note: For permitting purposes, domestic sources would most likely need to be utilized first.
    - Overland transport
      - Sand would be brought in via truck from inland sources.
        - Note: This method was used for an emergency fill project after the 2004-2005 hurricanes.
- Costs have increased while potential local, state, and federal funds have diminished. The very preliminary capital costs for this project are estimated at \$38 million.
  - State funding for preliminary work is under contract and is being reimbursed to the County incrementally.
  - Federal funding is dwindling, a decision needs to be made whether or not to pursue if available any federal funding. The County has not made a decision on this yet.



- Local funding is pursued once construction starts. Since project construction is not imminent, the County is not seeking any local dollars in the near future.
  - Note: If the Federal Government is not going to be a partner, there will be increasing cost shares at the local level. How those costs are appropriated will need to be a discussed.

DEP has kept open the County's current permit for this project. This will allow the County to reformulate the project in light of the issues identified above. A new US Army Corps of Engineers (USACE) permit will be required for segment II nourishment. The County has requested the USACE incorporate the approved Flood Control and Coastal Emergencies (FCCE) project into the Segment II project. There is approximately \$4.5 million to initiate planning, engineering, and design of a project to restore to pre-storm condition the previously constructed segment II nourishment project.

Construction is targeted for November 2013 pending completion of the engineering/design and permitting processes. These tasks are currently underway.

The City supports the project and would like this project to be done prior to the Port Everglades Sand Bypass Project.

City of Fort Lauderdale

# ISSUE BRIEFING

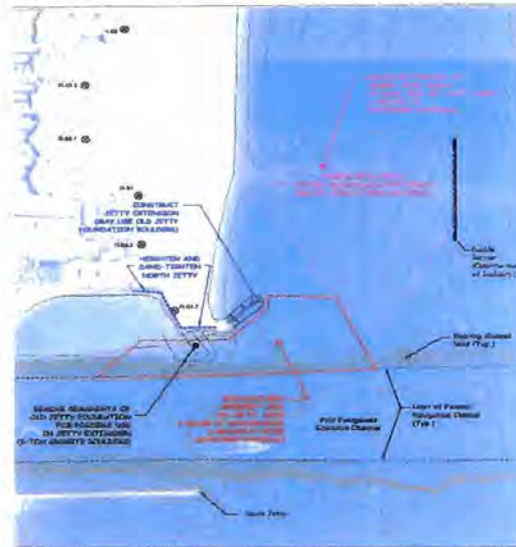
## Port Everglades Sand Bypass

**Challenge:** Re-establish the net sand sharing system across Port Everglades Inlet

**Response:** Broward County is initiating this project in the hopes of reducing the needs for nourishment to the south of the inlet, reduce/eliminate problematic sand shoaling of the inlet and reduce the overall costs of replenishing Broward County beaches.

The principal elements are as follows:

- Excavate portion of rubble spoil shoal to max. elevation of -18 NGVD (~120,000 CY - offshore disposal).
- Construct jetty extension.
- Heighten and sand-tighten north jetty.
- Remove remnants of old jetty foundation for possible use in jetty extension (8-ton granite boulders)
- Excavate new sediment trap to -45 NGVD (~45,000 CY sand/rubble, ~250,000 CY rock - offshore disposal)



The goal is to trap the sand in the newly excavated sand trap and pump the sand out every 2-3 years to the south. Currently the sand is shoaling in the inlet and the inlet is preventing sand deposition to the south.

The City has formally opposed the project primarily because of the following:

- Potential construction related impacts to infrastructure and community.
- Application of blasting as a method of construction.
- The City wants the Segment II project to be finished first.

In October 2010, the County authorized an additional study known as the Sand Trap Rock Removal Feasibility Study. This study will evaluate construction methods, required protection thresholds for and effects of sand trap construction to upland infrastructure.

Key elements of this study include:

- Proactive public outreach program.
  - Note: The County conducted one of their outreach programs at the Point of America's on August 17, 2011. City Commissioner Rogers and County Commissioner LaMarca were in attendance. General concerns were: blasting, sea turtles and mammals, structures and infrastructure.



- More detailed review of existing buildings and infrastructure in the immediate vicinity of the proposed sand trap
- Signature hole test to evaluate the response of subsurface rock and upland infrastructure to vibrations and required vibration limits needed to protect buildings and infrastructure.

Project funding:

- Engineering/design and permitting work are being funded by the State and the County. The County has no plans to request cost-sharing by any municipalities for this project.
- Construction costs have yet to be determined because project is still in the early design/permitting stages.

Next steps:

- The County has only authorized the current Sand Trap Rock Removal Feasibility Study. Staff is to report back to the County Commission at the end of 2011 with the study results and recommendations.
- The final project design and construction will not proceed until review by and concurrence of the Broward County Commission.

**Broward County Beach Erosion Control Program  
Status as of June 15, 2011**

**Beach Erosion Control, General**

- **Structure Study:** The study has been finalized and the results presented to the Board at the Beach Workshop on September 21, 2010; copies of the final report have been provided to the shorefront municipalities.
- **Sand Search:** The investigation located approximately 2.8 million cubic yards of sand offshore of the northern portion of the County, of which approximately 1.4 million cubic yards could be of adequate quality for use on our beaches. More detailed evaluations of sand quality and the potential for impacts to coral reef resources from use of the material are required.
- **Bahamian Sand:** The Bahamian Government has signaled its permission to two Bahamian companies to export aragonite for beaches in SE Florida. Non-domestic sand is currently being included in the County's universe of potential sand sources, and its use is being discussed with the US Army Corps of Engineers and Miami-Dade County.
- **Funding Advocacy:** Staff continues to work with state and national beach preservation associations, elected officials, and agencies to advocate for continuation of state and federal funding for beach erosion control projects. A significant reprogramming of federal funds is currently underway for Segment III reimbursement.

**Segment I Beach Nourishment, North County Line to Hillsboro Inlet**

- **Federal Project for Segment I:** The US Army Corps of Engineers has recommended halting a study of the feasibility of implementing a Federal Shore Protection Project for Segment I, due to the unlikelihood of qualifying as a federal project. Unused federal funding may become available for Segment II coordination activities.
- **Municipal Beach Fill in Segment I:** A beach nourishment project in southern Deerfield Beach and Northern Hillsboro Beach was completed in April 2011. The project was funded by the cities.

**Segment II Beach Nourishment, Hillsboro Inlet to Port Everglades**

- **Project Reformulation:** The County is reevaluating the design of the Segment II beach nourishment project in the context of current physical, economic, and environmental conditions. The not-yet-formulated beach fill project could include material from one or more sand sources and may involve sand brought in by truck. The project could potentially result in sand placement on portions of beach in Fort Lauderdale, Lauderdale-By-The-Sea, and Pompano Beach.
- **Primary issues:**
  - Increased regulation due to federal listing of two coral species found offshore of Broward County and the designation as critical of all hardbottom habitat;
  - Limited opportunity for dramatic widening of the beaches due to the proximity of nearshore hardbottom resources;
  - Increased regulatory emphasis on sand quality;
  - Costs for beach nourishment have increased while potential local, state, and federal funds have diminished.
- **Permitting:** DEP has extended the permit formerly issued for five years for nourishment of Segment II while project reformulation is conducted and a subsequent permit modification is sought. There is no equivalent draft federal permit, which means a new Corps of Engineers permit will be required for a nourishment of Segment II beaches.
- **Federal Hurricane Beach Rehabilitation:** The County has requested that the US Army Corps of Engineers (Corps) incorporate the approved Flood Control and Coastal Emergencies (FCCE) project into the County's Segment II project. The Jacksonville District Corps has allocated about



\$4.5 million to initiate planning, engineering, and design of a project to restore to pre-storm conditions the previously constructed (Hillsboro Inlet to the Fort Lauderdale/Lauderdale-By-The-Sea border) Segment II nourishment project. The Corps calculated that approximately 330,000 cubic yards of material would be placed on those beaches. Schedule: Broward County-conducted beach construction in Segment II is targeted for November of 2013, pending completion of the engineering/design, permitting processes and Federal participation process in a timely fashion. A consultant contract has been executed to undertake engineering and design and to initiate the permitting process, and those tasks have been initiated.

### **Segment III Beach Nourishment, Port Everglades to South County Line**

- Segment III Project Monitoring: Broward County and our consultants completed the monitoring of the Segment III Beach Nourishment project in 2011. The analysis of the data and project performance will be completed by September, 2011. The constructed beach continues to perform as anticipated. As expected, there are variations in beach width within each portion of the project, because erosion rates vary along the beach.
- Municipal Beach Fill for Segment III: Broward County staff are helping the Cities of Hollywood and Hallandale Beach facilitate a limited beach fill in which the sand will be delivered by truck to the beaches. The project targets the beach areas of south Hollywood and all of Hallandale Beach and is currently in permitting. The sponsors of the project are the municipalities. The project could be implemented as soon as November, 2011.

### **Project Funding**

- State Funding: State funding for preliminary work related to Segment II and other future beach erosion control projects in the County (sand search and structure study) is under contract and is being reimbursed to the County incrementally.
- Federal Funding: Dwindling Federal funding previously appropriated for Segment III will be utilized by the US Army Corps of Engineers to provide limited coordination with the County in the preparation of updated economic, engineering, environmental, and real estate documents which will justify federal financial participation in the project. Additional funds for this purpose, including unused Segment I federal funds are being sought.
- Municipal Funding: Broward County invoices the cities for municipal shares of project costs at the time project construction begins in a respective city. Since project construction is not imminent the County will not be requesting municipal shares of project costs in the near future.

### **Port Everglades Inlet Sand Bypassing Project**

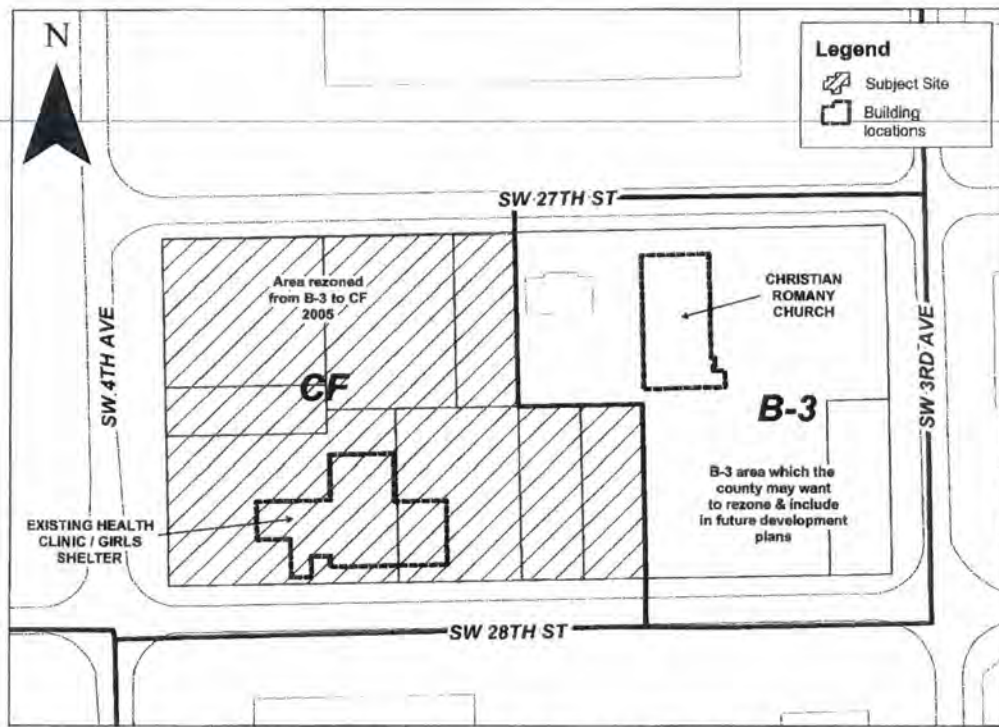
- Permitting: Staff are continuing to respond to agency questions regarding state and federal permit applications for implementation of the proposed project. The County recognizes that further studies and more detailed investigations remain to be completed prior to issuance of project permits.
- Further Engineering/Design: Staff are working with the coastal engineering consultant to initiate engineering/design implementation of the various physical and environmental testing and monitoring plans. The current focus is on the feasibility of methods to excavate the sand trap and outreach to the nearby residents. The results of this phase will be brought back to the Board for their consideration and approval prior to proceeding with the project.
- Cost-sharing: Engineering/design and permitting work on the project is being funded by the State of Florida and the County. There are currently no plans to request cost-sharing by any municipalities for the Port Everglades Sand Bypassing Project.

City of Fort Lauderdale  
**ISSUE BRIEFING**

## Broward County's interest in siting Broward Alcohol Recovery Center ("BARC") and Sexual Assault Treatment Center ("SATC")

**Challenge:** Accommodating the social services needs of the community.

**City Commission History:** On September 7 2005, Broward County received approval from the City Commission (Ordinance 05-18) to rezone the western portion of the SW 27<sup>th</sup>/SW 28<sup>th</sup> St. block east of SW 4<sup>th</sup> Ave. from B-3 (General Business) to CF (Community Facility) [see map]. The County requested this rezoning so that the existing buildings located at the southwest corner of the site, i.e. Health Care Clinic and temporary shelter for girls, could be considered legal conforming.



Map Source: Planning Zoning Dept / City of Fort Lauderdale / FL

Plot Date 1/13/2011 1:45:45 PM

**Subsequent City Commission Response:** The City Commission has since adopted two Resolutions concerning the County's plans at redeveloping this area. Resolution 07-32 urged the Board of County Commissioners to pursue development of a new rehabilitation facility without including the Christian Romany Church [see map] and Resolution 09-169 approved the request of the Christian Romany Church and Edgewood Civic Association to allow the Church to continue its use and Broward County to take no further action to develop this area until a



review of the number of social service facilities in the area is conducted and impact of any new proposed social service agency on surrounding neighborhoods is reviewed.

**Staff contacts with County, neighborhood:** Staff has had several contacts with Broward County representatives in the past year regarding the possible rezoning of the eastern portion of the SW 27<sup>th</sup>/28<sup>th</sup> Street block from B-3 to CF. To date, the County has **NOT** submitted a formal application. Staff has also had several contacts with the President of the Edgewood Civic Association who is adamantly opposed to the relocation of an inpatient drug and alcohol treatment facility (BARC) in this area.

**Code Requirements:** An outpatient sexual assault treatment center (SATC) can be considered a clinic or counseling center and could operate in the existing B-3 zoning district. No rezoning would need to occur. However, a facility such as BARC is considered to be a Level V Social Service Residential Facility ("SSRF") and, pursuant to Sec. 47-18.32.F. of the ULDR, cannot operate in a B-3 zoning district. A Level V SSRF can, however, operate in a Community Facility ("CF") zoning district IF it is approved as a CONDITIONAL USE which means, among other things, that it is approved by the Planning & Zoning Board and meets several criteria including, but not limited to, proper licensing, meet the 1,500 feet dispersal requirements, not having adverse impacts on neighboring properties, nor have adverse impacts which affect the health, safety and welfare of adjacent properties.

*City of Fort Lauderdale*

# ISSUE BRIEFING

## Passenger Rail Service in the Florida East Coast (FEC) Corridor

**Project Background:** Conducted by the Florida Department of Transportation, the South Florida East Coast Commuter (SFECC) Study examines the possibility of re-introducing passenger service and improving freight capacity on the Florida East Coast (FEC) rail line, covering the 85 miles from Miami to Jupiter. The goal of the study is to provide a plan for an integrated, cost-effective regional mobility option for South Florida. Passenger service would connect the 28 downtowns along the corridor, including Miami, Fort Lauderdale and West Palm Beach.

The study has identified a draft Locally Preferred Alternative (LPA) comprising commuter rail service on the FEC rail line, integrated with the existing Tri-Rail service through connections in Pompano Beach and West Palm Beach (see image). The recommended technology is Federal Railroad Administration (FRA) compliant passenger rail, which includes Tri-Rail style “push-pull” and a single level Diesel Multiple Unit type.

The LPA identified four stations in Fort Lauderdale: NE 13<sup>th</sup> Street, Andrews Avenue & NE 7<sup>th</sup> Street, Broward Boulevard and SW 15<sup>th</sup> Street.

The following outlines the City and the Broward Metropolitan Planning Organization approvals:

### City of Fort Lauderdale

- September 21, 2010 - By Resolution #10-273, the City expressed support for the Locally Preferred Alternative.

### Broward Metropolitan Planning Organization

- October 14, 2010 - By Resolution #2010-1, the BMPO supported the Locally Preferred Alternative.

### Project Schedule/Next Steps

The study is now in its third phase, which will further refine the Locally Preferred Alternative and identify a phased implementation plan.

One possible alternative being studied would provide start-up service between Fort Lauderdale and Miami, with stops at Hollywood and Aventura, within the next five years.

Phase III will also identify funding options for construction and operation, which may include Federal funding and/or a dedicated source of funding from the Tri-County Area.





*City of Fort Lauderdale*

# ISSUE BRIEFING

## City of Fort Lauderdale Executive Airport Land Use

**Project Background:** The Federal Aviation Administration (FAA) has advised the City of Fort Lauderdale that the Executive Airport parcel which includes Lockhart Stadium and Fort Lauderdale Baseball Stadium, and is currently designated Park/Open Space and Employment Center on the City's Comprehensive Plan's Future Land Use (FLU) map, is not in compliance with the property deed restrictions.

**Challenge:** Change the subject site's FLU map designation to Transportation in order to satisfy the FAA mandate and be in compliance with the property deed restrictions.

**Response:** The City submitted a large-scale land use plan map amendment application to Broward County on October 14, 2010 (Case Number: PC 11-02). Broward County provided to City staff their application response comments relative to issues such as environmental, open space and traffic issues. City staff has worked with BCPC staff to respond to all comments, particularly in regard to traffic.

- On April 20, 2011, the City Commission accepted a proposed voluntary traffic mitigation contribution in the amount of \$108,630.
- On April 25, 2011, Broward County staff notified the City that \$108,630 is not an acceptable amount, rather a \$412,912 contribution would be acceptable.
- On May 26, 2011, the Broward County Planning Council (BCPC) voted (13-3) recommending to Broward County Commission transmittal of this Land Use Plan Amendment (LUPA) to the Florida Department of Community Affairs.
- In response to the Broward County staff's request for clarification and direction regarding which methodology is to be used to calculate voluntary mitigation costs, the BCPC voted during their May 26, 2011 meeting to set a new policy, effective immediately, requiring the City (and future applications) to mitigate all estimated additional trips to the negatively affected roadway segment(s) by volunteering a mitigation cost that corresponds to the estimated net traffic impacts of all trips.
- At the June 21, 2011 City Commission conference meeting, the City Commission discussed the BCPC's new traffic mitigation cost contribution policy and did not adjust the City's previously accepted voluntary traffic mitigation contribution amount.
- At the application's Broward County (BC) Commission's first hearing held June 28, 2011, the BC Commission voted (9-0) to transmit the LUPA application to the South Florida Regional Planning Council. The BC Commission concurred with the BCPC's recommendation to accept a voluntary mitigation contribution of no less than \$412,912 and suggested differences in opinion regarding the new policy and related voluntary contribution could be discussed at an upcoming joint meeting between City and County Commissioners.

*City of Fort Lauderdale*

# ISSUE BRIEFING

## Hollywood Satellite Booking Facility

The City of Fort Lauderdale supports Sheriff Al Lamberti's proposal to reopen the Hollywood Satellite Booking Facility for multiple reasons. First, for the efficient operation of law enforcement as a whole, reopening the Hollywood facility would provide a location more easily accessible to law enforcement agencies in the southern portion of the county. Officers would spend less time transporting arrested individuals to the County's Main Jail and more time patrolling in their respective jurisdictions.

This also affects Fort Lauderdale Police Officers that are often forced to wait while officers from neighboring law enforcement agencies book their prisoners. Untimely prisoner processing can also lead to unnecessary overtime costs and extended response times to calls for service.

The main booking facility in downtown Fort Lauderdale is a contributing factor to the increase of the homeless population in our City. When homeless individuals are arrested in other cities throughout Broward County, they are eventually released onto the streets of downtown Fort Lauderdale where they often remain. The reopening of the Hollywood facility will help redistribute this burden more evenly throughout the county.

**Challenge:** Gaining support for the Sheriff's proposal that will result in the reopening of the Hollywood Satellite Booking Facility.

**Response:** Chief Adderley authored a letter to each Broward County Commissioner expressing his support for the reopening of the facility. Additionally, the Fort Lauderdale City Commission submitted a letter to Sheriff Al Lamberti articulating their support of his proposal. Both documents also cited the negative impact the current operation of the single booking facility has on the City of Fort Lauderdale.



*City of Fort Lauderdale*

# ISSUE BRIEFING

## Governmental Garage

**Project Background:** Broward County is a seven-story garage located at 150 Southwest 2<sup>nd</sup> Street. The garage consists of approximately 1265 spaces and is available to the general public between the hours of 6:00 AM to 3:00 AM, seven days a week. The rates are:

\$2 per hour  
\$1 each additional hour  
\$12 Daily Maximum  
\$12 Lost ticket

Monday through Friday during the workday, most spaces in the garage are used to support Broward County employees for the Government Building and there is limited public parking space available. During the other times, the garage is available to the general public.

**Next Steps:** During the construction of the new courthouse the current courthouse-parking garage will be eliminated and Broward County will be moving staff and jurors around to accommodate parking. The current plan is to have the jurors park in the Governmental Garage and trolley over to the courthouse. The City is concerned that this will further constrain parking available for the public visiting the downtown area and entertainment district.