

# City of Fort Lauderdale

City Hall  
100 N. Andrews Avenue  
Fort Lauderdale, FL 33301  
[www.fortlauderdale.gov](http://www.fortlauderdale.gov)



## Meeting Minutes - APPROVED

Tuesday, January 7, 2014

1:30 PM

City Commission Conference Room

## City Commission Conference Meeting

**FORT LAUDERDALE CITY COMMISSION**

**JOHN P. "JACK" SEILER** Mayor - Commissioner  
**BRUCE G. ROBERTS** Vice Mayor - Commissioner - District I  
**DEAN J. TRANTALIS** Commissioner - District II  
**BOBBY B. DuBOSE** Commissioner - District III  
**ROMNEY ROGERS** Commissioner - District IV

**LEE R. FELDMAN**, City Manager  
**JOHN HERBST**, City Auditor  
**JONDA K. JOSEPH**, City Clerk  
**CYNTHIA A. EVERETT**, City Attorney

Meeting was called to order at 1:35 by Mayor Seiler.

## ATTENDANCE ROLL CALL

**Present:** 4 - Mayor John P. "Jack" Seiler, Commissioner Dean J. Trantalis, Commissioner Bobby B. DuBose and Commissioner Romney Rogers

**Absent:** 1 - Vice-Mayor Bruce G. Roberts (arrived momentarily)

**Also Present:** City Manager Lee R. Feldman, City Auditor John Herbst, City Clerk Jonda K. Joseph and City Attorney Cynthia A. Everett

## CITY COMMISSION REPORTS

### Events and Matters of Interest

Members of the Commission announced recent and upcoming events and matters of interest.

### Sun Trolley Community Bus Service; ADA Accessibility

Commissioner DuBose said concerns were expressed at his district meeting about the trolley service and ADA accessibility. Commissioner Rogers noted that there are two new trolleys being added that are ADA accessible. Commissioner DuBose indicated that it was suggested that trolley brochures advertise which routes have ADA accessibility. Mayor Seiler said the new ones are wheelchair accessible. Commissioner Rogers believed they will be in service this month.

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### Sidewalk Program

In response to Commissioner DuBose, the City Manager noted that an item on tonight's agenda is a task order for engineering services to create a sidewalk management system. This involves surveying sidewalks throughout the city. Each sidewalk segment will be assigned a score, and those most in need of repair will be addressed first. The ordinance that governs sidewalks has not yet been addressed. Mayor Seiler did not want to change the ordinance until cost benefit data is available. The City Manager said several issues are in play. One is fixing sidewalks that are in poor condition. A subset is determining whose responsibility it is to fix broken sidewalks. The ordinance currently requires property owners to make the repairs unless the damage is caused by something like a City tree in the City right-of-way. Additionally there is an issue with connectivity and determining where new sidewalks should be added.

### Flooding

Commissioner DuBose noted there is an ongoing concern with flooding and level of service. It comes down to how much the City is willing to spend. The City Manager confirmed there is an item related to flooding on the January 22, 2014, conference agenda.

### Downtown Market

Commissioner Rogers requested more emphasis on promotion of the Downtown Market outside of the customary borders.

Sun Trolley Community Bus Service

Continued from Page 2.

Commissioner Rogers said a new route is now active, similar to a route that will be used by The Wave streetcar. The only difference is the Convention Center route on 17 Street will go farther west to Broward Boulevard, south on Andrews Avenue to 14 Street and around 3 Avenue to 17 Street. The purpose is to have connectivity. Riders will be able to start at the beach and go downtown or vice versa. It will run five days a week from 7 a.m. to 5 p.m. The hospital is involved and is promoting trolley use for its employees.

Village Place; Affordable Housing Projects Authorized by Broward County

Commissioner Trantalis mentioned that he recently toured the new Village Place affordable housing project for senior citizens in Flagler Village. Mayor Seiler noted that this was approved as market rate at the City level. The developer subsequently went to the County and was able to convert it to affordable housing. There needs to be a balance and the Commission needs to be aware of such matters. A lengthy discussion on this matter followed. The City Auditor provided some insight as to the requirements for such projects. The City Manager pointed out that in this case, the County changed its schedule of its tax credit allocations and closed the door on several projects so this developer came to the City and the Community Redevelopment Agency (CRA) looking for a tax credit match and endorsement of the project. The Commission considered three or four such projects one evening. The City Auditor noted they were all primarily deals that started out as market rate projects which failed during the economic crisis. They were redesigned as affordable housing projects because that was the only way they could get financing.

Mayor Seiler said Flagler Village residents are upset about this.

Commissioner Trantalis felt attention needs to be given to preventing affordable housing from being focused in a particular area. He felt this senior project will be suitable for Flagler Village, but he did not think much more affordable housing should be situated there. Commissioner DuBose felt there needs to be sensitivity to seniors and affordable housing because it is a growing population. Because of health issues, their income levels change. Commissioner Rogers felt a market rate senior project would have been supported as well; therefore this needs to be watched. The City Attorney noted that the City cannot control a developer from converting their project provided it is the appropriate land use designation. Market forces would control.

The City Auditor noted that generally clustering affordable housing within a particular community is discouraged. The challenge for developers is that these deals are not particularly profitable so unless the deal is heavily subsidized by government, it is almost impossible to complete the project. Mayor Seiler reiterated that the City needs to be aware in order to work toward a balance. Commissioner DuBose agreed, adding it should not be concentrated in any particular area. Policy should be consistently applied. The City Auditor explained the challenges with such projects in terms of profit margin and subsidy.

Parking for Events on Las Olas Boulevard

Commissioner Trantalis noted that at last weekend's art show on Las Olas Boulevard, residents in the Colee Hammock area engaged Boy Scout Explorers to patrol side streets and ensure guests are not parking there. Some people parked in Victoria Park and had to cross Broward Boulevard on foot. There was no one directing traffic. Mayor Seiler pointed out if the City provided traffic direction, Victoria

Park residents would be inclined to think that the City was encouraging parking in their neighborhood. People should be encouraged to park downtown. There is room for thousands of cars downtown and that does not impose an inconvenience on the neighborhoods. It is the responsibility of the event promoter to arrange for parking with downtown buildings. Commissioner Trantalis pointed out that signage is lacking. Mayor Seiler felt these points could be addressed by informing event promoters when they apply for a permit.

#### Crime in Middle River Terrace

Commissioner Trantalis referred to burglary crime statistics for this area. The Police Department has been working on this but it has not been successful. One of the major issues in the area is juvenile crime. Lawmakers say their hands are tied because the juvenile justice system has different regulations than the adult system. He is not sure of the answer, but people should not have to live in fear. A lengthy discussion followed. Commissioner DuBose explained how the issue was discussed in a District III neighborhood meeting and how the residents themselves addressed it successfully. Vice-Mayor Roberts recalled a similar situation with juvenile crime in the late 1990s where the neighborhood organized against it. This problem needs to get fixed at the state level. He would like to look into the possibility of using a truancy officer concept to find youth and bring them back to school. He offered to assist Commissioner Trantalis. Commissioner DuBose noted that part of the problem is that children are getting kicked out of school and consequently are left unsupervised. The School District is looking into addressing the issue of keeping youth in school. Sometimes the infraction is minor, but the discipline involves suspension. It could cause a child to embark down a non-productive track. Vice-Mayor Roberts noted that recently detectives have appeared in court with prolific juvenile offenders to let the judge know when a case warrants closer attention. He suggested Commissioner Trantalis meet with the City Manager and Police Department to determine what strategies are currently being used and then meet with the neighborhood to see what gaps they can fill in. Commissioner DuBose commented on an instance where representatives from the neighborhood were present at the court hearing.

Commissioner Trantalis was unsure whether the School District is interested in policing juvenile behavior outside of school hours. Mayor Seiler noted that it is important to partner with the School District on this issue. If a juvenile is on school grounds, they are not causing problems in the community.

#### High School Dropout Rate

Commissioner Trantalis said he was recently reminded there is a very high dropout rate in local high schools. The federal government released statistics yesterday, showing where poverty levels exist. In Fort Lauderdale there are significant numbers of people living below the poverty level. Commissioner DuBose felt it has to do with the cost of living, a livable wage and the percentage of income spent on housing and transportation. The City should work toward finding solutions to this problem. The City Auditor noted that he instituted a successful truancy program in Neptune Beach with Community Development Block Grant funds which may be an untapped resource. The program was very well-received.

#### Revitalizing Riverwalk Fort Lauderdale

Commissioner Trantalis commented that the movie theater at the Las Olas Riverfront Complex recently closed. He did not think that the closing is indicative of there not being a market for a movie theater in the downtown. The complex is a community jewel. Some discussion followed about what is historically designated. Commissioner Rogers indicated there was a huge issue with the movie theater. It was not

working in terms of the clientele it was attracting. It was not a good mix with upscale area restaurants. He believed the owners would like to present a plan for the site but are not sure what the market will support. It was not constructed in a way that was conducive to an entertainment center. Parking is inadequate, and there is not a good path to the river. He agreed that it is a jewel location. Mayor Seiler believed any business there should face the river. He would like to see it demolished and development started over.

Commissioner Trantalis noted this area includes the city's original main street. The concept of repurposing an old building into an entertainment center has been used in Boston, Manhattan, Baltimore and San Francisco. Those cities have a higher concentration of population around the site. The area in Fort Lauderdale has attracted an unsavory element but that was before all the housing was built downtown. Commissioner Rogers felt the elements are in place for something to come about. It will happen but there is a question of when, and what the Commission can do to facilitate development. Parking is going to be an issue. The County has not been helpful in that regard. There is more parking than one would think. It is an issue of visibility. Transportation and Mobility has already started working on the parking issue. Once that is out of the way, the Commission should discuss what it wants the site to look like and how to encourage the owner. However, it is private property. Vice-Mayor Roberts thought that access to the site is terrible. Mayor Seiler noted that in order to make the area successful, the development should be turned to the river. Commissioner Trantalis indicated that the increased population downtown does not require parking because they can walk to the area. He would like to engage the owner in design concepts and believes the Commission's participation would be welcome. The City Manager agreed that the owner is grappling with planning. Staff has had discussions with the owner. The Wave streetcar will be making stops in this area.

## CONFERENCE REPORTS

### **CF-1 14-0002 CENTRAL BEACH MASTER PLAN PUBLIC IMPROVEMENT PROJECTS UPDATE**

The City Manager noted that staff continues to negotiate consultant contracts with EDSA Inc. and Kimley-Horn and Associates Inc., and anticipates bringing those contracts to the Commission for approval on January 22, 2014.

### **CF-2 13-1602 PROPOSED LIEN SETTLEMENTS (SPECIAL MAGISTRATE & CODE ENFORCEMENT BOARD CASES)**

No discussion.

## OLD/NEW BUSINESS

### **BUS-1 14-0006 FIRE-RESCUE DEPARTMENT - INFORMATIONAL PRESENTATION**

Fire-Rescue Chief Robert F. Hoecherl, Division Chief William Findlan and Division Chief Timothy Heiser reviewed slides concerning this matter. A copy of the slides is attached to these minutes.

The City Manager noted that in the absence of healthcare insurance, the City has become the primary medical care provider for some residents. Unless a transport is involved, the City does not recover any expenses. On a typical transport the Medicare reimbursement rate is around \$400 for a \$750 bill.

In response to Findlan's discussion about Fire-Rescue responding to mass casualties and violence, the City Manager noted this is a major shift in response around the country. No other agency in Broward

County has adopted this standard. FEMA recently announced a new set of standards. The old paradigm was to wait until the scene was secure before Fire-Rescue personnel respond, but waiting to respond can cost lives. The new paradigm is not to go in front of police but into an established zone to attend to victims and conduct medical triage response. Vice-Mayor Roberts emphasized the need for coordination and training between Police and Fire-Rescue. He was happy to see this change. Findlan added that Fire-Rescue has been working with the Police Department for some time. He went on to provide some specifics.

## **BUS-2 14-0069** SOUTH SIDE SCHOOL UPDATE

The City Manager noted that the December 17, 2013, South Side School update reported that discussions with Nova Southeastern University have come to a close. Nova has opted not to move forward with lease of the building. Their largest concern was parking and uncertainty of access to the Andrews Avenue parking garage as well as patrons crossing the street from the garage. Now staff is looking into Parks and Recreation staff occupying the building. The City will not be programming the facility the way that Nova would have. Staff needs to finalize construction documents and seek bids for conclusion of the project. He recommends determining a use for the building before finalizing construction documents.

Commissioner Rogers stressed the importance of moving forward expeditiously. Things have changed since the school was acquired 10 years ago. This area is now on The Wave streetcar route and is in close proximity to a parking garage. There are now more residents downtown, increasing the need for a community-based program. One of the original purposes based on the grant language and covenant restrictions, was for a cultural facility. He read from Commission Agenda Memorandum 12-359, which outlines intended uses of the facility, which is attached to these minutes. It should not just be recreational programming. City staff is not set up to do anything other than recreational programming. In order to program it in the way it was intended, a teacher or facilitator and the appropriate space are needed. He has put together a win-win proposal, considering the history of this project and the current circumstances. Staff would move from the old Police Department facility to the top floor of the school. The lower floor would be built out with restrooms, a kitchen and the remaining space open for cultural activities. He would like to solicit a community group that would offer ideas for programming. When Friends of South Side (Friends) was first initiated, timing was bad when it came back to this Commission. It was during a time when nobody wanted to spend money. The cost has not changed. There will be a cost no matter how the City proceeds. The more the community is engaged, the more likely the best interests of the citizens will prevail. He was unsure if the Friends is ready to get involved or if there is another group that might do it. The Commission needs to reach a decision and then support it. A project manager is needed, and it should not be the City Manager. A community liaison is needed to ensure the City is getting the community input it needs. It is critical to continue reviewing the project monthly. He referred to the City's previous bid documents. He did not think it should be necessary to start over. He wanted to marry the two ideas and move forward.

Mayor Seiler opened the floor for public comment.

John Wilkes, past chairman of Friends of South Side, pointed out that many people have visited Faneuil Hall in Boston but few have visited Boston's Parks and Recreation Department. It appears the Commission is abandoning the intended use for the school and converting it into office space for staff. If that intent was clear, he felt there would be more people in attendance today. The Friends has been dormant but it is still an organization. He elaborated on their purpose and the history of the group's involvement. He responded to Mayor Seiler that the Friends met between 2004 and 2010. After March 2011 they did not have much of a purpose because this Commission chose to go in another direction with the project. Mayor Seiler requested the meeting minutes so the Commission could review their

recommendations. Wilkes explained that the Friends were trying to help the City but has been ignored. He urged the Commission to not forget the errors of the past so they are not repeated. He noted that the City Manager described this project in an April 2012 memorandum as a textbook example of the many things that can go wrong without proper planning, good direction and strong project management. The community is committed to seeing this project through with the use originally intended. The Friends can reconvene but would like a commitment from the Commission to keep the building, to preserve the vision for which it was acquired and to complete the project. There will be some changes in the programs originally contemplated. However he elaborated on current successful programs in the city. He agreed that there should be a project manager and not the City Manager or a committee. It will cost money, but he believes there are opportunities to get funding from private sources once it is open. He reiterated that the Friends will assist.

Mayor Seiler asked Wilkes to provide meeting minutes and a pro forma that noted the facility would operate at about a \$400,000 loss the first year. Wilkes believed the operational loss was \$200,000 with \$190,000 start-up costs for furniture and equipment. Mayor Seiler noted that the Friends proposed for-profit agencies conducting programs that would not be paying for a lease. Wilkes confirmed for Mayor Seiler that Muse Center for the Arts is a nonprofit organization.

Steve Buckingham, president of Tarpon River Civic Association, said Hardy Park is beautiful. He believes the grand re-opening will draw residents from not just Tarpon River but other parts of the city. South Side School is a gem, an iconic structure. It adds value to Fort Lauderdale residents, businesses and visitors from out of town as a historic site. The Tarpon River Civic Association will use the building for its twice-monthly meetings. He visited with the owner of Hardy Park Bistro who said business would improve markedly if the chain-link fence is removed and South Side School was completed. Other business owners in the area have said the same thing. Even if the site is programmed with simply open space and the programming comes in time, the most important thing is to get the building completed. If the school was owned privately, there would be a code violation list a mile long over the last 10 years that the community has waited for it to be finished. There are a lot of people in the community committed to resolving this matter. He urged the Commission to move forward. A finished school would enhance and add value to the adjacent Hardy Park.

Sandy Casteel, Friends of South Side board member, said she is thrilled to see the Commission revisiting this project and would like to see it wrapped up. She agreed with the two previous speakers. She spoke of how beneficial it would be to have such a facility. She also agreed that a point person is needed.

Kathleen Ginestra, 1201 River Reach Drive, noted that she recently moved into the Tarpon River area. She felt a new look at programming is needed. She is excited that the community might have a chance to use this facility.

Pamela Wilkes, 821 South Rio Vista Boulevard, spoke about the wonderful collaboration that the Friends have had with the City over the years. She did not want it to be perceived that the Parks and Recreation Department is not wanted in the building. Rather it must be a combination of things. She wants the Commission to get excited about this building.

Mayor Seiler pointed out that the Muse Foundation for the Arts became inactive a couple of years ago. It is a not-for-profit organization. The Muse Arts Academy is an inactive for-profit organization. He emphasized that a for-profit business cannot be housed in this facility. He has serious concerns about whether the City will be able to provide programming without losing hundreds of thousands of dollars annually, although he would not object to a small loss if a great service to the public is provided. The Commission has a policy of cost recovery. If Parks and Recreation staff could occupy a portion of the

building, some of the overhead could come from a different funding source. He is considering such a mixed use. Today is the first time he has heard Commissioner Rogers' proposal because the Commission can only discuss these matters during posted meetings. The City does not need any more meeting space. His concern is programming in a way that the City is not losing a significant amount of money each year.

Donna Mergenhagen, 1374 SE 17 Street, did not understand why community programs would not generate as much revenue as Nova Southeastern would. Mayor Seiler explained that Nova is a not-for-profit and would be permitted for the building. Nova was covering all of the overhead and maintenance and allowing the City a certain number of hours to use the facility for the public. Commissioner Rogers explained that any school that is operating programs is going to at least want to break even financially. One of the key selling points for Nova was that they were able to use a grant. Any type of programming such as this would want the ability to raise money. Mergenhagen felt that if Nova is able to secure grant funds, the City and a support group should be able to do the same. Mayor Seiler explained that Nova has partnerships and relationships and connections that the City does not have. Nova is a 50-year institution in Broward County that probably has its own grants department. He has no opposition to the Friends. His only opposition is economic related. If someone can show that they can make money with the same bottom line or in a way that does not lose money, he would be supportive. Mergenhagen pointed out that compromising a business plan by having part of the building occupied by the City could predict failure. Transferring operational costs to the Parks and Recreation Department sounds like a good short-term solution but it actually installs a ceiling on the potential success of a third-party group. Mayor Seiler pointed out that it also caps costs. He has received feedback from numerous residents who were grateful that Nova was essentially capping the City's exposure. Commissioner Rogers noted that any start-up business is going to want limited operating costs and free rent. If the Parks and Recreation Department occupies the second floor, they can always be relocated to another space later. However, it may not be possible to recoup funds from a start-up business that fails. Mergenhagen concluded by saying the building is really an eyesore. Something needs to be done and done correctly. She appreciated the City Manager separating Hardy Park and moving forward on it.

John Wilkes returned to the podium and clarified that the Friends was never intended to operate this facility. They want to help the City. More dialogue ensued concerning cost recovery wherein Commissioner Trantalis noted that when he served on the Commission in 2004, the City was in a different financial position. The opportunity came up to purchase the school. The district commissioner and members of the community supported the purchase with the thought it could be a cultural facility and would preserve an iconic building. City Manager Gretsas at that time did not know how much it would cost to repurpose the building, but he provided numbers for the purchase and improvements. The other members of the Commission felt a little leery because there was not one concrete suggestion. They told the district commissioner they would approve the purchase if she would rally the community and see the project through to completion. The community supported it and the City purchased the building even though, at the time, Broward County also was interested in purchasing it – and he had suggested they let the County purchase it. Times have changed, and there are different budgetary constraints. The project continues to drain the City budget while there are neighborhoods with infrastructure problems, sidewalks that need repair and roads that need paving. A lot of people think this building should be sold and repurposed. He provided details of a 19<sup>th</sup> century Victorian school house in Connecticut that was redeveloped as condominiums.

Commissioner Trantalis went on to say that there is a difference between historic preservation and historic restoration. The City should not be in the business of historic restoration because it will not be able to restore it to what it was. The architectural integrity and the educational aspect could be preserved. However, it is a tremendous burden on the City to open the doors to whoever wants to use it



rather than a proven entity. There need to be more cultural activities in the city, but the question is where they should be located. A new courthouse is under construction down the street. Those employees might use it but the City does not know if that would happen, and no one has organized any programs in that regard. The City cannot take on this function. Whatever the thinking was in 2004-2005, this is not the same city. It should be looked at practically.

Mergenhagen said she believes there was a business plan by the Friends that was fairly realistic and projected the loss that Mayor Seiler is concerned about. When writing a business plan for a small space, there should be realistic expectations for the financial success of the business. She questioned how the City will pay back the grant funds if the building is sold.

There was no one else wishing to speak.

Commissioner Trantalis explained he believes Mayor Seiler was saying that if part of the building is occupied for a municipal purpose, the business plan could be modified because the operating costs will be cut in half. He had suggested putting the clinic there, but that was considered inappropriate and the City was still in negotiations with Nova. The City has to continue to think about repurposing, but not restoring historic structures. They have to make sure that whatever they decide to do with the school, it makes fiscal sense. Commissioner Rogers' proposal appears to make sense. Residents elsewhere in the city are not interested in keeping this building. Many have suggested it be sold. In response to Mergenhagen, he said the grant funds would be paid back when the building is sold. As far as justifying the loss of what has already been spent, they have to cut losses and move on. No one on the Commission is advocating to spend more money. He believes the Commission will compromise and try to appeal to the interests of the Friends and the surrounding neighborhoods. He supports Commissioner Rogers' proposal in general and believes they need to come up with a hybrid approach that supports the interests of the community and minimizes the expense.

In response to Vice-Mayor Roberts, Phil Thornburg, Director of Parks and Recreation, said there are about 20

employees who would occupy the space if moved to South Side School. There is adequate space on the second floor. There would also be some meeting space available. Regardless of who occupies the building, additional parking will be necessary.

Commissioner Rogers recalled previous discussion about parking. Thornburg believed that Nova's proposal would probably provide enough parking to accommodate the Parks and Recreation staff but not much more. The City Manager said the last iteration showed a total of 30 spaces, including the required number of spaces for the handicapped, in the area between the building and the tennis courts. Mayor Seiler thought arrangements could be worked out for staff parking. Commissioner Rogers added that some street parking is available. Vice-Mayor Roberts explained that the reason he brought up this issue is that no matter what direction the Commission goes, parking will have to be addressed. He went on to say that District I residents do not want the City to spend any more money on this project. That sentiment leads him to support Commissioner Rogers' proposal. He would like to see the doors opened and the building activated. Once that happens, what the market will bring to the first floor could be determined. Parks and Recreation can be moved if a more suitable tenant is found for the second floor. He would like to see this project complete well before the end of 2014. The tenant is unknown but it should be a use that meets the purpose criteria.

Commissioner DuBose said a lot of information has been brought forward today, and he is still processing it. Commissioner Rogers' proposal deserves consideration because he is the district commissioner. It has not been an easy issue. There is merit to Mergenhagen's comments about a business plan. He is not sure where he stands on this issue. If pressed, he would defer to

Commissioner Rogers' plan. Mayor Seiler noted this issue will come back before the Commission. A final decision is not necessary today. Commissioner DuBose indicated he would love to have the project finalized.

Mayor Seiler did not envision selling the building. It should reflect some sort of cultural use. He is leaning toward some combination of government offices and available for use by neighborhood associations, art classes and other cultural activities. The City is creating a safety net so that, at the very least, the top floor will be used for City purposes. The bottom floor can be used for the structure's intended purpose. He is inclined to proceed with such a hybrid idea. He would like the Friends to reconvene and offer assistance in activating the building. If ultimately they are able to find a better use for the second floor, Parks and Recreation can be moved. Commissioner DuBose did not want to commit to any preference at this time. He would like to see data that would show how the hybrid would perform. The City Auditor said he was originally concerned about the business plan and economics of this issue. Classes at Nova's studio school cost about \$250 per class whereas classes at the Broward continuing education program cost about \$50 per class. There is a notable difference between community programs and what Nova is able to offer because they have nationally-accredited artists. There will always have to be a subsidy in order for community programs to be viable. Vice-Mayor Roberts pointed out that community programs could be subsidized by grants and sponsorships. Mayor Seiler added that grants are speculative.

Mayor Seiler noted that this item was publicized as an update. He does not want to blindside the public and make a major decision today. He would like it to come back one more time for direction from the Commission. He would like to see numbers showing how the business model will work. A concern with the old plan is whether the entire building could be programmed 24/7. Programming just the first floor in such a way that there is space for neighborhood meetings in addition to arts, culture and dance sounds interesting. The City will cap its exposure by using the second floor for office space. There is a need to move forward.

Commissioner Rogers indicated that it is important to look at the numbers and identify a project manager and a community liaison. He wants to move forward and change direction later if necessary. All of these ingredients have to be in place, and there has to be buy-in. There has to be a timeline and the completion date must be sooner than December of this year. Mayor Seiler felt the community liaison is the Friends. Wilkes said there is an email list of roughly 200 members that could be updated. Mayor Seiler reiterated his request for the Friends' minutes and pro formas.

Mayor Seiler wanted the Commission to give direction at the next meeting. There are probably three options available. Selling the building or turning it over completely to programming are probably not feasible options. It would have to generate \$2 million annually. A hybrid option is ideal because the public will be able to use the building. Commissioner Rogers pointed out that there are three historic properties at this intersection. Mayor Seiler noted the opportunity for the Friends to assist the City. The City has been at a stalemate with Broward County about use of the parking garage after hours. The County wants it restricted to government employees, which the City agreed to during business hours. If a compromise could be reached, it would open a thousand additional parking spaces. Wilkes said he has an appointment next week with Broward County Vice-Mayor Tim Ryan to discuss this very issue. With respect to the County, the City Manager raised the City's challenges with the sidewalk permit and archaeological monitoring. Wilkes discussed how community involvement could be helpful. The Friends will help.

**BUS-3 13-1699** MEDIAN SIGN OPTIONS - MEDIAN BEAUTIFICATION PROJECT

Parks and Recreation Director Phil Thornburg reviewed slides concerning this matter. A copy of the slides is attached to these minutes.

The Commission discussed the options at length. Assistant City Manager Susanne Torriente noted that other municipalities tend to have logos with taglines. The tagline was based on the Vision Plan 2035. The logo is the identifier of the Vision Plan which is different than the City's seal.

In response to Mayor Seiler, Thornburg advised that the cost will be the same for any of the options. The sign on Sunrise Boulevard cost about \$6,000. There was consensus for Option 2 without the tagline, and red and blue colors in the logo.

Commissioner DuBose wanted to ensure that the paint used can withstand wear and tear from the sprinkler system. Thornburg cautioned that there is a challenge when well water is used for irrigation.

Commissioner Rogers said he provided the City Manager with two additional potential sites for signage that were not included. Commissioner DuBose pointed out that the NW 27 Avenue location is not in the city limits. It may need to be moved to 24<sup>th</sup>. Thornburg agreed to double check the list to ensure all the signage sites are within the city limits. Commissioner Trantalis asked about the entryway from Wilton Manors via Dixie Highway. The City Manager noted that this was presented during the budget process and acknowledged it would be a multi-year endeavor. This is a starting point. As funding becomes available, additional signage can be installed. Commissioner DuBose suggested other locations could be identified. Vice-Mayor Roberts also mentioned Commercial Boulevard via 15 Avenue and Cypress Creek Boulevard at Pinecrest.

**OB** REQUEST FOR EXECUTIVE CLOSED DOOR SESSION

The City Attorney requested a closed door session for January 22, 2014, to discuss matters related to *City of Fort Lauderdale vs. William McGarry*.

**CITY MANAGER REPORTS**

None.

**BOARDS AND COMMITTEES****BD-2 13-1677** BOARD AND COMMITTEE VACANCIES

Please see regular meeting item R-1.

Mayor Seiler asked that Larry Ott be asked to continue serving on the Cemetery System Board of Trustees until he is replaced (Mr. Ott wishes to be appointed to the Parks, Recreation and Beaches Advisory Board).

The City Commission recessed at 5:18 p.m. and reconvened at 8:32 p.m. to address Item BD-1 in the City Commission meeting room on the first floor of City Hall.

**BD-1 13-1675** COMMUNICATIONS TO CITY COMMISSION AND MINUTES  
CIRCULATED - period ending January 2, 2014

Enterprise Zone Development Agency

Motion by Commissioner Williams and seconded by Mr. Barbour to draft a letter to Broward County Commission to obtain their support for the Enterprise Zone, noting that this is an important and valuable resource for small businesses and ask that they help get an answer for extending the Zone past 2015. Discussion ensued as to what the letter would contain and who should receive the letter.

Components of the letter will include that this Board needs the support of the National & Broward League of Cities, Broward County and the Delegation in order for the program to continue to be successful and that this is a resource for small business to take advantage of, using examples and ask that they all continue to lobby to extend the program past the December 2015 deadline.

In a voice vote, the motion passed unanimously.

After considering the Enterprise Zone Development Agency meeting minutes above, the Commission clarified its support of the Agency issuing a letter to the Broward County Commission.

Marine Advisory Board

Motion made by Vice Chair Harrison, seconded by Mr. Herhold, to send the following communication to the Commission on the subject of the north seawall: Recognizing the age, deteriorating condition, and lack of common amenities along this seawall, and because the length of time from grant requests to project completion can take up to 2 ½ years, the Marine Advisory Board respectfully requests that funds be allocated to meet grant criteria so Staff can make formal grant applications within the proper agencies and provide the anticipated costs of improvement projects. In a voice vote, the motion passed unanimously.

After considering the Marine Advisory Board meeting minutes above, the City Manager clarified a reference in the minutes to the New River north seawall. Funds are allocated, and this is a planned capital project.

**BUS-4 14-0031            BROWARD COUNTY LAND USE PLAN - UPDATE ON PROPOSED AMENDMENTS CONCERNING AFFORDABLE HOUSING**

This item was revised to include additional Exhibits 4 and 5.

The City Manager provided background on this item. The Broward County Commission will be considering an amendment to its land use plan which would require municipalities to consider certain affordable housing strategies when allocating 100 or more residential flexibility or reserve units on lands designated as Commercial or Employment Center on the City's Future Land Use Map. The City has objected to this amendment, as has the Broward League of Cities and several other municipalities. The Broward County Planning Commission also recommended denial. He provided a magazine article titled "Cities Where Wages Haven't Kept Pace with Rising Housing Costs" for the record. It talks about measuring affordable housing in terms of median gross rent as a percentage of household income. Generally 30 percent is the standard. Fort Lauderdale was ranked 105 out of 312 communities in terms of affordable housing. Fort Lauderdale ranks seventh in affordable housing in Florida. The City is ranked sixth of six cities in Broward County – meaning the other five cities are less affordable. As this item moves forward and Fort Lauderdale is one of the only cities requesting new units, this becomes a countywide decision that affects the downtown, which is where the units are being requested. He recommends that the Commission continue to oppose the Broward County ordinance and continue to

advocate that affordable housing should be a local decision and dispersed not only throughout Fort Lauderdale but also throughout the county.

Mayor Seiler opened the floor for public comment.

Raymond Cox, a member of the homeless community, noted there is a huge population of service industry and government workers in Fort Lauderdale. There is a lot of development going on, and if it continues, people will be displaced from their homes. He believes there is a need for affordable housing. When there are ordinances such as this that oppose affordable housing, it affects people who are working for low wages. It is important for people to be able to walk or ride the bus to work.

Christine Timmon, 12 SE 20 Street, said the government has forgotten about Amendment 14, under which they have to offer due process and protection to everyone. They have to take care of the homeless and give them somewhere to stay. Immigrants are homeless because they're not here lawfully under the constitution. Many husbands paying alimony have become homeless. Everybody needs affordable housing. The state is supposed to house people under the U.S. Constitution. She encouraged the Commission to get back to the Constitution and treat everyone the same.

In response to Commissioner Trantalis, the City Manager explained that the County imposed a condition when it provided units several years ago, requiring that 15 percent of the units in the downtown Regional Activity Center (RAC) be designated for affordable housing. Those units have not all been used. That has been the policy, but there has been some disagreement with the County as to how that 15 percent is designated. The County would like it to be 15 percent of any project, whereas the City has interpreted it as 15 percent of the total units have to be affordable.

Commissioner DuBose explained that the County is trying to add another layer to the process and take control of it rather than leaving it up to the cities. The Broward League of Cities and the Broward Planning Council have argued that there does not need to be an additional layer of bureaucracy. A joint workshop is being planned for January 29 or 30, 2014, that will include representation from the Planning Council and the League. The County Commission will be invited to discuss this matter.

Mayor Seiler reiterated that they want to see 15 percent of every project dedicated to affordable housing, and the City is looking at the total inventory. That is a huge issue.

Vice-Mayor Roberts indicated the County also says the daily workforce influx of 90,000 people should count toward the population. That seems totally unfair.

The City Manager suggested that in lieu of the 15 percent, the City can make a case that it has sufficient affordable housing for its population. The County does not define population as simply the residential population of people who actually live in the City. Instead of having a population of 170,000, it would have to be based on 260,000. Mayor Seiler noted the County's methodology does not account for Fort Lauderdale residents that work in other cities.

Commissioner Trantalis questioned how a daytime visitor would affect the housing market. The City Manager said he believes their rationale stems from the philosophy that people should live where they work.

Sustainable and Economic Development Director Greg Brewton said it is important to understand that this proposal involves areas designated as Commercial or Employment Center on the City's Future Land Use Map. This particular proposal would not impact the RAC areas. Staff has not done an analysis to see if Broward County's methodology for calculating commuters in the population is a

standard used elsewhere.

Commissioner Rogers said everyone agrees this is a home rule issue. He would like to be proactive and tell the County that Fort Lauderdale is the only city in a position to create transit-oriented development. The City will create development that meets the County's goals for live, work and play. The City understands the process and is already complying. The County should be told that the City has it figured out and should be left alone.

The City Manager explained he intends to write another letter and appear before the County Commission to discuss this item. In response to Commissioner Rogers, the City Manager said he would attempt to attend the joint meeting between the League, the Planning Council and the County Commission if there is no conflicting City meeting.

Commissioner DuBose explained that the Broward League of Cities is on the same page as Fort Lauderdale. This has a greater impact on the large municipalities in Broward County. Everyone is rallying around Commissioner Rogers' point that this is a home rule issue. That is what it boils down to, regardless of the methodology used.

Commissioner Rogers noted that it concerns him that the County has taken the position that this affects developments with more than 100 units. Not every city is going to build projects with more than 100 units. Commissioner DuBose said the cities are strong on the issue of home rule, as is the League. Additionally, that is the general consensus of the Planning Council. Commissioner DuBose believes this item is being pushed by one County commissioner. It could be beneficial to reach out to the County Commission, especially those who represent Fort Lauderdale. They have had discussions on this matter before. He believes the biggest proponent is District VI Commissioner Sue Gunzburger. He understands her interest in affordable housing, but this is a home rule issue, even with some of the municipalities that may not be directly affected by the requirement.

Mayor Seiler discussed how some of the other Broward cities are ranked.

The City Manager noted this item was an update to ensure the Commission has a comfort level as staff continues to move forward.

Commissioner DuBose suggested if a new letter is sent, it could be beneficial to highlight some of the points related to the calculations. The City Manager agreed and said he also wants to draw attention to where the City falls in the published ranking on affordable housing. Commissioner DuBose noted that if a letter is sent to the Planning Council it should focus on the home rule issue rather than singling out Fort Lauderdale.

There was consensus to proceed with the recommendation.

There being no other business to come before the Commission, the meeting adjourned at 9 p.m.