

# City of Fort Lauderdale

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



## Meeting Minutes - DRAFT

Tuesday, June 3, 2014

6:00 PM

City Commission Chambers

## City Commission Regular Meeting

**FORT LAUDERDALE CITY COMMISSION**

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

**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 6:13 p.m. by Mayor Seiler.

## ATTENDANCE ROLL CALL

**Present:** 4 - Mayor John P. "Jack" Seiler, Vice-Mayor Romney Rogers, Commissioner Bruce G. Roberts and Commissioner Bobby B. DuBose

**Absent:** 1 - Commissioner Dean J. Trantalis (arrived momentarily)

**Also Present:** City Manager Lee R. Feldman, City Auditor John Herbst, City Clerk Jonda K. Joseph, Assistant City Attorney Cynthia A. Everett and Sergeant At Arms Sergeant Jaime Costas

## Vote Roll Call Order for this Meeting

Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

## Invocation

Reverend Dr. Russell H. Ritchel Jr., interim pastor, First Presbyterian Church of Fort Lauderdale

## Pledge of Allegiance

Led by State Representative Gwyndolen Clarke-Reed

## OTHER BUSINESS

### OB REPRESENTATIVE GWYNDOLEN CLARKE-REED REMARKS

State Representative Gwyndolen Clarke-Reed provided a brief update on recent activities in the state legislature.

## Approval of MINUTES and Agenda

No public comments were submitted by email for the June 3, 2014 regular meeting.

**14-0748** APPROVAL OF MINUTES for April 1, 2014 and April 15, 2014  
Conference Meetings

**Motion** made by Commissioner Trantalis and seconded by Commissioner Roberts to approve the noted minutes.

### APPROVED

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

**PRESENTATIONS****PRES-1 14-0595** PROCLAMATION DECLARING JUNE, 2014, AS HURRICANE PREPAREDNESS MONTH IN THE CITY OF FORT LAUDERDALE

Commissioner DuBose presented the proclamation to Fire-Rescue Battalion Chief Jo-Ann Lorber. She thanked the Commission and provided information on an upcoming hurricane preparedness event.

**PRES-2 14-0637** RECOGNITION OF CITY OF FORT LAUDERDALE EMPLOYEES - RECIPIENT OF AMERICAN HEART ASSOCIATION'S FIT FRIENDLY PLATINUM ACHIEVEMENT AWARD

Donna Byrne, Heart Walk Director of American Heart Association, presented the award to the Commission.

**CONSENT AGENDA**

Mayor Seiler announced the procedure for consent items.

**Motion** made by Commissioner Trantalis and seconded by Commissioner DuBose that all Consent Agenda items be approved as recommended.

**APPROVED**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

**CONSENT MOTION****CM-1 14-0667** EVENT AGREEMENTS AND RELATED ROAD CLOSINGS: Farmers Market at Broward Medical Center and Las Olas Sunday Market**APPROVED**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

**CM-2 14-0668** EVENT AGREEMENTS: Farmers Market at Whole Foods Market Fort Lauderdale, 2nd Annual Pops Rock Da Summer Family Fest Summer Kick Off and Family Fitness Fun Day**APPROVED**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

**CM-3 14-0611** TWO-YEAR AGREEMENT FOR PROMOTION OF DOWNTOWN COUNTDOWN - NEW YEAR'S EVE CELEBRATION - O.B. Festival Events, LLC

**APPROVED**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

**CM-4 14-0625** FIRST ONE-YEAR EXTENTION OF FACILITY USE PERMIT FOR USE OF LAKE AT MILLS POND PARK - water skiing activities - Gold Coast Ski Club, Inc. - retroactive from April 3, 2014 - April 2, 2015

**APPROVED**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

**CM-5 14-0691** ONE-YEAR RENEWAL OF SCHOOL RESOURCE OFFICER AGREEMENT - School Board of Broward County - retroactive to August 19, 2013 through June 6, 2014

**APPROVED**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

**CM-6 14-0608** AMENDMENT TO EASEMENT AGREEMENT AND CONSTRUCTION, USE AND OPERATION AGREEMENT - THE BRIDGESIDE SQUARE DEVELOPMENT PUBLIC PARKING FACILITY - addition of meters to 61 parking spaces on first floor of Bridgeside Square Condominium Garage - 3020 NE 32 Avenue

**APPROVED**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

## **CONSENT RESOLUTION**

**CR-1 14-0634** CONSOLIDATED BUDGET AMENDMENT TO FISCAL YEAR 2014 BUDGET – APPROPRIATION

**ADOPTED**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

**CR-2 14-0704** FIRST AMENDMENT TO AGREEMENT FOR CHRONIC HOMELESSNESS HOUSING COLLABORATIVE - amending Section 9.1 providing for single audit report - Broward County

**ADOPTED**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

- CR-3 14-0746**      DECLARING JULY 4, 2014 AS A PUBLIC PURPOSE SPECIAL EVENT - 2014 JULY 4th - providing limited temporary exemption from Municipal Code, Section 8-85, as it relates to open containers - A1A between southern boundary of NE 18 Street and northern boundary of Holiday Drive

**ADOPTED**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

- CR-4 14-0477**      EXTENDING TERM OF FIRE-RESCUE FACILITIES BOND ISSUE BLUE RIBBON COMMITTEE - DECEMBER 31, 2016

**ADOPTED**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

- CR-5 14-0656**      REPAIR OR RECONSTRUCT DAMAGED SIDEWALK - AUTHORIZING NOTIFICATION LETTER TO ABUTTING PROPERTY OWNER - 1800 SW 10 Court

**ADOPTED**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

- CR-6 14-0602**      AMENDMENTS TO 2007-2010 STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM LOCAL HOUSING ASSISTANCE PLAN and authorize City Manager to execute all necessary documents

**ADOPTED**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

- CR-7 14-0432**      DESIGNATED BUFFERED BIKE LANE - APPLICATION FOR LANE ELIMINATION ON POWERLINE ROAD NORTH OF SUNRISE BOULEVARD - Florida Department of Transportation

**ADOPTED**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

**CR-8 14-0749** AUTHORIZING CITY MANAGER TO SERVE AS A MEMBER OF FORT LAUDERDALE - BOSCH COMMUNITY ADVISORY COMMITTEE

**ADOPTED**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

**PURCHASING AGENDA**

**PUR-1 14-0543** CHANGE ORDER 1 FOR LEWIS LANDING NEIGHBORHOOD PARK IMPROVEMENTS TO INCLUDE TWO ALTERNATIVE PRICES - Pac Comm Inc. - Alternatives One and Two totaling \$50,892.85 plus \$8,652.15 for estimated engineering fees - total cost of \$59,545 and 60 additional work days

**APPROVED**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

**PUR-2 14-0579** AWARD CONTRACT FOR WASTEWATER COLLECTION SYSTEM REHABILITATION - \$1,500,000 - Miller Pipeline LLC.

**APPROVED**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

**PUR-3 14-0596** ONE-YEAR CONTRACT FOR CONCESSION SERVICES AT MILLS POND PARK - \$55,000 (revenue) - Professional Concessions, Inc. and authorize City Manager to approve three, one-year renewal options

**APPROVED**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

**PUR-4 14-0597** ONE-YEAR CONTRACT FOR SODIUM HYDROXIDE - estimated annual amount of \$200,000 on as-needed basis - Allied Universal Corporation and authorize City Manager to approve two, one-year renewal options contingent upon appropriation of funds

**APPROVED**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

**PUR-5 14-0628** FINAL RANKING AND COMMENCEMENT OF CONTRACT NEGOTIATIONS FOR ARCHITECTURAL CONSULTING SERVICES - 1) Walters, Zackria Associates; 2) Synalovski, Romanik and Saye; 3)

Saltz Michelson Architects and 4) ACAI & Associates.

**APPROVED**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

**PUR-6 14-0649** FINAL RANKING AND COMMENCEMENT OF CONTRACT NEGOTIATIONS FOR MECHANICAL ELECTRICAL PLUMBING (MEP) ENGINEERING SERVICES - 1) SGM Engineering Inc.; 2) DeRose Design Consultants and RGD Consulting Engineers

**APPROVED**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

**PUR-7 14-0632** ONE-YEAR CONTRACT FOR SLUDGE DEWATERING POLYMER - \$346,500 - Polydyne Inc. and authorize City Manager to approve three, one-year renewal options contingent upon appropriation of funds

**APPROVED**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

**PUR-8 14-0639** ONE-YEAR CONTRACT FOR SUMMER CAMP FOOD PROGRAM - \$121,000 - G.A. Food Services of Pinellas County, Inc. and authorize City Manager to approve four, one-year renewal options contingent upon appropriation of funds

**APPROVED**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

**PUR-9 14-0647** THREE-YEAR CONTRACT FOR ROLL-OFF DUMPSTER SERVICES - \$197,185.14 (estimated annual amount) - A.J. Panzarella L.L.C. d/b/a Panzarella Waste and Recycling Services and authorize City Manager to approve two, one-year renewal options contingent upon appropriation of funds

**APPROVED**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

**PUR-10 14-0657** THREE-YEAR CONTRACT FOR MICROSURFACING PAVEMENT INSTALLATION - \$2,245,000 (fiscal year 2014 total) - Asphalt Paving Systems, Inc. and authorize City Manager to approve two, one-year renewal options contingent upon annual appropriation of funds

**APPROVED**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

**PUR-11 14-0696** PURCHASE 178 DUAL CONCRETE WASTE AND RECYCLING RECEPTACLES - \$161,446 - Wausau Tile, Inc.

**APPROVED**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

**PUR-12 14-0727** CANCELLATION AND RE-AWARD CONTRACT FOR BOARD-UP SERVICES - canceling award to Kedeco Enterprises, Inc. and awarding one-year contract to 911 Restoration Inc. - estimated annual amount of \$370,250 and authorize City Manager to approve three, one-year renewal options contingent upon appropriation of funds

**APPROVED**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

## **CITIZEN PRESENTATIONS**

**CIT-1 14-0741** JEFF WEINBERGER - Homeless Laws

Jeff Weinberger noted that the Commission says it wants to help homeless people and has implemented the most humane and financially sound approach to solving chronic homelessness with its Housing First program. However, it does not address the root causes of homelessness, but it is a step toward restoring dignity and self-worth. The program will benefit less than 5 percent of the city's chronically homeless with no guarantee of future funding, and the Commission has simultaneously passed and proposed ordinances which harm the homeless. The United Nations last week reaffirmed its commitment to end public defecation in the poorest countries. He felt Fort Lauderdale is only trying to fill its jails. He noted Broward Sheriff Scott Israel's recent comments that everyone deserves a place to call home and should be treated with dignity and respect, including those experiencing homelessness. He doubted that such a statement was made with a lack of awareness of what is happening in Fort Lauderdale.

**CIT-2 14-0742** HAYLEE BECKER - Homeless Laws

Haylee Becker asked those in support of homeless ordinances to wash away the stigma they may have of the homeless. The ordinances will negatively affect all of the homeless. She is disturbed by the discriminatory policing in Fort Lauderdale. Many of the services in the city act as a revolving door and have limits on how long one can stay that does not give one time to get on their feet. There is inadequate funding. Those who find themselves unsuccessful in these programs also find themselves in police confrontations, often ending in jail. An \$80,000 aluminum fence was built around Stranahan Park with



heavy police presence and intimidation. She referenced recently-passed ordinances related to homelessness and noted that three more are proposed. Housing First is a nice gesture but housing 22 people for \$600,000 is merely a gesture. She noted a study by Creative Housing Solutions which found that the cost of a homeless person to taxpayers is about \$31,000 per year in Florida. The cost to provide housing and social services would be \$10,000. The City could take steps toward solutions for the homeless and taxpayers. The Commission is making the process more difficult and more expensive. There is no reason to say there is no funding available for public restrooms or more homes. All of these policies are an attempt to remove the homeless and prevent more from entering the city. Stranahan Park is empty because the homeless were run out of it.

**CIT-3 14-0739** VICKIE MACHADO - Labeling of Genetically Engineered Foods

Vickie Machado, Florida organizer of Food and Water Watch, said she represents 30,000 supporters statewide. More than 16,000 people have signed a petition to label genetically-engineered food, 200 of which are local residents. She spoke before the Commission in January and recently she has met with the Commission individually to discuss the prospect of introducing a resolution supporting this initiative. Sixty-four countries have labeling laws. Legislation has been passed in Maine, Connecticut and Vermont and is proposed in the Florida House of Representatives and Senate. The Senate bill was removed from the agenda at the last minute. People want to know what is in their food. She recognized people in the audience who are in support of adopting a local resolution. She provided information about genetically-engineered foods and submitted a sample of a local resolution for consideration along with a list of organizations that are in favor of such legislation being enacted that were made a part of the record. This is not an issue of whether genetically-modified organisms are bad; this is about consumer education.

It was noted that Machado made a presentation before the Sustainability Advisory Board, which will be presenting a recommendation to the Commission. Machado confirmed for Commissioner Trantalis that her request is about labeling foods.

**CIT-4 14-0740** SHIRANIE KIKUTIS - Lien on Property due to Contractor Negligence

Shiranie Kikutis advised she had a problem connecting her property to the sewer system. The contractor she hired completed work on two properties but did not request an inspection from the City. She spoke with the City's customer service and followed their advice to call for an inspection. The property passed inspection, but there was nothing on site for the City's inspector to sign. Subsequently, she was told it was not in compliance. After more advice from the City's Building staff, she hired a new contractor and ultimately was fined \$1,300. She provided a recap of events for the property (1304 SW 31 Street) and six exhibits that were made a part of the record. Kikutis responded to a series of questions for Commissioner Trantalis about how this matter unfolded and her actions. This matter went before a special master where she represented herself. She spent \$2,000-plus for improvements to the second property. The work passed inspection and she thought the matter was complete. She just recently learned of the fine and that the extension granted by the special master had expired.

The City Manager explained this is a WaterWorks lien. There is a matrix by which a fine can be reduced based on a formula. In reviewing the documentation provided by Kikutis, he did not see any evidence that she has been in contact with the Code Compliance Division to move the lien reduction forward. Deputy Director of Sustainable and Economic Development Jenni Morejon offered to meet with Kikutis.

**CIT-5 14-0738** PETER PALMER - Liens on Property Unrelated to the Property

Peter Palmer was not present.

**PUBLIC HEARINGS**

**PH-1 14-0605** QUASI-JUDICIAL - RESOLUTION - WAIVER OF LIMITATIONS OF UNIFIED LAND DEVELOPMENT REGULATIONS, SECTION 47-19.3.C AND D - construction and maintenance of concrete floating dock with access walkway/ramp, boatlift, two mooring pilings and finger piers extending a maximum of 68.5 feet from property line into New River Sound - 505 Idlewyld Drive

Applicant: 505 Idlewyld, LLC

All individuals wishing to speak on this matter were sworn in.

Members of the Commission announced with whom they had spoken and/or site visits made concerning this matter.

Mayor Seiler reviewed the procedure for the public hearing and opened the floor for public comment.

Dr. Fred Blitstein, representing the Applicant, was available for questions.

Commissioner Trantalis noted the concern with all dock waivers is whether they could interfere with navigation or present a safety concern. He asked staff to elaborate on justification for the waiver. Marine Facilities Manager Andrew Cuba said the Applicant is justifying the waiver by citing that underwater topography does not allow docking close to the seawall. The 30 percent line, at which a boat could theoretically extend into the waterway, is 126 feet from this property line. There it should not interfere with navigation and is consistent with other docks in the immediate area.

In response to Commissioner Rogers, Cuba said reflective tape on the boat lift pilings is recommended.

There being no individuals wishing to speak on this matter, a **motion** was made by Vice-Mayor Rogers and seconded by Commissioner Trantalis to close the public hearing. Roll call showed: AYES: Commissioner DuBose, Vice-Mayor Rogers, Commissioner Trantalis and Mayor Seiler. NAYS: None. NOT PRESENT: Commissioner Roberts

Vice-Mayor Rogers introduced the resolution, which was read by title only.

**ADOPTED**

**Aye:** 4 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Trantalis and Mayor Seiler

**Not Present:** 1 – Commissioner Roberts

**ORDINANCES**

**O-1 14-0426** FIRST READING OF ORDINANCE AMENDING UNIFIED LAND DEVELOPMENT REGULATIONS, SECTION 47-19.2 - ACCESSORY BUILDINGS, STRUCTURES AND EQUIPMENT AND SECTION 47-23.8 - WATERWAY USE - modifying application of yard and setback requirements to swimming pools, hot tubs, spas and other similar or associated structures (Deferred from May 6, 2014)

The City Clerk announced that this was deferred from May 6, 2014. If approved, the second reading would be on June 17, 2014.

The City Manager advised that the Commission expressed concerns regarding setbacks for pools. To that end, staff is prepared to withdraw this item or the Commission could deny it.

Commissioner Trantalis referred to the previous discussion. Staff was proposing to reduce the distance between the edge of a pool and the waterway because waivers are commonly granted anyway. He preferred to review these items on a case-by-case basis. The City Manager explained that the item was deferred so it had to come back on this agenda. Staff is willing to withdraw it. Commissioner Roberts believed this ordinance is about one zoning district; all of the other districts already allow it. Deputy Director of Sustainable and Economic Development Jenni Morejon said this regulation for the minimum 20-foot waterway yard only applies to multi-family and hotel developments on the waterway and excludes districts in the Central Beach districts therefore properties on the barrier island that front the Intracoastal Waterway do not have to meet this 20-foot yard requirement. It also does not apply to single-family homes or development in the Downtown Regional Activity Center which is typically along the New River. Both Commissioner Trantalis and Mayor Seiler requested withdrawal. The City Manager withdrew this item from consideration.

#### **WITHDRAWN**

**O-2 14-0613** FIRST READING OF ORDINANCE AMENDING CODE OF ORDINANCES, CHAPTER 14, FLOOD DAMAGE PREVENTION - incorporating language for City to be consistent with State of Florida requirements for compliance with National Flood Insurance Program and Florida Building Code

The City Manager highlighted information in Commission Agenda Memorandum 14-0613.

Vice-Mayor Rogers raised concerns about wording relating to the appeal process, whether it should come to the Commission or the Board of Adjustment. If one believes there was an error in the requirement, the process is to the variance committee and then circuit court. He believed that typically there would first be an administrative appeal right. The process should be similar for both a variance request and an error request. He suggested Board of Adjustment. Lastly, there is no definition of fill. Assistant City Attorney D'Wayne Spence advised that the model ordinance is taken directly from language adopted by Broward County and used in conjunction with the County's administrative amendments, thus this ordinance does not operate by itself. He went on to explain that the definitions section of the document, it states that if a term is not defined in this ordinance, it will take on the meaning utilized in the Florida Building Code. The term "fill" is used within sections of the building code and would maintain the same meaning in this ordinance. The variance is different than those heard by the Board of Adjustment. A variance in this case is a grant of relief from the flood construction requirements of Florida Building Code. Because of the link between the ordinance and Florida Building Code, the procedures drafted by Broward County are consistent with the administrative amendments made to the Broward County version of the Florida Building Code, which is why the procedure is set forth in this manner. Variances reviewed by the Board of Adjustment are considerations of hardship in the Unified Land Development Regulations, which this ordinance would not be a part of.

In response to Vice-Mayor Rogers, Spence advised that the County's Board of Adjustment hears appeals to its zoning code. He was uncertain why the appeal process is not the same for a variance and an error. City staff worked with a consultant who reviewed the ordinance and suggested the language in order to be compliant with what the federal government wanted. The City Manager suggested that the

Commission could hear appeals before they go to circuit court. He offered to prepare an amendment to present at second reading.

Vice-Mayor Rogers introduced the ordinance (to be amended on second reading), which was read by title only.

**PASSED FIRST READING, PROCEDURE IN SECTION 14-8, VARIANCES AND APPEALS, WILL BE REVIEWED FOR POSSIBLE REVISION ON SECOND READING FOR THE COMMISSION HEARING APPEALS BEFORE THEY GO TO CIRCUIT COURT**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

## RESOLUTIONS

### WALK-ON 14-0780

WALK-ON RESOLUTION – SUBORDINATION OF HOME PROGRAM MORTGAGE OF THE FORT LAUDERDALE COMMUNITY REDEVELOPMENT CORPORATION with BB&T formerly known as Bank Atlantic - \$236,000

Assistant City Attorney Cole Copertino advised that he met with Pamela Adams (Fort Lauderdale Community Redevelopment Corporation) after today's conference meeting. She noted that the reinvestment would be limited to only properties that have existing City restrictive covenants and/or other mortgage liens. They are not all the same properties that are part of the refinance subordination.

Adams confirmed for Vice-Mayor Rogers that the current appraisal is \$2.5 million. The total amount of the loan is \$400,000 and the loan they will be taking is \$236,000 less a payment. Housing and Community Development Program Manager Jonathan Brown said the initial mortgage is about \$35,000. A second mortgage is about \$270,000, which was modified by adding \$90,000, so it will be about \$370,000 for the second loan and its modification. Adams noted that the appraisal was completed by Miller Appraisers in February 2014.

In response to Mayor Seiler, Copertino agreed to correct a typographical error. He said that in addition to mortgages on these properties, some do not have mortgages but still have restricted covenants. Mayor Seiler requested "rehab" be not be abbreviated. He also preferred to not use "and/or." Brown said the property would have a mortgage lien or restrictive covenant or both. Mayor Seiler also questioned language that the combined loan to value ratio must not exceed 95 percent. He suggested lowering it to not exceed 80 percent.

Mayor Seiler opened the floor for public comment.

Charles King, 105 North Victoria Park Road, requested some background information because there is no backup information. Mayor Seiler provided an explanation. Brown advised that typical mortgage liens are 15 years but he was uncertain about these.

Commissioner DuBose introduced the resolution, which was read by title only.

**ADOPTED**

**Aye:** 5 – Commissioner DuBose, Vice-Mayor Rogers, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

**R-1 14-0684 APPOINTMENT OF CITY BOARD AND COMMITTEE MEMBERS -  
vacancy information provided under Conference Item BD-2**

Mayor Seiler opened the floor for public comment.

Charles King, 105 North Victoria Park Road, said it appears the City ignores rules in general because they are inconvenient. He would like to see some hard and fast rules. People who do not reside in the city should not serve on City boards.

L. Rosenthal, 1237 NW 4 Avenue, said It is difficult when boards have membership or quorum requirements. Perhaps there is not enough staff to oversee appointments and track their terms. As to non-residents serving on boards, it becomes difficult to make appointments when there is a strict conflict of interest rule and qualifications for membership. The primary directive is to have functioning boards.

There was no one else wishing to speak.

In response to Mayor Seiler, the City Clerk noted that there is a partial term available now for the Code Enforcement Board and a full term then in January. Mayor Seiler felt it is appropriate to consider the partial term and when that is complete, to then consider the full term.

Commissioner DuBose was unclear as to how appointments are being handled, since he missed the discussion on this topic at the last meeting. The City Attorney explained her office is working with the City Clerk to ensure that appointments are in line with the code and charter. The ones before the Commission tonight are in compliance. Overall, based on previous discussion, she wanted to review the entire process.

Commissioner Roberts acknowledged it is sometimes difficult to find the right people to serve. There are people serving on boards who do not reside in the city but own a business in the city. The entire process needs to be reviewed. It is sometimes not practical to have a term limit because it limits the number of qualified people who can serve. The Budget Advisory Board is an example. There are varying rules and regulations for the boards. It is time to examine them to ensure they are practical in application and allow the Commission some flexibility and the ability to take advantage of the talent in this community. He recommended the existing process continue until more information is available. Commissioner Trantalis agreed. He did not want to see positions unfilled while staff is vetting the process.

In response to Commissioner DuBose's question about the names offered this evening, the City Attorney said her office has not gone back and looked at the mechanism for initial appointments, but going forward they are making sure the appointments are consistent with the code. With that being said, Commissioner DuBose was more comfortable with Commissioner Roberts' proposal. It is up to the Commission to set policy. The Commission has struggled with appointing the Insurance Advisory Board, for example. There are people with a true desire to serve who could be discouraged from applying. New members must invest time to get up to speed. He would prefer to take a step back and determine how the Commission wants to shape policy. He is comfortable with the appointments if they proceed as they have in the past.

The City Clerk clarified that individuals who have reached their term limits are still active until the process is ironed out although the backup information is reflective of those term limits. Term-limited individuals were not specifically notified.

The City Clerk announced the appointees/re-appointees who were the subjects of this resolution:

Aviation Advisory Board

Mark Volcheck (Reappointment, Mayor Seiler)

Stephen O'Malley (Reappointment, Commissioner Roberts)

Cemetery System Board of Trustees

Myrna B. Pototsky (Reappointment, Commissioner Trantalis)  
Michael Ruddy (Reappointment, Commissioner Trantalis)

Code Enforcement Board

Lakhi Mohnani (Consensus/Commissioner Rogers)

Community Services Board

George B. Bishopric (Consensus/Commissioner Trantalis)

Fire-Rescue Facilities Bond Issue

Douglas Meade (Commissioner Roberts)  
Frederick H. Nesbitt (Reappointment, Commissioner Roberts)  
Nadine Hankerson (Reappointment/Commissioner DuBose)  
Bryson Michael Ridgway (Reappointment, Commissioner DuBose)

Historic Preservation Board

James Archer (Mayor Seiler)

Northwest-Progresso-Flagler Heights

Mickey Hinton (Reappointment/Mayor Seiler)

Performing Arts Center Authority

John M. Milledge (Reappointment, Consensus)

Commissioner Trantalis introduced the resolution, which was read by title only.

**ADOPTED**

**Aye:** 4 – Commissioner DuBose, Commissioner Roberts, Commissioner Trantalis and Mayor Seiler

**Not Present:** 1 – Vice-Mayor Rogers

The City Commission adjourned the regular meeting at 7:55 p.m. and returned to the conference meeting agenda, item MGR-1, from 7:55 p.m. to 8:30 p.m.

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John P. "Jack" Seiler  
Mayor

ATTEST:

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Jonda K. Joseph  
City Clerk