

City of Fort Lauderdale

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



Meeting Minutes - DRAFT

Tuesday, September 1, 2015

1:30 PM

City Commission Conference Room

City Commission Conference Meeting

FORT LAUDERDALE CITY COMMISSION

JOHN P. "JACK" SEILER Mayor - Commissioner
ROBERT L. McKINZIE Vice Mayor - Commissioner - District III
BRUCE G. ROBERTS Commissioner - District I
DEAN J. TRANTALIS Commissioner - District II
ROMNEY ROGERS Commissioner - District IV

LEE R. FELDMAN, City Manager
JOHN HERBST, City Auditor
JEFFREY A. MODARELLI, City Clerk
CYNTHIA A. EVERETT, City Attorney

Mayor Seiler called the meeting to order at 1:52 p.m.

ROLL CALL

Present: 5 - Mayor John P. "Jack" Seiler, Vice Mayor Robert L. McKinzie, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis, and Commissioner Romney Rogers

Also Present: City Manager Lee R. Feldman, City Auditor John Herbst, City Clerk Jeffrey A. Modarelli, City Attorney Cynthia A. Everett, and Sergeant at Arms Cecil Stone

No public comments were submitted by email for this meeting.

CITY COMMISSION REPORTS

Events and Matters of Interest

The Mayor and members of the Commission announced recent and upcoming events and matters of interest or concern.

PRESENTATIONS

PRES- 15-1155 State Representative Evan Jenne - Post Legislative Update

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Mayor Seiler recognized State Representative and Democratic Policy Chair in the State House of Representative, Evan Jenne, who gave a legislative update to the Commission. Representative Jenne's comments focused on budget cuts at the State level and the State legislature's inability to compromise over policy decisions. Discussions, questions, and comments ensued from the Commission members on Representative Jenne's legislative update.

Mayor Seiler noted the City's ongoing issues with vacation rentals and the legislature moving in the right direction by returning some home rule to the Cities on this issue. Mayor Seiler requested Representative Jenne communicate with the Commission regarding any discussions on issues at the State level relating to the subject of vacation rentals, the Flakka street drug problem, and group homes and stating these issues are negatively affecting the City's neighborhoods. Commissioner Trantalis requested an update on where the State Legislature stands on the subject of body cameras. Representative Jenne stated the State Senator Chris Smith and Representative Shevrin Jones are the running points on the police body camera legislative bills. Mr. Jenne stated the legislature is looking at creating a framework and regulatory structure for those municipalities wishing to utilize police body cameras. He also noted there is no movement within the legislature to fund, ban or make police body cameras mandatory. Comments ensued from the Commission, and Commissioner Roberts noted the record retention and public record request reproduction aspects of using police body cameras were the most costly. Representative Jenne also said there was no movement on the red light camera issue.

CITY COMMISSION REPORTS

Neighborhood Issues

Commissioner Rogers stated there is a preservation group in the Riverland Road area that he spoke with to find out the level of interest they have for installing sidewalks and other neighborhood amenities. He noted the City was given \$700,000 by the County to be used in this area.

Fort Lauderdale Ready Day

Commissioner Rogers commented on District IV's participation in *Fort Lauderdale Ready Day* addressing disaster and emergency preparedness. Comments from the Mayor and the other Commissioners included the need for better organization and communications between City Staff with the residents of all Districts for this event and other events in the City.

Back to School Events

Vice Mayor McKinzie noted his attendance at *Back to School Giveaway* events both inside and outside his District. He also noted his meeting with former Miami Dolphins player Vernon Carey who is interested in development opportunities in the Sistrunk Corridor and Mr. Carey's efforts with the back to school event held at Dave and Busters ensuring the children attending had what they needed for the first day of school. Commissioner Rogers also noted the *Backpack Giveaways* in District IV.

Walker Elementary School

Vice Mayor McKinzie noted the turnaround and exciting upcoming school year for Walker Elementary School located at 1001 Northwest 4th Street, Fort Lauderdale, FL 33311. He stated the repurposing of Walker Elementary encompassed renovations, updates, and changes including the appointment of a new principal and assistant principal, new staffing, new books, new paint, new roof, and new desks. He stated that after conversations with the Broward School Superintendent, they are reaching out to the City for any assistance it can provide to support Walker Elementary in their endeavors. He urged Mayor Seiler and the Commissioners to stop by Walker Elementary and introduce themselves to see for themselves the schools improvements. Further discussions ensued on other school's back to school events within the City including Dillard Elementary and participation of the Miami Heat organization and community leaders.

Sidewalk Issues

Vice Mayor McKinzie noted issues regarding the City's sidewalks. He cited a specific example of uneven sidewalks and trees in the middle of a duplex home's driveway noting the need for City Staff to do a better job in addressing these types of situations. Discussions and comments ensued on the need for better communications to remedy these types of situations in the City.

Police Visibility in Lincoln Park and Provident Park

Vice Mayor McKinzie shared the action plan in place to increase the police visibility in these parks by stationing a "peacekeeper" in these areas which has reduced after hour issues. Discussions ensued on activating the City's Parks as a way to mitigate negative delinquency issues. Additional comments and discussions ensued on moving a County bus shelter in the Sistrunk Corridor to alleviate gatherings at night.

Twin Lakes Mobility Master Plan

Commissioner Roberts updated the Commission on the Twin Lakes Mobility Master Plan Follow-up Meeting focusing on the use of the \$300,000 in available funding. He stated City Staff is doing a good job moving this forward and one of the issues they are dealing with is Schlitterbahn Park.

Fed Up Rally - Wilton Manors

Commissioner Roberts noted his attendance at the *Fed Up Rally* event held in Wilton Manors dealing with the American epidemic of prescription drug abuse and the resulting deaths noting the event was well attended.

Landscaping Ordinance

Commissioner Roberts noted receiving numerous emails regarding the City's Landscaping Ordinance. He requested a meeting with City Manager Feldman and the relative City Staff to address this issue and possibly reevaluate the ordinance to ascertain if it is ideal and is on the same page as experts in the field.

Broward County's Consolidated Emergency Dispatch System

Commissioner Roberts thanked City Manager Feldman for working to keep the Commission updated on issues associated with the County's Consolidated Emergency Dispatch System and working out existing issues. City Manager Feldman stated he had not heard back from the Broward County Administrator and noted a *Sun Sentinel* newspaper article that highlighted many of the staffing issues. He further noted it is an issue between the County and the Sheriff's office. Further comments and explanations ensued and the Commission agreed to reach out to members of the County Commission to work to address these concerns.

City's Short Term Vacation Rental Ordinance Town Hall Forum

Commissioner Trantalis said he has received much feedback on this issue. He noted he and Commissioner Roberts would be participating and hosting the City's Short Term Vacation Rental Ordinance Town Hall Forum with a focus on the ordinance passed at the last City Commission Meeting to receive comments, possibly revising it and be improved upon. It will take place on Thursday, September 17, 2015, at 6:00 p.m.

Gun Shows

Commissioner Trantalis raised his concerns regarding an advertisement in the *Sun Sentinel* for the Fort Lauderdale Armory ("Armory") Gun Show listing a dollar off coupon and the admittance of children under the age 12 at no charge. He stated this seems to encourage people to bring their families. Commissioner Trantalis urged the Commission to pass an ordinance that would not allow children to attend gun shows anywhere within the City as it is the wrong message whether or not the City operates the Armory. Discussions and comments ensued from the Commissioners. Commissioner Trantalis asked City Attorney Everett to research if the State legislature preempts the City from enacting an ordinance noting allowing children to attend gun shows within the City.

Crescent House

Commissioner Trantalis noted City Attorney Everett's memo regarding the status of the law regarding group homes within the City, specifically as it relates to Crescent House. He said the City sent a notice on August 11, 2015, for Crescent House to eliminate the nuisance it has created stating the notice included a fourteen day compliance period. Commissioner Trantalis said it is now scheduled to go before a Special Master. Moreover, after Commissioner Trantalis's meeting with the CEO of ChildNet, it appears that Crescent House has two classifications of youth. One classification is those considered dependent youths, which are those who come from homes where they are neglected, have no parental care, and do not have behavioral problems. The other classification is delinquent youths with behavioral problems. He said though Crescent House is not designed for delinquent youth, it is taking care of delinquent youth and there are insufficient resources allocated for the necessary type of supervision and care. As a result, these two classifications are being mixed together, and Crescent House is running amuck in this residential neighborhood. Commissioner Trantalis also noted the classification decisions are made by judges, and some delinquent youth were categorized as dependent youth because the Department of Juvenile Justice does not have sufficient resources to accommodate their needs full need.

The vendor for the State responsible for Crescent House, ChildNet, told Commissioner Trantalis they are not given enough resources by the State, and have acknowledged delinquent children being housed at Crescent House. Specific examples were given by Commissioner Trantalis and comments and discussions ensued noting there had been over 360 calls for service last year from Crescent House with over 150 arrests associated with occupants of Crescent House. Commissioner Trantalis noted City Staff is attempting to use a zoning ordinance to try to remove the facility from this neighborhood. He said the next steps will be the City going through the steps of the Special Master to consider it as a nonconforming use within the zoning district with the goal of shutting down the facility. City Attorney Everett gave her comments on this issue. Further comments and discussions ensued regarding protecting the neighborhood and the children who evolve out of the pattern of crime and juvenile delinquency.

Tennis Center at Holiday Park

Commissioner Trantalis raised the idea of monetizing and improving the Tennis Center at Holiday Park, and he will discuss this possibility with City Manager Feldman to do what is necessary to attract international tennis competitions to this facility. Further comments and discussions ensued.

AC Marriott

Commissioner Trantalis raised for discussion the AC Marriott being on the City's Planning and Zoning Board Agenda during the week of the Jewish holiday noting this will prevent some members of the Planning and Zoning Board (Board) from attending in addition members of the on the Board who are seasonal residents and are not present during the month of September. After speaking with the developer's representative and City Staff to see if this meeting could be postponed a month, Commission Trantalis stated it would need to go before the City Commission. Additionally, the developer has a deadline which would cause them not to extend the option to purchase beyond the current date on the contract. The developer's representative addressed the Commission explaining the developer's situation giving a detailed history of the lengthy timeline to date. She stated any delays to the upcoming City imposed deadlines would be very expensive for the developer. Further comments and discussions ensued.

State of the City Address

Mayor Seiler reminded the Commission the State of the City address would be Wednesday, September 16, 2015. He requested the Schlitterbahn contractor have a model or pictures of the facility available at the ribbons cutting event at Executive Airport Customs Facility in conjunction with the State of the City Address.

School Board Issues

Mayor Seiler informed City Manager Feldman the School Board had given dates in October 2015 to meet regarding outstanding School Board issues.

Rescheduling September 15, 2015, Regular City Commission Meeting

Due to the Jewish holiday, the Commission rescheduled the Regular City Commission Meeting from September 15, 2015, to September 16, 2015, and the Planning and Zoning Board would meet on September 16, 2015, in the City Commission 8th Floor Conference Room. Discussions ensued regarding canceling the City Commission Conference Meeting on September 15, 2015; suggesting the CRA Board Meeting could take place following the rescheduled Regular City Commission Meeting on September 16, 2015. It was decided to discuss this further at this evening's Regular City Commission Meeting.

CF-1 15-1106 Lien Settlement - Waterworks 2011

Mayor Seiler recognized Richard Manning, who stated he approved the City's lien reduction recommendation on Mr. Manning's properties. Commissioner Trantalis stated he objected to this lien reduction because this was not a foreclosure situation, and the owner chose not to comply with the law. Discussions ensued among the Commission on this lien reduction and the City's Matrix adopted by resolution which what City Staff follows for lien reductions. Mr. Manning addressed the Commission on the lien reduction stating the City forgot to put the lateral line to the sewer connection for one parcel of the properties and the subsequent actions by the City to put in a Y connection to remedy the situation. Further discussions ensued and City Manager Feldman stated recommended approving the lien settlement. The majority of the Commission accepted City Manager Feldman's recommendation. Commissioner Trantalis objected.

CF-2 15-1062 Central Beach Master Plan Public Improvement Projects Update

City Manager Feldman gave updates on the Central Beach Master Plan Public Improvements and the Aquatic Center stating he is working towards a joint meeting on October 12, 2015, between the City Commission and the Beach Redevelopment Advisory Board in a workshop to address the 30% Plan.

Regarding the Aquatic Center, City Manager stated there is a delay in the 90% Working Drawings. He also said the City had sent a letter putting the contractor on notice regarding the delay. City Manager Feldman also said currently the Guaranteed Maximum Price (GMP) is scheduled to be back from the contractor on October 2, 2015, with the GMP items scheduled to be presented to the City Commission on November 17, 2015. He said he was not given a reason for the delay. The representative from RDC sitting in the audience stated he would reach out to each Commission member individually to update them on the reason for the delay.

Discussions and comments ensued from the Commission on RDC's commitment on the 90% Working Drawings and further delays on the project. Commissioner Trantalis recommended requesting City Staff come up with contingencies for delays. Further discussions ensued on upcoming deadline dates from RDC and having the City's consulting engineer review the pricing as the process moves forward. Commissioner Rogers asked City Attorney Everett to review some issues he raised in an earlier meeting with her.

CF-3 15-0973 Quarterly Investment Report for the Period Ending June 30, 2015, and Discussion of Active /Passive Management

Commissioner Rogers commented on the performance review of the City's Operating Fund Quarterly Investment Report for the Period Ending June 30, 2015. Jonathan Breth, CFP addressed Commissioner Rogers' questions and concerning explaining aspects of the City's Operating Funds Portfolio Update and the Operating Funds Investment Performance Review for the Commission. Further comments, questions, and discussions ensued among the Commission, Mr. Breth, and City Auditor Herbst regarding active/passive management and possible investment opportunities and recommendations. City Auditor Herbst recommended having an objective review of the City's actively managed portfolio versus passively managed portfolios with similar asset allocations over the same periods of time. Commissioner Rogers stated his concern with the City's General Employees Fund was it is a closed fund, and he would also like to see a study on what this means and what could be done differently. City Auditor Herbst stated he is concerned about the General Employees Fund is the

percentage that is actively managed and its asset allocation model stating currently there is over 80 percent invested in equities. Further discussions ensued. The Commission requested City Manager Feldman to work with City Auditor Herbst to get an objective review of the City's Operating Funds Investments.

OLD/NEW BUSINESS

BUS-1 15-1028 City Position on the Port Everglades Sand Bypass Project Area/ Proposed Designation as a Broward County Adaptation Action Area of Regional Significance

City Manager Feldman stated Dr. Jennifer Jurado, Director of Broward County's Natural Resources Planning and Management Division, was in attendance to address the Commission on this item. He stated the County is asking if there is an inclination by the City to change its position on the Port Everglades Sand Bypass Project (Project) stating the City technically has a resolution in opposition to the Project centered around blasting and environmental concerns. He stated that there had been a change in the methodology of this and includes modifications. City Manager Feldman also stated he has concerns over the funding mechanism as it relates to the City's Beach Renourishment Project.

Dr. [Jurado](#) addressed the Commission and introduced Nicole Sharp, the County's Beach Renourishment Administrator. Dr. [Jurado](#) gave the Commission a presentation update on the Port Everglades Sand Bypass Project and County's efforts to advance the Regional Sediment Management Strategy and supporting shoreline resiliency in Broward County. Dr. [Jurado's](#) presentation included a history of the efforts, alternatives to blasting, and a detailed outline of the County's proposed plan. Comments, question, and concerns questions ensued during the presentation from the Commission and City Manager Feldman that were answered by Dr. [Jurado](#). Mayor Seiler voiced his concern summarizing the issue with the City is getting short changed regarding the financing of this project. Commissioner Rogers stated the project is primarily a Port Everglades expense. He stated the Port is also the biggest beneficiary and is controlled by the County. He said there should be some mitigation from the Port regarding a fair solution for funding. Mayor Seiler and Commissioner Roberts also noted the need for a formula adjustment to make the funding from the municipalities fair noting the Federal Reimbursement takes approximately ten years.

A copy of Dr. Jurado's presentation is attached to these minutes.

Nicole Sharp, the County's Beach Renourishment Administrator, updated the Commission on the timetable and the additional details and requirements for the Beach Renourishment Project. Questions, comments, and discussions ensued on this topic.

BUS-2 15-1124 Fire Rescue Informational Presentation

Fire Rescue Informational Presentation will be given during the City Commission Regular Meeting held in the City Commission's Chambers.

BOARDS AND COMMITTEES

BD-1 15-1117 Board and Committee Vacancies

Board and Committee vacancies will be discussed at City Commission Regular Meeting held in the City Commission's Chambers later in the evening.

Mayor Seiler recessed the City Commission Conference meeting at 5:32 p.m. for the Executive Closed Door Session.

EXECUTIVE CLOSED DOOR SESSION

Mayor Seiler announced the City Commission will meet privately under Florida Statute, Section 286.011(8) in an Executive Closed Door Session concerning:

Sandra Rice and Willie Grimes v. City of Fort Lauderdale
Case No.: 14-017210 (21)

The persons in attendance will be:

Mayor John P. "Jack" Seiler
Vice Mayor Robert L. McKinzie
Commissioner Dean J. Trantalis
Commissioner Bruce G. Roberts
Commissioner Romney Rogers
City Manager Lee R. Feldman
City Auditor John Herbst
City Attorney Cynthia A. Everett
Outside Counsel - W. Tucker Craig, Esq., Billing, Cochran, Lyles, Mauro & Ramsey, P.A.
A Certified Court Reporter from United Recording, Inc.

Mayor Seiler reconvened the conference meeting at 9:14 p.m. following the adjournment of the Regular City Commission to address City Manager Reports.

CITY MANAGER REPORTS

Commissioner Trantalis asked City Manager Feldman the status of the RFP on the Las Olas Marina and if it has gone out yet. City Manager Feldman stated it has not gone out yet. He stated legal concerns are still being satisfied and work is ongoing with the City Attorney's Office. Further discussions and comments ensued regarding the City Charter's allowing for the leasing a public property for a private purpose. City Manager Feldman stated the RFP should be able to go out prior to the end of the month. Commissioner Rogers requested each Commissioner receive a copy of the RFP when it is sent out.

MGR-1 15-1127

Beach Place Security Plan Status

City Manager Feldman updated the Commission on the requested quarterly report on Beach Place. City Manager Feldman stated calls for service have been reduced, and the City's Police Department advised City Manager Feldman there have been no significant incidents at Beach Place. He stated it will continue to be monitored. He requested relief from quarterly reports. Mayor Seiler requested the next report be presented to the Commission at the City Commission's second Conference Meeting in January 2016.

ADJOURNMENT

There being no further business before the Commission for their Conference Meeting, Mayor Seiler adjourned the Conference Meeting at 9:18.p.m.