

# 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, March 4, 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 1:32 p.m. by Mayor Seiler.

## ATTENDANCE ROLL CALL

**Present:** 5 - Mayor John P. "Jack" Seiler, Vice-Mayor Bruce G. Roberts, Commissioner Dean J. Trantalis, Commissioner Bobby B. DuBose and Commissioner Romney Rogers

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

## CITY COMMISSION REPORTS

### Events and Matters of Interest

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

### Florida Panthers Arena

Commissioner Trantalis thought the Commission should adopt a position related to the rental policy at the BB&T Center. He referenced a letter to the editor of the *Miami Herald* by Broward County Mayor Barbara Sharief. It appears to suggest that the 2 percent bed tax was intended to pay for carrying charges associated with the newly-built BB&T Center, but the entire 2 percent was not necessary so some of that money is being allocated toward other projects. The difference is made up by the rent paid by those who use the arena (BB&T Center). Users are looking for an adjustment to the rent. The letter indicated a desire to now allocate the full 2 percent toward its intended purpose. It is not against County policy to reconsider its relationship with the hockey team or other users. He was not aware that the 2 percent was originally intended strictly for the arena. It was noted that it is for the debt service. Mayor Seiler pointed out that the Commission agreed at its last meeting to put this matter on a future agenda. He personally does not support the current proposal but would like the City Manager to gather all the backup information before the matter comes before the Commission to reach a formal position.

The City Manager explained that an opinion from the County Attorney on the lawful use of the 2 percent tax is needed. The statute states that it has to be used for professional sports facilities and/or convention centers and remaining funds can be used for marketing of those venues. The County ordinance is even more restrictive than the state statute because specific facilities are named. When the tax was first put in place, it generated about \$8 million per year. The County has limited its contribution to debt service. It is now generating about \$18 million per year, and the extra \$10 million has been going toward other tourism-related activities such as beach renourishment. The Florida Panthers hockey team has argued that the extra revenue cannot be used for those activities. The County Attorney has a different opinion but it has not yet been published. This will likely be the crux of the argument. Mayor Seiler indicated that there is no deadline. The issue needs to be analyzed. He wanted to wait for the legal opinion. Commissioner DuBose agreed that the current request is unacceptable. Broward County taxpayers own the debt service. If the Panthers go away, the debt still remains. Beach renourishment has to be a priority but allocation of the money is not clear cut. Commissioner Rogers felt the public is not familiar with the numbers or the history. Half of this revenue is generated by Fort Lauderdale hotels. At some point in time the County will want to move forward with a convention hotel. He agreed that the City should take a position. Vice-Mayor Roberts agreed that beach renourishment should be a priority. The current

proposal estimates the City's share for beach renourishment at \$12 million. In the past, no other municipality has had to contribute to beach renourishment. Fort Lauderdale has been waiting since 1999.

#### Solid Waste Service

Commissioner DuBose expressed concerns about the City's new contract with Republic Services for garbage pick-up. The City Manager explained that employee training on automated equipment is underway.

#### Lighting at Joseph C. Carter Park

In response to Commissioner DuBose, the City Manager indicated that he will follow up on Florida Power and Light amplifier service for the park.

#### Convention Center and Port Everglades Entrance

Commissioner Rogers discussed concerns about traffic flow for the Convention Center as well as providing for public space. He has asked that this be placed on a future agenda and that the County make a presentation to this Commission. Mayor Seiler raised the idea of an additional entrance to the Port.

#### Graffiti

Commissioner Rogers asked the City Manager to follow up on recent graffiti that is occurring.

#### Beach; Spring Break

Mayor Seiler requested regular updates concerning the beach during zpring break.

#### Lobbyists

Mayor Seiler reported on his meeting with Governor Scott and noted that the Governor indicated the City could take advantage of the State's legislative lobbyists. He asked that they be added to the City's team.

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## **CONFERENCE REPORTS**

### **CF-1 14-0235 CENTRAL BEACH MASTER PLAN PUBLIC IMPROVEMENT PROJECTS UPDATE**

The City Manager provided highlights from Commission Agenda Memorandum 14-0235. He introduced EDSA which is working on design concepts for improvements to D.C. Alexander Park. In response to Commissioner Trantalis, Economic Development Administrator Don Morris said the Beach Redevelopment Board members have said they would like the Commission to provide input on the matter before it goes back to them. Commissioner Trantalis said that usually the Board is used to vet issues before they go to the Commission.

Jeff Suiter, Associate Principal of EDSA, reviewed slides related to this matter. A copy of the slides is attached to these minutes. He drew attention to Exhibit 2, cost estimate, and noted that as the concept is refined the 25 percent contingency could be reduced.

Commissioner Trantalis pointed out that there seems to be a reduction in green space. Suiter acknowledged that is possible. It could be revisited. The goal was to bring the idea forward. He confirmed EDSA is viewing this area as an entry feature to the aquatic center. There are no strong pedestrian linkages from the Intracoastal Waterway to the beach. This could be a strong connector point. He responded to a series of technical informational questions, including traffic flow, hardscape material and hardscape ratio.

Vice-Mayor Roberts supported the general concept. Both Commissioner DuBose and Mayor Seiler thought it lacks a wow factor. Commissioner Rogers suggested the proposal looks different when viewed at street level rather than in an aerial rendering. He thought the first step would be to determine appropriate programming. He felt the Aquatic Center should be visible from the roadway. There were several positive comments about the water feature with the exception of Commissioner DuBose. Mayor Seiler felt that aside from the water feature, the site seems too busy. It is not worth a \$6 million price tag. With that cost, he suggested only a water feature be added. He thought there should be meetings with the advisory boards and the neighborhoods.

Suiter said certain elements, such as brick pavers, could be removed, which would considerably decrease the price tag. Vice-Mayor Roberts wanted to make the area more attractive; the project should have flexibility. Commissioner DuBose preferred to have a water feature on the Riverwalk, another location besides the beach. Mayor Seiler felt that jazzing up a site also sometimes causes more maintenance challenges over time. There was consensus opposition to pavers. Vice-Mayor Roberts suggested seeking feedback from Pompano Beach on their similar project. Mayor Seiler pointed out how the greenspace in Pompano Beach is heavily used. Commissioner Trantalis commented that is why a large greenspace area makes sense. Suiter commented that care should be taken against having too many components and there was consensus agreement on this point. Commissioner Trantalis appreciated the design taking advantage of the hill geography that provides for an event lawn. Suiter pointed out that because the City owns this property it has more control with event planning than other parts of the beach. Commissioner DuBose thought outdoor movies on a lawn could be held anywhere in the city. This is an opportunity to capitalize on the beach, which is unique to Fort Lauderdale. It should be a unique park on the beach.

Mayor Seiler opened the floor for public comment.

Art Seitz, 1905 North Atlantic Boulevard, was pleased that EDSA is involved in this project. The wave wall should be moved to the east to allow more space for people to use the promenade or greenway. Mayor Seiler advised the City has been told it cannot be done. Seitz supported the water feature. Concerning the aquatic center, consultants with Leisure & Regional Concepts Inc. recommended a water-themed modular facility that could be repurposed periodically. Staff's proposal for the aquatic center also included water-themed features. There is a lot of information available online about water-themed parks. They will draw people. He did not support building the two pools planned for the aquatic center. The design should be flexible, programmable and interchangeable.

Fred Carlson, 625 Orton Avenue, was concerned that the project has come this far without input from the Central Beach Alliance (CBA). He would like EDSA representatives to attend two consecutive CBA meetings to make a presentation and share ideas. He supported Commissioner DuBose's comments

about have more greenspace and fewer hard surfaces. When the parking garage is complete, the City can then determine what kind of crowds will be drawn and will perhaps be able to reduce the cost.

Shirley Smith, 1 Las Olas Circle, said a study was performed in 2000 relating to 5 Street and it is still one-way today. This was a huge mistake. She would like the park to remain simple with a lot of real grass. Expensive fountains are not necessary. This should be an area where people can hold an art show. No one will use a parking garage if there is a high price. Commissioner Trantalis noted this matter will be presented to the Beach Redevelopment Board. Smith advised this is the third master plan and she hoped it would be the last.

Ina Lee, 821 NE 20 Avenue, thought it is important to look at this holistically. This would be a good space for events to be held off the beach. It should incorporate the necessary electrical wiring so the infrastructure already exists when events are held. Consideration should be given to where a stage will be placed. There should not be any barriers on the north end. It should be kept fun.

Rosenthal de Chuoziwicz, 1237 NW 4 Avenue, was concerned about spending \$6 million on this park. He suggested soliciting a bottled water company, for example, to assume the cost in exchange for naming rights. Maintenance costs should be considered.

There was no one else wishing to speak.

Mayor Seiler thought the plan needs some tweaking and a reduced price. He would like the Beach Redevelopment Advisory Board (BRAB) to review the proposal. Commissioner Rogers requested input on programming. Vice-Mayor Roberts agreed, and added that it needs vetting. Commissioner Rogers was concerned about the inconsistency of having a park on the beach that is not water-related. Both Mayor Seiler and Commissioner Trantalis agreed that a water theme is a must. Mayor Seiler also wanted to ensure this is done quickly. There was a question of whether this would be within the Central Beach Alliance's jurisdiction.

## CITY COMMISSION REPORTS

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### Windmills at Mills Pond Park

Mayor Seiler wanted to know whether the windmills at Mills Pond Park are functioning. Assistant City Manager Susanne Torriente noted there have been issues with Florida Power and Light. She agreed to provide an update.

### **CF-2 14-0262 SOUTH SIDE SCHOOL UPDATE**

The City Manager advised that staff has worked out a beautification agreement with the County so the sidewalk can move forward. However, there is now a question about whether the City needs permission from Florida Communities Trust. The contractor would have to be remobilized or the work rebid. Commissioner Rogers discussed some of the chronology and challenges relating to the sidewalk. He has asked the City Attorney to find a solution.

Mayor Seiler noted that there is an old concession stand pump house on the north side of the park that could be rented as a coffee shop or concession stand. Commissioner Rogers said there is a

discontinued pump station and another structure that was used to as an office for a tennis instructor. The City Manager is looking into solving the parking needs.

The City Manager recognized and commended Tom White, Parks and Recreation Landscape Architect, for the park design.

**CF-3 14-0177** QUARTERLY INVESTMENT REPORT FOR PERIOD ENDING  
DECEMBER 31, 2013

There were no questions.

**CF-4 14-0234** PROPOSED LIEN SETTLEMENTS (SPECIAL MAGISTRATE &  
CODE ENFORCEMENT BOARD CASES)

Commissioner Trantalis did not support waiving penalties for banks that failed to foreclose on properties in a reasonable amount of time. Some took more than three years to conclude a foreclosure. The City Manager advised that the fines are enhanced.

### **OLD/NEW BUSINESS**

**BUS-1 14-0327** PUBLIC WORKS DEPARTMENT - INFORMATIONAL  
PRESENTATION

Public Works Director Hardeep Anand reviewed slides related to this matter. A copy of the slides is attached to these minutes.

Commissioner Rogers commented that based on the results of the neighborhood survey, he wanted staff to give attention to educating the public on clean water, flood water and stormwater. Clean water, in particular, requires more education because there may be a perception that Fort Lauderdale water is unclean. Some discussion ensued as to staff's work along those lines. There will be a more concerted effort during the budget process to address this issue. It is an aesthetic matter, but is not acceptable in a progressive tourist city. Commissioner Rogers added that he gets a lot of positive feedback when the Public Works Department issues alerts related to water issues.

**BUS-2 14-0250** 2013 NEIGHBOR SURVEY RESULTS

Structural Innovation Manager Amy Knowles noted it has been a year since the last survey. She commented that a well-run organization is committed to continuous improvement and seeks input from a wide variety of sources. The survey demonstrates staff's commitment to listening and achieving results important to the community. One of the best ways to encourage good performance is to measure it and one of the best indicators of government performance is resident satisfaction. The survey was conducted by a third-party professional. She highlighted information in Exhibits 1 and 2, the survey presentation and survey report, to Commission Agenda Memorandum 14-0250. A copy of both exhibits is attached to these minutes.

Ron Vine, Senior Vice-President of ETC Institute, continued review of the survey. He noted the No. 1 most dissatisfied area is prevention of stormwater-related flooding. He pointed out that street lighting was a No. 1 indicator of safety.

Commissioner Rogers commented that it is troubling to rank below the national average as a place to raise children. Vine suggested that the quality of public schools is not one of the quality of life drivers in a community with older residents like Fort Lauderdale. The survey shows a high availability of recreation services for youth. ETC is available to study this point more carefully.

Commissioner Rogers inquired whether Fort Lauderdale's position as an urban city and county seat correlates with the traffic problems. Vine felt it has more to do with the volume of tourists. In many cases, Fort Lauderdale's population is well over 200,000.

In response to Vice-Mayor Roberts, Vine explained that the mail survey is conducted first, followed by phone calls. The goal was to ensure a sample of 150 people from each district, so the phone calls were targeted based on the mail survey responses received. He believed about two-thirds to three-quarters of the surveys were returned by mail. Vice-Mayor Roberts felt that further evaluation is warranted. For example, crime prevention is listed as a negative at 47 percent, but downtown safety is listed as a positive. He shared Commissioner Rogers' concerns but questioned how to deal with education when it is a county system. Commissioner Rogers pointed out that on Slide 29, "How important was each reason in your decision to live in Fort Lauderdale?," quality of public schools weighed in at 67 percent, higher than the 60 percent assigned to private schools. On the next slide, "Are your needs being met in Fort Lauderdale?," private schools rank much higher than public schools. Vice-Mayor Roberts pointed out a similar discrepancy related to safety and security. Vine explained that needs being met is not the same as satisfaction. He believes the information can be mined to come up with specific recommendations related to safety. Another question that could be asked is if one has had contact with a City employee or not, is there any difference in satisfaction because the survey shows it is about 50/50.

Mayor Seiler said he heard from several people that the survey was too long. Vine said they did not record whether people started the survey and did not finish it. ETC mailed 2,500 surveys and received 600 responses. Generally a response rate greater than 15 percent is considered good. As to length of the survey, there has to be a balance between the questions the City wants asked and how long the survey is. They believed they could administer the survey with a return rate of greater than 20 percent, acknowledging that some people would not finish it due to the length.

Vine confirmed for Commissioner Rogers that ETC's continued work over the next year is included in their original fee. He agreed to look into the issue raised by Commissioner Rogers related to raising children in Fort Lauderdale. The City Manager indicated that as the Commission reviews the survey in the coming weeks, they are invited to submit questions for follow up. Mayor Seiler wanted to see results broken down by district. Knowles advised that some of the complaints raised about traffic can be explained because of major projects that were ongoing in certain areas at the time the survey was administered. She mentioned that the survey is conducted between November and December.

### **BUS-3 14-0331**            **WEIGHTING OF COMMUNITY INVESTMENT PLAN (CIP) PRIORITIZATION MATRIX**

Budget Manager Emilie Smith noted that the Commission is being asked to rank criteria for Community Investment Plan (CIP) projects, using Exhibit 1 of Commission Agenda Memorandum 14-0331, labeled "FY 2016 Community Investment Plan Prioritization Matrix Relative Weight Determination." She asked that the information be filled out and returned within the next few days.

The Commission recessed and convened as the Community Redevelopment Agency Board of Directors

at 4:43 p.m. The Commission then reconvened the conference meeting at 4:45 p.m. for the closed door session and adjourned at the end of the session.

## **COMMUNITY REDEVELOPMENT AGENCY MEETING**

### **EXECUTIVE CLOSED DOOR SESSION**

**14-0299** THE CITY COMMISSION WILL MEET PRIVATELY PURSUANT TO FLORIDA STATUTE 286.011(8)(a) CONCERNING:

Jentina Littles v. Gina Scola, Ryan Clifton and City of Fort Lauderdale  
(Case 12-62069 (RNS))

### **BOARDS AND COMMITTEES**

**BD-1 14-0239** MINUTES CIRCULATED - period ending February 27, 2014

No discussion.

**BD-2 14-0240** BOARD AND COMMITTEE VACANCIES

Please see regular item R-3.

### **CITY MANAGER REPORTS**

There being no other business to come before the Commission, the meeting adjourned at 4:45 p.m.