

# City of Fort Lauderdale

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



## Meeting Minutes

**Tuesday, May 2, 2017**

**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  
ROBERT L. McKINZIE Commissioner - District III  
ROMNEY ROGERS Commissioner - District IV***

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

## ROLL CALL

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

## QUORUM ESTABLISHED

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

**No e-comments were submitted for this meeting**

## CALL TO ORDER

Mayor Seiler called the meeting to order at 1:35 p.m.

## CITY COMMISSION REPORTS

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

### Convenience Stores

Commissioner McKinzie raised concern about convenience stores in District III, discussing the previous moratorium due to public drinking and loitering. He commented on the positive work the Police Department is doing to address this issue and the strategy developed for policing and approaching individuals. Commissioner McKinzie acknowledged the recent opening of the state-of-the-art gas station and convenience store designed to address these issues. He stated the 7-Eleven gas station and convenience stores at 34th Terrace and Broward Boulevard is an example of the higher standard now in place.

In response to Mayor Seiler's question, Commissioner McKinzie stated there has been no push back from store owners or neighbors and they are in agreement with the goal of eliminating public drinking and loitering.

### Provident Park and Carter Park Events

Commissioner McKinzie discussed the latest programming of Concert and Movie Nights at Provident Park entitled Rockin' and Reeling. He also commented on the upcoming race events at Carter Park and the

Sistrunk Golf Tournament at Fort Lauderdale Country Club.

Riverside Park Neighborhood - Possible Dog Park

Commissioner Rogers commented on the vacant parcels in Riverside Park at 20th Avenue, adjacent to Interstate 95. He stated residents in this area have contacted FDOT to ascertain if the vacant parcels could be utilized as a dog park. Commissioner Rogers requested City Manager Feldman follow-up. Discussions continued on the positive aspects of activating this area as a park and ways this could be implemented without installing permanent structures. All Commission members were in agreement this would be a benefit to the neighborhood and good use of the vacant parcels.

Arbor Day Events

Commissioner Rogers commented on The Lifetime Achievement Award from the Florida Urban Forestry Council awarded posthumously to Gene Dempsey and presented to his family at the April 29, 2017 Arbor Day Event.

Vacation Rental Workshop

Commissioner Rogers discussed comments received at his District Meeting about the Vacation Rental Workshop (Workshop), noting it was not well attended and primarily consisted of industry people. Discussions continued on including the Council of Civic Associations. City Manager Feldman explained the purpose of the Workshop is to educate applicants on items to be addressed during inspections.

Commissioner Trantalis commented on an article in *The Miami Herald* about an agreement between *Airbnb* and various cities, stating they agreed to not list properties on their website unless they were registered with those cities. Mayor Seiler stated *Airbnb* has reached the same type of agreement with the County. City Manager Feldman stated this is centered on the collection of the County Bed Tax. Further discussions continued on the County reaching an agreement with other vacation rental businesses and the importance of the County and City coordinating their efforts for registration.

City Manager Feldman discussed working with a vendor who scans vacation rental websites to identify unregistered vacation rental properties (properties). It has produced over 1,000 unregistered properties and has allowed sending direct mail letters notifying property owners not in compliance. He stated this is driving attendance at the Workshops. Further discussion ensued on unregistered property owners going before the Special Magistrate.

Manors at Middle River Townhouse Project

Commissioner Trantalis discussed the upcoming ribbon cutting for the Manors at Middle River Townhouse project, stating it is workforce rental housing. City Auditor Herbst stated it is a Broward County Housing Authority project. They provided tax credits and will become a general managing partner similar to Progresso Point. Discussions continued on qualifications for this rental housing.

Metropolitan Planning Organization (MPO) Meeting in Washington, D.C.

Vice Mayor Roberts gave the Commission an update on his recent meetings, on behalf of the MPO, in Washington, D.C. to address the transportation needs and funding for the area. He met with the entire Congressional delegation, representatives from Miami-Dade and Palm Beach Counties, and the White House Economic Council. He discussed the latest extension of the current budget through September 2017 relating to Transportation, Housing and Urban Development for capital grants and programs, expounding how the proposed funding would continue to benefit City projects, including The Wave and Community Development Block Grant (CDBG) funding.

Vice Mayor Roberts noted the new administration is attempting to move forward more effectively and efficiently, in line with the President's vision. Vice Mayor Roberts noted that, overall, things fell into place for the City and MPO's needs due in large part to the efforts of Commissioner Rogers, Mayor Seiler, and MPO representatives. Vice Mayor Roberts confirmed the need for agency directors being in place to allow programs to move forward. He also commented on Congress's willingness to exercise their fiscal expenditure responsibility.

Commissioner Trantalis noted his concern about potential Federal Court House locations being purchased for residential projects that are coming before the Commission.

Communications to the City Commission

[17-0553](#)

**MINUTES OF THE MARINE ADVISORY BOARD  
THURSDAY, APRIL 6, 2017 - 6:00 P.M.**

**Communications to City Commission**

*Motion made by Mr. Strobel, seconded by Mr. Holmes, that the Marine Advisory Board asks that the City Commission request all parties that wish to perform improvements, make alterations, or in any way conduct operations that impact the waterways of the City of*

*Fort Lauderdale, including the Intracoastal Waterway, New River, Middle River, Andrews Avenue Bridge, FEC railroad, numerous special events, and all of the canals within City limits, please notify the City in advance. The Board also requests that should the City receive such notification, it will share this information with the Marine Advisory Board at its earliest opportunity. In a voice vote, the motion passed unanimously.*

There was a consensus by the Commission agreeing the City should be notified in advance. The City would, in turn, notify the Marine Advisory Board at its earliest opportunity. In response to Mayor Seiler's question, City Manager Feldman confirmed he would discuss this with Staff to ensure there is a way to route this information to the Marine Advisory Board.

*Motion made by Mr. Walker, seconded by Mr. Holmes, that the Marine Advisory Board requests a presentation from the owner/developer of Bahia Mar for their new proposed development at the site, prior to granting approval for this project, so they may assess its impact on the annual International Boat Show. This same courtesy was extended to the MAB when the developer presented previous plans last year. In a voice vote, the motion passed unanimously.*

Mayor Seiler confirmed his agreement with this request, stating he will request a 30-day deferral of this item on tonight's agenda to ascertain the status of the negotiations and details regarding the Boat Show.

Commissioner Trantalis confirmed his understanding and the Commission's consensus on the goal of having a permanent, exhibition center for The Boat Show. There was a consensus on this goal. Mayor Seiler stated the Boat Show needs to survive both economically and functionally.

Commissioner Rogers pointed out the inclusion of the wording "*The Boat Show*" in the amendment to the 1995 lease agreement. Further discussions continued on allowing the negotiations between the developer and The Boat Show to move forward as the reason for a 30-day deferral.

Commissioner Rogers stated the need for transparency due to it being public property, commenting on the awkwardness of the situation. He said discussions need to begin between someone in the role of owner and the tenant. He suggested the Commission

could do this at a public meeting except for the fact that the issues are too numerous. He noted one member of the Commission could do this with the developer. Mayor Seiler stated the importance of the entire Commission giving input to that member of the Commission in the role as owner meeting with the developer as the tenant.

Vice Mayor Roberts stated he has asked the City Attorney's Office for an opinion on the City's rights under Article 24 and Article 19, asking how it will impact things moving forward. Mayor Seiler reiterated his desire for a deferral until he receives a better understanding of the status of the lease negotiations between the developer and The Boat Show. City Attorney Everett stated they are working on their legal opinion. Further discussions ensued on this topic.

Mayor Seiler confirmed a presentation from the owner/developer of Bahia Mar on the new proposed development should be given to the Marine Advisory Board, allowing them to assess its impact on the Boat Show. It should happen prior to granting approval for this project. The presentation should happen currently with the application approval process by the Development Review Committee and the Planning and Zoning Board. There was consensus and agreement on this topic.

Mayor Seiler reconfirmed consensus agreeing on both Marine Advisory Board requests.

### **OLD/NEW BUSINESS**

**BUS-1** [17-0571](#)

Discussion of Downtown Convention Center

City Manager Feldman stated GIS Staff from the Information Technology Services Department has created an interactive model to guide this discussion. Commissioner Rogers and Vice Mayor Roberts noted their individual discussions with members of the Broward County Board of Commissioners (Board) on this item.

Mayor Seiler commented that should the by-pass road be opened, the need for relocating the Convention Center may not be necessary, commenting on the likelihood of the Convention Center being relocated west, near the Everglades. Discussions continued on the correct approach in addressing this issue, recommending the County enforce specific truck routing into Port Everglades on Eller Drive, routing for transportation companies on Spangler Drive and leaving Eisenhower Drive for local traffic. The by-pass road would be a less costly alternative to relocating the Convention Center.

Ian Wint, Geographic Information Systems Manager, presented the interactive model illustrating possible sites for relocating the Convention Center to downtown. Commissioner Rogers commented on the restrictions at the current Convention Center site. Commissioner Trantalis commented on his recommendation for relocation of the Convention Center west of Andrews Avenue, in the area of the Marina Lofts parcel. Commissioner Rogers pointed out the area near the Performing Arts Center garage as a possible venue. Discussions continued on other possible areas in the City, having the 800 room Convention Center hotel on top of the Convention Center, the impact on surrounding neighborhoods, the need for rezoning, the positive impact to the area, neighborhood compatibility, local transportation options, other amenities, and costs.

Commissioner Rogers cited the vibrancy of the downtown area and the opportunity for public-private partnerships as the reasoning for relocating the Convention Center downtown.

Mayor Seiler recognized Eduardo Fernandez, General Manager Sonesta Fort Lauderdale Beach, who spoke in opposition to this item. Mr. Fernandez discussed the Convention Center expansion, the addition of a convention quality hotel and the economic impact of over \$100,000,000. He discussed the loss of approximately 2,000 hotel rooms in the radius of the proposed downtown location as compared to the 6,000 available between the current Convention Center and the Sonesta Fort Lauderdale Hotel. Mr. Fernandez commented on his conversations with County personnel, stating if this becomes an issue, there is a strong likelihood of the Convention Center moving west near the Everglades. He stated the by-pass road is a good solution and his understanding is the County supports that resolution to the traffic issues in the area.

Mayor Seiler recognized, Greg Cook, General Manager of the Ritz Carlton on Fort Lauderdale Beach and also representing Marriott Hotels and the W Hotel. He stated hotels are the life blood of this community. The current Convention Center is close to full completion. Mr. Cook noted the hotels he represents have large investments in the beach area, in addition to the businesses on 17th Street in the area of the Convention Center. Mr. Cook said conventions come to the City for the beach. He fully supports keeping the Convention Center at its current location near Port Everglades.

Mayor Seiler recognized Ina Lee, 2000 S. Ocean Drive and on behalf of the Broward County Tourism Workshop as co-Chair. Ms. Lee discussed updates from the County that were attended by almost every manager or general manager from major hotels in the area.

She reiterated the comments from Mr. Cook and Mr. Fernandez, noting the walking distance from the Convention Center to a hotel is critical to meeting planners. Major hotels are in walking distance to the current Convention Center. Ms. Lee emphasized agreement by all stakeholders on the need for the by-pass road. She concurred with Mayor Seiler's statement that should they move the Convention Center, it would most likely be moved out west near the Everglades. She asked the Commission to listen to the hoteliers as they understand the needs of meeting planners.

Mayor Seiler recognized Ann Salle, on behalf of the Florida Restaurant and Lodging Association, who stated this issue arose without the input or advice of the hotel industry. Ms. Sollee concurred with and supports the previous comments made by Ms. Lee and Mr. Cook. She also related the impact on workforce housing and the negative effect on current stakeholders.

Mayor Seiler recognized Dan Lindblade, President and CEO of the Fort Lauderdale Chamber of Commerce. He stated his discussions with County Commissioners has not been positive. He advised the Commission to move on this issue quickly, as time is of the essence and recommending a deadline. In the alternative, he recommended remaining with the plan for the current site and building a convention quality hotel, noting business is being lost due to the inability to be competitive.

Mayor Seiler recognized Charles King, 105 N. Victoria Park Drive, who stated his opposition to this item, stating it is a waste of the Commission's time.

Commissioner Trantalis asked about the genesis of the proposed relocation of the Convention Center. Commissioner Rogers and Mayor Seiler concurred the genesis was traffic congestion on SE17th Street and Eisenhower Avenue. Commissioner Rogers also discussed Port Everglades (Port) being the largest generator of income in the County, allowing them additional space to generate more revenue. Further comments and discussions continued on the reasons for recommending this item, the costs of relocating the Convention Center, traffic in and out of the Port, the implications of relocating the Convention Center to a residential neighborhood, and the history of negotiations prior to building the current Convention Center.

Mr. Cook explained that the Convention Center helps the other hotels on the beach via compression. When the surrounding hotels are at capacity, it expands business to hotels located in the beach area.



Further discussion ensued on what drives business to benefit all area hotels. Mr. Cook explained the reasons behind the importance of breaking ground at the current Convention Center expansion hotel as soon as possible to get future large meeting planner bookings not currently being received. Further discussion continued on this topic.

Mayor Seiler recommended spending funds to address traffic congestion at the current Convention Center location, i.e., the bypass. It would allow a solution sooner at a less expense cost as opposed to relocating the Convention Center. Vice Mayor Roberts asked Mr. Cook about the City's ability to be a long-term Convention Center venue. Mr. Cook confirmed stating the missing component is the planned connected on-site convention quality hotel and is the solution for the City being able to compete in the large convention market. Discussions continued on the impact of relocating the current Convention Center to different areas, the history of its current location, and working towards mitigating the current traffic issues in this area.

City Manager Feldman stated one of the items on the May 9, 2017 Workshop Meeting with the Board of Broward County Commissioners will be traffic issues related to the Convention Center and traffic in and out of the Port.

**BUS-2** [17-0015](#)

2016 Neighbor Survey Results

Kristen Tigner, Structural Innovation Manager, announced that Christ Tath of ETC Institute was on speaker phone to report the 2016 Neighborhood Survey findings done in the November-December timeframe.

The survey provides up-to-date information regarding our neighbors' satisfaction levels with the City and our services. This recent data is meant to guide decision-making as we continue to implement *Fast Forward Fort Lauderdale*, the City's Vision Plan of 2035, and *Press Play Fort Lauderdale*, the City's five year Strategic Plan. The data will also inform the decisions you make in developing the Strategic Plan update, the FY 2018 Commission Annual Action Plan (CAAP), the FY 2018 Annual Operating Budget, and the FY 2018 - FY 2022 Community Investment Plan (CIP).

Mr. Tath gave a historical overview of ETC Institute's work with the City, a brief overview of the company, and its work in the U.S. and around the world. He reviewed how the surveys were done, stating there were 747 completed surveys and were accurate within the margin of error of plus or minus 3 - 3.5 percent, at a 97 percent level of confidence. The purpose of the Neighborhood Survey included:

- To objectively assess satisfaction with the quality of City services and other factors that influence perceptions neighbors have of the City
- To gather input from neighbors to assist in developing budget priorities
- To identify opportunities to improve satisfaction in services that are high priorities to neighbors
- To measure trends over time to help guide and evaluate the implementation of the City's strategic plan

Mr. Tath's high-level overview of the Neighborhood Survey results slide presentation included:

- Methodology
- Location of Respondents (at least 150 neighbors from each district)
- Summary of Major Findings
- Perceptions of the City
- Satisfaction with City Services
- Short and Long-Term Trends
- How Fort Lauderdale Compares to Other Communities (based on a national survey of more than 4,000 U.S. residents conducted by ETC Institute in 2016)
- Opportunities for Improvement
- Support for Capital Investments
- Summary of Major Findings

***A copy of the ETC Institute presentation is attached to these minutes.***

Mr. Tath stated a more detailed presentation would be given to Staff. Vice Mayor Roberts discussed preparation for the future and traffic and infrastructure issues. Mr. Tath concurred stating there is significant overlap in preparing for the future and traffic and infrastructure issues.

Vice Mayor Roberts also discussed emergency response preparedness from a public safety perspective, confirming the City is well prepared. Mr. Tath acknowledged the importance of communicating this to residents. City Manager Feldman stated the

areas of most concern about emergency preparedness are SE17th Street Evacuation Route, and the areas around Port Everglades and Fort Lauderdale International Airport.

Commissioner Trantalis asked about satisfaction levels that influence residents' perception of the City, including efforts to address homelessness, availability of affordable housing, public schools, and planning for growth that need to be addressed. He requested Mr. Tath include these issues when issuing the final report.

On the topic of homelessness and in response to Mayor Seiler's question about the two-fold issue of the inability to find homes and the impact of the homeless on the community, Mr. Tath acknowledged the survey did not delve into specific wording on those issues. That would be is a strategic level survey and more detailed research is required. Commissioner Trantalis noted the importance of addressing the root of the homelessness problem.

Vice Mayor Roberts addressed City Manager Feldman stating there may be a need to do additional survey research on the issues of homelessness. City Manager Feldman stated the next step will be doing in-depth survey research. Commission Trantalis noted that the results are the same year after year. Comments and discussions continued on feedback from community meetings, including enforcing laws against the homeless and doing more to assist the homeless. There was a consensus on the importance of communicating emergency preparedness to residents.

Mayor Seiler recognized Trisha Halliday, 1550 Nurmi Drive, who discussed traffic and emergency preparedness, noting they are connected. There are times when emergency vehicles cannot get to destinations due to traffic congestion in the area of 15th Avenue and Las Olas Boulevard. Ms. Halliday acknowledged the homeless problem in the downtown area and the miscommunication about traffic issues in the Las Olas area. She stated the need to have meetings on the recent proposed Las Olas Project prior to construction commencing.

**BUS-3** [17-0436](#)

Regulating the Retail Sale of Dogs and Cats

Mayor Seiler asked what changes had been made to the Ordinance attached to the meeting agenda. City Attorney Cynthia Everett stated the substance of the Ordinance has not changed. Assistant City Attorney Rhonda Hasan will walk the Commission through the Ordinance.

Assistant City Attorney Hasan addressed the Commission outlining changes to the Ordinance circulated several weeks ago. She spoke in detail and explained the changes. Ms. Hasan circulated the updated Ordinance to the Commission.

***A copy of the circulated Ordinance is attached to these minutes.***

Mayor Seiler questioned the giveaway aspect of the Ordinance. Assistant City Attorney Hasan and City Attorney Everett commented and explained the intent of the language. Mayor Seiler asked if the Commission was generally comfortable with the Ordinance as currently written. The Commission confirmed.

Mayor Seiler asked to hear from speakers in opposition to the Ordinance.

Mayor Seiler recognized Chyanna Ashley, 1733 NW 3rd Avenue and designated representative of Puppy Spot. Ms. Ashley summarized her submission to the Commission, stating it illustrates facts versus fiction as to what puppy mills really are and Puppy Spot's advocating for responsible dog breeding and upholding their commitment to the no puppy mill promise and no tolerance of substandard breeding.

***A copy of Ms. Ashley submissions to the Commission is attached to these minutes.***

City Attorney Everett stated the Ordinance will be advertised and noticed for formal public hearings.

Commissioner Rogers asked Assistant City Attorney Hasan, about online purchasing. Assistant City Attorney Hasan stated this governs only brick and mortar stores. Mayor Seiler asked the group attending in support to discuss the number of pets available for adoption.

In response to Mayor Seiler's question, Anthony Priory, Kathleen Tutt and Carolyn Crane of the Humane Society, stated there are roughly 6,000,000 dogs and cats in animal shelters who do not have homes of which approximately 35 percent of those are pure bred dogs and cats. Ms. Tutt noted the Humane Society is not opposed to reputable breeders. Additionally, reputable breeders do not ship animals.

Mayor Seiler asked if there was anyone else wishing to speak in opposition on this item. There was no else wishing to speak in opposition. Mayor Seiler acknowledged the extensive amount of research done by Staff and input the Commission on this issue.

## BOARDS AND COMMITTEES

**BD-1**    [17-0552](#)    Board and Committee Vacancies

Mayor Seiler added the following citizens to Boards:

Ted Morely to the Marine Advisory Board;  
Lauren Wood to the Education Advisory Board; and  
Jonathan Perrillo to the Insurance Advisory Board.

In response to Mayor Seiler's inquiry, City Manager Feldman said Katherine Barry resigned from the Affordable Housing Board due to a potential conflict.

City Clerk Modarelli read the appointments on the resolution scheduled to be voted on tonight.

Discussions continued on adding the following individuals to City Boards:

Howard Nelson - Board of Adjustment;  
Christopher Ramano - Central City Redevelopment Advisory Board;  
and  
Stephan O'Mally - Aviation Advisory Board.

## CITY MANAGER REPORTS

City Manager Feldman requested confirmation of the agenda items for the meeting with the Board of Broward County Commissioners on the meeting scheduled for May 9, 2017. Those four agenda items include:

The Convention and SE 17th Street Traffic;  
Homelessness;  
Affordable Housing; and  
Joint Government Center.

It was confirmed these were the correct agenda items.

## EXECUTIVE CLOSED DOOR SESSION - 4:30 P.M. OR AS SOON THEREAFTER AS POSSIBLE

At 4:18 p.m. Mayor Seiler announced the commencement of the Executive Closed Door Session, stating at this time, the City Commission shall meet privately to conduct discussions between

the City Manager, the City Attorney and the City Commission relative to pending litigation pursuant to Section 286.011(8), Florida Statutes, in connection with the cases listed in this meeting's item 17-0567.

Mayor Seiler stated those present at the attorney-client session will be:

Mayor, John P. "Jack" Seiler  
Vice Mayor, Bruce G. Roberts  
Commissioner, Robert L. McKinzie  
Commissioner, Dean J. Trantalis  
Commissioner, Romney Rogers  
City Manager, Lee R. Feldman  
City Attorney, Cynthia A. Everett

Re.: Joe Castro v. City of Fort Lauderdale, Outside Counsel will be W. Tucker Craig, Esq. of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.; and a Certified Court Reporter with Daughters Reporting, Inc.

Re.: Arnold Abbott, et al. v. CFL, Reverend Canon Mark Sims v. CFL, and Gail Tapscott v. CFL, Counsel will be Assistant City Attorney, Alain E. Boileau, and Outside Counsel, Michael T. Burke, Esq., of Johnson, Anselmo, Murdoch, Burke, Piper & Hochman, P.A.

The estimated length of this attorney-client session is approximately thirty (30) minutes.

[17-0567](#)

The City Commission will meet privately pursuant to Florida Statute, Section 286.011(8) concerning:

Joe Castro v. City of Fort Lauderdale  
Case No. CACE 16-000890 (21)

Arnold P. Abbott, et al. v. City of Fort Lauderdale  
Case No. CACE 99-03583 (05) and Case No. CACE 14-024037  
(21)

Reverend Canon Mark Sims v. City of Fort Lauderdale  
Case No. CACE 14-22297 (08)

Gail Tapscott v. City of Fort Lauderdale  
Case No. CACE 14-023713 (25)

## ADJOURNMENT

There being no further business before the Commission at the Conference Meeting of May 2, 2017, Mayor Seiler adjourned the meeting at 4:16 p.m.