

# City of Fort Lauderdale

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



## Meeting Minutes - DRAFT

Tuesday, March 3, 2015

1:30 PM

City Commission Conference Room

## City Commission Conference 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  
**ROBERT L. McKINZIE** 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 1:38 p.m. by Mayor Seiler.

## ATTENDANCE ROLL CALL

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

**Also Present:** Assistant City Manager Stanley Hawthorne, City Auditor John Herbst, City Clerk Jonda K. Joseph, City Attorney Cynthia A. Everett and Sergeant At Arms Sergeant Edgar Cruz

No public comments were submitted by email for this meeting.

## CITY COMMISSION REPORTS

### Events and Matters of Interest

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

### Beach; Traffic and Turtle Compliant Lighting

Commissioner Trantalis commented initially about planning for traffic flow on the beach. He also expressed concern about the need for better lighting. At his request, there was consensus agreement to place this matter on the April 7 agenda.

### Vacation – Short-Term Rentals; Legislative Session

Commissioner Trantalis raised the topic of new legislation concerning short-term rentals and that he is considering attending Broward Days concerning this problem. A general discussion followed as to the need for municipal regulatory authority. The City Attorney advised that information from her office will soon be finalized and released.

### Stop Sign Replacing Traffic Signal at Bass Park

Commissioner McKinzie was concerned that a stop sign recently replaced a traffic signal at Bass Park without any notification.

### Lightning Warning Sirens; Bass Park and Provident Park

Commissioner McKinzie had received complaints that the lightning warning siren at these parks is not loud enough. Mayor Seiler pointed out that there is a balance needed so that the siren does not extend beyond the park.

### Wingate Site

Commissioner McKinzie advocated for use of the flat ground (40 acres) as a park.

### Unincorporated Areas

Commissioner McKinzie noted there are four remaining unincorporated areas adjacent to District III that he would like to pursue being brought into the City. The City Auditor advised that staff conducted an

extensive study that did not show annexation would be revenue neutral. Mayor Seiler along with Commissioner Roberts also expressed an interest in looking at the study. Mayor Seiler asked Commissioner McKinzie to follow up with Senator Chris Smith concerning what properties were previously cherry-picked.

#### School Boundaries; Education Advisory Board

Vice Mayor Rogers noted a recent town hall meeting he held on schools. He suggested and there was consensus to request the Education Advisory Board to study school boundaries.

#### Vehicle Related Crimes

Vice Mayor Rogers was concerned about the increase in this type of crime south of Broward Boulevard and east of Interstate 95 in the past 30 days.

#### Train Horn Noise

Vice-Mayor Rogers had received more complaints about the level of train horn noise. Mayor Seiler requested a letter on behalf of the Commission be drafted and sent to the Federal Railroad Administration for his signature.

Mayor Seiler left the meeting at approximately 2:41 p.m.

#### Outdoor Event Noise; Complaint by Esplanade Condominium

Vice-Mayor Rogers had received a complaint from Esplanade Condominium about noise from an outdoor event on Sunday night until 11 p.m. He did not think outdoor events should be held as late as 11 p.m. on Sundays.

## CONFERENCE REPORTS

### **CF-1 15-0128** Proposed Lien Settlements (Special Magistrate & Code Enforcement Board Cases)

Commissioner Trantalis noted his continued objection to this policy. There should be a greater penalty imposed. He has discussed this policy with the City Manager. Banks foreclose on property, but wait until the market comes back to take title. In that way, they are not responsible for all of the obligations of ownership. In this case, they failed to connect to the sewer system, causing more than \$100,000 of liens to be imposed. There is no incentive for them to work with the City. Vice-Mayor Rogers explained one must be an owner in order to connect to the sewer system. Commissioner Trantalis indicated he has suggested the City do the work on an emergency basis and then lien the property. The City Attorney advised that her office is looking into options. Unless there is a real emergency, the City must not enter onto private property without permission. The connection is an involved process with considerable expense. Commissioner McKinzie noted the cost is anywhere from \$1,800 to \$2,600. Commissioner Trantalis concurred, noting he paid for such a connection to his personal property. The City could take the initiative to knock on the door or contact the owner if they have moved away. As such, the pollution would not occur. A lien could still be imposed simply for the hookup work. The City Attorney felt the Commission may want to reconsider its policy on reductions. Vice Mayor Rogers felt the only course would be to prove it is a public nuisance. The City would be expending funds without any knowledge of when it would be reimbursed. Because it is problematic, the current policy is in

place. Assistant City Manager Susanne Torriente pointed out that there is a cost associated with regulations and permitting relating to capping of the septic tank. Commissioner Trantalis pointed out that this is done by the homeowner and the City should be able to do so also. Assuming the City has the right to go forward, the City Attorney advised there would be legal considerations to weigh. The code enforcement statute allows the board/magistrate to enter into certain orders to effect compliance. Her office is looking into how far that goes. Commissioner McKinzie asked if this would address compliance holistically or only the sewer system connection. Vice-Mayor Rogers advised that the City does provide for emergency action. He cited one example of a swimming pool that is attracting mosquitoes. It has to do with public nuisance. He did not think it could be proven for the sewer system connection example.

Vice-Mayor Rogers opened the floor for public comment.

Raymond Cox, no address provided, questioned this discussion when there are many people without any access to the sanitary sewer system. He advocated for public restrooms.

There was no one else wishing to speak.

**CF-2 15-0167 South Side School Update**

In response to Commissioner Trantalis, Irina Tokar, Senior Project Manager, advised a year is estimated for construction. Thereafter, parks and recreation staff could be relocated.

Vice-Mayor Rogers opened the floor for public comment.

Raymond Cox, no address provided, advocated for the homeless using this facility. He spoke of a group protest relating to human rights being organized.

There was no one else wishing to speak.

**OLD/NEW BUSINESS**

**BUS-1 15-0276 Discussion regarding Future of Judge Shippey House**

Jacquelyn Scott, president of the Friends of Shippey House, outlined the history relating to this topic. The rehabilitation costs have been pared down. They estimate the exterior could be completed in six months. Once the exterior is finished, they believe it will be possible to secure an end user. She provided a flyer titled "Judge Shippey Marries Tarzan to Broadway Star in Surprise Wedding" that was made a part of the record.

Commissioner Trantalis asked about the budget and how much has been collected. Doug Snyder of Falkanger, Snyder, Martineau & Yates, indicated he is the architect on this endeavor. Miller Construction prepared a construction budget of \$230,000. It includes both interior and exterior completion. Approximately \$80,000 is budgeted for the exterior. The Friends have commitments of approximately \$33,000 which does not include the porch and many other items that are being donated. He provided a project schedule that is attached to these minutes. Commissioner Trantalis noted he was told that the \$80,000 also included in-kind commitments. In response to Commissioner Roberts, Commissioner Trantalis advised the end user would maintain the House.

Vice Mayor Rogers opened the floor for public comment.

Former Commissioner Tim Smith discussed the likelihood of securing an end user. He noted his recent involvement with this project and his involvement in the successful preservation of the Annie Beck House. He advocated for a six month extension.

Genia Ellis of Riverwalk Fort Lauderdale highlighted some history on the topic. It is currently an eyesore. It has not been maintained since the one community painting project. She was concerned about a six-month extension. No more funds have been raised. She did not foresee people willing to step up again to fundraise. Nothing has been presented today as far as activation. The end user would need a lease with the City and would have to enhance property not under their ownership. This is why people have walked away. A different model that provided ownership might be more successful. She encouraged a sixty-day time line if a workable model is put together.

Merrilyn Carmelita (Rathbun), Fort Lauderdale Historic Society, discussed the present status of Shippey House as a historic property according to rules of the Secretary of the Interior. She read from the National Parks Service, How to Apply National Register Criteria for Evaluation of Historic Property, Understanding Criteria for Consideration of Moved Properties. She contended when the House was moved from the Sailboat Bend area, it lost its historic content. It is not compatible with the H-1 Historic District. The buildings on the Historic Society property are from another period of time. The Historic Society has talked with the Florida Bureau of Historic Preservation about the idea of putting the buildings for which the Society is responsible on the National Register as a National Register district. The State is quite interested in the idea. The Society has moved forward mainly because of the Shippey House and what is happening with Bryan Homes. In the alternative, the House could have been moved to a neutral area or a property in Sailboat Bend. It needs to be moved out of the H-1 District because it is damaging to the historic context.

In response to Commissioner Trantalis, Carmelita noted that the Annie Beck House was moved to a neutral area and then designated as a historic property. Without a designation, Shippey House is considered infill new construction.

Steve Glassman, Broward Trust for Historic Preservation, advised that the Board adopted a motion to support a six-month extension. He pointed out there was a tremendous community effort to get the House to this site years ago. He felt there is a resurgence from people for the House. Longer periods of time have been expended to finish historic properties in the city although he understood to that district. He did not think it is possible to reconsider moving the House again. There is historical significance to the House. He believed the Annie Beck House model could be used.

Tim Petrillo, 2400 NE 7 Place, advised that he is a business and property owner in the subject district. He originally opposed the House move because he feared it would not be finalized, which is what has happened. The neighborhood has sacrificed parking, businesses and the opportunity to release the River House. The exterior will not cure the problem. He suggested the funds raised be put into escrow so that it is not wasted if the goal is not accomplished in six months. There should be an occupied, viable alternative.

Raymond Cox, no address provided, discussed various ideas about the outcome of the House, its status and comparing it to moving of the White House. He went on to speak about the proposed Aquatic Center renovation.

Charles King, 105 North Victoria Park Road, was concerned about the loss of parking revenue. He wanted to have an opportunity to evaluate a plan.

There was no one else wishing to speak.

Commissioner Trantalis noted this just became part of District II. He commented about his special affinity about historic things. He pointed out that Fort Lauderdale does not have a lot of things with character from a century ago. As one peppers the city's landscape with things like this regardless of whether in the original location, they add charm and glamour. With the Friends having now reconstituted itself and he has committed to work with them to accomplish their goals within the six-month period, he supported the extension. Commissioner Roberts pointed out the revocable license expired three years ago. He was not convinced it will be possible to secure an end user. Not all of the original Friends' membership have come back to this endeavor. Also, Ms. Carmelita has indicated that moving it has caused its historic significance to be lost. He would accept the loss in parking revenue if its success was known because of the economic impact. He was not confident it will be accomplished. He felt it is having a negative impact on activating that area of the Riverwalk. He felt it should be removed and the site restored. Commissioner McKinzie wanted to see something definite in six months with an end user and long term commitment. He was willing to give this one last opportunity. Vice Mayor Rogers supported the project for many of the reasons stated by Commissioner Trantalis. There is not a lot of history in the city which is meaningful to the fabric of the community. He was supportive of the end user concept. It could be repurposed. With a commitment from the Friends, he was comfortable supporting the extension. He suggested a monthly status report with more detail. If it has to be brought down, it should not have to be borne by the City.

Mr. Petrillo asked what would be considered successful at six months. Commissioner Trantalis felt it is exterior renovation and one or two tenant prospects. Discussion followed about what is expected in the next six months. Mr. Smith noted that it could be stopped at any point by the Commission with their review of the monthly reports. The City Attorney referred to the expired revocable license and suggested the Friends submit a plan to the Commission for their approval once they have met with staff. Vice Mayor Rogers recommended the Friends develop a plan with more detail and anticipate Commission review every month. Commissioner McKinzie said he would agree to a six month extension with a plan in place, not what was presented today. Vice Mayor Rogers summarized the consensus of the Commission with the exception of Commissioner Roberts and with Mayor Seiler not being present, would be to develop a plan, present it to staff and present it to the Commission in thirty days at which time the six-month extension could be granted.

## **BUS-2 15-0253** Weighting of Community Investment Plan (CIP) Prioritization Matrix

Mayor Seiler returned to the meeting at 3:58 p.m.

Emilie Smith, Budget Manager, distributed a scoring criteria guide that is attached to these minutes. Mayor Seiler and Commissioner Roberts indicated their priorities are the same as reflected under Basic Program Attributes on Exhibit 1 of Commission Agenda Memorandum 15-0253. Commissioner Trantalis ranked federal, state or other legal requirements as fourth, project feasibility as second, costs and sources of funds as fifth, relevant performance measures as first and project consistency with existing approved plans as third (highest priority is fifth, lowest priority is first). Commissioner McKinzie ranked federal, state or other legal requirements as fifth, project feasibility as first, costs and sources of funds fourth, relevant performance measures second and project consistency with existing approved plans third. Vice Mayor Rogers ranked federal, state or other legal requirements as fourth, project feasibility as first, costs and sources of funds as fifth, relevant performance measures as second and project consistency with existing approved plans as third.

Mayor Seiler and Commissioners Roberts and Trantalis indicated their priorities are the same as reflected under Impact on Strategic Goals. Commissioner McKinzie ranked improves traffic, mobility, connectivity, pedestrian, cyclist safety as second, environmental benefits as third, addresses aging

infrastructure needs and maintenance of existing facilities as first, promotes/accelerates sustainable economic development as fourth and improves neighbor safety as fifth. Vice-Mayor Rogers ranked improves traffic, mobility, connectivity, pedestrian, cyclist safety as fourth, environment benefits as first, addresses aging infrastructure needs and maintenance of existing facilities as third, promotes/accelerates sustainable economic development as second and improves neighbor safety as fifth.

Ms. Smith explained how the data is used by staff.

Mayor Seiler opened the floor for public comment.

Raymond Cox, no address provided, advocated for investing in providing for the homeless. He did not think the prioritization aligns with the average person.

There was no one else wishing to speak.

**BUS-3 15-0287** Police Department - Informational Presentation

Mayor Seiler opened the floor for public comment.

Raymond Cox, no address provided, discussed use of DNA technology.

There was no one else wishing to speak.

Police Chief Frank Adderley introduced members of the Police Department who made presentations concerning crime reduction strategy, bicycle registration program, and use of rapid DNA technology. All presentations are highlighted on slides that are attached to these minutes.

Mayor Seiler requested statistics on juvenile offenders and suggested briefing the Commission individually on auto thefts.

**BUS-4 15-0317** Florida Municipal Investment Trust, Board of Trustees - Nominee  
Recommendation to Florida League of Cities

Mayor Seiler indicated he has been serving on this board and would be happy to continue to do so. There was no objection.

**BOARDS AND COMMITTEES**

**BD-1 15-0238** Communications to the City Commission and Minutes Circulated -  
Period Ending February 26, 2015

Beach Improvement District

*Motion made by Ms. Lee, seconded by Mr. Cook, that the BID would like to communicate to the City Commission that they would like to go out for an RFP for a major, two-day concert event in the fourth quarter of 2015 that will not have an impact on the Boat Show, and will have a positive impact on overnight stays and businesses in the beach area. In a voice vote, the motion passed unanimously.*

*Motion made by Mr. Cook, seconded by Ms. Fitzgibbon, that the BID would like to communicate to the*

*City Commission that they would like to seek proposals from qualified firms to create and promote a signature, sustainable, summertime event or series in FY 2015 that will have a positive economic impact for the businesses on the beach. In a voice vote, the motion passed unanimously.*

Commissioner Trantalis felt there could be multiple events throughout the course of the year. Vice Mayor Rogers wanted to see the RFP before it is released. Commissioner Roberts noted previous discussion of how many events are sustainable with respect to crowding and the need for assessment. Mayor Seiler requested both items be brought back to the Commission for a full discussion.

#### Central City Redevelopment Advisory Board

*Motion made by Member Jones, seconded by member Thrower requesting a joint workshop meeting with the City Commission as a follow-up to the November 4, 2014 workshop meeting, where members were directed to come back to the commission with rezoning recommendations for the Central City CRA based on a consensus reached by the Advisory Board. Motion passed unanimously.*

There was consensus for a workshop to be scheduled at noon.

#### Marine Advisory Board

*Motion made by Chair Flanigan, seconded by Mr. Herhold, to submit the following comments, provided by Chair Flanigan, as a communication to the City Commission:*

*To the Mayor and the Commissioners:*

*We wish to reaffirm what has been and continues to be the unanimous support of the Marine Advisory Board (MAB) to see the obsolete Las Olas Marina rebuilt to service the marine industry's future needs, and have Fort Lauderdale retain its recognition as the Yachting Capital of the World.*

*It is imperative that any rebuilding be with the support and input of Show Management, operators of the Boat Show, which has not rendered support to any presented options.*

*It must be recognized that the existing design does not permit the long-sought expansion of the world's largest in-water boat show.*

*It should also be recognized that a considerable upland area and convention site space are readily available for the expansion of the next Palm Beach Boat Show. The long-standing challenge to expand its in-water displays are being addressed enthusiastically by authorities reviewing the permitting and environmental concerns for dredging in Palm Beach County.*

*Numerous City-paid consultants, pro formas, and reports all support the MAB's long-standing position that this project is within the City's capability, given our long-standing history of building and operating marinas successfully. Rather, all that is voiced by senior staff is "We can't afford to build the marina, or if we build it, will they come?"*

*It is our belief and all of the industry's professionals who have written or come before the Commission and the MAB that the City cannot afford NOT to rebuild the marina.*

*Wherein lies the opposition to this?*

*It certainly is not within the public as voiced through numerous public meetings to us all.*



*Respectfully submitted and approved by the Marine Advisory Board.*

*In a voice vote, the motion passed unanimously.*

No discussion.

**BD-2 15-0239 Board and Committee Vacancies**

Beach Business Improvement District

Madeline Clark (Consensus)

Please see regular meeting item R-4.

The City Commission convened as the Other Post-Employment Benefits Board at 5 p.m. and subsequently met in the Executive Closed Door Session at 5:07 p.m., adjourning at the end of the session.

**EXECUTIVE CLOSED DOOR SESSION**

**15-0291** The City Commission will meet privately pursuant to Florida Statute, Section 286.011(8)(a) concerning:

Brandi Lynch and Sean Borden v. City of Fort Lauderdale  
Case No.: 13-014310 (08)

Shadia Traish v. City of Fort Lauderdale  
Case No.: 14-000093 (12)

**CITY MANAGER REPORTS**

None.