

# 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, April 2, 2013

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***  
***HARRY A. STEWART, City Attorney***

Meeting was called to order at 1:35 P.M. by Mayor Seiler.

## ROLL CALL

**Present** 5 - Mayor John P. "Jack" Seiler, Vice-Mayor Bruce G. Roberts, Commissioner Dean J. Trantalis (arrived momentarily), 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 Harry A. Stewart, Sergeant At Arms Sergeant Dave Cortes

## CITY COMMISSION REPORTS

### Events and Matters of Interest

Members of the Commission announced recent and upcoming events and matters of interest including February ridership statistics about the Sun Trolley community bus service.

### Broward League of Cities

Commissioner DuBose reported on his year ending as president of the Broward League of Cities.

### AIDS Walk; A-1-A

Commissioner Trantalis felt there needs to be alternative planning for events on A-1-A to assist with traffic flow and so forth.

### Natchez Property

Mayor Seiler asked the City Manager to look into whether the property owner has been cited for the property not being in a clean state. He did not think the Citizens Volunteer Corps should clean up the property when the property owner is not fulfilling his responsibility. He also suggested the idea of a decorative fence.

### City Commission Meeting Broadcast and Sound Quality

Vice Mayor Roberts wanted to look into improving the meeting broadcast and sound quality. Mayor Seiler raised the idea of table microphones.

### Red Light Camera Program

Vice Mayor Roberts requested a status report on this program.

Historic Preservation Board Case 11-H-08; Demolition; 716 SW 4 Place, Sailboat Bend Historic District

Vice Mayor Roberts provided the City Manager with information from a citizen who would like to revisit this item. He asked the City Manager to work with the City Attorney's Office and consult the Commission individually. The information was made a part of the record. A brief discussion followed on the chronology of this case for Commissioner Trantalis' benefit. In respond to Mayor Seiler's request to schedule the matter on the next agenda in that the property is an eye sore, the City Attorney advised that the matter will have to be advertised; it will be scheduled as soon as possible.

Events including AIDS Walk on A-1-A

Mayor Seiler did not want traffic lanes on A-1-A closed for events. He was concerned about planning of events and visitors being denied access to parts of the beach. He did not think that events should be scheduled that would close the beach between November and April. He went onto mention routing for another event where motorists were re-routed when bicyclists in the event could have been. Commissioner DuBose suggested area neighborhoods might be helpful. Mayor Seiler emphasized that the downtown and the A-1-A area are unique from the standpoint of visitors. He questioned that streets are being closed on Wednesday for the Mercedes Benz Corporate Run that is scheduled for the weekend. He felt such closures could be discouraging to visitors. Returning to discussion of the AIDS Walk, Commissioner Trantalis pointed out that it did not start until 10:30 a.m. whereas with a 7:30 a.m. start time, it would have had totally different results. Mayor Seiler wanted staff assigned to assure that closures are at a minimum and walkers and bicyclists be diverted instead of vehicles. Commissioner Rogers thought event organizers should be encouraged to use the downtown early in the morning. Commissioner Trantalis noted that the event festivities could occur on the beach and the roadway re-opened. Commissioner Rogers wanted input from staff as to a maximum number of events.

City Clerk

Mayor Seiler referred to a matter concerning the City Clerk. He did not think any of the issues raised warranted emergency action. He wanted to discuss it later today.

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## CONFERENCE REPORTS

None

## OLD/NEW BUSINESS

### **BUS-1 13-0417 STATE ROAD A-1-A BIRCH PARK NORTH SEGMENT RECONSTRUCTION**

The City Manager highlighted information in Commission Agenda Memorandum 13-0417. After having met with neighborhood associations as well as the Florida Department of Transportation (FDOT), Commissioner Trantalis remarked that there is consensus for three-lanes. He went on to highlight benefits. Vice Mayor Roberts believed it is supported citywide and is a look toward the future. In response to Commissioner Rogers, the City Manager explained elevation and slope improvements that will be made.

Mayor Seiler opened the floor for public comment.

Art Seitz, 1905 North Atlantic Boulevard, encouraged greenway improvements be extended to Sunrise Boulevard and to the north boundary line. He elaborated upon other connectivity features.

**BUS-2 13-0333 WAVE STREETCAR PROJECT - SPECIAL ASSESSMENT OVERVIEW**

The City Manager noted that the City has made a financial and a process commitment to this project involving creation of a special assessment program in the downtown to fund about \$20.5 million.

Camille Tharpe of Government Services Group, reviewed slides on this topic. A copy of the slides is attached to these minutes. The "Land" category includes vacant property and parking areas. Garages with buildings already assessed were not included.

Mayor Seiler was concerned about the interest rate on the bonds. The City Manager indicated that the rate has to do with the credit risk. It could go down, but the City would not want to increase the assessment. He went on to explain the disadvantage of a City guarantee. Joel Tindal of FirstSouthwest, Financial Advisor for Downtown Development Authority, advised that the 5.30% interest rate includes a 1% cushion. There is no additional security other than the assessment itself. The bonds would be tax exempt assuming a BBB rating. Rating agencies will not provide a rating until issuance.

Ms. Tharpe went on to detail Table 3 of Exhibit 4 to Commission Agenda Memorandum 13-0333, attached to these minutes. Mr. Tindal advised that it would be approximately \$18.5 million in interest costs over twenty-five years. Ms. Tharpe indicated that the City will have an opportunity to reduce the assessment each year based on the rate or to refinance; this presentation shows the maximum amount. She continued review of the slides. Prepayment would not be allowed. Providing the same exemptions as the fire assessment would result in an annual loss of \$45,000.

Discussion ensued concerning the assessment boundaries.

Mayor Seiler opened the floor for public comment.

Dan Lindblade, president of Greater Fort Lauderdale Chamber of Commerce, advised that the Chamber supports this project. He expressed concern about non-profit organizations and the impact upon their budgets.

Tim Petrillo, chair of the Downtown Development Authority, expressed support of the project.

Doug Eagon, president of Stiles Corporation, indicated that Stiles owns property in the downtown, is a Fort Lauderdale resident and former member of the Downtown Development Authority Board of Directors. He supported the project including the assessment boundaries. He believed there are distinct redevelopment potentialities within the regional activity center. He discussed potential route expansions including east/west.

Ellen Rivera, general manager of 110 Tower and Transwestern, expressed support of the project.

Sam Poole, 702 North Rio Visa Boulevard, felt this project will transform the way the city sees itself. Chris Wren, executive director of Downtown Development Authority, advised that the design phase will occur in the coming year with more community outreach. Construction is anticipated in 2015 and the ridership goal is 2016. The vehicles will be hybrid. He went on to discuss grant funding and anticipated notification of approval so that it can be built seamlessly. He also elaborated upon the Broward Metropolitan Planning Organization's long-range vision for this project. Studying has begun

on route extensions south to the airport, seaport, Griffin Road Tri-Rail Station and the universities via Griffin Road. To the north, it would extend west to the Tri-Rail Station, with alignments along Sistrunk Boulevard and Broward Boulevard to the Tri-Rail Station. He concluded with advocating remarks.

Commissioner Rogers referred to the original assessment boundary map on page 7 of Exhibit 3 to Commission Agenda Memorandum 13-0333 and requested information concerning the changes made to arrive at the finalized map. A copy of page 7 is attached to these minutes. Mayor Seiler thought it would be unfair to place future expansion costs on property owners of the initial first phase. There should be a reimbursement feature. Mr. Wren anticipated that each expansion would have its own complexities and funding strategy, but phase one is somewhat of a template. In response to Commissioner Trantalis, Mr. Wren indicated that the assessment would be reanalyzed annually and new developments incorporated which would mean a decrease or perhaps an earlier expiration. Commissioner Rogers wanted a better understanding of financing future phases and finding equity for property owners in the initial phase. In response, Commissioner Roberts pointed out that with any long term financing, it is difficult to figure it out so many years away.

Commissioner Rogers wanted to exempt the not-for-profit organizations. Mayor Seiler wanted to discuss the idea. They use City resources and do not pay any taxes. Sometimes they make the biggest demands. Vice Mayor Roberts felt this discussion could take place in the course of the next month. Ms. Tharpe offered to provide a list of organizations exempt from the fire assessment and what their assessment would be. Commissioner DuBose felt there should be consideration of the system's impact on the city as a whole.

**BUS-3 13-0328** TRANSPORTATION AND MOBILITY DEPARTMENT –  
INFORMATIONAL PRESENTATION

Diana Alarcon, Director of Transportation and Mobility, and other staff members of the department, reviewed slides concerning this matter. A copy of the slides are attached to these minutes.

**BUS-6 13-0513** APPOINTING A VICE MAYOR

There was no objection to Commissioner Roberts continuing to serve as vice mayor.

Note: The Commission recessed at approximately 4:14 p.m. and reconvened for the closed door at approximately 4:28 p.m.

**EXECUTIVE CLOSED DOOR SESSION WAS HELD AT 4:28 P.M.**

**13-0538** THE CITY COMMISSION SHALL MEET PRIVATELY PURSUANT TO  
FLORIDA STATUTE 768.28(16) CONCERNING THE FOLLOWING:

MARGARETHE RABITSCH v. CITY OF FORT LAUDERDALE (File VA  
GL 07-937)

MATTHEW SANDLER v. CITY OF FORT LAUDERDALE (File  
10-697C)

**CLOSED DOOR SESSION ENDED AT 4:59 P.M.**

**BUS-4 13-0131** ECONOMIC DEVELOPMENT STRATEGIC PLAN - REQUEST FOR PROPOSALS

The City Manager highlighted information in Commission Agenda Memorandum 13-0131. Commissioner Trantalis asked about concentration on the Central Beach area with respect to adding retail. The City Manager explained the focus in this instance has to do with existing retail and a lack of activity. He confirmed that Flagler Village is included in the Downtown Regional Activity Center (DRAC) category. Commissioner Trantalis requested the Central Beach area be added. Commissioner Rogers also wanted to add that area of the port to the hospital on 17<sup>th</sup> Street Causeway. There was no objection. Some discussion followed concerning uses along State Road 84 from Federal Highway to the west.

**BUS-5 13-0219** COMMUNITY INVESTMENT PLAN "CIP" PRIORITIZATION MATRIX

The City Manager requested each member of the Commission submit his prioritization.

Note: The Commission 5:12 pm convened as Community Redevelopment Agency Board of Commissioners at 5:12 p.m., adjourned at 5:27 p.m. and then reconvened the Conference Meeting at 8:48 p.m. in the City Commission meeting room on the first floor of City Hall to address Item BD-2.

**BOARDS AND COMMITTEES****BD-1 13-0459** BOARD AND COMMITTEE VACANCIES

See Regular Meeting Agenda Item R-1.

**BD-2 13-0460** COMMUNICATIONS TO CITY COMMISSION AND MINUTES CIRCULATED - period ending March 28, 2013Affordable Housing Advisory Committee

**Motion made by Mr. Walters and seconded by Mr. Poulin** that staff review City Owned Properties list as it is this Board's belief that many of these properties are well suited for affordable housing and that a strategy be developed to make properties well suited for same available for disposition to a qualified bidder for affordable housing. Qualifications will be determined by whatever competitive process the City deems appropriate. Discussion ensued.

**The Board felt that if any of the properties are sold the funds should go back into Housing & Community Development to be used for affordable housing. It was determined by the Board that a Commission Agenda Memo would be needed in addition to this communication.**

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

In response to Mayor Seiler, the City Auditor noted that his office had prepared a list of properties that may or may not have been suitable for surplus. There was a task force or working group established to review the parcels and submit recommendations. The task force was internal. Commissioner DuBose requested a copy of the working group's minutes and Mayor Seiler as well as Commissioner Trantalis requested the topic be placed on a conference agenda. In response to Commissioner Trantalis, the City Manager explained that the real estate function was absorbed in the Parks and Recreation Department. Commissioner Trantalis questioned the appropriateness of that department. The City Manager explained that there is actually not very much property in sellable condition or for which there is a market. By statute, staff is required to present to the Commission a list of properties that could be surplus along with a recommendation and he felt that period of time is approaching. The City Manager suggested the May 7 conference. Commissioner DuBose noted that the Commission has sold several parcels; some of the properties are unbuildable. Mayor Seiler felt it should be an ongoing effort. He was open to affordable housing opportunities if they are viable. Commissioner Rogers felt an affordable housing strategy is needed. He saw the need for affordable housing. For example, the profit from sale of properties for affordable housing is dedicated to future affordable housing. He wanted to see how this is handled by other communities. Commissioner DuBose noted that a study is already underway. Mayor Seiler asked the City Auditor to furnish the property list for the conference meeting. Commissioner DuBose recalled that the scope of the RFP was to be re-written. He asked that the revised version be provided.

#### Police and Firefighters Pension Board

**The Board held a successful Investment Workshop at the** end of February, which was well attended. Trustees also attended a recent educational seminar held by attorney Robert Klausner.

**The Plan's policy regarding buyback of service has been** clarified.

### **CITY MANAGER REPORTS**

#### Consolidated Regional E911 Communications System

The City Manager advised that the City has extended its relationship with the Sheriff for at least one more month while going through the hiring process. Additionally, there are pending issues about the certification process of new hires. The Sheriff's general counsel has requested the City consider an agreement for a more formal relationship until when the City takes over dispatch and will be providing a draft. The County Commission has moved forward with the concept of a MSTU (Municipal Service Taxing Unit) that will pay for forty percent of a regional system cost. The concept will likely be presented to the Commission on April 16 because it would have to be adopted on second reading by May 10. In response to Commissioner Rogers, the City Manager advised that the City is paying \$503,000 per month which is about \$30,000 per month less than previously. He provided a status on his attempts to secure a commitment from the County Administrator concerning their negotiations on the dispute resolution which has been a couple of weeks. Some discussion followed on timing. Mayor Seiler wanted to keep channels open. Vice Mayor Roberts wanted to proceed on all tracks simultaneously and thought a consensus had been reached on this point. Commissioner Rogers agreed. Commissioner DuBose felt that to sit still with this issue is actually moving backwards. He felt the City has come to the crossroads where a decision has to be reached. He agreed that the City needs to move forward on all tracks. Commissioner Rogers agreed with Commissioner DuBose. He suggested the City Attorney compose a letter, requesting a date (twenty days) and without a response, the City should proceed to the courthouse. Some discussion followed on the suggestion wherein

Commissioner Rogers suggested the County be requested to select a date within the next twenty days and if the County does not select a date, the City will hold a meeting. There was consensus agreement.

## CITY COMMISSION REPORTS

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### Broward County Resource Recovery Board – Provision of Audit Services by City Auditor’s Office

Mayor Seiler referred to difficulties encountered with Broward County concerning the City Auditor conducting an audit for the Resource Recovery Board. He will provide an update on April 16.

### City Clerk

Mayor Seiler referred to concerns raised with respect to the City Clerk and his request for investigation. The City Manager’s and City Attorney’s involvement was at his request. The City Clerk has responded with a course of action that has been shared with everyone. Commissioner DuBose asked about benchmarking to make sure there is follow-through with the recommendations and they are working. Mayor Seiler did not like handling personnel matters in this fashion but it is the only way to do so with the Commission acting in its capacity with the four charter offices. He suggested the City Attorney or his designee provide a followup report to ensure that steady progress is being made. He understood that Assistant City Attorney Wald has been the City Attorney’s designee. Vice Mayor Roberts suggested both short-term and long-term followups to the plan. Mayor Seiler suggested and there was consensus for a sixty-day and a six-month report. He assumed there would be continuity with who would be handling the matter in the City Attorney’s Office. Commissioner Rogers suggested and Commissioner Trantalis agreed that the City Clerk speak with the Commission individually. Commissioner Trantalis commented on the challenges of this office changing and growing over the years and wanted those discussions to cover performance of the office as a whole.

The meeting adjourned at 9:26 p.m.