

City of Fort Lauderdale

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



Meeting Minutes - DRAFT

Tuesday, October 7, 2014

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
BOBBY B. DuBOSE 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 1:30 p.m. by Mayor Seiler.

ATTENDANCE ROLL CALL

Present: 4 - Mayor John P. "Jack" Seiler, Vice-Mayor Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis (arrived during Commission Reports) and Commissioner Bobby B. DuBose

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 David Cortes

No public comments were submitted by email for this meeting.

CITY COMMISSION REPORTS

Events and Matters of Interest including information on the All Aboard Economic Impact Statement

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

City Photo for Broward League of Cities Website

Commissioner Roberts advised that the Broward League of Cities has requested a picture from the City that it would like displayed on the League's website. The City Manager agreed to provide one.

Centralized County Permitting Process

Commissioner Roberts commented there has been some discussion at the League of Cities about a centralized County permitting process. He asked the City Manager to inquire to the County.

Public Safety Communications

Commissioner Roberts indicated that the CAD crime data is not being furnished timely. He asked the City Manager to follow up.

Tortuga Festival: Volleyball Courts

Vice-Mayor Rogers asked that that the shutdown period for the volleyball courts for the Tortuga Festival be minimized.

Water Taxi

Vice-Mayor Rogers suggested a stop be added at Esplanade Condominium on the south side. The public improvements at this location are ADA approved.

CBRE Real Estate Consultants

Commissioner Trantalis questioned why CBRE has not yet provided an update. He heard from the landlord who owns the building that houses the 13 Street police station. The landlord said CBRE contacted him and demanded a 4 percent commission for the City to renew the lease. Commissioner Trantalis understood 4 percent commission would only be for new space. The City Manager advised that

an update is scheduled for October 21, 2014. He was not aware of the issue with 13 Street; he offered to look into it. Commissioner Trantalis felt there should be more oversight on the part of the City in general.

School Board's LGBTQ Community Leadership Roundtable

Commissioner Trantalis announced that he will be participating in this roundtable. Commissioner DuBose emphasized the seriousness of the issue.

Sea Level Rise and High Tides

Mayor Seiler announced there will be a walking tour tomorrow evening along the Riverwalk with officials of Congress concerning the matter of sea level rise and high tides. He asked a notice be posted so that more than one member of the Commission may attend.

Church of the Intercession site

At Mayor Seiler's request, Commissioner Trantalis and the City Manager provided a status on the new owner of this site and his desire to work with the City and County (park bond) to enlarge the adjacent park including outstanding issues. Commissioner Trantalis asked the City Manager to determine from the owner the status of acquiring two adjacent lots. Mayor Seiler expressed concerns about development beyond green space expansion.

Natchez Property; Parking Garage

Mayor Seiler raised this issue. A general discussion followed.

OLD/NEW BUSINESS

BUS-2 14-1251 CARLTON B. MOORE MEMORIAL DISCUSSION

Commissioner DuBose highlighted what has occurred with this matter to date and indicated that the family has offered suggestions.

Mayor Seiler opened the floor for public comment.

Forrest Moore, 1761 NW 28 Avenue, noted his father had countless accomplishments. He referenced his father's work in civil rights, redevelopment and economic development. His family is suggesting renaming the Avenue of the Arts to Carlton Bradley Moore Avenue of the Arts and considering naming a park or public facility in his honor. Lastly, they are suggesting an annual event similar to the David Deal event that focuses on education.

Florida Senator Chris Smith commented that Carlton Moore was a district commissioner but he also made great strides in transforming Fort Lauderdale and making District III a vital part of it. He thanked the Commission for memorializing him.

Florida Representative Hazel Rogers said Carlton Moore was a legend. He did great things for Fort Lauderdale and Broward County. She believed people would come from across the country to visit whatever memorial is decided upon. She thanked the Commission for memorializing him.

There was no one else wishing to speak.

Mayor Seiler emphasized that the idea of some form of honor originated with the Commission. He felt that naming a substantial park or a road is significant. Commissioner DuBose supported naming a greenspace after Moore as well as the idea of Carlton B. Moore Avenue of the Arts. Discussion ensued about potential parks in District III wherein Commissioner DuBose indicated it would require some vetting because most of the parks are already named. He felt the street naming could proceed. The Walk of History is an existing educational event that could be named after Moore. Collectively those three things would make an impact. Commissioner Trantalis pointed out that he served with the late commissioner. He agreed with Senator Smith that Carlton Moore impacted the entire community. The northwest quadrant was an afterthought until Moore put it on the map. He felt Moore was deserving of something more permanent and more visible than a street name or park name. He convinced the Commission to put the Building Department in the northwest to jumpstart the area economically therefore it would make sense to name that building after Moore in addition to a street, park or educational program. Mayor Seiler felt that Moore would appreciate what the City is trying to do by naming the Building Department after Economic and Sustainable Development Director Greg Brewton, who has had an incredible career with the City. There are two elementary schools in the area that are not named for a person. One could be renamed, which would tie in the education element. He expected the School Board would be supportive. Commissioner DuBose agreed with Commissioner Trantalis. There have been many good recommendations, but he wanted to rely on the family. Commissioner Trantalis noted that he received a letter from Bernadette Norris-Weeks suggesting the Building Department be named after Moore. Commissioner DuBose thought it would be more appropriate to follow the family's desires. Commissioner Trantalis wanted to recognize Brewton also but was concerned about the timing. Moore was a commissioner for almost two decades. Forrest Moore was receptive to the idea. Mayor Seiler wanted to move forward with a park or a street and an event. He also wanted to look into the school possibility, specifically Sunland Park Elementary School because of its prominent location. Commissioner DuBose wanted to focus on what is within the City's jurisdiction.

There was consensus to move forward with renaming Avenue of the Arts to Carlton Bradley Moore Avenue of the Arts at the October 21 meeting. Additional options will also be explored.

BUS-3 14-0410 CITY-WIDE ECONOMIC DEVELOPMENT STRATEGIC PLAN - PRESENTATION

Community Redevelopment Agency Director Alfred Battle highlighted the chronology of this matter and introduced Willdan Financial Services who was selected by the City for development of this plan.

James Edison, managing principal with Willdan Financial Services, reviewed slides related to this matter. A copy of the slides is attached to these minutes.

Molly McKay, principal with Willdan Financial Services, continued review of the slides, starting with the economic benchmarking results.

In response to Commissioner Trantalis, McKay explained the proposed concept is two tiered. One program is for second-stage companies that are already operational and trying to take a product to market. They need technical assistance, for example, to set up a website and for marketing. It primarily has to do with businesses that are selling a product such as a cupcake baker who started out with a food truck and would now be transitioning to a building. Commissioner Trantalis questioned how the City would help a business in an unfamiliar industry. McKay advised that Willdan recommends a business incubation program manager be hired. The City Manager added that this is about developing a more sophisticated business plan. These businesses need someone to help them put together presentations for bank financing, find the right piece of real estate and determine what zoning they need. The City could

coach, mentor and facilitate businesses that have never done these things before. There are great examples of this entrepreneurial gardening across the country.

Vice-Mayor Rogers said there is a group in the River House that is offering incubation assistance. It is not useful to impose retail use on the first floor of a development when it remains vacant. He wanted to incentivize new apartment spaces to be occupied quicker and avoid requests to change the use in a few months after construction is complete. The City could incentivize an existing business to open a second location in such a space. McKay advised that the business accelerator space is to be determined. It is proposed as a single City-operated location. The City Manager said that South Side School was examined but it does not meet the grant criteria. The Commission will discuss on October 21 what City assets are underutilized that could be converted into an industry-specific space. A lot of residential/commercial construction is occurring in the city. There are City-owned parcels that may be suitable for this type of activity.

McKay agreed to follow up with providing additional case studies from other communities for the Commission's review. She explained for Commissioner Trantalis how the nine comparable cities were selected. Mayor Seiler believed that Fort Lauderdale is competing with all of these cities. McKay added that the International Economic Development Council's annual meeting is coming up in Fort Worth. Texas was not hit as hard by the recession and recovery has been faster. The City Manager added that Texas also funnels a quarter of 1 percent of sales tax directly to municipalities for economic development. It has probably the most structured financial economic development program of any state.

Commissioner Trantalis pointed out that the study determined that 31 percent of the City's population is below the poverty line. McKay believed the national average is in the high teens. Commissioner Trantalis felt that is a challenge. McKay said the majority of the economic development initiatives involve job creation or to lift people out of poverty into the middle class. Commissioner Trantalis encouraged Willdan to rely on market forces rather than government subsidies. McKay indicated that is the intent.

Commissioner Roberts pointed out a discrepancy on the poverty level in the data presented. McKay confirmed that \$24,999 is income of any household of up to four which is 31 percent in Fort Lauderdale according to a third party data source used by Willdan that she quoted. It was meant to be a rough approximation. The figure of \$23,400 was used in polling the cities in the infographic. There is not much difference between the two income levels. It is very old data that will be updated in December as a result of the census and the American Community Survey. A huge population is between \$23,000 and \$24,999 per year. She offered to make the clarification. Commissioner Roberts thought the data should be better explained.

Discussion ensued concerning the citywide marketing and branding campaign recommended for a healthy business environment. In response to Commissioner Trantalis, McKay explained as neighborhood transform over time, the City needs to market them. Willdan is talking about micro-level marketing opportunities. One example would be an urban culture curator in partnership with Florida Atlantic University. With all of the points connecting, the intention is to improve the City's sense of place which is urban planning. Vice-Mayor Rogers noted the City's two major industries, marine and tourism. He wanted to identify and know how to go about marketing the third leg of the stool. McKay advised that would be fleshed out in the detailed programmatic design of their recommendations. The intent today is to unveil the initiatives. The City Manager noted that over the past five or six years, Fort Lauderdale's brand has co-opted into the County's brand. There may be a need to preserve Fort Lauderdale's unique brand and distinguish it from other cities in the county. Commissioner Trantalis pointed out in a city like San Francisco, there is no single brand; it is a feeling. McKay confirmed the idea is to incubate pockets of innovation so that Fort Lauderdale becomes the place to go for growth and enrichment. Fort Lauderdale is a place of authentic, unique experiences and urban villages that are beginning to emerge organically.

With low-cost social media or other marketing, the City would be able to better leverage this. These areas will be identifiable and have a sense of place. For example, it is not just Fort Lauderdale; it is Fat Village and only Fort Lauderdale has Fat Village. There are case studies around the country. Commissioner DuBose pointed out that Fort Lauderdale benefits from being identified as the greater Fort Lauderdale area. It is more enhancement than rebranding. McKay agreed and mentioned one enhancement is simple signage and wayfinding. Commissioner Roberts did not think the City should limit itself to a particular brand. McKay agreed. Mayor Seiler emphasized the need for parking and traffic flow to be addressed and McKay indicated one of Willdan's recommended initiatives is to conduct a sub-area level parking assessment.

Mayor Seiler suggested and there was consensus to schedule a workshop for noon to 1:30 p.m. on December 2, 2014.

Battle noted that while Wildan is in town they will present to the Economic Development Advisory Board, the Greater Fort Lauderdale Chamber of Commerce, Business First Committee and others. He agreed to compile feedback for the December 2 workshop.

Mayor Seiler opened the floor for public comment.

Mason Jackson, representing Greater Fort Lauderdale Alliance and Career Source Broward, appreciated being interviewed for input in development of this plan. The City's streamlined development review process for high-impact targeted industry businesses is an example of a business-friendly practice. He thanked the Commission for its support of the Alliance's platinum permitting initiative. He outlined the criteria for a platinum city and read testimonials from some business representatives. The testimonials prove that Fort Lauderdale is interested in saving businesses energy, time and money which ultimately means more jobs.

Dan Lindblade, representing Greater Fort Lauderdale Chamber of Commerce, recalled the history around this matter including the recession and the Business First model. There are some items in this plan that need more fine-tuning. He believed that as investors, the Commission should determine what the return will be. The City cannot abdicate marketing responsibility to the Greater Fort Lauderdale Alliance or Convention and Visitors Bureau, which are countywide entities. He felt the Commission and staff should go on domestic trade missions. He liked the concept of a three-legged stool. He felt the third leg is real estate. The targeted industries that are beginning to get more traction will benefit from the incubation program. The Chamber is 100 percent supportive of many of the plan's tenets and thinks more could be added to it. Attention needs to be given to importing and exporting. He provided a summary of findings from the Business First initiative.

Fred Carlson, representing Central Beach Alliance (CBA), drew attention to a recent CBA meeting about density and low-rent housing in the area of Sunrise Lane, North Beach Village and further south. Adding more traffic will create a negative experience. He questioned why streetscape improvements were not included in the plan. The improvements are needed. The CBA worked for years on the Bahia Mar issue and nothing has come of it. They can provide assistance to the City if recognized.

Charles King, 105 North Victoria Park Road, questioned the expense for the report. He offered reasons why he thinks people are attracted to Fort Lauderdale. He suggested phasing in a residency requirement for City employees. Local public schools are terrible therefore people have to pay for private schools. He encouraged the Commission to get involved with the issue of schools.

There was no one else wishing to speak.

More discussion ensued about income levels. McKay agreed to send raw data and an interpretation including prime workforce age group and retirement population. Commissioner Roberts wanted to meet with Willdan or Battle individually before the workshop. Commissioner Trantalis wanted to see evidence that there is a need for workforce housing.

CONFERENCE REPORTS

CF-1 14-1208 BRIDGE NEAR 2761 NE 55 STREET (NO. 865709) - EMERGENCY DECLARATION FOR REPAIRS

There was no discussion other than to commend staff on the excellent communication to residents.

CF-2 14-1209 SOUTH SIDE SCHOOL UPDATE

Commissioner Trantalis was concerned about the two-month delay specifically having to do with the Synalovski Romanik Saye, LLS design services contract. He felt it is unacceptable. Assistant City Manager Susanne Torriente said she, too, is dissatisfied. There is no good reason for the delay. There is a project manager. Public Works is overseeing it. Mayor Seiler requested an explanation. Commissioner Trantalis said the Commission has repeatedly made this project a priority. It is good for the City to attend conventions and participate in programs, but the basics are not getting done. He went on to comment on the problems with the street microsurfacing project. Torriente noted some changes in the project management of South Side School may be needed. Vice-Mayor Rogers also wanted to resolve the sidewalk issue. Mayor Seiler requested a written update as to why the delay occurred.

CF-3 14-1188 CENTRAL BEACH MASTER PLAN PUBLIC IMPROVEMENT PROJECT UPDATES - BEACH REPORT

The City Manager advised that a discussion on the potential for redesign of the Aquatic Center is planned with the Beach Redevelopment Advisory Board (BRAB) on October 20. In response to Mayor Seiler, the City Manager advised that there is a cost associated with swapping the originally-planned pool locations. USA Swimming has now said they do not prefer the pools to be at the same level, so that issue must be reconciled. Mayor Seiler pointed out that two pools and a dive well are somewhat rare and attractive to organizations for events. He advocated for moving the dive well to the front, which creates a more attractive frontage onto Seabreeze. Diving could attract the public. He wanted to swap the two pools and determine pricing. The City Manager agreed that USA Swimming would not likely object to any configuration. Commissioner Roberts pointed out that the City continues to receive mixed signals about the dive well.

In response to Vice-Mayor Rogers, the City Manager pointed out that Recreation, Design & Construction (RDC) has advised in a letter (Exhibit 5) that they may make a claim for unnecessary delays and associated increased construction costs. Mayor Seiler felt that RDC should hold some responsibility in the diving well matter. The City Manager explained there was some concern about the developer's fee, which was slightly higher than industry standard. There is a certain amount of risk involved in this project and this matter is the definition of risk. Vice-Mayor Rogers pointed out that the City has the ultimate say on whether to proceed. A guaranteed maximum price has not yet been identified. The City Manager agreed and indicated that the guaranteed price cannot exceed the prices in the contract unless authorized by change order. Vice-Mayor Rogers did not want it to be added to the guaranteed maximum price. Both the City Manager and Mayor Seiler indicated they did not believe that is possible.

Commissioner Trantalis expressed concern about a plan to reduce the number of travel lanes on Las

Olas Boulevard in order to increase sidewalk width. He has spoken with two members of the Beach Redevelopment Board and they do not recall this being discussed. Mayor Seiler agreed it would create more traffic congestion east of the bridge. Consultant Paul Kissinger of EDSA said this was analyzed. He outlined available options. The curbs could be eliminated and the pavement would be flush with barriers as necessary. It is a common practice. He described a three-lane option which is supported by the traffic counts. Commissioner Trantalis felt that parking garages would provide some relief. Kissinger agreed. However, Florida Department of Transportation traffic data supports narrowing Las Olas Boulevard to make it more pedestrian friendly, which is a goal of the City's master plan. The north side sidewalk is 8 feet, which makes it difficult for two people to cross. Mayor Seiler was opposed to reducing Las Olas Boulevard to one lane. Commissioner Trantalis noted there will always be motorists who want to cruise State Road A1A which causes traffic in that area.

Economic Development Administrator Don Morris confirmed for Commissioner Trantalis that the D.C. Alexander Park conceptual design should be complete and presented at the October 20 joint meeting of the Beach Redevelopment Advisory Board (BRAB) and Parks, Recreation and Beaches Advisory Board. Mayor Seiler referred to the BRAB's position on the Oceanside lot should be open space free of parking and indicated this should also be discussed by the Commission. This along with D.C. Alexander Park may be overkill. He did not want to give up parking. The City Manager believed the BRAB was trying to give guidance to EDSA. The original master plan contemplated this corner to be open public space, a parking garage or some combination of the two. At some point the Commission and the BRAB need to meet. There are differing ideas for properties on the beach. Mayor Seiler felt the BRAB is focused on economic activity. However, there is a quality of life element that cannot be overrun. The City Manager advised that the prime directive to EDSA is no net parking loss. With respect to the open spaces, Kissinger commented that there are some redevelopment options but those are secondary to quality of life issues. They also are trying to work in conjunction with the City's Fast Forward Fort Lauderdale long-term vision plan.

There was consensus to hold a joint workshop with BRAB on October 27. The City Manager will determine a venue. Kissinger noted the need to look at the wish list of projects and make decisions. EDSA would like to bring that together for the City.

Mayor Seiler opened the floor for public comment.

Shirley Smith, 1 Las Olas Circle, said 5 Street should be two-way. The area is dark. She did not think a lot of improvements are needed; there is natural beauty. She suggested funds be used for an event room at the International Swimming Hall of Fame. She suggested a diving pool at D.C. Alexander Park. She questioned problems with the pool at the Aquatic Center has not been repaired. She pointed out that people do not use parking at the Aquatic Center and she did not think a garage would be utilized. She thought perhaps the City could get the Hall of Fame organization to come back. She wanted the Hall of Fame to be enhanced with perhaps a pool in the front, but not a high-rise.

Mayor Seiler explained that the Hall of Fame is leaving because of economic issues. It has nothing to do with the design of the Aquatic Center or the pool. If Community Redevelopment Agency (CRA) funds are used, a return on investment must be shown.

Jack Newton, 1 Las Olas Circle, agreed with Mayor Seiler that closing a lane of Las Olas Boulevard would cause serious problems. The Oceanside parking lot is attractive and generates about \$1.5 million in annual revenue. If it is reduced revenue of \$125,000 per row annually would be forfeited. The cost of a parking garage is about \$10 million. One parking garage on the north side of the bridge would serve the marina beautifully and leave the south side of the bridge open for boat show staging. He suggested there be citizen input as a project is being designed. Perhaps the Central Beach Alliance (CBA) could

designate one representative.

Mayor Seiler explained this is the role of the Commission and the four districts. The City Manager indicated that every step of the project is going through the Beach Redevelopment Advisory Board (BRAB) in a very public and transparent process. Commissioner Roberts noted that the process has not even reached 15 percent. The City will reach out to the community to encourage public participation at the October 27 joint advisory board meeting. The project is not even at 15 percent design yet.

There was no one else wishing to speak.

Kissinger clarified that EDSA spent hundreds of hours in analysis and reconnaissance which was provided in a report that was presented to the BRAB. It is available to the public. That was the basis of assumptions as they entered the design phase. The presentation on October 27 will cover 15 percent conceptual design. It was the basis for moving into the design phase. A progress report was provided that could be considered 7.5 percent. There is plenty of time. He hoped to invite the entire community because it is a citywide resource.

CF-4 14-1280 REVIEW OF CHARTER OFFICER COMPENSATION

The City Auditor referred to Commission Agenda Memorandum 14-1280, noting that Commissioner DuBose requested additional information about benefits for the charter officers. He also included the two most highly compensated individuals that report to the City Manager and City Attorney to understand any compression issues. Commissioner DuBose said the backup raises more questions. He would like to meet with the charter officers to discuss the matter. The City Auditor agreed to arrange a meeting.

COMMUNITY REDEVELOPMENT AGENCY MEETING

At Commissioner DuBose's request, business on this agenda was deferred to October 21, 2014.

OLD/NEW BUSINESS

BUS-1 14-1170 PARKS AND RECREATION DEPARTMENT - INFORMATIONAL PRESENTATION

Parks and Recreation Director Phil Thornburg reviewed slides related to this matter. A copy of the slides is attached to these minutes. He also presented a video of the City's recreational programs, which was made a part of the record.

BUS-4 14-1270 BROWARD COUNTY TOURIST DEVELOPMENT COUNCIL - APPOINTMENT RECOMMENDATION

There was consensus to recommend Mayor Seiler to the Broward County Board of Commissioners as the appointee.

The City Commission recessed at 5:12 p.m. and reconvened for the executive closed door session, adjourning at the end of the session. The Commission reconvened at 11:49 p.m. to address item MGR-1 in the City Commission meeting room on the first floor of City Hall.

CITY MANAGER REPORTS

MGR-1 14-1281 BEACH PLACE SECURITY UPDATE

The City Manager advised that the Beach Place property has been under the Nuisance Abatement Board's jurisdiction since December 2013. Since January of this year 172 incidents have been reported that required a police response, 88 of which resulted in an arrest. He detailed the breakdown of arrests. There was narcotics activity in August that led to the arrests of two security guards, a kiosk operator and a cook at one of the restaurants. Staff has been in contact with the property owners, who are aware of the City's concerns. They have changed the security company and continue to monitor nuisance abatement issues. They have indicated that they will be hiring a security consultant to conduct an independent analysis of the property and make recommendations. He understood they have retained the consultant but the consultant has not yet begun their analysis. He was unsure when the City would receive the report. The property is subject to the entertainment district license and he has the obligation to monitor the security plan under that license. He believed they are in compliance with that security plan. If the Commission does not believe they are in compliance, the City can request a modified security plan or suspend or revoke the license.

Attorney Colleen Delcasino of Higer, Lichter & Givner, representing Beach Place, thanked the City Manager for working with Beach Place. Beach Place takes these matters very seriously, and eradicating drug use is a priority. The drug use issue is not simple. They are proactively and voluntarily taking steps to improve the situation. They terminated their security firm and retained Allied, a leading security firm in the nation, which has been in place for about two weeks. Additionally, they retained an independent security consultant, Swat, LLC, whose principal is a former New York police officer who served in their narcotics division. She believed Swat has begun their investigation but the report is not finalized. She met with the Police Department today to discuss additional signage to encourage reporting of suspicious activity and discourage it as well.

Commissioner Roberts asked the Marriott has been included in these security discussions. Delcasino advised the Marriott is aware of the issues but has its own independent security. Commissioner Roberts appreciated the willingness to address the problem but was dissatisfied. He wanted off-duty police detail assigned on the premises while the study is being conducted because the City has been dealing with this for some two years and there are still outstanding issues. Vice-Mayor Rogers was concerned about a new security company also not having any accountability. Commissioner Roberts agreed. Off-duty police detail would be helpful in gaining better control and then there could be a transition to a security company.

Commissioner Trantalis felt the problems have gone on for more than two years. Beach Place was supposed to be a family-friendly environment but has turned into a cesspool of anti-social behavior. Beach Place has done nothing to address the problems other than make promises. Off-duty police details should not be necessary. The sister to this property is in Coconut Grove that does not have these problems. Beach Place's answers are totally unacceptable because he does not believe there is a commitment in that the rent is paid by the bars and establishments that are contributing to this type of environment. The community is tired of this. Taking away the 4 a.m. license is not enough. Beach Place's security employees were actually dealing in drugs. Delcasino explained there are weekend off-duty police details by several of the establishments and in the common areas for weekends. Mayor Seiler questioned why it is only for weekends. She believed an agreement was reached with the Police Department because it is a time that it is most necessary. The City Manager explained that after the first round of arrests, the City learned that Beach Place was not complying with the entertainment district requirement to provide 500 hours of security. Beach Place increased the number of hours at that time. The City required additional police officers at that time. There was no specific requirement in the security plan for additional police officers. Beach Place has since advised they cannot financially support this and would return to the original plan of weekend hours.

The City Manager advised that suspending the entertainment district license is more than just the 4 a.m. It also deals with the distance requirement between bars. Either the City or the property owner would have to determine which businesses close. Commissioner Trantalis felt the City has relied on their good faith for too long. He wanted to go forward with suspending the 4 a.m. license. They have caused the consumer experience to decline. There are new businesses that do not think they can survive unless the environment is changed.

Delcasino confirmed for Mayor Seiler that she has been involved with Beach Place since December of 2013. She felt that Beach Place has been most responsive and that the Police Department and Prosecutor's Office would confirm this. In further response, she advised that Beach Place has complied with every recommendation of the Nuisance Abatement Board. Beach Place has done everything that has been asked of them and has volunteered to do more. The off-duty security detail costs \$30,000 per month which is not financially feasible. Commissioner Roberts felt that the nuisance abatement process is not functioning as intended. Although there has been compliance, since it has been under the Nuisance Abatement Board umbrella there have been arrests. It is time to take a different course. Mayor Seiler expressed concerns about having a non-compliant property when the boat show is held. Delcasino reiterated that the property is in compliance. Because investigations are ongoing, Beach Place may not be notified for months at a time that a drug related transaction occurred involving undercover police officers. When she was notified by the Police Department, the security company was terminated. Commissioner Trantalis pointed out that because Beach Place has created an environment by allowing the type of businesses that exist there, which warrants the necessity for such security. It is not just code compliance; it is an environment that has been created. Delcasino explained there must be recommendations that are economically feasible. Commissioner Trantalis felt Beach Place should come up with its own solutions and not attract anti-social clientele to Fort Lauderdale's beach front. Delcasino felt the City is in the business of managing Fort Lauderdale Beach which has a drug problem that is not isolated to Beach Place. The City Manager advised that Beach Place tenants are the source of open container violations. Delcasino believed that Beach Place has been working directly with the City on the open container issue and have taken serious steps to remedy it. The City Manager noted that Beach Place has indicated they may not renew a lease in 2016 but that does not solve the problem now. Delcasino responded to Vice-Mayor Rogers' question as to whether there is an owner onsite, saying that the owner is a real estate conglomerate but there is an on-site property manager. She is dealing with the property manager and the owner's general counsel. Vice-Mayor Rogers found that problematic. General counsel should not be managing a property. The City Manager clarified there is a local property manager. Vice-Mayor Rogers believed that the problems are bigger than just security. It involves the tenant mix. An owner should be on-site; otherwise it will not change. These are Band-Aids and not truly getting it right.

Mayor Seiler wanted to see noticeable changes. He requested a recommendation from the City Manager for action by the Commission. Beach Place is involved in most complaints he received concerning the beach. With total disregard for the open container prohibition, the area in front of Beach Place is treated like a hangout even though it is for vehicles. The City Manager suggested serving notice to Beach Place that if there is not a security plan acceptable to the Commission by November 4, 2014, their license would be suspended on November 5, 2014. Vice-Mayor Rogers suggested Beach Place submit a business plan addressing how to change the environment. There should be dialogue. Commissioner Trantalis noted that if a tenant allows customers to walk off their premises with an open container, that is illegal and therefore a violation of the lease. Mayor Seiler felt that would be addressed in the security plan. Commissioner Trantalis felt if a business allows open containers, the City Manager should have the authority to revoke their license. The City has made repeated requests.

Commissioner DuBose asked what happens if the license is suspended. There could be an economic

impact. He wanted to avoid what happened at Riverfront. The City Manager advised that he has the ability to suspend; the Commission has the ability to revoke. The suspension would outline measures they must take to have the suspension lifted. The suspension would stand until they achieve the established measures in the notice. In addition to losing the license, they would also lose the ability to have alcoholic beverage establishments within 300 feet of each other. A determination of who stays in business would have to be made. He expected the tenants, property owner and City would be in court when that occurs. Tenants will argue that the entertainment district allows open containers within Beach Place. When someone leaves a restaurant within Beach Place, he or she is not violating the law. Mayor Seiler pointed out it is not Beach Place's responsibility. Vice-Mayor Rogers felt that Beach Place should have been enforcing this and not waiting for the City to give them direction. In response to Commissioner DuBose, the City Manager was unsure how the scenario would play out. Commissioner DuBose did not want to send the wrong messages to the general business community. Vice-Mayor Rogers thought it was comparable to any other behavioral issue the City deals with. The tenants should be concerned and working with other responsible tenants to address the problem. Vice-Mayor Rogers felt that tenants from the general business community should also be concerned and being proactive otherwise they are not being responsible. Commissioner DuBose explained his point is that there are multiple variables. He wanted to know details of the various leases and how terms would play out in a potential suspension.

The City Manager indicated that a security plan will need to be submitted in sufficient time for staff review and Commission review on November 4. A date will be provided in the notice. The security consultant should provide recommendations to the City as part of this analysis.

Delcasino confirmed for Mayor Seiler that Beach Place security company provides security for the parking garage shared with the Marriott. The Marriott has expressed concerns to Beach Place. Commissioner Roberts requested Marriott be included in the security plan discussions.

Mayor Seiler opened the floor for public comment.

Dean Bairaktaris, 64 Hendricks Isle, commented that Riverfront has been empty for a period of time. He suggested programs for youth in the downtown so there are more options. Mayor Seiler did not think that is the underlying root of this problem.

Dan Lindblade, representing Greater Fort Lauderdale Chamber of Commerce and Florida Restaurant and Lodging Association, said he would like to work on behalf of those two organizations with the City Manager to address the matter and reach solutions. He felt pressure from the business community including adjacent hoteliers could be helpful.

There was no one else wishing to speak.

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The City Commission adjourned at 12:29 a.m. and reconvened the regular meeting to address item O-1 in the City Commission meeting room on the first floor of City Hall. They reconvened the conference meeting at 1:57 a.m. to address item BD-1 in the City Commission room on the first floor of City Hall.

BOARDS AND COMMITTEES

BD-1 14-1184

**COMMUNICATIONS TO CITY COMMISSION AND MINUTES
CIRCULATED - period ending October 2, 2014**

Beach Redevelopment Advisory Board

Motion made by Vice Chair Lee, seconded by Ms. Scher, that the Board requests a joint City Commission workshop to review Stage II of the Central Beach Master Plan Public Improvement Projects, which is 15% design plans. In a voice vote, the motion passed unanimously.

Addressed in earlier discussion.

Education Advisory Board

The Fort Lauderdale Education Advisory Board supports the \$800 million General Obligation Bond Proposal on the November 4th ballot. We endorse the Broward County Public Schools' plans and trust the School Board and their staff will keep their promises to our local schools and the Fort Lauderdale citizens who use them. In a voice vote, the Motion passed unanimously.

Addressed in earlier discussion.

BD-2 14-1185 BOARD AND COMMITTEE VACANCIES

Please see regular meeting item R-1.

REQUEST FOR CLOSED DOOR SESSION

The City Attorney requested a closed door session for October 21, 2014, regarding *Brandi Lynch and Sean Borden v. City of Fort Lauderdale*.

CITY MANAGER REPORTS

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The City Manager advised he is running for president of the International City/County Management Association for the 2016-2017 term. He is seeking a letter of support from Mayor Seiler. He did not believe it would affect his ability to perform his duties as City Manager. There was consensus support.

There being no other matters to come before the Commission, the meeting adjourned at 2 a.m.