

City of Fort Lauderdale

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



Meeting Minutes

Tuesday, March 20, 2018

1:30 PM

City Commission Conference Room

City Commission Conference Meeting

FORT LAUDERDALE CITY COMMISSION

***DEAN J. TRANTALIS Mayor - Commissioner
HEATHER MORAITIS Commissioner - District I
STEVEN GLASSMAN Commissioner - District II
ROBERT L. McKINZIE Commissioner - District III
BEN SORENSEN Commissioner - District IV***

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

ROLL CALL

Commissioner Heather Moraitis, Commissioner Steven Glassman, Commissioner Robert L. McKinzie, Commissioner Dr. Ben Sorensen and Mayor Dean J. Trantalis

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 Luan Malushi

CALL TO ORDER

Mayor Trantalis called the March 20, 2018 Commission Conference Meeting to order at 2:30 p.m.

No e-comments were submitted for this meeting.

[18-0281](#)

Communications to the City Commission

BOARD OF ADJUSTMENT MEETING FEBRUARY 14, 2018

Communication to the City Commission

Motion made by Chair Reynolds, seconded by Mr. Stresau, to ask the City to provide a written clarification of the new voting policy that required: 1. Passage of a motion "to deny" in order to deny a request (not just the failure of a motion "to approve;" 2. That both a motion "to approve" and a motion "to deny" must have a supermajority in order to pass; 3. To address the situation of when there was no supermajority for an approval and there was no supermajority for a denial. In a voice vote, motion passed unanimously.

Mayor Trantalis recognized Anthony Fajardo, Director of Department of Sustainable Development. Mr. Fajardo explained this communication resulted from a memo from the Office of the City Attorney about how a vote was taken during a Board of Adjustment meeting, explaining votes were always taken in the affirmative. If a motion failed for lack of a supermajority, it was viewed as denied. Mr. Fajardo expounded on what the City Attorney's Office cited as proper procedure. He also confirmed the position of the Board of Adjustment on this issue.

City Attorney Cynthia Everett stated the need for a set of consistent rules and procedures. The Office of the City Attorney sent out a memo on March 14, 2018 recommending adoption of a set of consistent rules and procedures. Commissioner Glassman noted this adds an unnecessary layer which may lead to confusion. Mr. Fajardo agreed this causes confusion and further discussions ensued on this topic.

In response to Mayor Trantalis' question, Mr. Fajardo confirmed the Board of Adjustment is looking for clarification as to how they handle this issue. Mayor Trantalis recognized former Assistant City Attorney Robert Dunckel. Mr. Dunckel restricted his comments to the Board of Adjustment, explaining that these are governed by Zoning Code (Code) and Unified Land Development Regulations (Regulations). An applicant requesting action by the Board of Adjustment (Board) is requesting a waiver or variance to the Code and/or Regulations. As such, all motions are made in the affirmative granting relief requested in the application. This is the manner in which these items have been handled for many years. Mr. Dunckel explained sections of Code 47-24.12.A.3.d, confirming that no changes are necessary. Mayor Trantalis commented about the Board votes on waivers and variances. Commissioner McKinzie concurred with Mr. Dunckel's explanation.

Mr. Fajardo asked for confirmation to continue the status quo regarding Board and Committee votes. Mayor Trantalis recognized Courtney Crush, Esq., representing the applicant Miami 2100 LLC, on this matter before the Board. She explained this was a vote to approve that failed and her firm was retained to file an appeal and/or seek a motion for reconsideration. Ms. Crush explained the position of the Assistant City Attorney present at the Board Meeting stated that because the motion had failed, the item was still pending. A failed action does not constitute any action by the Board. She requested that the application remain pending due to the appeal period being expired and is in the process of returning to the Board as an active application. Further discussions ensued on this matter.

Commissioner Sorensen said that given the interpretation provided in this instance, this particular item remains pending. However, going forward voting down an affirmative is a denial.

OLD/NEW BUSINESS

BUS-1 [18-0305](#)

Broward County Historic Preservation Board 2018 Pioneer Day
Event - Nomination of City of Fort Lauderdale Pioneer

City Manager Feldman explained that the City nominates an individual annually to Broward County to be recognized as a living Pioneer. The current due date for this nomination is March 23, 2018.

Commissioner Glassman explained the history of this item and his work with the Historical Society to nominate a living Pioneer. He commented on the three nominees, William Gundloch, the Honorable Jose Alejandro Gonzalez Jr. and Jean Cheaney Collins. Discussions ensued on the next steps in the procedure.

Mayor Trantalis recognized Mary Fertig. Ms. Fertig stated Mr. Gundloch has been an inspiration to many and actively involved in the community. She confirmed Mr. Gundloch as an outstanding nominee. Commissioner McKinzie recommended in future years, there be a nominee from each District. Commissioner Glassman recommended beginning the process earlier and working in conjunction with the Historical Society. There was a consensus to nominate William Gundloch.

BOARDS AND COMMITTEES

BD-1 [18-0280](#)

Board and Committee Vacancies

Commissioner Glassman appointed Meghan Gilmore to the Community Appearance Board and Mary Fertig to the Planning and Zoning Board.

City Clerk Jeffrey Modarelli noted there is a Planning and Zoning Board Meeting on Wednesday, March 21, 2018. An amendment to tonight's R-1 Resolution, will allow Ms. Fertig to participate. Mayor Trantalis concurred.

City Manager Feldman discussed the appointments of Commission Members to organizations outside the City structure including: Broward League Of Cities; Broward Tourist Development Council (4 Year Term); Central Wastewater Region District Advisory Committee; Florida Municipal Trust (*Florida League Of Cities*); 10 Most Populous (*Florida League Of Cities*); Metropolitan Planning Organization; Downtown Fort Lauderdale Transportation Management Association (TMA); and Risk Management Committee. Mayor Trantalis expounded on details involved in participation. City Manager also explained aspects of the Florida Investment Trust (*Florida League of Cities*) and the 10 Most Populous Cities (*Florida League of Cities*), confirming there is not currently a City of Fort Lauderdale seat.

Mayor Trantalis and Commissioner McKinzie agreed to serve on the

Metropolitan Planning Organization (MPO). Commissioner Glassman and Commissioner Moraitis agreed to serve on the Downtown Fort Lauderdale Transportation Management Association (TMA). In response to Mayor Trantalis, Commissioner Moraitis confirmed she had been appointed by County Commissioner LaMarca to the Broward County Planning Council.

Mayor Trantalis confirmed Commissioner Moraitis would be Director for Florida League of Cities. Commissioner Sorensen will be first alternate and Commissioner Glassman will be second alternate.

Mayor Trantalis confirmed his membership on Florida League of Cities - 10 Most Populous Cities. Appointments to the Florida Investment Trust and the Risk Management Committee will be determined at a later date. Further comments and discussion ensued on additional appointments. Commissioner Sorensen confirmed he will serve on the Continuum of Care Board.

City Clerk Jeffrey Modarelli confirmed that these appointments would be brought before the Commission at the April 3, 2018 Regular Meeting for confirmation.

CITY COMMISSION REPORTS

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

Mayor Trantalis requested each Commission member share their goals for the City.

Commissioner Moraitis confirmed her top priorities for the City are traffic, infrastructure and smart development in addition to focusing on education initiatives on all levels to serve the needs of the community. She expounded on her desire to address education at the municipal level, commenting on her work with schools in District I to address school safety and Active Shooter Training (AST). Commissioner Moraitis also commented on her desire to address homelessness. She recommended a Transportation/Traffic Workshop with all stakeholders to discuss these issues.

In response to Mayor Trantalis' question about the City participating in educational opportunities in the area of trade skills, Commissioner Moraitis confirmed that it should be part of the conversation, i.e., providing high school internships for trade organizations such as pilots, and aviation and marine mechanics. Further comments ensued on this

topic.

Commissioner Glassman discussed issues in District II, including public safety in Middle River Terrace Park, activating the historic Annie Beck House, The Wave and transportation concerns. He recommended the creation of a Transportation Task Force, similar to the Infrastructure Task Force (ITF), noting the ITF has done an outstanding job. Other issues include beautification of neighborhood areas of ingress and egress, beach cleanup and supporting efforts at the state legislative level to raise the legal age for tobacco purchases to 21.

Commissioner Glassman commented on streamlining Conference Meetings and board and committee appointments. Commissioner McKinzie recommended holding a Commission Workshop to address Board and Committee appointments and policy. Commissioner Glassman commented on the need for outreach to the next generation to participate on boards and committees. Mayor Trantalis concurred. In response to Commissioner Moraitis' inquiry as to how board and committee opportunities are communicated, Mayor Trantalis commented on his efforts to communicate these opportunities. Further discussions ensued on criteria for various Boards and Committees. Commissioner Glassman recommended the City meet more often with Broward County School Board.

Commissioner McKinzie confirmed that due to Sunshine Law restrictions, the Commission Reports portion of Conference Meetings allows Commissioners to share information about their Districts. He recommended each new District Commissioner meet with the Charter Offices. Commissioner McKinzie agreed on the need to shorten the length of Commission Meetings. He also concurred with other Commission members about the need to address traffic, infrastructure, development, transportation and the importance of communicating these priorities to the City Manager. An additional priority is the implementation of Commission Workshops to inform new Commission members about processes and priority projects.

Commissioner Sorensen commented on improving the City Commission's relationship and engagement with the Broward County Commission (County Commission). With the Commission's support, he commented about his desire and commitment to engage the County Commission to collaborate in addressing homelessness and real world solutions. Commissioner Sorensen also discussed the need to work with FDOT and the County to address traffic light synchronization, confirming his support of a Transportation Task Force. He confirmed that he will

continue the efforts of Commissioner Rogers for the 17th Street Mobility Plan. He also confirmed that infrastructure is a top priority. Commissioner Sorensen discussed the importance of communicating with District IV neighbors on all priorities. He suggested an online portal listing all neighborhood matters in need of being addressed, their prioritization and current status. This will serve to inform a neighbor who is responsible in addition to allowing the Commission to track priorities to ensure resolutions. Discussions ensued on enhancing the current GIS System to achieve these goals. Commissioner Moraitis concurred.

Commissioner Sorensen discussed development, confirming the importance of the Commission being selective about projects and neighbors being engaged from inception, being part of the planning and compromise discussions. He emphasized the need for transparency and openness on this issue. Commissioner Sorensen recommended a Youth Advisory Committee to serve as a "think tank" for things the City can improve upon. Mayor Trantalis concurred that this idea should be explored. Further comments ensued on reaching out to principals and schools to determine interest in serving on a Youth Advisory Committee. Commissioner McKinzie discussed working with Neighbor Support and Leadership Broward to enable students to receive service hours.

Commissioner Sorensen commented on the need to make City entryways more inviting to include landscaping and signage. Mayor Trantalis concurred, commenting on Dixie Highway signage. Commissioner Glassman recommended engaging the arts community on this topic, including signage, benches and bus stops. Further comments, suggestions and discussions ensued.

In response to Commissioner Sorensen's inquiry, Mayor Trantalis confirmed a Sustainability Advisory Board is in place to address sea level rise and resiliency. Commissioner Sorensen recommended planning Special Commission Meetings for long and involved agenda items. Mayor Trantalis asked members of the Commission to make recommendations as to how to address lengthy Commission Meetings. Commissioner McKinzie discussed legislation limiting Regular Commission Meetings to 10:00 p.m. Should a meeting need to go beyond 10:00 p.m., a Commission vote would be taken. Further comments and discussions ensued on public speakers and scheduling Special Meetings for lengthy agenda items.

Commissioner Sorensen commented on the need to allocate funds for sidewalk improvements and not placing the burden on citizens. Discussions ensued on the \$19,000,000 cost previously discussed.

Commissioner McKinzie requested City Manager Feldman come back to the Commission with funding to address sidewalk issues.

Commissioner Sorensen emphasized that this issue relates to public safety and community enjoyment. He confirmed he would consider bonding as a possible means of funding.

Commissioner Sorensen discussed Sober Homes regulations which will come before the Commission. He also commented on the importance of having strong Charter Offices, confirming the need for collaboration and productivity. Further discussion ensued on the evaluation of Charter Offices.

Mayor Trantalis commented on past efforts to give developers project parameters that would be acceptable to the community, the need for a fresh set of eyes to bring the City forward, City Management and Staff being more proactive. He also commented on the Office of the City Attorney, confirming the need for the best possible performance from Charter Offices. Mayor Trantalis noted future opportunities for the City, commenting on the need for smart development and balanced budgets. He concurred with Commissioner McKinzie's comments to examine these issues and Commissioner Sorensen's statement that the Commission is only as good as its Charter Offices which need to meet the expectations of the community.

Commissioner Sorensen commented on the need for a finite timeline to address these concerns. Mayor Trantalis discussed the terms of City Manager Feldman and City Attorney Everett's employment contracts. He asked for input from the Commission on these matters.

Commissioner Moraitis commented on the benefits of City Manager Feldman being a member of the International City/County Management Association (ICMA). In response to Commissioner Moraitis' inquiry, City Manager Feldman expounded on his service and the benefits of serving as president and board member of ICMA. Further comments and discussions ensued regarding Charter Offices. Each Commissioner commented on their perspective. Commissioner McKinzie discussed his experience relating to budget items. Mayor Trantalis discussed his position.

Mayor Trantalis discussed his position on The Wave, commenting on the need to take advantage of modern technology that best suits the community and a refocus on finances. He discussed a possible Commission intent to reverse its commitment. Commissioner Glassman discussed the need for transparency and proper public notice allowing

citizens the opportunity to be heard. In response to Commissioner Moraitis' request for clarification, Mayor Trantalis said Commission action would be an intent to reverse the Commission's current position on The Wave, sending a message to the County and the State that the City is not comfortable with the current contractual arrangement.

Commissioner Moraitis confirmed her opposition and wishes to move forward. She said that new cost estimates will be available at the end of April 2018, confirming that if cost estimates come in over the 125 percent, there will be a different conversation. Commissioner Moraitis confirmed the need for additional information and a Commission Workshop to review information as a group. Mayor Trantalis expounded on the City's financial obligations regarding undetermined future costs and the need for better technology. He also discussed the possible repurposing of The Wave's federal funding for a different type of mass transit system.

Commissioner McKinzie confirmed that currently he would not reverse his position on The Wave. He expounded on his viewpoint on traffic issues and his support of The Wave. He noted the City's current \$31,000,000 investment, concurring that if the cost estimates come in over the 125 percent threshold, he would not support the project.

Commissioner Glassman commented that change orders for The Wave will adversely impact the City's financial responsibility. Further discussions ensued on taking action on the Commission's intent regarding The Wave. Mayor Trantalis confirmed his position on this matter, recommending a vote at the Commission Regular Meeting scheduled for May 1, 2018, following receipt of The Wave's new cost estimates and the Commission Workshop on The Wave (The Wave Workshop).

Commissioner Moraitis asked City Manager Feldman for a review of Opportunity Zones during the The Wave Workshop. Commissioner Sorensen requested that stakeholders on both sides of the item be included in The Wave Workshop. April 30, 2018 is the tentative date for The Wave Workshop.

In response to Mayor Trantalis' inquiry, City Clerk Jeffrey Modarelli confirmed that the next rotation would appoint District IV Commissioner Sorensen as Vice Mayor at the April 3, 2018 Commission Regular Meeting.

Mayor Trantalis discussed the need to revisit The Gun and Knife Show

License Agreement at War Memorial Auditorium and address the water and sewer impact fee structure for new development. Brief discussions ensued on the Goal Setting Workshop to be scheduled in the first half of May 2018.

City Clerk Jeffrey Modarelli requested confirmation that Board and Committee Appointments would be removed from the Conference Meeting Agenda and will be addressed during Commission Regular Meetings. Mayor Trantalis confirmed.

CITY MANAGER REPORTS

None.

ADJOURNMENT

Mayor Trantalis adjourned the Commission Conference Meeting of March 20, 2018 at 4:54 p.m.