

City of Fort Lauderdale

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



Meeting Minutes - DRAFT

Tuesday, June 17, 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 1:34 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 Bobby B. DuBose

Also Present: City Manager Lee R. Feldman, City Auditor John Herbst, City Clerk Jonda K. Joseph, Assistant 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; Proposed Bond Issue by School Board

Members of the Commission announced recent and upcoming events and matters of interest including the proposed bond issue by the School Board raised by Commissioner DuBose and related discussion.

Bicyclists Overtaking Roadway near 7 Street and Federal Highway

Commissioner Roberts noted that another critical mass bicycle ride is planned. Discussion ensued concerning the ride consuming two traffic lanes, safety and enforcement. This topic was raised at both District I and IV meetings. Vice-Mayor Rogers added that if Fort Lauderdale wants to promote bicycling, there needs to be a conversation about how to do it safely. The president of Riverside Park Residents Association, who also chairs the County's bicycle safety committee, suggested a public meeting at City Hall with staff and police officers. Commissioner Roberts noted it is difficult to identify a member of critical mass to serve as a spokesperson. Mayor Seiler said appreciates the share the road concept, but those who ignore traffic signals are dominating the roadway and creating a safety hazard. Other cities have experienced this issue. He would like to look into best practices. There seems to be a backlash against motorists as far as sharing the road. Vice-Mayor Rogers felt it is important that the City convey a consistent message. Commissioner DuBose offered to bring up the topic at the Broward League of Cities. The City Manager will follow up.

Smoking on the Beach

Commissioner Trantalis suggested identifying non-smoking areas on the beach. Commissioner Roberts added that it is also a litter issue. The City Attorney believed the State has pre-empted municipalities' but she agreed to look into it. Other cities in Florida have implemented non-smoking areas but they may not be permitted by State statute.

Questions from Telephone Town Hall Meeting

Commissioner DuBose requested a summary of questions submitted at his June 9 Telephone Town Hall Meeting that were not addressed.

Household Hazardous Waste Collection Event at Mills Pond Park

Commissioner DuBose and Commissioner Roberts received complaints about the hazardous waste collection event at Mills Pond Park. The City Manager offered to provide a report.

Trash and Recycle Service; Riverland

Commissioner DuBose advised that the trash and recycle service is late in the Riverland area. Commissioner Roberts indicated complaints he received have to do with damaged containers.

Woman's Club Property at Stranahan Park

Commissioner Rogers pointed out that an incident occurred at Stranahan Park. The Woman's Club has requested the park gate be locked at night. The City Manager noted that starting last night that is being done. Commissioner Roberts requested a crime reduction assessment.

Process Improvements

Commissioner Rogers requested reports on the savings and effectiveness of process improvements.

Sun Trolley Uptown Link

Mayor Seiler noted that there is some confusion with the Tri-Rail commuter shuttle service. Commissioner Roberts advised that it is being worked on.

Billboard Near Fort Lauderdale Hollywood International Airport

Mayor Seiler indicated that he has received several complaints about the health care advertisement on a billboard near the airport depicting a large condom. He supports such campaigns when they are in good taste. He suggested trying to work out a compromise with the AIDS Healthcare Foundation (AHF) which placed the advertisement. Commissioner Trantalis agreed to speak with the AHF.

CONFERENCE REPORTS

CF-1 14-0803 PROPOSED LIEN SETTLEMENTS (SPECIAL MAGISTRATE & CODE ENFORCEMENT BOARD CASES)

No discussion.

OLD/NEW BUSINESS

BUS-1 14-0680 FLORIDA ATLANTIC UNIVERSITY SCHOOL OF ARCHITECTURE
METROPOLITAN STUDIO - REDEVELOPMENT PROPOSAL - 221
SISTRUNK BOULEVARD

Deferred to July 1, 2014.

Skateboard Park

In response to Mayor Seiler, the City Manager said staff is looking into a skateboard park on the south side of Sistrunk Park behind Fat Village. It presents an opportunity to continue the success of Fat Village

and Flagler Village to the west, helping activate Sistrunk Boulevard. Mayor Seiler thought this area would be ideal for a skateboard park. Discussion followed concerning site selection. Commissioner DuBose felt that the community should have an opportunity to weigh in. There was consensus that this item will be scheduled for public comment.

BUS-2 14-0806 AQUATIC COMPLEX RENOVATION UPDATE

The City Manager explained that because the International Swimming Hall of Fame (ISHOF) will not be using any space, there is an opportunity to relocate the City office space to a lower level and use the entire fifth floor as a banquet area. There also are options that would prepare the facility for future occupancy and cost saving options related to the removable floor.

Assistant Director of Public Works Talal Abi-Karam responded to Commissioner Trantalis' questions, indicating the expanded banquet area would be about 5,400 square feet and the entire fifth floor versus the old layout, which was about 3,700 square feet. It includes a warming kitchen but no cooking facility. He believed the ceilings are 12 feet. The current space is 2,500 square feet. Both Mayor Seiler and Commissioner Trantalis felt the second and third floor area where ISHOF was previously to occupy would be a preferable banquet area. The City Manager explained that height is needed for a diver training facility. Abi-Karam explained that the ISHOF area is proposed to be divided into two spaces: one would remain two-story and could be leased and the other would be an indoor, dry-land facility (diver training). The original plan did not include a dry-land diver training facility. The City Manager added that the original plan called for ISHOF to occupy the second and third floors.

Commissioner Trantalis commented that banquet facilities in long rooms with low ceilings are uncomfortable space. It is difficult to see and hear. Joe Cerrone of Recreation, Design & Construction (RDC) explained that there is floor-to-ceiling glass with balconies on the east and west sides of the fifth story. Commissioner Trantalis noted that there is a banquet facility at the old world fairgrounds in New York City that is similar to what is proposed here. The feel of the space is somewhat confining. Cerrone noted there is a better view from the fifth floor in comparison with the second floor. Mayor Seiler was satisfied that the floor to ceiling glass would make a difference.

In response to Mayor Seiler's question of why the office space is being moved, Laura Voet, Aquatic Complex Manager, noted that the pool deck will be on the fourth floor and explained access to the pool deck or main entrance on the first floor would be easier from the third floor versus the fifth floor. Moreover there could be a larger banquet facility if the City offices are elsewhere.

Commissioner Roberts believed the dry-land training facility would enhance the City's ability to attract high-caliber diving competitions. In response to Commissioner Roberts, Abi-Karam confirmed that extra costs for additions to the original plan would total \$2.1 million. The removable floor component is about \$717,000. There are additional savings that can also be realized outlined in RDC's letter of June 5, 2014 (Exhibit 1).

The City Manager commented that when the City was first approached by the diving team about a dry-land training facility, there was an expectation that the City would provide the space and they would build it. It has become clear that they cannot assume that financial burden. They may be able to afford equipment. Design and finishing the space will cost about \$1 million that was not originally planned. Vice-Mayor Rogers did not think the removable floor is necessary and would be a wash since it would cost about \$900,000. He believed the dry-land training facility is important. The City Manager added that he is reluctant to bring forward any changes in scope. There are changes that have come up but he plans to wait until the project is complete. However these items cannot be delayed. Commissioner Roberts

commented he would like to add a therapeutic pool that could be marketed, but understood it is something to consider in the future.

There was consensus to keep the banquet facility on the fifth floor with floor-to-ceiling glass and City offices on the third floor.

Mayor Seiler questioned whether the issue related to the dive platform has been resolved. The City Manager advised that it has been resolved in that the City has a letter from USA Diving to that effect. Commissioner Trantalis noted that the letter was vague in reference to the dive platform. It noted that the wind would be deflected by the building. The City Manager explained that USA Diving was asked to provide documentation that the wind would not be an issue, which is why the letter commented on the wind.

Voet confirmed for Commissioner Trantalis that the current pool is 25 yards by 20 yards. The new dimensions would be 25 meters by 25 yards. They would prefer 25 meters by 25 meters, but there is not adequate space. They are satisfied with the 25 meters by 25 yards. All standard platform levels required will be available. There will be no stacking of diving platforms. There will be three, three meters and two, one meters. The dive tower was redesigned into a wide block design that will mitigate wind concerns. USA Diving has to certify the pool. They felt that with the modifications, the wind issues were resolved. There could be occasions when it would be too windy to use the platform. They compared it to the dive tower in Barcelona where the world championships were just held and the 1992 Olympics took place. Cerrone added that this matter has been reviewed extensively. RDC officials met with Olympic diving coach Ron O'Brien, who understands and agrees with it.

As to the shortage, the City Manager said he expects additional savings will be identified as the project goes forward.

Mayor Seiler opened the floor for public comment.

Abby Laughlin, representing the Central Beach Alliance, questioned whether there is a firm commitment from the dry-land diving organization. Voet confirmed that USA Diving is committed to the facility. With a dry-land training facility, there will be funding from the United States Olympic Committee. She elaborated on the interest and options concerning use of such a training facility. Laughlin suggested it could be a shared space for community wellness activities.

L.F. Rosenthal, 1237 NW 4 Avenue, encouraged the Commission to not be cheap with this project. There are several costly items that may be necessary in addition to the current proposal. He commented on design mistakes he believed were made by Miami Beach for their banquet space. This facility has the potential to generate tourism dollars. It behooves the City to authorize this facility as it is an investment in the future.

There was no one else wishing to speak.

BUS-3 14-0774 FLORIDA-FRIENDLY LANDSCAPING™ TO SUSTAIN CITY'S LONG-TERM WATER SUPPLY

City Forester Gene Dempsey presented slides related to this matter. A copy of the slides is attached to these minutes. Some discussion followed as to stormwater runoff and retention areas and use of Florida Friendly landscaping to enhance the process overall.

Commissioner Trantalis questioned why tree species other than oak are not specified for new developments on major corridors. He pointed out the beauty of a corridor of Jacaranda or Yellow Tabebuia, for example. The City Manager explained that the City Forester is not involved in plans review. He felt Commissioner Trantalis' point was valid and agreed to provide a response as to how plants are selected for new development.

Some discussion ensued about species being pest-resistant. Dempsey mentioned that the native species are not necessarily immune to disease but diversity will make landscaping more resilient.

In response to Commissioner Roberts, Dempsey advised that the City's ordinance addresses where a certain type of landscaping material should be planted which would include power lines and follow the principle of Right Plant, Right Place (Slide18).

Mayor Seiler suggested a public meeting be held to gain input from the private sector landscapers.

Commissioner Roberts felt that people will want to comply if it is not too expensive. Dempsey indicated that Florida Friendly is a principle followed for the City's park system and in most cases it is the most economical. In response to Commissioner Trantalis, Dempsey indicated that information will be available on the newly designed website.

Mayor Seiler opened the floor for public comment.

Laura Croscenco, representing Middle River Terrace Neighborhood Association, suggested consideration be given to incorporating trees that are fragrant.

There was no one else wishing to speak.

BUS-4 14-0814 LEGAL PUBLICATIONS AND ONLINE RESEARCH SERVICES FOR CITY ATTORNEY'S OFFICE

The City Attorney advised that there is a State contract for both West Law and Lexis Nexis. West Law that is on the State contract is not the same service that the City Attorney's Office has had for several years. Using the State contract, West Law is less expensive. The concern is that it is not the premier service that the City Attorney's Office has been using. Additionally the State contract expires in August. Local governments are paying an automatic annual increase and some are paying more than the 4 percent negotiated for Fort Lauderdale. The price by user is less than some other local governments and some other departments in the City. The City Attorney's Office brings in a significant amount of revenue and in that context, this amount is reasonable. Mayor Seiler asked for the pricing per user. Assistant City Attorney Alan Boileau advised that for West Law, the rate negotiated would be \$2,184 per month or \$198 per user unlimited. Databases that have not had significant use during the past year were eliminated. In response to Vice-Mayor Rogers, Boileau indicated that there are contracts for a limited number of users in Human Resources, Police and Building. If combined, the total amount would be higher. The City Attorney advised that the contract for West Law in the Police Department was not done under the auspices of the City Attorney's Office. Vice-Mayor Rogers wanted to combine resources and reap some cost benefit. The City Manager advised that the Police Department's contract for West Law services is paid from the Forfeiture Fund (Law Enforcement Trust Fund). Director of Human Resources Averill Dorsett indicated that the Human Resources contract began in 2005 or 2006 and there was also one for the Professional Standards Office. She uses it for legal research on labor and employment matters. Boileau indicated that there are two separate databases in terms of the State and otherwise. With litigation now being in house, there is additional research needed. Vice-Mayor Rogers was concerned

that he has a contract for 11 attorneys and the cost is half. Mayor Seiler believed the per-attorney rate is high. Boileau indicated that it has been negotiated down. There has been practical use of both and staff believes West Law is a better value. If a statute is annotated, West Law will provide a concise subject matter menu. Lexis Nexis will provide the same results, but there is a significant amount more research required. The difference in price is about \$500 per month. The efficiency achieved in terms of time with West Law is worth that cost.

Commissioner Roberts felt that the contracts for Human Resources and Police should be consolidated with the City Attorney's Office for one contract.

The City Auditor advised that from a procurement perspective, the Commission needs to make the determination that this is a proprietary purchase. He explained the procurement process. In speaking with staff, he understood that there are unique aspects to West Law that Lexis Nexis does not have with respect to municipal law. If that is the case, this would be a justification for proprietary. The City Attorney indicated that this is the same product that has been proprietary for the last three times it has been before this Commission and the City Auditor. It is a sole source. It is unique. She was comfortable with the procurement requirements. Boileau offered to provide a publication that provides sole sources for West Law. At the very basic level, both provide statutory and case law throughout the United States, but a lot of it ends there. In response to Vice-Mayor Rogers' question about the proprietary McQuillin product, Boileau indicated that there is another vendor but McQuillin is known to be the premier and most respected. It is difficult to say how often the attorneys would use it. It has been important to them.

Mayor Seiler believed the product is proprietary and this is the best source. He agreed with Commissioner Roberts concerning consolidation into one contract. In response to the City Manager, Boileau noted the pricing threshold is 1 to 9 with 10 to 20 users. It was concluded that the 20 threshold would not be exceeded by consolidating the contracts.

BUS-5 14-0601 ENVIRONMENTAL SUSTAINABLE MANAGEMENT SYSTEM (ESMS) UPDATE

Assistant City Manager Susanne Torriente reviewed slides related to this matter. A copy of the slides is attached to these minutes.

In response to Vice-Mayor Rogers, Torriente indicated that efficiencies will be measured. Director of Transportation and Mobility Diana Alarcon said there is a checklist of measurements that will be audited. It is about continual improvement so once achieved, they will look at the next step. Torriente elaborated on staff involvement and how it will be implemented. Commissioner Roberts observed that this will bring focus to safety issues. In response to Commissioner Roberts, Torriente indicated that the airport is the next project. She went on to elaborate on future plans including a train the trainer approach. The City Manager indicated that one of his long-term goals is to have the water, sewer and stormwater systems 14001 certified.

BUS-6 14-0750 TEN MOST POPULOUS CITIES SEAT - RECOMMENDATION TO FLORIDA LEAGUE OF CITIES

Mayor Seiler commented that he has served in the past and would be happy to continue serving unless someone else would like to do so. There was consensus that Mayor Seiler would continue as the City's representative.

BUS-7 14-0781 CITY ATTORNEY ANNUAL PERFORMANCE REVIEW AND MERIT

ADJUSTMENT

Mayor Seiler opened the floor for public comment.

L.F. Rosenthal, 1237 NW 4 Avenue, advocated for the need to pay a decent salary to legal staff. He supported a minimum of 3 percent merit increase.

There was no one else wishing to speak.

Mayor Seiler said that overall he is pleased with the City Attorney's performance. She has done everything the Commission has asked her to do. He would like to see her continue serving the City long after this Commission reaches its term limits. His only request is that matters move a little quicker in terms of responsiveness. He recommended a 3 percent merit increase afforded to other charter officers. The City is paying for a life insurance policy that she does not need and would prefer another insurance policy for the same cost. He also suggested the Commission look long-term at other adjustments in terms of her being a charter officer.

Commissioner Roberts agreed with Mayor Seiler as to her performance and request for matters to move a little quicker. He was encouraged by her work on extreme code cases and the new hires in this field. He would appreciate a spreadsheet showing the status of legal matters. He also agreed with Mayor Seiler concerning the merit increase and insurance. He was open to more discussion concerning the total compensation package.

Commissioner Trantalis indicated that he concurs with what has been said and agrees with the recommendation.

Vice Mayor Rogers applauded her on the new hires. He was pleased with her results. He also commented on responsiveness and indicated in his business, the goal is a 10-day turnaround. He stressed the importance of management separate from being a good attorney. He concurred with comments of the others.

With respect to responsiveness, Commissioner DuBose commented that sometimes it has to do with departmental coordination. He felt she is doing a good job and he supported the merit increase. Concerning the total compensation package, he drew attention to the differential between the City Manager and City Attorney. He wanted to know when it would be addressed. Commissioner Roberts indicated his preference would be before the proposed budget is finalized. He went on to recap what was done when the 401 deferred compensation retirement benefit was addressed. The settlement included changing the pay steps and that going forward new employees would receive 9 percent, but thought was not given in terms of charter officers. He recalled it was agreed that the city manager would be the top-paid charter officer. Commissioner DuBose indicated that he did not agree with that point; a statement was simply made at the time. Commissioner Trantalis commented that the issue is whether the City Manager's or City Attorney's compensation package would be used if the City Manager had to leave the City's employ. Mayor Seiler did not have a problem making some adjustment, but would not be in the position to say that the City Attorney will be paid what the City Manager is paid.

Mayor Seiler concluded that there is consensus agreement on the merit increase and insurance benefit. The City Attorney agreed to look into the insurance issue by July 1 if possible, but otherwise after the summer break. Mayor Seiler asked it be done simultaneously if possible.

BOARDS AND COMMITTEES**BD-1 14-0763 COMMUNICATIONS TO CITY COMMISSION AND MINUTES
CIRCULATED - period ending June 12, 2014**Marine Advisory Board

Motion made by Mr. Dean, seconded by Mr. Ross, that after lengthy deliberation and unanimous consent, the Marine Advisory Board wishes to convey its concern over the impact of the encroachment into the New River of the planned extension of the Riverwalk as part of the proposed Las Olas Yacht Club development. As this is a working river used by recreational vessels, the MAB fears for the safety for the public in navigating this area. Attached are Exhibit A, four photos, and 11 letters of concern. In a roll call vote, the motion passed 14-0.

Mayor Seiler was concerned that this was not raised before now. Commissioner Trantalis provided some history on the project when it was proposed and he was first a commissioner. This option was never suggested. The City Manager advised that the easements recently approved by the Commission do not permit boat docking on the east for both the Icon (now named Las Olas Yacht Club) or Stranahan House.

Mayor Seiler opened the floor for public comment.

Eugenia Ellis, representing Riverwalk Fort Lauderdale Trust, said this formally came to her attention yesterday. The Trust's role is to build a pedestrian walkway with pedestrian transportation grants to complete the Riverwalk. She understood that both Stranahan House and Las Olas Yacht Club have agreed there would not be any docking. Riverwalk would be adding 20 feet of dockage from Laura Ward Park to connect to the existing Riverwalk.

John Ropes, Downtown Development Authority Chair, said it has taken 27 years to get to this point of completing the Riverwalk behind Hyde Market. It is now funded through a Downtown Development Authority grant, the City and Las Olas Yacht Club. The riparian rights have also been addressed. The project has been designed and is now in the permit stage. He was concerned that objections were registered directly with the U.S. Army Corps of Engineers and the U.S. Coast Guard without any communication with the City or Downtown Development Authority. It will not impact boat traffic. It is the widest area of the New River. He disagreed with the Marine Advisory Board's position on how it is used. Commissioner Trantalis asked about redirecting the Riverwalk path around the Stranahan House. Ropes indicated that it was closely examined, but thought not to be an option. There would be no indication that it was Riverwalk. Both Commissioner Trantalis and Mayor Seiler were concerned about interference with navigation of the river and jeopardizing the marine industry. Vice-Mayor Rogers felt the Corps of Engineers should make the decision. It is one of the widest parts of the river. It would not have gone this far if there was concern that the Corps of Engineers would not bless it.

Philip Demers, Lady Lucille Yacht, indicated that he is a boat captain for the dinner boats along the river. Riverwalk Magazine shows the walkway following the existing seawall. The permit application shows a dock extending 30 feet into the river with boat slips outside of the dock. Chris Wren, CEO of Downtown Development Authority, advised the plan is a 20-foot walkway; there are no docks. Demers believed that the permit application shows five boat slips.

Mayor Seiler asked for the interested parties meet and review the plans. He asked that Assistant City Attorney Bob Dunckel be included. Wren agreed to arrange the meeting as quickly as possible. If it is not resolved, he will apprise the City.

The City Commission convened the Executive Closed Door Session at 5:03 p.m. and reconvened at 9 p.m. to address Item BD-1 in the City Commission meeting room on the first floor of City Hall.

EXECUTIVE CLOSED DOOR SESSION

14-0808 THE CITY COMMISSION WILL MEET PRIVATELY PURSUANT TO FLORIDA STATUTE 286.011(8) CONCERNING ALLAN STOFFMAN v. CITY OF FORT LAUDERDALE (Case 14-002473(03))

BOARDS AND COMMITTEES

BD-1 14-0763 COMMUNICATIONS TO CITY COMMISSION AND MINUTES CIRCULATED - period ending June 12, 2014

Continued from above.

Central City Redevelopment Advisory Board

Motion made by member Thrower and seconded by Member Barry, to request the City Commission to direct the City Attorney and Code Enforcement to immediately begin foreclosure proceedings on all non-compliant, non-homesteaded properties within the Central City CRA. Motion passed unanimously.

The City Attorney explained that she is just seeing this for the first time. Her office has been working with Code Enforcement to develop a system. Without knowing more details, she cannot say with certainty that they are ready for any City-initiated court action. Commission approval would be required on a case-by-case basis. Commissioner Roberts agreed with the concept but it will not happen all at once in one neighborhood. It would have to be prioritized. Code Enforcement would provide the necessary information to the City Attorney's Office who would then present a request for authorization to the Commission. The City Attorney indicated that historically there has been outside counsel for plaintiff foreclosures. Depending on assessment of the pending properties to be pursued, she may be coming before the Commission concerning outside counsel. The City Manager advised that staff has been prioritizing properties to send to the City Attorney's Office. Also, there may be liens ahead of the City's lien and if there is foreclosure, they would have to be satisfied. The approach needs to be strategic.

Sustainability Advisory Board

At the May 29 Sustainability Advisory Board meeting, the Board voted to support the local resolution proposed by the Food & Water Watch organization to label genetically-engineered foods or genetically-modified organisms and encourage the Commission to do the same.

Commissioner Trantalis recalled previous discussion and asked that a resolution be drafted for the Commission's consideration. The City Manager explained that the City Attorney's Office already drafted a resolution but the Commission first asked the matter be vetted. The Sustainability Advisory Board was used for such vetting.

Mayor Seiler said that the Florida Farm Bureau was not asked to comment on this matter. He would like the Farm Bureau to be contacted.

Vice-Mayor Rogers said he wanted to hear the other side of the issue. Such matters should be filtered so the Commission is staying with its action plan. This matter is something over which the City has no control. Perhaps a policy should be developed on how resolutions are presented if they are not City business. Commissioner Roberts noted that the Commission sends resolutions to the state legislature to voice their positions. The proponent on this matter was asked to jump through certain hoops which they have done. This issue has been discussed for some six months. Such a conclusion should have been reached months ago. Vice-Mayor Rogers wanted to hear the other side of the issue. Commissioner Roberts felt this issue is about the buyer knowing what he or she is purchasing to consume. He predicted that the Farm Bureau will be opposed. Commissioner DuBose said he would like more information on this topic. As to policy, he felt the Commission should always be able to discuss matters. He had reservations about establishing criteria for a resolution to be considered. There are times when the Commission has to be a voice for the community. Vice-Mayor Rogers felt there should be a process so that the Commission is spending its time on previously agreed upon priorities. Commissioner DuBose felt that if a resolution is presented to the Commission, it is a way for a resident to express themselves in a more formal way. A process could be another layer of government and a deterrent. Vice-Mayor Rogers recognized that there may be items that are not contained in the action plan, but the Commission decides they are important and should be discussed. Both Mayor Seiler and Vice-Mayor Rogers felt they should first go to a conference agenda. Commissioner DuBose agreed. Commissioner Trantalis noted that the Board puts the issue into context in the submitted resolution and explains why the City should take a position on it. He went on to point out that since 2012, some 15 fifteen resolutions have been adopted that are unrelated to City business. The Commission should be able to speak on issues. Vice-Mayor Rogers emphasized there should be a process, complete with a form that calls for what the issue is about and how it fits into the action plan. Commissioner Roberts questioned the need for a form; he preferred to discuss such matters. Mayor Seiler concluded that there is no majority consensus on this point. However, they should be scheduled on a conference agenda that is publicly noticed and a decision reached whether to discuss further.

In response to Mayor Seiler's question about such matters being scheduled on a conference agenda, the City Attorney explained if the Commission is just discussing a matter, laying out particular opinions or making inquiries, it is one thing. It is another if the Commission is reaching consensus, depending on how the term is used, it may approaching a vote. The marriage equality resolution was brought to the Commission for a vote, and not for input. Therefore, the proper place was at a regular meeting. Both Mayor Seiler and Commissioner DuBose disagreed. Discussion ensued about past practice.

Mayor Seiler explained that he asked the Sustainability Advisory Board for a recommendation with the assumption that both sides would be vetted. He was concerned that no one reached out to the Farm Bureau, which is the largest producer of this food. Commissioner Trantalis and Commissioner Roberts wanted this matter to continue forward. Commissioner Trantalis felt the Commission should rely on the City Manager and City Attorney with respect to process.

Mayor Seiler opened the floor for public comment.

Cheryl Whitfield, Sustainability Advisory Board member, advised that there was no voiced opposition to this matter at the Board's meeting. She was not aware of any opposition.

Mayor Seiler suggested placing the issue on the next Board meeting agenda and allowing a representative from the Farm Bureau an opportunity to be heard. Vickie Machado of Food & Water Watch pointed out that the Board had plenty of time to make an informed and educated decision. Mayor Seiler felt an informed and educated decision requires hearing from both sides. Commissioner Roberts felt the question is who is responsible to make arrangements for both sides to be heard. The Farm Bureau came forward after the meeting and is a new player. If it does not go back to the Board, Mayor

Seiler noted that they could present their position directly to the Commission. Commissioner Trantalis suggested the Board invite a response either in writing or in person so the Commission has a complete picture. Mayor Seiler suggested this matter be scheduled on the next agenda of the Board and he will contact the Farm Bureau representative who contacted him. Commissioner Trantalis suggested Machado could offer assistance in contacting the Farm Bureau to provide their input. In response to Mayor Seiler, Machado was not aware whether the Florida Department of Agriculture has taken a position. Vice-Mayor Rogers asked if the U.S. Department of Agriculture has jurisdiction over labeling of foods. Machado believed it is not on their radar. She mentioned that the Vermont Legislature just adopted a bill. In response to Mayor Seiler, Machado advised that this resolution would be directed to the State of Florida.

Whitfield said she has been following this issue on international, federal and state levels. If implemented, it is simply a matter of a label and being able to read ingredients when grocery shopping.

Mayor Seiler questioned language in the resolution that indicates it will be provided to various agencies in Washington, D.C., Commissioner of Food and Drug Administration in Maryland, U.S. senators and congressional members. There is no mention of State agencies. Machado explained that the sample resolution was compiled by Food and Water Watch's national office. Reference to a distribution to the State was an oversight. The resolution would send a message to the federal level as to the importance of this issue. Vice-Mayor Rogers thought there could be some changes in the future because of a recent Supreme Court ruling in a Coca-Cola case having to do with false advertising. Mayor Seiler concluded that this is more of a federal issue than a state as it is regulated at the federal level. Machado explained that it can be regulated by the state. Bills have been introduced in the past. The goal is to follow what has been laid out in Vermont. At Mayor Seiler's request, she agreed to provide a copy of the Vermont resolution.

There was no one else wishing to speak.

BD-2 14-0764 BOARD AND COMMITTEE VACANCIES

Please see regular meeting item R-3.

CITY MANAGER REPORTS

None.

There being no other business to come before the Commission, the meeting adjourned at 9:38 p.m.