

City of Fort Lauderdale

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



Meeting Minutes - DRAFT

Wednesday, January 22, 2014

1:30 PM

City Commission Conference Room

City Commission Conference Meeting

FORT LAUDERDALE CITY COMMISSION

JOHN P. "JACK" SEILER Mayor - Commissioner
BRUCE G. ROBERTS Vice Mayor - Commissioner - District I
DEAN J. TRANTALIS Commissioner - District II
BOBBY B. DuBOSE Commissioner - District III
ROMNEY ROGERS Commissioner - District IV

LEE R. FELDMAN, City Manager
JOHN HERBST, City Auditor
JONDA K. JOSEPH, City Clerk
CYNTHIA A. EVERETT, City Attorney

Meeting was called to order at 1:33 by Mayor Seiler.

ATTENDANCE ROLL CALL

Present: 4 - Mayor John P. "Jack" Seiler, Vice-Mayor Bruce G. Roberts, Commissioner Bobby B. DuBose and Commissioner Romney Rogers

Absent: 1 – Commissioner Dean J. Trantalis (arrived momentarily)

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 Frank Vetancourt

CITY COMMISSION REPORTS

Events and Matters of Interest

Members of the Commission announced recent and upcoming events and matters of interest including discussion at the Broward League of Cities level about the County considering an affordable housing requirement for new construction and Broward County Resource Recovery Board mediation.

Prescription Drug Monitoring Program; Senate Bills 7014 and 7016

Vice-Mayor Roberts noted recent actions of Stop the Organized Pill Pushers (STOPP) group. He personally supports STOPP's efforts to oppose Senate Bills 7014 and 7016 that would make it more difficult for law enforcement agencies who are working on this problem. He elaborated on his discussion with STOPP on this matter. He requested the Commission consider adopting a resolution in support of STOPP's position. Commissioner DuBose later suggested this may be a good topic to present at the Broward League of Cities joint meeting with the Broward Legislative Delegation on January 28 at 2 p.m. The League has already set its legislative agenda, but this would be a good time to put the issue on their radar.

Sun Trolley, Community Bus Service

Commissioner DuBose reiterated concerns expressed at the January 7, 2014, conference meeting about advertising which Sun Trolley routes are ADA accessible.

Sandwich Signs

Commissioner Rogers said he is a proponent of allowing vendors to use sandwich signs but expressed concerns about people putting the signs in the middle of sidewalks without any regard for their appearance. He suggested Code Enforcement issue warnings. Mayor Seiler agreed that the signage should be in compliance.

Juvenile Crime

Commissioner Trantalis reported that a meeting was held with City staff, Mayor Seiler, four juvenile court judges and representatives from the State Attorney's Office, Department of Juvenile Justice and the Public Defender's Office concerning juvenile crime. It raised awareness among the judges about the difficulty of maintaining quality of life in neighborhoods when there are persistent crimes being committed by an age group for whom the justice system guidelines are limited. There was a sense of

urgency and willingness to compromise from positions taken in the past. He hopes that within 30 to 60 days there will be a legal and enforceable proposal.

In response to Commissioner DuBose, Mayor Seiler explained that state laws have become lax in dealing with juvenile justice. Much of this is the responsibility of the State and the Department of Juvenile Justice. There will be a lengthier discussion once Chief Adderley and the City Manager are able to work through the details. Currently if a juvenile is out on either pre- or post-trial probation and they commit another offense, there is no course of action against them. The City needs to come up with a way to address this and work with the Department of Juvenile Justice, the Legislature and the Broward League of Cities. There should be enhanced penalties.

Commissioner DuBose saw this as a State issue and it will require support from other municipalities, the County and especially the School Board. If youth are pulled out of school for a minor infraction, they are free to get into more trouble. With this not being a new issue, he wanted to know what was unique about this particular discussion. Commissioner Trantalis noted that in addition to enhanced enforcement, there was discussion about creating a network of supervision that may include the School Board and existing support agencies. He recognized that the City has limited influence over the Legislature and as such a lot of discussion focused on what can be done at a local level which will be explored by City staff. Mayor Seiler pointed out that some of the judges did not realize how dire the situation has become. He was concerned about the lack of urgency shown by the Department of Juvenile Justice.

Discussion turned to utilization of school resource officers (SRO). Commissioner Trantalis suggested the City Manager initiate a discussion on this at the upcoming meeting with the Superintendent on facility usage. Commissioner DuBose felt that SROs are very engaged. Additionally the Broward League of Cities has a task force devoted to this issue. Some legislation relating to SROs was brought forth in the last session; some of this may have already been vetted out. He agreed to provide the information to the City Manager. The City Manager preferred not to raise the SRO issue until he formulates a strategy to bring back to the Commission individually.

OLD/NEW BUSINESS

BUS-1 14-0151 STORMWATER MANAGEMENT

The City Manager provided introductory remarks. He confirmed for Commissioner Trantalis that when addressing stormwater management, rising water management is included. In addition to rain events, tidal flows bring water up through the stormwater system as well as groundwater that percolates upward. When there are rain events, there is nowhere for the rain to go. When rising tide events occur, it is challenging to get the water out of the stormwater system and off the streets. There is good data that shows the sea level is rising for which the City needs to prepare.

Assistant City Manager Susanne Torriente and Director of Public Works Hardeep Anand reviewed slides concerning this matter. A copy of the slides is attached to these minutes. Torriente emphasized that the City does not know about future funding.

In response to Commissioner Trantalis, Torriente said weather patterns are cyclical. Local government has to determine how much money it wants to invest in infrastructure and how long it expects the infrastructure to last. Challenges are occurring now. The current infrastructure is inadequate. Mayor Seiler pointed out that the length of the cycle is unknown. The City Manager commented that tidal influences over the past decade, even with the documented sea level rise, have had an extreme impact on the coastal sections of the city. There could be greater impacts throughout the duration of the cycle. In further response, Torriente agreed that when changes are made, staff would like to increase

coverage in order to prepare for what could happen in the future. The same group of researchers, scientists and engineers that provided the region's projection will reconvene this year to study new data. The numbers could get worse. There is certainty that it is going to happen, but the uncertainty is when.

In response to Commissioner Rogers, Anand explained the difficulty in raising existing road elevations and possible options for upgrading the existing system without raising the road elevation. With an ordinance change, new roads could be addressed. He confirmed that the River Oaks Preserve retention area is one of the first in that type of approach.

Anand continued review of the slides.

Anand confirmed a bioswale is planned for 14 Street but it will have native grasses. He addressed how neighborhoods were selected for upgrades. Torriente clarified for Commissioner Trantalis that Slide 16 shows the areas with the worst conditions in the city. With regard to the beach and tidal areas, Anand explained a more holistic approach would need to be taken in terms of seawalls being replaced. In response to Mayor Seiler, Anand confirmed that of 1.1 million linear feet of seawall, the City owns about 23,000 linear feet. He explained various factors that could complicate seawall upgrades. Anand confirmed for Commissioner Trantalis that the estimates shown in the presentation are the City's cost. The City Manager said there is at least one Florida city that has taken over the responsibility for private seawalls through an assessment program. Residents ultimately pay for it but it provides uniformity of construction.

Commissioner Rogers thought it would be helpful to have the projects and associated costs planned over a three-year period. Vice-Mayor Roberts agreed that public meetings will be beneficial in this process. In response to his question, Torriente said the new data would not be available until later this year. Projects have been identified for Phases I and II but not Phase III. She provided a copy of those projects identified for Phase I which is attached to these minutes. Staff will begin work on ordinance changes as well as budgeting. Anand advised that the Phase I project list has been validated and is no longer complaint driven.

Commissioner DuBose asked about residential areas that have experienced flood damage and water intrusion that are not shown on the Phase I project list. He specifically mentioned NW 23rd in Dillard Park. Commissioner Rogers mentioned a two-block area in River Oaks where every house had water intrusion. Torriente indicated that there are some areas of the city where there is no infrastructure. The City Manager added that some of those areas were recent annexations. Anand agreed to look into that location and provide information for Commissioner DuBose. Commissioner DuBose pointed out that there is nothing in the northwest on the list. He asked that the information be reported back to the Commission.

BUS-2 14-0078 **TRANSPORTATION ALTERNATIVES PROGRAM**

The City Manager advised this is the Metropolitan Planning Organization's annual grant program. Staff's recommendation is to proceed with traffic calming enhancements at Dixie Highway (NE 13 Street to NE 18 Court) and bicycle and pedestrian enhancements on Bayview Drive (Sunrise Boulevard to Commercial Boulevard).

There was consensus to move forward with staff's recommendation.

BUS-3 14-0005 CITY FILM PERMITTING PROCESS

The City Manager noted this issue came to light when Vice-Mayor Roberts reported complaints about filming that occurred in a residential area in his district. Staff's recommendation is to institute a formal film permit with an associated fee and to charge rent for filming on City property. It will probably come forward in an ordinance.

Vice-Mayor Roberts said he brought this item forward because he received complaints about noise and traffic impacts on the neighborhoods where filming was taking place. He would like to move forward with an ordinance.

Mayor Seiler believed the \$100 permit fee is reasonable. It brings a lot of exposure to the City when it is displayed on television and in films. He did not want it to be discouraged.

Mayor Seiler opened the floor for public comment.

Jim Webster, 1017 SE 5 Court, said there have been more than a dozen film shoots in Rio Vista and some 290 in the city this past year. This is a quiet residential neighborhood being impacted by trucks, exhaust from generators and safety issues. It appears to be a commercial activity in a residential area. He felt that adjoining neighbors should be consulted and allowed time to provide input before a permit is issued. Some mechanism should be put in place to control this activity.

In response to Commissioner Trantalis, Webster indicated that some of the 12 shoots in Rio Vista were multi-day. There have been two major shoots of a couple days each on SE 5 Court in the past year. He reiterated his concern about commercial activity taking place in a residentially-zoned area. Commissioner Trantalis pointed out that there are contractors in residential neighborhoods all the time. Webster pointed out that contractors in the neighborhood are associated with home improvements.

There was no one else wishing to speak.

There was consensus to move forward with staff's recommendation.

BUS-4 14-0101 SE 3RD AVENUE DRAWBRIDGE COLOR SELECTION

The City Manager said Broward County is responsible for maintaining the bridge and is seeking input into the color selection. If the City does not provide any input, it will be the same as the Marshall Bridge, steel grey. However, the City is not tasked with making the ultimate decision.

Genia Ellis, representing Downtown Development Authority, said she has been working with the Transportation and Mobility Department on this issue and has canvassed the Riverwalk board and area businesses. There are three options, labeled Exhibit 2 in Commission Agenda Memorandum 14-0101.

There was consensus to allow staff discretion in selecting a color. Mayor Seiler had momentarily stepped out of the meeting and was not present when this conclusion was reached.

BOARDS AND COMMITTEES

**BD-1 13-1679 COMMUNICATIONS TO CITY COMMISSION AND MINUTES
CIRCULATED - period ending January 16, 2014**

Central City Redevelopment Advisory Board

Motion made by Member Smith and seconded by Member Harmeling soliciting the support of the City Commission in their concern about the current zoning for key development parcels, like the former government-owned sites near Sunrise Boulevard and NE 4th Avenue, and at a future date the Board will propose specific zoning changes that will facilitate development that is consistent with the approved redevelopment plan. Motion passed unanimously.

After considering the Central City Redevelopment Advisory Board meeting minutes above, Vice-Mayor Roberts noted that the Commission may review any proposed zoning changes at the time they are submitted.

BD-2 13-1680 BOARD AND COMMITTEE VACANCIES

Arleen Gross, City Clerk’s Office, advised that Leah Manzo, who was originally appointed effective February 18, can be made effective today because another vacancy occurred on the Nuisance Abatement Board.

Please see regular meeting Item R-2.

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| Beach Redevelopment Advisory Board | A. J. Yaari (Commissioner DuBose) |
| Budget Advisory Board | Bryson Michael Ridgway (Commissioner DuBose) |
| Nuisance Abatement Board | Leah Manzo (Consensus) |

CITY MANAGER REPORTS

None

The Commission recessed and convened as the Community Redevelopment Agency Board of Commissioners at 3:25 p.m. The Commission then reconvened the conference meeting at 4:38 p.m. for the closed door session and adjourned at the end of the session.

EXECUTIVE CLOSED DOOR SESSION

**14-0162 THE CITY COMMISSION SHALL MEET PRIVATELY PURSUANT TO
FLORIDA STATUTE 286.011(8) CONCERNING:**

City of Fort Lauderdale v. William McGarry (OJCC Case 08-009768
DAL)