

City of Fort Lauderdale

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



Meeting Minutes - DRAFT

Tuesday, March 18, 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 1:38 p.m. by Mayor Seiler.

ATTENDANCE ROLL CALL

Present: 5 - Mayor John P. "Jack" Seiler, Vice-Mayor Bruce G. Roberts, Commissioner Dean J. Trantalis, Commissioner Bobby B. DuBose and Commissioner Romney Rogers

Also Present: Assistant City Manager Susanne Torriente, City Auditor John Herbst, City Clerk Jonda K. Joseph, City Attorney Cynthia A. Everett and Sergeant at Arms Sergeant Edgar Cruz

No public comments were submitted by email for this meeting.

CITY COMMISSION REPORTS

Events and Matters of Interest

Members of the Commission announced recent and upcoming events and matters of interest, including the recent National League of Cities conference.

Neighborhood Development Criteria Revisions Initiative; Unified Land Development Regulations

In response to Commissioner Rogers, Assistant City Manager Susanne Torriente advised that a draft exists but the matter was not listed as a priority for this year. There was consensus to proceed with completing the modifications.

Crime Reporting

Commissioner Rogers advised that crime reporting statistics do not appear to be updated on the City website. The Nextdoor website, a private neighborhood social network, has been used by many neighborhoods to report crimes. He suggested a direct line to the Police Department from that website. Croissant Park, for example, has about 200 people registered to the site. Vice-Mayor Roberts thought that while some neighborhoods are very involved, others are not. Commissioner Rogers thought it is a good way to spread the word.

All Aboard Florida

Commissioner Rogers inquired whether All Aboard Florida has issued any written statements about providing a bridge tender. Vice-Mayor Roberts said he has requested talking points and has not received them. Mayor Seiler emphasized that the Commission will not approve a railroad crossing that presents difficulties to the marine industry. Commissioner Rogers thought All Aboard has done a good job communicating with the marine industry, but many affected residents do not know what is going on. He would like to hear an updated presentation during a conference meeting.

Homelessness

During a general discussion on homelessness, Mayor Seiler asked that the ordinances contemplated at the workshop be presented for consideration in April.

Corporate Run on April 3; Downtown

Commissioner Rogers raised concern about this event being held at 5 p.m. Mayor Seiler wanted care to be taken to publicize downtown exit routes and closing as few streets as possible and the minimal amount of time. With daylight saving time, Commissioner Rogers suggested in the future the event begin at 6 p.m.

Household Hazardous Waste Collection Events

Commissioner DuBose provided Assistant City Manager Torriente with an email, which is attached to these minutes, from a resident who is concerned about the location and lack of frequency of household hazardous waste collection events. He has heard from other people who are also concerned. He believed the concerns are valid and requested the City Manager respond.

Solid Waste Service

Commissioner DuBose said he has received additional complaints about the new contract with Republic Services for bulk solid waste pick-up. Mayor Seiler advised that representatives from Republic Services are present today to address the concerns. There have been challenges with the transition to a new service provider.

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Gas Line Installation; Melrose Park

Commissioner DuBose commented that gas lines were installed in the Melrose Park area with no notification to residents.

Schlitterbahn Water Park

Vice-Mayor Roberts advised that he and the City Manager spoke to the Federal Aviation Administration (FAA) about the planned Schlitterbahn water park. The City Manager is proposing to allow Schlitterbahn to pay the rent after the business is established. In response to Commissioner Trantalis, Vice-Mayor Roberts commented that the City would be responsible for rent payments if Schlitterbahn is unable to do so. Commissioner DuBose wanted to see how the company has operated similar businesses in Texas and Missouri. Commissioner Trantalis did not want to get in a situation where the tenant cannot afford to pay rent. Mayor Seiler noted that terms are being negotiated. Commissioner Rogers was impressed with the company's business practices. Commissioner Trantalis was concerned that other water parks have not been successful in this area in the past. Because it has been 3 ½ years since the water park was first proposed, Vice-Mayor Roberts wanted to review the business plan again. There are a lot of things going on, but the meeting with FAA was successful.

D.C. Alexander Park

Commissioner Trantalis said he recently attended a triathlon event where D.C. Alexander Park was used as a staging area. It could not have been accommodated with the design presented by EDSA. He thought the park could be spruced up and use of the land re-evaluated, but noted the usefulness of passive parks. Mayor Seiler agreed with respect to the EDSA plan being too busy and the loss of flexibility. Commissioner Rogers said a donor has expressed interest in privately contributing to this project. It is important to know the programming before going forward with design. Mayor Seiler

suggested infrastructure improvements could be made now and it left at that for the time being. Commissioner Trantalis commented about the passive park feature in front of the White House that is still a very nice entry feature.

Gateway Merchants; NE 20 Avenue

Mayor Seiler commented that with the Florida Department of Transportation's (FDOT) bridge project on Sunrise Boulevard, it is almost impossible to access the Gateway commercial area traveling from the east. Commissioner Trantalis noted that it is a temporary closure and it was not a decision of the City, rather FDOT. However it will be 1 ½ years before it is complete. Mayor Seiler wanted a concentrated communication with FDOT to ensure it is reopened as soon as possible. Commissioner Trantalis thought that during certain times of day and in the off season, it may be possible to have a single westbound lane. Mayor Seiler agreed and that is why he stressed that the City should stay in communication with FDOT to continue evaluating options. Commissioner DuBose thought it could be tricky to allow closures only during certain times of the day because people may not remember the times.

Beach Place Nuisance Concerns

Mayor Seiler expressed ongoing concerns related to the Beach Place entertainment and shopping complex on State Road A1A. He wanted to ensure that Fort Lauderdale police are the security detail. Beach Place's private security detail does not seem to be doing anything. There was a recent drug bust. The atmosphere in this area is changing. The City needs to send a strong message this season that it will not tolerate this type of behavior. Vice-Mayor Roberts pointed out that there is a set of regulations that govern activity in an entertainment district. Beach Place is in that district. This gives the City more leverage such as hours of operation, among other things. He agreed that Fort Lauderdale police detail should be used. Under the entertainment district, the City can set security levels. Mayor Seiler noted that while the perception is of a spring break atmosphere, it is not a case of college students misbehaving but rather locals. Beach Place's security made no effort to enforce anything. He reiterated Fort Lauderdale police in uniform should be required. Commissioner Trantalis thought the problem extends beyond Beach Place. The lack of police presence in the hot spot areas allows people to believe they can get away with bad behavior. A lot of the problems occur in the late afternoon and therefore would not be addressed by limiting business hours. People bring liquor to the beach. He claimed some 10 years ago that it was a mistake to put luxury condominiums in an entertainment district. Wealthy, older residents are now living next to Dave & Busters for example. He was confident that the City can solve this and he was glad to see that there is consensus about the problem. Vice-Mayor Roberts pointed out there are just three entertainment districts in the city. While he agreed with Commissioner Trantalis about afternoon problems, requiring businesses to close before 4 a.m. is an economic impact to them. Commissioner Rogers felt a presence is solved by police detail. Commissioner Trantalis emphasized the police need to be out of their vehicles, walking the beach. Mayor Seiler said that is occurring but they need to also be at Beach Place. Beach Place is not the sole problem, but a lot of the issues originate there. Commissioner Rogers thought that open-air establishments foster a different climate. Mayor Seiler added that the problem is not restaurant patrons; there seems to be a large crowd hanging around outside Beach Place. He asked for an update at the April 1 conference on the status of the Nuisance Abatement Board item related to Beach Place. The City Attorney agreed to provide an update.

CONFERENCE REPORTS

CF-1 14-0387 **COMPREHENSIVE ANNUAL FINANCIAL REPORT - FISCAL YEAR ENDING SEPTEMBER 30, 2013**

Partner John Weber and Senior Manager Aazan St. Rose of Crowe Horwath LLP, the City's external auditors, reviewed slides concerning this matter. A copy of the slides is attached to these minutes.

With Commissioner Trantalis' observation that property tax revenue has only increased by \$2.6 million, Mayor Seiler explained that while property values have been recouped, the City has not recouped revenues because of the Save Our Homes program. Commissioner Trantalis expected an increase as more houses are sold. In response to Vice-Mayor Roberts, staff confirmed that the decrease in public safety expenses was primarily due to savings from the pension obligation bond issue. Staff responded to technical informational questions including those relating to the FAMIS system. The City Auditor highlighted his work plan for the year in response to Commissioner DuBose.

Audit Advisory Board Chairman Martin Kurtz noted that there were 16 areas of concern outlined in the CAFR last year and just three this year. Staff made a diligent effort to address the areas of concern. Additionally, the City Manager implemented a follow-up system so that staff and the Board could review the status of the findings. Assistant City Manager Stanley Hawthorne noted that Chairman Kurtz and the Board played a role in implementing the follow-up system which contributed to the outstanding findings being addressed. It has worked well to provide quarterly reports.

OLD/NEW BUSINESS

BUS-1 14-0302 **FORT LAUDERDALE HISTORICAL SOCIETY - REQUEST FOR GRANT MATCH DOLLARS - REROOFING OF KING CROMARTIE HOUSE - \$40,000 (and New River Inn)**

Fort Lauderdale Historical Society Executive Director Bonnie Flynn highlighted activities at the New River Inn and an organization as a whole as well as issues with its roof in a slide presentation. The slides also include improvements made to the King Cromartie House. A copy of the slides is attached to these minutes. She reviewed information in her letter to the City Manager, dated February 14, 2014, provided to the Commission as Exhibit 1 to Commission Agenda Memorandum 14-0302, which is attached to these minutes. She also provided an outline of funding received from the State grant award, reroofing cost, funding raised to date, what is requested from the City and how much would still need to be raised. A copy of the outline is attached to these minutes. Additionally, the Historical Society needs to secure the Historic Preservation Board's approval with respect to the New River Inn.

In response to Commissioner Trantalis, Flynn said the Historical Society is campaigning for funds in order to keep its \$1 million endowment intact so it can be used for maintenance and operations. Only interest from the endowment fund is used and the Historical Society would like to continue only using the interest. Commissioner Rogers thought it is commendable that they were able to build up this fund. Hopefully it can be used for maintenance in a better interest-rate environment. Flynn confirmed their board has made it a practice to not use the principal.

In response to Commissioner Trantalis, Assistant City Manager Stanley Hawthorne explained that staff would have to identify a funding source if the Commission decides to approve this request. More than likely, it would be the General Fund. The City Manager does not have a funding recommendation at this time, in that he wanted to have this discussion first. In response to Commissioner DuBose, Flynn said the

total amount must be collected by June 30. If they fall short of their fund-raising goal, they will have to return grant funds already received (\$25,000) or apply for an extension. The State has indicated an extension of 30 days would be all that could be offered. They are focusing on the community and individuals primarily because there are naming opportunities. They have only had preliminary contact with Broward County at this point. There is the idea to provide the County with a room that could be an exhibit for their centennial celebration. Commissioner DuBose encouraged the Historical Society to speak with the County. Vice-Mayor Roberts thought this would be a worthwhile contribution for the future. He noted that this work will contribute to completion of the Riverwalk. Commissioner Rogers agreed. The City owns the building, which is leased by the Historical Society. There was a plan to revitalize 1 Street and use it for festivals and a way to generate revenue. The Historical Society has been responsible for some of that plan happening. This is an investment in the Riverwalk. It is in the best interest of the city. Vice-Mayor Roberts agreed with Commissioners DuBose and Rogers. Mayor Seiler agreed that the County should be pursued.

In response to Commissioner DuBose, Flynn explained that the endowment fund is supposed to be maintained at \$1.02 million. Flynn reiterated the Historical Society's plans with respect to fundraising and noted they are hopeful there are major donors in the community.

Commissioner Rogers pointed out it is in the City's best interest to maintain these structures because they own them. He drew attention to challenges associated with the Bryan Home that fell into a state of disrepair. Mayor Seiler supported the request on the condition that the funds are returned if the Historical Society falls short of their goal. He agreed that there is a need to revitalize the Riverwalk. Something needs to be done with Riverwalk Trust with respect to access and use of the grounds for activities. He wanted the Historical Society to cooperate with Riverwalk Fort Lauderdale Trust. He wanted to make it a condition that the two entities enter a joint use agreement. Commissioner DuBose wanted to ensure that staff identifies a funding source. Mayor Seiler did not think the City could make the contribution if it did not own the building. It is a similar situation to the Bryan House. Mayor Seiler wanted the City's contribution returned if matching funds are not raised. Commissioner DuBose suggested lowering the City's contribution if the Historical Society exceeds its fundraising goal.

There was consensus to proceed as recommended with the conditions stated. It will be presented on a regular meeting agenda.

BUS-2 14-0256 SPECIAL EVENTS PROCESS UPDATE

This item was deferred for 30 days to gather more information and public input.

BUS-3 14-0320 ADAPTATION ACTION AREAS PILOT PROJECT UPDATE - COASTAL FLOODING

Assistant City Manager Susanne Torriente provided introductory remarks.

Sustainability Manager Nancy Gassman and Principal Planner Jimmy Koeth reviewed slides concerning this matter. A copy of the slides is attached to these minutes.

Torriente concluded by indicating that the Regional Planning Council is preparing a guidebook for other Florida municipalities. Fort Lauderdale is going through a meticulous process of outreach and communication so that other communities can learn from it. After the comprehensive plan is amended, staff will begin identifying adaptation action areas. The project will go before the Sustainability Advisory Board next month. Amendments will be presented for Commission approval in November. Koeth

confirmed that staff is on track with deliverables to meet all state-imposed deadlines.

In response to Commissioner Rogers, Torriente confirmed that the grant covers costs of amending the Comprehensive Plan. The goal is to identify adaptation action areas within the city limits and position them for infrastructure investments, either through the Community Investment Program, grant funds or other sources. The efforts are coordinated with the County and the region. Sea level rise and the related impacts are the foundation for creating adaptation action areas. Gassman explained that certain inland locations would be studied because sea level rise is making it more difficult for stormwater to be pushed off those properties. Therefore coastal flooding is part of the conversation regardless of whether the flooding is tidally influenced.

BUS-4 14-0395 **BROWARD LEAGUE OF CITIES - SELECTION OF DIRECTOR,
ALTERNATE AND SECOND ALTERNATE**

There was consensus to submit to the League as follows: Commissioner Trantalis as director, Vice-Mayor Roberts as first alternate and Commissioner Rogers as second alternate.

The Commission recessed and convened as the Community Redevelopment Agency Board of Commissioners at 4:01 p.m. The Commission then reconvened the conference meeting at 4:52 p.m. with City Commission Reports.

COMMUNITY REDEVELOPMENT AGENCY MEETING

CITY COMMISSION REPORTS

Continued from Page 3.

Solid Waste Collection; Republic Services

Mayor Seiler advised that the Commission has received several complaints about its new solid waste vendor, Republic Services, and the transition from the previous vendor.

Mark Talbott of Republic Services said Republic took over a deteriorating contract from another vendor. They hired new, inexperienced employees who needed training. Republic purposely did not offer jobs to employees of the previous vendor because they thought it would add to the problem. Transition time for a contract of this nature would typically be about four to six weeks, but it has taken a little bit longer than anticipated. Last week was their sixth week on the job. They still have some issues that need to be addressed. They are working closely with City staff. They are committed to fulfilling the contract to the City's expectations.

Discussion followed on an efficient method to handle complaints and that the number of complaints are decreasing. Commissioner DuBose thought it would be helpful for the Commission to have specific information so they can respond to residents. Talbott advised that staff is provided a weekly report. Talbott went on to say that during the first couple of weeks of the contract, Republic received up to 300 complaints per day. So far today, there are 20 complaints, which is still too many but a significant reduction. Their goal is to have zero complaints. Some reasons relate to miscommunication and driver errors. Republic is aware of where the problems exist. Vice-Mayor Roberts asked that the Commission also receive the weekly report. He felt there should be better education to the public. For example, oftentimes garbage cans are placed in such a way that makes them difficult to pick up. Talbott explained that there is a process mandated by the contract for drivers to communicate with customers and after a

certain number of occurrences, it is reported to the City. Commissioner Rogers asked whether garbage can lids can be closed after the cans are emptied which is a frequent complaint. Talbott said that can be addressed through driver training. There was an equipment problem during the first week of service, but it has been corrected. There is a technique associated with getting the lid to shut. In further response, he advised that around week three, four drivers were hired from the other vendor and experienced drivers were reassigned from other cities.

Mayor Seiler felt it is important for residents know they are concentrating on the transition. He requested the Commission be provided status reports regularly. Talbott noted that while complaint percentage today is very low, it is still not to their standard.

The City Commission convened the Executive Closed Door Session at 5:06 p.m. and recessed at the end of the session. The Commission reconvened at 7:32 p.m. to address Item BD-1 in the City Commission meeting room on the first floor of City Hall.

EXECUTIVE CLOSED DOOR SESSION

14-0365 THE CITY COMMISSION WILL MEET PRIVATELY PURSUANT TO FLORIDA STATUTE 286.011(8)(a) CONCERNING:

- 1) Kishan Nicole Lindsay, as personal representative of the Tronodd Lomack Estate v. City of Fort Lauderdale Case 1016036 CACE (03)
- 2) Shantori Laramore v. City of Fort Lauderdale Case 10-10897(04)
- 3) Anthony Munden v. City of Fort Lauderdale, et al Case 13-61323-CIV-Scola

AND PURSUANT TO FLORIDA STATUTE 768.28(16):

- 4) Christopher Chen v. City of Fort Lauderdale File GL 12-634

BOARDS AND COMMITTEES

BD-1 14-0304 COMMUNICATIONS TO CITY COMMISSION AND MINUTES CIRCULATED - period ending March 13, 2014

Central City Redevelopment Advisory Board

Motion made by Member Barry and seconded by Member Thrower to make a request to the City to expand the boundaries of the Central City Redevelopment Area as outlined in the CRA Redevelopment Plan. Motion passed 5-1, with member Cid dissenting.

Motion made by member Vonder Meulen and seconded by member Thrower, to discuss implementing a system to impose a fee on property owners for excessive calls for police services throughout the City particularly the CRA district. Motion passed unanimously.

After considering the Central City Redevelopment Advisory Board meeting minutes above, Mayor Seiler thought these recommendations should be addressed when staffing, funding and other related matters are discussed. He suggested a workshop on this topic.

BD-2 14-0305 BOARD AND COMMITTEE VACANCIES

Please see regular meeting item R-1.

CITY MANAGER REPORTS

None.

There being no other business to come before the Commission, the meeting adjourned at 7:33 p.m.