

City of Fort Lauderdale

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



Meeting Minutes - APPROVED

Tuesday, September 17, 2013

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 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: City Manager Lee R. Feldman, City Auditor John Herbst, City Clerk Jonda K. Joseph and City Attorney Cynthia A. Everett

CITY COMMISSION REPORTS

Events and Matters of Interest

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

13 Street Complete Streets Grant Funding and Relations with Broward County

Commissioner Trantalis commented on his discussions with some members of the County Commission concerning the City's \$1.5 million application for 13 Street complete streets funding. His understanding from those discussions was that they are hesitant to support the application because of relations with the City concerning the courthouse parking garage and treatment center. Mayor Seiler said he met with County Mayor Kristin Jacobs and reviewed several items related to the City and County. He elaborated upon his thinking on this topic. It is a matter of better communication. On some matters, it has been disagreement on the part of the respective staffs. Plans are in place for the two mayors to meet again with their respective managers, followed by a joint meeting of both commissions.

Ryan White Care Act

Commissioner Trantalis updated the Commission on his discussions related to the Ryan White Care Act. He believes the Commission should be on record as supporting reauthorization of the act but has concerns about underlying contentions between different factions of the local HIV/AIDS community. He thinks perhaps the priorities of the Housing Opportunities for Persons with AIDS (HOPWA) program need to be reassessed to focus on health care rather than housing because the governor has rejected the Affordable Care Act. He has brought the matter to the attention of the appropriate members of Congress. He asked the Commission's thinking on adoption of a resolution and, if so, the content. Commissioner DuBose said he feels more comfortable with the compromise resolution that stakeholders have come to support. He would have to do more research before proceeding in the direction described by Commissioner Trantalis. Mayor Seiler said he was pleased to see cooperation among community members and Commissioner Trantalis. He wanted to proceed with the compromise resolution in order not to discourage such cooperation. Commissioner Trantalis agreed and commented that perhaps what he raised needs to be vetted. There was consensus to walk on the resolution that is attached to these minutes.

Broward Metropolitan Planning Organization Projects including Port Everglade Bypass Road Grant

Vice-Mayor Roberts referred to a recent meeting of the Metropolitan Planning Organization (MPO) and said the cities have been asked to review their unfunded project list and determine whether their

priorities have changed. He asked the City Manager to review the list and bring it back before the Commission.

Commissioner Rogers indicated he has requested an opinion concerning a grant for the Port Everglades bypass road that was returned by Broward County because they decided not to proceed. He would like to know what happens to the funding. The City Manager advised this is an issue that has an impact on permitting for the convention center hotel. Mayor Seiler explained the road redesign went from \$30 million to \$80 million. It is likened to a bridge in terms of cost. Commissioner Rogers felt it should not be a unilateral decision. Vice-Mayor Roberts thought consideration should be given to using the \$10 million set aside by the County for the WAVE that may be helpful to address this need. The City Manager advised that the bypass road solves the traffic mitigation for the North Port development of regional impact (DRI). The City's position is that traffic still needs to be mitigated if the bypass road is not constructed. The County's position is that the traffic does not need to be mitigated because there have been other additional improvements to traffic in the area. Commissioner Rogers pointed out the need for better cooperation and communication. Vice-Mayor Roberts indicated he will be attending the MPO meeting in November concerning the \$10 million and requested the City Manager keep him up to date during the interim.

YMCA Partnership

Vice Mayor Roberts requested the City Manager look into a partnership with the YMCA and bring it back to the Commission for consideration. Commissioner DuBose indicated he felt that the YMCA should address shortcomings with the L.A. Lee YMCA Family Center in his district.

Neighborhood Action Team Staffing

Commissioner DuBose asked if the City will be adding more officers to the Neighborhood Action Team (NAT) because they have a large area to cover and do not appear to be sufficiently staffed. He asked the City Manager to look into this. Vice Mayor Roberts advocated for freeing up staff from routine calls for service where possible to a proactive approach to crime-fighting.

Removal of Deceased Animals

In response to Commissioner DuBose, the City Manager advised that beginning October 1, Broward County will no longer be removing deceased animals. The City will begin providing that service and absorbing it in the sanitation budget.

Disposal of Hazardous Waste

The City Manager explained for Commissioner Rogers that the City opted out of the County providing this service due to cost and is forming a cooperative program with other municipalities. Commissioner Rogers asked that the information be posted on the website.

Pioneer Days

Commissioner Rogers suggested and there was consensus that he would submit two candidates for this program upon receipt of the application. Commissioner DuBose indicated that he may also have a nominee.

CONFERENCE REPORTS

CF-1 13-1097 **FORMATION OF MATARO, SPAIN AND CITY OF FORT LAUDERDALE AS SISTER CITIES - Tony Marcelli - Greater Fort Lauderdale Sister Cities, Inc.**

Marianne Winfield, former president of Greater Fort Lauderdale Sister Cities, advised that Greater Fort Lauderdale Sister Cities has voted to recommend that Mataro, Spain, become Fort Lauderdale's 18th Sister City. She introduced other representatives of Greater Fort Lauderdale Sister Cities.

Nathan Burrell, representing Sister Cities, also made introductory remarks about his work with the program, its focus on economic development and the success he has had with the Helping Our Nations Empowering Youth (HONEY) all-volunteer project and Greater Fort Lauderdale Sister Cities.

Russell Weaver, representing Sister Cities, noted the program's success with trade offices in getting foreign dignitaries and support staff assigned to Florida to visit Fort Lauderdale. Sister Cities also works closely with other organizations to promote Fort Lauderdale including the City administration.

Tony Marcelli, president of Greater Fort Lauderdale Sister Cities, asked the Commission to accept the recommendation of Mataro, Spain, joining the Sister Cities program. He elaborated on the justification for the recommendation. He provided an update on Mataro's activities with Fort Lauderdale and Broward County, dated September 15, 2013, that was made a part of the record.

Marcelli went on to explain that the all-volunteer Sister Cities' organization is requesting additional support from the City to administer eighteen sister cities. They have reorganized and shifted their focus from culture to economic development. He provided a fact sheet on their request, dated September 4, 2013, that is attached to these minutes.

Commissioner Trantalis suggested that Sister Cities apply for grant funding from the Community Foundation of Broward.

There was consensus approval to accept Mataro, Spain as a sister city. Mayor Seiler appreciated the additional focus on commerce and trade. Vice-Mayor Roberts said he would like to enhance the City's relationship with Sister Cities. He asked that City staff provide more support to Sister Cities, including assistance with grant application writing. He was interested in attracting businesses to the executive airport area. Commissioner Rogers agreed that the City Manager should look into what could be done on a contract basis. Winfield enumerated similarities with Fort Lauderdale's sister cities.

A formal signing ceremony will be planned.

CF-2 13-1246 **SOUTH SIDE SCHOOL UPDATE**

The City Manager noted staff is working through the easement issue previously discussed and finalizing discussions with Nova Southeastern University. Commissioner Rogers noted that September had been decided as the deadline for a decision.

OLD/NEW BUSINESS**BUS-1 13-1276 INFORMATION TECHNOLOGY SERVICES INFORMATIONAL PRESENTATION**

Chief Technology Officer Mike Maier presented slides concerning this matter. A copy of the slides is attached to these minutes.

BUS-2 13-1222 AFFORDABLE HOUSING STRATEGY AND HOUSING MARKET STUDY - FOLLOW-UP DISCUSSION

The City Manager explained that as a result of several tax credit applications being filed, the Commission requested a study to determine how much affordable housing exists, how much should be available and how it should be distributed. A request for proposals was developed, but there were concerns about the scope. Florida International University (FIU) has completed a similar study for Broward County. A copy of that study has been provided (Exhibit 1 to Commission Agenda Memorandum 13-1222). He would like direction as to whether a separate study should be conducted and, if so, what would be the components. If the Commission feels further refinement is needed on the FIU study, the City could contract with FIU to do so.

Amanda Spangler-Bartle, chair of the Affordable Housing Advisory Committee, indicated she is also executive director of South Florida Community Land Trust. Last year the Committee researched inclusionary housing, held a public workshop and met with the Downtown Development Authority and the Broward Housing Council.

Commissioner Trantalis thought that study topics relating to the existing housing market and a comprehensive affordable housing strategy are entirely separate from each other. It was clarified that the Commission directed a study be done. The City Manager thought the original Commission direction was to answer three questions: 1) what currently exists; 2) what is the need and 3) where should it go in the City. It was City-specific versus of thinking of it as a regional issue. Commissioner Trantalis asked about resources to accomplish this. The City Manager agreed the study would also include the question of resources. The scope has expanded from when the original request was made. Commissioner Trantalis thought there may not be one entity that could answer all of the questions. Mayor Seiler believed this must be broader than Fort Lauderdale alone; it must include neighboring eastern cities. Commissioner Trantalis agreed, but also felt there is some obligation to provide affordable housing to people who want to live and work in Fort Lauderdale. He went on to say it might be best to adopt definitions already contained in federal legislation.

Some discussion ensued about the history of this topic and the topic in general. Commissioner Rogers agreed with Mayor Seiler. He wanted an expert to define the geographic area as well as the question of things like the WAVE and how they come into play in trying to reach the goal of affordability. Commissioner Trantalis pointed out that the FIU report was countywide. Fort Lauderdale needs to be mindful of its own capacity. Commissioner Rogers noted that the average cost of housing may differ from city to city. The household makeup is another dynamic to consider. A strategy is needed. Commissioner DuBose commented that there are cities that have adopted conflicting policies. The percentage of income devoted to housing is a factor. He felt that affordable housing may mean different things to different people and the Commission needs to be united in that definition.

Mayor Seiler opened the floor for public comment.

Roosevelt Walters, a member of the Affordable Housing Advisory Committee, referred to the idea of looking at neighboring cities and said he felt the City should address what it can control although he felt it is a good concept. The City should not place this housing in one area because low income in one area would build a ghetto. He asked the Commission to review the Committee's recommendation, which deals with the property the City currently owns. He also stressed that inclusionary zoning be explored. Mayor Seiler said a previous report by the Committee recommended the City set aside some its surplus property for affordable housing. It has been difficult to determine how much of it to set aside and at what location. It does not work to set aside existing surplus property in one area because it does not create a balance or take into account what the need actually is. He also referred to Commissioner DuBose's concern about the terminology as well as the average commute of 25 minutes. Walters agreed it needs to reach beyond the City, but Fort Lauderdale should set policy as it relates to Fort Lauderdale. Commissioner DuBose explained there are two layers, that of the County and City.

Mayor Seiler felt a workshop is needed on this topic, with a goal of reaching a solution within 60 or 90 days.

Dr. Ned Murray, associate director for Metropolitan Center School of International and Public Affairs at FIU said the Commission is correct in focusing on affordable housing for its residents, but in terms of a market study, the analysis will extend beyond City boundaries into the surrounding communities. From that point, the City could then develop strategies to implement the findings. In response to Vice-Mayor Roberts, Murray shared some history of FIU's involvement in this topic dating back to the economic bubble in 2005. The FIU study is an economic-based analysis that identifies the demand and affordability based on that demand. He elaborated on rules of thumb. It is based on standard criteria used by the National Association of Realtors and the National Association of Builders. It is not affordable housing in the U.S. Department of Housing and Urban Development sense although there is need for concern in that area because so much of the workforce is 80 percent and below the average median income. Ultimately, however, market rate housing is what is market rate to the City's workers.

In response to the City Manager, Murray advised that their study for the Miami chamber included the main area municipalities. In response to Commissioner Rogers, Murray advised that the market study will look at various factors and conditions that are driving the City's housing market. The economy will drive this because people follow jobs. Commissioner Rogers believed that young people are moving to cities where they want to live, including Fort Lauderdale, without employment. The City needs to plan for that. Fort Lauderdale is an international city and there is high demand for residency, but with demand comes price increases. Young professionals and empty nesters could be driven out of the market.

Commissioner Trantalis wanted to see an analysis that includes rental property. Murray referred to FIU's recent study of the rental market in Palm Beach County. He elaborated on how FIU would address such an analysis.

Jim Carras, 1701 NE 6 Street, said he discussed the affordable housing issue last month with the Broward Planning Council. He is the founding president of the Broward Housing Partnership and its Community Land Trust. The methodology used in the FIU study is state-of-the-art. Fort Lauderdale leads the state in its need for multi-family units. The Miami-Fort Lauderdale Metropolitan Statistical Area (MSA) is one of the top five in cost burden, meaning more people spend above 30 percent of their income on housing. Additionally, the Miami-Fort Lauderdale MSA leads the country in housing and transportation costs. Affordable housing continues to be one of the driving economic development issues. It is unfortunate there is a tendency to think of affordable housing as being designated just for low-income people. It runs across several economic strata. He mentioned that Marina Lofts has been

referred to as affordable luxury housing where a tenant would have to make \$45,000 per year in order to spend less than 30 percent of his or her income on housing. Housing opportunities along the FEC corridor should be considered. He hopes the City will move quickly in determining its role in meeting the demand for affordable housing. He mentioned a study being conducted on behalf of Broward County concerning all financial institutions in the County relative to their community redevelopment agency performance and housing that will be available sometime in October.

Charles King, 105 North Victoria Park Road, thought the City's surplus land was slated to be sold. He advocated for housing being determined by the market. He felt the public schools are being destroyed by an overload of low-income people. The Commission's policies have a direct impact on the school system.

Mayor Seiler asked the City Manager to proceed with setting a workshop on this topic.

Note: The Commission recessed and convened as the Community Redevelopment Agency Board of Commissioners at 4:20 p.m. The closed door session was held after this meeting. The Commission then reconvened the conference meeting at 9:03 p.m. to address Item BUS-3 in the City Commission meeting room on the first floor of City Hall.

EXECUTIVE CLOSED DOOR SESSION

13-1279

THE CITY COMMISSION SHALL MEET PRIVATELY PURSUANT TO FLORIDA STATUTE 286.011(8) CONCERNING: CFL v. Traffic Control Devices (File CPD 06-1183C)

OLD/NEW BUSINESS

BUS-3 13-1002

POLICY AND PRINCIPLES MANUAL - CITY OF FORT LAUDERDALE COMPLETE STREETS

The City Manager explained the purpose of this is to define what "complete streets" means for Fort Lauderdale. The City is trying to take the lead on this issue in the county.

Director of Transportation and Mobility Diana Alarcon reviewed slides on this topic that are attached to these minutes. A resolution will be presented on October 1.

Commissioner Rogers asked the staff to consider an abbreviation/acronym for referring to complete streets.

BOARDS AND COMMITTEES

BD-1 13-1200

COMMUNICATIONS TO CITY COMMISSION AND MINUTES CIRCULATED - period ending September 12, 2013

Mayor Seiler asked the City Auditor to follow up with research concerning Carlisle Development Group.

Affordable Housing Advisory Committee

The Affordable Housing Advisory Committee (AHAC) requests the opportunity to discuss the attached recommendations for the Utilization of Surplus City Owned Properties for Affordable Housing and List

of Affordable Surplus Properties. We would like to meet with the City Commission to present our recommendations and determine the best course of action for implementation.

Mayor Seiler mentioned the affordable housing discussion held earlier in the conference meeting and that the Commission is planning to hold a workshop on that issue.

Audit Advisory Board

Motion made by Mr. Alley, seconded by Mrs. Diehl to make a recommendation to the City Commission to implement a whistleblower policy for employees, residents and vendors and to also publicize the resources of the Inspector General. In a voice vote, the motion passed unanimously.

The City Manager said such a policy exists under statute. The City Auditor said a best practice is to have an opportunity for employees to report fraud, waste and mismanagement. The board brought this up because it is a standard practice for most organizations. Even though there may be a policy under state law, employees are not aware of it or aware of the protections in place. Mayor Seiler suggested an education campaign rather than passing a law. The City Manager suggested a poster be created to be placed with other notices for employees. Vice-Mayor Roberts thought a policy would be helpful to delineate the various avenues that are available. Commissioner DuBose felt the same objective is met with the Inspector General. The City Auditor agreed. It is really a matter of an educational program for employees.

Marine Advisory Board

Motion made by Mr. Ross, seconded by Ms. Scott-Founds, that the Marine Advisory Board has reviewed the criteria required by the dock waiver process, and has unanimously concluded that the current process is effective and should continue, as described in the attached document. In a voice vote, the motion passed unanimously.

Commissioner Trantalis commented that people are applying for waivers regarding the positioning of docks within the waterways and almost every waiver is granted. There really is no law. He had asked the board for a recommendation on a realistic approach to enforcing the law. He hopes the Commission will consider changing the law and sticking to it. Commissioner Rogers recalled the discussion and the fact that boats are getting bigger. Although he did not disagree, he felt it is a matter of prioritizing. The City Manager said it would fall under the purview of the Department of Sustainable Development that currently has a full plate. It could be added to their list. Commissioner Trantalis believed that based on the size of new boats, the thinking may be the rules are so restrictive the Commission could not possibly deny any future waivers. It is a safety issue. Commissioner Rogers did not see this as a front burner issue.

Motion made by Mr. Herhold, seconded by Mr. Rassing, to ask that the City Commission contact Michael Lieberman of the U.S. Coast Guard, requesting that bridge openings on Andrews Avenue and 3 Avenue on Thursday, October 31, Friday, November 1, and Monday, November 4 be returned to on-demand basis between the hours of 4:30 p.m. and 6:00 p.m. in order to facilitate the water transportation of attendees departing the Fort Lauderdale International Boat Show. The board also respectfully requests that this apply to this year's boat show as well as all future shows. In a voice vote, the motion passed 10-0. Mr. Johnson abstained. A memorandum of voting conflict is attached to these minutes.

There was consensus agreement with this recommendation.

BD-2 13-1201 BOARD AND COMMITTEE VACANCIES

Please refer to item R-3 in the regular meeting.

CITY MANAGER REPORTS

MGR-1 13-1308 WAVE FINANCING UPDATE

The City Manager said the Commission passed an assessment and authorized filing of the validation process for special assessment bonds. The City will have to enter an agreement with the North Broward Hospital District and the school board, housing authority and performing arts authority in order to formalize their commitments to the WAVE funding. This has taken longer than anticipated. He does not believe the City will meet the goal of having bonds issued by December 31. He would like to approach the City's partners about extending the interlocal agreement to April 30 or later.

NOTE: The meeting adjourned at 9:25 p.m.