

City of Fort Lauderdale

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



Meeting Minutes

Tuesday, June 6, 2017

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
ROBERT L. McKINZIE Commissioner - District III
ROMNEY ROGERS Commissioner - District IV

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

ROLL CALL

Present 5 - Commissioner Robert L. McKinzie, Commissioner Romney Rogers, Vice Mayor Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor John P. "Jack" Seiler

QUORUM ESTABLISHED

Also Present: City Manager Lee R. Feldman, City Clerk Jeffrey A. Modarelli, City Attorney Cynthia A. Everett, City Auditor John Herbst, and Sergeant at Arms Nicholas Coffin

No e-comments were submitted for this meeting

CALL TO ORDER

Mayor Seiler called the Commission Conference Meeting to order at 1:41 p.m.

CITY COMMISSION REPORTS

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

City Meeting Announcements for the Public

Vice Mayor Roberts announced upcoming workshops and meetings:

- Fire Rescue Facilities Bond Issue Blue Ribbon Committee Workshop on Wednesday, June 7, 2017, at 12:00 p.m.;
- Planning and Zoning Board Workshop on June 14, 2017, at 12:00 p.m.; and
- Vice Mayor Roberts Town Hall Meeting scheduled on June 14, 2017, at 7:00 p.m.

Commissioner Trantalis commented on the Equality Rally for Unity and Pride being held at Huizenga Park on June 11, 2017, at 4:00 p.m. It is associated with the national effort on June 11th in Washington, DC and other local events around the country. This event will also acknowledge the event on June 12th, a memorial in remembrance of the events last year at Pulse Night Club in Orlando, Florida.

League of Cities

Commissioner Trantalis discussed his attendance at the League of Cities 60th Anniversary Gala event at the Margaritaville Hotel. He commented on the issue of City participation in this League of Cities event. Due to the high profile of the City in Broward County, he recommended sponsoring a contributor table at this local level event to allow a greater presence. Mayor Seiler commented on his and other Commission member participation with the League of Cities on the state and national levels. Further discussion on this issue continued.

The Wave Streetcar

Commissioner Trantalis discussed the monthly meeting of the Downtown Fort Lauderdale Civic Association Meeting (DCA) held on June 5, 2017 regarding The Wave Streetcar (The Wave). He noted there were approximately 200 participants who questioned whether this project is the proper direction for the City and if the technology currently being contemplated could be upgraded to newer technologies. Commissioner Trantalis deferred to City Manager Feldman for an update on the DCA Meeting. City Manager Feldman updated the Commission on what occurred at the DCA Meeting regarding The Wave project.

In response to Commissioner Trantalis's question, City Manager Feldman outlined the history of The Wave and its project management, stating the City continues as a funding partner. Ultimately, the County will be the owner and operator of The Wave. The City will not have a decision-making role going forward. City Manager Feldman expounded on the assessment, debt service, financing, funding and other aspects of The Wave project. City Manager Feldman confirmed overhead wires are needed due to the length of the routes. Mayor Seiler commented on the funding and confirmed the lack of technology currently available to alleviate the use of overhead wires. He recommended pushing FDOT towards the goal of better technology. Vice Mayor Roberts commented on the Kansas City system having a single wire system and its success. He also discussed the position of DOT on long-range battery technology.

City Manager Feldman stated the State has this project out to bid, noting the selection of a company will be based on a point system that takes into consideration those with the best technology.

Commissioner Rogers commented on the high level of confidence in FDOT in this area, citing the bid process in the Interstate 595 project. Discussions and comments continued on this topic. Commissioner

McKinzie discussed the importance of changing the cultural perception of future generations in welcoming public transportation options such as light rail that would be driven by convenience and cost. Commissioner Trantalis commented on Brightline improving travel time to Miami. Mayor Seiler reiterated the need for future technology to address The Wave's visible electrical wiring.

Stranahan Park

Commissioner Trantalis asked City Manager Feldman about issues and circumstances surrounding the citation issued by the State Department of Health (Department of Health) regarding the recent situation at Stranahan Park. City Manager Feldman explained the facts involved. Discussions continued on the timing of the receipt of the Department of Health citation.

Commissioner Trantalis reiterated the Commission Goal Setting Session discussions on issues related to Stranahan Park, his comments to the Commission about his work with the Ad Hoc Continuum of Care to address conditions at Stranahan Park and Commission discussions at the Joint Workshop with the Broward Board of County Commissioners. City Manager Feldman explained the reasons behind the decision.

Commissioner Trantalis questioned the action and potential Commission discussion for a possible recommendation to give 24 hours notice. Commissioner Trantalis discussed the Continuum of Care reaction to this event and his inability to address their questions and concerns. Mayor Seiler, Vice Mayor, Commissioner McKinzie stated they were in agreement with City Manager Feldman and the actions of Staff. Mayor Seiler discussed the communication timeline, exigent circumstances and approval by the City Attorney's Office. Vice Mayor Roberts noted that six homeless people were put into permanent housing. Further comments and discussions ensued on how to manage the homeless who do not wish to have permanent housing.

Commissioner Rogers noted the need for a respite center for the homeless and the need for programming at Stranahan Park. Commissioner Trantalis discussed being approached by a nonprofit to address homeless issues, stating he will further investigate this possible opportunity. Commissioner Rogers stated the Salvation Army would create a center for the homeless for \$150,000 annual contribution. Commissioner Trantalis commented on pass-through funds from the State and Federal Government being utilized for this issue.

Commissioner Trantalis reviewed the Ad Hoc Continuum of Care Committee recommendations to disassemble the homeless community in Stranahan Park. Discussions ensued on those recommendations. In response to Commissioner Rogers's question, Commissioner McKinzie commented on working with the Salvation Army to address homeless issues. The Commission discussed the Housing First Program versus homeless shelters as possible options to address the homeless issue.

There was a consensus to pursue Commissioner Rogers's recommendation and to have City Manager Feldman pursue the Salvation Army offer to create a center for the homeless.

Commissioner McKinzie emphasized the need to enforce Ordinances in all City Parks.

Code Issue Follow-Up

Commissioner McKinzie requested more monitoring and follow-up by Code Enforcement for ongoing compliance by repeat offenders in parks, other areas in District III and Sistrunk Park due to Code issues such as public drinking and drunkenness. He confirmed he has addressed this issue with City Manager Feldman. Discussions continued on these activities and their effect on new development opportunities.

Fire Station 8

Commissioner Rogers briefly discussed his attendance at the meeting on Fire Station 8, stating there was an airing of ongoing issues. Mayor Seiler suggested discussing this issue at the June 7, 2017 Fire-Rescue Facilities Bond Blue Ribbon Committee Workshop.

Edgewood Zoning

Commissions Rogers commented on the current zoning, allowing a pawn shop near the Edgewood residential community. Discussions continued on the zoning history in this area. City Manager Feldman explained the zoning action by the Development Review Committee (DRC) for this area in 2016, confirming notice was given to the area homeowner associations. Anthony Fajardo, Director of Sustainable Development, explained the zoning change done in 1964 from residential to a B-2 Commercial Zoning District. He also discussed the emails used for giving notice. Discussions continued on the necessity of a DRC Review Hearing to trigger proper notice to all affected

stakeholders. There was a consensus on this recommendation. Mayor Seiler requested City Attorney Everett address updating the Ordinance as necessary. City Attorney Everett confirmed. Commissioner Rogers confirmed work is ongoing to make the Pawn Shop a good neighbor.

OLD/NEW BUSINESS

BUS-1 [17-0678](#)

Update on New Police Hiring Standards and Process

Mayor Seiler commented that David Morris, Ph.D., J.D., Morris and McDaniels, Inc., had been very thorough in addressing the new police hiring process and standards.

Mr. Morris presented the Commission an overview of the process used in developing the new police hiring standards.

Mr. Morris reviewed the former paradigm of police standards, the history of his firm and work done with stakeholders to achieve the type of police officers desired by the community. Mr. Morris reviewed the process to date for developing the new police officer model and the selection procedures for screening of qualified, diverse candidates with good character.

Mr. Morris stated the development of new standards for the new 21st Century Selection and Hiring process is the outcome of the completion of the following tasks:

Stakeholder Interviews;
Job Task Analysis;
Profile of ideal characteristics of an effective Fort Lauderdale Police Officer;
Updated Job Description;
City of Fort Lauderdale Police Officer entrance exam;
Modifications to enhance the selection process and to reduce the selection timeline; and
Targeted, ongoing recruitment strategy.

He confirmed the minimum requirements were updated. Candidates must be twenty-one years of age with no visible tattoos. The hiring policy also addresses non-discrimination issues. Vice Mayor Roberts confirmed that goals for the future are being achieved.

A copy of the Police Hiring Flow Chart Process and the presentation is attached to these minutes.

CONFERENCE REPORTS

CF-1 [17-0514](#) Emergency Purchase - Sewer Force Main Failure at 508 Southwest 6th Avenue - \$162,444.50

City Manager Feldman confirmed this item was a report on the \$162,444.50 emergency purchase due to the sewer force main failure at 508 Southwest 6th Avenue.

CF-2 [17-0609](#) Quarterly Investment Report for Period Ending March 31, 2017

Kirk Buffington, Finance Department Director, explained the difference between the rate of return on the Community Redevelopment Agency (CRA) Fund and the General Portfolio Fund. The money in the CRA Fund consists of a short-term cash equivalency fund necessitating a smaller return. Mr. Buffington deferred to City Treasurer Ash Benzo who elaborated.

Mr. Benzo explained the purpose and aspects of the CRA Fund requiring it to be maintained in cash, resulting in a drag on returns. In response to Commissioner Rogers's question, Mr. Benzo explained the components of the Fiscal Year's negative benchmark performance resulting in a negative yield. Mr. Benzo stated it was due to rising interest rates, reviewing specific pages of the investment update. Further discussion and comments ensued. In response to Commissioner Rogers question, City Auditor Herbst contributed his input, citing specific examples. Mr. Benzo discussed the creation of a self-directed account whereby the Finance Department and Treasury Department are transitioning to a revenue generating center to move cash from lower yielding to higher yielding accounts. Mr. Benzo discussed specific examples and results.

A copy of the OPEB Investment update is attached to these minutes.

Dr. William Goetz commented on the Investment Performance Report for the Fort Lauderdale Operating Funds to ensure taxpayer money is spent optimally and revenues are optimized. He suggested there is enough data in these reports to warrant an evaluation by management and the Commission of investment policy and reporting procedures of the various operating funds, including retirement funds. He suggested an initiative by the Commission to create a task force to review and evaluate investment policies and procedures. Dr. Goetz discussed his reasoning, noting considerable discrepancies in the returns from GERS and the 457 Plan. He expounded on these issues giving examples to the Commission.

COMMUNICATIONS TO THE COMMISSION

[17-0672](#)

Communications to the City Commission

MARINE ADVISORY BOARD - May 4, 2017
Communications to City Commission

Motion made by Vice Chair Henderson, seconded by Mr. Strobel, to send the following communication to the City Commission. In a voice vote, the motion passed unanimously:

“The Marine Advisory Board of Fort Lauderdale is concerned about the garbage, debris, and trash floating in our waterways. They are further concerned that the property owners are not adequately maintaining their waterfront properties.

“The MAB is asking the Head of Code Enforcement to start citing property owners that are not maintaining their waterfront properties and is urging residents to report neglect of the waterways to the Head of Code Enforcement. The western regions of the Tarpon River and the New River are perfect examples of this neglect. Furthermore, the MAB is requesting Code Enforcement to investigate the above concerned areas and then make a presentation to the MAB as to their findings.

“The trash and debris floating in the City’s waterways not only is an eyesore but is also a hazard to boaters in the area. This is a problem that will continue to fester if it is not addressed immediately. The MAB wants action on this issue as our waterways are the heart and soul of our wonderful city.”

City Manager Feldman stated the issue is the identification of the properties. He will work with Police Chief Maglione to pinpoint the properties and address the Marine Advisory Board’s concerns.

CEMETERY SYSTEM BOARD OF TRUSTEES -
MAY 11, 2017
Communication to the City Commission

Motion made by Mr. Ulmer, seconded by Mr. Powell, that the Cemetery System Board of Trustees advises Carriage Services to immediately stop the marketing of the cremation core marker, as it

not approved for a City cemetery. In a voice vote, the motion passed unanimously (9-0).

City Manager Feldman explained the Cemetery System Board of Trustees is advising the Commission of its action. He also confirmed marketing of the cremation core marker was in violation of the contract with the vendor, confirming this is not an expenditure in the City budget. City Manager Feldman confirmed this was just an advisement to the Commission. In response to Mayor Seiler's request, City Clerk Modarelli confirmed he would review the Cemetery System Board of Trustee Minutes to confirm.

***PLANNING AND ZONING BOARD - MAY 17, 2017
Communication to the City Commission***

Motion made by Ms. Golub, seconds, by Ms. Desir-Jean, that an alternate member of the Planning and Zoning Board be appointed to the City's Infrastructure Committee in the event that the Board's Chair is unable to attend Committee meetings. In a voice vote, the motion passed unanimously.

City Manager Feldman stated they would like an alternate appointed should Chair Leo Hansen not be able to attend the Infrastructure Task Force Committee Meetings. Mayor Seiler agreed with this request.

***CHARTER REVISION BOARD - May 11, 2017
Communication to the City Commission***

Motion by Mr. Gunzburger, seconded by Ms. Stern, that the Board believes a two-year process is probably needed since the Commission requested them to be inclusive of public input and because these items would not be ready to be placed on the ballot until the 2018 Election. In a voice vote, the motion passed unanimously. (5-0).

Mayor Seiler confirmed the Commission was in agreement.

OLD/NEW BUSINESS CONTINUED

BUS-2 [17-0695](#)

Status Update on the Natchez Land Swap and Agreement with Barefoot Contessa, LLC

City Manager Feldman confirmed this item follows-up on the on the Natchez Land Swap and Agreement with Barefoot Contessa, LLC, a

previous agenda item at the May 16, 2017 Commission Conference Meeting.

Stephanie Toothaker, Esq., and on behalf of Barefoot Contessa, LLC, confirmed that after working with Assistant City Attorney Lynn Solomon, almost all title issues have been addressed. In response to Commissioner Rogers's question, Ms. Toothaker stated the closing would not need to be extended until September 2017. The agreement to terminate the foreclosure action is expected to be signed this week. Ms. Toothaker expounded on the title issues being remedied, noting Code issues are also being addressed to deliver the property in Code compliant condition. Ms. Toothaker stated the private easement has also been discussed and she and Assistant City Attorney Solomon are confident the easement will be released.

In response to Commissioner Trantalis's question regarding the mortgage, Ms. Toothaker confirmed Barefoot Contessa had reached a Joint Venture Agreement that was formed with the lender.

BOARDS AND COMMITTEES

- BD-1** [17-0671](#) Board and Committee Vacancies
See Regular Meeting item R-1.

EXECUTIVE CLOSED DOOR SESSION - 4:30 P.M. OR AS SOON THEREAFTER AS POSSIBLE

- [17-0728](#) The City Commission will meet privately pursuant to Florida Statute, Section 286.011(8) concerning:

Gary Groenewold v. City of Fort Lauderdale
Case No. CACE 15-021775 (03)

Mayor Seiler announced the City Commission shall meet privately to conduct discussions between the City Manager, the City Attorney and the City Commission relative to pending litigation pursuant to Section 286.011(8), Florida Statutes, in connection with the case noted in item 17-0728:

Present at the attorney-client session will be:

Mayor, John P. "Jack" Seiler
Vice Mayor, Bruce G. Roberts

Commissioner, Robert L. McKinzie
Commissioner, Dean J. Trantalis
Commissioner, Romney Rogers
City Manager, Lee R. Feldman
City Attorney, Cynthia A. Everett
Outside Counsel will be Robert H. Schwartz, McIntosh Schwartz,
P.L., and
a Certified Court Reporter with Daughters Reporting, Inc.

The estimated length of this attorney-client session is approximately fifteen (15) minutes.

CITY MANAGER REPORTS

None.

ADJOURNMENT

There being no additional business before the City Commission at this City Commission Conference Meeting, Mayor Seiler adjourned the meeting at 3:38 p.m.