

City of Fort Lauderdale

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



Meeting Minutes

Tuesday, August 22, 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 - Vice Mayor Bruce G. Roberts, Commissioner Dean J. Trantalis, Commissioner Robert L. McKinzie, Commissioner Romney Rogers 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 Jeffrey Newman

No e-comments were submitted for this meeting.

CALL TO ORDER

Mayor Seiler called the meeting to order at 1:34 p.m.

CITY COMMISSION REPORTS

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

Vice Mayor Roberts discussed the need to address the sign ordinance, asking City Attorney Everett for an update. He confirmed the Greater Fort Lauderdale Realtors (GFLR) should be involved in this process. City Attorney Everett confirmed she would contact the GFLR and follow-up with them for their input regarding drafting the ordinance.

Vice Mayor Roberts commented on recent issues relating to the Marijuana Ordinance and its relationship to possible future State of Florida legislative actions, i.e., the grandfathering or preemption of local ordinances. Mayor Seiler asked City Attorney Everett to prepare a written legal opinion as it relates to the current Ordinance. City Attorney Everett gave a brief overview of the current Ordinance. She confirmed she would provide the Commission with a written legal opinion. Further discussions continued on the issue.

Vice Mayor Roberts discussed his attendance at the Crisis Intervention Team (CIT) in Law Enforcement International Conference at the Broward Convention Center, commenting on the international attendance and the conference.

Commissioner McKinzie discussed the many, varied activities and community services taking place at Carter Park, thanking Parks and Recreation Staff and various non-profit entities for their annual contributions. He noted the upcoming ribbon cutting ceremonies for new businesses in District III. Commissioner McKinzie noted the continued work and success of the Business Advancement Engagement and Mentorships (BEAMS) Program, thanking the Chamber of Commerce and Dan Lindblade for efforts to advance economic development in District III.

Commissioner Trantalis discussed his recent Telephone Town Hall Meeting. He also discussed National Night Out on Crime held at Carter Park commenting on the positive Police and Fire Departments' staff engagement. Commissioner Trantalis recommended more outreach for awareness of this event to encourage community attendance and to combat crime. He also commented on his attendance at a recent Habitat for Humanity ribbon cutting event. Commissioner McKinzie noted this was the 417th home built by Habitat for Humanity in the County.

Commissioner Trantalis commented on his recent visit to Portland, Oregon, and his learning about their light rail system and downtown revitalization. Commissioner McKinzie commented on Detroit's light rail system having charging stations instead of overhead wires. Commissioner Trantalis confirmed 80 percent of Detroit's light rail system is charged using charging stations. Further discussions continued on the need for a light rail system with cutting edge technology.

Commissioner Trantalis commented on his attendance at the National League of Cities Conference and the low attendance by members of the State Legislature.

Mayor Seiler commented on the concerns of local officials across the State regarding opioid abuse. Further discussions continued on the genesis of opioid abuse and its ramifications. Vice Mayor Roberts commented on the importance of addressing this at the State and National levels as well as organizing at the local level for additional regulation. Mayor Seiler commented on the need to update ordinances to address the opioid crisis. City Manager Feldman confirmed he had requested Staff provide him with a weekly report of overdoses in the City to be able to track by location and proactively determine where it is happening. He commented on the need for protective gear for first responder personnel when on the scene of a Fentanyl overdose.

Mayor Seiler asked City Attorney Everett to determine what other municipal attorneys around the State are doing relative to updating their local ordinances to address this issue. City Attorney Everett confirmed.

Commissioner Trantalis stated that at 5:30 p.m. on August 29, 2017, the Bahia Mar developers will host a Town Hall Meeting on the proposed Bahia Mar project at the International Swimming Hall of Fame.

Mayor Seiler stated the City was notified by the Supervisor of Elections Office about the need to address City election dates relating to overseas ballots. He confirmed he had requested the Charter Review Board to look into this issue. City Clerk Jeffrey Modarelli passed out an exhibit.

City Attorney Everett stated after contacting the Department of Elections in Tallahassee, they confirmed the provision regarding 45 days does not apply to municipal elections. Mayor Seiler discussed additional issues relating to this matter, confirming his desire to have the highest level of participation possible in the upcoming election, especially those serving in the military overseas. He reviewed the election dates, procedures, and the Supervisor of Elections memo. Mayor Seiler recommended having the Charter Review Board address this issue to avoid conflicts with those on the Commission running for office.

Mayor Seiler recognized Charter Review Board Chair Judy Stern, 905 SE 12th Court, who confirmed conversations with an attorney in Tallahassee who specialized in election law. Ms. Stern confirmed his opinion that there is nothing exempting municipalities from this requirement. She recommended a full Charter Review Board discussion on this issue and to move back all election dates to accommodate the items noted in the Supervisor of Elections memo. Chair Stern recommended instituting the same action taken in 2012 to achieve the necessary deadlines. Further discussions continued on the timeline of the elections.

City Clerk Jeffrey Modarelli addressed the Commission on details regarding modifying the municipal election dates based upon the Supervisor of Elections schedule, noting recent the name change from Absentee Ballot to Vote by Mail.

A copy of the schedule from the City Clerk's Office regarding election dates provided by the Supervisor of Elections is attached to these minutes.

Chair Stern confirmed the Charter Review Board would need to call a

Special Meeting to address this matter. Chair Stern confirmed her call to Supervisor of Elections Brenda Snipes about recommended dates. Further discussions continued on the primary and general election deadline dates and the importance of keeping the public informed.

Commissioner Trantalis discussed a Walk-On Resolution for tonight's meeting addressing recent events in Charlottesville, Virginia. Mayor Seiler requested this be discussed later in the meeting after a review of the Resolution's exact wording.

Commissioner Rogers noted the efforts of Community Builder Ethalbert Brown, Public Works, who assisted a neighbor in need, thanking Mr. Brown for his service to the community.

Commissioner Rogers raised the issue of traffic on the first day of the Supercon Event at the Convention Center in late July. After conversations with Chief Maglione, Commissioner Rogers confirmed notification issues and there being only one entrance to the Convention Center and the need for vehicles to enter the Convention Center without having to stop. Commissioner Trantalis noted the need to respond quickly in these types of situations. Mayor Seiler stated the City was not informed about the volume of attendees. Further discussion continued on this topic.

Commissioner Rogers noted the upcoming meeting of the 17th Street Working Group to address these types of traffic related issues. Commissioner Rogers commented on the history and completion of the last portion of the Riverwalk, commending the Downtown Development Authority, and Project Manager Genia Ellis' contributions to this project. Further discussions ensued on the history of this project.

Commissioner Rogers noted complaints regarding Sober Homes in District IV resulting from drug and alcohol abuse, noting letters received and asking the City to mirror the City of Delray Beach's efforts in this area. Discussions continued on ensuring appropriate zoning is in place to address this issue.

In response to City Attorney Everett's question, Commission Rogers noted constraints at the federal level and possible changes regarding interpretation, stating Delray Beach's ordinance was implemented after the change in interpretation. Commissioner Rogers expounded on the idea of determining the limit for the number of Sober Homes in a neighborhood, asking City Attorney Everett to reach out to Lois Frankel's office and ascertain if there is a new interpretation of this issue at the

federal level and review the Delray Beach ordinance. City Attorney Everett confirmed.

Commissioner Rogers noted the upcoming Infrastructure Workshop on August 30, 2017 from noon - 2:00 p.m. in the Commission Conference Room.

Commissioner Rogers discussed the number of people interested in the programming at South Side School. Further discussion ensued on the programming and the possible future relocation of the Parks and Recreation Department.

Mayor Seiler discussed receiving complaints about vehicles on 5th and 6th Streets mixing with pedestrians during the monthly FAT Village Art Walk, stating this is not consistent with the Vision Zero. He asked City Manager Feldman to look into addressing a 4-5 hour street closure during this monthly event.

Mayor Seiler thanked Staff for their effort in conjunction with the live entertainment events throughout the City over the summer. He commented on recent tennis events at the Jimmy Evert Tennis Center at Holiday Park, noting the importance of ensuring the proper resources to maintain this facility. Commissioner Trantalis commented on the need to enhance this facility's Pro Shop that would increase the visibility of the City in other parts of the world and could pay for itself. Mayor Seiler requested City Manager Feldman have Parks and Recreation Staff look into this opportunity.

Mayor Seiler acknowledged and recognized the work of Police Investigations Officer Anthony Windes who is on loan to the County Property Appraiser's Office to address residents committing fraud with homestead exemptions and usage of residential properties.

Mayor Seiler expounded on the great work by Chief Maglione and his team in their effort and collaboration with the Here Not There Program. The City has been recognized nationally as the leader in the country for picking up sex offenders residing illegally in places other than their registered addresses.

Mayor Seiler also thanked all involved in the completion of the Riverwalk connection. Mayor Seiler commented on issues relating to quality of life, the importance of home rule and the proposed Super Preemption.

Mayor Seiler discussed construction of the USS Fort Lauderdale in

Pascagoula, Mississippi, the committee meeting to discuss the need to formalize the commissioning. He requested City Manager Feldman ask Chaz Adams, Strategic Communications Manager, assist in this endeavor. This topic will be placed on an upcoming Conference Meeting Agenda for discussion.

Commissioner Rogers and Mayor Seiler noted the Japanese Navy recently being in port for joint training.

Mayor Seiler discussed meetings with the Las Olas Association and their desire to have more involvement in activities taking place on Las Olas Boulevard to allow better coordination. Any events in this area should be coordinated with the Las Olas Association and the Riverwalk Association.

[17-0907](#)

Communications to the City Commission

MARINE ADVISORY BOARD - JULY 6, 2017

Communications to City Commission

Motion made by Mr. Cain, seconded by Vice Chair Henderson, that the Marine Advisory Board respectfully requests that the City Commission direct Marine Facilities Staff to undertake a study as to the suitability of the southwest corner of the 17th Street Bridge for super-yacht dockage. This study is to include but not be limited to: physical abilities, financial considerations, environmental considerations, tourism and image considerations, and competitive stature evaluation. In a voice vote, the motion passed unanimously.

Discussions ensued on this request. Mayor Seiler requested City Manager Feldman to put together a Resolution in support of this request.

HISTORIC PRESERVATION BOARD - JUNE 5, 2017

Communication to the City Commission

Motion by Mr. Figler, seconded by Mr. Melville to state that: Whereas the Hardy Park Clubhouse has a significant historic connection to the City of Fort Lauderdale and is potentially eligible for the National Register; whereas it is part of an important historical complex of buildings and whereas it has never been properly submitted to the Florida Master Site File for Historic Structures, the HPB highly recommends that the City not proceed with demolition until the appropriate staff can make contact with the State Historic Preservation Officer to be sure that the property was evaluated. In the meantime, the Board wished the City to attempt to preserve the structure with

appropriate emergency maintenance, to prevent further demolition by neglect. During that period, the City should also explore alternative uses for adaptive rehabilitation with a professional historic rehabilitation engineer and determine the costs involved. In a roll call vote, motion passed 9-0.

Mayor Seiler recognized Tricia Logan, Historic Preservation Officer, who explained the historical status of the Hardy Park Clubhouse, confirmed the reviewer said it was eligible for the National Register. Ms. Logan confirmed she had reached out to the State Historic Preservation Office who requested additional information for further analysis. She will reach out to them for their determination. Ms. Logan discussed the historical significance and physical aspects of the clubhouse, expounding on the history of Hardy Park. Mayor Seiler requested Ms. Logan prepare a historic recommendation for Commission consideration. Mayor Seiler confirmed this request will be deferred until review by the Commission of Ms. Logan's recommendation.

***BOARD OF ADJUSTMENT MEETING -
JULY 12, 2017***

Communication to the City Commission

Motion made by Ms. Ellis, seconded by Mr. Ostrau to request that the City's sign code be modernized. In a roll call vote, motion passed 7-0.

Mayor Seiler confirmed that the Commission is in agreement with this request as commented on earlier in this meeting.

AUDIT ADVISORY BOARD - July 27, 2017

Communication to the City Commission

The Audit Advisory Board consists of five appointed members, allowing three (3) to constitute a quorum.

It was noted that a quorum was currently present; however, Richard Owen will be leaving the board when his term expires September 30, 2017. He submitted his letter of resignation May 26, 2017. With three (3) vacant seats on the board, there will not be enough appointed members to constitute a quorum at the next quarterly meeting in October.

Motion made by Richard Owen, seconded by Keith Cobb, urging that

the City Commission make appointments to the Audit Advisory Board a priority. In a voice vote, the motion passed unanimously.

Discussions ensued on possible candidates. City Clerk Modarelli confirmed Commissioner Trantalis's appointment of Paul Czerwonka to be read into the record at tonight's Regular Commission Meeting. Mayor Seiler requested additional nominees be recommended for consideration to the Audit Advisory.

***CEMETERY SYSTEM BOARD OF TRUSTEES -
JULY 13, 2017***

Communication to the City Commission

Motion made by Ms. Mowrey, seconded by Mr. Ulmer, to advise the City Commission of the following:

In November 2015, Carriage Services entered into a sales contract with a family to purchase the interment rights of a double private estate crypt at Lauderdale Memorial Park Cemetery. The Cemetery Board determined that the location of this private estate is not an approved designated area by the City Commission. Section 11.6 of the Cemetery Rules and Regulations, provides that a private family estate may be used as the final resting place of deceased human beings only in City Commission approved designated areas within Lauderdale Memorial Park, Sunset Memorial Gardens and Evergreen Cemetery.

Carriage Services did not obtain authorization from the City to sell the property aforementioned. The double crypt currently contains one human remains. Per D'Wayne Spence, Assistant City Attorney, there are no legal implications to the City or the Cemetery System Board of Trustees. Implications to this illegality remain solely with Carriage Services.

The Cemetery System Board of Trustees will make a recommendation of additional private estate sites at Lauderdale Memorial Park for consideration by the City Commission in the future. In a voice vote, the motion passed unanimously (9-0).

City Manager Feldman confirmed Staff had finished the forensic audit

noting significant findings. Staff is working to determine the next steps. A Request for Proposal is currently out for bid to replace the current vendor.

Charter Revision Board - August 10, 2017

Communication to the City Commission

Member Atkinson made a motion, seconded by Maria Del Lescano, to notify the Commission that the state statute and the notice provisions from the Supervisor of Elections will necessitate a change in the upcoming February/March elections.

The Charter Revision Board recommends that the City Commission direct them to do a charter change and revise section 7.05 of the City Charter to reflect all future elections to coincide with the November general election cycle.

In a voice vote, the motion passed unanimously.

City Clerk Modarelli explained this request and confirmed there was a unanimous vote on this communication to the Commission. Mayor Seiler asked Charter Revision Board Chair Judy Stern for clarification on this communication.

OLD/NEW BUSINESS

BUS-1 [17-1002](#)

2017 State Legislative Update and Discussion Regarding FY 2018 Legislative Priorities and Appropriation Requests

Mayor Seiler recognized Ron Book, Ronald L. Book, P.A., gave an overview of the recent legislative session, noting it was extended to 63 days, focusing on issues regarding preemption and CRA. Mr. Book stated these issues would be coming back during the next legislative session. He described the legislative process, aspects of legislative bills and conforming bills, and the contentiousness of the session citing Bill 769 relating to Charter Schools. He noted the upcoming schedule for the legislative committees and next session commencing on January 9, 2018. Mr. Book noted the following issues of importance to the community:

Rapid Rehousing Program was passed
Title Valve Storm Water Improvements did not pass

Isle of Palms Sea Walls did not pass

Mr. Book discussed in detail the topic of home rule and preemption and local issues prompting action at the State level. Mr. Book discussed the legislature's position on Medical Marijuana Treatment Centers, noting they are no longer referred to as dispensaries. He also commented on grandfathering on this issue. Comments and discussion ensued on preemption as it relates to vacation rentals and cannabis. Mr. Book discussed the perception of Community Redevelopment Agencies at the state level, issues relating to Homestead Exemption legislation, and the success of the Anchoring Bill benefiting homeowners.

Mayor Seiler recognized Candice Ericks, Ericks Consultants, Inc. Ms. Ericks confirmed the vacation rental issue and the opioid issue would be coming back during the next legislative session. In response to Commissioner Trantalis's question about continued funding assistance for infrastructure and homeless assistance, Ms. Ericks stated that a portion of this funding will likely be approved, noting the political dynamics involved. Further discussions continued on this issue.

Mr. Book commented on the future of Medical Marijuana, discussing the ongoing debate over this issue. He also noted the debate in the last legislative session over the opioid minimum sentencing issue and the fentanyl crisis. Mr. Book also discussed the transient registered sex offender issue and efforts to address this issue in Miami-Dade County.

In response to Commissioner Trantalis's question about efforts to allow gun proliferation in public spaces, Mr. Book replied that votes for this exist in the State House. They are working towards getting the number of votes in the State Senate, noting the details involved. Mr. Alain Jean, The August Company, commented on the position of the Florida Sheriff's Association regarding bringing guns into court houses and surrendering them in a lock box upon entering. Further discussions continued on this issue.

Ms. Ericks commented on the joint memo from the Department of Justice and the Department of Housing and Urban Development regarding Sober Homes, noting it references zoning and proximity but does not give municipalities direction.

Vice Mayor Roberts commented on the need to address regulating the medical profession to address the opioid abuse issue going forward. Mr. Book confirmed now is the time for the Commission to share ideas to address this issue at the State level. Mayor Seiler confirmed a

consensus among the Commission to attack the opioid crisis in the same manner as former pill mills. He requested the lobbying team to continue to pursue the preemption issue.

City Manager Feldman said at the next Regular Commission Meeting, the legislative package will be presented for a vote. Mayor Seiler asked that Vice Mayor Robert's recommendation regarding regulating the medical profession to address the opioid abuse issue be made part of that legislative package.

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road, who commented on the cost of lobbying efforts and perceived conflicts of interests.

CONFERENCE REPORTS

CF-1 [17-0953](#) Emergency Purchase - Sewer Force Main Failures on Southwest 8th Avenue between West Las Olas Boulevard and Southwest 4th Street - Luna Development Corp. - \$109,291.50

There were no comments or questions on this item.

CF-2 [17-1007](#) South Side School Update

Commissioner Rogers gave a brief review of direction given to Parks and Recreation regarding what has transpired with the programming of the South Side Cultural Arts Center, noting the response and requests to look at the space. Commissioner Rogers gave his recommendation of hosting an open house after the ribbon cutting and having Parks and Recreation give tours and provide appropriate signage with information for parties interest in participating in programming, i.e., a telephone number or a website. He suggested a timeframe for achieving a January 1st start date. Mayor Seiler confirmed a consensus on Commissioner Rogers' recommendation.

BOARDS AND COMMITTEES

BD-1 [17-0906](#) Board and Committee Vacancies

City Clerk Modarelli read the names of appointments to Boards and Committees via resolution at tonight's meeting. City Clerk Modarelli also read names of appointments to be voted on via resolution at the September 6, 2017 Regular Commission Meeting. Mayor Seiler requested Colleen Lockwood be reappointed to the Central City Beach

Redevelopment Advisory Board. There was a consensus on this reappointment. Mayor Seiler also requested that Howard Nelson be appointed as a full member of the Board of Adjustment. Mayor Seiler confirmed there was a consensus for these reappointments.

Mayor Seiler noted the appointment of Pieter Coetzee, a building contractor, to serve on the Central City Redevelopment Advisory Board.

CITY MANAGER REPORTS

None.

Mayor Seiler announced a consensus about changes to a Walk-On item addressing the recent issues in Charlottesville, Virginia, to be heard at tonight's Regular Commission Meeting.

ADJOURNMENT

Mayor Seiler adjourned the meeting at 4:05 p.m.