

City of Fort Lauderdale

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



Meeting Minutes - DRAFT

Tuesday, September 16, 2014

1:30 PM

City Commission Conference Room

City Commission Conference Meeting

FORT LAUDERDALE CITY COMMISSION

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

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 1:34 p.m. by Mayor Seiler.

ATTENDANCE ROLL CALL

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

Also Present: Assistant City Manager Susanne Torriente, City Auditor John Herbst, City Clerk Jonda K. Joseph, Assistant 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 including Crosswalks

Members of the Commission announced recent and upcoming events and matters of interest. There was some discussion about crosswalk enhancement raised by Commissioner DuBose and as shown below by Commissioner Roberts.

Tourist Development Council; City's Representative

In response to Commissioner Trantalis, Mayor Seiler advised that he has been asked by a number of hoteliers to serve on the Tourist Development Council (TDC) when Commissioner DuBose resigns. He would be happy to serve. It was noted that Commissioner DuBose's last meeting would be in October.

Real Estate Brokerage, CBRE

In response to Commissioner Trantalis, Assistant City Manager Torriente advised that this will be on the October 7 agenda.

Beach Place Security

After some discussion about the need for taking action concerning Beach Place security, Mayor Seiler requested this matter be scheduled on the October 7 agenda.

Use of Medical Marijuana; Constitutional Amendment Question (November 4, 2014)

Commissioner Roberts wanted to make sure the City is prepared for handling this matter if it is approved. The City Attorney advised that her staff already has begun researching the matter. Commissioner Trantalis believed that based on the criteria there are only a handful of outlets across the state that could legally comply. The City Attorney agreed that venues for growing or producing marijuana are limited but the distribution method and other aspects, including security, are unclear. She plans to issue a report on her research findings.

Filming Regulations Ordinance

In response to Commissioner Roberts, Assistant City Manager Susanne Torriente advised that this item is planned for the October 21 agenda.

Crosswalks; Federal Highway

Commissioner Roberts referred to another hit-and-run fatal accident on North Federal Highway. On the stretch of Federal Highway from Commercial to 62 Street, there are only three crosswalks with large distances in between. He wanted to look into adding crosswalks.

Taxi Licensing

Commissioner Roberts commented that Fort Lauderdale is the only city in the county that licenses taxis. He wanted to look into whether the City should continue to be in this business or expand. Commissioner Trantalis felt it should be expanded. The Assistant City Manager agreed to follow up.

Legislative Priorities Update with City Lobbyists

Mayor Seiler asked that this item be scheduled prior to the state legislature's committee meetings, in the November time frame.

The meeting recessed at 2:18 p.m. and returned at 2:36 p.m. due to a fire alarm.

Paddle Board Temporary Launch Site and Beach Parking during A1A Improvement Project

Mayor Seiler commented that a group of paddle boarders approached him about losing parking spaces at their launch site due to the A1A Improvement Project. He questioned whether the City could provide a temporary launch site in an area where parking is available. Commissioner Trantalis also questioned whether the area for beach resident parking passes could be expanded. Mayor Seiler noted the City Manager's Office should also follow up on temporary use of parking at Birch State Park during the project.

A1A Improvement Project

Mayor Seiler advised that there are many exposed stormwater drains and other items that have been disturbed during the construction. He asked the City Manager's Office to follow up with the contractor.

Parking Rates: Changes

Mayor Seiler felt that the City needs to do a better job educating businesses and the public about changes in parking rates. Commissioner Roberts added that there are also problems with the new three-hour limit on non-metered spaces.

Density in the Downtown

Mayor Seiler pointed out that the Commission has consistently promoted density in the downtown; however there may be some misinterpreting of this vision that higher density should be occurring also in other parts of the city. He suggested a workshop on future development and redevelopment to ensure that a consistent message is being conveyed. Commissioner Trantalis recalled the North Federal Highway charrette and a plan was put together. However, it was not followed when he tried to invoke it. Density issues were also discussed for the Central Beach at another charrette and staff will be presenting something going forward. Vice-Mayor Rogers pointed out that there was no development for some four or five years. Commissioner DuBose indicated there is also a density issue in the northwest. Commissioner Roberts noted there are areas targeted for economic development and each of those areas has different needs. Mayor Seiler commented that the barrier island could not handle the traffic and parking if every proposal was approved. Vice-Mayor Rogers said the residents have said they are concerned. He agreed with the idea of having a comprehensive discussion. Commissioner Trantalis

pointed out that there are current zoning regulations that impose some control. Mayor Seiler felt a collective discussion should be held. He asked that it be calendared in November or January.

CONFERENCE REPORTS

CF-1 14-1190 REVIEW OF CHARTER OFFICER COMPENSATION

In response to Commissioner DuBose, the City Auditor explained that the analysis in the backup for this item does not contain various fringe benefits because they are different for each individual. It would be necessary to research each employment contract because it does not necessarily appear in the payroll system. He agreed to collect that data.

There was consensus to defer the item to October 7, 2014.

CF-2 14-1158 STATUS OF NORTHWEST COMMUNITY REDEVELOPMENT AGENCY DISTRICT SECURITY CAMERA PROJECT

Chief Technology Officer Mike Maier reviewed the status of the project outlined in Commission Agenda Memorandum 14-1158. In response to Commissioner Trantalis, Officer Karl Maracotta of the Police Department said the cameras monitor and record. Staff is working toward the goal of enabling patrol officers to access the cameras from laptops in their vehicles. This funding is for cameras and antennas that will bring in the transmission. It will be in real time and come from a secure cloud connection. Officers will receive email notices. Maier added that on tonight's agenda there are eight license plate readers for K-9 units. There are currently eight license plate readers in patrol vehicles and two in Parks and Recreation. In response to Commissioner DuBose, Maracotta estimated that the first four or five cameras will be installed before January. He provided more logistical detail on the engineering, permitting and U.S. Federal Communications Commission licensing. Staff is trying minimize the number of poles needed and has worked through with the County the idea of using existing traffic signal poles. There is no County involvement for the pilot. He estimated it would take three weeks for permitting. Mayor Seiler asked that the Commission be kept informed.

Mayor Seiler opened the floor for public comment.

Raymond Cox, no address provided, questioned why this pilot program is being launched in a minority neighborhood as he believed they already feel targeted.

Charles King, 105 North Victoria Park Road, supported the program. He felt it would deter crime and give police a tool for solving crimes. Perhaps volunteers could monitor the cameras.

OLD/NEW BUSINESS

BUS-1 14-1159 CHILDREN'S SERVICES COUNCIL OF BROWARD COUNTY - PRESENTATION

Cindy Arenberg Seltzer, president and CEO of the Children's Services Council of Broward County (CSC), reviewed slides related to this matter. A copy of the slides is attached to these minutes. She also provided promotional materials that were made a part of the record.

Commissioner Trantalis elaborated on the City's efforts concerning burglaries by youth. Seltzer noted that there are 400,000 children in Broward County. It is tricky to find the right balance between funding decisions and the focus. The Council involves the community. All funding is focused on prevention. The

Council works on teaching children from a young age pro-social behaviors that will keep them from being at-risk along with diversion programming. Some 18,600 youth participated in the diversion programming with a 90-96 percent non-recidivism rate. It was anticipated that the State handles juvenile justice but they have abdicated that responsibility. At the point when the City steps in, is it relieving the State of that responsibility to fund this matter and funds become targeted less and less to prevention. In conclusion, the Council has always been committed to reducing juvenile crime and will continue to be. Hopefully the pilot in the 33311 and 33312 zip code areas will demonstrate that the concept works and the State and County will be convinced to broaden it. Commissioner Trantalis explained the City is asking the Council to address the problem of youth burglarizing neighborhoods. The City wants to establish a continuum of oversight between school resource officers and agencies such as the Council. Seltzer explained the Council is voting Thursday on a proposal that would address 25 to 30 youth who fall into this category. The programs are among the national best practices which have had proven success. It will involve a commitment from the community and homeowner associations. The Urban League will meet with youth in the detention facilities and help convene community activists to support these families. These programs have been internationally recognized for their success. There is no official carrot and stick however. She elaborated upon all of the individual representatives involved, including homeowners, police chief, public defender and state attorney. Mayor Seiler explained that there is no real stick in the current system. There is a revolving door in the juvenile justice system. The youth are sophisticated and know that they will be released in 60 days. A stick has to be added to the juvenile justice system. Seltzer said she would be happy to include this in their legislative packet to discuss at the State level and to work toward a solution.

In response to Vice-Mayor Rogers, Seltzer advised that the behavioral health and special needs budget item is dedicated to mental health. She described the programming and Council's work in this area. As to a mental health hospital focused on children, she indicated that are some beds in facilities in the county. She offered to check with the Broward Behavioral Health Coalition. Kids in Distress has access to mental health services but they are not a mental health clinic.

In response to Vice-Mayor Rogers, Seltzer explained that the Council performs a fiscal viability test for all agencies. Grant funding is not paid until the children or family actually receive the service. There is also a 5 percent match requirement. Agencies are reviewed every year and requests for proposals (RFPs) are issued every three years with an evaluation of service performance.

Commissioner DuBose requested a walk-on resolution to support the Council.

Mayor Seiler opened the floor for public comment.

Raymond Cox, no address provided, spoke of the need for God in recovery programs. He felt the Council's work appears to be positive. He pointed out that a criminal conviction stays with someone forever.

Charles King, 105 North Victoria Park Road, said the Council is legislated charity. Even though this is a temporary agency, it constructed a headquarters building that cost \$8.4 million. Some \$17 million was expended for a headquarters in Palm Beach County. He wanted to know what percentage of funding for the Council comes from Fort Lauderdale taxpayers. They want to become a permanent agency funded by taxpayers. He questioned why the Council is just beginning to work on juvenile crime matters and did not think the City could expect much from the Council in this area. He did not think it should be supported.

There was no one else wishing to speak.

In response to Mayor Seiler, the City Clerk explained that the difference between the applications for former Commissioner Aurelius and former Commissioner Moore is that the former City Attorney changed the date from the general municipal election to the primary (resident of City for six months immediately preceding) to be more in keeping with the charter. The City Attorney's Office has reviewed the application as well. The City Attorney did not have a preference between the two. She mentioned previously the Commission asked whether candidates would be running for the open seat. She recommended that individuals serving on a board or committee who apply or are selected would be off the board or committee according to the code.

Commissioner Trantalis observed there is no question as to why they wish to serve. Commissioner DuBose preferred to hear the answer during the interviews. Commissioner DuBose pointed out that the stipulation in the application indicating the applicant not be an officer, employee or serving in any capacity with the City government is unclear. Mayor Seiler believed it refers to Fort Lauderdale government.

Some discussion ensued in response to Mayor Seiler's question about the requirement that the individual be a resident of the City for six months immediately preceding the next general election and whether it would be the primary or general municipal election. The City Clerk noted that the next election would be the primary. Mayor Seiler noted that the primary could be the general because one could be elected in that race. Commissioner DuBose pointed out if only two people qualify, there would not be a race until March. The City Attorney recommended the February date. As to Commissioner DuBose's point, she did not think there would be a problem using the February date for the appointment.

Further discussion ensued wherein consensus was reached to establish an application deadline of Friday, October 10, at 5 p.m., with interviews at the October 21 conference meeting, and an appointment made on November 4. The City Attorney advised that a walk-on motion will be presented to the Commission at the evening meeting.

Mayor Seiler opened the floor for public comment.

Raymond Cox, no address provided, said he hoped the appointed commissioner would take into account the minority public's fear of police officers, cameras and license plate readers.

Art Seitz, 1905 North Atlantic Boulevard, recalled there was a controversy whether Commissioner Moore could vote at his last meeting. He believed that Commissioner DuBose has a conflict of interest with respect to the contractor selection for renovations to the Aquatic Center and who ran his campaign for election. He asked for an investigation into the matter.

BUS-3 14-0978 FOOD AND NON-ALCOHOLIC BEVERAGE SERVICE ON THE BEACH

Economic Reinvestment Manager Don Morris highlighted history on this matter as well as the Beach Business Improvement District Committee's recommended service standards contained in Commission Agenda Memorandum 14-0978.

Mayor Seiler wanted to ensure there were no gaps in coverage between the zones. Morris confirmed for Commissioner Trantalis that all food and beverage deliveries will be made from across the street. Instead of individuals crossing the street, there would be one server with orders for multiple customers. Designated vendors will be responsible for providing service but will not be permitted to solicit customers. Signs will notify beach patrons that they can go to a website to place an order. An application will be designed for this whereby customers will only be able to order from establishments in their zone. Mayor Seiler suggested the web address be shortened or simplified. Discussion turned to the logistics wherein Mayor Seiler said he would prefer the private sector work it out with the restaurants.

Commissioner Trantalis pointed out that provision should be made for enough waste containers so that people do not have to walk a long distance. Discussion ensued about the proposed \$1 surcharge per purchase and the license fee of \$1,000. The City Auditor felt the fee should have a relationship to the cost incurred administering the program. In response to Mayor Seiler, the City Auditor noted that he has several objections, one of which is it being overly burdensome for small businesses. The City may be getting in the way of the private sector. Mayor Seiler felt something needs to go forward to test how it works. It could be changed after it is underway for a while. In further response, the City Auditor advised he was not able to discuss the licensing fee prior to today. Commissioner Roberts asked about monitoring. Morris advised that if there are continuous problems, staff will bring it to the Commission's attention with respect to revoking the license. Commissioner Roberts felt there should be some revenue stream to the City. The City Auditor noted that City cleanup crews, for example, would be a basis for the licensing fee if it is above and beyond what is already being done for general resources. Commissioner Roberts pointed out that it is an additional service. Morris agreed with Mayor Seiler that this will be a work in progress, and will thus likely come to the Commission again in the future for improvements.

Mayor Seiler opened the floor for public comment.

Charles King, 105 North Victoria Park Road, supported the idea of alcohol being allowed to be served on the beach.

Raymond Cox, no address provided, said vendors on the beach who sell bottled water are not monitored. He expressed concerns about how the program would operate.

Attorney Courtney Crush, representing Sand Homes, supported the concept. She would like to have discussions with staff about including Breakers Avenue. The boundaries touch Breakers Avenue. New upscale restaurants have been established on Breakers Avenue. Morris said staff welcomes the input if the timing works. There was no objection to Crush meeting with staff.

Art Seitz, 1905 North Atlantic Boulevard, agreed with the Beach Business Improvement District Committee idea to allow the small businesses to also have this opportunity.

Fred Carlson, representing Central Beach Alliance, noted that there are several smartphone applications that allow for food orders. As long as no vehicles are permitted, anyone could come to the beach to make a delivery. It could be accomplished with no overhead or turf wars by simply letting the restaurants sort it out. Mayor Seiler pointed out that the restaurants within 500 feet of the beach do not have to use a vehicle to deliver. It would be difficult to regulate vehicle deliveries. He anticipated the program will be back before the Commission a few more times for fine-tuning. Carlson noted restaurants such as Coconuts and those on Sunrise Lane that are not on the beach but may wish to compete.

There was no one else wishing to speak.

Mayor Seiler concluded by asking staff to ensure there is adequate competition in all areas and to look into changing the application address for ordering.

The Commission recessed and convened as the Community Redevelopment Agency Board of Commissioners at 4:49 p.m. The Commission then reconvened the conference meeting at 5:08 p.m. for the closed door session and adjourned at the end of the session.

COMMUNITY REDEVELOPMENT AGENCY MEETING

EXECUTIVE CLOSED DOOR SESSION

- 14-1172** THE CITY COMMISSION WILL MEET PRIVATELY PURSUANT TO FLORIDA STATUTE 286.011(8) CONCERNING THOMAS F. ALBANESE v. SUN-SENTINEL COMPANY AND CITY OF FORT LAUDERDALE [Case 12-26326(09)]

BOARDS AND COMMITTEES

- BD-1 14-1114** MINUTES CIRCULATED - period ending September 11, 2014

No discussion.

- BD-2 14-1115** BOARD AND COMMITTEE VACANCIES

Please see regular meeting item R-1.

CITY MANAGER REPORTS

None.