

# City of Fort Lauderdale

City Hall  
100 N. Andrews Avenue  
Fort Lauderdale, FL 33301  
[www.fortlauderdale.gov](http://www.fortlauderdale.gov)



## Meeting Minutes – APPROVED

Tuesday, October 15, 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 1:37 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, Senior Assistant City Clerk Jeff Modarelli, City Attorney Cynthia A. Everett and Sergeant At Arms Sergeant Michael Dodson

## CITY COMMISSION REPORTS

Events and Matters of Interest including Commissioner DuBose announcing he will be running for the Florida House of Representatives, District 94; Segment 2 Beach Renourishment, moving of the sand bypass site and dredging Port Everglades

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

### Snyder Park Improvements

Mayor Seiler wanted the road system in Snyder Park designed to give motorists an opportunity to loop through the park. Vice-Mayor Roberts mentioned having another access point for emergency and public safety vehicles.

### Inspector General's request for information relating to Community Redevelopment Agencies

In response to Commissioner Trantalis' comments about an informal discussion at a recent Broward League of Cities meeting, the City Manager noted that there is an issue of whether the Office of Inspector General (OIG) has the authority to investigate community redevelopment agencies (CRAs). Their enabling legislation does not give authority to investigate special districts. As such the OIG amended its request to a public records request and the City has complied. The City Auditor reported on a recent meeting of city attorneys with impacted CRAs and the OIG's general counsel. At that meeting, OIG counsel said their belief is that the Inspector General has the authority to investigate anything that constitutes gross mismanagement in the county. They did agree to change their posture from an investigation to a public records request. Commissioner DuBose commented this was also a topic of discussion at a recent Broward League of Cities meeting. It was noted that its core is one of jurisdiction – home rule and therefore extends to all sorts of special districts and constitutional officers. In response to Vice-Mayor Roberts, the City Auditor advised that the jurisdiction lies with the Auditor General at the state level and as such there is an oversight entity.

### Hazardous Waste Disposal

Commissioner Trantalis said the City is being criticized for terminating its partnership with the County for disposal of hazardous waste products. The City Manager said the City will join other cities in a consortium beginning in December to provide the service. Cooper City is taking the lead in issuing a request for proposals. He described the scope. Mayor Seiler requested the fact sheet on this be redistributed to the Commission. The City Manager advised that determination of drop-off sites in the

County is still being worked out. Additional historical information as to why the City chose to drop the County's service was shared by Mayor Seiler and the City Manager.

#### Disposal of Dead Animals

Commissioner DuBose asked if there has been any discussion with other cities concerning the County's choice to discontinue picking up dead animals. The City Manager advised that there are some cities looking into issuing a request for proposals regionally.

Continued below.

### **CONFERENCE REPORTS**

#### **CF-1 13-1351 SOUTH SIDE SCHOOL UPDATE**

The City Manager said the City has reached an agreement on the easement (sidewalk) with Broward County. The issue will rest with the Florida Communities Trust. Staff will bring to the Commission a beautification agreement stating that the City agrees to maintain the sidewalk and will allow people to travel on it. He projected that the agreement should be executed by the end of the calendar year.

Continued below.

### **CITY COMMISSION REPORTS ... continued**

#### Stop Signs at 8 Avenue, South Middle River

Mayor Seiler said the County removed some stop signs from 8 Avenue, and residents in the area have asked for more stop signs. The stop signs are helpful in an effort to discourage drug trafficking. He was concerned that the City was not given notice. The City Manager said the signs were installed by the City because the County's position was not to pay for stop signs on unimproved (unpaved) roads. The signs were then removed by the County. Mayor Seiler thought there should have been some notice so that it could have been worked out. Both the district County and City commissioners were unaware of this. Commissioner Trantalis pointed out that this is a City road. Although the County has the prerogative to install signs, it is not their exclusive right. He does not think the County has the right to remove stop signs installed by the City. There is a speeding problem in this area and it will only worsen without stop signs. He was also concerned about the lack of notice. Mayor Seiler pointed out that residents are paying more tax dollars to the County than the City. There should be an associated value. The City Manager explained that the City signed an interlocal agreement several years ago that transferred the City's authority to install traffic control devices. The City installed the signs because the County advised in writing that it was a City responsibility to install signage on unimproved roads. He felt it is a classic example of one hand not knowing what the other hand had already done. Mayor Seiler suggested Commissioner Trantalis meet with the district County commissioner. Commissioner DuBose asked if this has anything to do with the County desire for the City to be subject to a process for anything relating to traffic control devices. The City Manager said the Commission will need to decide whether it wants to send traffic control requests to the County by resolution or give staff the authority to notify the County by letter. Vice-Mayor Roberts thought there should be some flexibility within the various agencies implementing Complete Streets. Mayor Seiler requested a copy of the letter from the

County giving the go ahead for the City to install the signs. The Commission was comfortable with staff handling requests and keeping the Commission apprised.

## CONFERENCE REPORTS

### **CF-1 13-1351** SOUTH SIDE SCHOOL UPDATE

Commissioner Trantalis said the Commission Agenda Memorandum (13-1351) reflects little progress with Nova Southeastern. The school has gone untouched all summer and there are concerns about its decay. The City Manager said there is a new art museum director onboard with Nova and President George Hanbury would like for her to evaluate the ultimate use. She will be touring the building this month. Shortly thereafter, he anticipated an answer from Nova. If they do not wish to pursue it, he would like to build it out as a community center, which will cost about \$2 million. The City has looked for alternative users and not found any. Mayor Seiler would like to wait until the City Manager meets with Nova before making any other decisions.

## OLD/NEW BUSINESS

### **BUS-1 13-0483** BROWARD BOULEVARD GATEWAY IMPLEMENTATION PROJECT UPDATE PRESENTATION

Dana Little, representing the Treasure Coast Regional Planning Council, reviewed slides on this topic that are attached to these minutes. He noted that this is a multi-agency project. He explained there were originally two recommendations relating to treatment of the street. One was a frontage road but it was discarded. An enhanced condition was chosen. To the extent possible, the goal is to have storefronts facing the street, bus shelters and shade trees. Sistrunk Boulevard with the Dollar Store is a good example. Some discussion took place with respect to the Tri-Rail stop and ramp and dedicated bus drop-off lane. Florida Department of Transportation (FDOT) is looking at an interim solution of a loop within the existing Tri-Rail parking lot.

Commissioner DuBose understood that there was not any outreach to the Salvation Army. Diana Alarcon, Director of Transportation and Mobility, noted that today's presentation includes recommendations that will need to be discussed with individual property owners as the project goes forward. She assured that they will have that discussion.

Little continued with review of the slides. Some discussion ensued about a new police station. One key element is to convert parking to decks. The City Manager asked if there is a final comment in the study as to whether the police station should remain in the historic district. Vice-Mayor Roberts spoke of reasons not to change sites for a new facility. Little said they were testing whether a new facility would fit on the existing site with a residential buffer of some kind. Discussion also ensued about the roundabout planned at 5 Avenue. Both Mayor Seiler and Commissioner Trantalis did not favor the concept. Commissioner Rogers thought it may entice motorists to use 7 Avenue. Vice-Mayor Roberts pointed out that a goal is to reduce the number of vehicles downtown. Little thought it is a luxury item and is shown as low priority.

With respect to walkability, Commissioner Rogers referred to the area between 3 Avenue and Federal Highway to emphasize the need to incorporate some safety factors. Little advised that the report lays out a series of transitioning options for Broward Boulevard east of 7<sup>th</sup> that he elaborated on. It would be

something that does not require a large amount of funding and could be tested periodically. He mentioned that Delray Beach has been involved in such transitioning for Federal Highway.

Commissioner Trantalis asked about the cost for Las Olas Plaza. Little advised that the cost estimates were derived from FDOT. Some 30 to 40 percent contingencies have been built in. He referred to Slide 27 and noted it is \$1 million or less. It should be understood that these are 2013 dollars. Mayor Seiler felt if anything is done, it should be this project because the entrance to Las Olas will be changed. Commissioner Rogers asked if this would qualify for Metropolitan Planning Organization (MPO) funding. James Cromar of the Metropolitan Planning Organization advised that that MPO funding is tied to transportation purposes. It is debatable.

Mayor Seiler opened the floor for public comment.

Chris Wren, representing Downtown Development Authority (DDA), referred to Recommendation 8 (Slide 26) involving Broward Boulevard lane reduction. Class A office building access is very important in the downtown. He would like the City to look at improving access for businesses as well as pedestrians. In other words improved vehicle access should also be worked on. The DDA has a different rendering for Las Olas Plaza. The DDA has some funding and is looking for a partnership. Also, the County's cultural division is looking at this area. The County has \$1 million toward celebration of its 100<sup>th</sup> birthday and with this area being the starting point of the City and County, it makes sense to have a celebration of that birthday in the way of a public plaza.

Jim Moyer, representing Salvation Army, discussed traffic concerns around the Interstate 95 egress onto Broward Boulevard. There are two westbound lanes, but only one eastbound. It is in close proximity to a school zone. With respect to the North Fork bridge, he mentioned previous discussion on this point going back a year or so ago. He was told that there had not been any discussion with Salvation Army concerning their property to the west and this project, but that community outreach would be in contact with Salvation Army. To his knowledge, there has not been any contact. He mentioned a previous incident with the City during the WaterWorks 2011 project and a subsequent code violation concerning trees in the area of this bridge project.

There was no one else wishing to speak.

Mayor Seiler had concerns about the roundabout. He went on to advocate for Las Olas Plaza, mentioning the partnering funding sources pointed out earlier by Wren. He felt it could be accomplished for substantially less than the DDA proposal. He would like to see this component move forward.

In response to Commissioner Rogers, Alarcon said a resolution of support will be presented at a future meeting. In the meantime, staff will move forward with the high priorities including Las Olas Plaza as first priority. More study on the roundabout feasibility will be needed. Mayor Seiler commented that park impact fees from an upcoming downtown development project might become available for Tunnel Top Park. The City Manager advised that a report on park impact fees and recommendations will be presented in December. Staff's recommendation is not to tie specific projects to specific impact fee generation.

**BUS-2 13-1399** BROWARD COUNTY LAND USE PLAN - proposed amendment concerning affordable housing requirements and restrictions

The City Manager highlighted the recommendation for him to submit a letter of opposition to the amendment detailed in Commission Agenda Memorandum 13-1399. The Broward Planning Council also has recommended denial. He clarified for Commissioner DuBose that this is the same letter that was sent to the Planning Council. In response to Commissioner Trantalis, he explained how the downtown allocation is administered. Commissioner Trantalis recalled a policy established some time ago where the City wanted developers to provide 15 percent for affordable housing so there would be a mix of incomes. Now, he feared a developer could request flex units to get around the policy. The City Manager advised that the City Commission as the local governing body decides upon allocation of flex units and any associated conditions. The issue here is the County should dictate those conditions. From the perspective of the Planning Council and League of Cities, Commissioner DuBose said it is viewed as another layer of oversight. There are policies and procedures in place and the County is now asking for the final say. It is a home rule issue.

There was consensus approval.

**BUS-3 13-1389** NATIONAL LEAGUE OF CITIES ANNUAL BUSINESS MEETING - NOVEMBER 16, 2013 - VOTING DELEGATE AND ALTERNATE

There was consensus for Commissioner DuBose to be the delegate, and if he is unable to attend, Vice-Mayor Roberts is the first alternate and Mayor Seiler is the second alternate based on scheduling availability.

The City Commission recessed and convened as the Community Redevelopment Agency Board of Directors at 3:33 p.m. The closed door was held after this meeting. The City Commission then reconvened the conference meeting, Agenda Item BD-1 at 4:04 p.m.

**EXECUTIVE CLOSED DOOR SESSION****13-1278** THE CITY COMMISSION SHALL MEET PRIVATELY PURSUANT TO FLORIDA STATUTE 768.28 (16) CONCERNING:

- 1) Margarethe Rabitsch v. City of Fort Lauderdale (Case 11-00619 (09); File VA GL 07-937
- 2) Brennan Hamilton v. Franklin Adderley, et al (Case CACE11-016619)
- 3) Veronica Titre v. Jesse Gossman, individually and the City of Fort Lauderdale (Case 12-61998-CIV-WILLIAMS)

**BOARDS AND COMMITTEES**

**BD-1 13-1345 COMMUNICATIONS TO CITY COMMISSION AND MINUTES CIRCULATED – period ending October 15, 2013**

Central City Redevelopment Advisory Board

**Motion** made by Member Harmeling and seconded by Member Maleta requesting the City Commission to direct the City Clerk to send a letter to former board member Laura Croscenco, thanking her for her service on the Central City Advisory Board. **Motion** passed unanimously.

**Motion** made by Member Weinbaum and seconded by Member Jones requesting the City Commission to send a letter to the Broward Board of County Commissioners asking them to support the 13th Street Complete Street Project application of \$1.5M from the Broward Redevelopment Program. **Motion** passed unanimously.

**Motion** made by Member Maleta, seconded by Member Thrower to request City or Community Development Block Grant (CDBG) funding in the amount of \$207,500, \$200,00 for Façade Improvement Program and \$7,500 for the installation of three donated statues. **Motion** passed unanimously.

Staff confirmed that Mayor Seiler already has sent a letter to board member Croscenco thanking her for her service.

**BD-2 13-1346 BOARD AND COMMITTEE VACANCIES**

With losing two former mayors, Mayor Seiler suggested expanding the Citizens’ Committee of Recognition to include two or three former commissioners or one former commissioner and one former honoree. After a general discussion, Commissioner DuBose asked that potential candidates be consulted. Mayor Seiler indicated that he would work on a list.

Please also see regular meeting item R-1.

**CITY MANAGER REPORTS**

None

There being no other business to come before the Commission, the meeting adjourned at 4:13 p.m.