

City of Fort Lauderdale

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Meeting Minutes

Tuesday, May 2, 2023

1:30 PM

The Parker
707 Northeast 8th Street, Fort Lauderdale, FL 33304

City Commission Conference Meeting

FORT LAUDERDALE CITY COMMISSION

DEAN J. TRANTALIS Mayor
PAM BEASLEY-PITTMAN Vice Mayor - Commissioner - District III
JOHN C. HERBST Commissioner - District I
STEVEN GLASSMAN Commissioner - District II
WARREN STURMAN Commissioner - District IV

GREG CHAVARRIA, City Manager
DAVID R. SOLOMAN, City Clerk
D'WAYNE M. SPENCE, Interim City Attorney
PATRICK REILLY, City Auditor

CALL TO ORDER

Mayor Trantalis called the meeting to order at 1:38 p.m.

QUORUM ESTABLISHED

Commission Members Present: Commissioner John C. Herbst, Commissioner Steven Glassman, Vice Mayor Pamela Beasley-Pittman, Commissioner Sturman, and Mayor Dean J. Trantalis

Also Present: City Manager Greg Chavarria, City Clerk David R. Soloman, Interim City Attorney D'Wayne M. Spence, and City Auditor Patrick Reilly

FEMA UPDATE - FLOOD EMERGENCY DECLARATION

Mayor Trantalis recognized John Mills, FEMA External Affairs Officer - Incident Management Assistance. Mr. Mills provided an update on the Flood Emergency Declaration (Emergency), FEMA response and recovery efforts for the flooding that occurred on April 12, 2023, that resulted in a major disaster declaration.

Mr. Mills explained joint preliminary damage assessments included local, state, and FEMA officials who indicated more than 1,000 homes suffered major damage along with hundreds of other residents affected in some way. FEMA provides financial assistance directly to Emergency survivors that does not require repayment. FEMA personnel are in the process of helping impacted residents apply for disaster assistance in the form of money for basic needs, basic home repairs, temporary relocation expenses for both homeowners and renters and other needs such as replacement of personal property destroyed by the Emergency.

Mr. Mills explained FEMA procedures include contact from a FEMA Contract Damage Inspector to verify damage and an electronic FEMA application process. He expounded on related details. FEMA assistance helps impacted residents with or without insurance based on specific needs. FEMA does not provide financial assistance to impacted businesses or secondary residences. Mr. Mills confirmed FEMA's Disaster Survivor Assistance Crews (Crews) are going door to door in impacted neighborhoods to assist in applying for FEMA assistance and ensure they are in FEMA's system. The Crews carry official FEMA identification. Impacted residents contacted by anyone else regarding disaster assistance should report it to law enforcement.

FEMA will not release financial assistance information to the public and will not duplicate insurance payments.

Mayor Trantalis remarked on his understanding of FEMA assistance and how it differs from an insurance coverage claim. FEMA is designed to provide enough money to get residents back on their feet. FEMA does not cover one hundred percent (100%) of the total damage. Mr. Mills confirmed and said this is known as FEMA's Individual Assistance Program (FEMA IAP), intended to jumpstart recovery for survivors and cited examples. FEMA works with each household on a case-by-case basis, depending on the families' specific needs. Another component of funding includes the National Flood Insurance Program run by FEMA.

In response to Mayor Trantalis' questions, Mr. Mills explained FEMA is not permitted to pay for things covered by insurance or funded by other organizations and groups.

Mayor Trantalis remarked on opportunities for third parties to assist financially and cited an example. In response to Mayor Trantalis' questions, Mr. Mills explained generally, flood insurance policies do not pay for relocation expenses. FEMA IAP could provide short-term lodging reimbursement. Mr. Mills noted the need for impacted residents to be specific about their needs. Funding for personal property would be part of the FEMA IAP when not covered by insurance. Mr. Mills commented on other avenues of assistance and related details, including the Small Business Administration's Disaster Loan Program for businesses, homeowners, and renters. Individuals who cannot afford an SBA loan are referred back to FEMA for consideration for further assistance for personal property replacement.

In response to Vice Mayor Beasley-Pittman's questions, Mr. Mills explained details associated with FEMA Crews doing preliminary damage assessments in Edgewood and Melrose Park. FEMA crews are going door to door and are comprised of individuals fluent in English, Creole, and Spanish. FEMA newsletters are also being provided in Creole, Spanish, and English.

In response to Vice Mayor Beasley-Pittman's questions regarding visiting each impacted area in District 3, Mr. Mills confirmed FEMA is working with both the City and County Emergency Management who have met with the assigned FEMA Operations Division Supervisor to coordinate efforts. Impacted residents do not need to meet with FEMA personnel in person to get assistance. Mr. Mills explained related details and provided FEMA contact information.

Vice Mayor Beasley-Pittman remarked on Commission and Staff efforts to communicate FEMA contact information to impacted residents and cited examples. Mr. Mills commented on the importance of amplifying the availability of local resources.

Vice Mayor Beasley-Pittman remarked on flood zone areas and pocket areas not identified as flood zone areas in District 3. In response to Vice Mayor Beasley-Pittman's questions regarding FEMA being part of the process identifying flood areas, Mr. Mills remarked on the need for all areas in South Florida to have flood insurance. Vice Mayor Beasley-Pittman concurred. Further comment and discussion ensued.

In response to Commissioner Glassman's question related to flooding in District 2's Historic Sailboat Bend Neighborhood, the high cost of restoring historic structures and financial assistance, Mr. Mills said those households can apply for FEMA IAP, and FEMA will work with them on a case-by-case basis.

Mr. Mills confirmed that all FEMA IAP applicants are encouraged to save all receipts for expenses directly related to the Emergency in addition to providing insurance documentation. He recommended initially checking local and state opportunities for assistance with historically designated properties. FEMA coordinates with other federal agencies, and this is something that is expected to be considered based on the needs identified by the communities and reported by local emergency management.

Commissioner Glassman requested City Manager Chavarria pursue available local, state, and national resources to assist with the restoration of historic properties. City Manager Chavarria confirmed.

Commissioner Sturman said District 4 neighborhoods were severely impacted by the Flood Disaster. He explained the numerous avenues of communication with District 4 residents and his disaster response training and experience. As a volunteer and the head of the Medical Reserve Corps, Commissioner Sturman expounded on his work with the United Way, which includes daily Zoom meetings to coordinate efforts. He invited Mr. Mills and FEMA personnel to participate in those Zoom meetings. Further comment and discussion ensued.

Mr. Mills confirmed FEMA personnel were in the Edgewood neighborhood and met neighborhood association board representatives. FEMA personnel provided FEMA fliers on how to apply for FEMA assistance. Residents will be receiving FEMA communications through the Division of Strategic Communications

and should be shared with as many people as possible.

In response to Commissioner Sturman's question regarding FEMA's plans for a presence in the community, Mr. Mills explained details associated with determining a location where impacted residents can meet with FEMA and SBA personnel to discuss disaster assistance. City Manager Chavarria noted that Shirley Small Park and the Park and Ride location on Broward Boulevard have been identified as two (2) locations. Activation is anticipated in the next three (3) to five (5) days. Staff is working to identify a location near the Edgewood neighborhood.

In response to Mayor Trantalis' question, Commissioner Sturman provided contact information for volunteers.

COMMUNICATIONS TO THE CITY COMMISSION

[23-0460](#)

Communications to the City Commission - (Commission Districts 1, 2, 3 and 4)

***Board of Adjustment (BOA)
April 12, 2023***

A copy of the BOA Communication to the City Commission is part of the backup to this Agenda item.

Chris Cooper, Development Services Department Director, explained both BOA communications. Due to the condition of City Hall, the first communication is moot. The second communication encourages the Commission to appoint BOA members when a vacancy exists. He noted a higher threshold for the BOA's approval of a variance that requires a supermajority vote. BOA meetings have been canceled because a quorum could not be established. Mayor Trantalis remarked on BOA attendance and recommended Commission Members contact their appointees.

***Marine Advisory Board (MAB)
April 6, 2023***

A copy of the MAB Communication to the City Commission is part of the backup to this Agenda item.

Mayor Trantalis noted that the MAB is requesting the Commission suspend issuing any waivers for extensions of moorings or docks.

Mayor Trantalis recognized Steve Witten, 33 South Gordon Road, and Marine Advisory Board Vice Chair. Mr. Witten explained the communication. The Marine Advisory Board requests that the Commission issue a suspension of issuing waivers on the New River corridor until the Commission discusses this matter at a future Conference Meeting or Joint Workshop. The goal to determine a balance that allows property owners maximize use of their property while considering the specific and varied conditions on the New River and facilitating safe navigation to commercial businesses further west on the New River. Mr. Witten narrated a video illustrating MAB concerns.

A copy has been made part of the backup to this Agenda item.

Mayor Trantalis remarked on his understanding of the MAB communication, and noted that the area known as Little Florida is the driving issue. He remarked on respecting residents' property and riparian rights, his perspective and related details. Mayor Trantalis recommended holding a Joint Workshop with the MAB to discuss these issues. He remarked on and confirmed the Commission's support of the Marine Industry. Further comment and discussion ensued.

Commissioner Glassman noted he had previously requested a Joint Workshop with the MAB and asked that it be scheduled soon. City Manager Chavarria confirmed.

NEIGHBOR PRESENTATIONS

NP-1 [23-0320](#) Fenel Antoine - First Responder Dispatch and Sidewalks

NOT PRESENT

NP-2 [23-0349](#) Luke Harrigan - Grant received from the City

NOT PRESENT

NP-3 [23-0397](#) Dennis Ulmer - Remembering Memorial Day

Mayor Trantalis recognized Dennis Ulmer, 1007 NW 11th Place. Mr. Ulmer narrated a Neighbor Presentation on the importance and significance of Memorial Day. He explained details of the May 29, 2023, Memorial Day Ceremonies at Lauderdale Memorial Park Cemetery and Sandy Nininger Statue at the Riverwalk.

CONFERENCE REPORTS

CF-1 [23-0427](#)

Emergency Purchase - Repair of the Fiveash Water Treatment Plant Blocked Sludge Line - (Commission Districts 1, 2, 3 and 4)

In response to Commissioner Glassman's questions, Talal Abi-Karam, Assistant Public Works Director - Utilities, explained the history of this Agenda item, the reason for the emergency purchase, and subsequent mechanisms put in place.

In response to Commissioner Glassman's question about Staff doing anything differently going forward, Mr. Abi-Karam said Staff monitors the line. If there is any indication of a blockage, i.e., increased pressure and a reduced volume, Staff will start the flushing to clear the blockage.

In response to Vice Mayor Beasley-Pittman's question, Mr. Abi-Karam said Staff monitors the line on an ongoing basis and maintains the line every six (6) months by flushing four hundred linear feet (400') at a time with the aid of a fire truck.

In response to Mayor Trantalis' question, Interim City Attorney D'Wayne Spence confirmed this Agenda item is a Conference Report and no action is required.

OLD/NEW BUSINESS

BUS-1 [23-0348](#)

Presentation - Flash Flood 2023 Update - (Commission Districts 1, 2, 3 and 4)

City Manager Chavarria provided an overview of this Agenda item. Alan Dodd, Public Works Department Director, and Nancy J. Gassman, Ph.D., Assistant Public Works Director - Sustainability Division, provided specific information regarding the recent Flash Flood Emergency and Staff efforts to assist with the recovery efforts.

Mr. Dodd narrated a slide presentation entitled *Public Works Update - Flash Flood 2023, April 12 -21, 2023*.

A copy of the presentation has been made part of the backup to this Agenda item.

In response to Mayor Trantalis' question, Mr. Dodd explained Staff efforts to pump water out of Melrose Manors.

In response to Commissioner Sturman's question, Mr. Dodd confirmed an additional three inches (3") of rainfall on April 13, 2023, in addition to the twenty-six inches of rain recorded on April 12, 2023.

In response to Commissioner Glassman's question regarding identification of the Middle River Terrace neighborhood as an area needing stormwater improvements and related funding, Mr. Dodd said Staff would need to add Middle River Terrace as part of a third tranche for funding. Commissioner Glassman remarked on the need to shorten the timeline for Middle River Terrace stormwater improvements. Mr. Dodd noted every neighborhood requires some type of stormwater improvements, the inability to do them simultaneously, and explained the need to prioritize. Smaller CIP stormwater projects that include Middle River Terrace, do not provide necessary neighborhood-wide capacity.

Commissioner Herbst discussed a problem along Bayview Drive in District 1 and the road improvement work along Bayview Drive. In response to Commissioner Herbst's question of whether standing water along Bayview Drive was caused by stormwater drains that were covered during roadwork to prevent construction debris intrusion, Mr. Dodd confirmed it is a reasonable assumption should dirt and debris build up on those filter-fabric coverings. Commissioner Herbst said this was a significant issue, and received complaints from residents along Bayview Drive. Bayview Drive roadwork is a Florida Department of Transportation (FDOT) Project that needed improved coordination.

In response to Mayor Trantalis' questions, Mr. Dodd confirmed the need to have temporary, portable pumps for use during heavy rain events, particularly in Melrose Manors. He remarked on details related to the benefits of portable pumps, the need for related agreements with Broward County (County) and FDOT for discharge authority, and coordination with the County Manager and the South Florida Water Management District (SFWMD).

In response to Commissioner Sturman's question, Mr. Dodd expounded on details related to use of vector trucks and temporary portable pumps for stormwater removal.

In response to Mayor Trantalis' questions, Mr. Dodd confirmed that all stormwater eventually makes its way to the Atlantic Ocean as a result of gravity and pumping. The SFWMD drains interior areas with the use of pumps and canals. The City is at the end of the line and competes with all inland Broward County communities' stormwater discharge into drainage canals. Coordination with the County and the SFWMD is vital

to ensure the City has adequate capacity.

Mayor Trantalis remarked on the thoroughness of this presentation and utilizing this information and best practices to address major rain events in the future.

Vice Mayor Beasley-Pittman noted her previous comments on the importance of being prepared and encouraged the Commission to move forward and ensure recommendations and best practices included in the presentation are acted upon.

In response to Vice Mayor Beasley-Pittman's question regarding Staff ensuring the ditch that runs through Melrose Manors and Melrose Park is maintained and cleaned of debris to allow proper stormwater flow, Mr. Dodd said that significant ditch maintenance was completed at the end of March 2023.

Commissioner Sturman noted inquiries from neighbors in Edgewood and River Oaks regarding whether the amount of water from Fort Lauderdale/Hollywood International Airport's (FLL) North Runway along with inland water contributed to the flooding in the Edgewood neighborhood. Mr. Dodd explained this requires a conversation with the County, the State, and the SFWMD for a clear understanding of how geography and authorities overlap. Commissioner Sturman agreed.

Mayor Trantalis remarked on his perspective regarding competing jurisdictions, noted the need for more stormwater pumps and diversion techniques, and commented on the Edgewood neighborhood's ability to drain, which competes with FLL.

Commissioner Herbst discussed testing of the City's Continuity of Operations Plan (COOP) and remarked on its two aspects, a tabletop discussion exercise and operations-based testing. In response to Commissioner Herbst's question, Mr. Dodd explained his understanding of two (2) COOPs that include an internal Public Works COOP and a Citywide COOP. The Citywide COOP is done in the Emergency Operations Center (EOC) and rehearsed before hurricane season. As part of the Public Works COOP, Staff submits its emergency response plans for operational facilities within the Public Works Department. Public Works Staff operates out of the City's operational facilities managing the water and wastewater systems. Mr. Dodd noted that during the recent Flash Flood Emergency, he and Dr. Gassman were in the EOC coordinating the Public Works COOP.

Commissioner Herbst remarked on the need for a tabletop discussion

with regional partners to expand thinking and better coordinate stormwater removal. He requested scheduling a meeting regarding the City's COOP soon, which should include a discussion on the failure of certain Information Technology Services (ITS) during the Flash Flood Emergency to ensure continuity of operations. City Manager Chavarria confirmed.

BUS-2 [23-0199](#)

City Hall Update - (Commission Districts 1, 2, 3 and 4)

City Manager Chavarria provided an overview of this Agenda item.

Alan Dodd, Public Works Department Director, narrated a slide presentation entitled *City Hall Update*.

A copy of the presentation has been made part of the backup to this Agenda item.

In response to Mayor Trantalis' question regarding the \$30,000 per day cost for onsite Ashbritt personnel at City Hall, Mr. Dodd explained details associated with those costs, and as conditions improve, costs are being reduced. City Manager Chavarria introduced Randal Perkins, Founder and Chairman of Ashbritt, Inc., Deerfield Beach. In response to Mayor Trantalis' remarks, Mr. Perkins explained details associated with Ashbritt's efforts to mitigate City Hall flooding and expounded on related details. Ashbritt's onsite personnel currently consist of technicians ensuring chillers and generators are running and checking each floor to ensure everything is operating in a safe manner.

In response to Vice Mayor Beasley-Pittman's questions, Mr. Perkins discussed Ashbritt's expertise in disaster relief, how they determined their initial evaluation and expounded on related details, i.e., the basement mechanical room being underwater, the 115 degree temperature of the building and the generation of mold. These factors determined assets necessary to preserve items, including records, files and ensure building safety. Initial costs included over one hundred (100) Ashbritt personnel working during the first 24 hour period along with the cost of necessary equipment, including generators, backup generators, and fuel costs. All related backup information is being provided.

City Manager Chavarria introduced Guy Hine, Risk Manager, Human Resources Department. Mr. Hine discussed insurance policies in place for the City Hall Building, which requires National Flood Insurance Program (NFIP) coverage. He noted that not all City properties require NFIP coverage.

In response to Mayor Trantalis' question, Mr. Hine confirmed other City buildings were impacted, including the Transportation and Mobility Department building. City Hall has two (2) layers of insurance.

Mr. Hine narrated the *Insurance Claims Process* portion of the presentation.

In response to Mayor Trantalis' question, Mr. Hine said Staff does not yet know details of FEMA's reimbursement for expenditures related to displacement and rebuilding and are being investigated.

City Manager Chavarria confirmed that Staff did its due diligence to preserve the building as required by insurance and promptly acted to preserve as much as possible.

Susan Grant, Assistant City Manager, narrated the *Relocation of Offices* portion of the presentation.

City Manager Chavarria remarked on assistance from FEMA for Staff relocation expenses and explained related details. He commented on interim office space and long-term options and narrated the portion of the presentation entitled *New City Hall Options*.

In response to Mayor Trantalis' question regarding the best approach for considering the ongoing costs to maintain City Hall in its current condition and costs to maintain if fully occupied, City Manager Chavarria noted the need to continue to maintain City Hall during insurance adjuster evaluations, and that data will be brought to the Commission to determine whether City Hall should be rehabilitated. He confirmed that City Hall would require a new electrical HVAC system and equipment that would require an installation period. Additional information is expected by the May 16, 2023, Commission Conference Meeting.

Commissioner Herbst discussed the opportunity to reimagine how Staff occupies downtown by relocating administrative Staff to an area of the City that is substantially less expensive while maintaining a significantly smaller presence downtown that would include the Commission and Staff that deals with the public.

Mayor Trantalis discussed goals associated with building a new City Hall that include improved efficiencies by combining all departments at one location. Further comment and discussion ensued.

Commissioner Glassman concurred with Mayor Trantalis' comments

and explained his viewpoint. He said that City Hall should remain near its current location, which would provide the ability to take advantage of transit-oriented development grants associated with being adjacent the Brightline Train.

Commissioner Herbst noted that the District 1 site he recommends is Kaplan University, a transit-oriented location directly adjacent to the Tri-Rail Station and remarked on ongoing efforts to facilitate the Uptown area's growth as a secondary employment center. Further comment and discussion ensued.

Commissioner Sturman discussed the need to think outside the box. He recommended reconsideration and reevaluation of combining the City and Broward County governments. He also remarked on the opportunity to relocate the One Stop Shop Project to the City Hall location and open it up as a public park. Commissioner Glassman confirmed his opposition and explained his perspective. Further comment and discussion ensued.

BUS-3 [23-0454](#)

Discussion on Additional Funding for City Sponsored Events - (Commission Districts 1, 2, 3 and 4)

City Manager Chavarria provided an overview of this Agenda item. Carl Williams, Parks and Recreation Department Deputy Director, reviewed the Carter Park Jamz budget, Summer Jamz budget, and examples of entertainment costs for City-sponsored events. He remarked on budget-related challenges, and said that Staff is requesting Commission direction.

Commissioner Glassman remarked on other significant priorities facing the City due to the recent Flood Emergency and expounded on his viewpoint. Vice Mayor Beasley-Pittman concurred and requested this Agenda item be tabled.

Commissioner Glassman said that \$100,000 is adequate for the Summer Jamz budget, and he does not favor additional funding. Further comment and discussion ensued.

In response to Mayor Trantalis' question, Vice Mayor Beasley-Pittman reiterated there should have been an opportunity to request that this Agenda item be tabled. She clarified that this topic relates to all City-sponsored events and should return for Commission discussion when the residents have recovered from the recent Flood Emergency.

Mayor Trantalis suggested tabling this Agenda item for thirty (30) days. Commissioner Glassman confirmed his opposition and remarked on the need to adhere to the amounts allocated for

City-sponsored events in the 2023 Fiscal Year Budget. He recommended consideration of Budget Advisory Board (BAB) input about budgeted amounts in the Fiscal Year 2024 Budget at the BAB Joint Workshop with the Commission on June 20, 2023.

Vice Mayor Beasley-Pittman clarified her concerns and the need to mirror funding when determining allocations for all City-sponsored events. Mayor Trantalis noted that is a fair request and remarked that budgeted amounts had been based on expenses over previous years. Vice Mayor Beasley-Pittman commented on her previous requests to receive documented costs for all City-sponsored events. In response to Mayor Trantalis' question, Mr. Williams confirmed Staff would provide Vice Mayor Beasley-Pittman with the requested documentation. Mayor Trantalis remarked on the need to be prepared for any future expenses necessary to move the City forward due to the recent Flood Emergency.

In response to City Manager Chavarria, Mayor Trantalis confirmed Staff would move forward with the amounts currently budgeted for City-sponsored events.

Mayor Trantalis recognized Lezlye Williams, 466 E. Evanston Circle. Ms. Williams spoke in opposition to additional funds for City-sponsored events and remarked on the impact of the flood emergency.

Mayor Trantalis recognized Christopher Persaud, 550 East Campus Circle. Mr. Persaud spoke in opposition to additional funds for City-sponsored events and remarked on the impact of the flood emergency.

Mayor Trantalis recognized Yolanda Spence, 208 Utah Avenue. Ms. Spence spoke in opposition to additional funds for City-sponsored events and remarked on the impact of the flood emergency.

Mayor Trantalis recognized Donna Guthrie, 401 SW 30th Avenue. Ms. Guthrie spoke in opposition to additional funds for City-sponsored events. Further comment and discussion ensued regarding contact with the neighborhood.

Mayor Trantalis recognized Claudia O'Connor, 291 Iowa Avenue. Ms. O'Connor opposed additional funds for City-sponsored events and remarked on the impact of the flood emergency.

Mayor Trantalis recognized Bevin Petit, 600 W. Melrose Circle. Mr. Petit spoke in opposition to additional funds for City-sponsored events

and remarked on the impact of the flood emergency.

Mayor Trantalis recognized Christine Jones, 1600 NW 15th Place, and Council of Fort Lauderdale Civic Associations District 3 Representative. Ms. Jones spoke in opposition to additional funds for City-sponsored events and remarked on the impact of the flood emergency.

Mayor Trantalis recognized Michael Chambers, P.O. Box 121325. Mr. Chambers spoke in opposition to additional funds for City-sponsored events and described the impact of the flood emergency.

Mayor Trantalis recognized Dionne Taylor. Ms. Taylor spoke in opposition to additional funds for City-sponsored events and discussed the impact of the flood emergency.

In response to Mayor Trantalis and Vice Mayor Beasley-Pittman's comments and questions regarding removing debris from the ditch running through Melrose Park and Melrose Manors, Dr. Nancy Gassman, Public Works Department Assistant Director - Sustainability Division, confirmed the ditch is cleaned monthly. She remarked on the impacts of weed eradication when a saturated water table exists and illegal dumping. Dr. Gassman requested assistance from residents to report and refrain from illegal dumping into the ditch.

In response to Vice Mayor Beasley-Pittman's questions, Dr. Gassman said there are approximately two and one-half (2 ½) miles of connected ditch in Melrose Park and Melrose Manors and confirmed she would send Vice Mayor Beasley-Pittman copies of pictures taken before and after ditch cleanup. Further comment and discussion ensued.

Mayor Trantalis recognized Brian Donaldson, 3321 NE 16th Street, and Budget Advisory Board (BAB) Chair. Mr. Donaldson clarified \$2,400,000 was spent in Fiscal Year 2022 for City-sponsored special events due to unanticipated costs, and the current 2023 Fiscal Year budgeted amount is \$1,800,000. In response to Mayor Trantalis' question, Mr. Donaldson confirmed this budget reduction related to an event that exceeded budgeted costs last year. Chair Donaldson remarked on budgeted amounts of City-sponsored events and future anticipated budget challenges. He requested Staff provide the BAB with event details, including the number of participants, and remarked that the BAB would further consider this topic before making a recommendation to the Commission at the June 20, 2023, Joint Workshop. BAB is likely to recommend a funding reduction for City-sponsored events.

Vice Mayor Beasley-Pittman reiterated her request that this Agenda item should have been tabled. She confirmed her goal is to ensure the City provides residents impacted by the flood emergency with financial aid information and cited examples.

In response to Commissioner Sturman's question regarding the criteria required to apply for FEMA assistance, City Manager Chavarria confirmed residents with any type of flood damage should submit a claim with FEMA regardless of the amount of flooding damage experienced.

BUS-4 [23-0465](#)

Update on the City Attorney Search (Commission Districts 1, 2, 3 and 4)

Jerome Post, Human Resources Director, provided an update on the City Attorney search and requested Commission direction. Mr. Post narrated a presentation entitled *Commission Update City Attorney Search, May 23, 2023*.

A copy of the presentation has been made part of the backup to this Agenda item.

In response to Mayor Trantalis' questions, former Commissioner and member of the City Attorney Search Committee (Committee) Romney Rogers said that the Committee concluded some candidates qualified, but the pool of candidates needed to be broader. He noted that the position posting did not include the salary range and commented on the need for additional recruiting efforts. Sixteen (16) candidates applied, but only six (6) met the required criteria.

In response to Commissioner Glassman's questions, Mr. Rogers provided his thoughts regarding the low number of applicants, the criteria and short duration of the position postings. Commissioner Glassman remarked on his review of the posting and noted his viewpoint on appellate experience. Mr. Rogers stated that expertise in litigation and appellate matters is not a necessity, but understanding those processes is valuable when directing outside counsel. Further comment and discussion ensued. Mayor Trantalis recommended hiring a professional recruiting firm that would produce more pre-qualified candidates and assist with the process moving forward.

Commissioner Glassman remarked on the anticipated timeline. In response to Commissioner Glassman's questions, Mr. Post explained that prior City Attorney recruitment efforts produced sixteen (16) candidates and eleven (11) were qualified.

Mayor Trantalis remarked on his understanding that the Committee indicated there was no candidate who stood out. Mr. Rogers expounded on his viewpoint.

Commissioner Sturman commented on the process and previous discussions regarding City Manager Chavarria moving forward with the selection of an executive search firm.

Interim City Attorney D'Wayne Spence clarified details regarding those earlier discussions. The Commission can set the upper limit of the amount spent for executive search firm services, and City Manager Chavarria can obtain three (3) quotes. Further comment and discussion ensued.

It was confirmed that \$50,000 is City Manager Chavarria's spending authority for hiring a professional recruiting firm. In response to Commissioner Sturman's question, City Manager Chavarria confirmed that this amount would not require Commission approval. In response to Commissioner Glassman's remark on the timeline, City Manager Chavarria confirmed he would move forward expeditiously.

In response to Mr. Rogers' question, Mayor Trantalis suggested the Committee work with City Manager Chavarria and convene when the candidates are selected. Further comment and discussion ensued.

Commissioner Herbst discussed his perspective regarding his previous recommendation advocating for an executive search firm, the City Manager move forward with the process, and the Committee staying actively involved due to its expertise. He confirmed his confidence in Interim City Attorney Spence until the best candidate for the position was selected.

Mr. Rogers confirmed the Committee would continue its efforts with the process, and recommended that should the criteria change, current candidates should reapply. Further comment and discussion ensued.

In response to City Manager Chavarria's question, Commissioner Herbst recommended that recruiting criteria regarding appellate and litigation experience be listed as desired, not required.

Mr. Post recommended that the current candidates reapply through the recruiting firm selected and suggested the Committee review the job posting and recommend any changes.

Mayor Trantalis recognized Chris Nelson, 520 SE 5th Avenue. Mr.

Nelson discussed his viewpoint regarding this Agenda item and support of utilizing a recruitment firm.

CITY COMMISSION REPORTS

Members of the Commission announced recent and upcoming events.

Commissioner Herbst discussed his perspective regarding the timeline associated with the selection of a mediator for matters at issue related to the Comprehensive Agreement with Miami Beckham for the development the portion of Lockhart Park designated as a future community park area (community site). He confirmed a mediator had been chosen.

Commissioner Herbst discussed the deadline related to Miami Beckham's continued use of the future community site for game day parking, which is preventing the City from moving forward with development plans for the parcel. He remarked on his perspective regarding bargaining efforts with Miami Beckham and related discussions with Interim City Attorney Spence and City Manager Chavarria. Further comment and discussion ensued.

Commissioner Herbst requested clarification from Mayor Trantalis regarding the City providing financial assistance in the amount of \$5,000 to residents impacted by the flood emergency. Mayor Trantalis discussed FEMA assistance and clarified his comments regarding the possibility of the City providing financial aid to impacted residents would first come to the Commission for discussion. Commissioner Herbst expounded on his viewpoint. Further comment and discussion ensued.

In response to Commissioner Glassman's question about Commission Members being included on communications related to the selection of a mediator, Interim City Attorney Spence discussed his understanding that the Commission designated Commissioner Herbst to represent the Commission on this topic. Further comment and discussion ensued.

Commissioner Herbst clarified he would have no additional negotiations outside of the mediation process and would negotiate on behalf of the City during mediation along with Interim City Attorney Spence. Further comment and discussion ensued.

Commissioner Herbst reiterated his goal for Miami Beckham to adhere to the Comprehensive Agreement. Mayor Trantalis remarked on

changes to Lockhart Park plans previously discussed by prior District 1 Commissioner Heather Moraitis. Further comment and discussion ensued.

Interim City Attorney Spence explained the items at issue and the basis of the mediation. Miami Beckham's position is that there was an oral agreement with the prior City Manager that the City would be responsible for those costs. The Comprehensive Agreement states Miami Beckham will pay for the community site. The remedy, should the City choose, is that the City can build the community site at Miami Beckham's expense.

Mayor Trantalis remarked on the oral agreement, his perspective, and noted the ability of the mediator to resolve the items at issue.

Commissioner Herbst remarked on the patience and position of District 1 constituents who feel they have been dealt with in bad faith. Further comment and discussion ensued. Mayor Trantalis recommended allowing the mediation process to move forward.

Commissioner Herbst stated his position is to not renew Miami Beckham's parking permit on the future community site and requested the support of his fellow Commission Members.

Commissioner Glassman remarked on the need to extend the parking to Miami Beckham and by not doing so would be short-sighted. He confirmed the need for an update on the site plan for the community site. Commissioner Glassman confirmed the need to extend the parking until all outstanding issues are resolved. Further comment and discussion ensued regarding the site plan.

In response to Commissioner Sturman's questions, Interim City Attorney Spence said that should the Temporary Certificate of Occupancy (TCO) not be renewed, the building could not be occupied. Interim City Attorney Spence reiterated that the decision to issue the Certificate of Occupancy (CO) or extend the TCO is not at the discretion of the Commission. It is a function of the City's Building Official. City Manager Chavarria confirmed.

Chris Cooper, Development Services Department Director, explained the options of the Building Official to allow the TCO to expire or renew it. Mr. Cooper confirmed the CO was not issued because related building permit fees were not paid.

In response to Commissioner Sturman's questions, City Manager Chavarria confirmed building permit fees have yet to be paid.

Commissioner Herbst explained discussions with Miami Beckham that their payment of building permit fees is non-negotiable. The waiving of building permit fees for Miami Beckham would set a precedent for others to request this accommodation or rebate.

Mayor Trantalis clarified his understanding regarding the City owing demolition costs to Miami Beckham, as discussed in multiple meetings he attended with the previous City Manager, which included waiving the building permit fees to offset demolition costs. Further comment and discussion ensued.

City Manager Chavarria remarked on the need to address the parking agreement that expires on Sunday, May 7, 2023, due to related traffic safety concerns.

Police Chief Patrick Lynn discussed other parking options and related details and concerns.

Commissioner Herbst noted that parking was an issue when the Comprehensive Agreement was executed, and the long-term plan proffered by Miami Beckham at the time was that they were going to contract with all the local businesses in the area to provide parking. Further comment and discussion ensued.

In response to Commissioner Herbst's question, Chief Lynn confirmed the need to provide a long-term parking solution for Inter Miami games and said the current interim situation is a band-aid.

City Manager Chavarria noted past discussions with Miami Beckham about utilizing parking lots around the site, and he is still determining if those options have moved forward. Should the Commission not renew the parking agreement, he commented on the need to advise Miami Beckham and the City's public safety staff to coordinate. Further comment and discussion ensued.

Mayor Trantalis recommended extending the parking permit for another thirty (30) days while allowing the mediation to move forward and reassess the situation. Further comment and discussion ensued.

In response to Commissioner Glassman's question regarding the date mediation would start, Mayor Trantalis said parties are setting aside time for mediation, and the start date has yet to be identified.

Commissioner Sturman acknowledged the need for a good-faith effort on the part of Miami Beckham and remarked on the need to move forward.

Vice Mayor Beasley-Pittman remarked on her perspective, the need to pursue mediation, implement movement, and avoid a spontaneous decision. She acknowledged the viewpoint of Commissioner Herbst represents the viewpoint of District 1 residents. Further comment and discussion ensued.

Interim City Attorney Spence said he spoke with the agreed-upon mediator, Jack Seiler, Esq., who explained the mediation process. Mediation will begin after Mr. Seiler speaks with representatives from each party to gauge their positions moving forward and the importance of both parties entering the mediation process in good faith. Interim City Attorney Spence advised the Commission to do whatever possible to make that process successful. The parking issue is outside the four (4) corners of the Comprehensive Agreement and is at the discretion of the Commission as to how to proceed.

In response to Commissioner Glassman's question regarding the timeline associated with the parking issue, Commissioner Herbst explained the leverage parking provides the City in the mediation process and recommended not renewing the parking permit following the May 7, 2023, expiration.

Commissioner Glassman discussed extending parking and remarked on the consequences to the public should it not be extended. Further comment and discussion ensued.

Commissioner Sturman recommended extending the parking permit and requesting Miami Beckham place the \$1,400,000 for the outstanding building permit fees in an escrow account with the mediator. Further comment and discussion ensued regarding the building permit fees.

Commissioner Herbst said if the mediation process is moving forward in good faith, he is amenable to thirty (30) day parking permit extensions. He reiterated the building permit fees are non-negotiable.

Commissioner Glassman remarked this discussion should have been noticed as a topic for discussion on the Commission Conference Agenda and expounded on his viewpoint.

Mayor Trantalis recommended a sixty (60) day parking permit extension. Commissioner Herbst agreed to a sixty (60) day extension with subsequent thirty (30) day extensions should progress be made during mediation.

In response to Commissioner Glassman's questions, City Manager Chavarria confirmed the parking agreement end date. Mayor Trantalis explained details related to deadlines for Miami Beckham to make the \$1,400,000 escrow deposit for building permit fees with the mediator. Should the Escrow funds not be deposited, the parking permit will not be extended. Further comment and discussion ensued.

In response to City Manager Chavarria's question, Mayor Trantalis confirmed the parking area is located where the new community site is to be located and is separate from the FAU parking lot.

Vice Mayor Beasley-Pittman remarked on attending the Broward County Continuum of Care Board Meeting as the City's representative and providing information about those recently made homeless due to the flood emergency. She discussed communication efforts in District 3 about resources and opportunities available to those impacted by the flooding. District 3 is looking for volunteers to assist with going door to door to help disseminate information about available resources to impacted residents. She reiterated earlier comments regarding the District 3 areas affected and in need of assistance.

Vice Mayor Beasley-Pittman discussed prioritizing the Emergency Preparedness Task Force before hurricane season.

In response to Vice Mayor Beasley-Pittman's questions, Interim City Attorney Spence confirmed that Chapter 2 of the Code of Ordinances includes an Emergency Preparedness Task Force (EPTF) comprised of the Mayor, each Commission Member, the City Manager, Assistant City Managers, the Fire-Rescue Department Chief, Department Directors, and citizens who are responsible for the creation of the Fort Lauderdale Comprehensive Emergency Management Plan (FLCEMP). The Emergency Preparedness Response Team is implemented when an emergency exists.

In response to Mayor Trantalis' question, Interim City Attorney Spence confirmed State statute requires the City to implement a FLCEMP, a component of the City's Emergency Management Plan. Mayor Trantalis confirmed the need to move forward and requested City Manager Chavarria convene an EPTF Meeting to develop best practices. City Manager Chavarria confirmed. Vice Mayor Beasley-Pittman asked City Manager Chavarria to provide related existing information before the meeting. City Manager Chavarria confirmed. Further comment and discussion ensued.

Commissioner Glassman remarked on the passing of City Pioneers Frank "Butch" Samp and Marilyn Ireland Markos. He commented on

State legislation under consideration impacting historic preservation of structures and District 2 residents. Commissioner Glassman discussed the importance of all residents feeling safe and remarked on Florida Senate Bill 1580, Protections of Medical Conscience, which would impact medical coverage to members of the LGBTQ community.

In response to Commissioner Glassman's question regarding environmental, social, and governance (ESG) standards, Susan Grant, Assistant City Manager, said an ESG investment policy had not been adopted and expounded on related details. Further comment and discussion ensued. Commissioner Glassman remarked on concerns about State legislation lowering the age to purchase rifles and long guns from twenty-one (21) to eighteen (18) and the negative impact on public safety.

Commissioner Sturman remarked on the outstanding rescue efforts led by Fire-Rescue Chief Stephen Gollan, Police Department Chief Patrick Lynn, and related efforts of City Manager Chavarria, stating that over six hundred (600) residents were rescued during the flood emergency.

Commissioner Sturman provided an update on comfort stations in the Edgewood neighborhood at Floyd Hall Stadium and donation collection efforts. He confirmed the ongoing needs of flood victims and expounded on volunteer opportunities and related coordination efforts, including contact information. Mosquito spraying has been expanded and will commence in hard-hit areas.

Commissioner Sturman discussed rescheduling the Transportation and Mobility Department Town Hall Meeting on the Las Olas Mobility Plan anticipated to take place later this month.

Mayor Trantalis noted representatives from Sister City Duisburg, Germany, recently visited the City to discuss climate change, resilience, and infrastructure issues. He remarked on participation in climate related forums with Vice President Kamala Harris at the University of Miami's Oceanographic Institute in Key Biscayne.

Mayor Trantalis discussed an email sent by Daphnee Sainvil, Government Affairs & Economic Development Manager, regarding vacation rental legislation in Tallahassee that would remove the City's ability to regulate vacation rentals and require all enforcement to go through the Florida Department of Business and Professional Regulation. He expounded on related details and the timeline. Mayor Trantalis requested the Commission authorize him to send a letter to

Governor requesting Governor DeSantis veto this bill should it contain the provisions included in Ms. Sainvil's email. Further comment and discussion ensued. Mayor Trantalis said he would raise this topic again at tonight's Commission Regular Meeting.

Mayor Trantalis discussed his recent trip to Washington, DC, and efforts related to ensuring the City ensuring was declared a major disaster area, allowing FEMA to provide relief assistance. He expounded on related details. Those efforts proved successful. Mayor Trantalis remarked on a Commission discussion regarding the City supplementing FEMA assistance. He expounded on the earlier remarks from Mr. Mills, stating that FEMA provides funding to put individuals back on their feet, not one hundred percent (100%) cost recovery. Should the Commission decide to go forward, he recommended that the Commission ask Staff to develop appropriate criteria to determine eligibility and verification of whether any funding assistance from the City would trigger a clawback from FEMA.

Vice Mayor Beasley-Pittman requested information regarding the legal ability to move forward with funding assistance from the City. In response to Vice Mayor Beasley-Pittman's question, Interim City Attorney Spence explained details of a related provision of the Florida Constitution that limits options. There needs to be a clear public purpose, and it cannot be a straight subsidy for private individuals. Interim City Attorney Spence expounded on related details.

In response to Mayor Trantalis' questions, Interim City Attorney Spence explained two (2) requirements, a determination of a public purpose and some type of return for the expenditure that the City would receive as consideration that requires further investigation to make a decision. Further comment and discussion ensued.

In response to Vice Mayor Beasley-Pittman's questions, Mayor Trantalis explained his viewpoint regarding financially assisting residents impacted by the flood without insurance, adequate financial resources, or FEMA assistance. They remarked on possibly providing \$5,000 in financial aid.

Commissioner Herbst remarked on several concerns, including legality, and commented on his viewpoint regarding many roadblocks experienced with government programs and cited examples. He expounded on his perspective, related experience, and concerns.

Commissioner Glassman confirmed his support of Mayor Trantalis sending correspondence opposing pending State vacation rental legislation. He remarked on the ability of the City to fund financial

assistance to flood victims and concerns regarding legality. Commissioner Glassman reiterated his concerns regarding the process, and providing public notice on these topics. Further comment and discussion ensued.

Commissioner Sturman confirmed support of Mayor Trantalis sending correspondence opposing State vacation rental legislation. He explained concerns regarding providing proposed financial assistance to flood victims, legality, and concerns regarding FEMA clawback. Commissioner Sturman discussed his concerns regarding flooding victims becoming homeless and the subsequent burden on the City and confirmed support of the City providing the ability to keep residents in their homes.

Commissioner Herbst commented on a mechanism the Commission could consider and cited past homeless assistance programs funded with U.S. Department of Housing and Urban Development (HUD) funds and grants. He expounded on related details, which may provide a mechanism where the Commission provide funds that would contain guidelines. Commissioner Herbst urged City Manager Chavarria to research and update the Commission.

Mayor Trantalis remarked on impacted residents' immediate needs and expounded on the lengthy timeline associated with government programs. He recommended developing a path in the future to make it easier to assist displaced residents resulting from an emergency.

Mayor Trantalis discussed Broward County's (County) Southeast Climate Action Pledge and the County's request for the City to be a signatory, which is a Commission decision. Its purpose is to collaborate with local and tribal governments to pledge to advance strategic climate adaptation and mitigation efforts through shared implementation. In response to Commissioner Glassman's questions, Mayor Trantalis confirmed he would provide copies to Commission Members and discuss them at the May 16, 2023, Commission Meeting.

CITY MANAGER REPORTS

City Manager Chavarria announced an Executive Closed-Door Session on May 9, 2023, from 3:30 p.m. to 5:30 p.m. to continue Police and Fire-rescue union contract negotiations.

The Commission requested a Joint Workshop with the Marine Advisory Board. Staff is proposing 11:30 a.m. on Tuesday, May 16, 2023. Mayor Trantalis confirmed.

AECOM will present the updated design for the City's portion of Lockhart Park at the May 16, 2023, Conference Meeting.

As discussed earlier, Staff will work to convene an Emergency Preparedness Task Force (EPTF) training before the Commission Summer Break.

ADJOURNMENT

Mayor Trantalis adjourned the meeting at 6:47 p.m.