

City of Fort Lauderdale

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



Meeting Minutes - Draft

Tuesday, February 2, 2016

1:30 PM

City Commission Conference Room

City Commission Conference Meeting

FORT LAUDERDALE CITY COMMISSION

JOHN P. "JACK" SEILER Mayor - Commissioner
ROBERT L. McKINZIE Vice Mayor-Commissioner - District III
BRUCE G. ROBERTS Commissioner - District I
DEAN J. TRANTALIS Commissioner - District II
ROMNEY ROGERS Commissioner - District IV

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

Meeting was called to order at 1:33 p.m. by Mayor Seiler.

ATTENDANCE ROLL CALL

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

Quorum Established

Also Present: City Manager Lee R. Feldman, City Auditor John Herbst, City Clerk Jonda K. Joseph, 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

The Mayor and members of the Commission announced recent and upcoming events and may raise matters of interest or concern.

Neighborhood Crime Meeting

Commissioner Trantalis and Vice-Mayor McKinzie attended a neighborhood crime meeting where the Honorable Judge Jay Hurley spoke. Commissioner Trantalis noted it was very educational for all on how his bench works. He is the first appearance judge. It was well attended primarily by people from the South Middle River area.

Greek Festival – Saint Demetrius Church

Commissioner Trantalis invited everyone from the community to attend the annual Greek Festival at Saint Demetrius Church to be held February 11th – 14th.

Crescent House

Commissioner Trantalis asked City Attorney Everett the status of Crescent House. Ms. Everett updated the Commission stating Crescent House has until February 15, 2016 to comply with the zoning issue. Ms. Everett also noted that Crescent House has appealed both the zoning decision and the nuisance decision issued by the Special Magistrate.

Middle River Terrace Park

Commissioner Trantalis stated the person who owns the property had started site work without a permit destroying the soil where there had been contamination. The City has cited them. City Manager Feldman confirmed they have stopped work at the site, and they are now working with the county on the environmental issue.

Honoring Carlton Moore

Commissioner Trantalis proposed to the City Commission renaming Sistrunk Park after former City Commissioner Carlton Moore as a way to energize the area. Commissioner Trantalis noted that after speaking with Rosalind Osgood, she thought it was a good idea and would circulate it to the

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neighborhood. Commissioner Trantalis stated it is a proper way to recognize Commissioner Moore's contributions to the City. Commissioner McKinzie said he had spoken with Commissioner Moore's mother who would like to be part of this conversation. Commissioner Trantalis noted that he had spoken with Ms. Moore and her family who agreed that this was a proper way of recognizing Commissioner Moore and were in agreement with the idea. Vice-Mayor McKinzie agreed and suggested that the idea should be vetted by the neighborhood community noting that Sistrunk Park has a great deal of history which needs to be considered. Commissioner Trantalis agreed with Vice-Mayor McKinzie thoughts on the idea.

911 Emergency Communications

Commissioner Roberts noted an emergency call for incidents in District I was not able to be addressed promptly (a 45-minute delay). This was due to the inability of the 911 Center to direct police officers to the proper addresses. Commissioner Roberts suggested the City do something in the interim and on its own until these issues are properly addressed at the County's 911 Communications Center or until the City implements a system of its own. Further discussions ensued as how to resolve this problem to ensure timely response times for emergency calls.

METROPOLITAN PLANNING ORGANIZATION (MPO)

On Thursday, February 4, 2016, at 10:00 a.m., Commissioner Roberts and Commissioner Rogers will attend an open meeting at the MPO offices regarding the county's and other municipalities' stance on the proposed Local Government Infrastructure Sales Tax and Transportation Local Option Sales Taxes. Mayor Seiler said he heard from Broward County Mayor Marty Kiar regarding this subject, and Mayor Kiar is trying to put together a working group on this topic. Mayor Seiler recommended to Mayor Kiar he contact Commissioner Roberts to discuss the matter as he is a member of the subcommittee representing the City on this topic. Further comments and discussion ensued on this topic among the Commission.

Annual Fraternal Order of Police Awards Banquet at Hyatt 66

Commissioner Roberts encouraged members of the Commission to appear and acknowledge the good work the City's Police Department does for the community throughout the year.

State Legislation – Open Carry

Commissioner Roberts discussed the issue of possible State legislation regarding the open carrying of firearms. Commissioner Roberts stated the open carrying of firearms was not appropriate for the City. The Commission discussed a resolution to support the defeat of this measure by the State. Additional discussion ensued in support of opposing the open carrying of firearms in the City.

Public Works and Utilities

Vice-Mayor McKinzie stated he had a great visit with the Public Works Department and Paul Berg the Director and his staff hosting a barbecue for the Haitian delegation. Vice-Mayor McKinzie noted this was the first visit by the Haitian delegation to the City and thanked City Staff for their efforts in making the event a success. Mayor Seiler also commented on the successful visit of the Haitian delegation. Mayor Lumine, Mayor of Sister City Cap-Haitien, gave the City the gift of a Haitian flag. Mayor Seiler noted how excited the delegation was with the visit and the great ceremony in City Chambers and thanked City Staff for their assistance and for the job they did.

CRA

Vice-Mayor McKinzie noted his constituents were excited about the direction the City's CRA is going in

addressing the needs of the Northwest area of the City. He asked Don Norris and Jonathan Brown to be ready at the next CRA meeting with staff positions and other responsibilities the CRA Board has assigned to them so they can “hit the ground running.” Vice Mayor McKinzie said the amendment to the by-laws was discussed with City Manager Feldman and City Attorney Everett. They will be ready next week to move things forward at the February 16, 2016 CRA meeting. He thanked everyone involved for their efforts.

Sistrunk Parade and Festival

Vice-Mayor McKinzie noted the Sistrunk Parade and Festival returns on Saturday, February 27 beginning with a 5K Run in the morning starting at 6:00 a.m. The parade departs from Lincoln Park at 9:00 am and travels east down historic Sistrunk Boulevard to NW 9 Avenue featuring marching bands, twirlers, step teams, classic cars, and decorative floats. Immediately following the parade, join us for the Urban Music Festival, a celebration of our rich cultural heritage and diversity featuring live bands and outstanding entertainment performing on two stages along Sistrunk Boulevard between NW 9 and NW 12 Streets.

FDOT Project Open House

Commissioner Trantalis attended the FDOT Open House on January 21st held at the Embassy noting the wealth of information available and the large turnout. The focus was on two new routes for the proposed Wave Streetcar extension system FDOT is looking to do, the main one continuing down Andrews Avenue and parts of Federal Highway to the Fort Lauderdale-Hollywood International Airport and the other east over to 17th Street to Port Everglades and the Broward County Convention Center.

Croissant Park Event

Commissioner Rogers thanked City Staff for their efforts with the Croissant Park Event held on January 30th which was a pot-luck dinner this year. City Staff including City Manager Lee Feldman, Assistant City Attorney D'Wayne Spence, and Zoning Administrator Anthony Fajardo accompanied Commissioner Romney Rogers. There was a question and answer session addressing questions from the community. Commissioner Rogers noted concern of the audience was a proliferation of Sober Homes in the neighborhood and the City's ULDR Ordinance. Further comment and discussion ensued on this topic.

Rio Vista

Commissioner Rogers attended the Rio Vista Civic Association noting that flooding remains a major issue. City Manager Feldman updated the Commission on the process that is moving forward, and the City will shortly be able to move forward with contract negotiations with an engineering firm to the City's overall Storm Water Master Plan that will encompass \$48-\$250 million dollars' worth of projects within the City. This Master Plan will address rising sea levels and stormwater flooding. Commissioner Rogers suggested the City find a way to let everyone know the City is addressing a solution in an ongoing manner. He also stated that his constituents living on Cordova Road south of SE 9th Street have water intrusion from existing seawalls versus overflow and they need repairs. Further discussions on this topic ensued.

Progresso Ground Breaking

Mayor Seiler noted the Groundbreaking Ceremony for the Progresso Village Improvement Project on Saturday, February 13, 2016 at 10:00 a.m. at the Northwest Corner of Sistrunk Boulevard and NW 4th Avenue.

“Always Stop on Red” Red Light Awareness

Mayor Seiler attended the “Always Stop on Red” - Red Light Awareness Event earlier in the day and asked City Manager Feldman to thank all City Staff and volunteers who participated in making this event a success noting the large turnout.

Career Source Broward

Mayor Seiler attended the Career Source Broward Private Workshop to focus in on hard skills and soft skills employment stating it was an important meeting. He was very impressed with the Broward Workforce Development Board working with the Broward Workshop and focusing on making the low 4.3% unemployment rate permanent in the City.

Dan Marino Walk for Autism School

Mayor Seiler participated in the Dan Marino Walkabout to benefit the Dan Marino Autism School that assists young adults with autism transitioning into life. He noted thousands attended the walk, and it was a very positive event with Mr. Marino singling out the City for all of their effort and support.

Tourist Development Council (TDC)

Mayor Seiler announced the TDC is putting together policies along with the proposed use of funds, to include better screening and vetting, i.e., looking at heads and beds, room nights as a measure for funds being distributed. Mayor Seiler noted there were specific criticisms and recommendations at the meeting illustrating the understanding of all stakeholders that tax dollars need to be used for tourism development issues and related matters. He stated the meeting was very positive.

Ceremony at the Art Institute on 17th Street

On January 28th, Mayor Seiler participated in The Art Institute of Fort Lauderdale’s ceremony honoring seven alumni with Wall of Fame distinction at its Alumni Reunion and Alumni Art Exhibition Gallery Opening. The seven alumni were honored for their achievement and contribution to their field of study. Mayor Seiler noting that we sometimes forget that The Art Institute plays a critical role in both the City’s economy and culture. Mayor Seiler stated the Commission was extended an invitation to The Culinary Institute’s restaurant suggesting that they perhaps cater a conference or workshop meeting lunch.

Passing of Dr. El Sanadi

Mayor Seiler mentioned the passing of Dr. El Sanadi and the incredible service at First Baptist Church. He commended both Fire Chief Hoecherl and Assistant Chief Heiser noting Assistant Chief Timothy Heiser organized the funeral with his brother Fire Captain John Heiser. The Commission agreed Assistant Chief Heiser did an outstanding job of expressing clearly and concisely Dr. El Sanadi’s impact and contributions to the City, and what he meant to the community.

City Attorney Everett noted the Commission needs to address appointing a Medical Director for the City as required by the State and that specific criterion as required by law that needs to be met. Mayor Seiler asked City Attorney Everett to work on the appointment of a replacement Medical Director for the City.

5K for Kids

Mayor Seiler noted the success of the 5K for Kids which raised money for Children’s Diagnostic Treatment Center and was hosted by the Saint Anthony’s Knights of Columbus on January 30, 2016. It was very well done and well organized with many volunteers. Commissioner Trantalis said he heard

nothing but compliments regarding the event.

Emerge Broward – Leadership Broward Group, Broward College

On January 30th, Mayor Seiler spoke to Emerge, a group meeting of a young group of active people in the age range 21-35. Emerge Broward was founded ten years ago. Mayor Seiler recommended to these young and active volunteers the opportunity of serving on the various City's Boards and Committees.

Chili Cook-Off

Mayor Seiler thanked Gina Ellis for another outstanding job and knocking it “out of the park” again with the Riverwalk's Chili Cook-Off Event. The Fire Department won for best Chili this year.

CONFERENCE REPORTS

CF-1 16-0012 Lien Settlements - Waterworks 2011

City Manager Feldman stated that the lien settlements now go to the Special Magistrate. City Attorney Everett stated that all of these lien settlement matters were now going to the Special Magistrate as a result of an ordinance passed by the Commission several months ago.

Commissioner Trantalis stated his concerns with people getting away with significant lien reductions when they sell properties for large amounts. He would like to send a message that both the City and the community are being shortchanged. City Manager Feldman stated there will be no matrix used by the Special Magistrate, and each case will be considered on its own merits.

CF-2 16-0105 Central Beach Master Plan Public Improvement Projects Update

Commissioner Trantalis met with City Manager Feldman yesterday and they received two bids for the Las Olas Marina expansion although they are still tentative as aspects of their response have technical deficiencies. Mayor Seiler encouraged the broadest possible application process to ensure everyone who wants to bid will have the opportunity to bid.

Mr. Feldman stated there were two issues. The first being the determination as to the compliance of the two bids received. The second is the City of Miami that has a similar project opened up their bid on Monday, February 1st, and the timing of this was not the best for the City. His recommendation is to put the RFP out again for another 30-45 days to make sure the proposals are in compliance as well allowing other to submit proposals. For discussion purposes, Mayor Seiler said he would be comfortable and recommends with allowing another extension/enlargement of time allow the most responsive bidders and another bid conference.

Commissioners Roberts, Trantalis, Rogers, and Vice-Mayor McKinzie concurred that they would like City Manager Feldman and City Attorney Everett to meet to discuss the possibility of a resolution to extend the RFP for another 30 days and to have another bid conference for the project to allow City Staff to address questions from the public bidders.

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Further discussions ensued on this topic.

OLD/NEW BUSINESS

BUS-1 16-0021 Discussion Regarding FY 2016 Federal Legislative Priorities and Funding Requests for the City of Fort Lauderdale

City Manager Feldman introduced Maurice Kurland, Partner, Attorney and Lobbyist with Alcalde & Fay LTD, Inc. for federal lobbying services which advocate for the City's interests throughout the year. Mr. Kurland thanked the Commission for the opportunity to service the City and provided background on Alcalde & Fay LTD. Mr. Kurland said they had a three prong approach to the services they provide. They are funding opportunities through federal appropriations or authorizations, addressing federal agency issues the City may be having, and assisting in available grant opportunities in any sphere, i.e., from Federal or State resources and private foundations. Mr. Kurland also discussed the Sober Homes issue and working with Congresswoman Lois Frankel's office to address the City's concerns regarding the ongoing issues on this subject. Their efforts are also focused on the funding the needs of the City's Federal Courthouse for the next federal appropriation.

Mayor Seiler raised the issues of long-term funding for Beach Nourishment, Juvenile Justice Homes, and Children and Family Homes noting that progress has been made at the State level and acknowledging there are also issues at the Federal level. Mr. Kurland said he would confer with City Manager Feldman to ascertain where the City is in the process. They could then pursue additional funding from the Federal Corps of Engineers noting there are no longer Federal earmarks for items such as these.

Mr. Kurland acknowledged Congress, as a whole, and the President are in agreement that all aspects of the Criminal Justice System should be proactively addressed rather than reactively. Mayor Seiler requested that they monitor Federal funding opportunities for the City as it related to police body cameras.

Concerning beach renourishment from the perspective of flood mitigation and drainage raised by Commissioner Roberts, Mr. Kurland responded that there are funding opportunities from FEMA and Homeland Security for hazard mitigation and pre-disaster mitigation.

Commissioner Roberts also inquired about newer technologies and experimentation to assist retaining the ongoing beach renourishment for as long as possible.

Commissioner Rogers addressed the issue of transportation. Further discussions and questions about the City's FY 2016 Federal legislative priorities and funding requests for the City of Fort Lauderdale ensued.

Mayor Seiler opened the floor up for public comments.

Charles King, 105 N. Victoria Park Road, spoke questioning the length of time the City has contracted with a lobbyist. Mayor Seiler explained the City's history regarding contracting with a lobbyist and the current need for Federal funding to address issues such as beach renourishment, transportation issues, and the Federal Courthouse. Mr. King expressed his views relating to this topic. Commissioner Trantalis and Commissioner Roberts also addressed Mr. King's comments concerning the federal courthouse.

Count Rosenthal expressed his views on the City's employing federal lobbyists and the City's need for a Federal Courthouse.

BUS-2 16-0131 Discussion Regarding Revising the Maximum Number of Taxicabs

City Manager Feldman noted there was a discussion at a Commission Conference Meeting in December 2015 regarding vehicles for hire. City Staff was requested to draft a moratorium on the enforcement on the maximum limit on vehicles for hire within the City. He noted legal issues were putting the City's current ordinance in jeopardy. City Attorney Everett explained the Commission needs to give City Staff direction as what to pursue and her concerns regarding regulation by the County's ordinance which is more restrictive than the City's ordinance and is "grandfathered." Further discussion ensued on this topic.

Mayor Seiler opened the floor for public comments.

John Camillo, President of Yellow Cab, expressed the differences between the County and the City's ordinances, his concerns, and his opposition to regulating the number of taxicabs. Mr. Camillo passed out information to the Commission members regarding taxicab statistics in 2014 vs. 2015. Mr. Camillo answered questions from Commissioner Trantalis.

A copy of this information is attached to these minutes.

Leslie Cadet, 201 West Sunrise Boulevard, spoke in support of expanding the amount of taxicabs allowed to operate in the City citing the needs of the City's residents and tourists. He recommended opening the City for all taxicabs as the current ordinance only benefits two taxicab companies in the City. He stressed the need to give small taxicab companies an opportunity in the City.

Robert Bonner, Inter-City Taxi, stated the demand for taxis in the City exceeds the supply because there is only one cab company you can legally call. He cited the fact that 40 years ago, 200 taxicabs were allotted for the City. This allocation may have been enough then but is not enough for the City's current needs. The City is now an international destination with significantly greater demand than it had 40 years ago. He cited numerous occasions that prevented visitors to the City from getting transportation from unauthorized taxicab companies. He feels people should have a choice of taxi cab companies and transportation options.

Mayor Seiler left the meeting at 3:47 p.m.

Before making a decision on this issue, Commissioner Roberts requested City Manager Feldman meet with taxi vendors, City Staff and the City's Legal Department for more due diligence on the need to

increase the maximum number of taxi cabs. Further discussions ensued on this item.

BUS-3 16-0178 Broward County's Civil Citation Program for Individuals Found in Possession of Twenty Grams or Less of Cannabis

City Manager Feldman stated the county passed an ordinance creating a civil citation program for first offenders as a diversion program. There is an opt-out provision in the County ordinance and has requested the City to let them know whether the City intends to stay under the county ordinance. Should the City decide to opt-in, when the City writes civil citations; those individuals will go through the County Program, and there may be a cost to the City. Alternatively, the City may wish to adopt an ordinance and institute an Adult Diversion Program. Currently, the City has an Adult Diversion Program run by the City's Prosecutors Office that has been effective.

City Attorney Everett recommended opting out of the County ordinance. Police Chief Frank Adderley gave a presentation to the Commission on this topic recommending extending the City's current Juvenile Citation Program, which has proven to be very successful. Chief Adderley expounded on the Juvenile Citation Program. Chief Adderley proposed the Commission consider adopting a new program where the City develops an Adult Civil Citation Program, subject to review by the City Attorney, which would include all non-violent misdemeanor offenders. Individuals participating in the Adult Civil Citation Program would complete an educational or treatment program as opposed to being criminally prosecuted. Currently, the Police Department has a Mandatory Juvenile Civil Citation Program that includes all non-violent misdemeanor offenders. An Adult Civil Citation Program would be administered by expanding the current juvenile civil citation program. Chief Adderley noted with an additional 200 participants, the Police Department can manage the increased number without more resources.

Mayor Seiler returned to the meeting at 4:00 p.m.

City Attorney Everett would bring back an appropriate resolution to the Commission formally opting out of the County's Ordinance. City Manager Feldman noted the City will work with the City's Police Department to propose an Adult Citation Program.

BUS-4 16-0108 General Employees' Retirement System Presentation

City Manager Feldman gave a brief overview of this agenda item. Mark Darmanian noted that he did not have a formal presentation. Mr. Darmanian said he was here today to answer any additional questions from the Commission. Mr. Darmanian noted there were two questions outstanding from the Commission. First, questioning if they had passed an Investment Policy and they have done so. Second, regarding the Administrator issue, the candidate has withdrawn his application.

Commissioner Rogers asked if they had explored the opportunity of outsourcing the administrative position. Mr. Darmanian confirmed they had looked into a third-party administrator to handle the day to day business of the office. Commissioner Rogers asked about the outsourcing of the Chief Investment Officer (CIO) model. It was noted that this model does not relieve any fiduciary liability for

the Board and other problems.

City Auditor Herbst asked for additional discussion on the Latin American Timber Fund (LATF) and alternative investment categories. The LATF was explained. Assistant City Attorney Cole Copertino raised the issue of the letter received from BTG Pactual, the parent company of the fund, stating they are operating at very low cash reserves, and the expectation is by mid-2016 they are at risk of exhausting their cash reserves or operating capital to keep the fund moving. Richard Dahab, Dahab and Associates, explained what was transpiring concerning this correspondence. The LATF has requested their LLC partners to approve a loan. Mr. Copertino wanted to know the assets involved in backing the loan. Further comments on this topic and discussions ensued.

Mayor Seiler opened the meeting for public comment.

Charles King, 105 N. Victoria Park Road, expressed his views regarding this item.

Mayor Seiler noted that the Commission has put a spotlight on the GERS issue and discussions ensued regarding appropriate investments decisions. Commissioner Rogers recommended the Board and the Commission, as fiduciaries, comes to an agreement on the plan and the strategies then move forward with a decision as to how to implement the plan. The Mayor agreed the Commission would monitor this item. Commissioner Rogers would like the Commission and City Auditor Herbst to review the new investment policy for the liquidating plan and bring it back for an ongoing discussion to move forward.

On another topic, Mayor Seiler read an email he received regarding the Florida State Legislature's Bill on police body cameras noting the need to monitor this item as it relates to timing and what the City may do concerning police body cameras.

BOARDS AND COMMITTEES

BD-1 16-0150 Board and Committee Vacancies

See regular item R-1

BD-2 16-0151 Communications to the City Commission

Not heard.

CITY MANAGER REPORTS

None.

Mayor Seiler adjourned the conference meeting at 4:50 p.m.

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