

City of Fort Lauderdale

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



Meeting Minutes - DRAFT

Tuesday, July 2, 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
HARRY A. STEWART, City Attorney

Meeting was called to order at 1:31 p.m. by Mayor Seiler.

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: 5 – City Manager Lee R. Feldman, City Auditor John Herbst, City Clerk Jonda K. Joseph, City Attorney Harry A. Stewart, Sergeant At Arms Sergeant Edgar Cruz

CITY COMMISSION REPORTS

Events and Matters of Interest

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

Iguana Infestations

Vice Mayor Roberts indicated that he would like to meet with the City Manager to determine if an approach could be developed. It is causing infrastructure damage.

Neighborhood Capital Improvement Program

Vice Mayor Roberts advised that residents in District I are opposed to delaying any new projects until the current backlog is addressed. He asked that those that have gone through the process this year should be handled as normal. The City Manager noted another consideration is ongoing maintenance. Currently, the neighborhood or business association is responsible, but it is not happening. Mayor Seiler suggested a policy whereby an association would be prohibited from applying for future projects if an awarded project is not maintained. Commissioner Rogers felt the cost of electricity for example should be addressed. Vice Mayor Roberts wanted to proceed with this year's round and not stop the process. Commissioner DuBose agreed.

Sistrunk Boulevard: Street Name Addition to Federal Highway

In response to Commissioner DuBose, Commissioner Trantalis advised that he met with the Flagler Village Association. People are concerned about the association of Dr. Sistrunk's name to what the street has been allowed to fall into; urban decay, crime and so forth. They do not want that association to be passed into Flagler Village. It is not about Dr. Sistrunk. Commissioner DuBose felt that there is a difference of perception. A policy decision needs to be made. He did not want it to be further delayed. Mayor Seiler felt the existing process should be followed and went on to note his previous suggestion of co-naming. As to Mayor Seiler's comment that it involves two commission districts, Commissioner DuBose felt it is a City issue. He believed that County has embraced this by having Dr. Sistrunk as a permanent figure on a county mural. Commissioner Trantalis felt the existing criteria are too general. He proposed the following: 1) there should be a historical or cultural connection of the individual to the area where the street will be named; 2) the neighborhood association should either be making the request or approve the request; and 3) the City Commission should approve it. Looking at street naming that has been done in the past, he believed there is usually an association of the individual to the area either historically or culturally. Commissioner DuBose commented that the

current policy has been working. This co-naming needs to be voted on. Commissioner Trantalis agreed to bring this update to the association which does not meet again until August. He explained that the residents feel another neighborhood is telling them what to do with their neighborhood. He agreed that it should go to the neighborhood for a vote. He reiterated his reasoning for favoring co-naming. He wanted to see a list of issues raised by Flagler Village Association. Commissioner DuBose referred to urban decay and crime and commented that there have been problems from time to time in District II neighborhoods. Mayor Seiler felt the matter should go to both the Community Redevelopment Agency advisory board (Northwest Progresso Flagler Heights Redevelopment Advisory Board – CRA Advisory Board) and the Association for a vote. Commissioner Trantalis elaborated upon the advantages of re-branding and suggested James Sistrunk Boulevard. Mayor Seiler discussed Dr. Sistrunk's accomplishments in bringing down barriers and his significant impact on the community. He did not like the negative connotation that exists. He went on to delineate his suggestion of co-naming with east and west references. Vice Mayor Roberts also preferred co-naming. He would be interested in knowing the Association's co-naming ideas. Commissioner Rogers felt the same as the Vice Mayor. Mayor Seiler asked that the Commission be informed of when it will be discussed by the Association. Commissioner DuBose was agreeable to a joint meeting. In response to Mayor Seiler, the City Manager advised that the CRA Advisory Board has voted twice in support of extending the name to Federal Highway.

Women's Club, Stranahan Park

Commissioner Rogers felt there is need for more police presence at this park. He asked that there be better coordination between the police and the park ranger assigned to the downtown. Commissioner Rogers requested the City Manager request a written report from Broward County as to when the library improvements in the downtown will be completed.

Turtle Compliant Lighting on the Beach

Commissioner Trantalis reported on the most recent turtle compliant lighting community meeting. It was pointed out that note should be made of Fort Lauderdale resident speakers. Mayor Seiler felt something has to be done to provide more lighting and to make the area safer for people. He asked the topic be scheduled on an agenda for a policy discussion. The City Manager noted the intention is to bring the matter back to the Commission in October – November. Mayor Seiler preferred September – October. The City Manager indicated they will shoot for the first meeting in October.

Beach Crowd Control; Memorial Day

Commissioner Trantalis referred to a community meeting on this topic. He summarized that more police presence is required and greater enforcement concerning alcohol on the beach. He and the president of Greater Fort Lauderdale Chamber of Commerce spoke with every proprietor at Beach Place about hiring their own private security to prevent people from leaving their establishment with alcohol. The goal is to remove the alcohol element from what is considered a family setting on the beach because alcohol seems to be the common denominator. Mayor Seiler added that it is also the easiest enforcement mechanism. Vice Mayor Roberts emphasized that an education effort by the Police Department to establishments. He felt the meeting went well.

Redistricting

In response to Mayor Seiler, the City Manager advised that the Reapportionment Committee's report is tentatively scheduled for the August conference.

Supreme Court Ruling on Defense of Marriage Act

Referring to the Supreme Court ruling striking down the Defense of Marriage Act, Commissioner Trantalis introduced a legally married couple of South Middle River. One of whom was the first in the country to file immigration status documentation for his spouse. Lian Marsh and Traian Popov indicated they are the first same sex bi-national couple to have their petition for green card (immigration status) accepted. He asked the City to celebrate this achievement in some way, such as an announcement on the City's website. He noted that in Florida their marriage is not recognized. Fort Lauderdale is one of the largest gay destinations in the world yet there is no support from the City. He asked the Commission to represent this segment of the population.

Continued below.

Mobile Service Trailers in Residential Areas

In response to Mayor Seiler, the City Manager indicated that the City's code does not prohibit mobile service trailers in residential areas. The issue arose perhaps 1 ½ years ago in the Coral Ridge area and the homeowner association did not wish to move forward with any changes.

Supreme Court Ruling on Defense of Marriage Act

Commissioner Trantalis asked if the Commission would like to go on the record on this matter and the efforts of Mr. Marsh and Mr. Popov. The Commission extended their congratulations.

Dixie Highway Streetscape Improvement Project

Commissioner Trantalis indicated that there is concern that motorists are inclined to swerve into the bike lane. In order for the plan to make sense, the traffic calming components are made a part of it. If the goal is to go away from Dixie Highway being a thoroughfare, increasing the width of the roadway is a cross purpose to that goal unless traffic calming components are included. Mayor Seiler thought that Commissioner Trantalis was going to hold a community meeting to secure their position. Commissioner Trantalis indicated it has drawbacks. He will be making the decision. In response to Commissioner Rogers, Commissioner Trantalis advised that in his discussion with Greg Stuart, executive director of the Broward Metropolitan Planning Organization (MPO) he has been informed that funding for the traffic calming components is not available through the MPO. The cost for the traffic calming components is \$1.4 million. The City Manager clarified that the funding is available through the MPO in the Transportation Alternative Program, but not under this program. Vice Mayor Roberts noted that the maximum award is \$1 million. Commissioner Trantalis wanted the Commission to commit to finding funding sources so that the traffic calming components can be included in the construction within the next five years. Commissioner Rogers believed the proposed improvements are better than what is currently in place because traffic safety is foremost in the Florida Department of Transportation's (FDOT) regulations. Commissioner Trantalis felt people would be more inclined to speed after the roadway is improved. Mayor Seiler did not think the proposal of ten foot wide lanes without a buffer is safe. Vice Mayor Roberts felt it is safe because narrow lanes will slow traffic. When Commissioner Trantalis is prepared to make a recommendation, Mayor Seiler wanted a representative of FDOT and the executive director of the MPO to be present. He asked about the schedule for MPO funding. Diana Alarcon, Director of Transportation and Mobility, indicated that the City has some time. Mayor Seiler asked that the president of the homeowner association should also be available on the meeting date that is selected.

Commissioner Trantalis asked the City Manager to proceed with scheduling the matter.

Discussion turned to the Walkability Study. Commissioner Trantalis wanted to add the yellow light to the red light to denote pedestrian can cross and all vehicles are to stop. The City Manager advised that the City originally requested that there be no right turn on sign at those intersections to protect the pedestrian.

CONFERENCE REPORTS

CF-1 13-0930 PROPOSED LIEN SETTLEMENT - 1009 CORDOVA ROAD (Special Magistrate & Code Enforcement Board Cases)

Commissioner Trantalis asked what was the impediment preventing foreclosing. The City Attorney advised that there was a mortgage in front of the City and there was no equity.

There was no objection.

OLD/NEW BUSINESS

BUS-1 13-0874 NW 7TH/9TH CONNECTOR PROJECT UPDATE

Commissioner DuBose did not think due diligence has been done with respect to community input. In response to Mayor Seiler, the City Manager advised that this is local agency work programming. The City needs to either go forward and expend the remaining amount of money that will obligate the City to do the project or stop. Even if the City stops, it is potentially on the hook for about \$800,000 in design costs that have been expended to date. Commissioner Trantalis asked about using the money for other area enhancements. Diana Alarcon, Director of Transportation and Mobility, indicated staff discussed with the Florida Department of Transportation (FDOT) and the Broward Metropolitan Planning Organization (MPO) the alternative of proceeding with a complete street. Because it was not one of the ten original designs for the 7th/9th Connector, they were not willing to accept it. Their recommendation was to terminate this project and apply for other funding for a complete street project. The analysis presented to them was along 7th Avenue, through 8th Street to 9th. She confirmed for Vice Mayor Roberts that environmental factors would make the 7th/9th Connector project even more cost prohibitive. Ms. Alarcon noted that there are examples of other cities in a similar position with respect to environmental impact making the overall project cost prohibitive and the Federal Highway Administration allowed for termination without any penalty against the city. Commissioner DuBose pointed out that this issue has been open for many years and now there is a termination letter with new information. He was concerned about transparency. Ms. Alarcon advised that FDOT requested a decision by June 30. She received an extension to July 3. In response to Commissioner DuBose, Ms. Alarcon advised when the first notice was sent out a few months ago, there were environmental issues and the Commission requested staff to conduct more research which is what was done. After discussions with FDOT and MPO, staff provided a memorandum to the Commission, trying to meet the June 30 deadline. The City Manager explained if the City can make a good enough case to the federal government, it is hopeful they will not seek reimbursement. It needs to be made clear that it is not a feasible project. Mayor Seiler agreed that the City should have went back to the community and educated them on the matter. The City Manager explained for Vice Mayor Roberts that the downside is that the City could be decertified as a Local Agency Program agreement. This is one of several projects staff is trying to reconcile with FDOT. He offered to talk with FDOT to secure time to the end of August. If they refuse, this item will be presented at the July 9 meeting. Mayor Seiler opened the floor for public comment.

Charles King, 105 North Victoria Park Road, felt this is a boondoggle. In the alternative, there should be concentration on the Broward Las Olas connector. It is a total waste of time.

BUS-2 13-0944 FLORIDA LEAGUE OF CITIES VOTING DELEGATE AND
PROCEDURES FOR SUBMITTING RESOLUTIONS TO LEAGUE
COMMITTEE

There was consensus for Mayor Seiler to serve as voting delegate and Commissioner DuBose as alternate.

BUS-3 13-0952 SUNCOAST GUN AND KNIFE SHOWS AT WAR MEMORIAL
AUDITORIUM

Laurie Townsend, representing Suncoast Gun and Knife Shows, indicated that Suncoast has been doing business with the City and War Memorial Auditorium for a little over thirty years. It has been very mutually beneficial and without incident. Suncoast brings in a significant amount of revenue to the City from eight shows held annually. Revenue for use of the auditorium is as follows: \$112,000; parking revenue - \$120,000-\$160,000, \$60,000 to the Police Department and \$10,000 to the Fire Rescue Department for a total of \$302,000 to \$342,000 annually. In addition to revenue thousands of customers are exposed to other events planned for War Memorial as well as patronizing restaurants, hotels and other businesses. Recent gun legislation has resulted in a huge surge in show attendance which has prompted security changes and Suncoast is focused on being proactive from this point forward. Suncoast ensures that gun laws are enforced. Suncoast is the first gun show promoter in Florida to voluntarily requiring anyone who sells a gun at the auditorium possesses a firearms license. There are background checks available.

Mayor Seiler recalled the January show and his displeasure with Suncoast's response to the City trying to do the right thing to keep the community safe. However over the last several shows, the improvement has been immense. If the last show is a reflection of how it will be going forward, he felt it is something that could continue. If Suncoast will be occupying the City's premises, he wanted to be sure that everyone plays by some common sense rules. In response to Vice Mayor Roberts, the City Manager advised that two additional police officers will be required on-site to enforce the County's ordinance and it has been decided that Suncoast will pay for the officers as detail. He also confirmed that there is standard language that the contract would be cancelled if Suncoast does not follow all laws and ordinances. Vice Mayor Roberts explained he previously had a concern about the vicinity of a city park, but there has been a very good safety record. Moreover looking on a national level, problems do not occur at gun shows. With the changes made, he is now comfortable. Commissioner Trantalis noted that he had toured the last show. He was pleased to know the Suncoast will be paying for the police detail and appreciated their efforts. He was curious about the high attendance level. Ms. Townsend felt attendance is due to the show's longevity and that a high percentage of the exhibitors have been engaged with this show since the beginning. In response to Commissioner Rogers, Ms. Townsend indicated the major problem had to do with what was occurring in the parking lot which has been addressed. Open carry is no longer allowed. There are two police officers on patrol. There has been an education program. Attendance varies based on the political climate in the country and there may be need for more officers. She was agreeable with Commissioner Rogers' request to add a provision to the contract that the number of police officers would be based on attendance level. The City Manager advised that the City determines the level of police. Mayor Seiler reiterated his position about the need for continued cooperation and recognition that the location is in the vicinity of a park with children and so forth. He was pleased with the improvement made.

Mayor Seiler opened the floor for public comment.

Charles King, 105 North Victoria Park Road, spoke in opposition to the item.

Independence Day Event

The City Manager responded to Mayor Seiler's question, advising that the State will allow the show mobile to be situated on the beach.

Note: The City Commission recessed and convened as the Community Redevelopment Agency Board of Directors at 3:39 p.m. and then reconvened the conference meeting with Agenda Item BD- at 4 p.m.

BOARDS AND COMMITTEES

BD-1 13-0899 COMMUNICATIONS TO CITY COMMISSION AND MINUTES
CIRCULATED - period ending June 27, 2013

Beach Redevelopment Board

Motion made by Ms. Lee, seconded by Mr. Abbate requesting that City Staff work on amending or revising the ULDR to allow for rebuilding structures that are destroyed which are not conforming with the current zoning code, in the event of a major storm or other natural disaster that greatly impacts Fort Lauderdale Beach. In a voice vote, the motion passed unanimously.

Mayor Seiler requested the City Manager to provide a recommendation on this matter.

Budget Advisory Board

See letter dated June 25, 2013 provided by Chair, June Page.

It was noted that this would be discussed at the July 9 special meeting.

Central City Redevelopment Advisory Board

Motion made by member Croscenco and seconded by member Thrower to redefine the scope of the project for the Broward Redevelopment Capital Program Application to include the western right of way of NE 4th Avenue, along NE 13th Street, from NE 4th Avenue to NE 9th Avenue to appropriately program the project to stay within the \$1.5M maximum application award. Motion passed unanimously.

No discussion.

Marine Advisory Board

Motion made by Mr. Herhold, seconded by Mr. Ressing, that a sub-committee composed of stakeholders be assembled to work with City Staff and consultants to further evaluate the viability of the rebuilding of the Las Olas Marina, and that the attached documents be included in a communication to the City Commission. In a voice vote, the motion passed unanimously. [A copy of the document and pro forma are attached to these minutes.]

Mayor Seiler asked that the City Auditor meet with the chair and report back to the Commission.

Planning and Zoning Board

Motion made by Mr. Witschen, seconded by Vice Chair Hansen, that the Board would like to see improved dimensional requirements for B-1 zoning districts, as this district may be located adjacent to residential zoning districts. In a voice vote, the motion passed unanimously.

Vice Mayor Roberts advised that this issue arose with the proposed Galleria Landings project. There was consensus approval.

Sustainability Advisory Board

As communicated to the Commission previously, the Sustainability Advisory Board (SAB) recommends that the City Commission respect the protection that was granted to the Rain Tree in 1987 (Resolution #87-318). That Resolution gives the present Commission the power over the future of the tree. At a time when the City is implementing more sustainable practices, the protection of this tree demonstrates a furtherance of commitment of building a sustainable community for future generations.

Intrinsic to protecting the Rain Tree, the SAB members exhort the Commission to keep the Rain Tree protected in its present location. The SAB strongly urges that the Rain Tree not be moved and that the full canopy and root system be protected in their entirety. Professional architects and planners on the SAB recommend that with minimal design modifications to the proposed plans for the garage, which presently would take over the tree's site, the developer could still provide the same number of parking spaces and the tree could still remain where it has been for a century.

Valerie Amor, chair of the Sustainability Advisory Board, noted that the Board does not want the tree to be moved. They discussed minor changes could be made to the development plan (Marina Lofts) to accommodate it. She was willing to meet with any member of the Commission to provide further clarity of the Board's position.

Commissioner Trantalis asked if there has been any discussion or expert evidence given as to whether the tree can survive the heavy construction occurring around it as well as shade that might result. Ms. Amore advised that the shadow study shows that the tree would be in sunlight except those points in time when the entire building is in shade. She noted her credentials as a LEED professional with a specialty in building design and construction. Certain areas would have to be designated to protect the

tree, but it is possible for it to survive.

BD-2 13-0902 BOARD AND COMMITTEE VACANCIES

Affordable Housing Advisory Committee	Paula Tighe (consensus)
Beach Redevelopment Board	Mel Rubinstein (Commissioner Trantalis) Judith Scher (Commissioner Trantalis)
Education Advisory Board	Heather Brinkworth – (Commissioner DuBose)
Historic Preservation Board	Carol Lee Ortman – (Mayor Seiler)

CITY MANAGER REPORTS – None

EXECUTIVE CLOSED DOOR SESSION

13-0970 THE CITY COMMISSION SHALL MEET PRIVATELY PURSUANT TO FLORIDA STATUTE 768.28(16) CONCERNING:

1. Robert Lewis (File VA GL 08-704)
2. Gladys McNeal-Neal (File WC-96-8973)

The City Commission convened in the executive closed door session at 4:21 p.m. and adjourned at the end of the session: