

# City of Fort Lauderdale

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



## Meeting Minutes - DRAFT

Wednesday, December 17, 2014

1:30 PM

City Commission Conference Room

## City Commission Conference Meeting

***FORT LAUDERDALE CITY COMMISSION***

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

***LEE R. FELDMAN, City Manager***  
***JOHN HERBST, City Auditor***  
***JONDA K. JOSEPH, City Clerk***  
***CYNTHIA A. EVERETT, City Attorney***

Meeting was called to order at 1:37 by Vice-Mayor Rogers.

## ATTENDANCE ROLL CALL

**Present:** 5 - Mayor John P. "Jack" Seiler (arrived during Commission Reports), Vice-Mayor Romney Rogers, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Robert L. McKinzie

**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 Ed Cruz

No public comments were submitted by email for this meeting.

## CITY COMMISSION REPORTS

### Events and Matters of Interest

Members of the Commission announced recent and upcoming events and matters of interest including a report from Commissioner Trantalis on his attendance at the Broward County Homeless Continuum of Care Board and a report from Commissioner Roberts on the proposed Schlitterbahn water park including the concept of purchasing the 60-acre site.

### Vacation Rentals

Commissioner Trantalis noted that Miami Beach has put into place regulations that might be worthwhile to research.

### Proposal; Sebastian Street - Alhambra and Natchez Properties

In response to Commissioner Trantalis, the City Attorney advised that a formal opinion on this matter is being developed at this time. (Mayor Seiler arrived at 1:48 p.m.)

### Utility Line Undergrounding

At Commissioner Trantalis' request, John Lear of Florida Power and Light Company, provided a verbal update. FPL is waiting for information from the City for the Isles utility line undergrounding project as it has for the other three projects. The City Manager advised that he believes everything needed has been provided. Lear explained that FPL needs the existing underground utility drawings that show where the water, sewer and stormwater is located. The City provided a topography of where the grates and water meters are located. However, FPL is looking for the connections underground. The City Manager advised that such information was provided a couple weeks ago. He understood that FPL is looking for seawall locations which the City does not think is applicable to the project. Mayor Seiler requested this be scheduled on the January 6 agenda for an update.

### DUI Arrests; Broward Sheriff's Office

Vice Mayor Rogers asked the City Manager to look into the Broward Sheriff's Office staffing level with respect to DUI arrests.

Use of North Detention Center

Mayor Seiler asked Commissioner Roberts to follow up on use of the North Detention Center for social services including the homeless.

Wisdom Village Crossing, 615 North Andrews Avenue; Housing Credit Allocation; Affordable Housing

Mayor Seiler pointed out that there are low-income housing developments receiving housing credit allocations that are not approved by the City. He provided a letter concerning Wisdom Village Crossing, dated December 1, 2014 that was made a part of the record. The original plan submittal to the City is different. The developer then secures a housing credit and the development is changed to low income. He was concerned about the lack of coordination with the County and a concentration in any one area.

Protests

Vice Mayor Rogers asked the City Attorney to look into establishing a specified zone for protests to take place.

## CONFERENCE REPORTS

### OLD/NEW BUSINESS

**BUS-1 14-1593** NORTHWEST SECOND AVENUE WATER TOWER - PUBLIC ART PROJECT

Leah Brown of Art+Light+Space presented and discussed the proposal shown on Exhibit 1 of Commission Agenda Memorandum 14-1593. The City Manager advised that there is about \$350,000 in the rehabilitation project for most of the work, but staff would need to look for additional sources. One grant application has been submitted. There is \$150,000 from the centennial celebration for bridge lighting. As it is a water and sewer asset, funding from the Water and Sewer Fund could be used. The Community Redevelopment Agency could also make a contribution. He expanded on the visibility from various places.

Commissioner Roberts advised that the warning light required by the Federal Aviation Administration is out.

Mayor Seiler opened the floor for public comment.

Ron Centamore, 638 NW 2 Avenue, supported the proposal and indicated that Progresso Village also supports it. He asked if there will be a time when the lighting is turned off. In response to Centamore's question about the maintenance building at the site, the City Manager advised that a finishing of the building is planned. Centamore suggested moving the building so that the northern part of the site could be used as a dog or pocket park. The City Manager advised that staff is looking at realigning the fence so the property can be used as a pocket park. It is too small for a dog park.

There was no one else wishing to speak.

**BUS-2 14-1601** DEPARTMENT OF SUSTAINABLE DEVELOPMENT - INFORMATIONAL PRESENTATION

Greg Brewton, Director of Sustainable Development, spoke of the positive results from the department  
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recent reorganization. He highlighted the department's accomplishments. He reviewed related slides that are attached to these minutes.

## COMMUNITY REDEVELOPMENT AGENCY MEETING

The Commission recessed and convened as the Community Redevelopment Agency Board of Directors at 3:12 p.m. The Commission then reconvened the conference meeting at 3:23 p.m. with item BD-1.

### BOARDS AND COMMITTEES

#### **BD-1 14-1543 COMMUNICATIONS TO CITY COMMISSION AND MINUTES CIRCULATED - period ending December 11, 2014**

##### Parks, Recreation and Beaches Board

*The Parks, Recreation and Beaches Board is in favor of building a new Aquatic Complex. The board would like to be more involved in future discussions related to the development of the Aquatic Complex. In addition, the board feels that the development of the Aquatic Complex should be a priority item and built to the specifications that have been approved with the dive well located on the west end.*

*A motion was made by Angela Ward and seconded by Darin Lentner to forward the communication to the City Commission. In a voice vote, the motion was unanimous.*

Mayor Seiler noted that homeowners are opposed to the dive well being located on the west end. In response to his question, the City Manager advised there has not been any discussion on the compromise. This matter will be coming back to the Commission.

*The Parks, Recreation and Beaches Board would like to lend our support to the Mayor and City Commissioners in finding a resolution in dealing with feeding of the homeless in our parks and our beaches.*

*A motion was made by Angela Ward and seconded by Larry Mabson to forward the communication to the City Commission. In a voice vote, the motion was unanimous.*

##### Sustainability Advisory Board

*Smoking on the beach and in other public areas creates littering from the cigarette butts and second hand smoke, which represents a health hazard, creates a nuisance, increases maintenance costs and negatively impacts air quality. As of 2010, there are 34 ordinances, five resolutions, and 12 policies across Florida that designated smoke-free areas for parks and/or beaches. After careful consideration of the needs of the Neighbors of the City of Fort Lauderdale, the Sustainability Advisory Board encourages the Commission to designate smoke-free beaches and Parks within the City.*

Mayor Seiler noted that the City has added to its state legislative agenda the idea of creating smoke-free zones on the beach.

Bill Goetz, former member of the Sustainability Advisory Board, noted the Board's recommendation for an ordinance on this matter. Mayor Seiler advised that it would be unenforceable. Goetz noted the 50 or so municipalities in the state that have passed either resolutions or ordinances and the State has allowed them to proceed with enforcement.

Matthew Competiello, American Lung Association and Secretary of Tobacco Free Partnership of Broward County, advised that Martin County adopted a resolution and posted signage asking beachgoers to voluntarily not smoke. Some 10 Broward cities have adopted legislations. Lighthouse Point, Miramar, Wilton Manor and Lauderhill have followed Martin County. Mayor Seiler explained that often smaller cities are not sued, but a large, higher profile city that enacts an ordinance in conflict with state statute will be used as an example. He asked if there is any city that is enforcing an ordinance.

Commissioner Roberts suggested waiting for a report from the City's lobbyists and then consider signage such as "We Hope You Don't Smoke" or similar to what Martin County has done. Goetz noted it could be approached from a littering standpoint. Mayor Seiler reiterated that the regulatory body on this topic is the State. He suggested the American Lung Association pursues the same change that the City is pursuing. Martin County's approach is simply a ceremonial suggestion. He agreed that there should be smoke-free zones on the beach. Commissioner Trantalis agreed with signage containing voluntary verbiage, but Commissioner Roberts wanted to wait and see if the lobbyist is successful. Mayor Seiler agreed with the littering approach.

*The SAB has researched and heard testimony from FPL City staff, and consumer advocacy groups on the proposed FPL "Community" Solar Project. While the Board does have reservations, we commend the City for its efforts to implement the initiatives outlined in the Sustainability Action Plan. During the negotiation phase we encourage the Commissioners and staff members to negotiate increased direct community benefits from this project, as much as possible.*

*One opportunity to genuinely take advantage of this project to increase benefits to the community would be for the City to have free EV charging stations located at the determined site(s). Free EV charging stations will provide additional incentives in Fort Lauderdale for growing the EV "revolution" and increase benefits relating to lowering our City's carbon footprint through alternative fuels for transportation. Any LED lights that illuminate the array at night, would ideally comply with the Dark Sky Initiative to avoid increasing light pollution (<http://darksky.org>).*

*The visibility of the solar project aims to encourage community adoption of renewable energy and the income generated from leasing municipal land and air space for the FPL solar array will be of benefit the City. However, several questions remain unanswered with regards to the accountability and transparency of FPL to channel funds generated from the energy produced at this site along with the funds received from the "voluntary subscribers," into additional solar projects in our community.*

*Our board recommends that future solar arrays considered in this partnership ought to directly benefit the City and provide increased protection to its critical systems and infrastructure in case of interruption issues with the electric power grid.*

*FPL's project is a self-described as "voluntary pricing program designed to allow more customers to support solar energy" that is intended to "help grow solar in Florida." (<http://www.fpl.com/news/2014/040214.shtml>) This program is different from other community solar projects in that program subscribers will not directly benefit from the energy generated at the site(s). Therefore, this framework provides more of a "feel good" effect than tangible and direct benefits to the subscribers, who may be somewhat misled by the title of "voluntary, community-based solar." The Orlando Utilities Commission has a Community Solar Farm at their Gardenia facility that exemplifies a genuine community solar project which is designed to allow subscribers to benefit directly from the array (<http://www.ouc.com/environment---community/solar/community-solar>)*

*The SAB encourages affordable, renewable, clean energy production in Fort Lauderdale and endorses g e n u i n e community-based solar and wind generation with direct, tangible, measurable benefits to the city and/or community. The members also encourage future adoption of Property Assessed Clean Energy (PACE) Programs.*

Bill Goetz, former member of the Sustainability Advisory Board, discussed challenges consumers have with Florida Power and Light Company on this topic and generally. The Board is suggesting that the City negotiate with FPL. Assistant City Manager Susanne Torriente advised that FPL approached the City with their program. Staff is vetting the program. Commissioner Roberts explained that Dr. Goetz is concerned that there is no benefit to the individual using solar in that staff is looking at City sites. Mayor Seiler asked staff to follow the Board's direction.

**BD-2 14-1544 BOARD AND COMMITTEE VACANCIES**

Please see regular meeting item R-1.

Mayor Seiler nominated Ian Scot Seitel to the Unsafe Structures Board for the attorney category vacancy. He noted the recommendations from B Ocean Resort for the Beach Business Improvement District Advisory Committee: Jean Capps and an alternate of Stephen Donahue. He nominated reappointment of Ina Lee and appointment of Abby Laughlin to the Beach Redevelopment Board, replacing Daniel Matchette (effective February, 2015). He nominated reappointment of Vicki Mowrey to the Cemetery System Board of Trustees. He nominated reappointment of Ronald Goff to the Sustainability Advisory Board.

**CITY MANAGER REPORTS**

**EXECUTIVE CLOSED DOOR SESSION**

**14-1614** THE CITY COMMISSION WILL MEET PRIVATELY PURSUANT TO FLORIDA STATUTE 286.011 CONCERNING:

Arnold P. Abbott and Love Thy Neighbor Fund, Inc. v. City of Fort Lauderdale - Case 99-03583(05)

The City Commission convened the Executive Closed Door Session at door at 3:49 p.m. and adjourned at the end of the session.