

City of Fort Lauderdale

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



Meeting Minutes - DRAFT

Tuesday, June 7, 2016

1:30 PM

City Commission Conference Room

City Commission Conference Meeting

FORT LAUDERDALE CITY COMMISSION

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

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

Mayor Seiler called the meeting to order at 1:35 p.m.

ROLL CALL

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

Also Present: City Manager Lee R. Feldman, City Auditor John Herbst, City Clerk Jeffrey A. Modarelli, City Attorney Cynthia A. Everett, and Sergeant at Arms Mary Gushwa

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 matters of interest or concern.

Vision Zero Summit

Vice Mayor Trantalis discussed his attendance and the opening remarks at the Vision Zero Summit held at the Women's Club in the City of Fort Lauderdale that was well-attended. He noted the attendees understood and realized the goals the City is working towards is achieving a reduction of pedestrian and bicycles deaths on our streets.

Realtors Association Mayor's Breakfast

Vice Mayor Trantalis attended the Realtors Association Mayor's Breakfast at the Renaissance Hotel. Vice Mayor Trantalis stated he sat on a short panel discussion with Mayors from Pompano Beach, Wilton Manors, Oakland Park, Hollywood, and Lauderhill. The panel discussions included exchanges and discussion of development and real estate values in the Greater Fort Lauderdale area and ways to attract the investment community to Broward County.

Sister Cities Visit

Vice Mayor Trantalis discussed his visit to the Fort Lauderdale Sister City Haifa, Israel. He stated he was given a tour of the City during his two day visit. He stated these types of visits are opportunities to build relationships emphasizing Haifa's world-renowned technical college of Technion, which they consider to be one of the top technical institutes in the world on the level of MIT having produced multiple Nobel Peace Prize Winners in the Sciences. Vice Mayor Trantalis stated Technion-Israel is anxious to have exchange programs with colleges in our area, and Vice Mayor Trantalis would like to opportunity to introduce them to our colleges and universities with the goal of bringing more technical interests to our area to diversify the City's economy. He said the proposed exchange program could include both students and professors and would be a good way to start a dialogue of implementing this type of program to monetize and benefit the relationship the City has with its Sister Cities.

Vice Mayor Trantalis stated he had spoken with the Sister Cities Alliance upon his return. Vice Mayor Trantalis gave additional examples of Haifa's efforts to receive the largest benefit possible through its

Sister Cities relationships noting this door is open to our City. He also noted the importance of recognizing the program can be more than just a goodwill mission. Vice Mayor Trantalis stated Haifa has incorporated and significantly funds the Sister Cities Program within their government and hosting these types of interactions is a way of generating international interest in their community.

Neighborhood USA Conference

Commissioner Roberts said he and City Manager Feldman attended the Neighborhood USA Conference held in Memphis, Tennessee. He said our City won first place for Best Neighborhood Programs in the area of Social Revitalization. City Manager Feldman noted Jorg Hruschka, Chief Service Officer, and Hal Barnes, Neighborhood Support Manager also attended the event. City Manager Feldman noted Jorg spearheaded a program for youth and entrepreneurship what has done very well and is currently becoming a model nationwide.

Commissioner Roberts noted, under the leadership of Betty Shelley, the Imperial Point Homeowners Association newsletter won accolades and was awarded third place at the Neighborhood USA Conference. Commissioner Roberts thanked City Staff and Ms. Shelley for their work and leadership with the Imperial Point Homeowners Association.

Broward Alliance Luncheon

Commissioner Roberts noted the Commission's attendance at the Broward Alliance Luncheon at the Hyatt Regency receiving an update on the State of Affairs of Greater Fort Lauderdale. He noted the business competition that exists nationwide and the need for our area to attract the type of businesses necessary to improve and diversify the Greater Fort Lauderdale community.

Bal Harbor Spring Fling Neighborhood Association Event

Commissioner Roberts attended the Bal Harbor Sprint Fling Event stating it was well attended. He thanked the City's Police Department and congratulated both the equestrian and canine police partner unit demonstrations which were very well received. The City's Police Department's Canine Unit also explained the different types of canine partners and their responsibilities, i.e., apprehension dogs, narcotics dogs, and bomb sniffing dogs which were enjoyed by the attendees.

Fort Lauderdale Tourism Luncheon

Commissioner Roberts noted his attendance at the retirement luncheon for Nicki Grossman the head of the Greater Fort Lauderdale Convention & Visitor's Bureau over the past 20 years. He thanked Ms. Grossman for her participation in the enhancement of the community.

Marine Industries Association Awards

Commissioner Roberts discussed his attendance at the Marine Industries Association' Annual Awards held at the City's Performing Arts Center. The awards ceremony included a review of their goals and objectives over the past year and for next year. He stated Senator Joseph Abruzzo and Senator Jack Latvala were honored for their assistance in capping a sales tax on marine industry repairs done within the State.

6th Street Concerns

Commissioner McKinzie raised his concern with crime issues on 6th Street. Commissioner McKinzie commended and thanked the City Police Department's successful efforts to curtail this problem. He stated over the last 35 days there have been over 30 arrests during three sweeps in the area, and they are making headway. Commissioner McKinzie asked that the Police Department keep up the pressure to rid the corridor of crime along that will allow the opportunity for future development in this area.

Ongoing Code Issues

Commissioner McKinzie noted he is working with Code Enforcement and there are still ongoing issues with this office. Discussions ensued on specifics about the lack of results from Code Enforcement and the need for code violations being brought into compliance by the Code Enforcement Office. He recommended that when code violations are reported, Code Enforcement should come back with a definitive explanation as to what occurred and the next steps in the process. Commissioner McKinzie cited specific examples of unaddressed code violations within District III.

Commissioner Rogers commented on the issue of code matters relating to the City's a strategy on boarded up properties. City Manager Feldman stated work is in progress on this item and is tied to the City hiring a foreclosures attorney to address these properties. Commissioner McKinzie stated the need for a process to be in place in Code Enforcement on this issue. City Manager Feldman expounded on the current process and criteria to enable an active foreclosure process for boarded up properties in the City and the next steps when the City becomes the owner of the property. Commissioner Rogers stated this should be a parallel process for the City's surplus properties. Vice Mayor Trantalis stated this was the reason the City hired CBRE. Further discussions ensued on this topic including Vice Mayor Trantalis's request for a definitive City policy as to whether request City Manager Feldman holds back lots and houses. Commissioner Roberts recommended this item be a priority item at the City Commission's Action Plan Meeting. Mayor Seiler agreed stating his understanding was there are some houses that should be identified for infill lots, and the others should be removed from the City's books. Further comments and discussion ensued including the affordable housing issue, the confines of the City's Charter, and these properties appraised values. City Attorney Everett said the City should cover its costs in foreclosure sales and the need to retain leverage in these situations to ensure a positive outcome for the City. She also stated the need for contingencies in these situations.

Sustainable Development/Building Permitting

Commissioner McKinzie noted that over the past 15 days he has received over 10-15 phone calls and emails regarding the lengthy processing time for building permits which has not been remedied. He said he is very concerned as discussions on this have been ongoing and City Manger Feldman has been authorized to hire staff. Commissioner McKinzie stated the City is not in compliance with the County's Building Code when the Head Building Official is out, and the Assistant Building Official is not certified, and this was the case when he was in the Building Department as a contractor last week. City Manager Feldman disagreed, and Commissioner McKinzie asked for a written opinion and factual finding on City Manager Feldman's comments on this topic. Additional comments from Commissioner McKinzie ensued on the Commission's requested improvements and the changes requested changes from the transitioning team. Commissioner McKinzie stated the City's building funds should be dedicated to building activity only. Commissioner McKinzie referenced an email regarding the Building Department's transitioning team. Several Commission members interpreted this email differently. Commissioner McKinzie stated if the goal is to turn around the building department, there needs to be a qualified transition team in place to reach the Commission's goal.

Alfred Battle, Acting Director Sustainable Development, explained to the Commission the duties and processes of those persons referenced in the noted email, and he said the Building Department's Transition Team is working to improve the Building Department. Mr. Battle gave a review of what progress has been made to date regarding efforts to bring the Building Department up to a satisfactory level, acknowledging the lack of satisfactory progress and looking towards improving the department moving forward. Mayor Seiler agreed that Commissioner McKinzie's complaints are valid and are similar to what he is hearing from the private sector that has been in existence for too long.

Mayor Seiler recommended notifying the community as to the ongoing improvements in the Building Department as they occur and the possibility of further staffing of the department for the necessary

improvements. Commissioner McKinzie stated the need to “right the ship” and reiterated the original charge assigned was hiring a Director to oversee and take responsibility for Code Enforcement, the Zoning Department, and the Building Department stating that person, to date, has not been hired.

Mayor Seiler requested this topic be put on a Commission Conference Agenda item before the summer break and should include a breakdown and analysis of the specific details regarding the number of hires. Commissioner Roberts asked for this information prior to the Workshop on the Budget Action Plan and should also include the City’s benefits package compared to the other municipalities the City is competing against for qualified builder department personnel. Commissioner McKinzie raised points about currently certified building personnel’s compensation not being the similar to uncertified new hires in the Building Department. Further discussions ensued.

New Neighborhood Support Coordinator

Commissioner Rogers noted the new City’s Neighborhood Support Coordinator, Chris Carbonera and encouraged all members of the Commission to meet him.

Airport Noise

Commissioner Rogers said Lauderdale Isles is still having issues with continuing noise from the Airport and thanked the Commissioners for their supporting the City’s resolution addressing this issue. He stated he attended a productive meeting on this issue, and those in attendance included Broward County Commissioner Tim Ryan, a representative from Congressman Lois Frankel’s office, and a County Airport person and work is ongoing on the issue of flight paths at the airport.

Transportation Mobility Hub

Regarding the City’s grant from the Metropolitan Planning Organization (MPO) for the City’s Mobility Hub, Commissioner Rogers informed the will be hosting a meeting on June 14, 2016, with City Staff, the Metropolitan Planning Organization (MPO), and Brightline representatives to coordinate efforts and work to address the City’s transportation needs. Comments and discussions from the Commissioners ensued.

17th Street Corridor Traffic - Interagency Meeting

Commissioner Rogers stated he had an initial meeting and will have a second meeting with representatives from Port Everglades, Broward County, City Staff, four homeowner’s association representatives and representatives from property owners association in District I to address traffic issues in the SE 17th Street Corridor. He said the topics of discussion at the first meeting included traffic in this area and the City’s Mobility Plan with a focus on items each of the attendees could address. The second meeting will include assigning tasks to the participants at the meeting such as the hiring an off-duty police officer to move traffic during large events at the Port and directing truck traffic in and out of the Port to use Eller Drive utilizing signage and effective communication of information. Commissioner Roberts recommended the City’s Fire Chief be involved with these meetings to integrate the needs of the Fire Department and the EMS response issues. It was recommended that all meetings regarding the City’s transportation needs also should include Diana Alarcon, the City’s Director of Transportation and Mobility. It was noted that the County needs to be on the same page with all the City’s transportation and traffic needs including the City’s desire for a bypass road and alternatives.

Great American Beach Party

Mayor Seiler thanked City Staff in the Parks and Recreation Department for the great work on the Great American Beach Party noting they “really knocked it out of the park” with their effective communications and despite the inclement weather and a generator going down.

Memorial Day Ceremonies

Mayor Seiler and Commissioner Rogers noted the large attendance and the exceptional speaker, Sergeant Kyle J. White, Medal of Honor Recipient during Operation Enduring Freedom, during the Memorial Day Ceremony in Lauderdale Memorial Park on Monday, May 30, 2016. Mayor Seiler also noted the moving Memorial Day Service with William C. Morris American Legion Post 36 at the Sandy Nininger Statute on the Riverwalk. He also acknowledged the exceptional work of City Staff at both events.

CITY COMMISSION REPORTS

CONFERENCE REPORTS

CF-1 16-0585 Quarterly Investment Report for Period Ending March 31, 2016

There were no comments or questions on the Quarterly Investment Report for Period Ending March 31, 2016.

CF-2 16-0567 Central Beach Master Plan Public Improvement Projects Update

Vice Mayor Trantalis commented on the Central Beach Master Plan Public Improvement Projects Update noting the Las Olas Marina Expansion will be discussed tonight's Regular Commission Meeting regarding the need for further investigation.

OLD/NEW BUSINESS

BUS-1 16-0577 Stormwater Rate Study Presentation

City Manager Feldman gave an overview of the Storm Water Rate Study Presentation and the work with the Budget Advisory Board on the City's Stormwater Utility Rates. He noted the large ticket items which will be forthcoming to address how to handle stormwater issues and the associated costs for the necessary large-scale maintenance work for the City's stormwater system. Discussions ensued on the calculations used for stormwater rates and possible alternative methodologies. Mayor stated he did not recall the Budget Advisory Board agreeing to a different methodology. Assistant City Manager Stanley Hawthorne stated the Budget Advisory Board would discuss it with the Commission at the June 14, 2016, meeting.

Mayor Seiler recognized Mike Burton and Kyle Stevens of Burton and Associates who addressed the Commission on the needs and costs of addressing storm water flooding and other critical issues the City faces. Mr. Burton noted the recommended tiered rates such as a base rate for the entire City and a tiered rate for properties subject to tidal flooding. He supported a fairer methodology could be by property class calculated by an average trips per day apportionment.

Prior to beginning the Burton & Associates presentation, Mr. Burton noted their presentation was on a conceptual rate design.

A copy is of the Burton & Associates presentation is attached to these minutes.

The Commission tasked City Attorney Everett with researching the legality of utilizing different storm water rate methodologies for tidal issues and trip generations along with an analysis of these proposed methodologies and the current impervious surface methodology the City uses. City Manager Feldman stated the current impervious surface methodology would continue through the City's 2017 Budget.

Further discussions and comments ensued on the current and recommended methodologies.

BUS-2 16-0208 Parks and Recreation System Master Plan Update

Kyle Miller, Parks and Recreation Programmer, addressed the Commission with an update on the Parks and Recreation System Master Plan stating the update included recommendations from the City's Parks and Recreation Advisory Board and results of the 2015 Neighborhood Survey as it specifically relates to the City's Parks and Recreation System. He noted the City's consulting firm on this matter, AECOM Engineering (AECOM), stating AECOM's role has been assisting the City with its long range strategic plan to provide the City residents with quality Parks and Recreation facilities now and moving forward into the future.

Mr. Miller introduced Mr. Joe Webb of AECOM who gave the Commission a presentation on the City's Parks and Recreation System's Master Plan Update. Discussion, comments, and questions ensued during the presentation that included the need for discussions with the Broward County School Board regarding utilizing their park and recreation facilities located within the City.

A copy of the presentation is attached these minutes.

Mayor Seiler announced the CRA Board Meeting would take place following the Regular City Commission Meeting tonight in the Commission's Chambers on the first floor of City Hall.

BUS-3 16-0700 Police and Fire Pension System Retirement Update by Chairman
Michael Dew

Mayor Seiler recognized Michael Dew, Chair of the City's Police and Firefighters System Retirement Board of Trustees. Mr. Dew addressed the Commissioners with an update on the Police and Fire Pension System Retirement Fund. Mr. Dew acknowledged Mr. Kirk Buffington the City's Finance Director, Ms. Linda Logan-Short the Deputy Director of Finance, and Mr. John Herbst the City's Auditor for their active and exceptional partnership with the Police and Fire Pension System Retirement Fund and the Trustees.

Mr. Webb gave the Commissioners a PowerPoint presentation on the City's Police and Fire Pension System Retirement Update the Commission.

A copy of the presentation is attached these minutes.

Mayor Seiler recognized Mr. William Getz, 51 Fort Royal Road, who addressed the Commission on this item. Mr. Getz prefaced his comments stating nothing he states is meant to imply that he does not

endorse a reduction in benefits, pension payments, nor does it impugn the integrity of the Trustees. However, Mr. Getz stated he feels the Trustees have been misled or misinformed over the last couple of decades by practicing active management as opposed to passive management in low-cost indexed funds. He further stated based on an analysis he has performed over the last 16 years, the actual return on investments has been 5.17 percent. When compared to funds such as the Wellington Fund or another portfolio of passively managed low-cost funds over the past 16 years, there has been a lost opportunity of significant amounts of money. Mr. Getz also referenced this same issue as it relates to the City's Cemetery Fund. Mr. Getz recommended moving towards passive management in low-cost indexed funds for the Police and Fire Pension System Retirement Fund. He urged the Commission to use their authority to instigate a policy change to move several of the City's Funds into passive management low indexed funds.

Commissioner Roberts requested City Auditor Herbst to comment on Dr. Getz's remarks noting his agreement in the philosophical approach but the need to analyze the actual costs involved in active management of funds. City Auditor Herbst stated he agreed with Dr. Getz that the evidence points towards passive, low-cost indexing funds as the best approach, and there was a need to analyze and validate the actual costs incurred from not using passive, low-cost indexing. City Auditor Herbst noted the Investment Industry's motivation to encourage to practicing active management in the City's Funds.

Mayor Seiler recommended the Commission schedule a separate meeting for a more formal investment policy discussion inviting Dr. Getz and other experts that manage the City's funds. Commissioner Roberts noted the numerous City managed funds that need to be addressed including GERS and the Cemetery Fund.

BUS-4 16-0688 City Manager Annual Performance Review

Deferred until June 21, 2016, City Commission Meeting.

EXECUTIVE CLOSED DOOR SESSION

16-0710

Mayor Seiler announced the City Commission's Executive Closed Door Session under Florida Statute, Section 286.011(8) concerning:

*Alex Pierre v. City of Fort Lauderdale, James Wells and Christopher Sousa
Federal Case No. 16-61053-Civ-Williams
State Court Case No. CACE 16-009110 (04)*

Michael Cunniff v. City of Fort Lauderdale, et al. Case No. 15-62281-Civ-Cohn/Seltzer

Mayor Seiler announced those who will be in attendance as:

Mayor John P. "Jack" Seiler
Vice Mayor and Commissioner Dean J. Trantalis

Commissioner Bruce G. Roberts
Commissioner Robert L. McKinzie
Commissioner Romney Rogers
City Manager Lee R. Feldman
City Auditor John Herbst
City Attorney Cynthia A. Everett
Assistant City Attorney Alain Boileau
Certified Court Reporter from Daughter's Reporting

BOARDS AND COMMITTEES

BD-1 16-0658 Board and Committee Vacancies

BD-2 16-0659 Communications to the City Commission

CITY MANAGER REPORTS

None.

ADJOURNMENT

There being no further business before the Commission at their Conference Meeting, Mayor Seiler adjourned the meeting at 5:27 p.m.