

# City of Fort Lauderdale

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



## Meeting Minutes – APPROVED

Tuesday, June 2, 2015

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*  
*JONDA K. JOSEPH, City Clerk*  
*CYNTHIA A. EVERETT, City Attorney*

Meeting was called to order at \* 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**

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

**Red Bull Event**

Commissioner Trantalis commented on the negative feedback he received regarding the Red Bull Event from those living on the west side of the Intracoastal citing the noise and the nature of the event was not consistent with the kinds of outdoor events the City should encourage for the beach. Those living on the beach thought it was a great event even though noisy. Commissioner Trantalis said it would be a good idea to take a look at beach events that should be encouraged and discouraged. Commissioner Rogers also noted that he had received several complaints regarding the noise emanating from this event. City Manager Feldman suggested a higher level of screening for future events and noting that there needs to be a balance between private and not-for-profit events. Further discussions ensued on this topic.

**Homeless Triage**

Commissioner Trantalis asked City Manager Feldman if the County's changeover in the homeless triage operation has been successful. City Manager Feldman responded that it was too early to tell as it just went into effect yesterday.

**South Middle River Terrace Park**

The Mayor of Broward County sent a letter to Mayor Seiler regarding a developer who is interested in working with the County and the City to enlarge the park and enhancing a private development being built on the east of the park. Discussions ensued on this topic among the Commission and City Manager Feldman as to the feasibility of the developer's proposal.

**Back-Flow Prevention**

Commissioner Roberts raised the issue of the notices sent to residents regarding the State's requirement for a back-flow cross-connection device. City Manager Feldman explained back-flow prevention and a device known as a cross-connection that protects the water supply from contaminated water such as pesticides used in irrigation systems and cooling systems backflowing into the drinking water supply. This device is installed between the water meter and the water exiting the property to prevent water contamination into the public's drinking water supply. The State's June 28, 2015 deadline was noted.

**City Cemeteries**

Vice-Mayor McKinzie noted the condition of Woodlawn Cemetery near Interstate 95 was brought to his attention by the both his constituents in the community and the Florida Department of Transportation

(FDOT). Vice-Mayor McKinzie requested City Manager Feldman address this issue so the Commission can go out to the community with answers and a plan for addressing the general condition of the cemetery and the unmarked graves. It was noted that this issue falls under the umbrella of the City's Parks and Recreation Department and the Cemetery Board of Trustees. City Manager Feldman stated he had requested the cemetery operator, Carriage Services, prepare a Cemetery Master Plan for all cemeteries in poor condition. City Manager Feldman said he has made it very clear to the cemetery operator that the maintenance of all the City's cemeteries is a high priority and noting the funds are available. Vice-Mayor McKinzie noted the need for also addressing parking needs at Woodlawn Cemetery. Discussions ensued on the issue of unmarked graves and the State's lack of records when this responsibility was turned over to the City. Further discussions ensued on this topic.

**Flakka**

Vice-Mayor McKinzie noted the Flakka problem was not going away and stated this problem "was in our backyards." Vice-Mayor McKinzie commended the City's Police Department on their efforts to identify and come up with strategies to deal with this problem. He noted the need to let the City's communities know that the Commission is on top of this issue and the importance of addressing this issue in the City's middle schools to get the word out and educate all of the public on the dangers of Flakka. Further discussion ensued on the urgency of addressing this issue.

**Lauderdale Isles**

Commissioner Rogers thanked City Manager Feldman for the City Staff's work with the dredging efforts in the neighborhood. Commissioner Rogers noted at the Lauderdale Isles Homeowners Association Meeting, the new issue is airport noise. Commissioner Rogers noted two members of the FAA were at this meeting and gave an explanation as to how the noise can be addressed within the allowable parameters of FAA guidelines. Commissioner Rogers noted this was a big issue for residents on both the west and east side. The Commission will continue to support the efforts of the Lauderdale Isles Homeowners Association neighborhood regarding this problem.

## **CONFERENCE REPORTS**

**CF-1    15-0737      Shippey House Update**

Tim Smith, the former City Commissioner, gave an update on Shippey House stating that all pending issues were passed at the Historic Preservation Board Hearing. Mr. Smith noted progress is being made on the lease, and the ongoing efforts to raise funds is moving forward. Commissioner Trantalis questioned when will the work begin. Mr. Smith noted that everything must occur simultaneously, i.e., the City and Riverwalk must agree on the lease, and Shippey has to raise the appropriate amount of funding to enable Riverwalk to take over the property.

Mayor Seiler opened the floor up for public comment.

Raymond Cox stated Shippey House is a good project.

**CF-2    15-0735      South Side School Update**

The Commission noted that they were happy with this project's forward progress.

Mayor Seiler opened the floor up for public comment.

Raymond Cox expressed his views on the South Side School project regarding the need to provide a shaded area and to address the needs of the homeless.

**CF-3 15-0689** Central Beach Master Plan Public Improvement Projects Update

City Manager Feldman stated this is the City's monthly report, and the current large item is the CBRE contract for the Las Olas Corridor Project. Mayor Seiler asked about the timeline for the project. City Manager Feldman stated it should, hopefully, be done by the Commission's August recess. Timetables for these projects were discussed. Commissioner Trantalis commented regarding his concerns with the timeliness of CBRE stating CBRE should be given a firm deadline.

Mayor Seiler opened the floor up for public comment.

Raymond Cox expressed his views on the Central Beach Master Plan and addressing the needs of the homeless.

**OLD/NEW BUSINESS****BUS-1 15-0703** Discussion Regarding 2016 Lauderdale Air Show

Phil Thornburg, Acting Assistant City Manager, introduced Brian Lilley of the Lauderdale Air Show LLC. Mr. Lilley gave a PowerPoint presentation to the Commission to encourage the return of Lauderdale Air Show to the City in 2016.

*A copy of the presentation is attached to these minutes.*

Mr. Lilley answered questions from the Commission regarding funding and other aspects of the Air Show. Mr. Lilley said private sponsors provide approximately \$400-\$500K in funding, and the Air Show would pursue private sponsorships. The Commission agreed City Staff should move forward and fine tune the costs and agreed to allow the Air Show to prepare the necessary forms required to be submitted.

Raymond Cox expressed his views on the protecting the shoreline and general security during the Air Show.

**BUS-2 15-0695** Walkability Presentation by Downtown Civic Association

Representatives of the Downtown Civic Association, Stan Eichelbaum, President, Bob Garofalo, Vice President, and Melinda Bowker, Treasurer, provided a PowerPoint Presentation to the Commission outlining the results of a recent walkability study conducted by the Association. The presentation describes the observations that were made, and their recommendations for improvements to be made within the area studied.

*A copy of the presentation is attached to these minutes.*

Questions and discussions ensued on the City's walkability issues, needs, solutions and recommendations regarding pedestrian safety as illustrated in the PowerPoint presentation. The Commission's goal is to make the City safer. Elizabeth Van Zandt, Mobility Manager Transportation and Mobility Department, gave her department's input on the pedestrian issues raised in the PowerPoint presentation. Commissioner Rogers noted that 70% of the items have been funded and the goal now is to get the work accomplished.

Mayor Seiler left the meeting at 4:03 p.m.

Vice-Mayor McKinzie opened the floor up for public comment.

Raymond Cox expressed his views on traffic enforcement, lighting, and safety issues in the City and addressing the needs of the homeless.

Beth Collins, 411 N. New River Drive, expressed her views and concerns regarding putting a stop sign at the crosswalk in front of Starbucks, Yolo, and the Bank of America Building near the intersection of SE 4<sup>th</sup> Avenue and Las Olas Boulevard advising the Commission that cars do not stop at this crosswalk for pedestrians. Ms. Collins suggested using the same type of pedestrian crossing signs used on A1A at the beach that seems to work as cars do stop for pedestrians in that area.

**BUS-3 15-0436      Draft Consolidated Plan for Fiscal Years 2015-2020 Entitlement  
Grant Programs through the U.S. Department of Housing and  
Urban Development (HUD)**

Jonathan Brown, Housing and Community Development Program Manager, presented a draft of the new Five-Year Housing And Community Development Plan. This Consolidated Plan provides direction for the City's use of funds under the following programs:

- HOME Investment Partnerships (HOME);
- Community Development Block Grant (CDBG); and
- Housing Opportunities for Persons with HIV/AIDS (HOPWA).

The purpose of the Consolidated Plan is to identify community, economic, and housing development needs, and to develop strategies and goals to address those needs with anticipated funding from HUD federal programs over the next five years.

Additionally, CDBG regulations allow the City to establish and/or recertify a Neighborhood Revitalization Strategy Area (NRSA) for concentrated revitalization activities. HUD requires that NRSA's create opportunities in distressed neighborhoods to stimulate reinvestment through partnerships with residents, non-profit organizations, churches, and other stakeholders in the community.

Mr. Brown outlined the changes made from the 2010-2015 Consolidated Plan, to the 2015-2020 Consolidated Plan and are noted below:

**HOME Investment Partnerships Program (HOME):**

In an effort to be more strategic with HOME funds, staff proposes that rehabilitation funds be used in the areas of greatest need. Staff proposes that at least two City streets are given first priority to receive rehabilitation funds. Staff recommends that those streets meet one of the following criteria:

In addition to the staff recommendations, the Affordable Housing Advisory Committee (AHAC) recommends that the City consider waiving all code liens and fines on properties assisted with HOME funds.

**Community Development Block Grant (CDBG):**

- The changes from the 2010-2015 Consolidated Plan to the 2015-2020 Consolidated Plan are summarized as follows:

- The inclusion of a mandatory set-aside for Homeless Initiative funding, within the Public Service Activities Category.
- The inclusion of a mandatory set-aside for Community Investment Projects and Neighborhood Community Investment Projects.
- The inclusion of an Emergency Repair/Rehabilitation Strategy to address the code enforcement issues in target areas throughout the City.

Community Redevelopment Agency (CRA) Programs:

It is recommended the City use CDBG funds to support eligible community development projects, housing projects, and/or economic development opportunities within the Central City CRA and/or Northwest-Progresso-Flagler Heights CRA to further assist with job creation in the targeted areas.

Housing Opportunities for Persons with HIV/AIDS (HOPWA):

With possible funding reductions continuing, a paradigm shift is needed to create a sustainable HOPWA housing model that allows HOPWA clients to achieve housing stability without long-term dependence on HOPWA assistance. The paradigm shift is to create a sustainable housing model that would include, but is not limited to:

Review of Literature on Best Practices;  
Working with appropriate HUD officials;  
Feedback from Community Services Board;  
Feedback from HOPWA Providers;  
Feedback from the HIV/AIDS Community; and  
Feedback from HOPWA Clients.

Questions and discussions ensued from the Commission regarding funding and reaching to work with these neighborhoods.

**BUS-4    15-0434      Draft Annual Action Plan for Fiscal Year 2015-2016 Entitlement Grant Programs through the U.S. Department of Housing and Urban Development (HUD)**

Jonathan Brown, Housing and Community Development Program Manager, presented the draft of the Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD).

Each year, the City of Fort Lauderdale is required to submit an Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD) to continue receiving funding for the City's Entitlement Grant Programs through HUD. The entitlement grant programs offered by the City of Fort Lauderdale include:

- HOME Investment Partnerships (HOME);
- Community Development Block Grant (CDBG); and
- Housing Opportunities for Persons with HIV/AIDS (HOPWA).

Congress has released preliminary entitlement allocations for the fiscal year 2015-2016. The allocations available to the City of Fort Lauderdale will include a decrease in HOME (\$53,124), CDBG (\$16,140) HOPWA (\$399,002) funding from last year's amounts. As a result of the funding decrease, there is the potential to serve fewer clients. The 2015-2016 estimated allocations from HUD to the City for these programs are:

HOME	\$ 453,289.00
CDBG	\$ 1,470,707.00
HOPWA	\$ 6,979,511.00

A summary of proposed activities for these programs is located within the draft budget and narrative summary, attached as Exhibit 1 and are summarized below. This conference item is presented to provide the City Commission the opportunity to review, discuss, and provide direction for future spending. This discussion will assist staff in the development of the final Annual Action Plan, which will be presented during a public hearing at the July 7, 2015 City Commission meeting.

#### **HOME Investment Partnerships Program (HOME)**

Staff recommends the following distribution of HOME funds:

- 15% – Community Housing Development Organization (required HUD percentage)
- 40% – Housing Rehabilitation/Replacement
- 35% – Purchase Assistance
- 10% – Program Administration (this is the maximum percentage permitted by HUD)

#### **Community Development Block Grant (CDBG)**

For the fiscal year 2015-2016, the total amount of this year's CDBG requests exceeds the amount of available funding. Requests for CDBG funds are received three ways: 1) through a competitive application process, 2) unsolicited proposals, 3) and requests from City departments. There are 13 funding requests for the fiscal year 2015-2016 totaling \$1,864,533.00. Funding available to award, minus administrative costs, is \$976,566.00. HUD permits 20% of the CDBG allocation to be set aside for Program Administration. Annually, \$200,000 is set aside for administrative costs associated with construction, application processing, and file underwriting.

CDBG requests are separated and defined in five categories as listed below. All categories are funded at the City Commission's discretion. However, some categories have maximums, and in the case of administration, to mitigate any potential budgetary impact on the general fund the full 20%, should be utilized so there is no budgetary impact on the City's general fund.

1. Housing Programs – Rehabilitation funds are requested as the City looks to identify at least two streets within the City that are areas of need. Staff will target the investment and leverage the impact of these investments. The rehabilitation funds will be used to make emergency plumbing, roofing, electrical, and structural repairs to homes occupied by income eligible homeowners in the targeted area. This new approach will allow the City to target CDBG funds in one or more of the following ways:
  - Funds could be used in areas where a high number of code violations exist (i.e. the North of Broward Boulevard and West of Andrews Avenue);
  - Funds could be used to rehabilitate homes in areas where the City has capital projects planned, Community Redevelopment Agency (CRA) projects planned, Park projects planned, and/or Transportation and Mobility projects planned. The rehabilitated homes would complement planned City projects.
2. Neighborhood Revitalization Strategy Area (NSRA) Programs - The purpose of this Neighborhood Revitalization Strategy Area (NRSA) is to continue the efforts of the past years to revitalize the northwest quadrant of the City. The boundaries for the NRSA consist of the

contiguous low-income neighborhoods of the City, as identified by the 2010 Census. The NRSA is the low-income target area that all HUD certified Community Based Development Organization's (CBDO) must operate within. Within the NRSA, CBDO's can provide the following three services:

- 1) housing;
- 2) community development; and
- 3) economic development (including job training and education) activities.

Currently, the City has three HUD certified CBDO's:

- Mount Bethel (Childcare Assistance Program and Family Resource Center) – \$220,000.00;
  - Housing Authority (STEP-UP Apprenticeship Program) - \$250,000.00;
  - H.O.M.E.S., Inc. - \$200,000.00.
3. Public Service Activities – While the City Commission has the discretion not to award any Public Service Activity (other than Fair Housing Activities), the maximum amount of CDBG funds in this category cannot exceed 15% of the annual allocation.
  4. Community Services Board (CSB) Public Service Category Recommendations – The Community Services Board (CSB) met on April 13, 2015 and April 20, 2015 to rank the CDBG Public Service requests. A copy of their recommendations is provided as Exhibit 2. Additionally, the recommended performance indicators will be provided as part of the final Annual Action Plan, which will be submitted for approval on July 7, 2015.

The CSB recommends funding the eligible, top rated agency in the Public Service Categories, provided that the agency has a minimum average score of 75%. When funding remains after the top rated agency is funded, other agencies are also considered for funding. The agencies recommended for CDBG Public Service assistance are as follows:

- Broward Partnership for the Homeless - \$40,000.00
- Care Resources - \$10,606.00
- HOPE Fair Housing Center - \$30,000.00\*
- Comprehensive Homeless Strategy - \$100,000.00\*
- Jack & Jill Children's Center - \$45,000.00
- Women in Distress, Inc. - \$45,000.00

\* These two (2) agencies were not part of the Community Services Board review process.

Other Funding Recommendations:

- a) Other Public Service Activities: Staff has received the requests for funding in this category, however; since this category is not part of the CSB review, the discussion will need to take place regarding as to which activities to fund. Please note that HUD requires that the City award funding for fair housing activities. HUD does not stipulate the required maximum or minimum funding for fair housing activities; as such, the City has the discretion to decide the funding level for that activity. Staff supports the requested funding amount for HOPE Fair Housing Center.



- b) Comprehensive Homeless Strategy: According to the 2014 Broward County Point-In-Time homeless count, approximately 40% (355) of the unsheltered homeless persons counted were living on the streets in Fort Lauderdale. CDBG funds will be utilized to support operations of safe, decent and sanitary location(s) that will allow community partners to coordinate food services seven days a week for our most vulnerable homeless population.
- c) Public Works Department (Community Investment Projects (CIP) and Neighborhood Community Invest Plan Projects (NCIP)) - \$500,000
- d) Community Redevelopment Agency (CRA) Programs - \$100,000
- e) Riverland Garden Apartments - \$198,927

#### **Housing Opportunities for Persons with HIV/AIDS (HOPWA)**

The HOPWA estimate shows a decrease in the HOPWA Entitlement allocation of approximately \$399,002.

The Community Services Board (CSB) will conduct its review of the HOPWA Request for Proposals (RFP) on May 27th and 28th. Upon conclusion of the RFP process, Procurement Services will present the HOPWA recommendations in a separate Commission Agenda Memo. After the Commission has finalized its RFP recommendations, staff will prepare the final Annual Action Plan item for a public hearing on July 7, 2015.

Vice-Mayor McKinzie opened up the floor for public comment.

Michael Calderin, Chief Operating Officer at the Broward Partnership for the Homeless, stated they have applied for CDBG funds to replace the loss of the Emergency Solutions Grant Funds (ESG Funds) originally applying for \$50K this cycle. He understands that the recommended amount is going to be \$40K from the Community Services Board.

Mr. Calderin wanted to clarify for the record that the administrative expenses of the agency were not high as previously stated by a member of the Community Services Board at the last Community Services Board Meeting. The acceptable norm for non-profits organizations administrative expenses is 30 percent or less of their budget. The independent auditor's report for the year ending December 2014 for the Broward Partnership for the Homeless indicates 11 percent was the percentage used for administrative expenses, and an additional 8 percent was used for fundraising. These total administrative costs of 19 percent are well below the 30 percent norm. During the referenced meeting, Mr. Calderin did not have an opportunity to refute the incorrect statement that their administrative expenses were high noting that statement was inaccurate and without merit.

Michael McCormack a resident at Riverland Garden Apartments at 2667 SW 9<sup>th</sup> Street, one of the applicants under the CDBG Program, stated wanted to comment on a public safety issue along his property which is adjacent to Riverland Park. Mr. McCormack is seeking funds for two things: 1) flood control along SW 9<sup>th</sup> Street and standing water after a minor rainfall creating an unsafe situation for pedestrians and residents using Riverland Park; 2) to beautify that part of the street by adding green space and the removal of dumpster enclosures; and 3) add crosswalks for are residents to use for crossing from one side of the street to the park. Mr. McCormack feels his proposal meets the CDBG eligibility criteria.

There were no further public comments.

Jonathan Brown, Housing and Community Development Program Manager, asked the Commission for

their recommendations for the annual action plan noting the final version will be before the Commission at the July 7, 2015 Commission Meeting. It was noted that the Step Up Apprentice Program and the Riverland Gardens project were not recommended for funding this year. Vice-Mayor McKinzie noted the Step Up Apprentice Program was not recommended this year because they did not use all of their previously allocated funds. They still have a funding balance of \$80,000.00.

**BUS-5   15-0780      City Clerk Performance Evaluation**

Deferred

Mayor Seiler returned to the meeting at 4:38 p.m.

**BOARDS AND COMMITTEES****BD-1   15-0690      Board and Committee Vacancies**

See regular meeting item R-1.

The Conference Meeting was adjourned at 5:27 p.m. for the Executive Closed Door Session.

Following the conclusion of the Regular Commission Meeting, the Commission reconvened the Conference Meeting, Agenda, item BD-2, at 8:03 p.m.

**BD-2   15-0691      Communications to the City Commission**

Sustainability Advisory Board's communication to the Commission involves the beach wracks. Commissioner Trantalis commented this requests the City to engage in a pilot program to allow the seaweed not to be cleared out because the beach's grooming process interrupts beach ecology. Specifically, the beach wracks provide a habitat and food for various organisms including insects and birds.

Commissioner Trantalis is concerned and understands the philosophy behind this, but that insects and birds on the beach are a nuisance to the public. Mayor Seiler stated it would be a pilot program, and should only be for a portion of the City's beaches. It was agreed that a pilot program in an area recommended by Staff for this request could go forward.

**CITY MANAGER REPORTS**

None.

Having no other agenda items and no additional business before the City Commission, Mayor Seiler adjourned the Commission Conference Meeting at 8:08 p.m.

## MYTHS AND REALITIES

# Body cams not unblinking solution

BY NANCY LA VIGNE

Special to The Washington Post

La Vigne is the director of the Justice Policy Center at the Urban Institute. She is

leading a study on the impact of body-worn cameras in three U.S. cities.

Body cameras aren't new, but since the spate of violent encounters between police and unarmed citizens Michael Brown, Chris Lohie, Eric Garner, Marlene Pinnock and others, they've been at the center of our debate about how to reduce these types of incidents. Police in Washington and New York City have instituted body-camera pilot programs, Maryland Gov. Larry Hogan signed a law last month enabling their use in his state, and Sen. Tim Scott, R-S.C., is making a push for body-camera funding in Congress. These efforts will sometimes help, but they're not a cure-all. Here are five myths about the power of body cams.

### 1. Body cams get the whole story.

Body cams have the same limitations as stationary public surveillance cameras, or CCTV (closed-circuit television), including the camera's viewshed, available lighting and low-visibility weather conditions that

are bad officers." The presumption being that the introduction of body cams means bad cops will eventually be off the street. But not always. Police unions have had a say in whether law enforcement agencies adopt body cameras; in Washington and elsewhere, there's debate over proposed policies that would bar the review of footage for the explicit purpose of identifying misconduct. And while CNN's Mark O'Mara, the attorney who represented George Zimmerman, argues that "people act better when they know they're being watched," we've learned from the Eric Garner case

that police-citizen interactions can turn deadly, even when cameras (in that case, mobile-phone cameras) are rolling. **4. Public record means public access.** Police are civil servants, their body cams are public equipment, and the videos they record are technically public records. But that doesn't mean the public will get immediate or unlimited access to the footage these cameras produce. While public demand for the release of video footage is high, meeting that demand is costly because it requires redaction (removing parts that aren't for public consumption) first. D.C. Police Chief Cathy Lanier says it

takes 17 hours to prep just four minutes of footage. This time-consuming, expensive process is necessary to protect the privacy of innocent bystanders, victims and children. **5. Cameras will save lives.** That's the whole point, right? As Sen. Scott says, if a picture's worth a thousand words, then "a video is worth a thousand pictures and untold lives." It'd be nice if that were true, but the jury's still out. It'll take more time, more research and, unfortunately, more trial and error to determine if body cameras have a serious impact on the number of officer-involved deaths.

PROVIDED BY  
Commissioner ROBERTS  
CONF.

JUN 2, 2015