

City of Fort Lauderdale

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



Meeting Minutes - APPROVED

Tuesday, June 16, 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 1:35 p.m. by Vice-Mayor McKinzie.

ROLL CALL

Present: 5 - Vice-Mayor Robert L. McKinzie, Commissioner Bruce G. Roberts (arrived momentarily), Commissioner Dean J. Trantalis and Commissioner Romney Rogers

Not Present: 1 – Mayor Seiler (Excused)

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.

Police Involvement with HOA's

Commission Rogers stated there would be a meeting on Thursday, September 24, 2015 with the City Commission's District III and District IV's Homeowners Associations and the City's police officers assigned to those areas to address and coordinate crime prevention. Vice-Mayor McKinzie stated he would see if this date works for those in his District to also attend.

Second Annual Marine Industries Day

Commissioner Rogers noted on Saturday, June 20, 2015 the Second Annual Marine Industries Day will be held at Esplanade Park. Vice-Mayor McKinzie stated he would attend, and Commission Rogers stated there is a Proclamation from the City which will be read by Vice-Mayor McKinzie.

Las Olas Market

Commissioner Rogers noted that the Las Olas Market is still "going strong."

Fort Lauderdale High School - Planting of Tree Donation

Commissioner Trantalis noted, as part of the enhancement of Fort Lauderdale High School's new football field, the trees donated by the development firm Bradley Deckelbaum were planted on Wednesday, June 3, 2015 on 7th Avenue (along the eastern side of Fort Lauderdale High School).

Broward County's Police Body Camera – Pilot Program

Commissioner Trantalis stated he participated in a panel discussion with the Broward Chapter of the ACLU concerning body cameras on police officers. Commissioner Trantalis also noted Broward County is participating in a pilot program for police body cameras and will begin with 25 body cameras. Commission Trantalis stated a great deal of information was exchanged regarding issues surrounding this subject, and

the County's pilot program will provide the City with a significant amount of information from their experience regarding privacy rights, rights of the press having access to this information, and storage and record retention. Comments and further discussions ensued on this topic.

Friday Night Beach Music Series

Commissioner Trantalis addressed City Manager Feldman regarding concerns about the Friday Night Beach Music Series. City Manager Feldman stated through the Chamber of Commerce, he engaged in a conversation with the Bank of America regarding the two music venues, Holiday Park and the Beach. City Manager Feldman stated staffing and logistics issues had also been addressed. Further discussions ensued on this topic.

Flagler Art Walk on June 27, 2016 - Street Closure Permits

Discussions ensued on the tardiness of applications for permits for the Flagler Art Walk between Commissioner Trantalis and City Manager Feldman. City Manager Feldman stated he would do his best to get this item added to tonight's agenda so this annual event could move forward.

State's Road Diet at the Corner of Sunrise Boulevard and A1A

Commissioner Trantalis discussed the frustration from his constituents regarding the State narrowing the two southbound lanes to one lane in the area of A1A heading south at Sunrise. After the efforts of City Manager Feldman, Diana Alarcon, and City Staff, the City was able to prevail, and the State reopened both southbound lanes. Further discussion ensued on the reasons for the lane closing.

Cultural Exchange Program with Turkish Federation

Commissioner Trantalis discussed an invitation from the Turkish Federation inviting the City to participate in a Cultural Exchange Program for one week during the summer in Turkey. Commissioner Trantalis noted he would participate representing the City if no Commission members had an objection. He stated he would work with the Sister Cities organization to visit our sister city in Mugla while in Turkey.

Florida League of Cities Annual Convention in Orlando

The Commission's upcoming attendance at the Florida League of Cities Annual Convention was discussed. It was noted that Mayor Seiler usually attends, and Commissioner Trantalis stated he was also planning on attending.

Residential and Commercial Back-Flow Issues

City Manager Feldman discussed the results of a conference call he had with interested parties regarding some issues on the topic of residential water back-flow issues. City Manager Feldman explained the issue to the Commission regarding residential and commercial residents. Those with a separate irrigation line will need to install a back-flow preventer device, so irrigation water that may contain fertilizers and pesticides does not filter back into the City's water lines.

Discussions ensued on the State's mandate for a newer type of water back-flow preventer which will need to be recertified every two years and whether older versions of these devices need to be replaced or are "grandfathered in." Discrepancies in correspondence outlining the mandate from the Florida Department of Health were also discussed. The City is currently on hold until the Florida Department of Health clarifies this issue. Additional discussions ensued on correspondence from the City that went out to homeowners with separate irrigation lines. It was noted this is a City-wide issue for both residential and commercial customers.

Commissioner Roberts stated future communications to residents on these types of issues need to be done in a better manner, i.e., they should not be as terse, should be less technical, should have a longer timeline in which to comply, should include a list of vendors that are certified to do an installation of this type, and should include a financial plan should the costs be exorbitant. Further discussions ensued on this topic.

The City's Economic Development

Commissioner Trantalis noted developers are coming back to the City after the recession wanting to move forward with investing in our City. He had concerns with future economic development in the City affecting the quality of life. Additionally, he proposed considering the concept of the transfer of development rights as it relates to another party applying for historic preservation on an existing developer's building and putting the development at risk citing 301 Alhambra Street as an example.

Further discussions ensued on various ways to deal with this concept as well as traffic implications of new developments. Commissioner Trantalis suggested considering the option of having developers' assist with traffic solutions and bearing this expense as a trade-off for items such as construction mass and scale. Commissioner Trantalis requested City Staff come back to the Commission with solutions on this subject.

Vice-Mayor McKinzie noted that many applications are being rushed through to get ahead of development noting that he will be looking at them on a case by case basis. Commissioner Rogers also noted issues from his constituents regarding 17th Street traffic issues. Further discussions ensued on the City's future economic development.

Fort Lauderdale Won the Sister Cities Innovation Award

Commissioner Roberts noted the City of Fort Lauderdale Won the Sister Cities Innovation Award for Economic Development.

The City's Boards

Commissioner Roberts addressed the issue of the City's Advisory Boards. He requested this issue be put on the Agenda concerning the tenure, terms, how we assign members, etc. Discussions ensued on this topic regarding instituting a process to address these concerns. City Manager Feldman deferred to City Clerk Jonda Joseph to address this and to put it on a future agenda.

The City's Pension and Investment Policies

Commissioner Roberts raised the issue of the City's Pension and Investment Policies for numerous City funds. Commissioner Roberts stated it is time to look at this issue and requested this be put on a future conference agenda as a matter of discussion regarding how the City could save money on fees by utilizing an indexed fund. Further discussions ensued on this topic. City Manager Feldman and City Auditor Herbst agreed to do research in this area and come up with recommendations to present to the Commission at the next Commission Conference Meeting addressing the next Quarterly Report.

Family Fun Ride and Moonlight Movie in the Park Event

Vice-Mayor McKinzie noted the success of the Family Fun Ride and Moonlight Movie in the Park Event at Carter Park. The event included a casual 5-mile neighborhood bike ride from Joseph C. Carter Park, Disney's "Big Hero 6" on the big outdoor screen, tons of activities for the entire family, Softball 911 community softball game, giveaways, food, and more. Vice-Mayor McKinzie noted the City was extremely grateful for the support of the Fun Ride's sponsors, Recyclable Bicycle Exchange, Broward B-cycle, Lauderdale Cyclery, South Florida Commuter Services, the University of Miami Medicine's Walk Safe and Bike Safe programs, and City Staff.

Father Mentor Program at Carter Park

Vice-Mayor McKinzie discussed the success and importance of the Father Mentor Program at Carter Park each Wednesday from 6:30 p.m. – 9:00 p.m. The men gathering at Carter Park on Wednesday come to be better dads. The participants are paired with mentors who provide different perspectives on parenting and on ways to be part of their children's lives. The participants and their mentors share experiences that help them see they are not alone in the problems they face. Vice-Mayor McKinzie urged all Commission members stop by to see the re-acquaintance of fathers with their families as the attendance is great and the momentum is there.

City Manager Feldman introduced three new local government management Fellowes that recently joined the City. Each of Fellowes introduced themselves. They were Zach McGinnis, Nicole Evans, and Juan Rodriguez.

CITY COMMISSION CONFERENCE REPORTS

CF-1 15-0795 Lien Settlements - WaterWorks 2011

City Manager Feldman recommended the City Commission approve the lien settlements noted in this item of \$5,620.00.

The Commission concurred with City Manager Feldman's recommendation.

OLD/NEW BUSINESS

BUS-1 15-0800 *Public Art Located at 200 Northwest Sistrunk Boulevard*

City Manager Feldman stated this item was asking for the Commission's consensus to move forward on this item stating it was part of the City's 100th Birthday Centennial Celebration, and was one of two Centennial projects that were budgeted for - both in equal amounts of \$150,000.00.

This item is a public art project on Sistrunk Corridor. The second centennial project, also in the amount of \$150,000, was to light the underside of the 17th Street Causeway. City Manager Feldman noted the lighting of the underneath side of the 17th Street Causeway project had not had any traction. It was noted that the cost for the lighting of the 17th Street Causeway would be significantly more than \$150,000.

Furthermore, after working with closely with neighborhood representatives and local artist George Gadson, this art project was proposed for the park area located at the southwest corner of 200 Northwest Sistrunk Boulevard. City Manager Feldman stated he would like to move forward with this item, and if the City Commission agrees with the proposal, City staff will provide the necessary funding up to \$150,000 to construct the project.

Commissioner Trantalis raised the issue that he thought this funding was supposed to be privately raised. He asked City Manager Feldman how much of the funding has been raised from private sources. City Manager Feldman stated he was unaware of any private funding and prior to his arrival, there was \$300,000 allocated from City funds for both projects. Further discussions ensued among the Commission on the expense of a single piece of art and the need to fulfill the original commitment from the Centennial Celebration.

Mr. Beauregard Cummings, 1710 NW 27th Avenue, Trail Blazers Chair, and a member of the Centennial Planning Committee addressed the Commission giving the background and history on this item, and the sponsoring group entitled The Trail Blazers. He recommended some possible alternatives to lower the cost.

The artist, Mr. George Gadson, 8834 NW 75th Court, Tamarac, addressed the Commission giving his professional background and qualifications, work to date in researching this specific art project and the associated costs, and art projects he has done in the community and in numerous jurisdictions in South

Florida. Further discussion ensued on this topic, and a consensus was reached to move forward with this item.

BUS-2 15-0781 Annual Calendar of Events on the Barrier Island

City Manager Feldman gave the Commission an overview of this item and a five-year snapshot of upcoming major events on the barrier island that require road closings. Additionally, the Parks and Recreation Department requests direction to allow the listed barrier island and beach events to be conducted by the event organizer in the City of Fort Lauderdale, contingent upon the approval by the Parks and Recreation Director. Authorization for the execution of individual events is contingent upon staff review and approval of individual event applications.

Additionally, the conference agenda memo noted the adoption of an approved annual events calendar will alleviate the necessity for recurring agenda items for approved events. Moreover, as new events are proposed by event organizers, they will be brought to the City Commission for review. If approved, they will be added to the annual events calendar. Each event application will be subject to administrative review and approval by the Parks and Recreation Director. The organizer will pay the applicable fees and City costs as designated by City Manager. Upon approval by the Parks and Recreation Director, a copy of each event application will be forwarded to the City Commission for informational purposes. All current permitting requirements, including, but not limited to, trash disposal, parking arrangements, logistics, and security as applicable, will apply. The organizer will provide the City with a certificate of insurance of \$1,000,000 general liability and \$500,000 liquor liability for each event unless additional requirements are identified by the City's Risk Manager, naming the City as an additional insured if required.

Mr. Fred Carlson, 625 Orton Avenue and a member of the Central Beach Alliance (CBA), addressed the Commission stating the CBA consists of a membership including both the residents and businesses of the Central Beach Area. The CBA is also the main point of contact with the City Commission. Mr. Carlson noted complaints regarding some events relating to traffic problems and stated too many things going on that do not have relevance to the business model. He expressed his views and requested the CBA to be put "in the loop" to consider proposed barrier island events.

Commissioner Rogers noted his concern regarding fencing off the beach for some events as the beach is public. He also suggested, "Raising the Bar" for special events. Discussions ensued regarding what the Commission envisions for special events on the Barrier Island for-profit and not-for-profit sponsored events. It was suggested that some special events could be held in the downtown area at a reduced cost.

BUS-3 15-0790 Las Olas Marina Renovation/Expansion Draft Request for Proposals

City Manager Feldman gave an overview of what has occurred to date regarding the Las Olas Marina Request for Proposal (RFP) which incorporated comments from the Marine Advisory Board (MAR) and the Beach Redevelopment Advisory Board (BRAB). He stated the purpose of BUS-3 was to get additional comments from the Commission to finalize the RFP and move forward with its publication.

Mr. Fred Carlson, 625 Orton Avenue and a member of the Central Beach Alliance (CBA), addressed the Commission on this item noting his extensive involvement over many years regarding the goal of having a successful expansion of the Las Olas Marina. He raised the point of the City's utilization of the existing talent in the City to adequately run the marina's operations. He did not want to see the City give the marina to another developer who will take a large portion of the profit that should be going to the City. He

noted there was a large profit to be made if the marina can be expanded as much as possible without a hotel and other commercial enterprises. He stated this unique piece of property was meant for marine enterprises. Mr. Carlson stated he was not noticed on this item and was concerned that entities may come between the marine industry and the public.

Mr. Robert Lochrie, on behalf of Island Global Yachting (IGY), addressed the Commission stating IGY is a company headquartered in Fort Lauderdale. They operate approximately 2,000 boat slips throughout the Americas and the Caribbean. He continued his comments making several points and suggestions to the Commission about the RFP.

Mr. Jack Newton, 1 Las Olas Circle and a member of Marine Advisory Board, addressed the Commission stating the qualifications of the Marine Advisory Board members. He asked the Commission why this City is hiring a consultant at a high expense to write the RFP for the Las Olas Marina when collectively the Marine Advisory Board members are fully qualified to write the RFP. Mr. Newton also noted the current RFP would give away the Marina for 50 years, and he opposes the City doing this. He felt the City should continue to operate the marina and not give away the revenue growth over the next 50 years.

Commissioner Rogers addressed City Manager Feldman stating his biggest concern is writing RFP specifications that are not realistic. Additionally, CBRE should do a feasibility analysis to ascertain if the RFP makes sense financially. Commissioner Rogers also stated comments from the Marine Advisory Board should be incorporated, and the RFP should be vetted before it goes out. Additional comments and discussions ensued among the Commission and City Manager Feldman regarding the RFP.

Jason Spalding and Scott Allen, of CBRE, Inc., 200 East Las Olas Boulevard, addressed Commissioner Rogers' concerns with the feasibility of CBRE's RFP. Jason Spalding discussed the qualifications of the City's RFP for the Las Olas Marina. Mr. Spalding addressed questions from Commissioner Rogers and Commissioner Trantalis emphasizing the current RFP be a living document. Commissioner Trantalis stated he felt the RFP should contain firm parameters consistent with the City's Vision. Commissioner Trantalis and Vice-Mayor McKinzie also felt the compensation package to CBRE was questionable. Further discussions ensued on this item. City Auditor Herbst stated his research indicated the compensation package to CBRE is in line with the real estate market nationwide.

BUS-4 15-0839 City Attorney Annual Performance Review and Merit Adjustment

City Attorney Cynthia Everett gave the Commission an overview of her perspective of the City's legal department and its improvements and responsibilities. Ms. Everett stated she had met with each Commissioner on this topic individually. Commissioner Roberts noted that the legal department has improved on Code Enforcement issues but said that the department's timeliness on other matters is still in need of improvement.

Additionally, it was recommended that the legal department take the initiative to work closely with the City Manager's office and the City Auditor's office on issues that concern all three departments. Commissioner Trantalis noted improvements in the legal department over the past 12 months.

Commissioner Rogers stated Ms. Everett's efforts in the legal department on new hires and the reorganization of the department had been good. Additionally, he felt Ms. Everett has given sound legal advice. However, he would like to see Ms. Everett be more proactive on outstanding issues before the Commission she is aware of, and Ms. Everett should be a "thought leader" in her role as City Attorney. He recommended Ms. Everett be "all in" and be more engaged in the City. Overall, he was happy with Ms. Everett's performance.

Vice-Mayor McKinzie stated he has enjoyed working with Ms. Everett and though there have been issues, they have been worked through. Vice-Mayor McKinzie urged Ms. Everett to be more proactive in her role as Assistant City Attorney. He recommended better communication between the City's core groups. He commended Ms. Everett and her staff for their work.

Ms. Everett stated that she has had conversations with Mayor Seiler, and he is in agreement with recommending a salary adjustment in addition to the merit adjustment as well as other adjustments to the employment agreement due to concerns that were raised.

Vice-Mayor McKinzie adjourned the meeting at 4:17 p.m. to be reconvened following tonight's Regular City Commission Meeting.

EXECUTIVE CLOSED DOOR SESSION

Pursuant to City of Fort Lauderdale Resolution No. 12-84, Mayor John P. "Jack" Seiler will appear via telephone

The City Commission will meet privately pursuant to Florida Statute, Section 286.011(8) concerning:

Walter Hinton, et al. v. City of Fort Lauderdale Case No. CACE 07-030358(26)

Ray Adderley, et al. v. City of Fort Lauderdale Case No. CACE 11-008499(26)

Mayor Seiler reconvened the City Commission Conference Meeting at 7:35 p.m.

BOARDS AND COMMITTEES

BD-1 15-0745 Board and Committee Vacancies

Please see Regular Meeting Item R-1.

BD-2 15-0746 Communications to the City Commission

Fire-Rescue Facilities Bond Issue Blue Ribbon Committee

The Fire-Rescue Facilities Bond Issue Blue Ribbon Committee, by unanimous consensus, agreed to recommend to the City Commission that the money from the sale of the property at 825 East Sunrise Boulevard, which was originally designated for construction of Fire Station 29, be put toward the fire bond program.

Mayor Seiler questioned if the land was purchased with Fire Bond funds. Commissioner Roberts and Commissioner Rogers also commented on the history of this item and brief comments ensued. City Manager Feldman stated he would clarify this and if necessary will bring the item back before the Commission.

HISTORIC PRESERVATION BOARD

The Historic Preservation Board asked the City Commission consider the following:

- *returning Ms. Klee's application fee for Case H15011;*

City Manager Feldman clarified this request for the Commission. It was also noted that this is now a moot issue as the application fee has already been refunded.

- *the City Manager review, enhance and strengthen the process by which significant properties were referred to the Board; and*

City Manager Feldman clarified this request for the City Commission stating City Staff should determine what surveyed assets should come before the Board for consideration.

- *the City revisits employing a Historic Officer.*

City Manager Feldman stated he had allocated funds for this request in next year's budget.

CITY MANAGER REPORTS

None.

There being no further business before the City Commission's Conference Meeting, Mayor Seiler adjourned the meeting at 7:41 p.m.