

City of Fort Lauderdale

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



Meeting Minutes - APPROVED

Tuesday, July 7, 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 1:42 p.m. by Mayor Seiler.

ROLL CALL

Present: 5 - Vice-Mayor Robert L. McKinzie, Commissioner Bruce G. Roberts (arrived momentarily), 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.

Events and Matters of Interest

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

CITY COMMISSION REPORTS

Fourth of July Celebration on the Beach

Mayor Seiler and the entire Commission noted and thanked all City Staff involved, specifically the City Parks and Recreation Department and the Public Works Department, for their outstanding efforts in making the Fourth of July Celebration and other events held over the weekend throughout the City a success. Additionally, Mayor Seiler noted the City of Fort Lauderdale ranked in the top 10 cities in the country according to *USA Today* for best Fourth of July Celebrations.

Police Field Training Program

Vice-Mayor McKinzie discussed his speaking at the City's Police Field Training Program noting its meaningful outreach and dialogue regarding new officers' training focused on engaging the community in the areas of race relations in the City. Vice-Mayor McKinzie stated the discussions encompassed all areas of the City and were very successful. He will be attending again in two weeks to give another talk and thanked the City's Police Department for their efforts in building a Better Community.

City Hall Building Security

Vice-Mayor McKinzie raised the issue of the new greeter process at City Hall to increase security screening at City Hall. He also noted he was caught by surprise when it was unveiled and did not believe the City accomplished what it was trying to achieve regarding security, i.e., focusing people coming into City Hall with weapons. He recommended the City revisit this issue.

Commissioner Trantalis noted the gaps in security at various City buildings and the possible influence of incidents that have recently occurred around the country. Discussions ensued regarding better security, and the possible installation of a metal detection system to keep City Staff at their workplace as well as those attending City Commission Conference Meetings in the 8th floor Conference Room and City Commission Regular Meetings in Chambers.

City Manager Feldman stated funds would be appropriated in the upcoming budget to address this

issue. City Attorney Everett confirmed for the Commission certain aspects of security issues were not subject to public disclosure. Mayor Seiler stated for the record that the City needs to start somewhere, and the new greeter process at City Hall is a good first step noting he supports further security measures at City Hall. It was noted this topic will be discussed with each Commission member and with City Manager Feldman.

Concerns and Issues

Vice-Mayor McKinzie noted that code violations are still not being addressed in the City and not just in District III.

Additionally, Vice-Mayor McKinzie stated has received numerous emails and staff comments regarding inconsistencies and challenges in the Clerk's Office. He stated this Office needs to be a "well-oiled" machine in a City office as important as the Office of the City Clerk. Vice-Mayor McKinzie recommended that the Commission come together collectively to address these concerns.

Mayor Seiler asked if this was also a concern of others, and it was acknowledged by three Commissioners it is a concern. He stated this topic would be discussed further at the end of this Conference Meeting.

Stranahan High School

Commissioner Rogers summarized the outstanding issues at Stranahan High School stating the situation had been negative for far too long. He noted School Board members have acknowledged these problems and issues as illustrated by allocations in their budget in 2013 and 2014 for items that still have not been addressed. Moreover, this approach is unfair to those currently attending. Commissioner Rogers cited critical repair items relating to the school's operation such as the air cooler for the air conditioning, heating issues (there has been no heat at this school for nine years), the need for a new roof, and the replacement of non-ADA compliant ramps. Commissioner Rogers recommended passing a resolution and asked City Attorney Everett to draft a resolution stating the identified issues and the necessary repairs needed before students return to school in the fall. Commissioner Trantalis, Vice-Mayor McKinzie, Commissioner Roberts all concurred with Commissioner Rogers' comments. Mayor Seiler also agreed. There was a consensus and a resolution regarding this topic will be on tonight's agenda. Mayor Seiler asked City Manager Feldman if there has been a meeting with the School Board scheduled and City Manager Feldman stated he has not been able to schedule a meeting date with the School Board.

Graffiti on Buildings

Commissioner Rogers noted that several buildings within four blocks on Federal Highway from 7th Street to 11th Street had been tagged with graffiti, and stated the City needs to be on top of this issue. It was noted in the past the City had a Graffiti Patrol that took enforcement action.

Hold-Ups on Florida East Coast Railway Crossing and State Road 84

Commissioner Rogers stated he had received emails about holdups at the Florida East Coast Railway Crossing and State Road 84 intersection during rush hour. He asked City Manager Feldman to have City Staff follow-up on this concern to enable proper answering of those emails.

Failed Development Projects with Public Easements

Commissioner Rogers noted an issue in his District where there was a locked gate in an area that had been granted an easement for public access. This occurred in an area where two development projects had begun but had failed due to the issues relating to the recession. A gate had been locked thus blocking public use of the easement. He raised this issue for the Commission to alert the Commissioners that similar things could be occurring in their Districts.

Traffic Calming Measures on Las Olas Boulevard

Commissioner Trantalis asked City Manager Feldman for a status update on where the Transportation

and Mobility Department was on the traffic calming measures on Las Olas Boulevard noting it was being addressed at one point but seems to have stopped. City Manager Feldman gave an overview of the area regarding Las Olas and 15th Avenue stating City Staff currently is in the design and document preparation stage. City Manager Feldman also noted that since the 1970's all traffic changes in the City must go to the County for approval, and this also includes on-street parking. Further discussions ensued on this topic

Back-Flow Preventer Program

Commissioner Trantalis requested City Manager Feldman give the Commission an update on the Back-Flow Preventer Program. City Manager Feldman updated the Commission stating he had several meetings with the Florida Department of Environmental Protection and the Department of Health both of which have regulatory authority on this issue. Currently, devices already installed are not "grandfathered in". However, the City can prepare documents to seek to have them "grandfathered-in". The City is in the process of doing this. Currently, the program is suspended until final adjudication on whether the devices will or will not be "grandfathered-in". Commissioner Roberts reminded City Manager Feldman to include a list of approved, licensed vendors who can install the back-flow preventers when the next notification goes out to residents. Commissioner Rogers recommended this also be sent to small businesses as well.

The City's Fire and Rescue Department

Commissioner Roberts commended the City's Fire and Rescue Department ranking of IOS Class I. City Manager Feldman elaborated on the hard work the department had done to achieve this ranking and noted the department is also in the process of obtaining accreditation. City Manager Feldman noted that there were only fifteen departments in the country that are ranked ISO I and are also accredited illustrating the elite quality and professionalism of the department.

Park Amendment Zoning

Commissioner Roberts raised the issue of Park Amendment Zoning stating moving forward the City's Parks and Recreation Advisory Board would like to participate and give some advice on this matter. City Manager Feldman stated he would be addressing the City's Parks and Recreation Board at their August meeting.

Rotarian of the Year and Rotarian Lifetime Achievement Award

Commissioner Roberts noted Mayor Seiler was awarded Rotarian of the Year and the Rotarian Lifetime Achievement Award from the Fort Lauderdale Rotary Club. The Commissioners congratulated Mayor Seiler on this honor.

Beach Renourishment

Commissioner Roberts asked City Manager Feldman for an update regarding the Beach Renourishment issue. City Manager Feldman stated he and Commissioner Roberts had a meeting on July 1, 2016 with County Staff, County Commissioner LaMarca, and representatives from the Cities of Pompano Beach and Lauderdale by the Sea. As things stand now, the County is still negotiating a second Federal agreement entitled Public Participation Agreement. Once they receive this, the project's segment two will be eligible for Federal funding but will not have a Federal appropriation for those dollars. Therefore, the County is preparing two different funding tracks. Funding track one is without Federal participation. The municipal share which would be shared by the Cities of Fort Lauderdale, Pompano Beach, and Lauderdale by the Sea is approximate \$11,000,000 out of the \$55,600,000 project. Of that amount, the City of Fort Lauderdale's share would be \$8,300,000. If the Federal Government funds the project, the Cities' share will drop to \$2,200,000 of which the City of Fort Lauderdale would have a \$1,600,000 commitment. The County is not seeking any dollars next year, but right now the City is looking to be funded into years 2017, 2018, and 2019 to allow the cities to pay their share over that three-year period. Currently, the County's position is until there is Federal funding, the City will have an \$8,300,000 obligation. If Federal funding does occur in the future, after the project is completed, the Cities would be reimbursed based upon numbers that were in the

inter-local agreement. Further discussions ensued on this subject.

Cities Energy Secure Coalition

Mayor Seiler raised the topic of the Cities' Energy Secure Coalition. He requested a consensus from the Commission regarding giving direction to the City's Sustainability Advisory Board. Mayor Seiler cited the City of Indianapolis' pilot program taking their fleet to a non-petroleum fuel vehicle as a way to decrease the dependence on foreign oil. Mayor Seiler noted that grants and stimulus were available for a possible pilot program for the City. Commissioner Rogers recommended also giving this to the Budget Advisory Committee and requesting them to do a cost/benefits analysis. Further discussions ensued on this topic.

Lighting on the Beach

Mayor Seiler brought up for discussion the issue of lighting on the beach stating it is too dark. Mayor Seiler requested City Manager Feldman come up with lighting solutions as it is a high priority and if necessary bring a consultant on board to address this issue. Commissioner Trantalis stated that there were also code violations regarding lighting on the beach to be addressed. Further discussions ensued on this subject.

Fred Carlson, 625 Orton Avenue, representing the businesses on the beach, hotels, and the Central Beach Alliance Board, addressed the Commission stating they are outraged that nothing has been done for years regarding lighting on the beach. Mr. Carlson requested the Commission to put pressure on the County to stop being obstructionists and begin looking for solutions on this topic.

Victoria Park – NW 15th Avenue and Sunrise Boulevard Traffic Issue

Mayor Seiler requested Commissioner Trantalis clarify where things are on this issue. Commissioner Trantalis gave a history of this traffic-related item at the intersection of NW 15th Avenue and Sunrise Boulevard. It was decided that Commissioner Trantalis will give direction and will advise if there is a compromise on this traffic related issue.

CITY COMMISSION CONFERENCE REPORTS

CF-1 15-0858 Shippey House Update

City Manager Feldman updated the Commission on Shippey House stating the lease had been signed, but a 60-day extension had been granted to address conditions of the lease in need of attention. Commissioner Trantalis noted this would be privately funded even though there was at \$30,000 incentive from the City to initiate matching funds. Further discussions ensued on this item.

CF-2 15-0718 South Side School Update

City Manager Feldman stated there is an issue the City needs to work through over the summer. The County has informed the City under their reading of their bond resolution, using the second floor for Parks and Recreation office is not a permitted use. City Manager Feldman stated this runs contrary to the language in the interlocal agreement that states the school building could be used for governmental use that provides a public benefit. Mayor Seiler stated each member of the Commission needed to call each member of the Broward County Commission to address this issue. Commissioner Trantalis will contact Dr. Jennifer Jurado of the County's Environmental Protection and Growth Management Department, who authored the County's legal opinion, to clarify and discuss this issue. Further discussions ensued on this topic.

CF-3 15-0791 *Central Beach Master Plan Public Improvement Projects Update*

City Manager Feldman gave the Commission an update on the Central Beach Master Plan Public Improvement Projects noting significant process is being made. If tonight's agenda item on this subject is approved, the City will be on target for the Las Olas Corridor Improvements. Several Aquatic Center issues regarding RDC contracts were raised and discussed. Further discussions ensued on issues regarding contracts regarding the Central Beach Master Plan Public Improvement Project.

OLD/NEW BUSINESS

BUS-1 15-0818 *2016 Lauderdale Air Show Update*

Phil Thornburg, Director of Parks and Recreation, addressed the Commission and gave an update on the 2016 Lauderdale Air Show regarding both the income that would be generated for the City as well as the expenditures. Discussions and questions ensued on the income and expenditures for the event. The funding of costs from the CRA and BRAB's recommendations were also discussed. Commissioner Trantalis requested clarification on sponsor revenues.

City Manager Feldman discussed and addressed issues relating to leaving A1A open at Sunrise during the event and issues regarding security, and traffic safety issues and related costs being addressed in the A1A intersections with Sunrise Boulevard and Las Olas Boulevard. Further discussions ensued.

Mr. Thornburg introduced Mr. Brian Lilley, Lauderdale Air Show, and LLC, who addressed the Commission noting the efforts they would use to mitigate and address the traffic congestion issues.

Lieutenant Schultz of the City's Police Department addressed the Commission regarding traffic and safety concerns noting the Galleria Mall will not provide parking and the alternative is a shuttle from Holiday Park. Lieutenant Schultz noted that the show will be shorter this year - 3 hours. Comments, discussions, and questions ensued on the implementation of contingency plans for additional police and fire services as well as the Air Show itself. Further discussion ensued.

Battalion Chief, Daniel Oatmeyer, Fort Lauderdale Fire and Rescue, addressed the Commission noting they are fully staffed inside the area, and there will be staff which will also be prepositioned outside of the immediate event area.

BUS-2 15-0907 *YMCA at Holiday Park*

Phil Thornburg, Director of Parks and Recreation, addressed the Commission on this item and introduced Ms. Sheryl Woods, 900 SE 3rd Street and representing the YMCA. Ms. Woods gave a presentation on the features and benefits of building a YMCA Wellness Center at Holiday Park.

A copy of Ms. Woods' presentation is attached to these minutes.

Questions, comments and discussions ensued after Ms. Woods' presentation.

Mr. Charles King, 105 N. Victoria Park Road, expressed his opinion, concerns, and questions regarding Ms. Woods' presentation.

BUS-3 15-0921 *Human Resources Informational Presentation*

DEFERRED TO AUGUST MEETING

City Clerk Concerns and Issues (continued from earlier in this Conference Meeting)

Mayor Seiler renewed discussions from earlier in the meeting regarding the City Clerk's Office.

Commissioner Trantalis began the conversation with comments noting a significant amount of consternation regarding the current City Clerk, Jonda Joseph, and her interaction with her staff stating part of those issues are part of an ongoing lawsuit. Additionally, there have been complaints submitted about Ms. Joseph and her style. Commissioner Trantalis spoke with Ms. Joseph and her response were there are certain cliques within her office who are attempting to undermine her integrity and ability to perform. Others have stated the way Jonda performs interferes with the proper function of the Clerk's Office creating polarization and acrimony. Commissioner Trantalis stated the City's Office of the City Clerk cannot continue to function in this manner as it does not benefit the City.

Commissioner Roberts felt mistakes in any organization are made, but bullying is not the way to deal with mistakes. He also noted it is important to have good working relationships and to have good management style. Currently, there are management deficiencies in the City Clerk's Office, and things need to change.

Commissioner Rogers concurred with opinions of Commissioner Trantalis and Commissioner Roberts stating the manager of the City Clerk's office should address these issues. Commissioner Rogers said the bullying that is part of the current lawsuit and letter of resignation should not be tolerated. He stated it was time for a change.

Mayor Seiler noted on a one-on-one basis, his personal interaction with Jonda has been positive. However, this is a serious issue, and it is troublesome that several investigations have had to happen. Mayor Seiler also noted that there is pending litigation regarding this issue, and he will go with the will of the Commission.

Vice-Mayor McKinzie noted the one constant was the negative treatment of others.

BUS-4 15-0947 *City Auditor Annual Performance Review and Merit Adjustment*

Mayor Seiler recommended the highest merit increase for Mr. Herbst noting he has done a great job. He also stated Mr. Herbst should identify a number two person to deal with his responsibilities when Mr. Herbst is out of town or is on vacation because the Commission depends heavily on Mr. Herbst. He noted Mr. Herbst has gone from an auditor to a consultant, proactively addressing issues in advance for the benefit of the City. Mayor Seiler also noted positive feedback from the Budget Advisory Board and

City Staff.

Commissioner Roberts also noted Mr. Herbst's outstanding performance, impeccable integrity and is an asset to the City. Vice-Mayor McKinzie, Commissioner Rogers, and Commissioner Trantalis all stated they concurred with Mayor Seiler's comments. Vice-Mayor McKinzie encouraged Mr. Herbst, as he has City Attorney Everett and City Manager Feldman, for their respective departments to work together and communicate on important City issues that come before the Commission. Commissioner Trantalis stated City Staff needs to address their department's initial responsibilities and be followed by a review from Mr. Herbst's department. Further comments and discussion ensued. Mr. Herbst thanked the Commission for a positive review of his work.

CITY MANAGER REPORTS

15-0948 13th Street Complete Streets Update

City Manager Feldman gave the Commission an update on the 13th Street Complete Streets initiative. Concerning the boundaries of the project are from NE 4th Avenue to NE 9th Avenue on 13th Street, the plan is to have one lane in each direction with medians and turn lanes where possible, on street parking, and five-foot bike lanes where possible. He noted the first set of plans should be back from engineering by the first part of August at a cost of \$185,489 leaving \$1,684,511 for construction for at least two blocks. The intent is to start this project at NE 9th Avenue moving westward.

Questions and discussion ensued from the Commission. The Commission suggested they would like to have a bare minimum done to the entire project's area noting that on-street parking is an important need. Commissioner Trantalis reiterated the past work and efforts done on this project. City Manager Feldman explained in further detail the history of working with the County and the plans for this project noting that until the design is completed, the actual costs for the project cannot be determined.

Mayor Seiler adjourned the City Commission Conference Meeting at 5:10 p.m. to attend the Executive Closed Door Session.

Mayor Seiler reconvened the City Commission Conference Meeting at 1:29 a.m.

City Clerk Concerns and Issues (continued, again, from earlier in this Conference Meeting)

Mayor Seiler stated that by agreement and looking at Florida Statutes and the City's Employment Agreement with City Clerk Jonda K. Joseph, that Ms. Joseph will resign from her position with the City effective July 24, 2015 and be a recipient of her full severance package plus an additional six weeks based upon Florida Statutes 215.425. Mayor Seiler also recommended as part of this Ms. Joseph receives her City benefits during that time. Ms. Joseph asked if she could interview the people in her office as an exit strategy. Commissioner Rogers stated that would be better done by a Human Resources Officer. Further discussions ensued on this topic. Ms. Joseph chose to resign and take the severance package noted by Mayor Seiler. Commissioner Trantalis thanked Ms. Joseph for her service with the City. Commissioner Rogers and Roberts also thanked Ms. Joseph for her years of service with the City.

BOARDS AND COMMITTEES

BD-1 15-0819 Board and Committee Vacancies

Please see Regular Meeting item R-1.

BD-2 15-0820 Communications to the City Commission

Affordable Housing Advisory Committee (AHAC)

The Affordable Housing Advisory Committee voted unanimously to resend the May 12, 2015 City Commission Communication to the City Commission along with a cover letter by Mandy, Chairperson of the Affordable Housing Advisory Committee's (AHAC) recommendations to be included in the Affordable Housing Policy.

Copies of this correspondence are attached to these minutes.

City Manager Feldman stated this would come back to the Commission as part of a recommendation at the August 18th City Commission Meeting.

Beach Redevelopment Advisory Board (BRAB)

The Beach Redevelopment Advisory Board agreed to forward to the City Commission a copy of the article, "Delray Beach goes from Blighted to Ignited" from the South Florida Business Journal.

A copy of the referenced article is attached to these minutes.

The Marine Advisory Board

The Marine Advisory Board (MAR) respectfully requests that the following points be inserted into the Request for Proposal for the Las Olas Marina:

In Section III, the Marina location and background information:

- *Paragraph Fort Lauderdale International Boat Show - add, "owned by Marine Industries Association of South Florida."*

In additional, paragraph #3:

- *The current special event...take into consideration and accommodate the boat show in a tenable long-term financial agreement (25 years) with the option to renew*

In 5.3.1, add language:

- *The successful proposal shall incorporate a design that is compatible with the Fort Lauderdale International Boat Show usage to maximize the opportunity for the City of Fort Lauderdale and the Fort Lauderdale International Boat Show with guidance through meetings held with the Marine Industries Association of South Florida.*
-

6.2.5 Economic Objective:

- *Ensure a tenable/long-term home of the Fort Lauderdale International Boat Show to benefit the marine industry and the direct economic benefits it brings to the City of Fort Lauderdale and the wider Broward County.*
- *Increase the financial opportunities to businesses in the City and County by increasing the amount and size of boats using the marina.*

Mayor Seiler asked City Manager Feldman to make sure the Marine Advisory Board's comments had been incorporated into the Request for Proposal (RFP) for the Las Olas Marina.

The Parks, Recreation and Beaches Advisory Board (PRBAB)

The Parks, Recreation and Beaches Advisory Board requests that the City Commission defer the park amendment item (to be presented by DSD) until the board has an opportunity to complete a review of the proposed park amendment, provide an analysis and a formal recommendation

City Manager Feldman stated the Parks, Recreation and Beaches Advisory Board requests input in the ULDR Land Use Amendment dealing with Parks. City Manager Feldman stated he will appear before the Parks, Recreation and Beaches Advisory Board in August.

There being no further business before the City Commission's Conference Meeting, Mayor Seiler adjourned the meeting at 1:33 a.m.