

City of Fort Lauderdale



Meeting Minutes

Tuesday, September 15, 2020

1:30 PM

City Hall is closed to the Public.

Access Meeting via:

<https://fortlauderdale.legistar.com/Calendar.aspx>

www.fortlauderdale.gov/fltv

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Cable Television - Comcast Channel 78 and AT&T U-verse Channel 99

City Commission Conference Meeting

FORT LAUDERDALE CITY COMMISSION

DEAN J. TRANTALIS Mayor

STEVEN GLASSMAN Vice Mayor - Commissioner - District II

HEATHER MORAITIS Commissioner - District I

ROBERT L. McKINZIE Commissioner - District III

BEN SORENSEN Commissioner - District IV

CHRIS LAGERBLOOM, City Manager

JOHN HERBST, City Auditor

JEFFREY A. MODARELLI, City Clerk

ALAIN E. BOILEAU, City Attorney

CALL TO ORDER

Mayor Trantalis called the meeting to order at 1:05 p.m.

QUORUM ESTABLISHED

Charter Officers Present: City Manager Chris Lagerbloom, City Clerk Jeffrey A. Modarelli, City Attorney Alain E. Boileau, City Auditor John Herbst (participated telephonically)

ANNOUNCEMENTS

Mayor Trantalis announced details regarding the virtual format of this meeting, including how members of the public can view and participate.

CITY COMMISSION REPORTS

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

Commissioner Moraitis provided an update regarding correspondence sent to the Broward County (County) Commission. She confirmed the League of Cities is opposed to a Broward County Charter Amendment that would allow the County to develop County transportation projects anywhere in the County without municipality approval.

Commissioner Moraitis provided an update on Lockhart Stadium site (Site) discussions pursuing park amenities agreed to in the Comprehensive Agreement with Miami Beckham United, LLC (Inter Miami). She confirmed a parallel path for completion of the Community Center at the Site. AECOM leads the final round of community input on the Community Center taking place this fall, expounding on details.

Commissioner Moraitis noted upcoming LauderTrail Meetings. She discussed neighbor concerns about their Tree Ordinance (Ordinance) input being included in the Office of the City Attorney's Ordinance revisions.

In response to Vice Mayor Glassman's request for an update on the Central Beach Master Plan, Anthony Fajardo, Department of Sustainable Development Director, provided an update. Additional language was drafted, further neighbor outreach is needed, and COVID hindered related efforts. The timeline had changed and is behind. He will research and update the Commission on a revised timeline. Vice Mayor

Glassman confirmed the need to reengage on this subject.

Vice Mayor Glassman noted inquiries regarding the Central City Community Redevelopment Agency (Central City CRA) Business Assistance Program (Program), requesting an update. Clarence Woods, Area Manager Northwest Progresso Flagler Heights Community Redevelopment Agency (NWPFH CRA), explained per Central City CRA criteria, only one (1) business qualified. He requested Commission feedback regarding criteria modification. Mr. Woods noted that should Central City CRA criteria be updated, changes should apply to NWPFH CRA recipients, expounding on details.

Vice Mayor Glassman commented on his perspective and concern regarding the Program and related information. Mr. Woods explained CRA Staff efforts, expounded on details and requested Commission feedback moving forward. He noted CARES Act Federal business assistance prohibits financial assistance from other business assistance programs. City Manager Lagerbloom confirmed he could provide the necessary guidance.

Vice Mayor Glassman requested that following the updating of Program criteria, Staff provide the Commission with detailed Program information to include the number of applicants and outstanding applicant issues.

Mayor Trantalis commented on his perspective and the need to move forward, concurring with Vice Mayor Glassman's concerns. Further comment and discussion ensued. Mr. Woods said approximately twelve (12) businesses in the NWPFH CRA and Central City CRA would be receiving business assistance. He explained Staff outreach. They are waiting for recipients to sign and return necessary documentation. Further comment ensued.

Vice Mayor Glassman commented on resident questions regarding the reversal of previous Department of Transportation and Mobility (TAM) Staff modifications with the Broward County Metropolitan Planning Organization (MPO). In the interest of transparency, he requested City Manager Lagerbloom provide a memorandum explaining details involved to reassure public members regarding neighborhood transportation projects. City Manager Lagerbloom provided a brief high-level overview and confirmed he would give a detailed memorandum to the Commission to update neighbors. Changes would ensure City eligibility to receive County Surtax dollars for transportation projects, expounding on related details. There would be no change in the level of service.

In response to Vice Mayor Glassman's questions, City Manager Lagerbloom provided an overview of TAM personnel changes that are still in process. The Interlocal Agreement with the County would be rescinded if needed to receive Surtax funds.

Ben Rogers, Department of Transportation and Mobility (TAM) Department Director, and Greg Stuart, Executive Director of the MPO, are working together to address MPO projects that had been delivered. Approximately four (4) personnel are anticipated would be hired back into TAM.

Commissioner McKinzie commented on numerous emails and phone calls received regarding the Stormwater Assessment approved at the Second Budget Hearing. City Manager Lagerbloom requested all Stormwater Assessment inquiries and appeals be forwarded to his office.

Commissioner Sorensen acknowledged the commencement of September and October as Hispanic History Months.

Commissioner Sorensen shared an email sent to City Manager Lagerbloom from a formerly homeless man, reading the email in its entirety. The email acknowledged the assistance of City Manager Lagerbloom and Angela Blaine, Administrative Supervisor Division of Neighbor Support. He commented on the results of budget funding for homelessness.

Mayor Trantalis commented on panhandling and homelessness areas in need of solutions. He will contact County municipal mayors about homeless individuals migrating to the City and the Broward County Sheriff's Office regarding the release of individuals from the nearby Broward County Jail. He requested Commission input.

Hal Barnes, Neighbor Support Division Manager, provided an update on resuming *Community Court*. Work is ongoing towards a virtual environment for *Community Court* at *Holiday Park* in coordination with COVID testing. Additional efforts are ongoing with Broward County to provide immediate housing assistance, i.e., into a congregate or non-congregate shelter or housing program.

Mr. Barnes commented on the Judge possibly pushing back the reconvening of Community Court from September 22, 2020 to September 29, 2020. Virtual testing has been successful, and the Judge

is happy with communications.

In response to Mayor Trantalis' question regarding alleviating panhandling concerns at 17th Street Causeway, Mr. Barnes explained it is due to successful panhandling, expounding on related details. Mr. Barnes explained the tourist industry's message should be to discourage individuals from contributing to panhandlers and instead donate to organizations that address homelessness.

In response to Mayor Trantalis' question, Mr. Barnes provided an update on homeless encampments at the County Library. Through the partnership with the County, some homeless individuals moved to the shelter. The remaining group is unique and does not want to go to a shelter and deal with rules, regulations, the process, and case management services. However, they would take housing.

Commissioner McKinzie commented on vouchers to return homeless individuals released from the County Jail back to their cities, counties or states of origin. Mayor Trantalis concurred, expounding on previous Continuum of Care discussions regarding Broward County Sheriff discharge proceedings.

Commissioner Sorensen discussed interaction with homeless individuals at the 17th Street Causeway. He recommended signage to address panhandling, requesting an update.

City Manager Lagerbloom confirmed Staff placed panhandling signage at the intersection of SE 17th Street and U.S. Route 1/Federal Highway and noted related efforts with Broward County, including a billboard. These efforts had stalled due to COVID and should be restarted. Further comment and discussion ensued on signage. City Manager Lagerbloom confirmed he would provide an update.

Commissioner Sorensen noted it is illegal to panhandle at the intersection of SE 17th Street and Federal Highway. Further comment and discussion ensued on enforcement. Commissioner McKinzie commented on his perspective regarding addressing panhandlers.

Commissioner Moraitis suggested using a license reader for those giving money to panhandlers. City Attorney Alain Boileau explained this is unconstitutional. He said there are specific areas of the City where panhandling is illegal due to safety concerns and expounded on details and the possible need to include additional locations. SE 17th Street and U.S. Route 1/Federal Highway location is one of those areas.

Further comment and discussion ensued on enforcement.

City Manager Lagerbloom confirmed there would be increased visibility to address panhandling in those areas. Commissioner Sorensen commented on homeless individuals at the County Library, noting their resistance to assistance.

Mayor Trantalis commended Staff for addressing issues at Lake Melva, expounding on details and noted recreational activities have resumed. He acknowledged and commented on the new monument along the Riverwalk in recognition of the tragic events of September 11, 2001.

[20-0708](#)

Communications to the City Commission - (Commission Districts 1, 2, 3 and 4)

SUSTAINABILITY ADVISORY BOARD

August 24, 2020

Communication to the City Commission

The Sustainability Advisory Board (SAB) provides the following Communication to the City Commission:

The Sustainability Advisory Board received the Commission's February 18, 2020, request to investigate and research waterway quality issues. After a brief hiatus because of COVID-19, the Board spent the last few months hearing and reviewing presentations from:

- *Dr. Nancy Gassman, Assistant Public Works Director for Sustainability, on Water Quality Monitoring for bacteria*
- *Phil Purcell, CEO and President of Marine Industries Association of South Florida, on Marine Industry Best Practices related to water quality*
- *Todd Hiteshew, Environmental Compliance Manager, on the Commission 2020 Top Priority - Waterway Quality Project Charter.*

Based on these presentations and our discussions, the Board recommends that the Commission:

- *Retain waterway quality as a Commission Top Priority for*

2021;

- *Approve the Commission proposed funding for additional waterway quality monitoring for fiscal year 2021;*
- *Increase funding for outreach programs that address the importance of water quality, and actions neighbors and businesses can take;*
- *Look for opportunities to install green infrastructure that addresses water quality, consistent with the City's Fast Forward Fort Lauderdale Design and Construction Manual for a Sustainable and Resilient Community and Cohesive Public Realm; and*
- *Maintain funding and level of service for cleaning and repair of stormwater catch basins.*

We appreciate the opportunity to weigh in on these issues.

Respectfully submitted,

Sustainability Advisory Board

Mayor Trantalis recognized Dr. Nancy Gassman, Assistant Public Works - Sustainability Director. Dr. Gassman reviewed the SAB recommendations. Dr. Gassman confirmed the Commission had endorsed and has taken action on the SAB recommendations.

CONFERENCE REPORTS

CF-1 [20-0662](#)

Quarterly Investment Report for Period Ending June 30, 2020 - (Commission Districts 1, 2, 3 and 4)

Susan Grant, Administration - Finance Director, provided a brief overview of the Quarterly Investment Report for the Period Ending June 30, 2020 and Fiscal Year to Date.

The City portfolio exceeded established benchmarks. The overall portfolio generated a yield of one-point zero eight (1.08%) percent compared to the point two percent (.2%) benchmark. Other Post-Employment Benefit (OPEB) Funds are invested in a 60/40 split and indexed funds.

The OPEB Fund generated a yield of twelve-point three six percent (12.36%), slightly below the benchmark but more than the seven percent (7%) assumed return rate. The Cemetery Fund, General Employees Retirement System (GERS), and Police and Fire Retirement Systems, typically invested in stocks and bonds, all rebounded from the first quarter.

Additional information is available in the Commission Agenda Memo (CAM) located in the backup to Agenda Item CF-1.

Richard Pengelly, CFA, CTP, Director PFM Asset Management, continued the Quarterly Investment Report ending June 30, 2020. He confirmed the second quarter was strong, resulting in the recovery of investment funds from the first quarter relative to the United States Treasury benchmark. Investments outside of the Other Post-Employment Benefits (OPEB) Fund are short-term.

Mr. Pengelly commented on the impact of the COVID pandemic. The position of the Federal Reserve indicates interest rates would continue to be low and supply economic stimulus, expounding on details and his perspective. There will be a more challenging environment for Operating funds in the future.

Mayor Trantalis commented on the favorable impact of low-interest rates on borrowing and the issuance of bonds and the negative impact on investments.

Mayor Trantalis inquired about investments that would have a higher yield. Mr. Pengelly explained, after researching the investment policy of similar municipalities, the City has the broadest set of best high-quality asset investments and flexibility. Mr. Pengelly commented on other organizations investing a small portion in a broader set of investments to protect against inflation.

In response to Vice Mayor Glassman's question regarding portfolio performance in July and August 2020, Mr. Pengelly confirmed increased positive performance in the OPEB investment fund. The Operating Fund was slightly less due to contractions in corporate yields.

OLD/NEW BUSINESS

BUS-1 [20-0726](#)

Discussion of Water Plant Rebuilding Options - (Commission Districts 1, 2, 3 and 4)

Sergio Masvidal, Managing Director, PFM Financial Advisors LLC,

(PFM) introduced PFM team member Scott Shearer, PFM Managing Director. Mr. Masvidal and Mr. Shearer narrated a high-level overview presentation on the options available to rebuild and operate the Fiveash Regional Water Treatment Plant (Fiveash), entitled Discussion on Municipal vs. Private Utility Ownership. The presentation addressed the positive and negative aspects of each recommended approach.

A copy of the slide presentation is in the backup to these minutes.

Mr. Masvidal expounded on the risk/reward aspects of a Public-Private Partnership (P3) to meet objectives. A P3 should be viewed as a spectrum of possibilities.

Mr. Shearer introduced Ben Kapenstein, PFM Senior Managing Consultant, available to address Commission questions. Mr. Shearer explained details of various P3 options and details, including agreements involved in a Concession Lease versus an Outright Sale of a capital project.

In response to Mayor Trantalis' question, Mr. Shearer explained a good mix of capital projects having Concession Leases and Outright Sales exist. Mr. Shearer explained details of Concession Leases and Outright Sales of P3 projects, citing examples. Municipalities own most P3s. He discussed the variation in P3 capital projects that can be customized.

In response to Commissioner Moraitis' question about municipal financial health when considering a P3 partnership, Mr. Shearer commented on State of Pennsylvania municipalities. Initially, nine (9) years ago, financially challenged counties, municipalities and townships (Clients) in this region began to explore P3s. This trend has changed in recent years, and financially healthy clients are now looking towards P3s, expounding on details.

Commissioner Moraitis commented on the benefit to a municipality selling a capital project and investing in other areas. Mr. Shearer confirmed.

In response to Commissioner Moraitis' question regarding municipalities having a AAA Bond Rating participating in the P3 process, Mr. Shearer confirmed, citing examples and explaining details.

Commissioner Moraitis commented on her understanding of the Public Service Commission, questioning the viability for a financially healthy municipality to move forward with a P3. Comment and discussion

ensued on the City of Jacksonville utilizing a P3. City Auditor John Herbst explained details about why the City of Jacksonville did not move forward with the P3 sale.

Commissioner Moraitis commented on resident concerns and the significance of water rates. She commented on her perspective that moving forward with a P3 needed to result in faster, better, cheaper water rates.

Mr. Masvidal explained the risk/reward factors involved in P3s and the possible need for a trade-off to realize water-rate savings. Commissioner Moraitis noted her concern with giving the Return on Investment (ROI) to a private entity. She also commented on concerns regarding employees.

Mr. Shearer commented on the importance of having an analysis to garner information and make the appropriate decision, citing examples. After a detailed side-by-side analysis, information is used to make a final P3 decision.

Commissioner Moraitis commented on the impact on employees, citing the recently approved employee Florida Retirement System participation. Further comment ensued.

City Manager Lagerbloom commented on the need to move forward with Fiveash replacement and further exploring a P3 to determine the best alternative.

Mayor Trantalis discussed the need for community outreach to ascertain their willingness to participate in a P3 for Fiveash, citing available options. He acknowledged the need to determine whether the City can build and operate Fiveash more efficiently. This would be determined through the P3 analysis process. The goal is for employees to be treated fairly and reduce the cost of water.

Mayor Trantalis expounded on his perspective, citing the example of waste collection that resulted in better efficiency and lower costs.

In response to Commissioner Sorensen's question, Mayor Trantalis confirmed City Clerk Modarelli sent the P3 slide presentation to the Commission on Monday, September 14, 2020 via email.

In response to Commissioner Sorensen's question regarding the contractual relationship with PFM, City Manager Lagerbloom confirmed

PFM is the City's financial advisor. PFM services are within the scope of work with the City.

City Manager Lagerbloom commented on future negotiations with PFM should the Commission decide to move forward with a Fiveash P3 analysis. Other advisor entities could be contracted for these services.

Mayor Trantalis commented on the expertise of City Auditor Herbst on the viability of a P3.

Commissioner Sorensen suggested engaging Mr. Masvidal and the PFM team at virtual association meetings to educate neighbors. Mr. Masvidal confirmed.

Mayor Trantalis suggested replicating the process used to educate neighborhood associations on Stormwater Infrastructure plans presented by Dr. Nancy Gassman to neighborhood associations. Further comment ensued.

City Manager Lagerbloom confirmed this Agenda Item would return to the Commission on November 5, 2020.

Commissioner McKinzie remarked on his reliance on input from City Auditor Herbst, commenting on his understanding of a P3 and the primary benefit of a capital improvement.

Commissioner McKinzie explained concerns with placing a public water utility in the private sector hands, i.e., water quality and increased costs to end-users. He cited examples of other municipalities that had placed water in the private sector's hands, expounding on details and the City's need to maintain control.

City Auditor Herbst discussed the importance of Commissioner McKinzie's concerns, explaining there are multiple options available involved in a P3, including the opportunity for the Commission to approve rates. The more risk given to the bidder, the increase in costs. City Auditor Herbst cited examples of P3s and reasoning, including the Federal Court House, due to private sector financing; Miami Beckham United, due the speed with which the private sector could complete the project; and Las Olas Marina, due to the transfer and the expertise of Suntex.

Commissioner McKinzie expounded his concerns regarding a water utility controlled by a private entity. City Auditor Herbst explained the

importance of having a P3 agreement that is appropriately structured, including measurable and specific expectations and protections in contractual agreements and maintaining control of vital municipal services. He cited a previous example i.e., the prior lease and management of Bahia Mar. City Auditor Herbst recommended considering allowing another entity to manage Fiveash, not an Outright Sale.

City Attorney Boileau noted protections built into the City Charter, which contemplates Fiveash as a franchise, expounding on details.

In response to Commissioner Moraitis' question regarding an audit of Fiveash, City Auditor Herbst said an audit had not been done for water operations, expounding on details and recommending bringing in a water engineering firm with expertise and efficiency to audit water operations. He noted related challenges. Further comment ensued on challenges related to a water-rate reduction following an in-depth P3 evaluation and review.

Commissioner Moraitis commented on the recent increase in water rates that did not involve the replacement of Fiveash. City Auditor Herbst recommended incorporating the cost of Fiveash replacement to water rate increases.

Vice Mayor Glassman recommended this presentation be given to the Fort Lauderdale Council of Civic Associations. Commissioner Moraitis urged giving this presentation to all residents, suggesting a City-wide virtual meeting. Further comment and discussion ensued. Commissioner Sorensen recommended two City-wide virtual meetings. City Manager Lagerbloom confirmed. Further comment ensued.

Mayor Trantalis confirmed the need to move quickly on this topic.

BUS-2 [20-0682](#)

Enterprise Resource Planning Project Status Update - (Commission Districts 1, 2, 3 and 4)

Andrew Parker, Information Technology Services Director, gave a slide presentation entitled Status Update on the Enterprise Resource Planning (ERP) Project.

A copy of the slide presentation is in the backup to these minutes.

Mr. Parker acknowledged and explained his understanding of a needs assessment and goals surrounding ERP Project implementation when transitioning to Director in December 2020. The ERP Project was

placed on hold last year to evaluate challenges and needs moving forward. Panorama Consulting Group (Panorama) was hired to assess the ERP Project and requirements moving forward. The ERP Project Final Report (Report) from the Office of the City Manager was issued on July 24, 2020 and sent to the Commission.

Steve Ditty, PMP Senior Project Manager and Expert Witness, Panorama Consulting Group, provided a high-level overview of Panorama's Assessment Summary of the ERP Project. He expounded on his experience, the work of Panorama and details regarding the scope of the ERP Project discussed in the July 24, 2020 Report sent to the Commission.

Mr. Parker provided a high-level overview of efforts to move the ERP Project forward towards successful completion. He will work closely with all departments to ensure necessary corrective action. Panorama will be hired as interim Project Manager, expounding on related details that include a phased approach.

BUS-3 [20-0727](#)

Discussion on the Affordable Housing Advisory Committee (AHAC) New Requirement to Include One Elected Official - (Commission Districts 1, 2, 3 and 4)

City Manager Lagerbloom explained the requirement for a Commission Member to be a member of the Affordable Housing Advisory Committee. Comment and discussion ensued. Mayor Trantalis confirmed he would serve on the AHAC.

Discussion ensued on current Commission Member outside appointments included in the Commission Agenda item backup.

Commissioner Sorensen commented on procedural recommendations at Commission Conference Meetings, recommending a specific length of time for presentations. Further comment and discussion ensued.

CITY MANAGER REPORTS

City Manager Lagerbloom said Broward County had proffered October 20, 2020 as the date for the next Unified Direct Procurement Authority Meeting (UDPA) between the City of Fort Lauderdale Commission and Broward County Commission. This virtual meeting would precede the Commission Conference Meeting scheduled October 20, 2020.

ADJOURNMENT

Mayor Trantalis adjourned the meeting at 4:16 p.m.

