

# City of Fort Lauderdale



## Meeting Minutes

Tuesday, October 20, 2020

6:00 PM

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## City Commission Regular 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 6:07 p.m.

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

**Pledge of Allegiance** Mayor Dean J. Trantalis

**ROLL CALL** **Present:** 5 - Commissioner Robert L. McKinzie (arrived at 6:10 p.m. - participated telephonically) Commissioner Ben Sorensen (participated telephonically), Commissioner Heather Moraitis (participated telephonically), Vice Mayor Steven Glassman (participated telephonically) and Mayor Dean J. Trantalis

**QUORUM ESTABLISHED** **Also Present:** City Manager Chris Lagerbloom (participated telephonically), City Clerk Jeffrey A. Modarelli, City Attorney Alain E. Boileau and City Auditor John Herbst (participated telephonically)

**MOMENT OF SILENCE** Mayor Trantalis requested a *Moment of Silence* in recognition of Rick Case and Alan Levy, expounding on their civic contributions.

### Approval of MINUTES and Agenda

[20-0835](#) Minutes for October 6, 2020 Commission Conference Meeting and October 6, 2020 Commission Regular Meeting - (Commission Districts 1, 2, 3 and 4)

Commissioner Sorensen made a motion to approve this item and was seconded by Vice Mayor Glassman.

**APPROVED**

**Aye:** 5 - Commissioner McKinzie, Commissioner Sorensen, Commissioner Moraitis, Vice Mayor Glassman and Mayor Trantalis

### PRESENTATIONS

or public hearings required by law, expounding on details. The *Resolution* could be modified to suspend requirements. The *Resolution* also applies to all *Boards* and *Committees*.

Mayor Trantalis inquired about noncompliance with the *Order*. City Attorney Boileau explained if the *Order* is not continued, circumstances return to normal. Commission action modifying the *Resolution* or a Declaration from Mayor Trantalis would be necessary. Further comment and discussion ensued. Mayor Trantalis requested input from Commission Members.

Commissioner Moraitis confirmed support for an amendment to the *Resolution*, explaining her rationale.

Vice Mayor Glassman commented on the timeline to modify the *Resolution* before the November 5, 2020 Commission Meeting. City Attorney explained options, i.e., a modifying Resolution as the first order of business at the November 5, 2020 Commission Meeting or a Declaration by Mayor Trantalis.

Mayor Trantalis recommended a *Walk-On Resolution* addressing this topic at tonight's Commission Regular Meeting. Further discussion ensued on in-person Commission Member participation and meeting quorum requirements.

Commissioner Moraitis inquired about Staff efforts to address the *Transportation Master Plan (Master Plan)*. Ben Rogers, Department of Transportation and Mobility Director, explained the *Master Plan* was an aspect of the previous joint effort with the *Broward County Metropolitan Transportation Organization (MPO)*. Due to recent changes, Staff will reprioritize the *Master Plan*.

Mayor Trantalis commented on topics discussed earlier today at the *Joint UDPA Meeting with the Broward County (County) Commission (UDPA)*. Items discussed included anticipated interchanges with the *Florida East Coast Railway (FEC)* Bridge-Tunnel, the bus station and the possible future light rail system along Broward Boulevard (*Interchange Items*) which impact a *Joint Government Complex* at the current Brickell Avenue and Broward Boulevard location. Mr. Rogers confirmed, noting these locations are not under the jurisdiction of the City. Mayor Trantalis explained his perspective, noting the City needs to be consulted. He expounded on related details, including the impact of *Amendment 2* on the *November 3, 2020 Ballot*. Mayor Trantalis discussed the negative

impact of *Interchange Items* on a future *Joint Government Complex*. Further comment ensued.

Commissioner Moraitis discussed the importance of Staff working in conjunction with the *MPO* to ensure *Master Plan* priorities are aligned. She discussed the importance of Staff moving forward with the *Master Plan* while analyzing all items discussed at the *UDPA Meeting* and recommended sharing *Master Plan* details with the County.

Commissioner Moraitis commented on the *Broward County Commission and Broward County School Board* votes approving the Lockhart Site *High School Home Field*. She confirmed the first game between *Fort Lauderdale High School* and *Dillard High School* at 7:00 p.m. on Thursday, October 29, 2020, urging Commission attendance.

Commissioner Moraitis discussed naming the Lockhart Site, recommending naming the entire area *Lockhart Park* and commenting on related details. Further comment and discussion ensued. Commissioner Moraitis explained time sensitive details.

Commissioner McKinzie recommended working with representatives of *Inter Miami* to achieve this goal. Commissioner Moraitis explained discussions with Stephanie Toothaker, Esq., *Inter Miami* representative.

City Attorney Boileau explained how to pursue this recommendation based on the existing agreement with *Inter Miami*. Mayor Trantalis concurred.

Commissioner Moraitis discussed participation in a *League of Cities* meeting. There was a consensus that cities State-wide need to come together and lobby the State Legislature to address vacation rental concerns. Neighborhoods with homeowner's associations could implement rules regarding vacation rentals. Civic associations do not have the ability to regulate vacation rentals, and the City has civic associations.

The *League of Cities* meeting also discussed banning smoking on beaches. Following the Commission's adoption of a Resolution on this topic, it would be shared with other cities to address a beach smoking ban on a State-wide basis.

Vice Mayor Glassman requested a *Moment of Silence* in remembrance of Rick Case and Alan Levy, expounding on civic contributions of Mr.

Levy.

Mayor Trantalis asked if crosswalks along residential areas of Las Olas Boulevard had been contemplated in the *Las Olas Mobility Study*. Vice Mayor Glassman confirmed crosswalks are important to *Commission District 2* residents along the *Las Olas Boulevard Corridor (Corridor)*. Joe Corradino of *The Corradino Group, Inc., (Corradino)* is aware of this need. Vice Mayor Glassman said there is no finalized plan, commenting on the need for additional safety around bridges along the *Corridor*. He commented on discussions with Ben Rogers.

In response to Mayor Trantalis' question, Vice Mayor Glassman said the end of 2020 was the original timetable for *Corradino* to present a *Conceptual Streetscape Design for Las Olas Boulevard* to the Commission. Vice Mayor Glassman explained input from *Commission District 2* residents along the *Corridor* who discussed three (3) alternatives and requested additional time to present a fourth alternative (*Alternative 4*) to *Corradino* at the next *Las Olas Mobility Working Group Meeting* in November 2020.

Commissioner Sorensen recognized the induction of *Fire-Rescue Chief Rhoda Mae Kerr into the 2021 National Fire Heritage Center Hall of Legends, Legacies and Leaders (HLLL)*.

Commissioner Sorensen suggested scheduling *UDPA Meetings* with the *County Commission* every other month and Staff establish meeting goals, i.e., evaluation of the updated *Interlocal Agreement (ILA)* and review of the AECOM unsolicited proposal for a *Joint Government Complex*.

City Attorney Boileau commented on details regarding the unsolicited proposal, including ongoing litigation and *shade* restrictions. He said amending the *ILA* should not be difficult.

City Manager Lagerbloom explained efforts to address the *ILA*. He commented on progress made regarding a public presentation of the unsolicited proposal. City Manager Lagerbloom confirmed he would work with the *County* to set up a *UDPA* December 2020 meeting date.

Commissioner Sorensen recommended the City institute *Halloween* safety guidance for residents, citing examples. Mayor Trantalis concurred, confirming a set of protocols would be sent out.

Mayor Trantalis discussed an email from the *Central City Community Redevelopment Agency (Central City CRA)* regarding lack of progress of the *Central City CRA* rezoning. Anthony Fajardo, Department of Sustainable Development Director, explained the previous consultant was unable to complete the *Scope of Work*. A new consultant has been selected. Mayor Trantalis requested a *Central City CRA* Rezoning Report Update at the next Conference Meeting, noting the lengthy duration. Mr. Fajardo confirmed.

Mayor Trantalis requested Commission input regarding holding *Holiday Lighting Events* in a safe manner. Vice Mayor Glassman suggested combining all *Holiday Lighting Events* into one day and time, expounding on details.

Commissioner Moraitis recommended coordinating a *Holiday Lighting Event* to include motivating people to patronize businesses while adhering to safety protocols, i.e., advertising. Further comment and discussion ensued. Mayor Trantalis recommended Commission Members obtain resident input to include a date. This topic would be an Agenda item at the November 5, 2020 Commission Meeting. Further comment ensued on collaboration with the *Light Up Las Olas* event scheduled for Tuesday, December 1, 2020.

Mayor Trantalis commented on resident interest in reconfiguring tennis courts at *George English Park* for pickleball. Phil Thornburg, Parks and Recreation Director, explained reconfiguring work done by Staff, expounding on details. *Parks Bond* discussions include input from the community on this topic.

Mayor Trantalis raised two (2) topics, pickleball courts at the *Lockhart Site* and tennis court viewing stands at park venues to attract tournament play.

Commissioner Moraitis confirmed plans to have pickleball at the *Lockhart Site Community Center*. She discussed the ability to retrofit indoor *Community Centers* for pickleball. Further comment and discussion ensued on spending *Parks Bond* funding for pickleball court venues.

Vice Mayor Glassman commented on the possibility of including pickleball courts at *War Memorial Auditorium*. Commissioner Moraitis noted pickleball community input towards professional courts.

Mr. Thornburg commented on acquiring land to develop a pickleball complex with fifteen (15) to twenty (20) professional courts to draw State-wide pickleball events. Commissioner Moraitis confirmed her willingness to pursue a site in *Commission District 1*.

In response to Mayor Trantalis' request, Commissioner Sorensen provided an update on the City-owned water-utility property located in *Commission District 1* proposed for *Affordable Housing/Workforce Housing* development with the *Housing Authority of Fort Lauderdale (Housing Authority)*. The other option is to move forward with a private developer. He noted the need for Commission discussion to determine the best option and move forward quickly.

City Manager Lagerbloom provided an update on this topic, including possible opportunities for City-owned properties to be monetized while receiving the same outcome. He confirmed an upcoming meeting with Ken Krasnow, *Colliers International*, and would provide an update and recommendation at the next Commission Conference Meeting.

Commissioner McKinzie requested clarification, noting his understanding regarding the *Housing Authority* moving forward with plans for the project. He recommended a conversation with the *Housing Authority*. City Manager Lagerbloom concurred. He would also provide a recommendation to the Commission. Mayor Trantalis confirmed the goal to provide Affordable Housing.

## OLD/NEW BUSINESS

### BUS-1 [20-0844](#)

Overview of Amended Consent Order and Reports on Water Quality Assessment in Tarpon River and George English Lake - (Commission Districts 1 and 4)

City Manager Lagerbloom provided a brief overview of this Agenda item. He also noted the new sanitary sewer infrastructure for the Rio Vista Neighborhood is anticipated to begin very soon. The goal of this presentation is to determine a timeline and move forward with remediation of sanitary sewer spills into the *Tarpon River (River)* and the *body of water in George English Park (George English Park)* for incidents occurring in December 2019 and into 2020 (*Incidents*). The presentation is based on scientific reviews by *E-Sciences, Inc. (E-Sciences)* and *Wood Environment & Infrastructure Solutions, Inc. (Wood E&I Solutions)*.

Raj Verma, Public Works Department Director, narrated the presentation. He thanked Staff, consultants, and directors with the *Florida Department of Environmental Protection (FDEP)* for their work associated with the State.

Mr. Verma confirmed the transparency of the City and explained the extensive nature of the analysis report process and components (*Study*). He explained aspects of the *Amended Consent Order (ACO)* with *FDEP*. He discussed details and timelines addressing the improvement of waterway quality.

***A copy of the presentation can be found in the backup to these minutes.***

In response to Mayor Trantalis' question regarding inert solids on the bottom of the *River* impacting re-regeneration of marine life, i.e., aquatic vegetation, Mr. Verma said the dissolved oxygen levels had primarily returned to normal.

Nadia Locke, PE, LEED AP, *E-Sciences*, explained details of the *River* bottom survey done in coordination with the *FDEP* and *Broward County*, expounding on details. *River* bottom conditions were similar to other areas of the *River*, i.e., leaf litter, which is not conducive to submerged aquatic vegetation growth.

In response to Commissioner Sorensen's questions, Ms. Locke explained the *River* bottom areas both inside and outside the impacted *Study* area were not conducive to submerged aquatic vegetation growth, i.e., the entire two (2) miles. Patricia A. Carney, PE, BCEE, Vice President, *Hazen and Sawyer*, defined inert materials on the *River* bottom area and details of the related analysis. Inert materials are sand and grit-like materials, i.e., stormwater runoff, which is not biodegradable.

Mayor Trantalis commented that the *River* was once a habitat for submerged vegetation. He inquired about the ability to return *River* bottom conditions allowing submerged vegetation regeneration. Further comment ensued the existence of submerged vegetation.

Mr. Verma commented on other similar areas in the State, confirming stormwater runoff is the primary contributor to the demise of submerged seagrass. The intent of stormwater infrastructure retrofitting is to return waterway health and is part of the *FDEP Stormwater Permit*.



In response to Commissioner Sorensen's question, Mr. Verma commented on details of *Study* calculations, confirming inert solids were part of the *Incidents* in the 400' *River* foot corridor, expounding on details. Inert solids could be found in other areas of the *River* impacted by tidal aspects.

In response to Mayor Trantalis' question regarding removing inert solids from the *River* bottom, Mr. Verma explained suction dredging is recommended for this area of the *River*.

Mr. Verma said *FDEP Permits* had been obtained for *George English Park*. He explained details of suction dredging methodology. Further comment and discussion ensued on this topic. Mr. Verma explained related challenges.

In response to Mayor Trantalis' question regarding boring samples determining aspects of remediation methodology, Ms. Locke confirmed boring sample cores had been done, explaining details. Related testing illustrated nitrogen and phosphorous at a level similar to the water column in other areas of the *New River*.

Mayor Trantalis discussed preventing algae bloom development during the remediation process. Ms. Locke explained the dredging vendor controls nitrogen and phosphorous levels. The dredging vendor would also be required to use a filtration system to control the waterway runoff. There will be water-quality testing during the dredging process.

In response to Commissioner Sorensen's question regarding the contents of twelve-inch (12') boring samples in the *Study* area, Ms. Locke confirmed evaluation indicated consistent organic materials that had deteriorated over the years. Some boring samples went down five feet (5').

In response to Commissioner Sorensen's question regarding the impact of dredging remediation on marine wildlife, Ms. Locke explained details included in the *FDEP Permitting* process that includes manatee protection and allowing marine life to move unimpeded.

In response to Mayor Trantalis' question regarding the presence of bacteria negatively impacting marine life, Ms. Locke confirmed the presence of bacteria both inside and outside the *Study* area. *E-Sciences* would research the impact of bacteria on wildlife and would report back. Mayor Trantalis confirmed the importance of not allowing remediation efforts to negatively impact marine life.

In response to Commissioner Moraitis' question about considering new protein skimmers technology (*Technology*) for waterway cleanup, Mr. Verma explained *FDEP Permitting* is based on existing known, effective technology. *FDEP* has not determined if it would accept the *Technology*. Further comment ensued.

Mr. Verma explained his understanding of the *Technology* addressing water-quality improvement above the bottom sediment layer. He confirmed the need to remove residue solids on the *River* bottom resulting from *Incidents*.

Commissioner Moraitis expounded on her viewpoint. The main objective to consider is utilizing all available technology in furtherance of achieving clean waterway goals. Further comment and discussion ensued on *FDEP Permitting* standards.

Mr. Verma acknowledged openness to entertaining the use of *Technology*, confirming the purpose of this presentation is to remove bottom sediment caused by the *Incidents*. The *FDEP Permit* issued for *George English Park* remediation is anticipated to be similar for *River* remediation.

Commissioner Sorensen commented on his understanding of simultaneously accomplishing two (2) goals, removing bottom sediment and cleaning water.

City Manager Lagerbloom commented on input received regarding previous existence of submerged vegetation, birds, flora and fauna and marine life in and around the *River*. He confirmed support to push forward and pursue returning these attributes to the *River* while simultaneously undertaking remediation work associated with the *Incidents* related to the *ACO*, expounding on details. Mayor Trantalis concurred, expounding on the purpose of this presentation.

Mr. Verma acknowledged the presentation purpose is to address items in the *ACO* and *FDEP* expectations while acknowledging residents' desire for improved waterway quality. Addressing these include cleaning sediment and future preventive measures to ensure improvements that would achieve healthy water quality. Mr. Verma cited examples of long-term solutions, confirming these goals entail a multi-phased process. Further comment and discussion ensued.

Mayor Trantalis noted the need to prevent remediation efforts that would

cause further damage to waterways and prevent restoration efforts, expounding on his viewpoint. Mr. Verma confirmed.

Mr. Verma cited examples within the *River Oaks Neighborhood Stormwater Project*. He discussed related stormwater remediation aspects that include water-quality improvements which is an *In-kind* project that will be submitted to the State under the *ACO*.

In response to Vice Mayor Glassman's concern regarding the use of the entire \$3,200,000 State Fine amount (*Fine*) for stormwater projects, Mr. Verma clarified efforts to utilize water-quality improvements in conjunction with stormwater infrastructure improvements.

Vice Mayor Glassman concurred with the need to address the removal of sediment in *Study* areas in conjunction with water-quality improvements. He commended Staff efforts to include natural ecology, i.e., establishing mangroves.

City Manager Lagerbloom explained *ACO* details which require project improvement to enhance the environment related to the sanitary sewer system, citing examples and noting projects were specifically excluded for the benefit of the environment.

Vice Mayor Glassman commented on the need to address cleaning the waterways.

Mayor Trantalis explained this presentation addresses remediation projects for the City's response to *ACO* with the *FDEP* resulting from *Incidents*. These projects would comply with *FDEP* requirements. *In-kind* project costs would apply towards the related *Fine*.

Mr. Verma explained financial details of *In-kind* projects that will apply towards the *Fine*. Cleanup costs for the *River* and *George English Park* are in addition to *In-kind* projects associated with the *ACO*. To address *In-kind* projects, Staff has taken elements of projects in process and expanded them to include or expand water quality improvements.

Commissioner Moraitis confirmed her support of improving waterway quality, including determining what needs to be done and trying new alternatives, including use of the *General Fund*.

Mr. Verma clarified this project starts the process to meet *FDEP ACO* requirements. There will be an expansion into other areas to address

water-quality needs. He discussed the City's location and concerns related to connecting tributaries flowing from the western portion of Broward County. Further comment ensued.

In response to Commissioner Sorensen's questions, Mr. Verma confirmed the *FDEP Permit* application for the *River* would include 800 feet of linear dredging at a depth of one (1) foot. This includes 200 feet on each side of the impacted *Study* area. The anticipated cost is approximately \$750,000 - \$1,500,000. Mr. Verma explained logistics contributing to the cost, expounding on details.

Mr. Verma said costs addressing *George English Park* are estimated at approximately \$750,000. The approximate total cleanup amount for the *Incidents* is \$2,200,000.

Mr. Verma explained *In-kind* projects associated with the *Fine* would be submitted to the *FDEP* which incorporates the *River Oaks Stormwater Project* and isolating aspects and elements of water quality improvement projects, citing examples.

Commissioner Sorensen emphasized the need to address waterway quality at discharge points simultaneously with sediment cleanup efforts, citing examples. Mr. Verma explained his understanding of the ability to explore these options. Commissioner Sorensen recommended addressing water-quality improvements in the short term, concurrent with cleanup efforts. Further comment and discussion ensued on meeting ACO requirements. Mr. Verma confirmed sediment cleanup needs to occur before waterway quality improvements in the *Study* areas. Further comment and discussion ensued.

Commissioner Sorensen read correspondence from Kathy Diaz, 1201 Ponce de Leon Drive, regarding concerns related to this Agenda item. Mayor Trantalis noted this presentation addresses Ms. Diaz's concerns.

City Manager Lagerbloom commented on input regarding new *Technology* and related input from the *FDEP* regarding its acceptance for addressing water quality remediation. He suggested exploring this *Technology* further but not including it in the proposed *ACO Response* to the *FDEP*. Further comment and discussion ensued.

Mayor Trantalis said the *Technology* would apply to waterway quality restoration. Mr. Verma reiterated Staff openness to pursuing the *Technology*. Staff would pursue the submission of what is currently

acceptable for *FDEP Permitting*.

In response to Commissioner Sorensen's question regarding seawall cleanup in the eight hundred 800-foot area noted earlier, Mr. Verma confirmed. City Manager Lagerbloom noted seawall cleanup would be dependent upon risk.

In response to Vice Mayor Glassman's question regarding algae cleanup, Mr. Verma confirmed, expounding on details. Vice Mayor Glassman noted the need for algae cleanup in and around *The Isles*. Mr. Verma discussed numerous factors negatively impacting waterway quality, including algae blooms. He confirmed the need for a combination of practices that include policy, monitoring and resident cooperation, citing examples.

In response to Mayor Trantalis, Mr. Verma said the anticipated timeline to submit the City's *ACO Response* to the *FDEP* would be within the next two (2) to three (3) weeks. Discussion ensued on the project timeline. Cleanup dredging is anticipated to move forward relatively quickly. *In-kind* projects associated with the *Fine* will take place over the next two (2) to three (3) years.

In response to Commissioner McKinzie's questions, City Manager Lagerbloom reiterated *Technology* would not be part of the *FDEP Permit* application. Mr. Verma commented on addressing private seawalls in need of cleaning due to *Incidents*. Normal maintenance is the seawall owner's responsibility. Further comment and discussion ensued on cleaning private seawalls caused by *Incidents*.

### **ADDITIONAL DISCUSSION**

Commissioner Sorensen discussed *Joint Government Campus* proposals. City Attorney Boileau noted an unsolicited proposal. He confirmed the need to develop design criteria as part of implementing the solicitation process. Broward County Staff will assist with this task. Commissioner Sorensen confirmed his support for all proposals to being available to the public.

### **CITY MANAGER REPORTS**

None.

## **ADJOURNMENT**

Mayor Trantalis adjourned the meeting at 4:35 p.m.