

# City of Fort Lauderdale



## Meeting Minutes

Wednesday, December 2, 2020

1:30 PM

City Hall - City Commission Chambers  
100 North Andrews Avenue, Fort Lauderdale, FL 33301

### Meeting Access Via:

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

[www.fortlauderdale.gov/fltv](http://www.fortlauderdale.gov/fltv)

[www.youtube.com/cityoffortlauderdale](http://www.youtube.com/cityoffortlauderdale)

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 1:39 p.m.

## ANNOUNCEMENTS

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

## QUORUM ESTABLISHED

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

## CITY COMMISSION REPORTS

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

Commissioner Moraitis commented on the impact of COVID over the holiday season and the need to do as much as possible for local businesses. She commented on a \$5 Billion State budget shortfall over the next two (2) budget cycles and the need for local government to support community businesses. Commissioner Moraitis discussed the need to have City-wide events encouraging support of local business when the pandemic recedes.

Commissioner Moraitis thanked Staff for their work in support of her efforts as a Commission Member. She thanked Staff for efforts in arranging the *Commission Swearing-In Ceremony* earlier today at the *Broward Center for the Performing Arts*.

Commissioner Moraitis discussed attending the *National League of Cities Summit (Summit)*, stating the *November 2021 Summit* would be held in Salt Lake City, Utah. This year's *Summit* discussions included returning to normal following the pandemic, social equity and public safety. The *National League of Cities* launched a new website. Commissioner Moraitis commented on aspects of the new website and encouraged other Commission Members to explore its opportunities.

Commissioner Moraitis commented on input at the District 1 Pre-Agenda Meeting regarding trash pickup scheduling changes in specific neighborhoods and notification concerns. Further comment

ensued. City Manager Lagerbloom acknowledged communications should have been better.

Vice Mayor Glassman acknowledged and thanked Staff for creating a safe work environment in Commission Chambers. Mayor Trantalis acknowledged the effort of City Clerk Jeff Modarelli. Vice Mayor Glassman thanked Staff for its work in coordinating the *Commission Member Swearing-In Ceremony* held earlier today.

Vice Mayor Glassman said the Las Olas Boulevard Working Group (Working Group) is working diligently to deliver a *Las Olas Boulevard Conceptual Streetscape Design Plan* to the Commission in February 2021. Vice Mayor Glassman and Commissioner Sorensen will participate in a Working Group meeting tomorrow, December 3, 2020 at 3:00 p.m.

Vice Mayor Glassman discussed his participation at the *Unity in the Community Event*, commenting on needs in the community. Mayor Trantalis commented on his involvement in this event and details related to the community's level of needs due to the impact of COVID-19. He concurred with Commissioner Moraitis' earlier comments on the need to restore the business community.

Vice Mayor Glassman noted the success of the *Fort Lauderdale Air Show Event* and its safety protocols that could be utilized as a template for similar events. Further comment ensued.

Vice Mayor Glassman commented on conversations with members of the Broward County School Board, confirming the need to maintain and continue good relationships and communicate the importance of education to the City Commission.

Vice Mayor Glassman confirmed a Transportation and Mobility Staff meeting with Broward County Transportation on Thursday, December 10, 2020 to address the intersection at N.E. Third Avenue and *Florida East Coast Railway* Crossing.

Vice Mayor Glassman requested an update on vacation rentals and COVID restrictions. City Attorney Boileau confirmed COVID restrictions are still in place, expounding on details listed in Broward County Executive Order 20-24, Attachment 18.

Vice Mayor Glassman recommended Staff landscape empty lots, citing an example of a vacant lot in Lauderdale-By-The-Sea. Further comment

and discussion ensued.

Vice Mayor Glassman suggested Staff replicate the *Galt Ocean Mile Streetscape Project* on Sunrise Lane. Further comment and discussion ensued on possible future development in the North Beach area of the City.

Commissioner McKinzie announced the upcoming ribbon cutting events, recognizing the opening of new businesses along the Sistrunk Boulevard Corridor, *Diamond Core Fitness* and *Smitty's Wings*. He thanked Staff for its efforts to address Commission goals and items of importance in District 3.

Commissioner Sorensen requested City Manager Lagerbloom address details surrounding communications to the community regarding trash pickup scheduling changes. City Manager Lagerbloom explained the circumstances, noting initial contact with residents and acknowledging there should have been follow-up.

Commissioner Sorensen requested Staff inform respective Commission Members and Commission Staff when mailings or door-hangers are sent to District residents communicating information.

In response to Commissioner Sorensen's questions, City Manager Lagerbloom provided a *Fiveash Water Treatment Plant (Plant)* status update. The Request for Quotes (RFQ) for an Owner's Representative has been authored and is currently under review. The RFQ is anticipated to be out by January 2021 and responses are expected shortly afterwards. City Manager Lagerbloom confirmed entities could come forward with unsolicited proposals at any time, explaining an unsolicited proposal would be evaluated according to Florida Statutes. The Commission can assist by being ready to address recommendations for an Owner's Representative in January 2021.

In response to Commissioner Sorensen's questions, Raj Verma, Public Works Department Director, provided an update on utility undergrounding. Mr. Verma said bids had been received for undergrounding in *Las Olas Isles* and are being evaluated. The anticipated date for construction to begin in *Las Olas Isles* is February 2021. The next area would be the section east of Idlewyld. He explained the need to show the layout of transformers to determine locations and explained details that include working with *Florida Power and Light (FPL)*.

Mr. Verma commented on Staff's desire to create a website enabling residents to communicate an interest in utility undergrounding in respective neighborhoods. The website would allow residents to apply and begin the evaluation process. Further comment and discussion ensued.

In response to Vice Mayor Glassman's question regarding a change in technology and reduction in transformer size, Mr. Verma confirmed he had discussed this with FPL, noting monopolistic aspects. Further comment ensued.

Vice Mayor Glassman recommended Staff reach out to the *Seven Isles Neighborhood* to keep the utility undergrounding process moving forward.

Mr. Verma would check with Staff for an update on *Harbor Beach* undergrounding. He said Staff is moving as expeditiously as possible and noted challenges regarding easements and rights-of-way. There is a need to illustrate to neighbors the layout of transformers to inform them on utility undergrounding and their decision to move forward.

In response to Commissioner Sorensen's questions, City Manager Lagerbloom provided an update regarding the Joint Government Center (JGC). City Manager Lagerbloom said he would continue to meet with Broward County representatives later this week and next week. The City of Fort Lauderdale Commission and Broward County Commission Unified Direct Procurement Authority (UDPA) will meet on December 15, 2020. A discussion is expected regarding a path moving forward to include a bridge/tunnel discussion. It is anticipated that UDPA direction will consist of how to move forward with the design criteria package for a private partner solicitation or a different path would be selected.

City Manager Lagerbloom said the Interlocal Agreement (ILA) with Broward County should be updated to allow additional work to continue and explained related details. City Attorney Boileau said a draft revised ILA is being reviewed and would be addressed on December 15, 2020.

Commissioner Sorensen commented on input from the neighborhoods regarding license plate readers, requesting confirmation. City Manager Lagerbloom confirmed he would provide the Commission an update today.

Commissioner Sorensen requested an update regarding the use of a parcel owned by the Florida Department of Transportation (FDOT) along

Riverside Park for use as a dog park until FDOT needs the land. City Attorney Boileau said FDOT approved all changes and is awaiting final execution.

In response to Commissioner Sorensen's question regarding curfews in place, Mayor Trantalis confirmed there is no curfew in the City. Alcohol cannot be served or consumed after midnight.

City Attorney Boileau explained his perspective, stating this topic is subject to change at the County and State levels. Commissioner McKinzie commented on interpretations of previous executive orders. City Attorney Boileau confirmed the need to reference more than one executive order depending on establishment activities. The County is working on a consolidated executive order.

Commissioner Sorensen requested an update from Vice Mayor Glassman regarding plans for an Emergency Medical Substation in District 2, commenting on support from District 4 residents and his willingness to assist.

Vice Mayor Glassman said this is a priority and noted discussions regarding numerous individuals regarding future projects incorporating an Emergency Medical Substation along the Las Olas Boulevard Corridor.

## CONFERENCE REPORTS

### CF-1 [20-0932](#)

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

Susan Grant, Finance Department Director, provided a brief overview of the Quarterly Investment Report for the Period Ending September 30, 2020 and Fiscal Year to Date. The City Operating fund, CRA fund and longer-term portfolio exceeded established benchmarks for the quarter and Fiscal Year ending September 30, 2020. The overall portfolio generated a yield for the Fiscal Year of three-point three two (3.32%) percent compared to the benchmark of three percent (3%).

The Other Post-Employment Benefit (OPEB) Fund was slightly below the benchmark for the Fiscal Year, generating nine point one percent (9.1%), below the nine-point three percent (9.3%) benchmark but exceeding the seven percent (7%) assumed rate of return.

Richard Pengelly, CFA, CTP, PFM Asset Management Director, provided a market update and commented on actions of the United

States Federal Reserve targeting inflation. Short-term rates are anticipated to remain close to zero for the next couple of years. COVID is driving the pace of the economic recovery. He commented on anticipation of numerous vaccines in the near future. Mr. Pengelly expounded on his perspective regarding the economic future.

In response to Mayor Trantalis' questions regarding a disconnect between the Stock Market and local economies and related risks, Mr. Pengelly explained his perspective. Equity market valuation is driven by what is happening currently and what is expected to occur in the future, i.e., the outlook for an extensive recovery. The City's Cash Portfolio and Operating Funds are invested in high-quality fixed income. Longer-term portfolios, OPEB and other funds with equity exposure have longer-term time horizons.

Vice Mayor Glassman commented on his perspective that large corporations versus small businesses drive the Stock Market. Further comment and discussion ensued.

### **OLD/NEW BUSINESS**

#### **BUS-1 [20-0820](#)**

Discussion Regarding 2021 State Legislative Priorities and Funding Requests - (Commission Districts 1, 2, 3 and 4)

Vice Mayor Glassman commented on his perspective regarding the importance of all legislative priorities, noting the need for a more concerted effort among the City, Broward County and Florida and citing examples. He emphasized the need to take these legislative priorities to the next level.

Former Broward County Commissioner and State Representative (Representative) Chip LaMarca confirmed the ongoing etching into State Statutes of \$50,000,000 for State-wide beach re-nourishment projects. There is \$625,000,000 in State budget funding to address water quality, water projects and environmental concerns. He commented on efforts at the State level to address City infrastructure incidents. Representative LaMarca confirmed his commitment to address water quality, sea-level rise, underground infrastructure and environmental resiliency projects.

Vice Mayor Glassman reiterated the need for all local and State representatives to continue to work together to address critical issues.

In response to Vice Mayor Glassman's questions regarding addressing preemption issues with the State, i.e., banning plastics and addressing vacation rentals, Representative LaMarca explained his ongoing work to

place control in the hands of local government.

Florida State Senator (Senator) Gary Farmer concurred with the need for all government officials to work collectively. He recognized the engagement of Daphnee Sainvil by the City, confirming her ability to contribute to lobbying efforts.

Senator Farmer commented on bipartisan efforts in the last legislative session to prevent a vacation rental bill harmful to the position of the City moving forward. He confirmed Broward County and its municipalities provide significantly more funds than received from the State. Senator Farmer said representatives of the City must be in Tallahassee to address infrastructure needs and other essential funding requests. Senator Farmer explained the anticipated aggressive nature of budget funding requests due to COVID. He urged Commission Members to utilize their relationships with members of the State legislature to further City interests.

In response to Commissioner Sorensen's questions, Senator Farmer confirmed the usefulness of Commission Members engagement with Chairs of Appropriation Committees. Senator Farmer's office would provide contact information.

Florida State Senator Perry Thurston, Jr. concurred with Senator Farmer's remarks, expounding on his perspective regarding addressing needs of the City.

Florida House of Representative Bobby DuBose concurred with the remarks of Representative LaMarca and Senators Farmer and Thurston. He commented on successful legislative efforts to address water issues that were subsequently impacted by budget adjustments. Representative DuBose confirmed he would work with the City government relations team achieve legislative goals.

Florida House of Representative Minority Leader Evan Jenne commented that some form of preemption could be forthcoming from the State. He noted an appetite to address vacation rentals and would monitor. Representative Jenne confirmed challenges to funded projects due to budget reductions. He recommended pursuing funding early and often through direct communication with Appropriation Committee Chairs.

In response to Commissioner Sorensen's question regarding the *Layperson's Standard as Health Care Providers to an Emergency*



*Response as Good Samaritans* that addresses a legal duty to engage in emergencies, Representative Jenne said he was aware of this but did not anticipate an Executive Order. The legislature could take action but had not addressed as yet. Senator Farmer commented on his perspective, noting COVID is not an emergency response situation. He cautioned the Commission on this topic.

In response to Commissioner Sorensen's question regarding State funding for the proposed Florida East Coast (FEC) Railway bridge or tunnel through the City, Representative Jenne concurred with previous comments that Fiscal Year 2021 funding would be difficult. He encouraged lobbying efforts on this funding request and maintaining realistic expectations. Representative Jenne confirmed the State budget's dependency on Federal contributions to State programs, expounding on his perspective.

City Manager Lagerbloom introduced Staff member Daphnee Sainvil, Government & External Affairs Manager. Ms. Sainvil provided a high-level overview, concurring with the comments of the members of the Florida State Legislature. She commented on the need to address sovereign immunity and the impact of COVID on appropriations. There will be difficulty with individual member requests for project appropriations.

The Florida State House of Representatives (House) has a rule regarding project appropriations that mandates a fifty percent (50%) match, the illustration of the return on investment, the identification of community need, a project must be shovel ready, i.e., completion of the permitting and design process. Requested funds must be spent within the year.

Ms. Sainvil noted legislative agenda items, including liability for lawsuits and monitoring the Wayfair Bill that addresses sales tax legislation for remote internet manufacturing sales. She noted her positive relationships with past Committee Chairs and plans to continue with future Committee Chairs. Ms. Sainvil provided legislative priority recommendations, i.e., maintaining \$50,000,000 or an increase in the amount for recurring beach re-nourishment.

Commissioner Moraitis commented on legislative officials' ability to impact preemption regarding banning smoking on the beach and allowing home rule for vacation rentals. Due the large amount of funding and lobbying at the State level opposing home rule of vacation rentals, there is a need for more lobbying involvement of individuals at the State

Level, including the *Florida League of Cities* and *Broward League of Cities*.

Commissioner Moraitis requested input regarding how the City would participate in distribution of COVID vaccines, noting the need to be ready for participation.

In response to Commissioner Moraitis' question regarding the flow of funds for transportation items, i.e., the proposed FEC Railway Project (Project) through Broward County Metropolitan Planning Organization (MPO) discussed earlier, Ms. Sainvil confirmed funding is through the MPO. Ms. Sainvil clarified the need to determine project viability and inclusion in the FDOT Work Plan. She confirmed the ability of contracted lobbying firms to begin the conversation. Further comment ensued.

Commissioner Moraitis commented on the importance of including grant funding for Science, Technology, Engineering and Math (STEM) education, i.e., Robotics Program, at public and private high schools and colleges. Ms. Sainvil commented on Florida State Senate President Wilton Simpson's discussion of higher education and funding STEM which is being monitored.

Ms. Sainvil noted Governor DeSantis' anticipated anti-protestor legislation is being monitored. The Senate does not have an appetite to pass this legislation.

Mayor Trantalis acknowledged the reduced amount of resources due to COVID, the City being a donor municipality, and the need to pursue State legislative funding sources aggressively. He explained his perspective regarding FDOT's funding sources. Further comment and discussion ensued. Mayor Trantalis confirmed funding discussions would be pursued with FDOT. He commented on the impact of an FEC Railway Bridge on the downtown area, including the need to be part of the conversation with Broward County.

Commissioner Sorensen commented on his perspective regarding railway traffic. Mayor Trantalis concurred and said he would keep everyone advised.

Mayor Trantalis recognized Ron Book, Ron L. Book, P.A. Mr. Book said the FDOT Work Plan funding is embodied within the Budget and is based upon agreement by Transportation Funding Committees. The Governor has said he would like transportation projects to be advance funded as part of the COVID relief effort. There is a shortage of gas tax

resources at the local, State and federal levels. Mr. Book expounded on his perspective regarding large transportation project funding.

Mr. Book discussed the anticipation of tort reform related to sovereign immunity, expounding on work to date at the State legislature. COVID liability reform is also being discussed. Mr. Book expounded on his perspective regarding possible tort reform, including possible abolishment, raising limits and indexing. The time to address this topic is before the next session, within the next thirty (30) to forty-five (45) days.

Mr. Book said the pension reform issue is imminent, commenting on details and recommended this be focused upon by Commission Members during discussions with the State legislature representatives.

City Manager Lagerbloom said the comments discussed today would be incorporated into the *Legislative Priorities List*, returning to the Commission for adoption by Resolution and transmitted to the City's contracted lobbying teams.

In response to Commissioner Sorensen's question, City Manager Lagerbloom said the bridge/tunnel project discussed earlier is not on the MPO project list. Mayor Trantalis explained discussions at the MPO on this topic, confirming the MPO Board and Executive Director Greg Stuart are on board to bring the bridge/tunnel project forward. Mayor Trantalis acknowledged the reduction in appropriation funds.

In response to Commissioner Moraitis' question regarding bridge/tunnel funding sources, Mayor Trantalis said he would address this topic at upcoming meetings and update the Commission.

**BUS-2** [20-0952](#)

Discussion - Rescheduling City Commission Meeting Dates for July and August 2021 - (Commission Districts 1, 2, 3 and 4)

Commissioner Sorensen requested rescheduling the first Commission Meeting on July 6, 2020 to July 1 or 2, 2020. Discussions ensued on this topic.

Laura Reece, Budget, CIP and Grants Division Director, explained details related to setting the millage rate that would impact this rescheduling request. It would require budget-related items to be added to the Agenda as Walk-On items. City Attorney Boileau cautioned against Walk-On budget-related legislation. Further comment and discussion ensued.

Commissioner McKinzie and Mayor Trantalis recommended maintaining

the July 6, 2020 scheduled date.

In response to Vice Mayor Glassman's question regarding scheduling the *2021 Commission Goal Setting Session* and *Commission Joint Workshops with the Budget Advisory Board*, City Clerk Jeffrey Modarelli confirmed the following dates:

Friday, January 29, 2021 - *Goal Setting Session*

March 2 , June 1, and August 17, 2021- *Joint Workshops with the Budget Advisory Board*

In response to Vice Mayor Glassman's question regarding the December 2020 *New Year's Eve Downtown Countdown Event*, City Manager Lagerbloom explained there would not be a physical event the night of December 31, 2020. A remote event would be produced in advance and streamed the night of December 31, 2020.

### **CITY MANAGER REPORTS**

None.

### **ADJOURNMENT**

Mayor Trantalis adjourned the meeting at 3:31 p.m.