

City of Fort Lauderdale

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



Meeting Minutes - Draft

Tuesday, November 17, 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
JEFFREY A. MODARELLI, City Clerk
CYNTHIA A. EVERETT, City Attorney***

Meeting was called to order on Tuesday, November 17, 2015 at 1:38 p.m. by Mayor Seiler.

ATTENDANCE ROLL CALL

Present: 5 - Mayor John P. "Jack" Seiler, Vice-Mayor Robert L. McKinzie, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Commissioner Romney Rogers

Also Present: City Manager Lee R. Feldman, City Auditor John Herbst, City Clerk Jeffrey Modarelli, City Attorney Cynthia A. Everett and Sergeant At Arms Sergeant W. Auguste

No public comments were submitted by email regarding this meeting.

CITY COMMISSION REPORTS

Events and Matters of Interest

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

National League of Cities Conference, Nashville, Tennessee

Commissioner Rogers noted that he and Commissioner Roberts attended the National League of Cities Conference in Nashville, Tennessee, and noted it was very well attended. Commissioner Roberts discussed outstanding Sustainability and Police Transparency meetings presented by other municipalities in attendance at the Conference. Discussions ensued on these topics.

Cemeteries in the City

There was a consensus among the Commission members, the City Manager, and the City Auditor that a Master Plan and Capital Plan regarding the City's cemeteries needs to be addressed.

Crescent House

Commissioner Trantalis brought to the attention of the Commission the final order rendered by the Code Enforcement Special Magistrate concerning Crescent House noting the City prevailed on both matters. Commissioner Trantalis thanked all involved in assisting in the resolution of this issue.

Water Tower

Commissioner Trantalis requested an update as to the status of the water tower. City Manager Feldman stated the project is currently out for bid.

Fort Lauderdale Boat Show

Mayor Seiler commented on this year's Boat Show commenting it was a fantastic success. The week of the Boat Show, the City announced a dredging project for the intercoastal waterway that was very well received. Mayor Seiler also remarked the Boat Show's events were attended by some of the top businesses and executives from around the world. Mayor Seiler characterized it as an incredible success and a "Home Run" for the City. He expressed his appreciation for the patience and cooperation of the neighbors from the standpoint of both traffic and parking. Mayor Seiler also stated for the marine industry; this event sets the tone for the year. He noted it also benefits the City from the perspective that it kicks off the City's tourism season that now begins with the Boat Show Weekend as

opposed to the Thanksgiving Weekend all the way through Easter. Noting this extension of the tourism season is most beneficial for the City. Commissioner Trantalis also noted speaking with several car vendors who attended the Boat Show, stating they sold a significant number of vehicles during the event contributing to additional economic success for the City.

CONFERENCE REPORTS

CF-1 15-1415 Emergency Purchases - Sewer Force Main Failures at 1700 East Las Olas Boulevard - \$205,330 and at 150 Southwest 2nd Street - \$213,606

Charles King, 105 N. Victoria Park Drive, expressed his opinion on this topic.

The Commission commended City Staff for responding to the problem in a timely and efficient manner.

OLD/NEW BUSINESS

BUS-2 15-1368 Quiet Zones Presentation

Amy Knowles, Structural Innovation Manager, opened the presentation introducing Paul Cavaresi, Transportation Planner, with Broward Metropolitan Planning Organization (MPO) and Greg Stuart, Executive Director of Broward MPO provided a presentation and update on the regional Quiet Zone application being prepared for South Florida.

The MPO is assisting the cities in Broward County by providing 4.4 Million Dollars to create quiet zones as a way to help preserve the quality of life for residents along the rail line in anticipation of the Brightline (formerly All Aboard Florida) passenger service and increasing freight movements along the Florida East Coast (FEC) Corridor. Quiet Zones are established for the purpose of reducing train horn noise and the mitigation of the increased risk caused by the absence of a horn. The mitigations typically include safety measures such as additional crossing gates and small medians to reduce access to the tracks when a train is passing. The Quiet Zone will span all of Broward County. The resolution for the City to participate in the Quiet Zone application will be placed on the December 1, 2015, City Agenda.

Questions and answers ensued during the presentation.

A copy of the presentation is attached to these minutes.

BUS-5 15-1476 Discussion of Fishing Regulations on Fort Lauderdale Beach
(Between NE 18th Street and NE 23rd Street)

Commissioner Trantalis stated he had been approached by some people in the past regarding the use of the City's beaches for fishing. Investigations found the City has an Ordinance in place indicating from South Beach to 18th Street you can fish anytime except between the hours of 9:00 a.m. and 6:00 p.m.; North of 18th Street to 23rd Street the hours are from 9:00 a.m. until 4:00 p.m. Concerns have

been raised by residents in the area north of 18th Street to 23rd Street that the hours should be changed from 9:00 a.m. until 6:00 p.m. because of safety hazards. Mayor Trantalis noted there were no restrictions north of 23rd Street and South of Bahia Mar. The purpose of these discussions is to decide whether to change the time restrictions in the area north of 18th Street to 23rd Street to 9:00 a.m. until 6:00 p.m. Commissioner Trantalis made it clear that this is not about banning all fishing.

Don Anthony, Animal Rights Organization of South Florida, spoke in support of this item.

Tim O'Connor, a resident of the City, spoke in opposition to this item.

Thomas La Porta, a resident of the City, spoke in opposition to this item.

Tom Argue, Patrick Dirindm, a resident of the City, spoke in opposition to this item.

Nancy Alexander, a resident of the City and founder of the Animal Rights Foundation in Florida, presented photos to the Commission and stated her position on this item from a safety perspective. *Copies of the photos are attached to these minutes.*

Gabriella Fuina and her son Lucas, residents of the City, spoke in opposition to this item.

David Brown, a resident of the City, spoke in support of the item addressing the need to protect the sea turtles.

John Pureslo, a resident of the City, spoke in opposition to the item.

Jared Hill, a resident of the City, spoke in opposition to the item.

Jim Miller, a resident of the City, spoke in opposition to the item.

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Michael O'Gorman, a resident of the City, spoke in opposition to the item.

Josh Perkins, a resident of the City, spoke in opposition to this item.

Scott Pratt, a resident of the City, spoke in opposition to this item.

Melinda Colon, a resident of the City, spoke in opposition to this item and the legality of any ordinance restricting one's right to fish on the beach.

Jeff Maggio, a resident of the City, spoke in opposition to this item.

James Wildman, a resident of the City, spoke in support to this item.

James Akers, a resident of the City, spoke in opposition to this item, noting Ordinance C15-20 enacted on June 2, 2015.

Susan Hargraves, and Kalia Jones, a nine-year-old girl, residents of the City spoke in support of this item as it relates to the safety and welfare of sea turtles and seagulls.

Kalia Jones, a nine-year-old resident of the City, spoke in support of this item, stating her fear of

swimming on the beach when shore fishing is taking place.

Craig Patton, a resident of the City, spoke in opposition to this item, noting that the animal injuries incurred by those fishing usually occur when fishing is from boats rather than fishing from the shore.

Steve Coleman, a resident of the City, spoke in opposition to this item.

Chuck Hansen, a resident of the City, spoke in opposition to this item.

Mayor Seiler closed the public hearing and discussion ensued among the Commissioners. None of the Commissioners were in favor of this item.

Mayor Seiler commented and commending Commissioner Trantalis for bringing this issue up as it is a duty of a Commissioner to bring items such as these up based on input from constituents. Raising issues such as this and bringing them up for discussion is part of the Commission's duties. Mayor Seiler gave his comments noting fisherman are conservationists whose goals are to preserve the environment for future generations and are at the forefront of conservation efforts. He also noted fishing's positive effects for families and friends in addition to the positive experience for tourists when they get the opportunity to see a fisherman make a big catch.

Commissioner Trantalis reiterated that the item was for discussion purposes and to see how we are going to fashion the use of our beaches knowing that the population of the City's beaches is beginning to increase. He also noted that this is an evolving situation that may need to be addressed in the future with the goal being to sharpen our focus on the beach and avoid problems in the future from a safety perspective for the City's citizens and tourists.

BUS-1 15-1479 ISO 9001 - Strategic Management System Update - Structural Innovation

ISO 9001 is a set of quality standards helping guide over one million organizations in over 170 countries to ensure quality is built into their management systems. These quality standards include a strong focus on meeting the expectations of the City's customers (neighbors), providing high-quality services through a process-centered approach, hiring and retaining engaged and mission-driven staff (community builders), continual improvement, and involved leadership.

The City of Fort Lauderdale is in the process of certifying our strategic management system, FL2STAT, to the ISO 9001:2008 standard. FL2STAT is how the City manages our processes and activities so that we meet the City's long-term vision plan, *Fast Forward Fort Lauderdale*, the objectives established in the City's strategic plan, *Press Play Fort Lauderdale*, the Commission Annual Action Plan priorities, and the annual budget process. Additionally, FL2STAT is the City's method of analyzing our neighbor's requirements/expectations, identified through the annual Neighbor Survey.

City Manager Feldman commented on the process and the City's moving forward on the ISO 9001 Certification and its standards. Amy Knowles, Structural Innovation Manager, introduced members of her staff: Staff member, Toy Beeninga, ICMA, Senior Management Fellow - DSD and Transportation Mobility gave an update presentation on the ISO 9001 - Strategic Management System Update - Structural Innovation.

A copy of the presentation is attached to these minutes.

Discussion, comments, and questions ensued from the Commission.

BUS-3 15-1467 Aquatic Center Update

City Manager Feldman gave an update on the costs estimates for the Aquatic Center to discuss the options available to the Commission in order to move forward with a decision at the December 1, 2015, City Commission Regular Meeting. A discussion of the pros and cons of the six options presented ensued.

Jim Blosser spoke on behalf of Recreational Design and Construction, Inc. (RDC) as a consultant. Mr. Blosser addressed the project and the escalated costs associated with the project due to the improved economy. He stated that he, those members of RCD present, and RDC's counsel, also present are here to answer all questions from the Commission.

Ina Lee, President of Travelhost Magazine, discussed the Aquatic Center issue addressing room nights on the beach, the overall tourism market, and the local economy. She noted her concern at the escalated costs of the proposed RDC's plan for the Aquatic Center noting that the impact of those costs would take away from other CRA projects. Additionally, the high-cost of room rates in the beach area may prohibit attendees from staying at upgraded beach properties. Ms. Lee recommended an analysis of the impact of these issues.

Linda Webb, a resident of the City and representative of the swimming community, spoke in opposition to repurposing the Aquatic Center and options for funding the project.

Abby Laughlan, Central Beach Alliance, spoke about the high-cost of RDC's plan, recommending other alternatives to using funds from the CRA fund. Ms. Laughlan encouraged the Commission to think outside the box about solutions for the funding this project.

David Shula, Swim Fort Lauderdale, spoke in support of the Aquatic Center from both a business and a participant standpoint encouraging the Commission to find a way to make the facility work for everyone.

Anthony Abatte did not speak but his email was made part of the record, and a copy is attached to this email.

Art Seitz, 1905 North Atlantic Boulevard, spoke in opposition to RDC's proposal for the Aquatic Center. Mr. Seitz requested the Fort Lauderdale Aquatic Complex Evaluation Committee's Scoring Sheet for the proposed redevelopment plan of the Aquatic Center by RDC be entered into the public record.

Charles King spoke regarding this topic giving his comments on the project and the process.

Discussion ensued among the Commission members and City Manager Feldman as to the City Manager's recommendations to rehabilitate the current facility as it relates to the cost, funding, scope of work involved, associated parking issues, additional improvements and add-ons to the project, and CRA funding allocations. Mayor Seiler requested input and a recommendation from the Beach Community Redevelopment Advisory Board to assist the Commission in making a decision. Commissioner Roberts went on the record noting his concern with the new price from RDC.

**COMMUNITY REDEVELOPMENT AGENCY MEETING - 4 P.M.
OR AS SOON THEREAFTER AS POSSIBLE**

**EXECUTIVE CLOSED DOOR SESSION - 4:30 P.M.
OR AS SOON THEREAFTER AS POSSIBLE**

The City Commission Conference Meeting was recessed at 5:00 p.m. to begin the Executive Closed Door Session

The City Commission convened the Executive Closed Door Session at 5:01 p.m. and adjourned at the end of the session.

15-1494 The City Commission will meet privately pursuant to Florida Statute, Section 286.011(8) concerning:

*Rice and Grimes v. City of Fort Lauderdale Case No.: CACE
14-017210 (21)*

City Commission Conference Meeting was reconvened at 5:22 p.m. by Mayor Seiler.

ATTENDANCE ROLL CALL

Present: 5 - Mayor John P. "Jack" Seiler, Vice-Mayor Robert L. McKinzie, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Commissioner Romney Rogers

Also Present: City Manager Lee R. Feldman, City Auditor John Herbst, City Clerk Jeffrey Modarelli, City Attorney Cynthia A. Everett and Sergeant At Arms Sergeant W. Auguste

**OTHER POST-EMPLOYMENT BENEFITS BOARD MEETING - 3:45 P.M. OR AS
SOON THEREAFTER AS POSSIBLE**

OPEB- 15-1382 Other Post-Employment Benefits Trust Investment Policy Revision
1

Kirk Buffington, as the City's Trust Fund Administrator, spoke regarding revisions the current investment policy for the Other Post-Employment Benefits Trust. This policy revision will allow the City to do passive investment versus active investment. Discussion ensued among the Commission regarding this revision.

Dr. Getz, a resident, spoke regarding the proposed revision recommending some minor changes and recommendations requesting the Commission defer a decision on this item until staff has an opportunity to review this revision completely and consider Dr. Getz' recommendations.

Commissioner Rogers moved to defer this item and was seconded by Commissioner Roberts.

The City Commission Conference Meeting was recessed at 5:28 p.m. and then reconvened at 10:42 p.m. on Tuesday, November 17, 2015 following the Regular City Commission Meeting.

ATTENDANCE ROLL CALL

Present: 5 - Mayor John P. "Jack" Seiler, Vice-Mayor Robert L. McKinzie, Commissioner Bruce G. Roberts, Commissioner Dean J. Trantalis and Commissioner Romney Rogers

Also Present: City Manager Lee R. Feldman, City Auditor John Herbst, City Clerk Jeffrey Modarelli, City Attorney Cynthia A. Everett and Sergeant At Arms Sergeant W. Auguste

BOARDS AND COMMITTEES

BD-1 15-1472 Board and Committee Vacancies

Please see regular agenda item R-1.

Commissioner Trantalis recommended representatives of the Committees that contain open vacancies come to the Commission Meetings to give a three minute presentation in order to give additional details regarding those board vacancies and appointments.

BD-2 15-1473 Communications to the City Commission

None.

OLD/NEW BUSINESS (continued)

BUS-6 15-1483 Proposed Land Swap of Parcels Owned by Randolph Companies and the City of Fort Lauderdale (Bahia Cabana/Station 49)

City Manager Feldman cited the term sheet provided to the Commission for the land swap. He stated if the Commission decides to move forward on the land swap, the City will need to order appraisals on both the fire station property and the property to be swapped. It will then need be brought to the Commission for a vote.

Robert Hoecherl, Fire Chief, stated he has met with the developer, Randolph Equity Partners. He further addressed questions from the Commission regarding the plans and the concerns regarding new fire house. Questions and discussion ensued among the Commission and Fire Chief on the proposed new location and contingencies from the developer such as parking and storage.

Stephanie Toothaker spoke on behalf of Randolph Equity Partners to get the Commission to agree to authorize the negotiation process. She addressed Ocean Rescue parking at the proposed new fire

house. Ms. Toothaker stated, on behalf of the developer, Randolph Equity Partners, they are committed to finding a solution that is acceptable to both the City and the Fire Department initially starting with a valet service for Ocean Rescue. Ms. Toothaker stated the concept plan submitted to the Commission still has details that need to be worked out and along with additional enhancements.

Commissioner Trantalis moved to go forward. Commissioner Rogers stated he had concerns with moving the station to proposed new location and the ability to navigate past Bahia Cabana. Ms. Toothaker addressed those issues in her response and discussion ensued with the Commission and Fire Chief Hoecherl. Mayor Seiler commented that his primary concern is public safety. City Manager Feldman stated he will move forward with the appraisals.

BUS-4 15-1203 Canal Dredging Master Plan Presentation

City Manager Feldman opened the discussion and City staff gave a presentation on the Canal Dredging Master Plan. The presentation gave a detailed explanation of the dredging process in this master plan noting the importance of canal dredging because it maintains the safe navigation and allows for storm water flow in to the City's canals. It was noted the Marine Advisory Board contributed their comments to staff concerning the City's dredging criteria for navigation purposes. Commissioner Trantalis asked if this plan focused on navigation canals as opposed to drainage canals. Staff stated the plan focuses on the navigation canals stating the drainage canals are funded by the drainage storm water fund. The total projected cost for the remaining canals that require dredging is 8 million dollars for the first seven-year cycle with 1.5 million funded by the storm water fund. Mayor Seiler asked if this should be coordinated with the two-year dredge being done currently from 17th Street to Sunrise Boulevard. This was addressed in the presentation. Funding source methods, assessments or taxes, for the project were discussed and concerns, comments and questions from the Commission ensued during the presentation.

A copy of this presentation is attached to these minutes.

Charles King spoke giving his comments to the Commission regarding funding.

CITY MANAGER REPORTS

None.

There being no other matters to come before the Commission, Mayor Seiler adjourned the meeting at 11:50 p.m.