

# City of Fort Lauderdale

*City Hall  
100 North Andrews Avenue  
Fort Lauderdale, FL 33301  
[www.fortlauderdale.gov](http://www.fortlauderdale.gov)*



## Meeting Minutes - DRAFT

**Tuesday, March 15, 2016**

**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***

## ROLL CALL

**Present: 5 -** Commissioner Rogers, Commissioner Roberts, Vice-Mayor McKinzie, Mayor Seiler, and Commissioner Trantalis (arrived at 1:39)

## QUORUM ESTABLISHED

**Also Present:** Assistant City Manager Stanley Hawthorne, City Auditor John Herbst, City Clerk Jeffrey A. Modarelli, City Attorney Cynthia A. Everett and Sergeant At Arms Sergeant W. Auguste

Mayor Seiler called the Commission Conference Meeting to order at 1:30 p.m.

No public comments were submitted by email for this meeting.

Mayor Seiler asked City Attorney Everett to introduce new Assistant City Attorney Candace Duff noting Ms. Duff will be focusing on the City of Fort Lauderdale's Executive Airport.

### Events and Matters of Interest

*The Mayor and members of the Commission announced recent and upcoming events and may raise matters of interest or concern.*

## **CITY COMMISSION REPORTS**

### **Metropolitan Planning Organization (MPO) – Infrastructure Sales Tax – Regional Transportation System Discretionary Sales Surtax**

Commissioner Rogers stated he will be attending continuing discussions on surtax issues that will be the subject of a MPO Workshop on March 17, 2016. It is hoped that by April 3, 2016, there will be a definitive direction on how to proceed. Commissioner Roberts stated the last proposal at the MPO Board Meeting was for a 60/40 split, with 60 percent going to the County for transportation only and 40 percent to the municipalities. Commissioner Rogers who is also on the Surtax Committee noted the outstanding issue is with regard to how the 40 percent going to the municipalities will be handled. The two tracks going forward will be the result of the County Workshop and the County Commission's decision made at the County Commission Meeting on Tuesday, April 5, 2016.

Commissioner Roberts said municipalities will be initiating support of an Infrastructure Tax only. They will do this by resolution from the municipalities representing 50 percent of the population. The issue will be how the municipalities will be in control their fair share of the revenue. Commissioner Roberts said this is the real sticking point in the negotiations and noted by the middle of April it would be known which path to take. The City Commission should be ready to move forward with a resolution on this topic at the April 5, 2016 City Commission. City Manager Feldman noted the resolution is currently being reviewed by the City's legal staff.

Commissioner Trantalis raised the point that the County will be using a portion of any tax for funding The Wave project in the City. Commissioner Trantalis noted that the City will still need funds to fulfill infrastructure needs and other projects.

### **Port Everglades**

Commissioner Rogers noted on Sunday, March 15, 2016, Port Everglades (the "Port") clocked a new record for the most cruise passengers in a single day, according to Port officials. Estimates indicated more than 54,700 passengers sailed in and out of the Port in Broward County. This resulted in significant traffic congestion on SE 17<sup>th</sup> Street at Eisenhower Avenue. Regarding this issue, on March 28<sup>th</sup>, there will be a meeting at the Port to address traffic congestion issues in the area. Those in attendance will include Commissioner Rogers, Tim Ryan, Jim DeMarca, an urban planner from Florida Atlantic University, local civic associations, and Diana Alarcon from the City's Transportation and Mobility Department to discuss the 17<sup>th</sup> Street Mobility Plan and solutions at the Port to alleviate congestion. Discussions ensued on this issue and City resources to alleviate the congestion.

Commissioner Rogers also noted the Seatrade Cruise Global begins Monday, March 16th and runs through Thursday March 17<sup>th</sup>. It is slated to attract more than 800 exhibitors and about 11,000 attendees, generating more than \$10 million in economic impact in the area. Formerly held in Miami, it will be held in the City through 2018 as renovations continue at the Miami facility.

### **Lauderdale Isles – Airport Noise**

Commissioner Rogers said the Lauderdale Isles Civic Association has an Airport Noise Committee working to address airport noise on the west side of Hollywood/Fort Lauderdale International Airport. They requested the City to do another resolution addressing the flight pattern noise issue. Commissioner Rogers recommended taking the existing resolution and make necessary adjustments. This has been done and Commissioner Rogers has passed it on to the City Attorney's Office for review. Discussions ensued on this item.

### **Bahia Mar**

Commissioner Rogers asked City Attorney Everett to create a memorandum outlining where the City is from a legal standpoint, timeframes, the ability to have a workshop, etc. Currently, there is a partial draft. In his conversation with City Attorney Everett, he clarified that the City needs to negotiate this situation differently as the City is the owner of the property. Discussions ensued on the issue including thoughts regarding an entity such as CBRE to negotiate a lease agreement that benefits all parties. It was noted that the City's contract with CBRE would need to be amended. It was recommended that City Staff and the developer should meet with the public in a Town Hall format. Mayor Seiler noted that the Boat Show's promoter and the Marine Industries Association of South Florida have reached a 30 year agreement. Further discussions ensued on this subject.

### **St. Patrick's Day Parade**

The success of the St. Patrick's Day Parade was noted by the entire Commission and the possibility of promoting it in future years was discussed. Mayor Seiler showed a video of a portion of the parade illustrating its success. Mayor Seiler complimented City Staff on their outstanding efforts in making the St. Patrick's Day Parade a success for the City.

### **National League of Cities Conference**

Vice-Mayor McKinzie noted his attendance at the National League of Cities Conference, his attendance at a forum addressing creating a Youth Council in the City and the benefits associated with the City reaching out to its youth.

Commissioner Roberts also attended the National League of Cities Conference and discussed the following items as a result of his attendance. There is grant funding available for additional police officers for their first three years with the City. The City is also part of the free sharing of the Cyber Security Office. Commissioner Roberts requested an update memo from City Manager Feldman as to

where the City is on this subject. Commissioner Roberts noted City Manager Feldman will be on the City's Task Force to address and work on the heroin/opioid overdose crisis. In relation to this, police officers as well as fire rescue services are being trained around the country to dispense the Narcan to counteract the effects of heroin/opioid overdoses occurring on the scene of a call. Commissioner Rogers also noted the Department of Justice as developed a program entitled "Community Policing in the 21<sup>st</sup> Century." It is a brand new program to support police agencies in developing community policing and problem solving as part of policing programs throughout the country including direction on the possible use of police body cameras, and the need for the involvement of an entire communities' holistic approach to community policing in the 21<sup>st</sup> century. Further discussions ensued on various topics raised by Commissioner Roberts and Vice-Mayor McKinzie's attendance at the National League of Cities Conference.

It has been noted by the National League of Cities there is a lack of both State and Federal support for cities with regard to accomplishing the key areas of infrastructure, public safety, and economic development. There was discussion about bringing forward a City resolution supporting an initiative by the National League of Cities to address this issue in the 2016 national election. This initiative by the National League of Cities' 2016 task force is entitled ***Cities Lead – Presidential Election Task Force*** whereby the country's national candidates are urged to support cities' initiatives in their key areas of responsibility including infrastructure, public safety, and economic development.

Commissioner Trantalis noted he was on a committee for the Lake Okeechobee C51 Project that is a \$71,000,000 project of which the State only allocated \$2,000,000. Commissioner Trantalis gave this as an example of the State not taking this project which affects local municipalities seriously. Commissioner Trantalis said, fortunately, the City's source of water is not highly threatened by salt water intrusion as the City's aquifers are insulated from a two foot sea-level rise and salt water penetration.

***Information regarding this initiative is attached to these minutes.***

#### **Code Enforcement**

Vice-Mayor McKinzie said he has Code Enforcement and the City's Police personnel attend his community and homeowners association meetings to address the numerous code questions and issues raised among residents. Vice-Mayor McKinzie stated this goes a long way in allowing an understanding of what is working and what is not working in the community as well as the building of relationships and better communications between residents, code enforcement and members of the police department.

#### **16<sup>th</sup> Avenue and 10<sup>th</sup> Street**

Vice Mayor McKinzie addressed City Manager Feldman regarding the prostitution problem prevalent at this location noting it is heading east. The Vice-Mayor requested the City Manager ensure the police department be focused on this issue.

#### **Quality City Magazine Article**

Commissioner Roberts noted Quality City Magazine has rated the City of Fort Lauderdale as one of the top cities in the State for hiring veterans and creating veterans' initiatives.

#### **Haifa, Israel**

Commissioner Trantalis confirmed his upcoming visit to the sister city of Haifa in Israel. He will be

meeting with its Mayor on May 25<sup>th</sup>. This opportunity was a result of having met with the Israeli Deputy Counsel noting they are excited about igniting the relationship between the two cities.

### **Central Beach Master Plan – Public Workshop**

Commissioner Trantalis noted on March 29<sup>th</sup> there will be an important Central Beach Master Plan Public Workshop at the Hilton Hotel on the beach from 5:45 p.m. until 8:30 p.m. This will be a follow-up to the prior workshop held two and one-half years ago. City Staff has now proposed a code to distill the concepts that were discussed at the prior workshop held in November, 2013. City Manager Feldman confirmed the format will be a PowerPoint Presentation followed by stakeholder discussions.

### **Crescent House**

Commissioner Trantalis asked City Attorney Everett the status of the litigation regarding Crescent House. Assistant City Attorney Rhonda Hasan updated the Commission stating they are meeting with the attorneys and the Zoning Administrator on March 29, 2016. There have been preliminary discussions and a desire on behalf of the State, the lessee and the sub lessee to come into compliance with the zoning restrictions. Commissioner Trantalis asked for confirmation that the facility will remain there but for a different purpose. Assistant City Attorney Rhonda Hasan confirmed this for Commissioner Trantalis.

### **Road Closings for Special Events**

Commissioner Trantalis noted there was a beach marathon event over the weekend that caused road closings and major traffic congestion. Commissioner Trantalis asked City Manager Feldman the status of City Staff developing the necessary criteria, parameters, and the prioritization of applicants' submissions to the City to accommodate any requested road closings for special events. City Manager Feldman stated a survey and research as to how other municipalities handle these requests is ongoing and these efforts will address solutions for the City. Discussions ensued on this topic including determining the promoters and organizer's status as a for-profit entity or a non-profit entity, staying within determined parameters, reimbursing the City for its costs, and the City being more selective in granting road closings for special events.

### **Schlitterbahn Waterpark**

Commissioner Trantalis asked City Manager Feldman about the status of Schlitterbahn Waterpark litigation. City Manager Feldman that currently they are in a 170 day due diligence period which will expire in July, 2016, and they have not requested an extension.

### **Loss of Fire Fighter Driver Engineer**

Mayor Seiler noted the loss of highly regarded Firefighter Driver Engineer Daniel Joseph Falcone. Mayor Seiler advised the Commission that he will request a moment of silence in memory of City Firefighter Driver Engineer Daniel Joseph Falcone at this evening's Regular Commission Meeting commenting that is a tragic loss for the City.

### **USS Fort Lauderdale**

Mayor Seiler apologized for having to step out of the Commission's last Conference Meeting to have a telephone conversation with the Secretary of the Navy for reasons he could not disclose at the time due. Mayor Seiler stated the Commission is now aware of the conversation as it has been made public that the U.S. Navy is naming its latest 12th San Antonio-class amphibious transport dock ship of the United States Navy, the USS FORT LAUDERDALE. The USS FORT LAUDERDALE will feature a high-tech, sea-based platform that is networked, survivable, and built to operate with and accommodate

a variety of military landing craft and assault vehicles and is a great honor for the City. Commissioner Roberts noted that Mayor Seiler's efforts and work over the past seven years in achieving this rare honor for the City. Mayor Seiler noted that this announcement was awaiting approval by the U.S. Congress prior to disclosing this publicly.

#### **Update on Federal Court House – Fort Lauderdale, Florida**

Mayor Seiler said he attended an exceptional meeting regarding the renovation needs of the City's Federal Court House. Mayor Seiler said there were positive developments on both the P3 side and the regular traditional funding side. The public hearing had good input from all attendees and the City is continuing their efforts. It was noted that the City has moved up on the list of federal court houses in need of renovation.

#### **Miami Dolphins**

Mayor Seiler stated the Miami Dolphins have moved all of their employees and their headquarters into downtown Fort Lauderdale. While the stadium is under renovation, they will be located on several floors of the Florida Atlantic University Building. He requested anyone who sees Miami Dolphin personnel in the City, extend a warm welcome.

#### **Salvation Army**

Mayor Seiler met with Mr. Biggers who is now at the helm of the City's Salvation Army stating. Mayor Seiler stated the Salvation Army is undertaking expansion initiatives in the City, and encouraged the other Commissioners to meet with them. One of their initiatives is to establish a safety net for families rather than sporadic assistance. They hope to offer items such as mentoring and counseling.

#### **Special Olympics**

Mayor Seiler attended the Special Olympics Ceremony at Cardinal Gibbons High School stating it was an inspiring and outstanding event.

#### **City of Hollywood**

The City of Hollywood is considering engaging a City Auditor for their city. Mayor Seiler stated he and City Auditor John Herbst will be meeting with the City of Hollywood presenting to their City Commission the associated benefits and role of a City Auditor.

#### **Governor's Veto List**

City Manager Feldman stated he had just received the governor's veto list, noting two items relating to flooding were vetoed. City Manager Feldman stated the mooring issue is still on the governor's desk.

### **OLD/NEW BUSINESS**

#### **BUS-1 16-0265      2015 Neighbor Survey Results**

Sarah Saunders, Senior Performance Analyst presented a PowerPoint presentation to the Commission regarding the results of the 2015 Neighbor Survey Results. Ms. Saunders stated the reason for this annual survey is to ascertain objectively assess satisfaction levels with the quality of City services and other factors that influence neighborhood perceptions of our City. The data is used to develop budget priorities and to measure trends over time to guide and evaluate the progress made with the strategic plan. Questions and answers followed the presentation.

***A copy of Ms. Saunders' PowerPoint presentation is attached to these minutes.***

**BUS-2 16-0357** Presentation of Draft 2015 Comprehensive Annual Financial Report

John Weber, Audit Partner from Crowe Horwath, presented the audit results of the City's 2015 Comprehensive Annual Financial Report. Michelle Blackstock, Senior Manager from Crowe Horwath, who contributed to the report, was also in attendance. Mr. Weber stated the presentation includes deliverables, financial highlights, and Crowe Horwath's opinions and observations. Crowe Horwath then issues an independent auditor's report on compliance with requirements applicable to major programs they audit such as federal and state grant programs. They then issue letters to those grant programs.

***A copy of Mr. Weber's PowerPoint presentation is attached to these minutes.***

Michelle Blackstock, Senior Manager from Crowe Horwath, who contributed to the report, was also in attendance and addressed the Commissions questions following the presentation.

**BUS-3 16-0204** Cypress Creek Mobility Hub Master Plan Study Presentation

Jim Hetzel, the City's Principal Planner, stated the Cypress Creek Mobility Hub, located in the area of the City called "Uptown" is also part of the City's CAP initiatives to change the underlying land use in this area and adopt the form-based code. Mr. Hetzel gave an overview of the presentation to the Commission. Mr. Hetzel began the presentation and Ms. Odalys Delgado a consultant with HNTB for the Metropolitan Planning Organization (MPO) continued the PowerPoint presentation.

***A copy of the Cypress Creek Mobility Hub Master Plan Study PowerPoint presentation is attached to these minutes.***

The City Commission's Conference Meeting was reconvened at 7:46 p.m. at the City Commission's Regular Meeting.

## **BOARDS AND COMMITTEES**

**BD-1 16-0355** Board and Committee Vacancies

Please see Regular Meeting Item R-1.

**BD-2 16-0356** Communications to the City Commission

**Marine Advisory Board – Meeting of Thursday, February 25, 2016**

*The Marine Advisory Board supports the following stipulations regarding approval of the project proposed by TRR Bahia Mar:*

1. *That the lease agreement between YPI, MIA SF, and TRR Bahia Mar must be contingent on a master lease agreement with the City;*
2. *That there is no selling of or docks as “dockominiums,” and that this be delineated in the master lease;*
3. *There should be a provision for dedicated day dockage included in the master lease;*
4. *Any dock development or kiosks should be minimized so as to not block the views of the marina or the fishing boats at A Dock;*
5. *The condo documents that are going to be created for the condominiums reflect the permanence of the Boat Show.*

*Mr. Batchelor and Mr. Walker recused themselves. Mr. Cable left the meeting prior to the vote.*

*The Marine Advisory Board supports the City of Fort Lauderdale's efforts to update and revise its seawall regulations in response to sea level rise and the changing regulations for minimum floor elevations for buildings. The Board also urges the City Staff and the City Commission to prepare the revised regulations and to present those regulations to the Marine Advisory Board as soon as possible. Until the new regulations are adopted, the Board supports efforts to provide relief or variances for seawall heights for those projects that are currently in the permitting pipeline. In a voice vote, the motion passed unanimously.*

Mr. Brett Wood addressed the Commission on this item as he stated he attended this meeting of the Marine Advisory Board though he is not a member of the Board. He clarified for the Commission there was discussion of potential transient dockage for people coming to enjoy the restaurants or go to the beach. The developer indicated they were willing to provide a certain number of slips for this purpose but there would be a charge. Discussions ensued among the Commission on this communication. It was decided that items number 3 and 4 be sent back to the Marine Advisory Board for clarification.

#### **Economic Development Advisory Board – Meeting of Wednesday, February 10, 2016**

*The Economic Development Advisory Board supports the increase in wages to the existing staff as well as to increasing the positions and hiring new staff to the Building Department immediately. In a voice vote, the motion passed unanimously.*

It was noted the reason for the increase in wages was to be competitive in the marketplace.

#### **Sustainability Advisory Board – Meeting of Monday, February 22, 2016**

*Sustainability is a major focus in Fast Forward, and Goals 2, 5, and 6 of Press Play address sustainable development. Development applications for new commercial projects greater than 5,000 SF, multifamily projects of five or more units, commercial projects within 100- feet of residential properties, and certain redevelopment and/or change in use projects are generally reviewed by the Development Review Committee (DRC). The DRC is composed of City staff representing various*



*departments and divisions including, but not limited to, Urban Design & Planning, Engineering, Transportation, Sanitation, and Police and Fire. Specific elements of sustainable development, however, may not be considered by the DRC as it is currently constituted. Therefore, since the City's Sustainability Manager is charged with developing, planning, and directing plans and strategies for the City's Sustainability Program, the Sustainability Advisory Board recommends that – in order to better meet the City's stated goal of promoting sustainable development – the Sustainability Manager be assigned to serve on the DRC.*

*The Sustainability Advisory Board has identified the following as its top sustainability priorities, and respectfully requests that the City Commission consider them when developing its Fiscal Year 2017 Commission Annual Action Plan:*

- 1. Develop and implement a green building and smart growth ordinance*
- 2. Increase resilience to sea level rise with specific attention to water quality and salt water intrusion*
- 3. Implement urban agriculture in public places*
- 4. Incorporate sustainability into the Development Review Process*

City Manager Feldman stated he would make a recommendation to put the Sustainability Manager on the Development Review Committee. Discussions ensued on the other recommendations among Commission. It was decided to have a community action plan discussion to discuss these items.

#### **Parks, Recreation, and Beaches Board – Meeting of Wednesday, January 27, 2016**

*A request for the installation of a Thorguard lightning predictor system on the beach through the Capital Improvement Plan.*

*The Parks, Recreation and Beaches Board was recently made aware that an RFP for synthetic turf for athletic fields has been initiated. The Board has been advised of health concerns related to the use of synthetic turf which is not stipulated in the RFP. The board would like the Commission to be aware before a vendor is selected. In the future, The Parks, Recreation and Beaches Advisory Board would like to request that all RFPs for use of synthetic turf should exclude the use of re-cycled tires or any known carcinogens. In addition, we would like to request receiving a copy of the chemical makeup of any material used for synthetic turf production.*

Commissioner Roberts stated he would like to see the City move forward with this recommendation. Mayor Seiler stated the City would investigate this item further.

#### **Parks, Recreation, and Beaches Board – Meeting of Wednesday, February 24, 2016**

*In a revised communication to the Commission made on Wednesday, January 27, 2016 the Parks, Recreation and Beaches Advisory Board would like to request that all RFP's accepted for use of synthetic turf and infill should exclude the use of crumb rubber or any infill with known dangerous levels of carcinogens. In addition, we would like to request receiving a copy of the chemical makeup of any material used for synthetic turf and infill production". In a voice vote, the motion passed 10-0.*

*After commentary from the community and consistent with the purpose of the Parks, Recreation and Beach Board, this board request that commission hold off on any forward progress of Bahia Mar until the board is advised of the development project details and has an opportunity to provide feedback.*

Discussions ensued on this communication regarding the use of synthetic turf and it was decided this item should be looked at further. City Manager Feldman stated Staff would look into the synthetic turf issue with the architectural team.

It was decided that Parks and Recreation should be part of the Workshop Meeting regarding Bahia Mar. City Manager Feldman confirmed all of the City's Boards will be invited to the Workshop Meeting regarding Bahia Mar.

## **CITY MANAGER REPORTS**

None.

There being no further business before the City Commission's Conference Meeting, Mayor Seiler adjourned the meeting at 8:22 p.m.