

City of Fort Lauderdale

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



Meeting Minutes - DRAFT

Tuesday, May 17, 2016

1:30 PM

City Commission Conference Room

City Commission Conference Meeting

FORT LAUDERDALE CITY COMMISSION

***JOHN P. "JACK" SEILER Mayor - Commissioner
DEAN J. TRANTALIS Vice Mayor - Commissioner - District II
BRUCE G. ROBERTS Commissioner - District I
ROBERT L. McKINZIE Commissioner - District III
ROMNEY ROGERS Commissioner - District IV***

***LEE R. FELDMAN, City Manager
JOHN HERBST, City Auditor
JEFFREY A. MODARELLI, City Clerk
CYNTHIA A. EVERETT, City Attorney***

Mayor Seiler called the meeting to order at 1:34 p.m.

ROLL CALL

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

Also Present: City Manager Lee R. Feldman, City Auditor John Herbst, City Clerk Jeffrey A. Modarelli, City Attorney Cynthia A. Everett, and Sergeant at Arms Francisco Vetancourt

No public comments were submitted by email for this meeting.

CITY COMMISSION REPORTS

Events and Matters of Interest

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

38th Annual Community Appearance Awards

Commissioner Rogers stated that nine different properties in District IV received awards at the 38th Annual Community Appearance Awards. Commissioner Rogers also noted the event was both well attended and well run. Commissioner McKinzie said a commercial property in District III, Ivory's Take-Out, also proudly accepted a Community Appearance Award. Mayor Seiler and Commissioner Rogers thanked City Staff and members of the Community Appearance Board for all of their hard work in making the event a great success.

V Column Pour At Brightline's All Aboard Florida's Fort Lauderdale Station

On Friday, May 13, 2016, Mayor Seiler was joined by the City's Commissioner McKinzie and Commissioner Rogers, and other community leaders for the ceremonial pouring of the iconic V columns at the City's All Aboard Florida's Brightline's rail station located northwest of downtown Fort Lauderdale. Each V-shaped towering column will be 22 feet tall and will frame the City's Brightline All Aboard Florida Station. Commissioner McKinzie noted this project will be an economic engine bringing jobs that will positively impact the City's downtown area.

City's Mobility Hub Meeting

Commissioner Rogers noted a meeting he will be attending on June 14, 2016, with Jose Gonzalez, Senior Vice President-Corporate Development Florida East Coast Industries, the Metropolitan Planning Organization (MPO) Staff, and City Staff. He said they will be meeting to ensure everyone is moving in the same direction regarding the Mobility Hub in the areas between Broward and 4th Street, and Andrews Avenue and the railroad tracks. Commissioner Rogers stated there is a MPO grant for \$3,500,000 to address this area and should anyone on the Commission have input on this to please advise him as this will be the City's Mobility Hub.

Back-Flow Valves

Commissioner Rogers commented he has heard from his constituents about how the Back-Flow Valve requirements will work in the City. He noted that City Manager Feldman had previously stated the City is

still waiting to hear from State officials as to how this program will work. Discussions ensued on the City's self-imposed moratorium. Commissioner Rogers urged City Manager Feldman to be proactive with the State to get some more direction on this issue for the citizens.

17th Street Mobility Study

Commissioner Rogers said on June 6, 2016 he will attend a follow-up meeting on the 17th Street Mobility Study and it will include the proposed solution of using back streets to disburse traffic in the area. He stated this proposal will generate traffic concerns from the neighborhoods. It was noted that in the City 75% of residential neighborhoods in the City are abutting major traffic arteries. Discussions ensued on this topic noting that during this process some hard choices will need to be addressed.

Friday Night Soundwaves

Mayor Seiler and Commissioner Rogers noted the success and large crowds at the Friday Night Soundwaves event. They both noted it is a positive development for the City's beach area.

Mr. Abraham Irving's Retirement (a/k/a Honeybun)

Commissioner McKinzie discussed his attendance along with Commissioner Roberts at the retirement celebration for Mr. Abraham Irving at Carter Park noting it was very well attended. Commissioner McKinzie noted Carter Park is located close to where Mr. Irving grew up, and Mr. Irving volunteered there for many years prior to working for the City in Carter Park. Commissioner McKinzie recognized City Staff's great job of acknowledging Mr. Irving's 25 years of service to the City at this event. Commissioner McKinzie also stated Mr. Irving's retirement event was followed by Friday Night Tunes at Carter Park, and attendance was between 300-400 people.

Mayor Seiler stated Mr. Irving has done a great deal of good things for the City, and the City should look at finding a significant way to honor Mr. Irving further for his many years of service to the City, always done with a smile.

Code Violations

Commissioner McKinzie raised the issue of recategorizing code violations into two categories, life/safety code violation issues and non-life/safety code violation issues. Discussions ensued among the Commission members on ways to address the difference. Commissioner McKinzie suggested putting a cap on fines for minor code issues such as grass growing through asphalt on a driveway or not enough gravel in a driveway. He specifically cited Lauderdale Manors as an example where the majority of those houses were built without driveways. Vice Mayor Trantalis suggested possibly establishing a team of City Staff who would address the work related to the non-compliance if the homeowner does not address the issue. The costs of this would then be attached as part of the lien and this would resolve the violation. City Manager Feldman stated for life/safety issues, the Property Board can issue an order for this to be done. Regarding non-life/safety code violations, City Manager Feldman deferred to City Attorney Everett as to whether the City has the right to go on private property to remedy non-life/safety code violations such as cosmetic issues. Commissioner McKinzie said he is opposed to fees mounting up to extremely high levels. Vice Mayor Trantalis noted that fines are used to incentivize property owners to correct code violations. City Manager Feldman stated some cities put a cap on fines based on the property value. Further discussions ensued on the possibility of incentivizing the payment of code violation fines and other possible remedies such as an amnesty program for certain types of code violations in order to achieve the goal of building up communities rather than allowing the degradation of communities to continue. Mayor Seiler noted there were 300 properties on the Lot Clearing List and 60 properties on the Boarded Up Properties List and requested City Staff to provide a revised list of each of these lists to include the street addresses of the properties. The Commission requested City Staff to develop a best practices solution to have a better process to address code violation issues.

Building Department

Commissioner McKinzie said he attended a meeting with the Building Department's Staff to address the delay issues in this department. He commented submissions to the Building Department are often submitted inadequately with a lack of all required information. Commissioner McKinzie stated often times, Staff is asked about what is required to submit an adequate and complete submission. He stated this consumes a great deal of Staff's time resulting in the delay of other submission reviews, and compounding the long approval timeline due the shortage of Staff in the Building Department. Commissioner McKinzie encouraged those applying for building permits to take ownership of their submissions to the Building Department and submit requests that are complete and thorough to assist in avoiding a backlog of delayed building permits.

Commissioner Roberts stated he spoke before the Smart Growth Committee and heard from one of the architect's in attendance, Steve Edwards, who commended several employees of the City's Building Department for the work they are doing and their professionalism. They included Structural Plans Examiner Joseph Precanico, Flood Plain Manager Richard Benton, and Building Official John Travers. Conversely, Commission Roberts noted complaints about the City's Building Department while attending Broward County's Downtown Urban Core Workshop specifically noting the delays with the permitting process issues. Further discussions ensued.

CRA

Commission Roberts raised the issue of discussions he participated in at Broward County's Downtown Urban Core Workshop regarding the viability of CRAs including the City's CRA. Those discussions included the fact that the City does not have to allow its CRAs to sunset and there are different methodologies to set up CRAs in a different manner to be able to extend them. Commissioner Roberts urged the City to examine its CRAs prior to its expiration and to ascertain if it is possible to extend the City's CRAs. Commissioner Roberts requested this item be brought back for a conference discussion in the near future, and he noted the Broward Workshop will be making this issue one of their agenda items. Further comments and discussions ensued including how the City's CRAs were first setup.

CRA Audit

Commissioner McKinzie made the Commission aware that the City Auditor Office's CRA Audit is not yet complete, and the portion requested by Commission Roberts to go out to the State Attorney's Office for an outside investigation is currently in the State Attorney Office's hands. Commission McKinzie requested to see both of these things when they are completed.

Mayor Seiler asked City Auditor Herbst where his department is on these items. City Auditor Herbst stated he turned the information over to the Public Corruption Unit of the State Attorney's Office, and they will make a determination based on their review of the documentation provided to them by the City. They will ascertain if there is something which needs to become a criminal investigation. City Auditor Herbst stated the policy of the Public Corruption Unit is to only advise the City if they decide to move forward with charges. He stated the comprehensive audit of the CRA, including both an operational and financial audit is still ongoing. Commissioner Roberts made a key point that these reviews were initiated by the City. City Auditor Herbst stated there will be a preliminary audit report of the CRA from his office available within the next two to three months as it continues to move forward.

Update on Infrastructure Surtax Implementation and Education Process

City Manager Feldman stated over ninety percent of the population of the County, through the prospective municipalities, have adopted uniform resolutions which puts the proposed Infrastructure Surtax on the ballot. City Manager Feldman stated that County Commissioner Ryan indicated the County still has some say in the ballot language, although attorneys at a meeting last week indicated the County Commission does not have that discretion. He said this is an issue in need of further vetting

between the cities and the County. City Manager Feldman stated the City Managers met last Monday to discuss the potential next steps, and there is a dichotomy of effort between the Metropolitan Planning Organization (MPO) and the cities as the MPO is only required to educate the electorate on transportation related aspects of infrastructure. The balance of educating the electorate on the infrastructure needs for other areas would be the responsibility of the cities and the County. He also stated there is a need to resolve the differences between the cities and the County, and there are plans to engage in dialogue to close the gap as the County will still be the recipient of \$132,000,000 per year for infrastructure which is forty percent of the sales tax collected under the Infrastructure Sales Tax Program. He also said in order to be successful, the County needs to put forth a plan on how they plan to utilize these funds.

Vice Mayor Trantalis asked about the City's plan with respect to this issue. City Manager Feldman stated City Staff is preparing a ten-year plan for the Commission with concepts and numbers for the City's future infrastructure needs which will be completed by the end of June 2016. Comments included using the proceeds from the infrastructure sales tax for the City seawalls to fund debt service on a new Police Station and other Capital Improvement Projects (CIPs) not being addressed by Homeowners Associations (HOAs). Additional comments included other important items for the Commission to consider. City Manager Feldman stated the City's need to be prepared to start rolling this item out to City residents. He also stated the City cannot use public dollars to advocate for the Infrastructure Sales Tax, and public dollars can only be used for educating the public on the infrastructure sales tax.

Vice Mayor Trantalis noted that even if the infrastructure sales tax is approved, the funding from this will not meet all of the City's infrastructure demands based on the numbers City Manager Feldman presented to the Commission. Vice Mayor Trantalis requested City Manager Feldman to meet with the Budget Advisory Board to discuss restoration of the storm water and water funds only being spent on storm water and water related projects and not moving those funds around to balance the City's budget. Additionally, Vice Mayor Trantalis asked City Manager Feldman to address with the Budget Advisory Board using storm water and water funds for bonding out the balance of the City's infrastructure needs identified as City priorities.

Budget Process

Commissioner Roberts noted the City has not kept the same budget process as done in previous years, and there is a need to get back on track in order to have the type of input needed for meetings with the Budget Advisory Board. Further discussions ensued on the increased costs for the City on various items such as the first installment for beach renourishment and an increase to the police and fire pensions due to actuarial assumption changes.

Air and Sea Show

City Manager Feldman noted only receiving two complaints regarding the City's recent Air and Sea Show. One included the inability of a constituent to bike from the north area of the beach southward. The other was Staff's lack of information for the attendees entering the Air and Sea Show which was confirmed by City Auditor Herbst. Mayor Seiler noted the dates for the 2017 Air and Sea Show will be May 6th and 7th, 2017.

CITY COMMISSION REPORTS

OLD/NEW BUSINESS

BUS-1 16-0427 Science Park at the Museum of Discovery and Science

City Manager Feldman gave a brief history of this item as noted below. He stated it will ultimately be brought to the Commission for a decision.

Currently, Project Discovery, Inc. owns the property located at 400 West Broward Boulevard valued at \$1,600,000. The corporation has agreed to sell to the City an interest in the property with proceeds used by Project Discovery, Inc. to fund the development of a "Science Park."

At a future Commission meeting, City Staff would present a funding agreement with Project Discovery, Inc. in which the City will agree to pay \$1,000,000 for a 62.5% interest in the property which shall be paid equally over three (3) fiscal years and would be paid out of the Economic and Community Investment budget. Simultaneously with execution of the funding agreement, the City and Project Discovery, Inc. would then execute three sales agreements which would be binding and enforceable. Upon approving the funding agreement and subsequent execution of the sales agreements, the City would begin negotiations to lease its interest in the property to Project Discovery, Inc. for a term not to exceed fifty (50) years at \$1.00 per year.

The Museum of Discovery and Science will create Science Park to encourage open-ended experimentation with the physical sciences and the development of science thinking skills. The dynamic outdoor expansion of the Museum of Discovery and Science's interactive learning experience will be a family-based zone of discovery and will welcome visitors of all ages to explore thinking skills through hands-on explorations in an outdoor setting. The exhibits will provide multiple content-rich opportunities to experiment with basic principles of the physical world.

Science Park is a critically important element in the Museum's goal of supporting STEM (Science, Technology, Engineering, and Mathematics) related workforce development.

A copy of the Museum's Science Park renderings is attached to these minutes.

Vice Mayor Trantalis asked if other cities within the County will be contributing to the City's funding. He voiced his concern over having to compromise another program in the City due to the funding for this item which has not been budgeted for in the City's budget. Vice Mayor Trantalis further stated the City is not the only community that will benefit from the Museum and requested City Manager Feldman to go back to the County letting them know the City would be happy to participate but not for the entire amount requested. City Manager Feldman noted the City had budgeted \$250,000 per year for four years for this item. He stated that now it will be funded over a three year period. Mayor Seiler noted this same type of arrangement was done for the City's Performing Arts Center noting the County put in \$8,000,000 of which \$4,000,000 was the City's. Mayor Seiler also noted that the Museum is an asset to the community and a great facility for the children.

City Manager Feldman stated the County's requirement only pertained to the City recognizing the tourist and development tax dollars were under the County's control and it represents the larger population. City Manager Feldman noted there is also a large capital campaign the Museum is undertaking due to the larger financial commitment.

Further discussions ensued on this item such as giving discounted admission for residents of the City in order to justify this expense to the City's taxpayers.

Kim Cavendish, President and CEO of the Museum of Discovery and Science, addressed the Commission noting 80 percent of the approximately \$8,000,000 operating budget comes from the fees collected from admission, and they receive almost no government subsidies. Commissioner Roberts asked Ms. Cavendish about giving a reduced admission price to Fort Lauderdale residents. Ms. Cavendish's recommendations included giving the City's children free access to the park on specified days of the year. Mayor Seiler requested City Manager Feldman and Ms. Cavendish meet to discuss discount access for the residents and/or children to the Museum of Discovery and Science.

BUS-2 16-0590 Partnership with Young Men's Christian Association (YMCA) to Construct a YMCA Along the Sistrunk Corridor

Commissioner McKinzie gave the Commission an overview of this proposed project, the Partnership with Young Men's Christian Association (YMCA) to construct a YMCA Center along the Sistrunk Corridor. Commissioner McKinzie introduced Ms. Sheryl Woods, President of the YMCA of South Florida and Manuel Synalovski, Synalovski Ramnik Saye, to the Commission. Ms. Woods and Mr. Synalovski gave a presentation on the concept of this item which will benefit the Sistrunk Corridor and will enhance the entire community in the area.

Mayor Seiler recommended presenting this to the CRA Board. Commissioner McKinzie thanked all of the stakeholders involved for all of their efforts and time in working on this project.

A copy of the YMCA's presentation is attached to these minutes.

BUS-3 16-0613 Office Accommodations - Assistant City Attorney

Mayor Seiler asked for an understanding of this issue. City Attorney Everett explained the need for support personnel should a new assistant city attorney be located in a different building. City Manager Feldman noted after renovations are done in the 101 Building, City Auditor Herbst's Office will relocate to the 101 Building. Several options were discussed and discussions ensued. It was decided that when City Auditor Herbst vacates his offices on the second floor of City Hall and relocates to the 101 building, the City Manager's Structural Innovation Staff will relocate to that vacated area on the second floor of City Hall. The vacated space on the 7th floor can then accommodate the office accommodations of the new Assistant City Attorney. Commissioner Rogers stated the Commission should not have to be involved in the City Attorney's space planning needs.

Vice Mayor Trantalis asked about the space at the City's fire station building located on a lake in Poinsettia Heights questioning the ability to use that space for City employees. City Manager Feldman stated it is used for storage, there is only on street parking available and is not suitable for City office space.

BOARDS AND COMMITTEES

BD-1 16-0608 Board and Committee Vacancies

City Clerk Jeffrey Modarelli read the appointments on the resolution for the Regular Commission Meeting of May 17, 2016 as noted below.

AFFORDABLE HOUSING ADVISORY COMMITTEE

Katharine Barry and Mitchell Rosenstein

AVIATION ADVISORY BOARD

Mark Volchek

CEMETERY SYSTEM BOARD OF TRUSTEES

Myrna Pototsky and Michael Ruddy

EDUCATION ADVISORY BOARD

Lauren Wood and Barbara Singer

HISTORIC PRESERVATION BOARD

Bradford Cohen

SUNRISE KEY NEIGHBORHOOD IMPROVEMENT DISTRICT. BOARD OF DIRECTORS

Caldwell Cooper, Mark Grant, Jay Weiss, Larry Eldridge and Cliff Berry

Discussions ensued about potential, future appointees for vacancies on the City's various boards.

BD-2 16-0607 Communications to the City Commission

The Parks, Recreation and Beaches Board

The Parks, Recreation and Beaches Board would like to have the opportunity to weigh in during the planning and development phase of the Aquatic Complex. The board has ideas to bring the facility back to a world class status for use as an Aquatic Complex. In addition, the board would like to know the status of the original \$27 million allocated for this project.

The Commission agreed with the Parks, Recreation and Beaches Board to meet and get their input on the development and planning phases of the Aquatic Complex.

CITY MANAGER REPORTS

Ms. Ellis of the Riverwalk Trust gave an update on Shippey House, noting the required removal of asbestos was necessary and costly. She stated that during this process, it was found that a significant amount of carpentry repair work was also necessary, and there is no funding for this aspect of the Shippey House needs.

Currently, the tenant pays for no rent for the next five years and at the end of five years, they pay commercial rate rent. Shippey House also pays a \$3,000 stipend each year into the building fund. If the Commission agrees, a proposed alternative Ms. Ellis negotiated with the tenant of Shippey House included the following:

- The Shippey House and the City agree to extend the current five years of free rent to six years, and Shippey House will pay the cost of the necessary carpentry repairs.
- Shippey House will continue to pay the \$3,000 stipend into the building fund

Ms. Ellis requested the Commission to consider this offer. Vice Mayor Trantalis asked the cost of the carpentry repairs. Ms. Ellis stated the carpentry repairs will be approximately \$40,000, and the Friends of Shippey House does not have this funding.

Discussion ensued on various aspects of this item and the Commission members stated they had no problem with this proposal.

AJOURNMENT

There being no further business before the Commission at their Conference Meeting, Mayor Seiler adjourned the meeting at 4:15 p.m.