

# City of Fort Lauderdale

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



## Meeting Minutes - DRAFT

**Wednesday, September 7, 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 City Commission Conference Meeting of September 7, 2016 to order at 1:36 p.m.

## **ROLL CALL**

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

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

## **CITY COMMISSION REPORTS**

### **Events and Matters of Interest**

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

### **Town Hall Meeting**

Commissioner Roberts announced the success of his telephone Town Hall Meeting on Tuesday, August 30, 2016 noting there were calls City wide, across district questions, and to County wide questions.

### **Events**

Commissioner Roberts also stated he represented the City at a Town Hall Meeting with Senator Nelson. Items of discussion included the Zika Virus issue and the battle for Zika Virus funding in Washington, DC, the business climate within the City and Broward County, the grant the City received for the Firefighter's Wellness, and the transportation needs of the City.

Commissioner Roberts noted his attendance at the "FedUp" Rally at Stranahan Park to address the opioid use and the opioid overdoses stating State Senator Moraitis, County Commissioner Chip LaMarca, Dr. Osgood from the Broward County School Board was also in attendance as well as a representative from the States Attorney Office. Discussions ensued on this topic and the uptick of drug overdoses in the City. Mayor Seiler asked City Manager Feldman to coordinate a discussion on this issue with Police Chief Adderley and placing it on a future Conference Agenda for discussion. Further discussions ensued on this topic and the Fire Department administering over 200 doses of Narcan over eighteen months.

Commissioner Roberts noted the "Galleria Live" Planning and Zoning Board Advisory Committee Hearing had been moved back another month to October 2016.

#### **Employee Healthcare**

Commissioner Roberts raised the issue of healthcare with City employees and how the Commission will address this concern. Specific concerns include the timing of these decisions and how the decisions are being made that will affect City Employees. Commissioner Roberts noted employees concerns include their need for more time to participate in resolving this problem being encountering. City Manager Feldman stated the City has five different tiers of insurance under three separate healthcare plans for a total of fifteen different adjustments. City Manager Feldman stated the enrollment period would begin in October 2016. Commissioner Roberts recommended starting the enrollment period later than October 2016. Further discussions ensued.

#### **Surtax**

Commissioner Roberts noted the MPO's website [www.apennyatwork.com](http://www.apennyatwork.com) that is an informational/educational piece vetted by the MPO's attorney, addressing the surtax referendum item on the November 2016 ballot. He noted the website shows the ballot language and talks about the time frames, and is clarifying for the voters. Commissioner Roberts also stated this website illustrates all the projects the money is allocated for within the County should the voters pass this item in November. Further discussions ensued.

#### **Bill Keith Preserve**

Commissioner Rogers raised the issue of Bill Keith Preserve Park noting the Park is eroding and is located next door to failed marina development. Commission Rogers noted that at a meeting with nearby residents and Phil Thornburg of the City's Parks and Recreation Department, they asked this remedied. Additionally, the failed marina is being redeveloped and the developer is asking for a setback waiver for dredging next to the preserve of 25 feet to develop dock-condominiums. Further discussions ensued on the waiver request's impact on the park noting there were many moving parts and homeowners are concerned. Further discussions ensued.

#### **Riverland Road Project**

Commissioner Rogers passed out a spread sheet and pictures prepared by Parks and Recreation of the Black Property Design Plan for the Riverland Road project to the Commission. A copy of these is attached to these minutes. Questions, comments, and discussions ensued.

### **Shippey House**

Commissioner Rogers noted receipt of a good report on Shippey House. Commissioner Rogers also noted on October 10, 2016, there will be the grand opening of the Police Substation at Harbor Shops noting this is due to the uptick in car break-ins in the area. Comments and discussions ensued.

### **17th Street Mobility Plan**

Commissioner Rogers stated the meeting between the Port, the County, and City stakeholders and property owners on the 17th Causeway Transportation Mobility Plan will reconvene on Monday, September 12, 2016.

### **Flagler Village Art**

Vice Mayor Trantalis noted the continued turnout for the Flagler Village Artwalk and the increased turnout and quality of art. He encouraged the entire Commission to take the Trolley Ride between the Mass Art District on the north end and the FAT District on Northwest 1st Avenue.

### **South Middle River Improvements**

Vice Mayor Trantalis briefly summarized his attendance at the Florida League of Cities noting many cities around the state desire the level of real estate development we have in our City. Vice Mayor Trantalis thanked the Commission and the City Manager for their efforts with the success of the NW 15th Street Complete Streets Project noting it has completely transformed the appearance of the neighborhood and the feeling of hope that has been instilled in the South Middle River area as illustrated by improved landscaping and remodeling in the area.

Vice Mayor Trantalis noted the success of the drug related sting operation in the South Middle River neighborhood, a coordinated operation by the City's Police Department, federal law enforcement, and the community who communicated and participated in the effort which resulted in the arrest of 22 drug dealers. Vice Mayor Trantalis thanked everyone involved and noted this is "just the tip of the iceberg".

Vice Mayor Trantalis noted the groundbreaking ceremony for the 13th Street Complete Streets Project on Wednesday, September 14, 2016, stating he was hopeful it would transform this neighborhood. Vice Mayor Trantalis also noted developers have spoken with him about

reinvesting in this neighborhood due to the City targeting this area to create development. Further discussions and comments ensued regarding this making traffic on Sunrise Boulevard and ways to possibly open up streets that are currently closed off the north side of Sunrise Boulevard. Mayor Seiler recommended putting this subject on a future Conference Agenda for discussion after Vice Mayor Trantalis has an opportunity to discuss it with his constituents in this neighborhood along with input from the Police Department.

### **Events**

Vice Mayor Trantalis noted on September 13, 2016, at 6:00 p.m. at Fort Lauderdale High School there will be Town Hall Forum regarding the reconfiguration of Northeast 4th Avenue from Sunrise Boulevard up to the Wilton Manors boundary. He encouraged anyone in this area who is affected by this attend. Vice Mayor Trantalis confirmed that Wilton Manors has voted to narrow Wilton Drive. Further discussions ensued on this topic.

Vice Mayor Trantalis thanked FDOT for reconfiguring the landscape plan for A1A in the beach area as a result of the Zika Virus concerns.

### **Sebastian Street Land Swap**

Vice Mayor Trantalis asked City Manager Feldman about the Commission receiving a term sheet from the developer regarding the proposed land swap on Sebastian Street. City Manager Feldman stated the term sheet is being worked on and will be on the City Commission Conference Agenda for the next meeting.

### **Las Olas Corridor**

Regarding the Las Olas Corridor Improvement Project, Vice Mayor Trantalis stated it came to his attention that there is property just to the rear of the Las Olas Beach Club that once had an apartment building and a parking garage. He stated it was suggested, as an alternative parking garage site, should the City decide to build a parking garage, and this could be an alternative site for a parking garage that may be more appropriate as it is tucked away from waterfront views. Vice Mayor Trantalis stated he would discuss this further with City Manager Feldman following tonight's meeting. Further discussions ensued.

### **Lincoln Park**

Commissioner McKinzie raised an issue at Lincoln Park noting there is a growing number of people hanging out there and participating in such activities as full scale gambling, drinking, etc. He stated he is working with the City's Department of Parks and Recreation on addressing these issues during the day. However, his concern is with these activities taking place afterhours, i.e., after 9:00 p.m.

Further discussions ensued.

### **Events**

Commissioner McKinzie announced the upcoming golf tournament for the Sistrunk Festival on November 10, 2016, at the Fort Lauderdale Country Club. He noted for further details the contact person is Tim McGovern, Community Program Supervisor.

### **Budget Advisory Board and CRA Board**

Commissioner McKinzie noted his previous comments regarding the Budget Advisory Board (BAB) being a model for the entire City's Advisory Boards and the Commissions concurrence. Commissioner McKinzie suggested to City Manager Feldman moving forward with the three CRA Advisory Boards and other Boards being modeled after the BAB along with Mayor Seiler's recommendation of the Commission having a workshop to implement this action. Further discussions ensued.

### **Department of Sustainable Development**

Commissioner McKinzie commented on the memo regarding the turnaround of the City's Department of Sustainable Development stating he does not want to send the wrong message to developers as in certain situations, there may be additional issues to address in the application for building permit. Commissioner McKinzie stated he has asked Assistant City Manager Chris Lagerbloom and his staff to detail the information regarding permitting it sends to the Commission regarding building permitting timelines as it may not always be a 44 day turnaround time as each case is different. Further discussions ensued.

### **Employee Healthcare**

Mayor Seiler stated he wants to ensure the City is providing affordable and accessible healthcare for its employees and their families.

### **Sister City, Medellin, Columbia**

Mayor Seiler discussed his visit to Sister City, Medellin, Columbia, on behalf of the City with City Staff, and staff from FAU. He noted the outstanding success of the trip and the mutually beneficial partnerships and other things learned and shared during the visit. Further discussions and examples of what was learned ensued.

### **Events**

Mayor Seiler thanked all those involved and sponsored the half way to St. Patrick's Day event. Mayor Seiler noted the successful groundbreaking at The Gale and the role Vice Mayor Trantalis played, which resulted in a win-win for the City. Mayor Seiler noted the very

productive League of Cities Meeting where he received many accolades on City Manager Feldman and his new role as head of the International City/County Management Association. Mayor Seiler thanked the positive neighborhood efforts in the 15th Street and 4th Avenue area for the activism of their community leaders in fighting the crime and blight battles. Mayor Seiler noted his attendance at the Big Ideas Conference held at the Riverside Hotel stating it resulted in very good and interesting ideas which he will discuss further in the future. Mayor Seiler noted the 15th Anniversary of 9/11 and there are ceremonies being held at the Fort Lauderdale Fire Museum in conjunction with the City's Police and Fire Departments as well as the airlines pilots and flight attendants in the aviation industry who were also impacted by the events of 9/11. Mayor Seiler encouraged the Commission to support this event.

#### **Christopher Sheehan**

Mayor Seiler noted the very sad loss of Detective Christopher Sheehan to a tragic accident and acknowledged the dignified, respectful ceremony held in his honor at the Broward Center for Performing Arts and thanking both the City's Police Department and Fire Department. He also thanked City Staff for all their efforts and participation in the ceremony for Detective Sheehan noting his family's history of public service in our City.

#### **Budget Advisory Board and CRA Board**

Mayor Seiler stated he agreed with Commissioner McKinzie regarding the CRA Board and other Boards being modeled after the BAB and having a workshop to implement this action. Mayor Seiler thanked the BAB stating they could not be more thorough and concise. Further discussions ensued on doing workshops with all three CRA Advisory Boards.

### **CONFERENCE REPORTS**

#### **CF-1    [16-0939](#)**

#### **Quarterly Investment Report for Period Ending June 30, 2016**

City Manager Feldman stated City Staff is currently finishing up the RFP for Passive Investment for the OPEB Trust and will be meeting with Cemetery Advisory Board at their September 2016 Meeting to discuss the Commission's desire that they switch to passive investment as well. Further discussions ensued on the performance of the GERS among the Commission and City Auditor Herbst.

Kirk Buffington, Finance Director, addressed the Commission on this item stating the \$12,000,000 in the OPEB Trust is cash Treasuries in a separate account awaiting the investment strategy to be put in place

through the RFP noting it does help offset the cost that the City incurs on its banking. Further comments and discussions ensued on the Quarterly Investment Report for Period Ending June 30, 2016, including active and passive management of City funds.

Mayor Seiler recognized Mr. Paul Chettle, 200 S. Birch Road, who addressed the Commission with his comments, thoughts, concerns, and questions regarding this item.

Vice Mayor Trantalis asked City Manager Feldman about contributions for the City's Pension Funds obligations. City Manager Feldman stated there are two components involved with the contributions to the City's Pension Funds, the normal retirement contribution and the contribution related to the unfunded liability. The normal retirement contribution is based upon actuarial tables, payroll, and it pays for the benefits. The unfunded liability is like a mortgage on a house, having a principal and interest payment because the benefit that was granted was funded over a 30 year period and each year you pay principal and interest. The interest the City has to pay on the plan is based upon the actuarial rate of return which is 7.5 percent. Had those dollars been in the plan and not unfunded, the plan would theoretically be earning 7.5 percent. Additionally, the normal retirement piece is also looking at the assumed rate of return and to the extent it underperforms, "smoothing" (averaged over a five-year spread). The actuaries determine what the City's contribution must be based upon these components. Further discussions ensued on this topic.

Mayor Seiler recommended to Mr. Chettle that he may want to consider participating as a member of the BAB as it currently has a vacancy.

Mayor Seiler recognized Mr. Charles King, 105 N. Victoria Park Road, who addressed the Commission with his comments, thoughts, concerns, and questions regarding this item.

Mayor Seiler recognized Count Rosenthal, 1237 NW 7th Avenue, who addressed the Commission with his comments, thoughts, concerns, questions regarding this item.

Mayor Seiler confirmed for Commissioner Roberts that the City Commission will have a workshop on the issue of investment strategies. Mayor Seiler invited Mr. Paul Chettle to participate in this workshop.

## **OLD/NEW BUSINESS**



**BUS-1** [16-1024](#)

Transit Master Plan Presentation

Diana Alarcon, Director of Transportation and Mobility, addressed the Commission on the Transit Master Plan Presentation and introduced Mr. Joel Rey of Tindale Oliver & Associates who continued the presentation of the City's Transit Master Plan Presentation to the Commission from the City Commission Conference Meeting of August 16, 2016. Discussions and questions ensued during the presentation.

A copy of this presentation is attached to these minutes.

**BUS-2** [16-1079](#)

Update on Request for Proposals (RFP) for 911 Public Safety Communications Center

City Manager Feldman updated the Commission on the Request for Proposals (RFP) for 911 Public Safety Communications Center noting the need for the Commission to confirm that they wish to move forward with its own 911 Public Safety Communications Center.

Vice Mayor Trantalis confirmed the agreement of all members of the Commission for the need to ensure the best 911 system is in place that will respond to the calls from the City's citizens in an effective, timely manner and noting the number of complaints regarding the current County 911 system. Further discussions ensued on staffing a new City run 911 system with qualified personnel. Vice Mayor Trantalis noted that when the City previously had its own 911 system it was staffed appropriately. City Manager Feldman stated at that time, it was a bifurcated system and all the Police call takers were BSO employees who were previously City employees, and the Fire dispatchers were City employees. Additionally, as a result of attrition, former City employees no longer staff the County system.

Commissioner Roberts noted he would like the City to return to its own 911 System and the need for a Closest Unit Response. Further discussions ensued on the City having its own 911 Public Safety Communications Center and the recent report issued on this topic by the County.

Fire Rescue Chief Ahearn addressed Vice Mayor Trantalis's question about the City's ability to successfully reestablish and staff its own 911 Call Center with the caliber of trained professionals to provide the City with a superior level of 911 service above what is currently being provided by the County.

Fire Rescue Chief Ahearn stated that if the City provides a turnkey system from an expert through the RFP process, providing an

adequate pay schedule and pay package for staffing a City run 911 Call Center, it would attract the qualified people noting the training process would be lengthy. Further discussions ensued. Chief Ahearn emphasized the need for qualified people. The City should be looking for the best in the marketplace and if the City pays the appropriate level of compensation, the City should be able to hire the necessary personnel. Further discussions ensued regarding the cost and staffing for the City to run its own 911 Public Safety Communications Center.

Chief Ahearn stated much of this data and information currently resides with the County and there is a problem getting this information from the County to evaluate this option. Further discussions ensued on the County system and the aspects and challenges of a merged system, the need for a cost benefit analysis, and finding a way to make the current system work without having complete control over the current system. Vice Mayor Trantalis stated the City Commission's number one responsibility to take care of its residents and the current system is not up to par. Further discussions ensued on working with the County to improve the current system through addressing issues such as low morale, training, better management, and other issues.

Mayor Seiler asked Police Assistant Chief Major Michael Gregory the feelings of the Police Chiefs in Broward County on this topic. Major Gregory, part of the Communications Task Force, addressed the City Commission stating there is a great deal of concern among the Police Chiefs throughout Broward County regarding the 911 Public Safety Communications Center noting that the Office of Communications and Technology at the County stands between the municipalities and the Broward County Sheriff's Department when the need for improvements within the system arise. Further discussions ensued on the report, concerns previously voiced that went unaddressed, the baseline metrics used, and the need for improvements within the 911 Public Safety Communications Center. Police Assistant Chief Major Michael Gregory stated the County will have a new Motorola CAD System in place and running in early 2017. Further discussions ensued on other aspects such as staffing at the County for the 911 Public Safety Communications Center and other items noted in the report.

City Manager Feldman stated there are three parts to the County's Report on the 911 Public Safety Communications Centers. The first of which is the Assessment which will remain a draft until the County Commission acknowledges it and accepts it. City Manager Feldman stated Part Two will be the Recommendations of specific ways to improve the system. Police Assistant Chief Major Michael Gregory

stated Part Three will be the Implementation of the Recommendations in Part Two after vetting by Fire and Law Enforcement Chiefs.

Commissioner Rogers recommended giving the County three years to improve the system, noting that it is currently year two. Commissioner Roberts disagreed and further discussions ensued. Members of the Commission noted that the cost of the City implementing its own 911 Public Safety Communications Center is a major concern with no guarantee that the City system would be better.

Discussions ensued on moving forward with the RFP and City Manager Feldman noted there were three to four companies around the country who could potentially respond but none are located in South Florida. Further discussions ensued on making a decision of whether to take the 911 Public Safety Communications Center back in house. Police Assistant Chief Major Michael Gregory stated going with a contractor to shepherd the City through the process with the necessary expertise and experience would ensure a successful in house 911 Public Safety Communications Center and would provide City Staff with the necessary training, experience and expertise.

City Manager Feldman stated that Paul Berg, Public Works Director, has had previous experience setting up a 911 System when working in Illinois. Mr. Berg addressed the Commission on this subject emphasizing the need for the technical support as the entire system relies on the best technology, and the best training to back it up. Mr. Berg stated the County is capable of doing the same thing as the City. After attending the meeting last week, Mr. Berg noted the County's findings were on target. However, the end result will be what will the County do with their findings. Mr. Berg stated he thought the County is taking steps in the right direction noting major problems with their frequencies and there will be a significant cost to the City to address these issues. City Manager Feldman noted although the dispatch was tied to the radio's, the City will need to upgrade its radio system regardless of whether the City stays with the County's 911 System at a cost of approximately \$7,00,000 over time.

Mayor Seiler recommended scheduling this item for a vote at an evening meeting and in the interim, due to the enormous price tag, find out what other cities (through the League of Cities) have created a dispatch system in the last three or four years and now have it successfully up and running to assist in shepherding the City through the process with the latest technology and the best staffing for dispatching services. Commissioner McKinzie recommended tasking a member of City Staff to do the necessary research to find out what currently works well in another area of the country so the Commission

could make a more informed decision. Mayor Seiler recommended getting feedback from County dispatchers who were formerly City dispatchers prior to the systems merging. Further discussions ensued.

Mayor Seiler recognized Count Rosenthal, 1237 NW 7th Avenue, who addressed the Commission with his comments, thoughts, concerns, questions regarding this item, and recommending the Commission do more research before voting on an RFP for the City's 911 Public Safety Communications Center independent of the County's.

Mayor Seiler recognized Mr. Charles King, 105 N. Victoria Park Road, who addressed the Commission with his comments, thoughts, concerns, and questions regarding this item and recalled there was a referendum on the City merging with the County for a 911 Public Safety Communications Center.

Innovative Development (ID) District Ordinance

**BUS-3** [16-0844](#)

Not heard.

Finance Department Informational Presentation

**BUS-4** [16-1069](#)

Not heard.

### **EXECUTIVE CLOSED DOOR SESSION**

[16-1092](#)

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

Horace Smith v. City of Fort Lauderdale  
Case No. CACE 15-015707 (09)

Gilberto Killingbeck v. City of Fort Lauderdale  
Case No. CACE 15-002247 (05)

Brian Zelinski v. City of Fort Lauderdale  
Case No. CACE 14-021321 (12)

At 5:19 p.m. Mayor Seiler announced the commencement of the Executive Closed Door Session in the following matters:

Horace Smith v. City of Fort Lauderdale, Case No. CACE 15-015707 (09)

Gilberto Killingbeck v. City of Fort Lauderdale, Case No. CACE

15-002247 (05)

Brian Zelinski v. City of Fort Lauderdale, Case No. CACE 14-021321  
(12)

Mayor Seiler announced those in attendance as:

Mayor, John P. "Jack" Seiler  
Vice Mayor, Dean J. Trantalis  
Commissioner, Robert L. McKinzie  
Commissioner, Bruce G. Roberts  
Commissioner, Romney Rogers  
City Manager, Lee R. Feldman  
City Attorney, Cynthia A. Everett

Re. Horace Smith v. City of Fort Lauderdale and Gilberto Killingbeck v.  
City of Fort Lauderdale, Counsel will be Assistant City Attorney, Alain  
E. Boileau

Re. Brian Zelinski v. City of Fort Lauderdale, Outside Counsel will be  
W. Tucker Craig, Esq. of Billing, Cochran, Lyles, Mauro & Ramsey,  
P.A., and a

Certified Court Reporter with Daughters Reporting, Inc.

The estimated length of this attorney-client session is approximately  
60 minutes.

## **BOARDS AND COMMITTEES**

**BD-1**    [16-1022](#)    Board and Committee Vacancies

Please see Regular Meeting Item R-1.

**Mayor Seiler reconvened the City Commission Conference Meeting at 9:53 p.m.**

**BD-2**    [16-1023](#)    Communications to the City Commission

### **PARKS, RECREATION, & BEACHES BOARD**

*A motion was made by Karen Polivka and seconded by Bruce Quailey to advise that: "based on the fact that for the past several months the Parks, Recreation and Beaches Board has researched literature, attended a seminar and met with a vendor and taking into consideration the available research to date, the Board is highly advising the Fort Lauderdale City Commission not to proceed with Crumb Rubber as a top layer due to the significant possibility of*

*carcinogen risks and significant temperature increases. Based on current technology and a recent presentation from the company FieldTurf, the Parks, Recreation and Beaches Advisory Board supports consideration of Engineered Extruded Infield also known as CoolPlay due to the current data as presenting less risk of carcinogen and up to a 35 degree decrease in temperature compared to traditional Crumb Rubber.” In a voice vote, the motion passed 7-0.*

City Manager Feldman stated the City is not using traditional Crumb Rubber but is using a product called Cool Play. City Manager Feldman stated he did not agree with the Parks, Recreation, & Beaches Advisory Board's concerns on safety, the Crumb Rubber is not what the City is using. Mayor Seiler asked what product is being used at Carter Park. Further discussions ensued.

### **CITY MANAGER REPORTS**

None.

### **ADJOURN**

There being no further business before the City Commission at the Conference Meeting, Mayor Seiler adjourned the meeting at 9:55 p.m.