

City of Fort Lauderdale

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



Meeting Minutes

Wednesday, January 4, 2017

6:00 PM

City Commission Chambers

City Commission Regular 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***

Invocation

Pastor Brian Webb, First Baptist Church of Fort Lauderdale

Pledge of Allegiance

Interim Police Chief Rick Maglione

ROLL CALL

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

QUORUM ESTABLISHED

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

CALL TO ORDER

Mayor Seiler called the meeting to order at 6:05 p.m.

No public e-comments were submitted for this meeting.

AGENDA CHANGES[17-0082](#)

WALK-ON - Resolution Appointing Robbins Geller Rudman & Dowd, LLP as Special Counsel to General Employee's Retirement System to Pursue Lead Plaintiff Status in Federal Securities Fraud Class Action Filed Against The Allstate Corporation ("Allstate") in United States District Court Northern District of Illinois

Mayor Seiler also announced the following revisions and changes to the following agenda items:

CM-7 Lease should read "2016" not "2017" on page Romanette "i"

CM-10 Revision to Exhibit 1 of the Motion Authorizing Settlement of Liability Claim of Robert and Lee Peppers

OSR-1 Revisions to Sections 3 and 4 of Ordinance re: Affordable Housing Trust Fund

Approval of MINUTES and Agenda[17-0056](#)

Minutes for November 29, 2016, Joint Workshop with Fire-Rescue Facilities Bond Issue Blue Ribbon Committee and December 6, 2016, Regular City Commission Meeting

Vice Mayor Trantalis made a motion to approve this item and was seconded by Commissioner Roberts.

APPROVED

Aye: 5 - Vice Mayor Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

PRESENTATIONS

PRES- [17-0060](#)
1

Welcome and Introduction of Councillor Paul Taylor, City of Gold Coast, Queensland, Australia

Mayor Seiler announced, in conjunction with the organization of Sister Cities, the welcoming and introduction of City of Gold Coast Councillor Division 10 Paul Taylor. Mayor Seiler continued his comments citing the Sister Cities relationship being in place since 1980 and reaffirmed in 2010. He cited the strong trade relationship between the City and the City of Gold Coast via the free trade agreement between Australia and the United States. Mayor Seiler cited the many beneficial aspects of the trade agreement for both countries. He also highlighted the many similarities between the City of Fort Lauderdale and the City of Gold Coast with the tourism and marine industries.

Mr. Taylor addressed the Commission and recognized and reaffirmed the 37 year relationship between the two cities and committing to further developing the relationship between the City of Fort Lauderdale and the City of Gold Coast. Mr. Taylor's comments included the reciprocal visit by City Manager Feldman in May of 2016 to the City of Gold Coast to learn about waterway management from an economic perspective.

Mayor Seiler acknowledged the outstanding efforts of the Sister Cities organization in taking things to the next level.

PRESENTED

PRES- [17-0049](#)
2

Community Appearance Board WOW Awards for Districts I and IV

Commissioner Roberts requested that the Janon Strom family who

reside at 2741 NE 29th Street and those members of the Community Appearance Board present to join him at the podium for the presentation of the 2016 WOW AWARD for District 1.

Commissioner Roberts made the presentation to the Janon Strom family giving a brief history of the home's history and describing all of the aspects of the Strom's renovations that led to its selection for the 2016 WOW Award for District I.

Commissioner Roberts, on behalf of the City Commission and the Community Appearance Board, presented the Strom family with the City's Certificate of Appreciation from the Commission, a gift certificate from Red Cow, and an orchid donated by Home Depot to celebrate this recognition. Janon Strom thanked the Commission stating it was an honor to receive this award.

Commissioner Rogers requested that Kira and Daniel Fenton, residing at 1272 North Rio Visa Boulevard, and those members of the Community Appearance Board to join him at the podium for the presentation of the 2016 WOW AWARD for District 1V.

Commissioner Rogers made the presentation to Kira and Daniel Fenton. He gave a short history of the Fenton's experience of building their home in Rio Vista. He described the many unique and beautiful aspects of the Fenton's home and its design which lead to receiving the 2016 WOW Award for District IV.

Commissioner Rogers, on behalf of the City Commission and the Community Appearance Board, presented the Kira and Daniel Fenton with the City's Certificate of Appreciation from the Commission, a gift certificate from Red Cow, and an orchid donated by Home Depot to celebrate this recognition.

Daniel Fenton thanked the Commission acknowledging the help and assistance of his in-law, and his wife Kira in the design and building of this home. He noted their blessings of living in such a beautiful home as well as in the beautiful City of Fort Lauderdale.

PRESENTED

CONSENT AGENDA

Mayor Seiler announced that there would be no Consent Agenda vote because all the items on the Consent Agenda were pulled by the public and would be heard individually.

CONSENT MOTION**CM-1** [16-1516](#)

Motion to Approve Event Agreements: Sandz, Floranada Day, MindBody Expo, 33311 Walk "One Love, One Community, One World" and Noah's March

Mayor Seiler recognized Raymond Cox, 1700 SW 12th Court, who addressed the Commission with his comments, thoughts, concerns, and questions regarding this item.

Commissioner Rogers made a motion to approve this item and was seconded by Commissioner McKinzie.

APPROVED

Aye: 5 - Vice Mayor Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

CM-2 [16-1517](#)

Motion to Approve Event Agreements and Related Road Closings: Downtown BBQ Block Party, Ribbon Run 5K: Race to End Cancer, Harbordale School Association Walk-A-Thon and Dr. Martin Luther King Parade & Multi-Cultural Festival

Mayor Seiler recognized Raymond Cox, 1700 SW 12th Court, who addressed the Commission with his comments, thoughts, concerns, and questions regarding this item.

Commissioner Rogers made a motion to approve this item and was seconded by Commissioner Roberts.

APPROVED

Aye: 5 - Vice Mayor Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

CM-3 [16-1473](#)

Motion Approving Grant Application - Broward County Enhanced Marine Law Enforcement Program - \$144,340

Mayor Seiler recognized Raymond Cox, 1700 SW 12th Court, who addressed the Commission with his comments, thoughts, concerns, and questions regarding this item.

Commissioner Rogers made a motion to approve this item and was seconded by Commissioner McKinzie.

APPROVED

Aye: 5 - Vice Mayor Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

CM-4 [16-1575](#)

Motion Approving an Agreement with JM Auto, Inc. for a Sponsorship of Sunday Jazz Brunch 2017

Vice Mayor Trantalis made a motion to approve this item and was seconded by Commissioner Roberts.

APPROVED

Aye: 5 - Vice Mayor Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

CM-5 [16-1577](#)

Motion to Approve an Agreement with Young Men's Christian Association (YMCA) for the 2017 YMCA Diving National Championship

Mayor Seiler recognized Raymond Cox, 1700 SW 12th Court, who addressed the Commission with his comments, thoughts, concerns, and questions regarding this item.

Mayor Seiler recognized Art Seitz, 1005 North Ocean Blvd., who stated he was neutral on this item but commented on the diving competition held in Coral Springs, Florida, and the large attendance. Mr. Seitz also commented on the City's Aquatic Complex, upcoming swimming and diving meets, and future development at the Aquatic Complex site.

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road, who addressed the Commission. Mr. King's comments focused on the history of the City's Aquatic Complex, the lack of maintenance and upkeep leading to its current state.

Commissioner Rogers made a motion to approve this item and was seconded by Commissioner Roberts.

APPROVED

Aye: 5 - Vice Mayor Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

CM-6 [17-0069](#)

Motion Authorizing Lien Foreclosure Action

Mayor Seiler recognized Raymond Cox, 1700 SW 12th Court, who addressed the Commission with his comments, thoughts, concerns, and questions regarding this item.

Vice Mayor Trantalis commented for the record that he agreed in principal on this item in order not to set a precedent of leniency for these types of matters. He felt it was unfortunate that this was the only means for the City to collect the funds owed.

Commissioner Rogers made a motion to approve this item and was seconded by Commissioner Roberts.

APPROVED

Aye: 5 - Vice Mayor Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

CM-7 [16-0964](#)

Motion to Approve a Lease Agreement with One Broward Blvd Holdings, LLC

Mayor Seiler recognized Raymond Cox, 1700 SW 12th Court, who addressed the Commission with his comments, thoughts, concerns, and questions regarding this item.

Vice Mayor Trantalis made a motion to approve this item and was seconded by Commissioner Roberts.

APPROVED

Aye: 5 - Vice Mayor Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

CM-8 [16-1538](#)

Motion Authorizing Purchase of Property Insurance - Underwriters at Lloyd's of London, et al. - \$1,592,524

Mayor Seiler recognized Raymond Cox, 1700 SW 12th Court, 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. Mr. Rosenthal discussed Lloyds of London explaining that it is an international insurance pool that has American investors. He commented that American investors will profit from transactions with Lloyds of London and this item should not be interpreted as the City shipping business to England.

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road, who addressed the Commission. Mr. King asked for an explanation as to what type of insurance coverage this item is purchasing.

Vice Mayor Trantalis made a motion to approve this item and was seconded by Commissioner McKinzie.

APPROVED

Aye: 5 - Vice Mayor Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

CM-9 [17-0022](#)

Motion Authorizing Settlement of Police Liability Claim in the Matter of Dmitry Lyubimov v. City of Fort Lauderdale, et al. Case No. CACE 14-017138 (13) - \$150,000

Mayor Seiler recognized Raymond Cox, 1700 SW 12th Court, 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. Mr. Rosenthal congratulated the City Attorney's Office and its professional staff for negotiating this financially responsible settlement on a legal issue that could have cost the City much more. Mr. Rosenthal also commented that the City has a City Staff as good as any in America.

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road, who addressed the Commission. Mr. King's comments focused on the lack of information in this item's backup.

Vice Mayor Trantalis acknowledged that this issue was a tragedy that was perpetrated on this individual and it behooves the City to vote affirmatively on this item. He also commented that keeping the involved officers on the City's payroll bothers him, noting their egregious conduct.

Vice Mayor Trantalis addressed City Manager Feldman stating he would support this item with the proviso that he reconsiders keeping these officers on the City's payroll.

Commissioner Roberts agreed with Vice Mayor Trantalis that this was a mistake and the City is trying to make amends for this error. He further clarified that other agencies and authorities have responsibilities in charging an individual. As such, other areas of the criminal justice system had also failed in this situation.

Vice Mayor Trantalis made a motion to approve this item and was seconded by Commissioner Roberts.

APPROVED

Aye: 4 - Vice Mayor Trantalis, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

Not Present: 1 - Commissioner McKinzie

CM-10 [17-0037](#)

Motion Authorizing Settlement of General Liability Claim of Robert and Lee Peppers in the amount of \$30,567.

Mayor Seiler recognized Raymond Cox, 1700 SW 12th Court, 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. Mr. Rosenthal commented on this item's expenditure, noting the hard work by the City Attorney's office in keeping the City's costs down.

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road, who addressed the Commission. Mr. King noted that this settlement is unprecedented and the City is under no obligation to pay residents for damages resulting from ruptured sewer pipes and this sets a dangerous precedent. He further commented on the need to address the City's infrastructure issues.

Vice Mayor Trantalis commented on the City not having a legal obligation to pay this. He asked City Attorney Everett if this was still the opinion of her office. City Attorney Everett stated her office had not had an opportunity to weigh in on this matter. She stated the City Manager's office handled this matter in conjunction with the City Manager's Risk Division and confirmed there has not been a legal liability discussion in her office. Vice Mayor Trantalis commented that further claims will likely be forthcoming from residents who suffered. Commissioner Rogers recommended taking these on a case by case basis and in this particular instance involved those most impacted and he felt this is the right thing to do. Further discussions and comments continued on the residents who suffered the worst damage from the sewer pipe breakage, the costs, and the safety and health issues involved.

Commissioner Rogers made a motion to approve this item and was seconded by Commissioner Roberts.

APPROVED

Aye: 5 - Vice Mayor Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

CM-11 [17-0047](#)

Motion Authorizing Settlement of General Liability Claim of Lawrence Forte and Sandra Irving - \$52,916.00

Mayor Seiler recognized Raymond Cox, 1700 SW 12th Court, 1700 SW 12th Court, 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. Mr. Rosenthal commented on the City doing the best it can in these types of conditions and situations.

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road, who addressed the Commission. Mr. King noted his viewpoint that these infrastructure issues are due to the lack of maintenance by the City.

He recommended replacing the broken pipes rather than repairing them.

Commissioner Rogers made a motion to approve this item and was seconded by Commissioner Roberts.

APPROVED

Aye: 5 - Vice Mayor Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

CM-12 [16-1436](#)

Motion to Accept a Grant from Broward Cultural Council for 2017 Memorial Day Weekend Beach Activities - \$26,700

Mayor Seiler recognized Raymond Cox, 1700 SW 12th Court, who addressed the Commission with his comments, thoughts, concerns, and questions regarding this item.

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road, who addressed the Commission. Mr. King recommended having this grant fund programming for beach activities on Memorial Day Monday rather than the Saturday before and stated his reasons to the Commission.

Vice Mayor Trantalis made a motion to approve this item and was seconded by Commissioner Roberts.

APPROVED

Aye: 5 - Vice Mayor Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

CM-13 [16-1556](#)

Motion Accepting a FY16 Department of Justice Body-Worn Camera Policy and Implementation Program Award in the Amount of \$600,000

Mayor Seiler recognized Raymond Cox, 1700 SW 12th Court, who addressed the Commission with his comments, thoughts, concerns, and questions regarding this item.

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road, who addressed the Commission. Mr. King noted his viewpoint in support of this grant to fund the City's Police Department Body Cameras Pilot Program.

Mayor Seiler recognized Count Rosenthal, 1237 NW 7th Avenue, who addressed the Commission. Mr. Rosenthal acknowledged the work that City Manager and City Staff did for the grant awarded from the Department of Justice for the Police Body Camera Program. He also acknowledged the work of the City's Police Department.

Commissioner Roberts made a motion to approve this item and was seconded by Commissioner McKinzie.

APPROVED

Aye: 5 - Vice Mayor Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

CONSENT RESOLUTION

CR-1 [16-1513](#)

Resolution Adopting the 2017 State Legislative Priorities and Funding Requests for the City of Fort Lauderdale

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road, who addressed the Commission. Mr. King commented on the City's lobbying efforts and funding requests regarding the regulation of police body cameras and the City's opposition to the State standardizing the dates of City elections, and State funding for government subsidized housing in the City.

Mayor Seiler thanked Ron Book who was in attendance for his lobbying efforts on behalf of the City.

Mayor Seiler recognized Raymond Cox, 1700 SW 12th Court, who addressed the Commission with his comments, thoughts, concerns, and questions regarding this item.

Vice Mayor Trantalis introduced the resolution which the City Clerk read by title only.

ADOPTED

Aye: 5 - Vice Mayor Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

CR-2 [17-0009](#)

Resolution Authorizing Qualified Target Industry Tax Refund Incentive for Project 44

Mayor Seiler recognized Ray Cox, 1700 SW 12th Court, who addressed the Commission with his comments, thoughts, concerns, and questions regarding this item.

Commissioner Roberts thanked the Greater Fort Lauderdale Alliance for their work on this item, stating that it will create 200 new jobs in the City.

Vice Mayor Trantalis introduced the resolution which the City Clerk read by title only.

ADOPTED

Aye: 5 - Vice Mayor Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

CR-3 [16-1426](#)

Resolution Approving the Consolidated Budget Amendment to Fiscal Year 2017 - Appropriation

Vice Mayor Trantalis asked City Manager Feldman how the City's payment kiosk service will work. City Manager Feldman confirmed that the kiosk service at City Hall and throughout the City will automate the payment process of items such as water bills and parking tickets. City Manager Feldman explained how it would work and stated it will make the process more efficient.

Commissioner Roberts introduced the resolution which the City Clerk read by title only.

ADOPTED

Aye: 5 - Vice Mayor Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

CR-4 [16-1509](#)

Resolution Authorizing the Acceptance of Additional Grant Funds and Execution of a Supplemental Joint Participation Agreement with Florida Department of Transportation for Airfield Electrical Vault Improvements at Fort Lauderdale Executive Airport

Mayor Seiler recognized Raymond Cox, 1700 SW 12th Court, who addressed the Commission with his comments, thoughts, concerns, and questions regarding this item.

Commissioner Roberts introduced the resolution which the City Clerk read by title only.

ADOPTED

Aye: 5 - Vice Mayor Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

CR-5 [17-0038](#)

Resolution Supporting Efforts to Curtail the Over Prescription of Opioids and Opioid Usage

Mayor Seiler recognized Maureen Kielian who addressed the Commission on behalf of the Fellowship Foundation and Steered Straight. Ms. Kielian's comments focused on her support of this resolution thanking the Commission for overcoming the stigma of addiction and stating the problem must be addressed at the City, County, and State levels. She noted the root of the problem begins with the legally overprescribing of painkillers and spoke addressed additional aspects of opioid addiction.

Mayor Seiler and Commissioner Roberts thanked Ms. Kielian for her

steadfast, active role in assisting the City with this issue.

Mayor Seiler noted the outstanding presentation from the City's Police Department and Fire Department at the Commission Conference Meeting held earlier today, recommending Ms. Kielian obtain a copy of the presentations and backup materials.

Mayor Seiler recognized Heather Davidson who addressed the Commission on behalf of the United Way as Interim Director on Public Policy for Broward County. Ms. Davidson's comments were in support of this resolution addressing the overprescribing of opioids and opioid usage. Ms. Davidson noted her background in social work and advocacy, stating she has never seen the high levels of death with the opioid addiction crisis. She noted the resolution is based upon the CDC prescribing guidelines of opioids as 3-5 day supply for acute pain, rather than a 30 day supply for a first time patient. Ms. Davidson noted this crisis's statistics across Broward County and the entire country. She thanked the Commission for allowing her to speak and the Commission's work to focus on preventive measures regarding this issue.

Mayor Seiler thanked Ms. Davidson for her work on prescription drug abuse.

Mayor Seiler recognized Raymond Cox, 1700 SW 12th Court, who addressed the Commission with his comments, thoughts, concerns, and questions regarding this item.

Vice Mayor Trantalis introduced the resolution which the City Clerk read by title only.

ADOPTED

Aye: 5 - Vice Mayor Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

[17-0082](#)

WALK-ON - Resolution Appointing Robbins Geller Rudman & Dowd, LLP as Special Counsel to General Employee's Retirement System to Pursue Lead Plaintiff Status in Federal Securities Fraud Class Action Filed Against The Allstate Corporation ("Allstate") in United States District Court Northern District of Illinois

Commissioner Rogers introduced the resolution which the City Clerk read by title only.

ADOPTED

Aye: 5 - Vice Mayor Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

PURCHASING AGENDA**PUR-1** [16-1383](#)

Motion to Approve Purchase of Police Recruit Training and Mandatory Retraining Classes - Broward College - \$110,748

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road, who addressed the Commission. Mr. King's comments focused on the wording of this item. Commissioner Roberts clarified that this item was for the recertification of current police officers and training of new police officers.

Mayor Seiler recognized Raymond Cox, 1700 SW 12th Court, who addressed the Commission with his comments, thoughts, concerns, and questions regarding this item.

Commissioner Rogers made a motion to approve this item and was seconded by Commissioner Roberts.

APPROVED

Aye: 4 - Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

Not Present: 1 - Vice Mayor Trantalis

PUR-2 [16-1385](#)

Motion to Approve Purchase of Response to Resistance Training Simulator and Use of Law Enforcement Trust Funds - Virtra Systems, Inc. - \$323,847.40

Mayor Seiler recognized Raymond Cox, 1700 SW 12th Court, who addressed the Commission with his comments, thoughts, concerns, and questions regarding this item.

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road, who addressed the Commission. Mr. King's comments focused on the needed training for the City's Police Department.

Commissioner Roberts made a motion to approve this item and was seconded by Commissioner McKinzie.

APPROVED

Aye: 4 - Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

Not Present: 1 - Vice Mayor Trantalis

PUR-3 [16-1489](#)

Motion to Approve Third Renewal of Contract for Annual Roofing Repair and Replacement Services - Advanced Roofing, Inc. - \$374,000

Mayor Seiler recognized Raymond Cox, 1700 SW 12th Court, 1700 SW 12th Court, who addressed the Commission with his comments, thoughts, concerns, and questions regarding this item.

Commissioner Rogers made a motion to approve this item and was seconded by Commissioner McKinzie.

APPROVED

Aye: 3 - Commissioner McKinzie, Commissioner Rogers and Mayor Seiler

Not Present: 2 - Vice Mayor Trantalis and Commissioner Roberts

PUR-4 [16-1506](#)

Motion to Approve Consent to Assignment of Contract for Airport Security Services

Mayor Seiler recognized Raymond Cox, 1700 SW 12th Court, who addressed the Commission with his comments, thoughts, concerns, and questions regarding this item.

Commissioner Rogers made a motion to approve this item and was seconded by Commissioner McKinzie.

APPROVED

Aye: 3 - Commissioner McKinzie, Commissioner Rogers and Mayor Seiler

Not Present: 2 - Vice Mayor Trantalis and Commissioner Roberts

PUR-5 [16-1583](#)

Motion to Approve Purchase of Support and Maintenance for Police Records and Field Reporting - SunGard Public Sector Inc. - \$164,475.90

Mayor Seiler recognized Raymond Cox, 1700 SW 12th Court, who addressed the Commission with his comments, thoughts, concerns, and questions regarding this item.

Commissioner Rogers made a motion to approve this item and was seconded by Commissioner McKinzie.

APPROVED

Aye: 4 - Vice Mayor Trantalis, Commissioner McKinzie, Commissioner Rogers and Mayor Seiler

Not Present: 1 - Commissioner Roberts

NEIGHBOR PRESENTATIONS

NP-1 [17-0042](#)

Chris Stachowski - Water/Sewer 7th Street - City process with infrastructures

Mayor Seiler recognized Mr. Chris Stachowski, 500 SW 7th Street,

who addressed the Commission on the water and sewer problems on SW 7th Street that damaged his property and the City's process with regard to addressing the City's infrastructure. He stated this was the third time he has dealt with sewer and water issues at this residence, noting the amount of money he has had to pay as a result of these recurring issues. He stated it took City Staff over four hours to stop the break and noted sewage over his property. He further elaborated on the details of the effects of this situation on his property. Mr. Stachowski also questioned the process being used to address this issue, stating the funds currently being spent on other item should be used to fix the City's infrastructure issues. Further comments continued from Mr. Stachowski.

Vice Mayor Trantalis asked if Mr. Stachowski has made a claim on the City and City Manager Feldman stated the City expects to receive a claim from Mr. Stachowski.

RECEIVED

NP-2 [17-0062](#)

Art Seitz - Fort Lauderdale - 2008 Central Beach Alliance Goals and Priorities and Fort Lauderdale Aquatic Complex

Mayor Seiler recognized Art Seitz, 1905 N. Atlantic Boulevard, who addressed the Commission. Mr. Seitz's asked if the Commission had received his paperwork submission. The Commission confirmed they had it in hand. Mr. Seitz's comments focused on the history, work and recommendations of the Central Beach Alliance going back to 2008. He stated that the taxpayers are receiving stacked hotels in the area. He referenced his complaint submitted to the State's Inspector General regarding the requirement for the City to obtain three bids for a \$76,000,000 contract for the Aquatic Center, noting it was later reduced to \$38,000,000 and then further reduced to \$18,000,000. He also commented the contract lacked certification and due diligence on the part of the City. Mr. Seitz continued to comment on other expenses of the City.

RECEIVED

RESOLUTIONS

R-1 [17-0003](#)

Appointment of Board and Committee Members

The City Clerk read the names of those being appointed with this Resolution as noted below:

BEACH REDEVELOPMENT BOARD

Abby Laughlin is appointed to the Beach Redevelopment Board to complete an unexpired term ending February 4, 2017 or until her successor has been appointed.

CEMETERY SYSTEMS BOARD OF TRUSTEES

Dennis Ulmer is appointed to the Cemetery System Board of Trustees for a one year term beginning February 17, 2017 and ending February 16, 2018 or until his successor has been appointed.

CODE ENFORCEMENT BOARD

Jonathan Keith is appointed to the Code Enforcement Board, as an alternate member, to complete an unexpired term ending January 30, 2017 or until his successor has been appointed.

Jonathan Keith is appointed to the Code Enforcement Board, as an alternate member, for a three year term beginning January 31, 2017 and ending January 30, 2020 or until his successor has been appointed.

FIRE-RESCUE FACILITIES BOND ISSUE BLUE RIBBON COMMITTEE

Charles Tatelbaum, Douglas Meade and Frank Snedaker are appointed to the Fire-Rescue Facilities Bond Issue Blue Ribbon Committee for a three year term beginning January 4, 2017 and ending January 3, 2020 or until their successors have been appointed.

PARKS, RECREATION AND BEACHES BOARD

Bill Sholau is appointed to the Parks, Recreation and Beaches Board to complete an unexpired term ending August 18th, 2017 or until his successor has been appointed.

REGIONAL ADVISORY BOARD FOR THE CENTRAL WASTEWATER REGION

Commissioner Bruce G. Roberts is appointed to the Regional Advisory Board for the Central Wastewater Region (Category: Member of the City Commission) for a one year term beginning February 16, 2017 and ending February 15, 2018 or until his

successor has been appointed.

Vice Mayor Trantalis introduced the resolution which the City Clerk read by title only.

ADOPTED

Aye: 5 - Vice Mayor Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

R-2 [16-1586](#)

Resolution Approving the Disposal of City-Owned Surplus Property located on NW 13 Street and between NW 1 Avenue and North Andrews Avenue

Mayor Seiler recognized Raymond Cox, 1700 SW 12th Court, 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. Mr. Rosenthal's comments focused on the positive effects of selling the surplus properties, stating that it would not be built upon and would be helpful to the community.

Vice Mayor Trantalis asked why the Quit Claim Deed from 1999 is attached to this item's backup exhibit. City Manager Feldman stated it illustrates how the City received title to this property.

Vice Mayor Trantalis introduced the resolution which the City Clerk read by title only.

ADOPTED

Aye: 5 - Vice Mayor Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

PUBLIC HEARINGS

PH-1 [16-1546](#)

Public Hearing - Community Development Block Grant (CDBG) Program Substantial Amendment

Mayor Seiler opened the public hearing.

There being no one wishing to speak on this item, Vice Mayor Trantalis made a motion to close the public hearing, which was seconded by Commissioner Roberts. Roll call showed: AYES: Vice Mayor Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts, and Mayor Seiler. NAYS: None.

Vice Mayor Trantalis made a motion to approve this item and was

seconded by Commissioner Roberts.

APPROVED

ORDINANCE FIRST READING

OFR-1 [17-0008](#)

Ordinance Establishing a Moratorium on the Cultivation, Processing, Dispensing or Retail Sale of Cannabis for a Period of 180 Days

Mayor Seiler recognized Ron Book who addressed the Commission on this item. Mr. Book's comments focused on his pharmaceutical client's preference to see a model ordinance adopted rather than a moratorium for 180 days. He recognized that the 180 timeframe allows City Staff to draft an ordinance. Mr. Book urged the Commission to have a smaller timeframe and should consider putting together a working group to include members of the community, and members of the industry. He stated the goal is to have a regulatory scheme that works for City's communities. He urged that there be a limitation on the number of dispensaries and expounded on his thoughts on what the State legislature intended for this issue. Further discussion ensued on the number of dispensaries and their locations within the City.

Vice Mayor Trantalis agreed on the need to do this soon and not be preempted by the State legislature and would be similar to what happened with the Vacation Rental issue.

Mayor Seiler recognized Charles King, 105 North Victoria Park Road, who addressed the Commission stating his viewpoint that the City should put strict rules in place on this issue as soon as possible so these ordinances could be in place prior to any legislation implemented at the State level.

Mayor Seiler commented on the need to establish a moratorium on this matter to allow City Staff to thoroughly address this issue and come up with the correct ordinance language. He stated he would like to see the number of dispensaries limited to four or less, and properly zoned within the City. Mayor Seiler also recommended a shorter timeframe of 90 days and create a task force including the industry to ensure the City does this correctly.

Vice Mayor Trantalis emphasized the need to give the appropriate direction. Commissioner Rogers recommended doing a study of how it should be regulated in terms of numbers, distance, and population. He noted several cities have prohibited it and may cause the City to have a concentration of these dispensaries. Mayor Seiler stated the City of Hollywood has moved forward on this matter.

Commissioner Roberts commented on the need to have a task force and the number of dispensaries needs to be based on medical legitimacy. He also noted the need to draft an ordinance in less than 180 days. He commented on possible future legislation that could make the use of marijuana more open and the need to avoid a situation similar to the one the City previously experienced with pill mills. Commissioner Roberts also commented on the current situation regarding this issue in Colorado, emphasizing the need to prevent this in the State, Broward County, and the City.

Commissioner Rogers noted that marijuana is still a Schedule I drug and banks cannot accept the profits from the sale of marijuana. Mayor Seiler noted the State's health officials silence on this issue. Further discussions ensued and Vice Mayor Trantalis addressed City Manager Feldman stating his staff should use the moratorium timeframe to research and determine the nexus of the medical need for marijuana, the recommended quantity of dispensaries, and proper location within the City based on zoning.

City Manager Feldman requested clarity and stated his preference to develop regulations in conjunction with the input of the industry groups, bring those recommendations to the Planning and Zoning Board, and then to the City Commission before the expiration of the moratorium.

Commissioner Rogers discussed the importance of the City regulating this issue should the State legislature and State administrative agencies not. Mr. Book stated that the administrative agencies will not take any action until the legislature has acted. Mayor Seiler recommended the task force should begin with looking at what other cities have drafted as a starting point to develop the City's ordinance. City Attorney Everett confirmed that the National League of Cities has already circulated this type of information.

The Commission confirmed they would like to see language for an ordinance in 45 days. Commissioner Roberts noted there would be community involvement and input regarding the location of the dispensaries.

Assistant City Attorney D'Wayne Spence commented on the cultivation and processing of medical cannabis that is preemptive to the State. The City Attorney's Office needs clarification as to the local rule with regards to citing facilities for the cultivation and processing of medical cannabis because of the definition in the current law that expands to this use as well. Discussions continued on this topic.

Mayor Seiler confirmed that City Staff will have a workshop meeting with the industry and recommended a 45 day timeline for the City Staff to come back to the Commission with a draft of the ordinance.

Commissioner McKinzie affirmed the importance of receiving input from both the industry and City Staff.

Vice Mayor Trantalis introduced this ordinance of First Reading as amended which the City Clerk read by title only.

PASSED FIRST READING AS AMENDED

Aye: 5 - Vice Mayor Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

ORDINANCE SECOND READING

OSR-1 [17-0023](#)

Ordinance Creating an Affordable Housing Trust Fund

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road, who addressed the Commission. Mr. King's comments focused on both his and the voter's opposition on the issue of government subsidized housing in the City.

Mayor Seiler recognized Raymond Cox, 1700 SW 12th Court, 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. Mr. Rosenthal's comments focused on the good job the City Commission is doing for those in need of affordable housing assistance.

Commissioner Rogers introduced the ordinance on Second Reading which the City Clerk read by title only.

ADOPTED ON SECOND READING

Aye: 5 - Vice Mayor Trantalis, Commissioner McKinzie, Commissioner Rogers, Commissioner Roberts and Mayor Seiler

Request for Executive Closed Door Session on January 18, 2017

Mayor Seiler recognized City Attorney Cynthia A. Everett who requested that pursuant to Florida Statute, Section 286.011(8)(a), she is seeking advice on the matters of:

Blake Wakeman v. City of Fort Lauderdale

Case No. CACE 15-007786 (09)

During the City Commission Meeting on **January 18, 2017** at a time to be determined. Present at the attorney-client session will be:

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
Assistant City Attorney, Alain E. Boileau, and a
Certified Court Reporter with Daughters Reporting, Inc.

The estimated length of this attorney-client session is approximately 30 minutes.

Vice Mayor Trantalis acknowledged those in the Latin American community who celebrate Three Kings Day and wished them a Happy Three Kings Day this Saturday, January 7, 2017.

Mayor Seiler announced the new procedure for consent agenda items. He stated that if a consent agenda item is pulled by a Commissioner, it will be heard. If a member of the public wishes to speak on consent agenda items, they will have total of three minutes to speak on all consent agenda items at the beginning of the start of the consent agenda items. In the case of a consent agenda item that is pulled by a Commission member, a member of the public will have three minutes to speak on that consent agenda item.

ADJOURNMENT

There being no additional business before the City Commission at this Regular City Commission Meeting, Mayor Seiler adjourned the meeting at 8:47 p.m.

John P. "Jack" Seiler
Mayor

ATTEST:

Jeffrey A. Modarelli
City Clerk