

City of Fort Lauderdale

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



Meeting Minutes

Tuesday, March 21, 2017

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***

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

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 Tarek Bazzi

No public e-comments were submitted for this meeting.

CALL TO ORDER

Mayor Seiler called the meeting to order at 1:38 p.m.

CITY COMMISSION REPORTS

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

Commissioner McKinzie commented on the Peace in the Hood's rally that took place in Carter Park, stating event organizers had reserved the field instead of applying for an event agreement. City Manager Feldman confirmed the field area was reserved through the normal channels with Staff. City Manager Feldman stated he clarified with the event organizers should they wish to repeat the event, it must go through the regular event application process.

Commissioner McKinzie said if Staff had known there were 3,000 in attendance, there would have been greater safety mechanisms in place. He discussed rental housing tenant behavior was raised at his District Meetings and the need to have property owner contact information readily available to address these concerns.

Commissioner McKinzie discussed issues regarding an FDOT project regarding work in Melrose Manors. In response to Mayor Seiler's question, Deputy Director of Public Works Alan Dodd stated it did not go through the usual DSD process because it was a Metropolitan Planning Organization (MPO)/FDOT design-build project approved in 2013. Mr. Dodd said FDOT is reviewing the changes that need to be made to address sprinkler issues. They will go back to the MPO to

accommodate the increased costs of addressing the modifications. Commissioner Roberts recommended a process be put in place to avoid this from happening in the future. There was a consensus on this issue.

Mayor Seiler announced the City's State lobbyist, Candice Ericks, would be calling in to give an update on the status of the vacation rental issue. He updated the Commission on the vacation rental industry attempts to circumvent the cities and address the issue at the State level.

Commission Conference Call for Legislative Update on Vacation Rental Bill at State Senate

At 1:47 p.m., Ms. Ericks and Lauren Jackson with the City lobbyist's team, called in via speaker phone and gave an update on the vacation rental issue legislation, including the proposed State Vacation Rental Exemption Bills. Mayor Seiler gave an update and advised residents to contact their State Representative on this issue. He emphasized the need for the City to also be heard concurrently on this issue. Ms. Ericks stated the Senate Bill is up in approximately 15 minutes. She is working with the Florida League of Cities to stop this bill, noting time is on our side. Ms. Ericks gave an update of Senator Steube's proposed SB 188 that would apply to all properties. She noted the consequences to the current Ordinance preempting what has already been accomplished. She discussed the upcoming timeline and the importance of residents contacting their elected State Representatives on this issue.

Ms. Jackson continued the conversation, giving additional background and confirming the first Senate hearing would be today, March 21, 2017. They are working to show SB 188 is a controversial bill as it related to vacation rentals in neighborhoods. The proposed SB 188 would revert to the 2011 law stating the ability to regulate activities on all properties within the same zone but not based upon use, i.e., short-term rentals, long-term rentals, or a non-rental.

Ms. Ericks confirmed Senator Travis Hutson is the Chair of the Regulated Industries Committee and hearing this item today. She gave an update on recent minor wording modifications to SB 188. The next Chair is Tom Lee of the Community Affairs Committee followed by the Rules Committee, which has two Broward County members. It would then move on to the House Careers and Competition Committee, noting it is comprised of many freshman members. Ms. Jackson stated their focus is on stopping SB188 on the Senate side.

In response to Vice Mayor Trantalis's question, Ms. Jackson stated the Broward members of the Senate Rules Committee include Senator Lauren Book and Senator Perry Thurston. Senator Thurston is aware of the concerns regarding municipal issues and has been very receptive. Currently, they are unaware of Senator Book's position on this matter. Senate Minority Leader Oscar Braynon is also on this committee. He represents portions of Broward County.

Ms. Jackson stated they would have a lengthier update following today's Regulated Industries Committee hearing. She elaborated on the next steps for a strategic message for the next Committee. House Representative George Moraitis and House Representative Bobby DuBose both supports the City's position. A meeting is also scheduled with Senator Lauren Book.

Mayor Seiler raised the Airbnb vacation rental issue going on in Miami-Dade County. Ms. Ericks discussed the lead lobbyist on this issue is who had raised discussions regarding this matter in the Senate. The efforts of the lobbyist for the other side of the vacation rental issue regarding Miami-Dade ordinances were also discussed.

Mayor Seiler recognized Marilyn Mammano, the immediate past President of the Council of Civic Associations, who thanked the Commission for tracking and addressing this issue. Ms. Mammano noted the lack of awareness by the public concerning this matter and the short timeline involved for making an impact. She asked if she could send a link for this video conference to all affected neighborhoods to motivate them to contact their State representatives on this issue. This request was confirmed.

In response to Ms. Mammano's questions regarding time constraints, Ms. Ericks and Ms. Jackson recommended residents contact their State Representatives, both by email and phone at their local offices and State Representative offices, recommending they customize their emails. Mayor Seiler suggested residents focus on their particular local representative, followed by all Broward delegation members, giving examples based on his experience at the State level. Ms. Jackson and Ms. Ericks also noted the importance of contacting Senator Farmer to make him aware of the concerns.

Mayor Seiler discussed the meeting process of Senate and House members from Broward County to focus on their constituents' issues of concern. As part of constituent correspondence to State Representative, Mayor Seiler suggested they encourage sharing their community concerns with fellow State Representatives. Ms.

Mammano confirmed they would copy Ms. Ericks and Ms. Jackson on all communications to the State Representatives.

Ms. Ericks and Ms. Jackson confirmed they would make the City's opposition part of the record. Commissioner Roberts discussed Jim Concannon's email to the legislative delegation. Ms. Mammano confirmed, noting the work she has done on this issue.

CITY COMMISSION REPORTS (continued)

At 2:12 p.m., Commissioner McKinzie continued his District III Report. He discussed a recent survey about the need for street lights in Melrose Park, resulting from concerns expressed by Police, residents and Homeowners Associations in the area. City Manager Feldman confirmed the survey was mailed to all property owners in the area. Mayor Seiler recalled previously the neighborhood did not want street lights. Commissioner McKinzie noted they are now willing to participate at a minimum level, placing the street lights on the corners. He said the recent survey indicated an accurate response. Discussions ensued on the history of this issue and changes in Homeowner Association leadership. Mayor Seiler recommended finding funding for the street lights.

Commissioner McKinzie described the blighted area and activities going on at Shirley Small Park (Park) at night and the wall along the west perimeter of the Park. He noted the need to activate that Park, acknowledging it has available field space. There was a consensus to activate this Park for sports.

Commissioner McKinzie noted a Code request at 19th Street and 28th Avenue to address abandoned boats, cars and trucks on a lot across from Bass Park, noting a contiguous junkyard Code Enforcement has been citing for a lengthy period. He has discussed this with City Manager Feldman and confirmed Code is continuing to cite the owner.

Commissioner Rogers acknowledged Marilyn Mammano Day on March 14, 2017, in recognition of her professional background and numerous contributions to the community. He thanked Ms. Mammano for all her hard work and dedication.

Commissioner Rogers commented on an event at Stranahan High School and its ongoing needs. He commented that addressing the necessary improvements would positively impact the students' academic performance and a sense of school pride.

Commissioner Rogers asked City Manager Feldman for a status

update on the new water pipe, the second improvement to the infrastructure in the Tarpon River area. Deputy Public Works Director Alan Dodd gave an update stating the installation of 300 feet of piping has been completed and energized. The road restoration is being completed. There are no current plans to do an extension of the current contract. Discussions continued on the break and subsequent repairs. Assistant City Manager Chris Lagerbloom noted the repair of a small leak at the joint portion was covered under the contract. Mr. Dodd confirmed all the necessary work was completed except the ongoing road restoration.

Commissioner Rogers commented on conversations he had at his neighborhood meeting recommending and encouraging the relocation of the Convention Center to the downtown area. Vice Mayor Trantalis noted he had discussed this with some County Commissioners who questioned where it would be located in the downtown area. Commissioner Rogers discussed the recommendation of City Manager Feldman who noted the location as north of the river at Broward Boulevard (at the Performing Arts Center Garage) moving west to the Salvation Army location, and from 2nd Street to Broward Boulevard. Discussions ensued on the design, parking, and location. Commissioner Rogers noted the current Convention Center could continue to function until the completion of a new one in the downtown area. Commissioner Roberts noted the possibility of other partners who may wish to participate in this project. He commented on following positive impacts of moving the Convention Center to downtown including:

- Traffic issues that would be alleviated in the 17th Street Causeway area would also affect the beach area;
- Allowing Port Everglades the ability to expand its marine, cruise and commerce industries; and
- The positive impact and contributions to this area of downtown.

Comments and discussions continued on this topic. There was a consensus to promote and advocate for this idea.

City Manager Feldman stated that he had received two meeting dates with the Broward County Commission, May 9, 2017, or May 23, 2017, at 12:30 p.m. The Commission confirmed they would meet with Broward County on May 9, 2017, at 12:30 p.m.

Commissioner Rogers updated the Commission on his attendance at the National League of Cities Meeting in Washington, DC. He discussed conversations regarding Uber and ridesharing, and

autonomous driving cars. Due to the convenience and low cost, he noted it would result in 90 percent fewer cars on urban area roadways. Further comments and discussion on this topic continued on this topic.

Commissioner Rogers discussed his conversations with an investment banker about municipal bonds calculations and the tax deductibility of municipal bonds used as a financing tool for infrastructure. Commissioner Rogers commented that after discussions with Senator Rubio and Senator Nelson, they stated that should not be a concern. He recommended keeping municipal bonds as an alternative for financing infrastructure issues.

Commissioner Roberts noted his discussions at the National League of Cities Conference with the Congressional delegation about funding for the Wave and the Federal Courthouse as it relates to concerns about the new administration's budget-cutting recommendations. Commissioner Rogers confirmed the understanding by Senator Nelson of the importance of funding for the Wave. He also noted his discussions with Senator Rubio on the importance of infrastructure issues. Discussions continued on meetings and conversations held during the National League of Cities Conference and the importance of funding traditional infrastructure issues related to transportation. Commissioner Roberts noted Congress would likely assert their role in the federal budget process.

Commissioner Rogers discussed the profitability of utilizing technology for transportation related advertising as a means of revenue, as is currently being done in Boston.

Commissioner Roberts thanked the City lobbyist for setting up private audiences with the Congressional delegation.

Commissioner Roberts discussed the study done by the Society for Civil Engineering that gave the country a cumulative rating of D+. He expounded on the individual types of infrastructure ratings.

Commissioner Rogers commented on the President's position on Public-Private Partnerships (P-3) discussing their procurement policy of *best value selection* and the 86% tax credits involved. The discussion continued on P-3 projects applying to very large projects in the \$50,000,000 range with corresponding funding in order to have P-3 as a viable option. City Manager Feldman stated the revised ordinance working its way to the Commission will include the *best value selection* policy. Discussions continued on the P-3 opportunities.

In response to Vice Mayor Trantalis's questions about the Master Plans to be presented to the Commission, City Manager Feldman noted the following timelines for the Master Plans:

- Stormwater Master Plan is scheduled for December 2017;
- Water and Wastewater is two weeks away;
- Airport Master Plan is underway;
- Canal Dredging Master Plan is concluding, and Staff is working on funding alternatives; and
- Sidewalk Master Plan is completed.

Discussions continued on funding sources and possible integration with P-3 projects. It was confirmed that P-3 projects are a method of delivery, not a method of payment. Commissioner Roberts noted the importance of moving the Infrastructure Task Force forward. The Commission Infrastructure Task Force appointees were discussed.

Commissioner Roberts noted his well-attended homeowner association meetings and meeting at Bayview Elementary. Mayor Seiler discussed his recent visits to schools with Police Officers, thanking Chief Maglione for their outstanding efforts in repositioning the Police Department as part of the community and the success of this approach. City Manager Feldman said each third-grade classroom in the City had been adopted by a Police Officer. Establishing relationships at this grade level serves to build positive community relationships.

Commissioner Roberts met with Chief Maglione on the topic of critical incident responses at schools. He noted this was discussed at the Joint Meeting with School Board. Broward County is doing this training despite the fact that first responders to a critical incident will come from the municipality. Chief Maglione is addressing this issue by establishing relationships with each school's administrator and first responders.

Commissioner Roberts raised the Galleria's concerns with traffic and parking during the Air and Sea Show, noting their position. He requested City Manager Feldman work with the Air and Sea Show and advise him on how to develop, organize and refine the traffic and parking aspects of the event impacting the Galleria.

Mayor Seiler commented on receiving complaints about the lack of available parking at George English Park for baseball activities during the AIDS Walk Event (Event) due to attendees parking in that area. Additionally, attendees parked in all of the retail areas along Sunrise Boulevard and walked to the Event. He asked City Manager Feldman to find out if the applicant was advertising parking in these areas and, if so, Staff needs to know to work around this issue.

Commissioner Roberts commented on the lack of meetings with the Unsafe Structures Board for several months, noting his discussions with City Manager Feldman and City Attorney Everett on this issue. The methodology utilized on matters going to Code Enforcement was discussed, questioning the reason for not using the Unsafe Structures Board for prosecution. Mayor Seiler and Commissioner Roberts noted the importance of having the Unsafe Structures Board active. City Manager Feldman commented on the ease of process using Code Enforcement, under the Florida Building Code versus the Code of Ordinances.

Commissioner Roberts noted that members of the Unsafe Structures Board have said Code Enforcement does not have the necessary expertise. City Attorney Everett discussed a meeting with Commissioner Roberts, Code Staff, and the City Attorney's Office. She confirmed the efficiency of the Code Board, stating she will speak with Assistant City Attorney Rhonda Hasan and will meet with City Manager Feldman and the Unsafe Structures Board members to make a recommendation to the Commission.

Discussions ensued on the importance of citizens being part of the process, the evolution of the Code Enforcement Board and the Unsafe Structures Board, and the composition of Boards.

Commissioner McKinzie stated he would like to know about any structure in District III planned for demolition. The Commission confirmed City Manager Feldman would provide a report to each District Commissioner when a building is scheduled to be taken down.

City Attorney Everett discussed the importance of having a larger discussion at a Commission Conference Meeting to address the needs, responsibilities, and composition all of the Boards and Committees.

It was confirmed that the First Lutheran Church issue would come back before the Commission on May 4, 2017. Vice Mayor Trantalis stated he went to the FAT Village Civic Association's last meeting. He noted the attendance of the developer for First Lutheran Church

(Church) and Robin Merrill. There was a healthy discussion on the topic of the Church regarding expectations among the attendees from the community that mirrored the Commission's viewpoint.

Vice Mayor Trantalis noted an email the Commission received from Ms. Merrill that homeless feedings have resumed at the Church. The issue of the Church's stained glass windows was discussed. Vice Mayor Trantalis requested City Manager Feldman and City Attorney Everett to confirm the statement from the Church Pastor that the stained glass windows were sold to the new parish he established. Mayor Seiler discussed the Department of Sustainable Development (DSD) making this request to keep these two issues separate. He acknowledged his desire to know if this was accurately represented to the Commission and who is the current owner of the stained glass windows.

City Attorney Everett requested DSD provide the City Attorney's Office with a complete review of the circumstances regarding the permit issued to the Church relating to the stained glass windows. The City Attorney's Office will give a legal opinion on the appropriate application of the Code, if they have complied with the permit, and will determine who has current ownership of the stained glass windows.

Commissioner McKinzie discussed what the permit process entails. Alfred Battle, Deputy Director of the Department of Sustainable Development, addressed the Commission confirming he would provide the requested information to the City Attorney's Office. DSD would reach out to the new owner to provide proof of ownership of the stained glass windows to determine if he is in violation of the permit. Mayor Seiler requested Mr. Battle send his findings to each Commission member.

Vice Mayor Trantalis wanted to make the Commission aware that a group of Las Olas Isle property owners are independently investigating and working with EDSA on the redesign of the residential section of Las Olas Boulevard from Himmarshee Bridge to the drawbridge. He encouraged them to get input from all neighboring homeowner associations.

Vice Mayor Trantalis discussed the well-attended Crime Meeting for District II, noting the resident's positive feedback regarding the crime prevention program and acknowledging the Police Department is addressing their residential home and car robbery concerns.

In response to Vice Mayor Trantalis's question, City Manager Feldman stated he sent the interim report on the Medical Marijuana issue to the

Commission. Staff is proceeding in that direction and will be presenting it to the Planning and Zoning Board. Vice Mayor Trantalis noted he would put Staff in contact with two individuals, Jeffrey Block of Florida International University, and Scott Jelson Assistant Professor of Pharmacology at Nova University, who have been working on assisting municipalities in addressing regulation and distribution issues. He noted these gentlemen have been working with the State Legislature and municipalities in determining how to best allow for marketing and distribution of marijuana. Discussions continued on the location of dispensaries and other issues relating to the role of the Commission in implementing this correctly.

In response to Vice Mayor Trantalis's question, City Manager Feldman stated he would provide an update on the Water Tower as to when it would be lit up.

Commissioner Rogers raised the issue of Hardy Park as a possible location for Fire Station 8. He also discussed the possible use of the area on 17th Street, previously considered for a Fire Station, as a future commuter rail stop to connect the Wave. Mayor Seiler stated for the record Staff is ready to move forward on the new Fire Station. The only reason the new Fire Station is being delayed is due to the issue of determining its location.

In response to Vice Mayor Trantalis's question, City Manager Feldman stated the Fire Station on Oakland Park Boulevard has gone out to bid, and six responses have been received. Staff has completed its evaluations and it is moving forward to the Commission for approval on December 18, 2017. City Manager Feldman stated, pertinent to Fire Station 8 and Fire Station 13, the Bond proceeds must be spent promptly due to its nature of being tax-exempt debt. There was a consensus that after the Joint Workshop with the Fire-Rescue Facilities Bond Issue Blue Ribbon Committee, the necessary decisions will be made to move things forward.

[17-0354](#)

Communications to the City Commission

February 23, 2017

***FIRE-RESCUE FACILITIES BOND ISSUE BLUE RIBBON
COMMITTEE***

Communication to the City Commission

Motion was made by Mr. Tatelbaum, seconded by Mr. Ruth, as follows: Resolved that the Chair send a Communication to the Commission reminding the members that a commitment was made to have another workshop prior to a final decision on the location of Fire

Station #8, and urging the Commission to set a date for the workshop promptly and prior to making a final decision on the location of Fire Station #8. In a voice vote, the motion carried unanimously (7-0).

There was a consensus for the Commission to have a Joint Workshop with the Fire-Rescue Facilities Bond Issue Blue Ribbon Committee.

OLD/NEW BUSINESS

BUS-4 [17-0311](#)

Presentation on Broward Metropolitan Planning Organization Grant Funded Projects on Las Olas Boulevard

Mayor Seiler recognized Diana Alarcon, Director of Transportation and Mobility, who outlined the MPO Grant Funded Projects for the Las Olas Boulevard Corridor. Ms. Alarcon introduced Debora Griner, Transportation Manager, who gave a presentation on the Broward Metropolitan Planning Organization Grant Funded Projects on Las Olas Boulevard, noting the property owners on Las Olas Boulevard will come to the podium to address their vision as well. Ms. Griner pointed out that the presentation illustrations are conceptual.

The projects consist of:

- The Wave Streetcar on Las Olas Boulevard between Andrews Avenue and SE 3rd Avenue;
- SE 4th Avenue Intersection Improvements at Las Olas Boulevard;
- The Tunnel Pedestrian Plaza at Las Olas Boulevard at U.S. 1/Federal Highway;
- Las Olas Boulevard Complete Streets Improvements -Andrews Avenue to SE 17th Avenue; and
- Las Olas Boulevard Safety and Traffic Calming Improvements - SE 11th Avenue through SE 15th Avenue

Ms. Alarcon stated there would be a meeting in approximately two weeks with the attorneys who represent the new owners of the SunTrust Building who wish to coordinate development efforts with the Tunnel Plaza. Mayor Seiler requested Ms. Alarcon notify all property owners within a 300-foot radius of the Tunnel Plaza that this meeting will take place should they choose to coordinate efforts and participate. Discussions, questions, and comments continued on the conceptual drawing of the improvements of Las Olas Boulevard

presented by Ms. Griner. Ms. Griner discussed the \$2,500,000 funding available, noting it was not adequate to make an entire transformation. In response to Vice Mayor Trantalis's question, Ms. Griner expounded on how the \$2,500,000 would be utilized. She also discussed the timing, stating the MPO is in need of the final concept by next month so it can be bid out for design. A subsequent resolution for support from the Commission would be required by June 2017.

A copy of Ms. Griner's presentation overview is attached to these minutes.

Ms. Griner introduced Michael Weymouth, 600 Sagamore Road, President of Las Olas Company and designated representative of Property Owners of Las Olas (Polo) who addressed the Commission on Polo's vision for the area. Mr. Weymouth stated that Polo meets periodically to discuss the needs and concerns of the condition of Las Olas Boulevard (Boulevard) in the area from Andrews to SE 17th Avenue. He noted Las Olas Company and Hudson Capital have made significant investments in this area. Through the MPO, Polo is working on a public-private partnership to leverage funds to improve the Boulevard for the future. He discussed the issues and concern of the Boulevard as illustrated in his YouTube presentation.

Mayor Seiler recognized Steve Hudson, Hudson Capital Group, who emphasized the importance of walkability of the Las Olas Boulevard Corridor as a downtown urban setting. His comments focused on widening sidewalks, relocating shade trees to enhance the pedestrian experience, and additional proposed modifications and enhancements to the Boulevard with the goal of easing traffic through the corridor. Mr. Hudson discussed the continued marketing of Las Olas Boulevard with others as *the place to visit, shop, and dine*. He stated that through a Public-Private Partnership with the City, MPO, and Polo, Las Olas Boulevard would be reenergized.

Mr. Hudson submitted for the record a letter from Ed Smoker, President of Polo. For the record, Mayor Seiler summarized the letter from Mr. Smoker stating the Board of Polo unanimously supports the plan set forth today.

A copy of Mr. Smoker's letter is attached to these minutes.

In response to Mayor Seiler's question about a cost estimate, Diana Alarcon stated \$3,400,000 is for construction, and \$1,000,000 is for contingency and design, in addition to an analysis of the costs for addressing the needs under the roadway. Currently, through the two MPO grant opportunities, there is \$2,500,000 currently available. It

was confirmed that Las Olas Boulevard is a municipal road from Andrews to SE 16th Avenue.

Vice Mayor Trantalis commented on competing interests on this issue and the safety hazard to bicyclists sharing Las Olas Boulevard that will impede traffic flow. He also commented on the slow pace of traffic when street parking is utilized on Las Olas, finding parking at night and the pending safety improvements on SE 15th Avenue. He emphasized the need to have the ability to get through and around the City.

Commissioner Roberts commented on the traffic counts in this area. Commissioner Rogers raised the issue about the trees in the center median on Las Olas which will eventually need to be removed due to their root systems. Further comments and discussion ensued on this topic, including improvements, and directing bicyclists to side streets.

Commissioner Roberts asked about the width of travel lanes to allow for trolleys and buses. Ms. Alarcon stated a safe width of the travel lanes would be 11 feet noting this is what is planned. Mayor Seiler concurred they should be an adequate width for trolleys and buses. Mr. Hudson noted the median trees are Black Olives that have approached their useful life. Vice Mayor Trantalis commented on the peddle cabs slowing down traffic, the general slowdown of traffic for the pedestrian experience. He emphasized the need for all factors impacting the area be considered.

Mayor Seiler recognized Mr. Weymouth, who commented that the walkability score of a recently acquired piece of property near the tunnel had a score of 96, meaning the area is conducive to walking to work, shop, or entertainment. As such, people in the area are going to leave their vehicles at home or in a parking garage. He also noted that many national retails are concerned about the widths of the sidewalks. The vehicle traffic dynamic during different times of the day affecting residents who live in Las Olas Isles were discussed.

Mayor Seiler recognized Paul Chettle, 200 S. Birch Road, who commented on a group of residents who have been meeting since 2012 and desire a comprehensive plan for Las Olas Boulevard, noting this is the fifth plan for the area and the Commission's desire for multimodal transportation. He commented on issues relating to traffic safety on Las Olas Boulevard when traveling on bike lanes from the beach to City Hall, the desire for additional public transportation, and emergency vehicle issues on Las Olas Boulevard. He confirmed his opposition to the current plan.

Mayor Seiler recognized Count Rosenthal, 1237 NW 4th Avenue, who supported the plan, reminding attendees of the financial contributions of the major property owners proposing these plans, and they invest significant amounts in the community, employ people and pay taxes. He stated he was in favor of the plan.

Mayor Seiler recognized Trisha Halliday, 50 Nurmi Drive, who stated her concerns on traffic safety for all members of the community due to crosswalks, Uber and Lyft, large trucks and emergency vehicles traveling on Las Olas Boulevard in the area of the Isles. She discussed the traffic related frustration of residents of the Isles as well as tourists. She stated she is opposed to the plan.

Mayor Seiler recognized Ann Hilmer, 621 Idlewyld Drive, who commented on the design. She commented on a recent meeting with the Transportation and Mobility Department, residents of Colee Hammock, and the Isles. Ms. Hilmer stated they discussed emergency response times and pedestrian safety. They were not informed of the possibility of reducing the number of lanes from four to two, with no possibility of extending the two lanes to four during the morning commute times. She also commented on running and walking events in the area occurring from time to time that would reduce Las Olas to one lane. She spoke about an event where emergency vehicles could not travel Las Olas to assist a pedestrian hit by a car. Ms. Hilmer commented on Mr. Weymouth's 96 walkability rating did not apply to a grocery store or a drug store as a destination. She commented on expanding the width of sidewalks and the need to regulate the bump outs of café tables and chairs. She stated she is opposed to this section of the current plan.

Mayor Seiler recognized Kristen Maus, 1778 Marietta Drive, stating the design is very generic, noting Las Olas Boulevard is the City's signature location. She said reducing the lanes is a bad idea, emphasizing it is a hurricane evacuation route. Ms. Maus commented on the need to address SE 15th Street because it is the only route to access Broward Boulevard. She noted bicycle sharing is not a good option due to parallel parked cars, recommending an alternate bicycle path. Ms. Maus asked if there would be community input before a final design is implemented. She recommends consulting commuters, bicyclists, and runners for a well-rounded discussion of their concerns for what design would work and to preserve the identity and feel for this area of Las Olas Boulevard. She is opposed to the current design.

Mayor Seiler recognized Charles King, 105 N. Victoria Park Drive, who stated the plan is good for pedestrians and acknowledged the need for

wider sidewalks. He recommended bicyclists take an alternate route and make SE 15th Avenue a one-way street to address present traffic issues.

Mayor Seiler recognized Carol Ann Bartholomew, 3000 Holiday Drive, commenting she rides her bicycle to work one day per week and her concern of the shared roads due to safety concerns. Ms. Bartholomew stated she would ride her bicycle on Las Olas sidewalks because of the danger involved with shared roads.

Mayor Seiler recognized Charlotte Rodstrom, 66 Nurmi Drive, who asked about how the MPO funding of \$2,500,000 will be divided. Ms. Alarcon stated the portion for the \$2,500,000 has been predetermined and will be used from Andrews Avenue to SE 11th Avenue.

Ms. Rodstrom stated it was her understanding that the City was to maintain Las Olas Boulevard. The condition of Las Olas Boulevard, as illustrated in the previous presentation, is the fault of the City. Should the City move forward with the proposed design, it is incumbent on the City to also have a maintenance plan in place. Ms. Rodstrom stated she is for the City maintaining its property.

Ms. Alarcon said the next step in the process is providing the MPO with the cross section. Mayor Seiler acknowledged the need to revitalize Las Olas Boulevard, stating the need for neighborhood feedback input. He confirmed a consensus on the area from Andrews Avenue to Tunnel Park. However, the area south of Tunnel Park to SE 16th Avenue needs to be improved and the need for neighborhood feedback and input.

Ms. Alarcon commented on the need to provide the MPO with direction in order not to lose MPO funding. Commissioner Roberts discussed the need for additional time. City Manager Feldman stated this begins the process. Ms. Alarcon expounded on the timeline for allocation of the MPO funds. She said the design funds would be available this July 2017, and the construction dollars will be allocated in July 2018. Discussions continued on this topic.

Commissioner Rogers commented on the need for a clear understanding of the scope of work and the dollars, i.e., what has been done, what needs to be done, a timeline to understand how the funds have been spent and how they will be appropriated going forward.

Ms. Griner stated the \$2,500,000 funding is available for the area between SE 6th Avenue and SE 11th Avenue, discussing the cross

section options. Commissioner Rogers asked what is preventing the P-3 piece from moving forward in a parallel manner. Ms. Griner confirmed they could meet with FDOT and the Polo Group in addition to addressing Stormwater issues in this area.

In response to Vice Mayor Trantalis's question, Ms. Griner confirmed which improvements to portions of Las Olas from Andrews Avenue to the Tunnel could move forward as there is a consensus. Vice Mayor Trantalis commented on the importance of the Tunnel Top to SE 11th Street area having elements to make this portion of Las Olas attractive. The success of SE 15th Street is a critical keystone in moving this forward. Further discussions ensued on having an extended sidewalk, allowing trees to be included in the design, eliminating trees, and other aspects of the design.

Ms. Alarcon confirmed they would meet with FDOT, the neighborhoods, and the Polo Group to work together on a design that meets the needs of all stakeholders, in addition to addressing underlying Stormwater and utility issues for this portion of Las Olas before bringing a resolution before the Commission. She also noted the need for a larger discussion with the MPO relating to mobility design aspects due to funding.

BUS-1 [17-0393](#)

Discussion of Managed E911 Communication Center Services for the City of Fort Lauderdale

City Manager Feldman gave a recap of issues from the last meeting and requested direction from the Commission, stating the approximate cost of the City having its own Communication Center Services for the City of Fort Lauderdale would be \$45,000,000.

Commissioner Roberts noted in the backup to this item that even if the City stays with the current Broward County (County) system, costs will be increasing especially if the City requests enhancements to the current County system. Commissioner Rogers pointed out that better service cannot be guaranteed with a new system. Commissioner Roberts commented on the acceptance of a lower standard with the current system. Mayor Seiler commented on the viability of promises for improvement and staffing issues with a new system. Discussions continued on this matter. Mayor Seiler stated he is not inclined to spend three times more money with no guarantee of improved service. Commissioner Rogers and Vice Mayor Trantalis agreed, noting the failure rate with the current system has been reduced. Commissioner Roberts stated there would be a better quality of service with a City E911 System of its own, acknowledging the high cost and the City's issues and needs. Commissioner McKinzie stated the Commission wanted to see the alternatives. He acknowledged the high cost

involved and the need to determine if the City can live with the current County system.

Commissioner Roberts stated his support for a new E911 Call Center, thanking all involved for their work in researching this issue.

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

Mayor Seiler announced at this time, the City Commission shall meet privately to conduct discussions between the City Manager, the City Attorney and the City Commission relative to pending litigation pursuant to Section 286.011(8), Florida Statutes, in connection with the cases listed in item 17-0362:

He listed 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 Bruce Laclair v. City of Fort Lauderdale, Counsel will be Assistant City Attorney, Alain E. Boileau

Re.: Christine D'onofrio v. City of Fort Lauderdale, Outside Counsel will be Jeffery R. Lawley, Esq. of Billing, Cochran, Lyles, Mauro & Ramsey, P.A.;

Re.: Raymond Strack v. City of Fort Lauderdale, Outside Counsel will be Robert H. Schwartz, Esq. of McIntosh Schwartz, P.A.; and a Certified Court Reporter with Daughters Reporting, Inc.

The estimated length of the attorney-client session is approximately one (1) hour.

[17-0362](#)

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)

Bruce Laclair v. City of Fort Lauderdale and Victor Ramirez
Case No. 17-60102-CIV-Gayles/Turnoff

Christine D'onofrio v. City of Fort Lauderdale
Case No. CACE 16-004368 (12)

Raymond Strack v. City of Fort Lauderdale
Case No. CACE 16-008258 (04)

Mayor Seiler recessed the Commission Conference Meeting at 4:52 p.m.

Mayor Seiler reconvened the Commission Conference Meeting at 7:31 p.m.

CONFERENCE REPORTS

CF-1 [17-0349](#)

South Side School Update

Vice Mayor Trantalis commented on the costs for showers and tapping off the shower pipes, stating City Manager Feldman confirmed the tile was already purchased. Commissioner Rogers confirmed this was in the contract and has already been done. He recommended locking the shower area and not allowing access. There was a consensus on this recommendation.

OLD/NEW BUSINESS CONTINUED

BUS-2 [17-0370](#)

Budget/CIP and Grants Informational Presentation

There was discussion about moving this item to the next meeting. It was decided that Laura Reece, Budget Manager, would give the Commission a brief presentation on this item. City Manager Feldman noted Ms. Reece, in addition to her duties with the City, also represents the Broward County Finance Officers Association on the Broward County School Board Bond Committee.

A copy of Ms. Reece's presentation is attached to these minutes.

Ms. Reece explained her division's responsibilities and their process as part of the Office of City Manager. They are responsible for the budget, Community Investment Plan (CIP), grants, legislative affairs, and also serves as the central office for working with departments to develop their proposed annual budget.

Ms. Reece gave a short information presentation on aspects of the

Budget Division. Vice Mayor Trantalis inquired as to which line item identifies the Enterprise Fund (the Return on Investment (RIO) from the Water and Sewer Fund) used in previous years. Ms. Reece stated the screen showed sample line items and she would provide Vice Mayor Trantalis with his requested information.

Commissioner Roberts thanked Ms. Reese and City Auditor John Herbst for the noted improvements and contributions made by their Staff towards improving the monitoring and process of these responsibilities. City Auditor John Herbst acknowledged the openness and depth of the process and methodology put forth by Ms. Reece and her Staff. He thanked them for their outstanding efforts in producing the final product that is presented to the Commission each July.

Ms. Reece acknowledged the valuable input of the Budget Advisory Board appointees who are actively involved in the budget process.

City Clerk Modarelli announced a budget related communication to the City Commission from the Budget Advisory Board that did not make it in time for inclusion onto this Agenda. The Budget Advisory Board advised that their Joint Meeting with the Commission scheduled for April 13, 2017 was not necessary. Ms. Reece confirmed stating no motions were passed since their last meeting with the Commission and there were no matters of business to be discussed with the Commission.

Mayor Seiler commented since the Budget Advisory Board Joint Meeting would not take place on April 13, 2017, the Commission should meet with the Charter Revision Board on that date. There was a consensus to meet with the Charter Revision Board. City Clerk Modarelli confirmed he would reach out to them to determine their ability to meet with the Commission on April 13, 2017. Further discussions ensued on the issues to be discussed.

City Clerk Modarelli stated the first regularly scheduled Budget Hearing is September 6, 2017. He also confirmed that the second Budget Hearing would be on September 13, 2017. This would allow for the budget to be submitted to Broward County by September 15, 2017.

BUS-3 [17-0314](#)

Presentation on #BrowardNext Comprehensive Plan Amendments

Vice Mayor Trantalis stated there were complex issues involved in this item which merits a longer discussion. City Manager Feldman stated

the presentation is informational for the Commission. It is a Broward County Program that is going to the Broward County Planning Council in the next few weeks. This presentation is to make the Commission aware and to identify any issues in need of being raised with the Broward County Commission. Vice Mayor Trantalis voiced his concern over the Unified Citywide Flex issue.

Mayor Seiler recognized Jim Hetzel, Principal Planner with the Department of Sustainable Development, who introduced Lorraine Tappen, Principal Planner with the Department of Sustainable Development, who will also participate in the presentation. He stated the presentation gives an overview of issues relating to #BrowardNext. This Broward County Land Use Plan is being presented to the Planning Council for adoption this week. It will then be presented to the Broward County Commission on April 25, 2017 for adoption.

The presentation lists Staff concerns that need to be addressed with Broward County. Additionally, concerns expressed by the Commission in Development Workshops last year regarding growth and development are also included. He noted the City is also going through the process of developing its own Comprehensive Plan and this is an opportunity to address the issues #BrowardNext does not address. He stated it does not restrict the City from being more policy driven than #BrowardNext.

A copy of Mr. Hetzel and Ms. Tappen's presentation is attached to these minutes.

Vice Mayor Trantalis noted his concern about flex zones in the beach areas. Concerning sea level rise, he does not wish to have the City restricted by the County when addressing that risk. Vice Mayor Trantalis noted Staff is on top of those issues. City Manager Feldman stated there is nothing in the #BrowardNext Plan that would alter the limitations that are in the Master Plan regarding trips or units on the beach. Mr. Hetzel stated the County Land Use Plan regulates maximum density on the barrier island as a whole throughout the entire County.

In response to Commissioner Rogers's question, Mr. Hetzel explained the next steps in the process. He confirmed Staff has communicated its concerns with the Broward County Planning Council and have provided it in writing as well. Those written comments will be in the backup material to be reviewed by Broward County Commission. Mr. Hetzel was unable to confirm if the City representative on the County Commission is an advocate for its position. Mr. Hetzel noted the need for the City to set new policies not addressed by #BrowardNext due to

their implications on the City, noting this would be done through the Comprehensive Plan.

In response to Commissioner Rogers's question about Citywide Flex Zones, Mr. Hetzel stated the County is removing the requirement to have Flex Zones in general and is allowing cities to determine if they want to create their own. Further discussion continued on Flex Zones in the area of South Andrews Avenue, in other areas of the City, and regulating them to City boundaries.

Commissioner Roberts commented on the County going towards City-wide Flex Zones in increments of 5,000 units per zone. Mr. Hetzel explained the City would have to go to the County to request a release of Flex units in 5,000 increments. He confirmed for Commissioner Roberts that the City would not lose its 18,000 flex units should the City go to a City-wide Flex Zone system. Discussions continued on preserving the City's current number of 18,000 flex units and their reallocation into City-wide Flex Zones. Mr. Hetzel stated the reallocation of the City's current number of flex units to different City-wide Flex Zones would require a study and analysis to analyze and determine the impacts on infrastructure, schools, etc.

In response to Commissioner Roberts's comment, Ms. Tappen confirmed the County desires to limit expanding the multimodal levels of service only to activity centers such as downtown.

Mr. Hetzel confirmed the need for new policy direction as the Commission is presented with updates to the Comprehensive Plan. The #BrowardNext does not prevent the City from being more restrictive, policy driven, or more specific in areas it does not address.

In response to Commissioner Rogers's question about the definitional piece of affordable housing and tweaking it to meet the 15% requirement and its direction, Mr. Hetzel stated the only change currently being made by the County is changing the word affordable to attainable, everything else remained the same. He stated the County did not fold in the transportation index. Discussions continued on ways to incorporate transportation aspects into attainable housing and is an example of where the City can be more specific in defining its policies.

Commissioner Roberts suggested the need to have more appointments to the Broward County Planning Council. City Manager Feldman explained how the Broward County Planning Council appointments are made.

Discussions continued on the recent appointments to the Broward County Planning Council. Mr. Hetzel confirmed he would get this information to the Commission via email.

BUS-5 [17-0208](#)

Regulating the Retail Sale of Dogs and Cats

Vice Mayor Trantalis stated he has met with City Manager Feldman, Staff, and a concerned constituent regarding this item. He thanked Hallandale Beach City Commissioner Michele Lazarow for her attendance. Vice Mayor Trantalis thanked City Attorney Everett for her office's work on this proposed ordinance. He requested the Commission reach a consensus. City Attorney Everett stated her Staff reviewed several other City ordinances on regulating retail sales of dogs and cats. A compilation of that review resulted in the proposed City Ordinance.

Commissioner Roberts commented on Section 6-36B of the proposed ordinance. Discussions ensued on the chain of custody of a dog or cat to ensure that it has not come from a puppy mill or kitten factory. Mayor Seiler expressed his concern with some of the clauses in the proposed ordinance, though stating his support for addressing the issues of puppy mills and kitten factories.

Mayor Seiler recognized Commissioner Lazarow who stated no reputable breeder would sell a dog or cat to a pet store. Commissioner Lazarow discussed the research that has been done to confirm where pet stores source the sale of dogs and cats from commercial breeding operations such as puppy mills and kitten factories. Mayor Seiler requested Commissioner Lazarow provide the evidence and research on this issue to address the whereas clauses in the proposed ordinance.

Commissioner Roberts commented that he supports eliminating puppy-mills and kitten factories, but voiced concern over the ordinance being too overreaching.

Mayor Seiler recognized Assistant City Attorney Rhonda Hasan who explained the ordinance she drafted was based on the common themes in local municipality's ordinances on this issue. The State has not implemented legislation on this issue. Commissioner Lazarow noted the State is attempting to preempt municipalities on this issue. She stated the Humane Society of the United States is the source of the research and evidence. Commissioner Lazarow cited the fact that both large pet store chains and smaller pet stores no longer sell dogs or cats.

Vice Mayor Trantalis agreed on the need to provide the requested backup to support the whereas clause in the proposed ordinance. He also concurred with Commissioner Roberts's concern regarding the need for an additional exemption that if there is an opportunity for a pet store to show a chain of custody to prove the animal did not come from a puppy mill or kitten factory. Further comments and discussions ensued. There was a consensus that the Commission is in favor of addressing the issue of pet stores selling animals from puppy mills and kitten factories.

Vice Mayor Trantalis requested City Manager Feldman not issue any business licenses for pet stores who desire to sell dogs and cats knowing this is pending. City Manager Feldman stated the City does not issue business licenses but does collect a business tax.

Commissioner Lazarow stated the reporting of issues at pet stores are normally complaint driven. The ordinance is a deterrent from a business from selling this type of commerce. She noted loop-holes in the ordinances of the cities of Sunrise and Plantation. In response to Mayor Seiler's question regarding what is being done at the County and State level, Commissioner Lazarow stated lobbying efforts on behalf of the billion dollar puppy-mill and kitten factory industry at the County level have prevented addressing this issue. Additionally, State House Bill 17 about preemptive legislation for local municipalities works towards not allowing the City to enact its own legislation on this issue.

Vice Mayor Trantalis confirmed the goal is to move the ordinance forward making adjustments to ensure its enforceability.

In response to Mayor Seiler's question, Assistant City Attorney Hasan stated she worked with six or seven ordinances from municipalities in the South Florida area. Assistant City Attorney Hasan confirmed she would get the Commission the requested backup.

BOARDS AND COMMITTEES

BD-1 [17-0353](#)

Board and Committee Vacancies

See Regular Meeting item R-1.

CITY MANAGER REPORTS

None.

ADJOURNMENT

There being no further business before the City Commission at the Conference Meeting of March 21, 2017, Mayor Seiler adjourned the meeting at 8:36 p.m.