

# City of Fort Lauderdale

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



## Meeting Minutes

**Tuesday, February 6, 2018**

**1:30 PM**

**City Commission Conference Room**

## **City Commission Conference Meeting**

***FORT LAUDERDALE CITY COMMISSION***

***JOHN P. "JACK" SEILER Mayor - Commissioner  
BRUCE G. ROBERTS Vice Mayor - Commissioner - District I  
DEAN J. TRANTALIS Commissioner - District II  
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 Robert L. McKinzie, Commissioner Romney Rogers, Vice Mayor Bruce G. Roberts, Commissioner Dean J. Trantalis 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 Jeff Brull

**No e-comments were submitted for this meeting.**

## CALL TO ORDER

Mayor Seiler called the Commission Conference Meeting to order at 1:39 p.m.

## CITY COMMISSION REPORTS

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

Commissioner Trantalis requested item R-2 on the tonight's Commission Regular Meeting Agenda be removed to allow negotiations between the Lake Ridge neighborhood and the Villa Medici community. He explained the details involving the Lake Ridge Civic Association (Lake Ridge) and Villa Medici Homeowner's Association (Villa Medici). Villa Medici wants to open up gates to allow ingress and egress through the Lake Ridge neighborhood. This was not part of their original site plan and will impact the neighborhood. Commissioner Trantalis requested allowing both parties come to a compromise. City Manager Feldman explained the reason it is on the Agenda. Further comments and discussions ensued on this topic. Commissioner Trantalis confirmed he would step out of this meeting, contact the parties involved and advise the Commission.

Vice Mayor Roberts requested City Manager Feldman work with Staff to ensure funding awards from the Metropolitan Planning Organization (MPO) are coordinated.

Commissioner Rogers commented on the success of the ribbon cutting for South Side Cultural Arts Center (formerly South Side School) in

coordination with the State of the City Address. In addition to Parks and Recreation Staff being located at the South Side Cultural Arts Center, Commissioner noted the Riverland Park facility will be staffed by personnel from Parks and Recreation. Discussions ensued on retrofitting the facility at Riverland Park to make it ADA compliant.

Commissioner Rogers commented on positive input from stakeholders involved in the 17th Street Mobility Plan Meetings and its top nine priorities. He commented on Staff's work with FDOT on timing the lights along 17th Street and resequencing of the traffic light at 15th Avenue. Mayor Seiler commented on the positive cooperation from the County. Commissioner Rogers stated that they will discuss the bypass road at the next 17th Street Mobility Plan Meeting.

In response to Commissioner Rogers' inquiry about an email received from a constituent regarding the damaged sidewalk at the playground in Riverside Park, City Manager Feldman confirmed he would address this issue. Commissioner Rogers also noted correspondence from a resident about issues relating to the rebuilding of the bridge over Lake Mayan near Lago Mar. City Manager Feldman confirmed he would have Staff reach out to this resident.

Commissioner Rogers announced the following Stormwater Master Plan Meetings: Southeast Isles on March 5, 2018 - City Hall Cafeteria; and Edgewood and Riverland Road March 15, 2018, - Church of the Nazarene.

Commissioner McKinzie commented on a series of successful police sting operations along Sistrunk Boulevard. Negative behavior along the Sistrunk Boulevard corridor has been addressed by the success of redevelopment and the actions of property owners. Discussions ensued on the need to draft an ordinance requiring visible contact information for investment properties when negative behavior takes place, similar to what was enacted for vacation rental properties.

Commissioner McKinzie discussed the need for City Manager Feldman, Parks and Recreation Staff and the Police Department to address negative issues in Lincoln Park, commenting that community parks such as Lincoln Park are not staffed. Further discussions ensued on possible future staffing and increased police presence at Lincoln Park and the small adjacent park to address negative activity. Discussions continued on activating the parks to a level high enough to discourage negative activity. Commissioner McKinzie confirmed the success of this approach at Provident Park in addressing these concerns.

Commissioner Rogers requested City Manager Feldman ensure that Staff is sensitive to safety concerns regarding events that block off areas along the Riverwalk, requesting that these areas remain open.

Commissioner Rogers commented on safety issues relating to adolescents riding bicycles across the heavily traveled Sunset Boulevard corridor, police efforts to deter this behavior and for education about the dangers involved. Commissioner McKinzie noted the background regarding this behavior and discussions ensued on ways to address this safety concern.

Commissioner McKinzie commented on the positive progress in addressing infrastructure issues in District III, giving a brief status update and confirming there would be street clean-up from overflows after infrastructure work is completed. He said that neighborhood homeowner associations in District III are pleased with the direction of the District.

Discussions ensued on the date of the memorial service for Judy Scher, past member of the Central Beach Alliance, the Beach Redevelopment Board, and President of the Birch Crest Condominium Board. The correct date was confirmed as February 25, 2018.

Mayor Seiler thanked David Armstrong, President of Broward College, who in conjunction with the Broward Center produced the 2018 Speaker Series featuring notable speakers from a variety of media backgrounds to educate and enlighten students and the community. Mayor Seiler thanked Staff involved in the successful City picnic. He also acknowledged the successful Riverwalk events. Mayor Seiler thanked Commissioner Rogers for his leadership and fortitude in ensuring the completion of South Side Cultural Arts Center a/k/a South Side School. Discussions ensued on the success of the ribbon-cutting event.

Mayor Seiler commented on efforts at the state legislative level to preempt local control of vacation rentals, commenting that the proposed legislation will revert to 2011 standards. It will allow modifications to ordinances in place prior to 2011 only if it makes it less restrictive on vacation rental property owners. He noted the need to monitor issues relating to local government preemption.

[18-0142](#)

Communications to the City Commission

*Parks, Recreation, & Beaches Board Minutes  
Wednesday, January 24, 2018*

*Communications to the Commission*

*Motion made by David Itskovich and seconded by Bill Schonlou for the City Commission to repeal the state's preemption of local smoke-free air and other tobacco-related laws, and restore the right of local governments to enact and enforce smoke-free air and other tobacco-related laws. In a voice vote, the motion passed unanimously.*

Mayor Seiler confirmed the City's official position in support of regulating smoking in City-owned parks.

Mayor Seiler recognized Dr. Barry Hummell, Pediatrician, and Chair of the Tobacco Free Partnership of Broward County. Dr. Hummel updated the Commission on State House and Senate Bills. He recommended that the Commission take action on the Clean Indoor Air Act in order to have a position on the record. He discussed the importance of being aware that the biggest influencer of smoking on children is the visual of seeing other people smoke. Allowing smoking in public places indirectly encourages children to take up smoking. Mayor Seiler concurred with the Parks, Recreation, & Beaches Board's recommendation. Commissioner Rogers noted if cannabis is legalized, the same smoke-free zones would apply. Regarding cannabis, Dr. Hummel confirmed the way the state law is currently written no outdoor smoking is permitted.

*Motion made by Karen Polivka and seconded by JoAnn Smith that whereas recognizing there are no state laws governing the usage of e-cigarettes and other smokeless tobacco products in public places, the board therefore asks the City Commission to enact an ordinance prohibiting the use of e-cigarettes and other smokeless tobacco products in public places. In a voice vote, the motion passed unanimously.*

Mayor Seiler recognized JoAnn Smith, Parks, Recreation, & Beaches Board member. Ms. Smith said that vapor cigarettes (e-cigarettes) are more addicting than traditional cigarettes. Dr. Hummell explained the contents of cigarettes and e-cigarettes, the symptoms it causes and the impact of second-hand smoke and e-cigarette vapor on those in the vicinity. He reiterated the visual impact of e-cigarettes on children. Further comments and discussions ensued on the health impact of second-hand smoke from traditional cigarettes and e-cigarettes in public places.

Mayor Seiler asked about implementing a prohibition on e-cigarettes without violating state preemption. Mayor Seiler requested Dr. Hummell to forward research on this issue to City Attorney Everett. Dr. Hummell confirmed makers of e-cigarettes do not define their action as smoking and state law does not define e-cigarettes as smoking. Further discussions ensued of this issue.

City Manager Feldman noted that the City's current ordinance includes smokeless tobacco, asking the Commission to be mindful of enforcement. Mayor Seiler confirmed the need to communicate the message that tobacco should not be in public places.

*Historic Preservation Board (HPB)  
January 2, 2018*

*Communication to the City Commission*

*Motion made by Ms. Mergenhagen, seconded by Mr. Figler, to:*

- 1. Thank the Commission for supporting the position for which Ms. Logan was hired and to acknowledge the good job Ms. Logan was doing, and*
- 2. To alert the Commission to the fact that there is a trend in applications from the City to the HPB that are inferior to those from private citizens regarding compliance.*

*In a voice vote, motion passed unanimously.*

Mayor Seiler recognized Trisha Logan, Historic Preservation Officer. Ms. Logan explained the HPB's desire to have City-owned properties' HPB applications be submitted to her first to review guidelines and to determine what is suitable for the project. This should occur prior to being submitted to Procurement and Budgeting. She cited Warfield Park and the Police Station's location, both within historic designation areas, as examples.

City Manager Feldman commented on the previous experience going through the HPB process when the Police Department's windows were replaced. Discussions ensued on carving the Police Station out of the Sailboat Bend Historic Area Designation.

## CONFERENCE REPORTS

**CF-1**    [18-0100](#)

**Central Beach Master Plan Public Improvement Projects Update**

Commissioner Trantalis made the Commission aware of conversations with an applicant about soliciting a proposal for the Aquatic Complex, confirming he informed City Manager Feldman about this potential opportunity. Commissioner Trantalis expounded on his recommendations with the applicant, confirming at this point it is premature to take any action. Further discussions ensued on the applicant, the group involved and previous conversations with the Commission.

Mayor Seiler commented on an email received from a Mr. Roberts. City Manager Feldman confirmed ownership of the Elbow Room and adjacent property is owned by an entity named 46th Brooklyn. In response to Mr. Roberts' inquiry about funding for these properties, City Manager Feldman confirmed the Beach Community Redevelopment Agency (CRA) does not participate in those types of incentive programs. Brief comments ensued on this topic.

## OLD/NEW BUSINESS

**BUS-1**    [18-0086](#)

**Discussion Regarding FY 2018 Federal Legislative Priorities and Funding Requests for the City of Fort Lauderdale**

Mayor Seiler recognized the City's federal lobbyist, Maurice Kurlander, Alcalde & Fay Ltd, Inc. Mr. Kurlander gave the Commission an overview of federal and administration priorities, commenting on his meeting earlier today with City Manager Feldman and Staff department heads. He stated the current priority of the administration is transportation and infrastructure, expounding on this point. Mr. Kurlander passed out a handout to the Commission.

***A copy of Mr. Kurlander's handout is attached to these minutes.***

Mr. Kurlander confirmed both political parties are in agreement on the need to address all aspects of the nation's transportation and infrastructure needs, confirming the high cost and importance of focusing on the details as to how it will be financed. In response to Commissioner Trantalis' question, Mr. Kurlander explained Public/Private Partnerships, citing the example of taking a public asset and turning it into a toll project that would be managed by a private entity. Maintenance, reinvestment and profit would be received through the toll revenue generated. He

noted that this would not be viable for all projects and certain rural areas would need direct federal funding.

In response to Mayor Seiler's question regarding clarity on this topic, Mr. Kurlander discussed current priorities and expects that by mid-February a detailed plan for infrastructure should be forthcoming from the White House. In response to Commissioner Trantalis' question, Mr. Kurlander confirmed infrastructure priorities include, seaports, airports, highways and water, confirming it could be broader. Vice Mayor Roberts commented on the current federal grant in the amount of \$50,000,000 for Port Everglades. He noted the changing nomenclature for "shovel ready" projects, the need for a strategy and a concept to move projects forward with bipartisan support. Discussions ensued on the funding sources coming from other federal programs.

In response to Commissioner Rogers' inquiry about an increase in the federal gas tax, Mr. Kurlander commented there is strong opposition though it has not been increased in 25 years. State and local gas taxes were briefly discussed. Mr. Kurlander discussed proposed earmarks for transportation, infrastructure projects and overall appropriations which will allow a direct way to go after federal dollars for the City's needs.

In response to Vice Mayor Roberts' inquiry about funding for sea level rise, Mr. Kurlander said this has not been specifically addressed in current infrastructure discussions, reconfirming these discussions have been very broad. Discussions ensued on flood and disaster mitigation efforts and its impact on infrastructure.

In response to Commissioner Rogers' question about the future of grants, Mr. Kurlander gave his viewpoint and noted they may be renamed. He noted the President's budget should be forthcoming by mid-February, commenting on the subsequent opportunity for Congress to make changes.

Mr. Kurlander reviewed the Funding Principles included in his handout, commenting that things in Washington, D.C. should begin to accelerate.

In response to Commissioner Trantalis' question on the DACA immigration issue and funding the government, further discussions ensued on the administration's position on funding border security issues.

Commissioner Rogers asked about the repercussions of action by Governor Scott regarding the return of \$400,000,000 in transportation



funding. Mr. Kurlander noted the reaction to these funds going to other states. Mayor Seiler asked about the possibility of transportation funding being repurposed to state and local governments, citing the example of The Wave. Mr. Kurlander stated this would face significant opposition, noting the clarity and specificity with which the funding was awarded and its intent for shovel ready projects intended for economic recovery. Discussions ensued on returning or repurposing federal funding and the difficulty involved.

In response to Mayor Seiler's question about the status of Sober Homes, Mr. Kurlander confirmed Congresswoman Lois Frankel continues to lead efforts to request cities to change their ordinances based on guidance from the Department of Justice in resolving this issue. The opioid crisis has overshadowed this issue, commenting on current efforts and bi-partisan support on a national level concerning opioids.

In response to Mayor Seiler's questions regarding efforts to preempt municipal efforts to pursue Multi-District Litigation (MDL) against opioid manufacturers and distributors, Mr. Kurlander confirmed he has not seen any action in this regard, confirming he would monitor this issue.

Mayor Seiler confirmed he would contact Mr. Kurlander when he attends meetings about the Federal Court House in Washington, DC at the end of the month.

Mayor Seiler recognized Michael Rajner, P.O. Box 2133. Mr. Rajner commented on the need to include the issue of civil rights of all types of individuals in the listing of the City's Federal Priorities. He also commented on the revenue received from the LGBT community from both residents and visitors, and the future possibility of this group losing their civil rights. Mr. Rajner encouraged the Commission to incorporate the protection of the rights of the LGBT community in its list of Federal Priorities, similar to Broward County's state and federal legislative priorities. Mayor Seiler stated Broward County's Ordinance on protecting LGBT rights also applies to the City.

## **BOARDS AND COMMITTEES**

### **BD-1    [18-0141](#)**

#### **Board and Committee Vacancies**

In response to Commissioner Trantalis' question, City Clerk Modarelli confirmed receipt of the names for board and committee appointments. Discussions ensued on upcoming board and committee appointments.

## **CITY MANAGER REPORTS**

None.

## **ADJOURNMENT**

Mayor Seiler adjourned the Conference Meeting of February 6, 2018 at 3:45 p.m.