

City of Fort Lauderdale

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



Meeting Minutes

Tuesday, September 3, 2019

1:30 PM

Rescheduled to September 12, 2019 at 1:30 PM

City Commission Conference Room

City Commission Conference Meeting

FORT LAUDERDALE CITY COMMISSION

DEAN J. TRANTALIS Mayor

ROBERT L. McKINZIE Vice Mayor - Commissioner - District III

HEATHER MORAITIS Commissioner - District I

STEVEN GLASSMAN Commissioner - District II

BEN SORENSEN Commissioner - District IV

CHRIS LAGERBLOOM, City Manager

JOHN HERBST, City Auditor

JEFFREY A. MODARELLI, City Clerk

ALAIN E. BOILEAU, City Attorney

CALL TO ORDER

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

Mayor Trantalis announced that this is the convening of the previously scheduled City of Fort Lauderdale September 3, 2019 Commission Conference Meeting that was rescheduled due to the State of Emergency Declaration previously in effect due to Hurricane Dorian.

QUORUM ESTABLISHED

Commission Members Present: Commissioner Heather Moraitis, Commissioner Steven Glassman, Vice Mayor Robert L. McKinzie, Commissioner Ben Sorensen, and Mayor Dean J. Trantalis

Also Present: City Manager Chris Lagerbloom, City Clerk Jeffrey A. Modarelli, City Attorney Alain E. Boileau, City Auditor John Herbst, and Sergeant at Arms Keven Dupree

[19-0859](#)

Communications to the City Commission - (Commission Districts 1, 2, 3 and 4)

**Central City Community Redevelopment Agency (CRA)
Advisory Board
Wednesday, August 7, 2019**

A copy of this correspondence is attached to these minutes.

Commissioner Glassman suggested a review of how other CRAs address this topic. Mayor Trantalis confirmed the Northwest-Progressive-Flagler Heights (NWPFH) CRA participates in its event promotions, noting the Commission position to move away from this practice. Comment and discussion ensued on the request for event funding in the Central City (CC) CRA.

Mayor Trantalis recognized Ina Lee. Ms. Lee said that the Business Improvement District (BID) funds The Air Show. Vice Mayor McKinzie commented on the need to market CRA investments. Mayor Trantalis requested additional information. Comment and discussion ensued on the progress made within the CC CRA.

Commissioner Sorensen recommended the presence of a Staff person to provide details regarding Advisory Board and Committee Communications to the Commission. There was consensus on this

recommendation. Further comment and discussion ensued.

Mayor Trantalis recognized Cija Omengebar, CRA Planner for the CC CRA and the Beach CRA. Ms. Omengebar explained this communication. It is requesting guidance from the Commission regarding the CC CRA using its budgeted marketing funds for event *seed funding*. She said there is an application process in place. Comment and discussion ensued.

City Manager Chris Lagerbloom confirmed that the CC CRA has funding from City Tax Incremental Financing (TIF). There is \$50,000 in the marketing CC City CRA budget. There was Commission consensus to fund the requested \$20,000.

Historic Preservation Board (HPB)
Monday, August 5, 2019

A copy of this correspondence is attached to these minutes.

Trisha Logan, Urban Planner III and HPB Liaison, explained the genesis of this communication. It is an application from a Sailboat Bend property owner requesting double-hung vinyl windows. Ms. Logan discussed challenges related to obtaining double-hung windows, noting specific design HPB criteria guidelines for the Sailboat Bend Historic District.

In response to Mayor Trantalis, Ms. Logan explained the request is for full vinyl windows. Further comment and discussion ensued on the durability of various materials, aspects of double-hung windows and other possible options.

In response to Commissioner Glassman's question, Ms. Logan said that the Secretary of Interior does not address vinyl windows. Discussions ensued on the HPB materials criteria, guidelines, and other available options. Commissioner Glassman recommended Ms. Logan further research this topic and related details. Ms. Logan confirmed.

Planning and Zoning (P&Z) Board
Wednesday, August 21, 2019

A copy of this correspondence is attached to these minutes.

Alfred Battle, Deputy Director of the Department of Sustainable

Development, explained his understanding of this communication. Comment and discussion ensued on addressing the deferral of P&Z Agenda items.

Mr. Battle commented on the significant amount of Staff time to prepare for quasi-judicial items before the P&Z Board and the desire of the P&Z members to be more efficient with their time. Comment and discussion ensued on the P&Z Board's recommendation and related details. Commissioner Moraitis requested additional information.

Mayor Trantalis said Staff would review, assess this recommendation and provide a presentation to the Commission. The Commission commented on having discussions with stakeholders to provide feedback. Mr. Battle suggested that Staff would return to the Commission with recommendations. Mayor Trantalis confirmed.

Education Advisory Board (EAB) **Thursday, August 15, 2019**

A copy of this correspondence is attached to these minutes.

Zoie Saunders, Chief Education Officer and EAB Liaison, gave an overview of this communication, its context and Staff perspective. The EAB recommendations include early learning; strategic work for utilizing and sharing parks and school playgrounds; establishing standards for *A* and *B* schools; and recognizing progress and growth in an academic year.

Ms. Saunders confirmed an upcoming meeting with Phil Thornburg, Director of Parks and Recreation, and Staff to coordinate a partnership between the EAB Advisory Board and the Parks, Recreation and Beaches (PR&B) Advisory Board to discuss and present a joint recommendation to the Commission.

Ms. Saunders explained this communication requests the Commission consider and recognize three education recommendations as priorities, expounding on related details. Further comment and discussion ensued on education metrics and moving forward with the metric adopted by the Broward County School Board (School Board).

Commissioner Moraitis commented on the need to ensure Ms. Saunder's time is appropriately targeted, commenting on School Board responsibilities.

Ms. Saunders explained ways the City can showcase learning aids, including unique programming, i.e., magnet programs; the breadth of progress in schools; and the City's recognition of schools.

Vice Mayor McKinzie commented on past and future efforts to address the needs of City schools and equity when working with the School Board.

Mayor Trantalis discussed initiatives that address student needs that supplement School Board efforts. The City is aligning with existing learning metrics of the School Board. Further comment and discussion ensued on the School Board's response to City requests.

Commissioner Moraitis commented on efforts with the School Board and City priorities. Commissioner Glassman noted the need for continued advocacy. Commissioner Sorensen commented on his perspective regarding supplementing schools. Further comment and discussion ensued.

Ms. Saunders confirmed she would be updating the Commission on a partnership with the School Board.

In response to Vice Mayor McKinzie, Ms. Saunders confirmed she would be attending the School Board update on its bond renovations.

COMMISSION REPORTS

Commissioner Moraitis commented on her participation in private Hurricane Dorian (Hurricane) relief efforts at Fort Lauderdale Executive Airport (FXE) to address the needs of those in the Bahamas impacted by Hurricane Dorian (Hurricane). This relief effort is expected to last one month.

Commissioner Moraitis discussed conversations with U.S. Congressman Ted Deutch regarding handguns on private property. City Attorney Alain Boileau gave an update on related litigation and appeal. Commissioner Moraitis commented on the City of Pembroke Pines efforts to enact State gun legislation. Additional details from the Broward League of Cities would be requested. City Attorney Boileau discussed the enforcement of Ordinances and possible challenges at the State and Federal level, explaining details. Further comment and discussion ensued.

Vice Mayor McKinzie commented on the need for an awareness

campaign regarding guns at parks.

Assistant Police Chief Luis Alvarez confirmed the need for prevention and public awareness to discourage individuals from bringing guns onto park property and other public areas, expounding on related details.

Mayor Trantalis discussed concerns related to this topic. Further comment and discussion ensued. Vice Mayor McKinzie commented on having a trained individual at park property events and special events to recognize and identify potential threats. Further comment and discussion ensued on this need and associated costs.

Mayor Trantalis confirmed the need to move towards increased safety and security without undue burden on the community, noting that every situation cannot be anticipated. Commissioner Moraitis commented on her perspective, discussing various scenarios. Further comment and discussion ensued.

City Attorney Alain Boileau confirmed that Ordinances adopted by the Commission are enforceable. He expounded on details related to carrying firearms on City property, legal challenges and adherence to the law regarding concealed weapons. Further comment ensued. Mayor Trantalis noted the need to be proactive.

Assistant Police Chief Alvarez recommended residents not store guns in vehicles due to possible burglaries. In response to Mayor Trantalis, City Attorney Boileau confirmed he would bring forward an ordinance to ban firearms in parks and public places for Commission input and review.

City Manager Chris Lagerbloom responded to Commissioner Glassman's request for updates on the Tree Ordinance and Interlocal Agreement (Agreement) with the MPO. Staff is addressing the Tree Ordinance and is expected to be presented before the Commission soon. City Manager Lagerbloom updated the Commission on ongoing efforts regarding the Interlocal Agreement (Agreement) with the Broward County Metropolitan Planning Organization (MPO). The Agreement before the MPO earlier today was approved in concept, expounding on details. Commissioner Glassman discussed concerns regarding how this topic relates to upcoming Budget Hearings and details related to the Department of Transportation and Mobility (TAM). City Manager Lagerbloom confirmed efforts to provide the Agreement to the Commission before the Second Budget Hearing.

In response to Vice Mayor McKinzie's question regarding the financial

impact of the Agreement with the MPO, City Manager Lagerbloom confirmed savings to the City is estimated at approximately \$250,000. Commissioner Glassman noted a discrepancy from the \$400,000 savings previously discussed and the need for details and a full understanding. Further comment and discussion ensued. City Manager Lagerbloom commented on the remaining Agreement details to be addressed.

Vice Mayor McKinzie requested an update regarding implementation of minority participation goals, commenting on efforts and standards of the MPO to meet its thirty percent (30%) goal. City Manager Lagerbloom confirmed he would provide an update. Mayor Trantalis commented on the need to establish a percentage goal for minority participation.

Vice Mayor McKinzie said that updates regarding District MPO projects would be available at the next MPO meeting. He requested follow-up on the required registration of investment properties. City Manager Lagerbloom confirmed an ordinance would be brought forward to the Commission.

Vice Mayor McKinzie discussed the CBRE project update for Stranahan High School (Stranahan) renovations, expounding on details. He gave an overview of the status of Stranahan projects, discussing details.

Commissioner Sorensen thanked those involved in hurricane preparation efforts, commenting on related relief efforts to address needs in the Bahamas.

Commissioner Sorensen commented on MPO and TAM Staff and the need to maintain a robust TAM Department.

City Manager Lagerbloom confirmed a Director of TAM would be maintained along with Staff to address the needs of each District. Responsiveness to local neighborhoods would continue. He expounded on additional details and benefits realized with the Agreement between the City and the MPO, addressing needs from a regional perspective.

Vice Mayor McKinzie noted that the City is a transportation hub, confirming related benefits that the Agreement with the MPO would provide. Further comment and discussion ensued on the MPO meeting held earlier today.

Commissioner Glassman reiterated the need for TAM to maintain a grass-roots effort with local neighborhoods.

Commissioner Sorensen requested feedback on Hurricane preparedness. City Manager Lagerbloom confirmed all pre-emergency plans were well executed. Further comment and discussion ensued. Vice Mayor McKinzie commented on the need for residents to adhere to local government communications and instructions when preparing for a storm.

Mayor Trantalis confirmed the need to harden City facilities and systems. City Manager Lagerbloom commented on the need for overnight arrangements at the Emergency Operations Center (EOC), discussing possible options. Commissioner Sorensen recommended addressing these needs. Further comment and discussion ensued on the impact of storm surge and the need to address Mayor Trantalis' comments.

Commissioner Sorensen updated the Commission on his efforts with Commissioner Glassman regarding Las Olas Mobility Working Group to address discrepancies between The Corradino Group (Corradino) scope of work and the existing budget. Comment and discussion ensued. City Manager Chris Lagerbloom commented on his assessment of the current scope of work and the Corradino construction cost estimate, expounding on details. He discussed associated subgrade needs and costs.

Vice Mayor McKinzie commented on aspects of a similar project on Clematis Street in West Palm Beach. City Manager Lagerbloom confirmed the scope of work for Las Olas Boulevard would be circulated to the Commission and scheduled for discussion at the October 2, 2019 Commission Conference Meeting.

Mayor Trantalis thanked Staff for Hurricane Dorian preparation efforts and Commissioner Sorensen for convening the subsequent community prayer service at the Sanctuary Church. He commented on details regarding his recent Telephone Town Hall Meeting.

Mayor Trantalis commented on attending the Chamber of Commerce Washington Summit Meeting later this month in Washington, D.C. A meeting is scheduled for September 23, 2019 with White House staff. The topic of discussion is federal funding for the City.

Mayor Trantalis discussed a request to support a petition drive by Weston Mayor Daniel J. Stermer. The petition drive is to include a State ballot item for a constitutional amendment banning private assault weapon ownership. He requested input from each Commissioner. City

Attorney Boileau confirmed he would provide related language and documentation to the Commission, commenting on details.

Mayor Trantalis discussed workforce housing and related State legislation. He commented on a possible option to reduce current unlimited building height development in the Downtown Master Plan Regional Activity Center (RAC). Vice Mayor McKinzie discussed his perspective, noting that many projects have been approved in the Downtown RAC. Comment and discussion ensued on height levels and ensuring the creation of workforce housing.

In response to Mayor Trantalis' question regarding the amount remaining in the last Broward County (County) 5,000 flex unit allocation, it was confirmed that they have not all been utilized.

Mayor Trantalis raised the topic of the County mandate that fifteen percent (15%) of the 5,000 flex unit allocations must be affordable housing (Mandate). Comment ensued on ways to ensure affordable housing goals are met in the downtown area. Commissioner Sorensen requested a menu of options the Commission could utilize as incentives for affordable housing. Vice Mayor McKinzie discussed his support of workforce housing, noting the challenges encountered with developers on non-City owned properties. Further comment and discussion ensued.

City Attorney Boileau said the State legislation only applies to inclusionary zoning ordinances. The City does not have inclusionary zoning. The party responsible party required to make the developer whole pursuant to recent State legislation, as it relates to the enforcement of the County Mandate, is unclear. He confirmed the need for further research outside the framework of a rezoning ordinance. Commissioner McKinzie noted that previous Commission development approvals did not include the Mandate.

Vice Mayor McKinzie discussed the release of in-fill housing lots in District III. He commented on details associated with their buildability, and options related to Code and adjoining property owners that could be a possible tool towards affordable housing. Clarence Woods, Northwest-Progresso-Flagler Heights Community Redevelopment Agency (CRA) Manager, responded.

Mayor Trantalis commented on Commission protocols regarding proclamations coming from the Office of the Mayor. Further comment and discussion ensued.

Mayor Trantalis commented on correspondence received by each Commission member from the Guilday Law firm (Guilday) relating to the age requirement for the sale of tobacco. City Attorney Boileau confirmed he does not concur with their analysis arguing implied exemption. Mr. Boileau said there is no preemption related to the regulation of age, explaining details.

In response to Vice Mayor McKinzie's question, Mr. Boileau confirmed that the Ordinance would not permit local convenience stores to sell tobacco products to individuals under 21 years of age. Mr. Boileau confirmed the Ordinance is enforceable.

Vice Mayor McKinzie confirmed for the record his perspective regarding District III Commission Staff in the Office of the City Commission. Comment and discussion ensued.

OLD/NEW BUSINESS

BUS-1 [19-0848](#)

Discussion Regarding 2020 State Legislative Priorities and Funding Requests - (Commission Districts 1, 2, 3 and 4)

Dave Ericks, Tripp Scott Ericks Consulting, commented on positive aspects at the State legislative level in 2019. He discussed the position of the new Governor regarding preemption and other priorities, including addressing water and environmental funding. He commented on the amount of the State's general revenue funding. Further comment and discussion ensued.

Ron Book, Ron L. Book, P.A., commented on funding priorities that include a significant increase in teacher salaries and maintaining the high level of the State reserves.

Comment and discussion ensued on utilizing funding from the Sadowski Fund for items other than affordable housing. Mr. Ericks confirmed the topic of affordable housing is on every municipality legislative list.

Mr. Book stated a significant amount of funding was sent to the Florida Panhandle to address the aftermath of Hurricane Michael due to a lack of federal funding assistance. He expounded on additional details.

City Manager Lagerbloom gave an overview of draft of 2020 legislative priorities. It will be in final form upon feedback from the Commission.

A copy of the 2020 legislative priorities of the City is attached to these minutes.

Mayor Trantalis commented on lobbyist efforts to assist the City with the regulation of dockless mobility (scooter) use and related legislation. Further comment and discussion ensued.

In response to Commissioner Moraitis' question regarding the number of appropriations being requested, City Manager Lagerbloom said three to four are typical. Commissioner Moraitis recommended taking a stronger stance on the topic of vacation rentals to pursue local control, commenting on other municipal efforts.

Lauren Jackson, Government Affairs Consultant, Tripp Scott Ericks Consulting, explained opposition efforts against local governments taking control of this issue in the 2019 legislative session. She noted this is anticipated to continue in 2020, commenting on details and the need to be vigilant.

In response to Mayor Trantalis' question regarding the theory behind the opposition position, Ms. Jackson said it is viewed in the context of private property rights, citing examples and expounding on details. She also noted that it also gives affordable options to tourists.

Commissioner Moraitis commented on the negative impact of vacation rentals on the affordable housing market, citing examples. She said affordable housing should be part of the vacation rental conversation.

Rana Brown, Ron L. Book, P.A., confirmed that the League of Cities has requested her firm to address this issue, expounding on details, numerous aspects of vacation rentals and ways to move forward.

Vice Mayor McKinzie discussed past efforts regarding vacation rentals, the position of one vacation rental company, efforts of registered property owners and possible alternatives moving forward. Mayor Trantalis commented on the efforts of Staff and the difficulty of enforcement. Further comment and discussion ensued.

Mayor Trantalis recognized Charles King, 105 N. Victoria Park Road. Mr. King commented on his perspective regarding the hiring of lobbyists on behalf of the City.

Mayor Trantalis recognized Ina Lee. Ms. Lee discussed the need for the Commission to reconsider the reauthorization of *Visit Florida*, the marketing arm of tourism. Mayor Trantalis concurred and discussed his perspective. Further comment ensued. Mr. Book explained details

related to this topic. Commissioner Glassman concurred with Ms. Lee's comments, noting the need for more specificity regarding the 2020 Legislative Priority entitled *Promote Economic Stability and Business Development*. Further comment and discussion ensued. Vice Mayor McKinzie also concurred, commenting on his perspective.

Commissioner Glassman commented on the importance of film and television incentives, expounding on related details. Additional comment ensued.

BUS-2 [19-0863](#)

Special Events Policy Discussion - (Commission Districts 1, 2, 3 and 4)

Sarah Spurlock, Nighttime Economy Manager, reviewed Commission direction and Staff action taken regarding the Special Events Ordinance policy recommendations. She requested Commission direction regarding the Special Event Working Group's (Working Group) eleven recommendations. Mayor Trantalis requested Commission comments on these recommendations.

In response to Commissioner Moraitis' question regarding this topic relating to earlier conversations on events in District II Central City Community Redevelopment Agency (CRA), Commissioner Sorensen explained that the Central City CRA would need to apply for the following two items: related funding through Central City CRA; and event permits through the normal event process.

Commissioner Sorensen confirmed permitting of special events is now under the Parks and Recreation Department. Ms. Spurlock confirmed she began the Working Group and is continuing through its completion. The Parks and Recreation Department is represented in the Working Group.

Commissioner Glassman asked about the next steps. Ms. Spurlock explained that upon Commission approval of the eleven (11) recommendations, she would work with Phil Thornburg, Director of Parks and Recreation, to update ordinances, policy and applications to reflect the recommendations. Ms. Spurlock acknowledged the efforts and contributions of Working Group members.

BUS-3 [19-0869](#)

Discussion - Rescheduling City Commission Meeting Dates for 2020 Holidays - (Commission Districts 1, 2, 3 and 4)

The Commission discussed the 2020 Commission Calendar holiday dates. There was consensus to modify the following 2020 Commission Meeting dates noted below:

Tuesday, November 3, 2020 Commission Meeting date moved to Thursday, November 5, 2020; and

Tuesday, December 1, 2020 Commission Meeting date moved to Wednesday, December 2, 2020.

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

[19-0888](#)

The City Commission will meet privately pursuant to Florida Statute, Section 447.605 concerning:

Collective Bargaining

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

Hinton, Walter, et al. v. City of Fort Lauderdale
Case No.: CACE 07-030358 (26)

Adderly, Ray, et al. v. City of Fort Lauderdale
Case No.: CACE 11-008499 (26)

Sailboat Bend Sober Living, LLC, et al. v. City of Fort Lauderdale
Case No.: 19-60007-CIV-ALTMAN/Hunt

Rescheduled to the Tuesday, September 17, 2019 Commission Conference Meeting.

CITY MANAGER REPORTS

None.

ADJOURNMENT

Mayor Trantalis adjourned the meeting at 4:30 p.m.