

City of Fort Lauderdale



Meeting Minutes

Tuesday, April 6, 2021

1:30 PM

City Hall - City Commission Chambers
100 North Andrews Avenue, Fort Lauderdale, FL 33301

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City Commission Conference Meeting

FORT LAUDERDALE CITY COMMISSION

DEAN J. TRANTALIS Mayor

STEVEN GLASSMAN Vice Mayor

HEATHER MORAITIS Commissioner - District I

ROBERT L. McKINZIE Commissioner - District III

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.

ANNOUNCEMENTS

Mayor Trantalis announced there would be a *Moment of Silence* at tonight's Commission Regular Meeting in recognition of the passing of Congressman Alcee Hastings an attorney and a former judge. Congressman Hastings was a member of the United States House of Representatives for Florida's 23rd Congressional District from 1993 to 2013 and Florida's 20th Congressional District from 2013 until his passing.

Mayor Trantalis explained details related to the virtual format of this meeting, including how members of the public can view and participate. He announced the meeting would begin with *City Commission Reports*.

QUORUM ESTABLISHED

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

Also Present: City Manager Chris Lagerbloom, City Clerk Jeffrey A. Modarelli, City Attorney Alain E. Boileau and City Auditor John Herbst (participated telephonically)

CITY COMMISSION REPORTS

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

Commissioner Moraitis congratulated Rufus James, Fort Lauderdale Executive Airport (FXE) Manager for his recognition as *2020 Airport Professional of the Year* by the *American Association of Airport Executives Southeast Chapter*.

Commissioner Moraitis commented on input received at the *Sunrise Intracoastal Homeowner's Association Annual Meeting* regarding reckless use of jet skis and requested Staff input. City Manager

Lagerbloom explained efforts that include Code Enforcement and Police Department Marine Patrol (Marine Patrol Unit) response. Mayor Trantalis commented on resident feedback on this topic and cited examples.

City Manager Lagerbloom said the Commission would receive a Marine Patrol Unit update on efforts and capabilities to address jet ski activity. Further comment and discussion ensued on identifying jet ski vendors and no-wake zones.

Commissioner Moraitis discussed meetings with the Advisory Board that works with *Atlantic Technical College*, the *Avionics Program* and *FXE* business owners. Dr. Sean Gallagher, Broward College, was hired as a consultant for a feasibility study (Study) to determine the viability of an Aviation and Aerospace Training Program (Program).

Zoie Sanders, Chief Education Officer, expounded on the Study and focus over the next thirty (30) to sixty (60) days to analyze industry needs and training demands. In June 2021, the consultant will present to the Commission Program design considerations prior to the next planning phase. Commissioner Moraitis commented on these efforts aligning with the technical career funding initiative at the State level and expounded on her perspective.

Commissioner Moraitis provided updates on legislative items received at the *Florida League of Cities (FLC) Board Meeting* and *FLC Advocacy Meeting*. Vacation Rental legislation is moving forward as desired. Legislation banning smoking on the beach has reached an impasse.

Commissioner Moraitis commented on legislation allowing home-based businesses and preemption of local control. Daphnee Sainvil, Program Manager II, provided an update on this topic, reviewing related requirements and confirming an in-depth analysis would be provided to Commission Members. The Florida House of Representatives had postponed this legislation, and associated legislation is in the Florida State Senate Rules Committee and has not been calendared.

Mayor Trantalis questioned the efficacy should this legislation become law if local zoning does not permit home-based businesses. Ms. Sainvil confirmed she would research and advise. Further comment and discussion ensued on this topic.

Commissioner Moraitis noted a *Florida Department of Transportation (FDOT)* Meeting regarding a \$1,500,000 *Bayview Drive Roadway*

Improvements Project (Project) from Sunrise Boulevard to Commercial Boulevard scheduled to start in Spring 2022. Improvements include installation of adjacent sidewalks east and west of Bayview Drive, bike lanes, roundabouts, drainage and pedestrian crosswalks.

Interim Police Chief (Chief) Patrick Lynn provided an update on enforcement efforts to address jet ski concerns and ongoing efforts by the Marine Patrol Unit. Several jet ski rental businesses were operating in City Parks without permission and were stopped.

Phil Thornburg, Parks and Recreation Director, explained businesses are not allowed in City Parks unless they are permitted, expounding on details that include the Request for Proposal (RFP) process. He confirmed Police Officers are addressing neighbor concerns both on land and water. There is a meeting scheduled tomorrow with Park Staff and Police Department Staff to address this topic. Should a decision be made to regulate and permit jet skis, Staff would develop a scope for the RFP process, similar to other Park activities. Further comment and discussion ensued on existing jet ski operations, possible expansion and enforcement.

Vice Mayor Glassman congratulated Mr. James on his recognition as *2020 Airport Professional of the Year Award* from the *American Association of Airport Executives Southeast Chapter*.

Vice Mayor Glassman extended his sympathies to the family of *The Honorable Alcee Hastings*. Vice Mayor Glassman requested Gypsy Graves, former long-time resident, and Jack Osterholt, a former Broward County Administrator from 1991 - 1997, also be recognized during tonight's *Moment of Silence*. He expounded on details of Ms. Graves' Rio Vista residence and her community contributions as Founder and Executive Director of *Graves Museum of Archaeology and Natural History* in Dania Beach, Florida.

Vice Mayor Glassman, as Commission Liaison for negotiations with the *Bahia Mar tenant a/k/a TRR Bahia Mar LLC developer/applicant (Lessee)*, commented on preliminary meetings and confirmed an upcoming meeting on April 8, 2021 with the *Lessee*. He will provide the Commission with progress reports as discussions move forward.

In response to Mayor Trantalis' question regarding discussion goals with the *Lessee*, Vice Mayor Glassman explained his understanding of a Commission consensus to not allow condominiums based upon the

March 16, 2021 Commission Conference Meeting Bahia Mar Commission Agenda Item discussion. Extension of lease discussions will depend on what can be accomplished with the Site Plan and monetizing those assets. He commented on initial goals, stating the existing Site Plan has too much density, i.e., six hundred fifty-one (651) residential rental units approved by a previous Commission, and opposition to condominiums. Vice Mayor Glassman noted the need to increase public access on the peninsula that would serve to benefit *The Boat Show*. He cited positive public access aspects of the Site Plan, i.e., the Marina Village Food Court, promenade and grocery store.

Vice Mayor Glassman confirmed the *Bahia Mar Zoning District as South Beach Marina and Hotel Area (SBMHA)*. He acknowledged the existing hotel's interior renovations and commented on the need for exterior renovation and updating. Vice Mayor Glassman said the hotel should be an expanded, first-class resort and marina for the public to enjoy.

Commissioner Sorensen noted agreement during the *March 16, 2021 Commission Conference Meeting Bahia Mar Agenda Item* discussion to not allow condominiums and allow participation of *The Boat Show* representatives in *Lessee* discussions. Vice Mayor Glassman concurred, noting related talks with the *Marine Industries Association of South Florida* regarding participation of *The Boat Show*. Commissioner Sorensen expounded on his perspective regarding the City's leverage and his support of consideration that this property return to the City.

Commissioner McKinzie clarified his position. He supports negotiations going forward and an option presented to the Commission for a vote. Further comment and discussion ensued.

Vice Mayor Glassman commented on the option of purchase should parties not reach an agreement. He asked for input from City Attorney Boileau regarding the ability to review *The Boat Show's* documents. Further comment and discussion ensued. Vice Mayor Glassman reiterated he would keep the Commission updated on negotiations with the *Lessee*.

Vice Mayor Glassman noted the *Symphony of the Americas* announced Steven Haines was appointed as its new Executive Director and commented on related details.

Vice Mayor Glassman recommended contemplating adoption of

resolutions when the Commission feels the need to take a position on an issue, expounding on his perspective and citing examples.

Mayor Trantalis noted *Commission Legislative Priorities* illustrate the position of the City on numerous legislative issues. Further comment and discussion ensued.

Vice Mayor Glassman commented on concerns with current legislative bills in the Florida Legislature that would negatively impact athletic opportunities for transgender students. He expounded on his perspective and the Commission taking a stand.

Mayor Trantalis commented that any resolution of this nature should be unanimous. He requested City Attorney Boileau obtain the legislative bill referenced by Vice Mayor Glassman for Commission review and consideration of a corresponding resolution.

Commissioner Moraitis cited the passing of the Commission Resolution related to banning smoking on the beach. City Manager Lagerbloom confirmed and noted he would circulate related resolution language to Commission Members.

In response to Vice Mayor Glassman's inquiry regarding film industry incentive legislation, Ms. Sainvil explained the State Legislature viewpoint and its perspective that the State markets itself with its beaches. Further comment ensued.

Vice Mayor Glassman commented on his perspective regarding election administration laws recently passed in Georgia and similar legislation circulating at the Florida State Legislature. He expounded on input from the business community regarding the need to protect voting access and recommended the Commission take a stand.

Vice Mayor Glassman inquired about the Commission's appetite to take a more aggressive stand on specific issues of concern arising subsequent to the adoption of *Commission Legislative Priorities*.

Mayor Trantalis concurred with Vice Mayor Glassman's comments, expounding on his viewpoint. He requested the voting rights legislation being circulated at the Florida Legislature be provided to Commission Members for review.

Commissioner Moraitis commented on her perspective regarding Commission Members ability to be effective individually. She cited her

efforts and those of Commissioner Sorensen with constituents regarding the vacation rental bill without passing a resolution. Commissioner Moraitis confirmed her opposition to moving forward with controversial resolutions.

Commissioner McKinzie congratulated Mr. James on recognition as *2020 Airport Professional of the Year Award* from the *American Association of Airport Executives Southeast Chapter*. In response to Commissioner McKinzie's inquiry, City Manager Lagerbloom confirmed his signing of items related to Mr. James' job classification and pay.

Commissioner McKinzie commented on his support of recognizing and honoring the public service of *Congressman Alcee Hastings* in a tangible way, i.e., the naming of a downtown area street in remembrance of *Congressman Hastings*.

Commissioner McKinzie discussed concerns regarding recent gun violence at numerous convenience store locations in District 3. He remarked on related circumstances and the negative impact on residents.

Commissioner McKinzie commented on his frustration, expounded on his perspective and emphasized the need for Police Department resources to focus on these convenience store areas in addition to *Lincoln Park* and *Little Lincoln Park (Parks)*, which are experiencing similar preventable illegal gun violence. He cited examples of illegal conduct by individuals and ATV groups from areas outside the City congregating at these locations.

Chief Lynn concurred with Commissioner McKinzie's concerns and explained efforts to address referenced activities in the *Parks*. He confirmed the Police Department goal to identify and find a long-term solution to illegal activities at convenience stores and *Parks*. Further comment and discussion ensued. Chief Lynn confirmed the Police Department would pursue every avenue to address concerns.

Mayor Trantalis commented on his perspective regarding this unacceptable behavior. He encouraged residents to join together and proactively speak up and report illegal activities in their communities. Commissioner McKinzie expounded on his perspective and emphasized the need to devote Police Department resources to these District 3 areas.

Commissioner McKinzie discussed the high stormwater rate schedule fees (Fees) experienced by a small church in District 3 which are

significantly higher than larger churches in the same area. City Manager Lagerbloom noted the way in which the *Broward County Appraiser's Office* categorizes a property impacts Fees. He will research and provide an update. Commissioner McKinzie commented on his willingness to revisit the calculation of Fees. Further comment and discussion ensued.

Commissioner McKinzie commented on conditions of the 7th floor at City Hall, his office location. He expounded on environmental conditions associated with water damage mitigation and new carpeting installed over the older carpet in poor condition (old carpet). City Manager Lagerbloom said the report on this topic was sent to Commission Members and explained industry recommendations for addressing concerns.

Commissioner McKinzie confirmed his discomfort with placing new carpet over the old carpet and his review of City Manager Lagerbloom's update provided to Commission Members. City Manager Lagerbloom concurred with Commission McKinzie's comments regarding the condition of the old carpet. Further comment and discussion ensued.

Commissioner McKinzie commented on concerns regarding employees working on the 7th floor. City Manager Lagerbloom explained work done to remediate mold and water concerns. Resampling of the air is being done. Further comment and discussion ensued.

Commissioner McKinzie explained how his 7th floor offices should be addressed. Mayor Trantalis confirmed this topic would be addressed to ensure the health and safety of those in and around this area.

In response to Commissioner McKinzie's inquiry regarding an update on sidewalk policy, City Attorney Boileau explained the property owner adjacent to a damaged sidewalk is responsible for repairs and repairs must be approved by the Commission. Staff is in the process of rewriting the current Ordinance due to enforcement issues associated with the current process. City Attorney Boileau commented on liability. Commissioner McKinzie inquired about the timeline for an updated sidewalk Ordinance. City Attorney Boileau confirmed he would research and provide an update.

In response to Commissioner Sorensen's inquiry, Mayor Trantalis confirmed his negotiation efforts with the *Bahia Mar Lessee (Lessee)* and will be meeting separately and individually with Mr. Tate as a representative of the *Lessee*. District 2 Commissioner and Commission

Liaison, Vice Mayor Glassman would be meeting separately and individually with representatives of the *Lessee*.

Commissioner Sorensen acknowledged and thanked City Staff and Police Department Staff for their work to address homelessness.

Commissioner Sorensen concurred with Commissioner McKinzie's earlier comments and concerns regarding illegal activities in District 3. In response to Commissioner Sorensen's question regarding addressing this topic from a Code Enforcement Nuisance Abatement perspective, City Attorney Boileau confirmed the ability to be more aggressive. He explained details related to Staff efforts to broaden the current Ordinance. After gathering relevant data on properties experiencing illegal behavior, Code Enforcement could bring Nuisance Abatement proceedings before the *Nuisance Abatement Board*. Further comment and discussion ensued. Commissioner Sorensen confirmed his support.

In response to Commissioner Sorensen's question regarding visiting areas of District 3 with Commissioner McKinzie, City Attorney Boileau explained *Sunshine Law* restrictions. Commission Members would need to visit locations independently. Further comment and discussion ensued. City Attorney Boileau explained details related to Commission Members participating in a Working Group forum that is noticed to the public and held at a fixed location accessible to the public.

Commissioner Sorensen acknowledged the positive endeavors of area businesses and business organizations in collaboration with Zoie Saunders, Chief Education Officer, and the *Economic Advisory Board* in support of education and schools.

Commissioner Sorensen requested Staff pursue new technology to better monitor noise levels in the City and review and evaluate aspects of the existing Ordinance.

Commissioner Sorensen concurred with Commissioner McKinzie's recommendation regarding tangibly recognizing *The Honorable Alcee Hastings*.

In response to Commissioner Sorensen's request, Raj Verma, Public Works Director, explained the needs analysis done regarding a full-time Landscape Architect and said there is not enough work for a full-time Landscape Architect position. Contracting for Landscape Architect services could be done from a library of available consultants. The library of consultants will be presented to the Commission for approval in May or

June 2021.

Commissioner Sorensen discussed faith-based entities providing weekly COVID vaccinations. City Manager Lagerbloom explained Jeff Lucas, Fire-Rescue Department Fire Marshal, coordinates related efforts and is the point of contact. Three (3) COVID vaccination pods are planned, one for City employees and their families at a facility that accepts City insurance, an *Osswald Park* location in District 3 and a *Beach Community Center* location in District 1. He expounded on details related to COVID vaccination efforts. Entities interested in providing COVID vaccinations should contact Fire Marshal Lucas.

CONFERENCE REPORTS

CF-1 [21-0233](#) Quarterly Investment Report for Period Ending December 31, 2020 - (Commission Districts 1, 2, 3 and 4)

Susan Grant, Finance Department Director, provided a brief overview of the Quarterly Investment Report for the Period Ending December 31, 2020. All funds, including the Operating fund, CRA fund and longer-term portfolio funds yield for the quarter and the trailing twelve (12) months exceeded the benchmark.

The Other Post-Employment Benefit (OPEB) Trust Fund, Cemetery Trust Fund and both Pension Plans returns exceeded the actuarial rates of returns.

There were no Commission questions regarding this Report.

CF-2 [21-0402](#) Continuous Monitoring of Overtime - Police Department - (Commission Districts 1, 2, 3 and 4)

City Auditor John Herbst provided an overview of this item. The Audit indicated the Police Department and the Public Works Department were areas with a high amount of overtime hours. The Office of the City Auditor reviewed internal controls for these two (2) departments. This Agenda item focuses on a review of Police Department overtime. A separate Office of the City Auditor memorandum will be forthcoming regarding Public Works Department overtime.

City Auditor Herbst said all Police Department overtime hours were approved correctly and reconciled to timekeeping records. Internal control weaknesses were brought to the attention of management. Management generally agreed with Audit findings and recommendations

regarding tweaks to overtime approval, tracking and monitoring.

In response to Vice Mayor Glassman's inquiry regarding supervisor approval, Chief Lynn explained all overtime is approved by a supervisor, not necessarily the police officer's supervisor, due to shift changes.

In response to Mayor Trantalis' question, Chief Lynn explained details, cited examples and confirmed Police Department overtime is approved by a supervisor and monitored.

In response to Commissioner Sorensen's question regarding the high amount of Police Department overtime and recalibration, City Manager Lagerbloom explained Detention Center staffing includes plans for hiring additional staff that will reduce overtime. City Manager Lagerbloom confirmed the implementation of Audit recommendations and hiring more Detention Center Staff.

In response to Commissioner Sorensen's questions, Chief Lynn confirmed Police Department overtime is similar to other police agencies, expounding on related details. Approximately twenty-three (23) vacancies is a contributing factor to overtime. Chief Lynn noted events, including Spring Break and events at *Osswald Park*, contribute to overtime. He confirmed legitimate reasons for Police Officer overtime. Chief Lynn acknowledged hiring difficulties, expounding on efforts related to hiring and increasing diversity to better reflect the community. He said there is a good pool of current applicants and is not aware of retention concerns.

[21-0252](#)

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

***Infrastructure Task Force Advisory Committee (ITFAC) Virtual Meeting
Monday, March 1, 2021***

Communication to the Commission

Motion made by Mr. Partington, seconded by Mr. Angeli, that the Infrastructure Task Force Committee requests that the City Manager and City Commission use any designated CIP funds that become available as the result of surtax funding be re-purposed for other transportation projects. In a voice vote, the motion passed unanimously.

City Manager Lagerbloom clarified this request is to reallocate unspent

Broward County Surtax (Surtax) funding for another transportation project.

Board Member Peter Partington emphasized the large amount of funding generated from the *Surtax* over the next thirty (30) years. He confirmed the need to actively lobby for this *Surtax* funding that could be allocated towards the contemplated underground railway tunnel. Mayor Trantalis concurred.

In response to Commissioner Moraitis' question regarding the approximate \$39,000,000 in *COVID Relief Funding (Funding)* that could be used for transportation projects, City Manager Lagerbloom confirmed he would provide an update after receiving guidance from the U.S. Treasury regarding expenditure of the *Funding*. Further comment ensued regarding the use of *Funding* to fill revenue shortfalls.

Commissioner Moraitis requested recommendations from the *ITFAC* on possible projects should the U.S. Treasury allow *Funding* for infrastructure projects. Mayor Trantalis recommended a Commission Joint Meeting with the *ITFAC*. Vice Mayor Glassman noted a scrivener's error in the *March 1, 2021 ITFAC Meeting Minutes* related to scheduling a Commission Joint Workshop Meeting with the *ITFAC* in June 2020, that should read June 2021. He inquired if this Joint Workshop would be scheduled. Mayor Trantalis said a Joint Workshop should be scheduled in June 2021 or earlier following input regarding how *Funding* can be allocated.

***Central City Redevelopment Advisory Board (CCRAB) Virtual Meeting
Wednesday, March 3, 2021***

Communication to the City Commission

Chair Castillo-Olivera advised that the concern was about the situation on NW 8th Avenue. Nothing has been done to improve the area, which is believed to be blighted and trouble to surrounding communities. The area is nine square blocks that are part of the CRA bordered on the north by NW 16th Street, south by NW 13th Street, east by NW 7th Avenue, and west by Powerline Road or NW 9th Avenue. The area described needs more zoning than RD15 and the Board would like a reconsideration of the zoning to be upgraded so there could be more density and the possibility of attracting commercial development.

There was a consensus by the Board to approve language discussed regarding the Communication, which was to revisit the circumstances on the block north of NW 13th Street, east of Powerline Road, south of NW 7th Avenue, west of NW 7th Avenue, and south of NW 16th Street.

Chair Luis Castillo-Olivera explained barriers to development in the Central City area, including density and zoning. Mayor Trantalis commented on investments along NW 8th Avenue, i.e., light posts and sidewalks. Chair Castillo-Olivera expounded on negative aspects of the area that are not conducive to purchase and redevelopment. He explained properties are tear-downs and incentives are necessary for developers to purchase and redevelop.

In response to Mayor Trantalis' request for input, Vice Mayor Glassman confirmed light poles and sidewalks were installed in 2007 along NW 8th Avenue. Paving along 14th Street and 15th Street was done 2017.

Vice Mayor Glassman commented on his perspective and concurred with the CCRAB recommendation to increase density and rezone the area. He referenced Staff comments in the *March 3, 2021 CCRAB Minutes* regarding increasing density and zoning that would require revisiting the *Broward County Comprehensive Plan* and *Broward County Future Land Use Plan*. Vice Mayor Glassman confirmed support to make this a priority and move forward on a fast track with the CCRAB recommendations.

Clarence Woods, *Northwest Progresso Flagler Heights Community Redevelopment Agency (NWPFH CRA)* Area Manager, explained related funding challenges and delays associated with additional modifications. Mayor Trantalis commented on his perspective. Mr. Woods said Staff would research costs and timing details and update the Commission.

In response to Vice Mayor Glassman's comment referencing the *March 3, 2021 CCRAB Meeting Minutes* to move forward with a Traffic Study and subsequent Report, Mr. Woods explained this is not in the existing consultant's scope of work, expounding on details. Vice Mayor Glassman said if the *Central City Area* is to be rezoned this area should be listed as a priority.

Mayor Trantalis requested Mr. Woods research the cost of rezoning the NW 8th Avenue Project area.

Vice Mayor Glassman commented on input received regarding the need for Board and Committee Meeting Minutes being made available online in a more timely manner.

***Marine Advisory Board (MAB) Virtual Meeting
Thursday, March 4, 2021***

Communication to the City Commission

Motion made by Ms. Chiarelli, seconded by Ms. McGowan, that the Marine Advisory Board urges the City Commission to address the rebuilding of the seawalls, in Downtown Fort Lauderdale along the New River, to request a Master Plan and budget for implementation, and to support grants through FIND and other sources that might be available. In a voice vote, the motion passed unanimously.

City Manager Lagerbloom explained he would research the *Master Plan* for reliable information regarding *New River* seawalls. He explained that due to expense, matching funding from *FIND grants* would be one of many to look towards for funding seawalls along the *New River*.

Genia Ellis, President & Chief Executive Officer and on behalf of *Riverwalk Fort Lauderdale Inc. (Riverwalk)* spoke in support of the *MAB* request and moving this forward as a priority to find and leverage funding sources.

***Education Advisory Board (EAB) Meeting
Virtual Meeting***

Thursday, March 18, 2021

Communication to Commission:

The Education Advisory Board respectfully recommends the Commission reappropriate funds in the amount of \$500,000 to close the learning gap created in the wake of the pandemic, which has resulted in roughly 30% of the students failing to make adequate academic progress. The dollars would support a specialized afternoon program as a compliment to the School District's half day program to address the pronounced learning and childcare needs of our most at risk families in a fun engaging way that builds confidence.

Motion by Mr. Relyea, seconded by Vice Chair Ellowitz, to approve the letter and send it to the Commission for review. Motion passed unanimously. (14 -0)

City Manager Lagerbloom explained this EAB funding request relates to \$500,000 of *CBDG CARES Funding (Funding)* scheduled as a Commission Regular Meeting Agenda item tonight.

Chair Allen Zeman emphasized this was a significant topic at the last *EAB Meeting* due to the negative impact of *COVID* on Broward County students. This *Funding* will complement County funding received from the Federal level to expand and include academics in the *Broward County Summer Academy (Summer Academy)*.

In response to Mayor Trantalis' question, Zoie Saunders, Chief Education Officer, explained pertinent aspects of this *Funding* request that addresses needs of students negatively impacted because of *COVID*. This *Funding* allows leveraging of other available funds to supplement the current *Summer Academy*. It allows stakeholders to comprehensively work together in an innovative manner, providing a full-day Program that includes academic and enriching student experiences.

OLD/NEW BUSINESS

BUS-1 [21-0149](#)

Breakers Avenue Update - (Commission District 2)

Ben Rogers, Transportation and Mobility (TAM) Department Director, narrated a Breakers Avenue Project (Project) Update presentation.

A copy has been made part of the backup to this Agenda item.

Mr. Rogers confirmed community outreach regarding the Project. Goals include widening sidewalks and increasing tree canopies, pedestrian safety, upgrading utility infrastructure, reducing excessive pavement and creating event space and a destination in the North Beach area.

In response to Mayor Trantalis' question, Mr. Rogers confirmed Staff is awaiting additional clarification and information regarding Federal legislation to assist with filling the funding gap for this Project.

In response to Mayor Trantalis' question regarding including Birch Road and Bayshore Drive in this Project, Mr. Rogers suggested this could be addressed but noted it would slow Project progress. Mr. Rogers suggested a possible standalone Birch Road and Bayshore Drive

project and expounded on previous designs for that area. He is in active conversations with Greg Stuart, Executive Director of the *Broward County Metropolitan Planning Organization (MPO)* to obtain the *MPO* perspective. Further comment ensued.

Vice Mayor Glassman thanked all stakeholders for efforts on this Project and noted his cautious optimism regarding receiving State and Federal funding. He commented on a possible self-assessment option of Birch Road and Bayshore Drive properties should this Project prove successful. Vice Mayor Glassman noted previous funding options. Mayor Trantalis commented on his perspective in support of moving forward and noted the potential of the *Central Beach/North Beach Village* area.

BUS-2 [21-0280](#)

Housing Affordability Policy Presentation - (Commission Districts 1, 2, 3 and 4)

Anthony Fajardo, Department of Sustainable Development Director, provided an overview of this item. It includes Staff recommendations based on Commission feedback received in the June 2019 Joint Workshop with the Affordable Housing Advisory Board and a March 2020 follow-up meeting with Staff.

Adam Schnell, Department of Sustainable Development Urban Planner III, narrated the *Housing Affordability Policy Presentation*.

A copy has been made part of the backup to this Agenda item.

In response to Mayor Trantalis' question regarding Affordable Housing costs listed in the presentation, Mr. Schnell explained rental costs in the presentation pertain to the City. Purchase costs pertain to Broward County (County).

In response to Mayor Trantalis' question regarding the developer option of *Payment in Lieu of (PILO)*, Mr. Schnell said those funds would go into an *Affordable Housing Trust Fund (Fund)*. The presentation mirrors the County's calculations for Commission feedback.

Mayor Trantalis commented on his perspective and experience regarding *PILO* funding not attaining the intended purpose. The best option is for the developer to include *Affordable Housing Units (AHUs)* in their project. Mayor Trantalis expounded on his viewpoint.

In response to Commissioner Moraitis' question, Mr. Fajardo clarified

details of calculations in the presentation as a starting point. Staff is proposing a different calculation that would provide Affordable Housing funding under the control of the City.

Mr. Fajardo explained options available to the Commission to modify the City's *PILO Funding* policies. Further comment and discussion ensued regarding available *Flex Units* and requesting additional *Flex Units* from the County.

Mayor Trantalis spoke in support of requiring *AHUs* in new housing development projects requesting *Flex Units*. Mr. Fajardo confirmed it is a Commission policy decision and commented on the benefits of a healthy *Fund*.

In response to Commissioner Sorensen's question regarding set-aside requirements being synonymous with *Inclusionary Zoning*, Mr. Fajardo confirmed Staff's efforts to stay away from *Inclusionary Zoning* mandates for *AHUs*. *Flex Units* are not entitlements and do not fall under *Inclusionary Zoning*. *PILO Funding* is only attached to *Flex Units*. Further comment and discussion ensued.

Commissioner Sorensen noted the need to explore all options, commenting on a possible tax allocation proposed for the next ballot to increase the *County's Affordable Housing Trust*.

Commissioner Moraitis commented on her perspective to allow the County to take the lead on Affordable Housing. Further comment and discussion ensued.

In response to Commissioner Sorensen's questions regarding State Statute, Mr. Schnell explained incentive limits the City could offer, citing examples. He confirmed few incentives remain in areas that permit high density development.

Commissioner Sorensen commented on developer input regarding lack of incentives towards providing *AHUs*. Mr. Schnell concurred, stating Staff has not had the opportunity to meet with developers to review pro forma's to ascertain the impact of policies. These policies are not mandated, and a developer must choose to utilize these policies.

In response to Commissioner Sorensen's question regarding Staff's opinion about the willingness of developers to build residential properties with these policies, Mr. Schnell explained the process for Affordable Housing development along corridors that require application for *Flex*

Units due to the underlying commercial land use. Mr. Schnell said that other Florida municipalities have more restrictive requirements.

In response to Mayor Trantalis' question regarding income levels noted in the presentation, Mr. Schnell explained calculations are focused on moderate-income households versus low-income households. Mr. Schnell pointed out large differentials illustrated in the presentation.

In response to Commissioner Moraitis' questions, Mr. Schnell explained proposed modifications to existing incentives in the *Northwest Progresso Flagler Heights Community Redevelopment Agency (NWPFH CRA)* making it user-friendly for developers. Commissioner Moraitis suggested these items be separated for Commission discussion.

In response to Commissioner McKinzie's question regarding proposed modifications in the *NWPFH CRA*, Mr. Schnell explained the existing *deed restriction in perpetuity* would be changed to a *deed restriction of thirty (30) years* and an expedited review process for a height bonus.

Commissioner McKinzie said he prefers the existing *deed restriction in perpetuity*. He expounded on details when *Regional Activity Centers (RAC)* were established and cited examples. Further comment and discussion ensued.

In response to Mayor Trantalis' question, Mr. Schnell confirmed the Commission adopted a four hundred square foot (400') minimum square foot requirement for residential units.

Mayor Trantalis commented on his perspective and concern regarding County efforts to develop Affordable Housing, citing examples.

Mayor Trantalis recognized Alexander Johnson, 729 NE 20th Ave. Mr. Johnson commented on his support of Commission efforts on this important issue.

Mayor Trantalis recognized Alan Hooper, 2739 NE 37th Drive. Mr. Hooper commented on his perspective, recommending the City coordinate with County Affordable Housing efforts. He expounded on efforts of other area municipalities, the need to be competitive and aspects of financing.

Mayor Trantalis addressed Mr. Hooper's comments, expounding on his perspective and the government responsibility to create a diverse, sustainable downtown. He confirmed support of Staff recommendations

going forward.

Mayor Trantalis recognized Robert Lochrie, Esq., Lochrie and Chakas, 1401 East Broward Boulevard. Mr. Lochrie expounded on his perspective, citing examples of Affordable Housing projects and related details. He noted his legal opinion regarding State Statute conflicting with the position of the City on allocation of *Flex Units* and Affordable Housing policy.

In response to Mayor Trantalis' question regarding concerns related to the allocation of *Flex Units* for Affordable Housing goals, City Attorney Boileau explained that the City Attorney's Office has a different legal interpretation.

D'Wayne Spence, Attorney Assistant City Attorney III, expounded on the City's position regarding *Inclusionary Zoning*. *Flex Units* are an incentive to ensure *Inclusionary Zoning*. The allocation of *Flex Units* is on top of the *As of Right* permitted density in these locations.

Mayor Trantalis recapped Assistant City Attorney Spence's comments, stating the *Flex Units* are in a different category and not subject to State Statute prohibitions and can be used to accomplish Affordable Housing goals.

Assistant City Attorney Spence confirmed Mayor Trantalis' recap. He commented that Mr. Lochrie's interpretation is partially incorrect. The City's traditional use of *Flex Units* is the only avenue to include residential units in *Regional Activity Centers (RACs)*. In the past, when allocating *Flex Units* in the *Downtown RAC (D-RAC)*, there was no density upon which to draw. The County forced the City to use *Flex Units* as primary density units.

The Office of the City Attorney disagrees with Mr. Lochrie's interpretation of State Statute that the traditional use of *Flex Units* as the primary source of density somehow recategorizes *Flex Units* and prohibits the City from using *Flex Units* to achieve Affordable Housing goals.

Mayor Trantalis recognized John Milledge, Esq., on behalf of the *Downtown Development Authority (DDA)*. Mr. Milledge commented on *DDA* recommendations, efforts to find permanent funding for Affordable Housing needs and Staff's approach. He discussed his legal viewpoint regarding State Statute and noted the need for a *D-RAC* Affordable Housing funding source. He recommended moving forward with other

areas but not the *D-RAC*, revisiting proposed *D-RAC* Affordable Housing changes in one (1) year to permit additional efforts with Staff and allowing related County efforts to move forward.

Commissioner Moraitis said she does not support Staff recommendations for additional regulations that could increase moderate housing cost. She commented on successful Affordable Housing efforts in the *NWPFH CRA*. Commissioner Moraitis expounded on her perspective and using City and County land to meet Affordable Housing goals.

Vice Mayor Glassman thanked Staff and confirmed the importance of having an Affordable Housing component which is included in *Commission Goals and Priorities*. He discussed his perspective and need for confidence that the City's policy will not be subject to future legal challenges and noted concerns regarding extra regulations and restrictions. Vice Mayor Glassman expounded on his viewpoint and requested that before presenting policy recommendations to the *Planning and Zoning Board*, Staff meet with today's speakers on this Agenda item, acknowledging their knowledge in areas related to this topic.

Commissioner McKinzie said he does not wish to pursue this option, citing Mr. Lochrie and Mr. Hooper's examples. He requested exclusion of the *Northwest RAC* and expounded on his perspective.

Commissioner Sorensen recommended pursuing Affordable Housing efforts and moving forward with incentives discussed. Commissioner Sorensen noted the negotiation position of the City and discussed a timeframe and opportunity for Affordable Housing developers to determine successful ways to achieve solutions prior to moving forward with a discussion of *Flex Units*.

Mayor Trantalis concurred with Commissioner Sorensen, noting that Affordable Housing policy modifications are incentives versus penalties. He expounded on his perspective regarding the need to set aside *AFUs*, citing examples. Mayor Trantalis thanked Staff for its work in developing tools to achieve Affordable Housing goals.

Mr. Fajardo explained his understanding of Commission direction. Staff will take a phased approach, focusing and moving forward with incentives outside allocation of *Flex Units* while laying the additional groundwork for *Flex Units*. He explained there are different pools of *Flex Units* and noted that only 8,000 *Flex Units* remain. Waiting too long may

result in the allocation of *Flex Units* to other development. Mayor Trantalis acknowledged this point.

Commissioner Sorensen recommended Staff meet with Affordable Housing developers. Mr. Fajardo commented on outreach efforts, noting a lack of meaningful feedback. Mr. Fajardo confirmed Staff would repeat outreach efforts and report back.

Commissioner Sorensen inquired about the timeline for Staff returning to the Commission for further discussion on *Flex Units*. Mr. Fajardo said Staff would determine how *Flex Units* would work based on Commission direction and propose a timeline at a later date.

BUS-3 [21-0410](#)

Discussion Regarding Public/Private Partnerships Between the Fort Lauderdale Police Department and the City of Fort Lauderdale Homeowners' Associations - (Commission Districts 1, 2, 3 and 4)

City Manager Lagerbloom provided an overview of this item. Neighborhoods approached Staff regarding a public/private partnership between the Fort Lauderdale Police Department (FLPD) and Homeowners' Associations (HOAs) regarding costs associated with cameras and license plate readers (LPRs) installed in neighborhoods. Related data would be shared with the FLPD.

City Manager Lagerbloom explained this is not a City Program. HOAs would procure their equipment. Data obtained would be sent to the FLPD. To keep costs reasonable, the City has agreed to provide HOAs with one (1) revocable license per neighborhood for equipment locations in rights-of-way at actual permit cost.

City Manager Lagerbloom explained the need for Commission direction regarding funding the following associated items from the General Fund:

1. Providing power at the City's expense.
2. Funding recurring, annual maintenance fees.
3. Funding equipment relocation should a large project require.

In response to Mayor Trantalis' question, City Manager said they would be applied uniformly in neighborhoods. Discussion ensued on related details.

Mayor Trantalis recognized Tom Brinkley, 2831 NE 55 Street, on behalf of *The Landings Homeowner's Association (The Landings HOA)*. Mr. Brinkley confirmed *The Landings HOA* supports and would pay for equipment, installation, rights-of-way permits, continuing equipment

maintenance costs, wireless SIM cards and connectivity required to transfer data to the City. They would also fund power needs in areas where there is no City power.

Mr. Brinkley said the HOA supports annual software license renewal fees and commented on possible lower camera costs from *Vigilant (Vigilant)*, their security camera vendor. He confirmed the need for permit language to reflect and allow lower future costs. The anticipated capital cost to the HOA is approximately \$100,000. He expounded on his perspective regarding benefits to the community and the City.

Mayor Trantalis recognized Mark Sneed, 1736 SE 9th Street, on behalf of *Rio Vista Homeowner's Association (Rio Vista HOA)*. He echoed Mr. Brinkley's comments and confirmed the understanding that *Rio Vista HOA* would be responsible for the annual maintenance costs. *Rio Vista HOA* does not want access to the data sent to the FLPD or any related liability. He requested the agreement with *Rio Vista HOA* reflect this point.

Mayor Trantalis recognized Suzee Bailey, 105 Nurmi Drive, on behalf of *Nurmi Isles Homeowners Association (HOA)*. Ms. Bailey commented on working with Mr. Sneed and Mr. Brinkley and concurred with their comments. She thanked FLPD Lieutenant Jeffery Jenkins and City Manager Lagerbloom for their time and effort on this item and provided comments regarding community benefits.

In response to City Attorney Boileau's question regarding power, City Manager Lagerbloom confirmed the City would provide power from readily available, existing sources routinely paid for by the City or, in some circumstances, solar power.

Commissioner Moraitis commented on her perspective in support of this initiative. She noted the need for fairness across the City and suggested future discussion on this topic. Commissioner Moraitis requested FLPD feedback regarding the usefulness of this initiative. Chief Lynn confirmed data provided to the FLPD would assist law enforcement efforts. Further comment and discussion ensued on liability language and the need to serve a public purpose and equity in all neighborhoods.

In response to Commissioner Moraitis' question regarding a City-wide licensing agreement with *Vigilant* to reduce camera costs, City Manager Lagerbloom explained details regarding the need to follow the competitive procurement process.

Vice Mayor Glassman commented on his support of this item and his understanding of costs. Further comment and discussion ensued on approximate costs.

In response to Vice Mayor Glassman's question regarding this being equitable for all neighborhoods, including those that cannot afford capital costs, City Manager Lagerbloom explained license plate readers (LPRs) owned by the City are placed in areas based upon need and other factors. There are also cameras in Community Redevelopment Areas (CRAs).

Mayor Trantalis noted the importance of Vice Mayor Glassman's question and clarified this item discusses the Commission's interest in participating in funding for neighborhoods that have started this initiative.

Vice Mayor Glassman noted Mr. Brinkley had said *The Landings HOA* was willing to fund continuing equipment maintenance costs. Mr. Brinkley confirmed. He clarified his recommendation that the City consider future bulk licensing if this initiative becomes popular across the City.

Vice Mayor Glassman confirmed his support and requested more specific information going forward.

Commissioner McKinzie discussed this subject as it relates to District 3, his willingness to explore options and questioned what is driving this initiative.

Mayor Trantalis reiterated what this item addresses. Further comment and discussion ensued. City Manager Lagerbloom confirmed he would gather the requested information and return to the Commission with updates.

Commissioner Sorensen confirmed his involvement with this topic and support. In response to his question regarding permit fees, City Manager Lagerbloom confirmed permit fees could be reduced to actual costs. Further comment and discussion ensued.

Commissioner Sorensen recommended:

1. Reducing the actual permit fee as much as possible.
2. Absorbing power costs.
3. Not funding annual software licensing and/or maintenance costs.
4. Not funding equipment relocation due projects.

Commissioner Moraitis reiterated her support of funding annual software licensing and/or maintenance costs while Staff pursues a City-wide licensing agreement.

CITY MANAGER REPORTS

None.

ADJOURNMENT

Mayor Trantalis adjourned the meeting at 5:59 p.m.