

**MINUTES OF THE SPECIAL  
BEACH REDEVELOPMENT ADVISORY BOARD MEETING  
TUESDAY, SEPTEMBER 6, 2005 – 3:00 P.M.  
CITY HALL  
CITY COMMISSION CONFERENCE ROOM - EIGHTH FLOOR  
100 NORTH ANDREWS AVENUE  
FORT LAUDERDALE, FLORIDA**

**BOARD MEMBERS**

**Present**

<b>Pamela Adams</b>	<b>P</b>
<b>Brad Fitzgerald</b>	<b>P</b>
<b>Steve Glassman</b>	<b>P</b>
<b>Eileen Helfer</b>	<b>P</b>
<b>Ina Lee</b>	<b>P</b>
<b>Al Miniaci</b>	<b>A</b>
<b>Judy Scher</b>	<b>P</b>
<b>Linda Gill</b>	<b>A</b>
<b>Henry Sniezek</b>	<b>P</b>
<b>Mel Rubinstein</b>	<b>P</b>

**STAFF**

Bob LaMattina, Beach CRA Director  
Ron Hicks, Director Economic Development  
Earl Prizlee, Project Engineer  
Al Lovingshimer, Code Enforcement  
Russ Hanstein, District III Major -Police Department  
Pat Rupprecht, Assistant City Budget Director  
Bob Mays, Acting City Treasurer  
Leslie Carhart, Administrative Assistant  
Patricia Smith, Secretary

**CALL TO ORDER**

Chair Ina Lee called the meeting to order at approximately 3:00 p.m. and roll call was taken. She further stated that any Board Member who could not attend today's meeting would not have their absence counted against them since this was a Special Meeting.

**FY 2005-2006 PROPOSED CRA BUDGET**

Chair Ina Lee explained that the purpose of today's meeting was primarily to discuss the budget.

Leslie Carhart, Economic Development, stated that this had been an extremely challenging budget year. In terms of staffing, there were many vacancies, and she announced that she was new to the process and the budget. She stated that changes have been made in the process, and therefore, they were working at a premier disadvantage. She explained that they had to be able to document the past history that was relevant and useful, and then extract information

from both the budget system and the accounting system to obtain the correct numbers.

Leslie Carhart explained that the changes were largely within the proposed budget dealing with bulking up the revenue projections. She stated that when the initial numbers come in July, these numbers are not finalized until the end of September. She explained that it had been the habit to take the 95% and then reduce it about 10%. She advised that she had been working with a more conservative number. She stated that there had been an error where an encumbrance had been missed for fiscal year 2003 - 2004 which changed some of the numbers. She further stated that staff then reconciled their sources to the uses which brought down the proposed budget for next year by a couple thousand of dollars. She stated staff has been working closely with the Budget Office and Treasury to make sure everything is fully understood. She explained there were many spreadsheets remaining from the previous administration that staff wanted to maintain.

Henry Sniezek arrived approximately 3:05pm.

Chair Ina Lee stated that it appears the budget is in the final stages and most debts have been paid back.

Leslie Carhart stated that, for example, the General Transfer payment has been reduced.

Mel Rubenstein stated that a lay person in reviewing this budget would come to the conclusion that the CRA would be receiving income from various sources totaling \$3.6 Million. Leslie Carhart confirmed. Mel Rubenstein stated that other than the Operating Expenditures, how were they going to spend the \$3.6 Million.

Leslie Carhart explained that the bulk of the money was rolling over into the Beach CRA Capital Program, and would then be allocated to various projects, such as the Streetscape Project.

Chair Ina Lee stated that what was missing from the entire equation was the five-year plan showing where the funds were being distributed.

Leslie Carhart confirmed and explained staff would have to go back and take what was existing, and update the information and factor in the revenues associated with this year's budget. It was stated that staff was waiting for the City Manager and the various department heads to finalize the CIP. The Streetscape Project was moving forward even though all monies had not been identified beyond the CRA, but it was part of the budget.

Mel Rubenstein stated that everyone should know how the \$2.3 Million was going to be used. It was stated that would all be explained in the CIP presentation which would probably be completed within the next 30 days.

Mel Rubenstein asked for some further explanation of the figures listed as Debt Service under "Transfers Out." Leslie Carhart stated that she did not have an answer at this time, but she was under the impression that it was related to the Parking Fund and projects done earlier. Mel Rubenstein asked further if such information could be itemized and brought back before the Board. Leslie Carhart confirmed. Mel Rubenstein asked for some further clarification of the General Fund, and asked how it was related to the CRA. It was explained that the General Fund Loan were the monies loaned to establish the Beach CRA when it first began.

Chair Ina Lee stated that the number was dwindling and should be down to zero. She further stated that was the money that the CRA originally owed the City until Fund monies began "kicking in." She stated that this was almost paid off compared to what the Beach CRA had started with at the beginning.

Mel Rubenstein clarified that the General Fund was actually the General Fund of the City of Fort Lauderdale. Leslie Carhart confirmed. Chair Ina Lee further stated that the Beach CRA was paying back the monies that had been fronted. It was stated that the actual remaining balance would be provided.

Ron Hicks stated that the Beach CRA still had to vote on appropriations.

Chair Ina Lee stated that Chuck Adams was a real gentleman in working with everyone throughout the process. She stated that the five-year plan showed where the monies were allocated, but that appeared to be missing from today's presentation of the budget. She stated that if this was going to the City Commission, it needed to be understood that this Board had not yet voted on how to spend the funds.

Ron Hicks stated that last week he and the City Manager had been at the Aquatic Center, and the City Manager had a grand idea which changed everything. Once the budget was finalized, it would be brought back to the Board so decisions could be made.

**Motion** made by Steve Glassman and seconded by Judith Scher to approve the budget as presented. Mel Rubenstein asked if the motion should not state that information was pending to be presented.

Ron Hicks stated that once the budget went before the City Commission, then staff would have the opportunity to make amendments. He suggested that the motion could state that amendments could be made prior to the finalization of the budget.

Leslie Carhart explained that amendments occurred throughout the year, and this provides the framework for the City to continue operating.

Chair Ina Lee stated that the Board would be approving the concept of the budget, but not yet how the funds would be allocated.

Leslie Carhart explained that the Board would be approving the Operating Budget, and as a separate matter they would also be approving the Capital Improvement Program that would include how to expend the Funds reserved.

The motion was amended as follows:

**Motion** made by Steve Glassman and seconded by Judith Scher to approve the budget as presented for 2005-2006 with the caveat that the Board would review specific line items regarding Operating Expenditures and Transfers Out, along with allocation of the Capital Funds. Motion passed 7 – 0.

Brad Fitzgerald stated that he hoped more information would be provided to the Board regarding the budget. He asked what the outstanding balance was regarding the General Fund. He also asked what the outstanding balance was for the CRA Debt Service Fund. He stated that

if such information was provided, then possibly in next year's budget such funds could be allocated toward other projects.

Chair Ina Lee explained that in doing the five-year projections, the monies coming in would be explained which a major component of the budget was. She stated further that this was a frame work.

Mel Rubenstein asked why five-year plans were needed. He stated that a study had been done previously which stated that anything beyond three years was a guessing matter and not really practical or realistic. He stated that it was more realistic to make up a three-year plan.

Chair Ina Lee stated that due to how the monies come into the CRA based on when buildings were built, it changed the entire picture of the larger scheme of the redevelopment of the beach. She stated that it was still useful to know the overall picture. Leslie Carhart stated that was standard practice, and the GFOA requires a five-year plan. It was stated that every year the plan was then reviewed to see if changes were necessary.

Chair Ina Lee commended staff on their work regarding the budget.

### **HURRICANE PREPAREDNESS**

Chair Ina Lee stated that there was not really an agenda for today's meeting, but she had received some information from Ron Hicks that had been forwarded by Paul Costanzo as follows:

"I don't mean this as a doom and gloom message just a reality check. I hope by now with what has and continues to unfold along the Gulf Coast that the powers realize, as I was told by Charlotte County, Lee County and Escambia County officials, 'you can't just meet the day after and pass new regulations to handle the disaster.' You cannot find anyone the next day, the next week, and unfortunately even the next month sometimes, and when and if you can, you don't have the time to think and figure out what and who you need to do, and what to whom. South Florida ducked another one, but as the BRAB has pushed and pleaded, the City needs to rethink the problems and issues that would be faced, and put in place what needs to be before you have to use them. At the very least have them written so when you do find the officials, they can put the regulations in place. All you need, example wise, is on my hard drive and hard copy in my files. Sorry for my ranting, but someone needs to say it, although I'm sure that Ina and Brad probably have. My heart is still in Fort Lauderdale and always will be. I hope someone wakes up."

Chair Ina Lee stated that obviously this was on everyone's mind. She continued that there were several issues that need to be dealt with, and reiterated what happened during this storm and it was only a Category I. She stated further that the three biggest storms are still likely to occur within the next month, and there was still no plan in place. She stated that at the last meeting, she had commented that waiting for a consultant to deal with this matter was completely unacceptable.

Ron Hicks stated that he raised a number of concerns. He stated that a paragraph was not going to solve the problem, and he did not want them to let it go through and think the problem would be solved. He stated there would be no City Commission meeting the day after the disaster and things could not then be updated. He further stated that residents would not be

able to find architects or developers until the infrastructure was back in place. He felt the City Commission would do the right thing, but it would be comforting to have a plan in place in advance. He stated staff needed to make sure the right thing would be in place, and he did not think that anyone looked into whether or not a Federal, State or Local law would affect things in a State of Emergency or disaster. He stated that someone needed to look at this and make sure that what was put into law would protect everyone. He stated that the height of a building and size of the individual units need to be ensured after a disaster. He further stated that possibly some things can be "tweaked" to bring them more in line with what the City wants and what the Beach wants to be. He stated that such improvements could be made to the buildings so individual investments would be protected. He stated that many questions were raised about this, and everyone deserves to have a good analysis of the situation, along with the protection that was wanted and needed. He did not think that one paragraph would solve the problem.

Henry Sniezek stated that he agreed, but when would such a plan be in place. Ron Hicks stated that he did not see anything taking place this hurricane season which was unfortunate. He stated that the RFP was going out and things took time. He stated that he had tried to think of some things that possibly could be put into place that would protect everyone. Proper language was needed and the City Attorney's Office needed to review it which could take time. Henry Sniezek further stated that a definite timeline was needed. Ron Hicks stated that if a consultant was hired, staff would not have a plan in place this hurricane season. He expected that a plan would be put into effect well before the next hurricane season. Henry Sniezek reiterated that it was important to have a timeline in place that would be followed. Ron Hicks agreed and stated that he did not know why such codes were put in place, but they now existed and to protect everyone's investments a better analysis was needed. He again emphasized that one paragraph would not solve the problem.

Judith Scher asked if temporarily the paragraph could be put in place so her building would be protected. She said that her building had been affected by the last storm, and she would settle to have this language put into effect with the understanding that it would be amended in the future. This way there would be some form of protection for the individuals and businesses living on the Barrier Reef.

Ron Hicks stated that he understood that with 50% damage, the building was subject to the Code. He stated that he had not seen anything stating that the building would be subject to zoning unless the entire building had been demolished.

Brad Fitzgerald stated that the overlay was being done because of zoning. He stated that the 50% rule applied, and the building would be treated as a brand new one and the height requirements would be in effect. Ron Hicks stated that if there would be 50% damage to a building, they would not be affected by height. Brad Fitzgerald stated that everyone was worried if a building was damaged, and the Code stated the building had to be demolished and rebuilt. Insurance would rebuild the building, but new Code requirements regarding height would be in effect. He stated this was a problem waiting to happen, and he felt it would happen. He stated they might escape this hurricane season, but something needed to be in place by the next hurricane season. He felt things needed to be clear-cut so there would be no ambiguities. Ron Hicks asked what about condo/hotels and business owners. Brad Fitzgerald stated that everyone agreed.

Chair Ina Lee stated that this was something that residents of the condominiums, as well as the business owners, were on the same page. She explained the Board was asking for something to be put in place so the aftermath could be dealt with better. Until the consultants deal with the

situation and address the problems, everyone now wants to be grandfathered in to have exactly what exists now in case of a disaster. She reiterated that now everyone wanted a blanket to cover the issues.

Brad Fitzgerald stated that Paul Costanzo had done a tremendous amount of research on this matter.

Pamela Adams arrived approximately 3:30pm.

Judith Scher stated that they were playing Russian Roulette. Ron Hicks stated this was not the purpose and mission of the CRA to bring this forward in a motion for a resolution. Chair Ina Lee disagreed. She explained that this was brought through in a resolution last September. Ron Hicks asked if it was appropriate for this Board to do so. Chair Ina Lee emphasized that it was absolutely appropriate since the Board was dealing with development and redevelopment. She stated that was the purpose of the CRA.

Mel Rubenstein stated they did not need to be bogged down in process. He stated that Louisiana was a good lesson. He reiterated that Florida had a Category I storm, and today debris was not being cleaned up. He stated that some individuals did not have electricity for 5 days. He stated that this City was not going to help his building at all because they will be running around to see what had to be done, and attempting to locate each other. There was no question about trusting your government to perform its duties, the question was if something was wrong with his building be it 50%, 75% or 10%, there would be things that had to be fixed and should be done right away. There would be no time to obtain permits or permission to do that work because there would be no working telephone lines.

Ron Hicks explained that when they went through the review process, they would not be able to exempt themselves from it. They may get through zoning, but they would not be exempt from the review process. He stated they would have to get in line like everyone else. Mel Rubenstein reiterated that nothing would get done. He stated that as an intelligent person, he could see what was going on TV and possibly Florida did not have to worry about flooding to the degree that Louisiana and Mississippi did, but they did have to worry about the rest of the damage. He said that people have to help themselves, and they have to know now that should such a tragedy occur, they had to repair their homes and businesses. He emphasized that they just wanted to rebuild what they had before the storm. Ron Hicks explained that it would be subject to the same process. He stated that they would not be rebuilding right away if there was a disaster, and probably a year or more would pass before building could begin. Mel Rubenstein stated that he was not attempting to make things easier. He said they were trying to tell individuals that what they had, if they could figure out how to rebuild, to do so and not worry about reaching the Commissioners.

Ron Hicks stated that he could suggest that the paragraph go before the Commission for their approval, but he felt it was a bad idea because it did not offer any protection. He did not feel it would solve the problem.

Mel Rubenstein stated that everyone in this Board agreed that there should be a representative group and a consultant to sit down and create a well-thought out plan. In the interim, something was needed because right now nothing was in place.

Ron Hicks stated that this matter needed to go before the City Attorney.

Chair Ina Lee stated that there were two people she knew who were very knowledgeable about the aspect of this matter. One of the persons was Brad Fitzgerald, and the other person was Jiro Yates who was the Chair of the Beach Council. She explained that these individuals had a depth of understanding as to how to make the paragraph better. She stated that possibly it could then be taken before the City Commission. She suggested that all parties meet and discuss the situation, and possibly arrive at something that would be acceptable to the Commission. She reiterated that something in place was better than nothing. She further stated it could then be amended and further researched.

Ron Hicks stated that he was just attempting to present a different viewpoint, but he was on the Board's side.

Chair Ina Lee reiterated that this Board could make this happen if they could at least get something brought forward that the attorneys could deal with regarding this matter.

Ron Hicks stated that if the Board really wanted to simply get some wording on record until an actual plan was in place then the Board would need to pursue the issue to fruition of the plan

Mel Rubenstein asked if the matter could then be brought back before this Board.

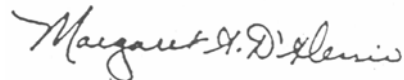
Ron Hicks reiterated that an outside perspective was needed.

Chair Ina Lee stated that she was concerned about the debris that was still out in the communities. She asked if there was a plan to clean up the communities because safety issues were involved. Ron Hicks stated that he was out Friday morning, and it appeared things were being taken care of. Brad Fitzgerald remarked that his neighborhood had been cleaned up, and it appeared they were working through the areas one by one.

**Motion** made by Judith Scher and seconded by Steve Glassman to adjourn the meeting.

There being no further business to come before the Board, the meeting was adjourned at approximately 3:40 p.m.

Respectfully submitted,



Margaret A. D'Alessio