

Present: Mayor Naugle
Commissioners Hutchinson, Teel, Moore, and Trantalis

Also Present: City Manager, City Attorney, and City Clerk
Sgt. Lumin

OB - Proclamations for Community Development Week and Fair Housing Month

Commissioner Moore presented a proclamation to Rafael Portuondo, Community Planning and Development Representative for HUD.

Commissioner Teel presented a proclamation to Orlando Lorie, US Department of Housing and Urban Development.

The City Manager stated that he wanted to recognize Margarette Hayes, Paul Costanzo, and Faye Outlaw for all their hard work.

I-A – Urban Land Institute (ULI) Panel Report on Fort Lauderdale Beach

The City Manager stated that the Vice-Chair of the ULI Panel, Barbara Faga, would present the ULI report to the Commission.

Frank Schnidman, FAU, stated that FAU had provided the technical assistance to the panel studies done in 1988 and 2002. He explained it had been their job to prepare the briefing book and to help with the logistics. He stated that the ULI was comprised of about 18,000 members worldwide and coordinated approximately 30-40 panels per year. He explained that these panels were a one-week effort to assist local governments throughout the country in addressing specific problems. He continued stating that the ULI had done a study for the Homestead Air Force Base, the City of Hollywood, Charlotte County regarding platted lots, and were going to do one in West Palm Beach in June, 2003.

Mr. Schnidman stated this had been a 5-day event and a panel of 10 members had been selected by the ULI in connection with the questions prepared by the Beach Redevelopment Advisory Board in conjunction with the City Commission. He explained that over 70 stakeholders had been interviewed, tours were taken, and hours spent in deliberation in order to provide this report. He further stated that Chuck Adams had the report posted on the City's web page, along with today's power point presentation.

Mr. Schnidman then introduced the Chair of the Beach Redevelopment Advisory Board, Ina Lee.

Ina Lee asked for the members of the Beach Redevelopment Advisory Board who were present today to stand, and thanked them for their hard work and efforts. She stated that after the presentation, she would like to make some brief comments.

Mr. Schnidman stated that Barbara Faga was the Chair of EDAW which was a worldwide planning and design consultant firm and was located in their Atlanta office. He explained that she had worked on many projects in Florida and lived here during certain times of the year.

Barbara Faga thanked everyone for letting her make the presentation at today's meeting. She remarked that some individuals had told her that the present plan was comparable to the one done in 1988. She stated that the recommendations were similar, and yet a different panel had made those subject recommendations.

Ms. Faga stated that their assignment had been: "Was the City on the right track?" She stated it was the feeling of the panel that the City was on the right track and that there were two futures available. The City

was either looking at benign neglect or they could move things to a more affirmative attention. She stated the suggested vision of the panel was: "A resort community with a beach lifestyle."

Ms. Faga continued stating that the Initial Observations were:

- Needs a coherent master plan
- Phasing
- Value of leadership and vision

Ms. Faga went on to list the members of the ULI Panel. She then proceeded to discuss the economic and demographic overview.

- Population Trends

Ms. Faga stated that the Broward County population was growing quickly and had increase since 1990 to 1.6 Million, and the Fort Lauderdale population had only a 2% growth but that was due to the fact that this was a developed community.

- Employment Trends

Ms. Faga stated they were looking at 178,000 new jobs by 2010.

- Economic Engines

Ms. Faga stated that the economic engines were tourism and marine related.

- Hotel Market Overview

Ms. Faga explained that the 2002 results were lower than the ones from 2001, and there had only been a 3% drop in occupancy. She further stated that the market needed to focus on domestic and drive-in visitors. She explained that there were two major opportunity areas. One was the Rainbow Alliance which had 32 beach properties, and the Family Audience which had room for growth and was only comprising about 21% of that market.

- Hotel Development Potential

Ms. Faga announced that no new hotel rooms had been built in the last 10 years, but the City did have a large pipeline consisting of 1600 rooms. She explained that the near-term barriers regarding the development of new rooms was due to the low availability of money. No one was financing hotels and 40% equity was being required. She continued stating that the cost of new construction was due to high land costs and the uncertain timing of approvals. She further stated the City had the viability of a five-star product, but there were some beach access issues involved. She also stated that there appeared to be a demand for more meeting spaces.

- Condo/Hotel

Ms. Faga stated these projects could obtain financing as long as there were 75% of units available. She stated there were some early results such as the Atlantic Hotel/Condo and the Capri. She further stated that timeshare had not yet demonstrated market viability. There were 208 Marriott Vacation Club units and 70% had been sold since 1997.

- Office Market

Ms. Faga reported that there was a job growth and even with a weak economy there was a 15% vacancy. Since 2001, approximately 2.4 million square feet of new office space had been built throughout the County with the downtown as the major employment center. She further stated that the Central Beach was not a viable submarket even though 46% of tourists visit the beach because other than the beach area, there was not much else offered. Ms. Faga stated that the solid marine-related office area could be a growth area for the City. She stated there was an office development potential.

Ms. Faga further stated that there were 3.6 Million visitors to the City per year, and the visibility and parking were necessary. She stated that they should co-locate the marine office spaces with the marinas.

- Retail Market

Ms. Faga reported that the visitors were spending \$4.1 Billion and Las Olas Boulevard had been a huge economic success, but there was only had 270,000 sq. ft. of inventory at the beach. She further stated that the tenant turnover at Beach Place was difficult and possibly due to its design, and street level retail was very limited.

Ms. Faga stated they were looking for “casual sophistication” in the retail market potential so there could be more opportunities to extend a visitor’s stay. She also stated that the panel supported public policy initiatives designed to improve the physical appearance of the study area’s street-level retail frontage, such as facade improvements, high-quality destination restaurants and new housing.

- Residential Market Conditions

Ms. Faga stated there were 3,200 existing units with a cap of 5,500, but there was strong market demand due to “baby-boomers” from up north wanting their piece of the beach. She explained there were 800 units proposed with a 10-year build-out and the pricing per square foot of \$250 to \$375 per foot was good and would add \$25.2 Million to the economy per year.

- Residential Development Opportunities

Ms. Faga stated that high-quality design was critical and there was a high-level of people living in the community, and historic preservation needed to be supported in North Beach. She also stated that public initiative such as streetscape, code enforcement, and identity would serve to reinforce private investment in the area. She suggested that the North Beach Residential Area be given a name such as “No Be.”

Ms. Faga proceeded to show on a map the 5 areas on the beach as follows:

- Marina District
- Beach Entertainment District
- Mid-Beach District
- North Beach Community District
- Sunrise Lane District

Ms. Faga stated that they had discussed having a revitalization plan within those 5 districts, along with zoning code guidelines, districts and uses, destination resort, and pedestrian scale all of which go into the creation of a master plan.

- Transportation

Ms. Faga stated this was always a huge item and should provide greater convenience, be easier to understand, provide more walkability, and be more resort like. She further stated that the key elements of the transportation system include street network, walkways and bicycle routes, transit, water routes and signage. She stated that one of the major things they discussed was two-laning the roads and felt it was very important. She further explained that when there were one-lane roads, people got the impression they were to leave town fast. She stated the objectives of the four-plus-two scheme were:

1. Offer drivers more choices in moving around the Central Beach
2. Reduce traffic volume along the beach, leaving A1A primarily for sightseers and beachgoers
3. Create a more pedestrian-friendly beachfront
4. Provide adequate capacity for future development
5. Offer alternative routes for transit, service, and delivery traffic

Ms. Faga continued stating that other benefits of the four-plus-two scheme were that it offered the opportunity to reconfigure some currently jumbled streets and improve intersections.

- Parking

Ms. Faga stated there were currently 300-400 spaces at this time and attention should be focused on “portal” parking as a solution to some parking ills. People parking at the “portal” locations would either walk to nearby destinations or ride shuttles to those further away.

- Walkways and Bicycle Routes

Ms. Faga remarked that these routes were important and 25mph speed limits in the areas were needed so pedestrians would feel more comfortable. She further stated that sidewalk widths should be maximized and space should be reclaimed from poorly located poles and street furniture. It was also suggested that the bicycle routes currently provided on A1A should be retained.

- Transit

Ms. Faga stated they had discussed a beach circulator which would have a high frequency route. She stated they had researched some of these systems operating in comparable locations and approximately \$440,000 per year were needed for operational costs.

- Water Routes

Ms. Faga continued stating that the water taxi was great and new routes should be considered. She further stated that it was a rare and highly desirable form of transportation. She commented that more signage was needed regarding the water taxi.

- Signage

Ms. Faga reported that the City definitely needed more signage such as appropriate gateway signage, directional and regulatory signs which were currently inadequately sized, improperly located, and poorly maintained.

- Parking Authority

Ms. Faga stated that one of the most important things was that the City needed to establish a Parking Authority which would increase parking revenues and profits, build a comprehensive parking data base, and fulfill the parking deficit. She further stated that this was a good way to fund things because this department always appeared to have available funds. She explained the City had the ability to acquire sites and already owned some at this time. Some of the locations discussed were: Sunrise Lane area, Birch Road, Alhambra and Sebastian Streets, Seabreeze Boulevard, and the corner at Birch Road.

- Development Strategies

Ms. Faga stated they had discussed updating the master plan and zoning. She further remarked that public participation was paramount to success, and by using photo simulations one could demonstrate development compatibility. She reiterated that most people did not understand plans and visualize things better with models. She also stated that using sector plans was a good way to do special locations. Ms. Faga explained there appeared to be needed an independent technical design review because comments had been made that individuals without design backgrounds were the ones doing the design review on the projects.

Ms. Faga further commented that reducing the political process went hand-in-hand with the review of technical design. She also stated substituting the master plan for non-conforming use and compatibility provisions was taking place.

- Zoning

Ms. Faga stated there was the South Beach Hotel Marina Area, Planned Resort Development Area, Sunrise Lane, North Beach Residential Area, and the A1A Beach front. She continued stating that they had looked at the zoning and proposed the following changes:

1. The South Beach Hotel Marina Area become larger
2. Planned Resort Development Area also become larger to provide more residential area
3. Expansion of the North Beach Residential Area to make it less transient

- Bahia Mar

Ms. Faga stated that the Bahia Mar was the central location for the boat show and the design of the new construction was to achieve and maintain a resort community ambience at the complex. She further stated it was necessary to have an active street presence and could be an excellent example of private/public partnership.

- Aquatic Hall of Fame

Ms. Faga stated that this was a major family attraction which generated approximately 30,000 annual room nights, plus the additional economic impact resulting from visits by swimmers and their families. She further stated that the panel felt the facility validated the beach as an

international draw and reinforced Fort Lauderdale's identity and unique character. Ms. Faga stated that the panel felt the City should keep the Hall of Fame which added a cachet to the beach.

- Public Beach Facilities and Public Market

Ms. Faga stated that this was the area between the Aquatic Center and how pedestrians could walk to the Las Olas Park. The site would be a natural and the connection would be complete. She further stated that the wave wall was an iconic image which people loved. She reiterated that restrooms were needed, along with recreational concessions, and police and lifeguard facilities. She added that a great design was needed for these facilities so people would not have to leave the beach area for such amenities.

- Las Olas Park at A1A

Ms. Faga stated this would be the beach center with a plaza having an open space with parking and public markets. She added that an interactive water feature could be added. She also stated that development should be focused on the northwest and southwest corners of the intersection and expand the beach promenade along A1A.

- Palazzo Las Olas

Ms. Faga reiterated that this would be an excellent opportunity for a beach gateway and that it had the flexibility of height versus building forms. She added that the panel had suggested there be less parking in this area.

- A1A Resort Promenade

Ms. Faga stated that this was the street front which needed to have active street-side uses and freshened up so the public could see such improvements. The panel recommended some of the following features:

1. Create design guidelines for all hardscape that met the street and should fit the proposed
2. Beach Entertainment District's conceptual plan.
3. Encourage restaurant and retail uses in a manner which would help create pedestrian interest.
4. Promote the placement of seasonal carts/kiosks to further heighten the visitor experience along the promenade.

- North Beach Community

Ms. Faga stated that this was the heart of North Beach and they should focus on neighborhood preservation, adaptive reuse, and new construction.

- Sunrise Village

Ms. Faga reiterated that this was the anchor area and public parking facilities were needed.

- Other Catalysts for the Beach

Ms. Faga reiterated that the water taxi was the “best ride in town” and needed to be advertised more and new routes added. Another important item was the mid-beach garage which should be considered at Alhambra-Sebastian block which could blend in with neighboring buildings and provide a major asset in terms of convenience for visitors and beachgoers alike.

Ms. Faga remarked that the panel felt it was important that the development be responsive to the community’s vision, but an updated beach master plan was needed and a consistent approval process was critical. She reiterated that communication of the vision was important so people could see what they were getting so they could buy into the project as a public group.

Ms. Faga stated it was necessary to use public funds and public intervention strategies were already in place.

- Implementation

Ms. Faga reiterated that the updating of the master plan was critical and major investments in the infrastructure, including transportation improvements and the acquisition of a number of key parcels would set the stage for further development. She emphasized that public participation was important and stated that the City could be both a source of funding and a tool to help capture private sector investment. She also stated that site assemblage could help achieve the vision for the area and the City needed to have the political will and resources to use its power of eminent domain to remove blight at key sites if voluntary acquisition efforts failed.

Ms. Faga further stated that the public sector had a large role in private development projects since they were the facilitators who leveraged the investment with the infrastructure and had the ease of entitlement.

Ms. Faga continued stating that the expansion of funding and staffing to accomplish the vision was critical. She added that the CRA could encourage development by utilizing the concept of a “developer advance” with project specific repayment, City commitment of resources, investment in design entitlements for capital projects, and the use of existing public assets as leverage in catalyst and bond programs.

- Modifying City Organization and Staffing

Ms. Faga stated the panel felt there should be a high-level “champion” for the beach and full time was not being devoted to the projects at the beach. She added that support of elected officials was mandated by what would happen at the beach.

Ms. Faga reiterated that the key to redevelopment was that the City needed the shared vision of the reality and the public needed to be engaged in the process.

Ms. Faga stated that the conclusion would be that they would look at the vision of a resort community with a beach lifestyle.

Ms. Faga added that in the report a timeline was provided which gave an overview of what would take place when, and the first year had a lot of things taking place.

Ms. Faga concluded by saying that the panel enjoyed working on this project and meeting everyone, and they had been treated wonderfully. She felt the panel would be returning to see the

City's progress and hopefully the panel would not return in 14 years to once again discuss these problems.

Ina Lee stated that the report was extensive and she again thanked the panel for all their hard work. She stated that the Beach Redevelopment Advisory Board felt the panel had fulfilled what they had asked for, and had come back with an objective expert overview and specific implementations, along with many different ideas. She further stated that the Board was going to have an extensive workshop for their next meeting, and requested that a workshop be held with the City Commission in July in order to discuss the specifics of the report and how they should proceed. She stated that they did not want to see the ULI return in 14 years to restudy the problems, and only wanted them back to see the progress that had been made by the City.

Mayor Naugle stated he wanted to thank the members of the ULI and the Beach Redevelopment Advisory Board for all their hard work. He felt it was a good thing to have an outside body come in and study what was taking place in the City every 15 years or so, and he would welcome the panel back because progress needed to be monitored along with the City's changes.

Mayor Naugle stated that after the last ULI study the City had adopted some of their recommendations, and he believed there would be things in this report that would be adopted and some would not be, but that was now the City's job to make such determinations. He further stated that he felt the first thing that should be discussed was the 2+2 because they had come to the consensus, along with the Board's input, that they would not have four laning of Seabreeze and they would leave it two lanes along the ocean and two lanes inland. He felt this was important to discuss because they had funded the section between Las Olas and Bahia Mar, but for the area north they had decided not to do four laning. He stated that originally the idea was to make four lanes inland to eliminate parts of the ocean drive, but the boaters had settled that matter in 1989 after the 1988 ULI panel. He felt this recommendation was the strongest made in this report.

Commissioner Trantalis stated that he felt the report offered many commendable recommendations and hoped they could discuss those and possibly implement some of them. He stated that some of the recommendations ran consistent with many of the points of view that had been voiced during the last several months. He further stated that some of the recommendations might not work, but he was hopeful that they could establish a mechanism by which they could analyze the recommendations and then implement them and not put the study on the shelf once again.

Commissioner Teel stated that it seemed to take long for things to happen, but she felt once of the things they could proceed with immediately that would have minimal expense was the sprucing up of the areas and the facades. She stated that possibly the owners could get together and make some improvements.

Commissioner Moore thanked the ULI for their hard work and stated he had been impressed by their first visit, and was informed by their present visit. He stated that when the first ULI study had been done the concept of the resort development was pushed and recommended by the ULI which made a lot of sense at that time, but he felt the marketplace was the driving force. He stated the opportunity of obtaining funds would make the developments happen. He felt to continue stating "resort concept" could be what the people might want, but reiterated the marketplace would drive things. He further stated that from the ULI's first study they saw that the marketplace offered funding which was different back then. He continued stating that in the present report they were continuing letting the cars be the engines to the beach, where they should be promoting the area as more pedestrian friendly.

Commissioner Moore stated that he was agreeable in what had been recommended in the closing report that the Beach Redevelopment Advisory Board continue to have the input, and the Commission meet with them to discuss their recommendations. He further stated that one thing that was very glaring in the final report was the fact that there was a lack of leadership, and he felt that was a problem City-wide. He

stated that they needed to take the agenda they had and implement it, and he felt there should be a real leader.

Commissioner Moore also stated that the parking recommendation was interesting and he felt a workshop was necessary. He also stated that the Swimming Hall of Fame was a laugh and that was why he found it interesting because they had a good name and it was due to what this Commission had done. He reiterated that he had a different opinion as to whether it should be a relationship gone by.

Mayor Naugle stated that many times everyone failed to separate the Aquatics Complex from the Hall of Fame Museum. He felt Commissioner Moore's comments regarding parking were on point and the fact that the cars should be captured before entering the Barrier Island. He referred to the dilemma they had with Sunrise Lane in wanting to build a garage but not being able to get the right financial arrangement. He suggested that they possibly look at a partnership with the Galleria and a form of transit used for parking on weekends and for beachgoers in lieu of the garage being built.

Commissioner Moore stated that he was concerned when the panel mentioned a Parking Authority because he felt the City already had one. Mayor Naugle agreed the City had one already. Commissioner Moore stated that possibly in their recommendation they were saying to focus on beach parking, rather than as a full enterprise fund they now had, and he felt this was an already existing entity.

Commissioner Hutchinson stated it was a pretty good report and she enjoyed having been part of the process. She further stated she would be interested in seeing what recommendations were going to be made by the Beach Redevelopment Board. She stated that it was interesting in talking to people who lived on the beach and in Fort Lauderdale because they did not want additional traffic coming to the beach, and therefore, to split the roadway would entice more vehicles to the Barrier Island. She reminded everyone that the members of the panel did not live here and had been invited to give their perspective and yet listen to the City's needs. She stated she looked forward to the scheduled workshop. She thanked Ms. Faga for giving the ULI report.

Mayor Naugle stated that they had always avoided having office space and meeting space on the beach, but they did want to have financial services and other necessities offered at the beach in a limited fashion which would eliminate trips to the mainland. He further stated that if you asked most of the people in the community, they would say there was not a lack of development in the City.

Commissioner Moore stated that another thing he found intriguing was the organization which had done the strategic marketing and the number of room nights they had generated. He felt the Convention and Visitors Bureau needed to be a part of the process and see now a "niche" market could be obtained that might have been overlooked. He agreed that more meeting room space was needed and felt that the Convention Center needed a hotel on site which would make it more attractive. He reiterated that they could review what they had, polish it up, and market what they had which appeared to have been a missing component. He stated he hoped the Beach Redevelopment Advisory Board would extend an invitation to the Convention and Visitors Bureau to get their input in regard to marketing and what could be done to market existing properties in a manner which would make them more viable.

Commissioner Hutchinson stated she agreed and felt they could make some improvements and possibly encourage the property owners to "spruce up" the area.

Commissioner Moore reiterated there would be natural open green space if the property owners landscaped their properties.

Commissioner Trantalis stated that what was said about capturing existing markets was important, and felt the ULI had identified the Rainbow Alliance. He further stated that the Convention and Visitors Bureau had made an initial attempt to participate in marketing that segment, and he felt the report identified that

important geographical location for enhancement. He continued stating that they needed to make the area more interesting. He stated that Bayshore Drive did not need to be as wide as it was and they should consider "greening up" that section, along with creating bike paths. He stated there was already an economy on the beach, and the City should use their facilities to augment the efforts already being made. He reiterated that the biggest complaint of guest house owners was that once the people came to stay, there was nothing else for them to do but go to the beach. Commissioner Trantalis stated that the study identified this problem as an opportunity for the City. He felt that the "village" being discussed should be created with the encouragement of retail and office space and rehabilitate already existing structures in the area.

Commissioner Moore added that the reason people were purchasing properties or changing the development of sites was because they wanted to make money, and if the area was marketed in a manner whereby they could make money with their existing structures, it would be beneficial to everyone. He reiterated that the reason people wanted to demolish historic properties was because the numbers made sense.

Commissioner Moore reminded everyone that discussions had taken place last year regarding concessions on the beach. He stated that South Beach had things to do, and he felt the portion of the report regarding this matter was very clear. He reiterated that the public space needed to be utilized more and for better reasons.

Commissioner Teel stated she wanted to explore further the idea of capturing the parking before it reached the Barrier Island. She stated it worked in other places and felt they were missing out on some opportunities on Sunrise Boulevard. She further stated there was a parcel of land that was coming up for total redevelopment on the north side of Commercial Boulevard across from the Galleria and possibly the City could look at that site. She felt some type of rubber-wheeled transit could be offered.

John Fleming, resident, stated that the beach and warm weather were the primary attractions for this area. He stated that to attract such individuals residential facilities were needed to accommodate them, and stated that most of the new construction had eliminated most outdoor green areas. He suggested that they develop a formula that a certain percentage of a lot be dedicated for green space.

Action: Beach Redevelopment Advisory Board to analyze the ULI Report and make recommendations to the City Commission.

Commissioner Moore left the meeting at approximately 2:40 p.m.

I-B – Port Everglades - Sand Bypass Study

Karl Shallenberger, Public Services, introduced Steve Higgins with the Department of Planning and Environmental Protection who would give a presentation regarding the Beach Renourishment Program.

Commissioner Moore returned to the meeting at approximately 2:45 p.m.

Steve Higgins stated that they had been working for a number of years on the management of the beaches regarding erosion, and the main components of the plan included restoration of the beaches, and keeping them maintained through means of small scale infusion of materials. He stated a big component was the bypassing of sand at Port Everglades in order to proceed with the natural movement of sand from north to south and prevent the starvation of sand along the John Lloyd Park and communities to the south. He explained they had been engaged in a feasibility study for the past year and had hired Olsen Associates, Inc., a coastal engineering consulting firm, to review the feasibility, do detailed modeling, and suggest alternatives regarding sand bypassing, along with costs to see if they

could accumulate the 50,000 cubic yards of sand which arrived in the area and bypass it to the beaches to the south.

Mr. Higgins proceeded to introduce Chris Creed, Project Engineer, who would be giving today's presentation.

Commissioner Trantalis left the meeting at approximately 2:49 p.m. and returned at 2:54 p.m.

Chris Creed stated this was a fairly technical study and was a difficult problem which was constrained from the outset in regard to the limitations they had to work with in order to formulate alternatives and evaluate them in terms of assessing this project's feasibility.

Mr. Creed stated that the importance of sand bypassing in the southern portion of Broward County was to re-establish a sand sharing system along the southern beaches. Currently, Port Everglades was a complete barrier to the natural transport of sand from north to south. He explained the sand was either retained along the shore or spilled into the channel at Port Everglades, thereby starving the beaches to the south with any natural supply of sand which led to the continued need for sand nourishment from remote or off-site sand sources. He further explained that it was proposed that through re-establishing the transfer of sand across the inlet, they would attempt to emulate the natural transfer but do it through a mechanical process which could reduce the demand for off-site resources. At the same time a by-product would be to eliminate or reduce sand showing in the navigation channel which impeded commercial traffic.

Mr. Creed continued stating that the general scope of the study was to evaluate the engineering, economic, environment, social and political feasibility of a sand bypassing project sufficient to offset the erosion caused by the inlet. If an alternative could be found which would meet the criteria established, they could continue to develop the engineering design and begin the permitting process.

Mr. Creed stated that Port Everglades was a huge trench cut into the seabed and proceeded to explain the area on a map. He stated that the trench had been cut as early as 1935 which went through the reefs and off-shore rock and was about 50' deep. In 1962 there was a widening project and a lot of the material taken from the channel had been side cast into a huge rubble pile which was suspended around the shore area. He further explained there were some submerged break waters which were built back in the 1930's, and another point of interest was a previous location of a New River Inlet. Before Port Everglades had been constructed, the actual inlet which serviced the interior waterways, including the New River, was about 6,000' to 8,000' further north of this location. He stated this was an important reference point in their study.

Mr. Creed proceeded to show on a map how the sand flowed down the beach to the inlet from north to south. He explained that the beach was creeping about 10' per year due to the deposition of sand from the north. He stated that some of the sand went across the shoal and was deposited between the shoal and the north jetty and eventually landed in the channel.

Mr. Creed stated they were interested in how the beach was responding to its current configuration of the jetty and its previous locations. He explained on the map where the shoreline had been located at the time of the construction of Port Everglades. He further explained that the beach further north of the previous existing inlet had been fairly stable. He stated their goal was to capture as much as possible and not to impact the beaches to the north, but to stop the accretion and set the north shoreline at a status position. In order to do this, they looked at how the waves approached the beaches and the currents generated which was done through a computer model. He explained once the existing conditions were established; they could then look at alternatives for the beaches.

Mr. Creed stated there were 3 major things which kept sand from going across Port Everglades and those were:

1. The impalement north of the shoal.
2. The channel in the shoal which had a strong effect upon the wave alignment.
3. Under the current condition a lot of sand was being jetted off shore and permanently lost from the system.

Mr. Creed proceeded to show a simulation of one of the models on waves.

Mr. Creed stated some of the alternative formulas could be:

1. Concentrate and collect a sufficient amount of sand to bypass economically and they needed to do that with minimal impact to the north shore.
2. Limit the infrastructure along the north shoreline.
3. No increase to the shoaling of Port Everglades.
4. Not to adversely impact navigation.
5. Bypass only clean sand.
6. Need to be conscious of John Lloyd Park State Park and minimize or avoid any environmental impacts.
7. Collect sand along the north shoreline.

Mr. Creed further stated they had identified a government track of land associated with the north jetty easement, which was a Federal easement, and confined themselves to work within that parcel. They needed to come up with ways to concentrate sand collection in a very small area which was not currently happening.

Mr. Creed stated one of the first things they needed to look at was the barrier of a dam to sand flow from north to south which was the rubble shoal that had been identified as an environmental nuisance. He explained that some of the environmental agencies had expressed interest in having this removed. This was also considered as an option. He stated they were starting their alternative formulation with the 1994 Inlet Management Plan for Port Everglades which had been modified in 1996. He showed a map and proceeded to explain the process. He explained there would be a hole excavated inside the jetty notch which would have a weir where sand and water could flow over it and every 2-3 years a dredge would come in and excavate the hole to transport the sand across the inlet. He explained the problem with this concept was that it required the shoreline retreat back to the weir which was about 100' to 150' in order to make the project work. He stated this plan had been conceptualized in the early '80's and was a great idea then, but by the time discussion took place regarding its implementation.

Mr. Creed stated the plans they were currently reviewing and evaluating were as follows. The first was a fixed pump system which would require some limited infrastructure along the north shoreline and would be a permanent facility. He explained it would be difficult to maintain and they would not have a lot of control over what sand arrived, and the rubble and debris present would limit its productivity because there would be a lot of production problems associated with this plan. He stated there would also be some fluctuation of the shoreline position. He also stated there would be a public access problem.

Mr. Creed stated they wanted something that would make a lesser impact on the beach itself. The second alternative would include a mobile pump system which would include an extension of the north jetty. The volume of sand would equate a 3-year transport of sand and for about one month a year there would be some activity in the area. Some of the problems with this alternative was there was the potential that they would get very fine sand which might not be suitable for bypassing. This would have to be further assessed, and the beach would fluctuate over time instead of having a permanent position. Larger dredging equipment would be needed and there would always be problems with rubble contaminating the

sand.

Mr. Creed stated the final alternative they were reviewing was a jetty extension with a sand trap with a shore perpendicular weir and a breakwater. In this alternative, the shoreline would not retreat. He stated further that this allowed for a higher quality of sand, minimized the updrift shoreline change, provided a protected area for dredging, and provided for bypassing activities to be performed away from beach users. Mr. Creed stated they were presently evaluating the alternatives.

Mr. Creed stated that plan implementation would involve:

- Complete feasibility study workshops
- Schematic level design
- Permitting by the State, Federal and NEPA
- Final design
- Construction

Mayor Naugle asked what the hours of operation of dredging would be. Mr. Creed stated they worked 24 hours a day to expedite their operation. Mayor Naugle reminded everyone this was next to condominiums. Mr. Creed stated they were constrained by many things especially the turtles on the beach and in the navigational channels, and dredging would probably take place in the spring or fall.

Mayor Naugle asked when things were finalized was a letter of support going to be required from the City stating their position. Mr. Higgins replied they had not thought about that and were hoping for an absence

of opposition. He further stated they were going to conduct a series of workshops for the public. Mayor Naugle asked the City Manager to notify the Commission when public comment would be required.

Commissioner Trantalis asked if this was a federal and state funded project that occurred on property within the federal government's jurisdiction which would impact the City. Mr. Creed stated the goal was not to impact the City. Commissioner Trantalis reiterated that they were going to change the topography which abutted City property. Mr. Creed remarked that the impact would be recession.

Mayor Naugle remarked they would be stopping the growth of the beach. Mr. Creed stated their approach was not to cause the beach to recede, but to stop it.

Commissioner Trantalis felt that the noise would impact the beach. Mr. Creed stated there would be a short-term impact, but the ultimate scope was yet to be determined. He reiterated that they would work with the City in this matter.

Action: Staff to notify City Commission when public hearings are scheduled.

**COMMISSION RECESSED AT 3:13 P.M. FOR THE
MEETING OF THE COMMUNITY REDEVELOPMENT AGENCY**

**CITY COMMISSION CONFERENCE MEETING
RECONVENED AT 3:17 P.M.**

Commissioner Hutchinson returned to the meeting at 3:15 p.m.

Commissioner Moore left the meeting at approximately 3:15 p.m.

I-C -- Historic Preservation Board

Mayor Naugle invited the members of the Historic Preservation Board who were present to come to the table for discussion purposes.

The City Manager stated this was a long-awaited meeting with the Historic Preservation Board and the Commission. He stated that several matters had come before the Commission in recent months regarding historic preservation, and he felt today would be an opportunity for everyone to explore recommendations made by this Board addressing some of the long-standing concerns and policy needs in connection with this matter. He further stated that the Historic Preservation Board had not felt constrained in their recommendations to the Commission. He stated that he was concerned about several matters, but would address the issues regarding implementation and cost later on.

Michael Ciesielski, staff liaison to the Historic Preservation Board, stated that several recommendations had been made by this Board, including economic incentives for the property owners, deletions, additions and modifications to the present ordinances in connection with historic preservation, and a discussion of the establishment of an historic preservation department. He proceeded to introduce the Chairman of the Historic Preservation Board, Charles Jordan.

Charles Jordan stated that the Board felt Michael Ciesielski was one of the hardest working City employees and had been working with him for several years. He proceeded to state that they needed a clear direction from the Commission. He realized the recommendations involved an ambitious program of incentives, ordinance revisions, and property designations. He stated that a board member, Christopher Eck, would address various issues that had been explained in the materials distributed to the Commission. He further stated that it was clear that an historic preservation department was needed, along with a department head, planners, clerical support, and funding. He felt when that was done they would start to get ahead of the curve and develop ways to generate funding that could be tapped into in order to preserve and protect the City's heritage.

Christopher Eck, member of the Historic Preservation Board, thanked everyone for allowing this Board to make their presentation at today's meeting. He stated that there was an absence of leadership in the sense that this Board existed and was present to help and see how they could improve the community. He realized the numbers also needed to make sense, and he felt with the draft report given to the Commission they were trying to create something economically viable, but yet address the City's need to understand what the impact would be. This went together with the master plan for where the City wanted to go in their effort to create the identity that Fort Lauderdale was an enviable place in the United States, which would continue into the future.

Commissioner Moore returned to the meeting at approximately 3:23 p.m.

Mr. Eck further stated that historic preservation was an integral and vital part of the community. He stated that many recommendations made in the report would not be adopted or implemented, but they hoped they would be considered with utmost thought. He further stated that one scenario which was important was the best practices scenario which had been implemented by municipalities throughout the country and had proven successful. He explained that a lot of what historic preservation could accomplish centered on economics. He stated it was interesting to note that in the fall of the past year, the State of Florida through the Department of State, issued a new publication entitled *"The Economic Impacts of Historic Preservation in Florida,"* which was funded through the Department of State and issued by the University of Florida, along with Rutgers and several other groups. This publication cited the fact that historic preservation in Florida had a \$4.2 Billion annual impact which had a lot to do with tourism which was also integral to the City's economic viability.

Mr. Eck explained that historic preservation was not just about preserving buildings, but also benefiting

their communities. Communities which had benefited from such preservation was Miami Beach, Coral Gables, and Delray Beach. He further stated the thing the City needed to weigh was how to do preservation items which would improve the community and address concerns about economic displacement of residents, impact of the City regarding costs, and how it could benefit the City.

Mr. Eck stated that there were a number of things done throughout communities regarding preservation that benefited the community economically and improved it as a place to live and visit. He reiterated that when preservation was done properly, the numbers did make sense. He stated that one of the things the City needed to consider was that a tax abatement program did exist which was a huge incentive for property owners when done properly. He stated there were a lot of projects which were made economically viable to preserve historic structures through tax abatements that dovetailed into the Federal Tax Credit for commercial structures, and without some of those abatements many great landmarks could have been lost or would not have been as successful as they were today because of a certain amount of economic vitality which was present.

Mr. Eck stated that an ordinance had been past by the City which was not promoted, and no staff was available to implement it. He explained that in order to do something right, one needed to have trained professional personnel. He stated that Mr. Ciesielski was doing a great job with the tools he had, but trained personnel devoted solely to making these programs work contributed to their success. Mr. Eck further stated other recommendations concerned the transfer of development rights, conservation easements, and certain special assessments with tax credits. He reiterated it was beneficial to retain smaller buildings, and explained that preservation did not mean to save all old buildings which seemed to be a common misunderstanding. He felt the community needed to have a say in what was preserved so it could be done properly. He stated that the City needed to partner with public and private entities to ensure that things could be done in an economically viable fashion which would benefit everyone involved.

Mr. Jordan proceeded to recognize the members of the Broward Trust who were present at today's meeting such as Diane Smart, Lila Gray and Nolan Haan. He stated that they had also been pushing this type of agenda as well.

Mayor Naugle remarked that he was interested in the idea of having incentives established so more buildings could be preserved. He realized an ad valorem exemption of up to 20% of the assessed value of all improvements could be granted, and he asked if the County could do the same and whether the School Board could also be eligible.

Mr. Eck stated that it was the City's portion of the tax bill for the City's application, but the County had also passed this recently. He stated that due to the uncertainty involved, many people did not want to be the first to do this without knowing more about the benefits.

Mayor Naugle asked if the City had the ability to give relief and asked if it was the improvements minus the land cost or did it only involve the total improvements. The City Attorney explained it was for improvements only. Mr. Eck stated there was another factor to that as well which was a conservation easement, and only one was in Broward County at the present time which dealt with historic properties. He explained that a conservation easement permitted a designated property to give up a certain right to change the property and was actually an imperpetuity right. By doing so, they would gain a one-time charitable contribution of the value of the easement which was typically valued at 20% of the value of the property in total. Also, County Appraisers were to look at the diminution in value in perpetuity as to the value of the property as long as the easement was created for 10 years or longer. He explained this could hold off increases in taxes, as well as getting the charitable deduction for the property.

Mayor Naugle asked how the easement would work in connection with a house. Mr. Eck explained that if the Gypsy Graves house had been valued at \$2 Million, and the assessment came back with a high end

of that value, then the one-time charitable contribution would be donated to an eligible recipient agency under the statute which normally was a local government willing to accept it or a non-profit conservation dealing with historic preservation or environmental protection. The easement could then lower the tax bill for the property around 10% to 20%.

Commissioner Moore left the meeting at approximately 3:38 p.m.

Mayor Naugle suggested that staff research some past case studies so there could be a better understanding of its impacts. One of the problems with historic properties was that land value was high and the improvements were very low. Mr. Jordan stated that the 20% was actually a federal tax credit. Mr. Eck reiterated there were federal tax credits for commercial and income producing properties.

Commissioner Moore returned to the meeting at approximately 3:40 p.m.

Commissioner Trantalis stated it was worth exploring the transfer of development rights and felt it was an interesting concept. Mr. Eck stated that one of the most successful transfer of development rights was done in the State of Maryland outside of Washington, D.C. He explained that under the transfer of development rights, one determined what properties were eligible to transfer rights which normally were environmentally sensitive lands, and historic properties, and designate a recipient area to receive those rights.

Mr. Jordan stated that one of the ideas behind using this was that the City already had a cap they were dealing with in the downtown area, and the Commission was attempting to figure out the allocation of those units, and if a commitment was made to preservation a certain number of those units could be allocated for such a purpose. Mr. Eck remarked that such an ordinance had been adopted in Coral Gables.

Mayor Naugle reminded everyone that they would have to proceed cautiously because they did not want to scar the City in relation to future damages which could occur.

Mr. Jordan remarked that they needed to have a clear vision as to what they wanted to develop. Mr. Eck explained that the City would have to come up with a formula they found appropriate prior to the creation and issuance of an ordinance.

Mayor Naugle remarked that it appeared evident that a staff position would be needed to implement the programs. He suggested that possibly there were positions in the City which were not needed, and they could free up funds for this department so taxes would not have to be increased.

Commissioner Hutchinson felt this was long over due and the office for Historic Preservation be created so people would have a place to go for information and assistance. She felt there were great incentive programs being suggested, and stated Mr. Ciesielski was doing a great job but it was only part-time. If the City wanted to save its historic structures, it needed to be more proactive and the Board might have to be given increased powers in order to seek the historic structures. Commissioner Hutchinson also stated that she wanted to hear more about the programs available in Maryland and what they had done to implement them.

Mayor Naugle stated that possibly a software program existed which would give individuals a ball park figure on the monies which could be saved by having properties designated. Commissioner Hutchinson reiterated that they needed a streamlined process, whereby materials approved by the Board could be offered to the individuals making such improvements, thereby reducing the process timeline.

Mr. Jordan stated he encouraged the use of hold harmless. He explained there was a provision that once a recommendation was made by this Board, the City Commission could call the matter up within the next

30 days, and he did not want things to hold up individuals making their improvements. Mayor Naugle remarked that only exceptions should come before the Commission. Commissioner Hutchinson stated there should be no call up if the historic preservation code was being adhered to, and things proceed through the process.

Mayor Naugle stated that should include materials regarding fencing, windows, paving, air conditioning placement, and all such matters.

Mr. Eck stated that in Jacksonville some of the permitting fees which had been collected were put into revolving loans to assist property owners of lesser means who lived in a historic district to make improvements. Commissioner Hutchinson stated they needed to learn from cities who did things right. Mr. Eck explained that in New Orleans the City worked with the property owners and they would sign an agreement which was attached to the chain of title whereby they agreed to purchase property cheaply, make improvements, and live in the property for 10 years.

Commissioner Teel stated she kept hearing about the identification of such properties for historic preservation, and proceeded to ask if this had been done. Mr. Ciesielski stated that a year ago the Commission had approved the hiring of consultants to update the historic surveys, and they were about 75% completed as of this time, and an update would be presented on May 5, 2003 to the Historic Preservation Board.

Commissioner Hutchinson asked how they could implement some of the Code changes to make things less cumbersome. Mr. Jordan stated that certain things would fall into next year's budget, but certain things could be done by allocating staff which were available. He stated that streamlining the ordinance could be something which could be worked on immediately. He felt the designation process was very cumbersome and felt Commission should not be presented with the designation hearings because in most communities it stopped with the Preservation Board, and then an appeal could be done to the Commission.

Commissioner Hutchinson reiterated that they needed to get the political elements out of the process, and allow the Preservation Board to do their job. She felt if it meant allocating additional powers or changing the ordinance so they could do their jobs as other boards did in other cities, she felt they needed to learn from those who did it right.

Commissioner Moore stated that he differed with some of the remarks and did not want an appointed board making a decision for a property owner. He further stated that the development rights concept was an excellent idea, but felt the ordinance changes should be considered, but that changes which would impact a property owner should not be considered without giving them an opportunity to make it affordable. He stated that he was concerned that there were a number of properties in the northwest quadrant which were ignored, and urged the Board to consider the fact that an old wooden property could have significant historic value to the City. He remarked that a number of such homes had been torn down by the City in that area, and many were ignored due to lack of funding for rehabilitation. He also stated that the new South Florida Building Code also made it impossible for individuals to save the structures. He hoped that there would be discussion in the Board as to how such properties could be addressed.

Commissioner Moore stated he did not have a problem with the formation of a specific department to handle such matters, but also felt that they should reach to the County to assist in funding and being a part of such a process so they could possibly build a relationship with another governmental entity to afford them to do such things that could be entrenched county-wide.

Commissioner Moore asked what was actually considered historic. He felt the key was listening to the elders in the communities and stated there were buildings, even trees, which individuals felt were significant. He stated he was bothered by seeing Dr. Sweeting's home have a tractor-trailer parked on the

site, and thought it was very insulting.

Mr. Jordan stated that he felt the Board was in agreement with about 90% of the comments Commissioner Moore had stated. He stated that powers had been granted to the Planning and Zoning Board, some given to the Development Review Committee, and if property was designated at the Board level with a review process attached, he felt that would be fair and consistent with the Code.

Commissioner Trantalis left the meeting at approximately 4:05 p.m.

Commissioner Moore stated that an advisory board choosing a property as historic or not and the owner having only an appealable process available to them was frightening. Mr. Jordan remarked it was a significant process because it would have to follow a series of procedures.

Mr. Jordan continued stating that Florida Vernacular Architecture in regard to wood frame houses caused questionable concern as to their significance. He stated the homes in Sailboat Bend were now valuable and significant improvements had been made. The fact that the northwest area had not been involved in historic preservation showed the failure this Board was attempting to correct. The failure of not having staff available to help educate the public, provide assistance programs, along with revolving funds for rehabilitation was evident. He stated things could not be done if sufficient personnel was not provided, and he felt it was horrible what had happened along the Sistrunk Corridor and some areas of the northwest. He felt that process could be halted by putting correct measures into place, and an opportunity was now presenting itself to the City and he hoped the Commission would support this Board's recommendations.

Commissioner Moore stated that the Housing Authority in the City had some significant properties such as O'Dell's on 4th Street which he felt should be designated as a historic property. Mr. Jordan remarked it was protected since it was located in the Sailboat Bend District.

Mr. Jordan commented that he was also President of the Broward Trust for Historic Preservation and the Trust was advocating such preservation, and he encouraged Commissioner Moore to talk to the owners of the property and put them in touch with the Trust. He stated the Trust had a website at www.BTHP.org and they could also contact the Trust. He encouraged the City to take a more proactive role in this matter. He felt that time was running out for certain structures and whatever assistance could be offered, whether public or private, needed to be done.

Mayor Naugle stated that he had not heard anything mentioned regarding an ordinance for demolition by neglect, and suggested they review ordinances from other cities dealing with this issue. He reiterated that items which could be dealt with immediately were such things as streamlining the existing ordinances. He felt the staffing issue was something the City Manager would have to include in his budget which was set for adoption on October 1, 2003. He felt they could begin the process of recruitment at this time. He also asked for the Transfer of Development Rights (TDR) ordinance in Coral Gables be reviewed and the property rights abatement case studies be explored. He stated he was not sure that the revolving loan concept could be established in this year's budget, but possibly could be considered in the future. He stated that any area eligible for community development block grants could target some of those funds to go towards historic preservation. Mr. Eck remarked that type of activity would be eligible under CDBG.

Commissioner Moore stated that was the problem because most of the properties which met the criteria did not always have moderate to low-income owners. Mr. Eck explained that if one were looking to assist people needing financial assistance, this could be a good way to start the revolving loan program. He further explained even if a property had an owner not in a block area or an eligible target area, if one could show the money was being used for elimination of blight even on a spot basis, they could be eligible if they met the income requirements.

Commissioner Teel stated at this time she was not particularly in favor of starting a new department with

a department head, and hoped to hear alternatives offered by the City Manager, and suggested it possibly be part of an already existing department. Mayor Naugle stated he was thinking of a position, but not a department.

Mr. Jordan stated that the amount of staffing which would be provided would have a direct effect on how much money would be contributed to the programs from outside sources. He felt if it was to support itself eventually, the position would have to be supported by the City for a couple of years. If it didn't work, then things would have to be re-evaluated. Commissioner Teel further suggested that possibly it could be part of a public/private partnership.

Mayor Naugle remarked it would have to be balanced because it was a tough budget year.

Commissioner Moore stated if having a position would allow them to come up with affordable units, then he agreed it should be done, but also felt they needed to consider partnering with the County. He reiterated that an ordinance should be considered dealing with affordable housing and a component could deal with historic funding.

Commissioner Trantalis asked the Historic Preservation Board what they were asking for at today's meeting.

Mr. Jordan stated that a meeting similar to this one had been held about 2 years ago, and they came away with the idea that progress would be made, but nothing had been done.

Commissioner Moore left the meeting at approximately 4:16 p.m.

Mr. Jordan stated he believed there was enough information on the table to develop an ordinance, but they needed staff support. He further stated that the Community Development Block Grant funds should be authorized to have a program that would enable them to use the funds towards historic preservation. He stated he wanted a directive from the Commission as to having certain items addressed immediately, along with direction of staff in the Community Development Department.

Mayor Naugle suggested that the City Manager return to the Commission within 30 days with a timeline regarding the implementation of items discussed.

Commissioner Trantalis asked if this would also require the City Attorney's office to be involved. The City Manager agreed regarding the ordinance matters. He further stated he appreciated the 30 day timeline and reiterated that there was a huge challenge regarding next year's budget.

Commissioner Hutchinson asked if any grants were available regarding payment for an administrative position. Mr. Eck replied if the City wanted to create professional staff, they could get certified as a Local Government in the State of Florida whereby becoming automatically eligible for the allocation of funds for certified local governments. He stated that some grants were available from certain foundations such as the Knight Foundation. He volunteered stating that he had some information available if anyone wanted to pursue the matter.

Todd Fogel, member of the Historic Preservation Board, stated that demolition by neglect was a huge problem in Sailboat Bend Historic District and throughout the City, and as an advisory board he felt they had a heavy burden on their shoulders, but believed that Code Compliance could play a more active role in historic preservation regarding properties which had extremely heavy liens placed on them.

Diane Smart, member of the Broward Trust for Historic Preservation, stated that next Tuesday there would be a seminar workshop for realtors in an attempt to educate realtors regarding sales opportunities for developing commercial and residential properties. She reiterated that they needed staff's help in

regard to changing the ordinance and in educating people regarding opportunities available for properties which would be designated.

Mayor Naugle thanked the Historic Preservation Board for all their hard work and efforts.

Action: Staff to return within 30 days with a recommendation and timeline.

I-D – Site Plan for Phase II - Plaza at Stranahan House (also known as Riverwalk Tunnel Connector)

Action: This item was deferred until May 6, 2003.

CITY COMMISSION RECESSED FOR A 5-MINUTE BREAK

CLOSED DOOR SESSION HELD AT 4:26 P.M.

CITY COMMISSION CONFERENCE MEETING RESUMED AT 5:10 P.M.

I-E – State Legislative Agenda

Bud Bentley, Assistant City Manager, stated there were a few items on the Legislative update. He referred the Commission to the League of Cities Alert issued today which dealt with the proposed legislation which would eliminate the dedication of the dock stamp revenue to the Sadowski Fund.

Mayor Naugle explained that this presently was a trust fund, and due to large amounts of real estate activity throughout the State, the House and Senate wanted to take some things off automatic pilot for increases and fund other parts of the budget.

Commissioner Moore remarked that money would always be needed, especially regarding the affordability of housing and having work force units available. He stated they should be opposed to the taking of monies from this fund, and he felt the State was going to pass down many cost-cutting measures.

Mayor Naugle stated that he had been informed that they were not cutting costs, but they were trying to fill real needs and not have things on automatic pilot.

Commissioner Teel asked if there was a mechanism available whereby they could change the operation of the Trust Fund. She stated she would be more comfortable with that because they would not know where the funds were being directed to and how they would be handled. She explained that in her opinion trust funds were for a specific use and should not be taken at will and redistributed in times of need.

Mayor Naugle stated that one of the concepts was that they would index them so they could grow each year, but anything over that amount could be spent according to their discretion. Commissioner Teel suggested that the legislature be changed so the public would be more aware of what could happen.

Commissioner Moore stated he felt it was a methodology that might be worth of discussion, but not the Commission's support.

Mr. Bentley stated that Commissioner Hutchinson had advised at the last meeting of the MPO held on April 10, 2003, a request had been made for the City to send a letter to Representative Connie Mack in support of the \$2 surcharge for the RTA. He stated that a compromise had been proposed that the RTA

would be funded from revenue sources at the County level. He stated that the MPO Administrator still recommended that the City express their support for the RTA and funding surcharge if the Commission agrees.

Mayor Naugle remarked that he had heard this deal was dead. Commissioner Hutchinson agreed and stated the Counties did not have the money to fund it.

Mr. Bentley stated this next item was reoccurring which dealt with telecommunications and ZIP + 4 and bundling. He reiterated that the City recommended opposition to this matter.

Darlene Pfeiffer, Parking Systems, stated that the bundling bill before the Legislature was going before Finance and Tax this afternoon, which was the communications industry asking legislation be changed in regard to how bundled services were taxed. She explained that presently if a taxable and non-taxable service were bundled together, the whole package was taxable, and part of that tax went to the City and part went to the State. She explained further that the new legislation was not supported by the League or the Task Force because it separated the items. If a portion was identified as taxable and non-taxable, the communications provider could set a price for the taxable and non-taxable portion and whatever price set for the taxable portion were the only items taxable. She stated there was no sufficient economic basis to support this theory and urged the Commission not to support it.

Commissioner Moore agreed that the Commission should oppose this item.

Ms. Pfeiffer asked for the Commission to support a repeal of the ZIP + 4 provision which would give the communications industry a hold harmless protection. She stated they were requesting that the amendment to appeal this until January 1, 2005.

Mayor Naugle agreed and stated the Commission would oppose ZIP + 4 bundling.

Commissioner Trantalis asked for an update regarding the Bert Harris Act Amendment.

Mr. Bentley stated that he had spoken to Linda Cox about the matter, and it had proceeded through the Senate and was at the House presently, and the date would be set off for one year. He felt that would give them a year to negotiate what was on their plate. Mayor Naugle remarked it would not permit them to back-bill everything to 1997. The City Attorney explained it had been their intent to make it retroactive to 1995 when the Act had first been adopted.

Mayor Naugle commented that he had spoken to the Governor and the Senate President and had been informed that the Senate was very much in favor of this.

Commissioner Trantalis stated that if they were given until 2004, and if the Commission were going to shield itself from property owner liability, then they would have to amend it.

The City Attorney confirmed but stated they would have to be careful because the Bert Harris Act would exist as it stood today, but they could argue sovereign immunity did not apply.

Mr. Bentley stated that the Sprinkler Bill amendment had been passed by one Committee and they were still working on this.

Action: City Manager to send a letter of support for the RTA.

I-F – Broward County Metropolitan Planning Organization (MPO) - Enhancement Grant Applications for Transportation Equity Act

Commissioner Hutchinson stated they were moving ahead with Item Nos. 1 and 2. Mayor Naugle asked about Item No. 3.

Peter Partington, City Traffic Engineer, replied they were only allowed 2 items.

Commissioner Moore stated he was insulted that the District Secretary of the FDOT refused to come to a Commission meeting and address the concerned matters regarding Broward Boulevard and Sunrise Boulevard. He felt this Commission should have joined together and force the Secretary to attend the meeting and address the items.

Mayor Naugle remarked that he felt the County was either stupid or someone had gotten paid off.

Commissioner Moore reiterated that he felt there was disdain by the District Secretary when it came to the areas of Federal Highway and Broward Boulevard and Sunrise Boulevard. He stated that the citizens of the City had been impacted.

Mayor Naugle remarked that he did not understand how any inspector could have approved the landscaping that had taken place.

The City Manager stated it was a County project, but the State had approved the plans. Mayor Naugle stated they need to stop payments on any funds owed.

Greg Kisela, Assistant City Manager, stated that they had met with the County 3 weeks ago to discuss working with FDOT in regard to enhancing the landscaping. He stated the FDOT was concerned with the site triangle and visibility.

Commissioner Moore reiterated that a lot of people were at fault regarding this matter, but he felt the real source of the problem was with the District Secretary of FDOT. He emphasized that he wanted to meet with him publicly and have him address all concerned matters.

Commissioner Trantalis asked out the landscaping at 15th Avenue and stated that everything appeared to be dying. Mr. Partington stated they would check into the matter and report back to the Commission.

Mr. Kisela stated that part of the challenge on 15th Avenue was lack of funds. He stated that if Bahia grass had been used it would turn brown during a drought and be revitalized with summer rains.

Action: Staff to check on 15th Avenue and report back to the Commission.

I-G – Public Safety (Fire-Rescue and Police) Capital Plan

Action: Item deferred until Commission Workshop scheduled for April 24, 2003.

I-H – Police Station Complex Facility

Action: Item deferred until Commission Workshop scheduled for April 24, 2003.

II-A – Proposed Purchasing Contract Extensions for the Third Quarter of 2003 (July to September)

Mayor Naugle asked if anyone had any items to be pulled from the list of contract extensions.

James Hemphill, Purchasing, stated that on page 5, No. 5 should be deleted regarding water meter rotation.

Action: Contracts approved as listed (with the deletion of No. 5).

II-B – Water Quality - George English Park

Mayor Naugle remarked that he felt the problem was the ducks. Commissioner Teel remarked she felt the problem wasn't the ducks, but the person feeding them.

Action: None taken.

II-C – Temporary Road Closures on N.E. 5 Street - Flagler Heights Neighborhood

Action: Public hearing would be scheduled.

III-B – Advisory Board and Committee Vacancies

Budget Advisory Board

Action: Deferred

Charter Revision Board

Mayor Naugle stated he wanted to reappoint Chris Fertig for the Charter Revision Board.

Commissioner Teel stated she wanted to appoint Susan Tramer to the Charter Revision Board.

Commissioner Hutchinson stated she wanted to reappoint James D. Camp to the Charter Revision Board.

Action: Formal action to be taken at Regular Meeting.

Community Appearance Board

Commissioner Teel stated she wanted to appoint Drew Pickens to the Community Appearance Board.

Action: Formal action to be taken at Regular Meeting.

Education Advisory Board

Mayor Naugle stated he was going to reappoint Tanneo Demmery, Elaine Schulze and Nancy Thomas to the Education Advisory Board.

Commissioner Teel announced she was going to reappoint Betty Shelley to the Education Advisory Board. She also stated that she was going to appoint Maureen McNaulty and Chris Carney to the Education Advisory Board.

Commissioner Hutchinson stated she wanted to appoint Rachel Burton to the Education Advisory Board, and reappoint Lincoln Pasteur.

Commissioner Moore stated he was going to reappoint William J. Dudley, Jr. and Pearl Maloney to the Education Advisory Board.

Commissioner Trantalis stated he was going to reappoint Leonore Deaner and Dr. Gina Eyermin to the Education Advisory Board.

Action: Formal action to be taken at Regular Meeting.

Marine Advisory Board

Mayor Naugle announced that he was going to reappoint Tom Gleason and Barry Flanigan to the Marine Advisory Board. He stated that he was going to also appoint Rick Schulze to the Marine Advisory Board.

Commissioner Teel stated that she wanted to reappoint Dr. Geraldine Udell to the Marine Advisory Board. She also stated that she wanted to appoint David McNaulty to the Marine Advisory Board.

Commissioner Trantalis stated he would reappoint Joseph Hessmann and Roger McKee to the Marine Advisory Board.

Commissioner Hutchinson reappointed Richard Duncan, Bernard Gartner and Ted Peterson to the Marine Advisory Board.

Action: Formal action to be taken at Regular Meeting.

Planning and Zoning Board

Commissioner Trantalis stated that Alysian Childs had resigned from the Planning and Zoning Board. He proceeded to appoint Charlotte Rodstrom to the Planning and Zoning Board.

Action: Formal action to be taken at Regular Meeting.

IV - City Commission Reports

No reports given.

V - City Manager Reports

No reports given.

Mayor Naugle recessed the Commission Conference Meeting until Thursday, April 24, 2003 at 2:00 p.m. There being no further business to come before this Board, the meeting was adjourned at 5:45 p.m.

Note: A mechanical recording has been made of the foregoing proceedings of which these minutes are a part, and is on file in the office of the City clerk for a period of two years.