

**COMMISSION CONFERENCE MEETING AGENDA
FEBRUARY 7, 2006**

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COMMISSION CONFERENCE MEETING 1:30 P.M. FEBRUARY 7, 2006

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

Absent: None

Also Present: City Manager – George Gretsas
 City Attorney - Harry A. Stewart
 City Clerk - Jonda K. Joseph
 Sergeant At Arms – Sergeant Lou Dibonifazio

I-A –Two Wheels On – Two Wheels Off Parking – Amendment to Code of Ordinances, Section 26-145

Mayor Naugle said the Commission is being asked if they want to move forward with an ordinance regarding this matter. He suggested that the ordinance be created and then a process developed whereby there would be a public hearing held for a neighborhood before implementation.

Commissioner Moore agreed, but felt they could begin with the two neighborhoods who have already requested the program.

Vice Mayor Teel asked if the ordinance is placed on the books, would it be confusing as to where it applied.

The City Attorney thought today's discussion was to decide if the Commission wanted to implement a trial program, and whether the ordinance was to be adopted. Once it is adopted, it is the law and then the City is expected to enforce it city-wide.

Mayor Naugle said the concept was to have it as an overlay for some neighborhoods. The City Manager said the pilot program would involve the two neighborhoods requesting it.

The City Attorney thought a pilot program had been done in the past, but they did not adopt an ordinance.

The City Manager said the concept was to have a pilot program again, evaluate it and decide from there after a period of time.

Vice Mayor Teel questioned if the police would feel hampered by not having authority. Commissioner Moore said that is the issue.

Mayor Naugle thought it could be done as an overlay and a neighborhood could opt into it.

Commissioner Moore said he feels this program could be a benefit city-wide, but he did not object to the Mayor's suggestion.

The City Attorney said they would put together an ordinance which would give authority to make findings in the future that certain neighborhoods need this.

Commissioner Moore did not want the police to not be able to cite individuals. He wanted individuals to be given a warning and a citation thereafter.

Bruce Roberts, Chief of Police, said this is work in progress. The thought was an initial warning. They were concerned at one point regarding enforcement and the time spent to do so, but he felt they could work it out.

Commissioner Moore asked if parking enforcement officers could be utilized for this pilot program in connection with citations.

The City Attorney was concerned about having an ordinance that prohibits a certain type of parking in one particular area of the City. If the ordinance is challenged, it is going to be difficult to explain why it is being enforced in one neighborhood and not another. Parking enforcement officers could be used to enforce parking regulations.

Commissioner Moore said if there is signage in a neighborhood, that parking is two wheels on and two wheels off, then would it be difficult to enforce.

The City Attorney said that would be up to the City Manager. It would be a question to consider at a budget hearing, because there would need to be additional parking enforcement officers.

Commissioner Trantalis felt this would get very confusing. Some neighborhoods do not want such a program.

Mayor Naugle indicated this is why he did not think it should be city-wide. He wanted the City Attorney to look into the feasibility and report back to the Commission.

The City Attorney said one of the issues that would have to be researched is geometry. They will have to see whether streets would be wide enough for two wheels on, two wheels off without interfering with the flow of traffic.

Commissioner Moore said this is not as difficult as everyone seems to think. The two communities requesting this ordinance feel it would be in their best interest and they have already gone through a pilot. Parking is destroying the swales and preventing the water from percolating into the ground. Two neighborhoods want it implemented now. If this is implemented, then signage should be placed in those communities, that this is the process for the implementation of the two wheels on, two wheels off. There will be revenue from first time offenders. Therefore, he did not object to an additional person for enforcement. He wanted the City to allow this to happen because communities are saying they have spent a great deal of money making improvements, and want them preserved. All roadways have a minimum width. If the ordinance states how many feet the car is to be off the roadway, then there would not be a problem with cars blocking the flow of traffic. He wanted the Police Department to cite violators. In the past pilot program, the police did not cite individuals, and therefore, no one felt it was a rule that had to be followed.

Commissioner Moore asked that the matter be brought back to the Commission by March 7, 2006.

Virgil Niederreter, Riverland, said they have spent a lot of money making improvements. Property values are rising, the flooding problems have been alleviated. He urged the Commission to get the program implemented to correct this matter.

Commissioner Trantalis did not understand the concept. If a car is still allowed to partially park on the swale, then the swale would still be dug up. Common sense makes him believe this would not work in all areas. He felt enforcement would be a problem. Parking is becoming a nightmare.

Commissioner Moore said that Lauderdale Lakes has this type of ordinance city-wide. There has been no impeding of traffic and the swales have been maintained. Parking is a problem in Fort Lauderdale because there are no rules. It would not be required in all communities, but he wanted order in his community.

Vice Mayor Teel was interested in the possibility of an overlay district.

Action: The City Attorney will present an Ordinance on March 7, 2006, to allow the Commission to make findings that certain neighborhoods need the program. Commissioner Moore wanted to ensure enforcement with an initial warning then a citation. He noted that if it is implemented in the two neighborhoods who want the program, signs should be posted and written notification be mailed.

I-B – 2006 Neighborhood Capital Improvement and Business Capital Improvement Programs – Funding Recommendations

No discussion.

Action: Recommendations that were submitted were approved.

I – C – Process for City Commission Request for Review of Development Plans in Downtown Regional Activity Center Zoning Districts – Amendment to Unified Land Development Regulations, Section 47

The City Attorney said this item is to advise the Commission that an ordinance is being proposed as a result of a previous case where the Commission adopted an ordinance and the judge and subsequent litigation determined that proper procedure was not followed. The City would be re-adopting what had previously been adopted and following the procedure. It will be presented to the Planning and Zoning Board, and then it will come back to the Commission.

Action: The City Attorney advised the proposed Code amendment will be presented to the Planning & Zoning Board and then to the Commission.

II – A – December 2005 Monthly Financial Report

Action: None taken.

III – B – Advisory Board and Committee Vacancies

Beach Redevelopment Advisory Board

Action: Deferred

Board of Adjustment

Action: Deferred

Cemeteries Advisory Board

Action: Deferred

Charter Revision Board

Action: Deferred

Community Appearance Advisory Board

Vice Mayor Teel recommended Franci Bindler for appointment to the Community Appearance Advisory Board.

Action: Formal Action To Be Taken At Regular Meeting

Community Services Board

Action: Deferred

Education Advisory Board

Action: Deferred

Fire-Rescue Facilities Bond Issue Blue Ribbon

Action: Deferred

Historic Preservation Advisory Board

Action: Deferred

Marine Advisory Board

Commissioner Trantalis recommended David M. Bernier for appointment to the Marine Advisory Board.

Action: Formal Action To Be Taken At Regular Meeting

Northwest Progresso Flagler Heights Redevelopment Board

Action: Deferred

Nuisance Abatement Board

Commissioner Moore recommended Rita Jackson for appointment to the Nuisance Abatement Board. It was decided that Rita Jackson would serve as an alternate on this Board.

It was recommended that the following Nuisance Abatement Board consensus members be reappointed: Laurie A. Watkins, Ginnee Hancock, Harry MacGrotty, Douglas H. Reynolds, David C. Svetlick and Patricia Mayers.

Action: Formal Action To Be Taken At Regular Meeting

Unsafe Structures Board

Commissioner Hutchinson said regarding the consensus appointment for the Unsafe Structures Board she is recommending Chris Bellissimo for appointment to the Citizen category. She recommended Patrick Kerney be reappointed as the Plumbing Contractor on the Unsafe Structures Board.

Action: Formal Action To Be Taken At Regular Meeting

Utility Advisory Committee

Commissioner Trantalis recommended Caldwell Cooper for appointment to the Utility Advisory Committee.

Action: Deferred.

IV – Commission ReportsSouthside School

Commissioner Hutchinson announced that on April 1, 2006 from Noon to 4:00 p.m. the Friends of Southside will host a barbecue at the school in order to bring back awareness to the restoration. CVC volunteers will help serve refreshments.

Coretta Scott King

Commissioner Moore thanked the City for flying the flags at half-staff in honor of Coretta Scott King's funeral services.

Rock Island

Commissioner Moore said that the community of Rock Island thanked the City for their welcome into the City.

City Picnic

Commissioner Trantalis thanked the City Manager and everyone who coordinated the City picnic. He felt it showed how employee morale has improved.

The City Manager thanked everyone who participated and appreciated everyone's support.

Annie Beck House

Commissioner Trantalis said the Annie Beck House does not have a home. He felt they need to decide how to deal with houses that have architectural and/or historic significance to the City. He referred to the Stranahan House and said this is another opportunity presenting itself to the City to help preserve this home. The City should consider placing this home on City-owned land. It could be done on a single site or several sites, creating a village with these types of homes. Re-use, perhaps as offices, could be considered. This is a test case as to how the City will protect and treasure these homes. The CRA has property in its inventory.

Commissioner Hutchinson said that originally the house was to be donated to the Garden Club so the perfect place for the house was Snyder Park. Then the Broward Trust for Historic Preservation became involved and wanted to save the house for their offices. They did not like the Snyder Park site. There is enough property in the City's inventory. Broward Trust intends to maintain it, but the challenge is the site. Hardy Park was a consideration, but the community has worked on a specific plan for the park and would have to give up things they voted for if the house was moved to that location.

Mayor Naugle said that City-owned properties should be inventoried for this purpose.

Commissioner Trantalis said the City Manager's office should address this. There are other historic homes in Flagler Village that should be moved before developers tear them down.

Commissioner Hutchinson noted that moving the Annie Beck House is already taken care of.

The City Manager said that once the houses are moved onto City property, who is going to be responsible for maintaining them. Commissioner Trantalis indicated there could be a sponsor for each house.

Mayor Naugle said the house could be deeded to the sponsor and would no longer be on the City's books.

Street Art

Commissioner Trantalis referred to Chen Wong's citizen presentation regarding artists on-the-street, and suggested that possibly an overlay district could be created.

Mayor Naugle said there could be an area where such individuals are licensed for that type of activity.

Commissioner Trantalis said that individuals could be licensed to sell or paint on-the-street in the entertainment district. This should move forward to help create a downtown experience.

The City Manager said that the Planning and Zoning Department has been working on this. A Code amendment is required.

Marc LaFerrier, Director of Planning and Zoning, said that upon the Commission's direction, they would work on a Code amendment with the City Attorney's office.

The City Attorney said they need to know what should be permitted. Riverwalk already has retail establishments, and Mr. Wong wants to place a kiosk on the Riverwalk competing with nearby establishments. Presently, there is a prohibition on outdoor sales.

Commissioner Trantalis said that the ordinance should define what would be allowed. For example, musicians might want to play music.

The City Manager felt that sites could be designated for such activities. Commissioner Trantalis agreed there could be geographical boundaries.

Commissioner Moore felt that the Riverwalk has no life until you reach the established merchant area. Entertainment and such activities would be a good idea.

The City Manager said there is a question of control.

Commissioner Trantalis said the language could speak of active creation of an artistic endeavor. Individuals would have to apply for a license as a vendor.

The City Manager asked if an RFP process should be used. Commissioner Moore did not feel that is necessary. The license could be limited for one year and if rules are abused, the license would be revoked.

Commissioner Moore felt that the Riverwalk Board should be more active about such things. A method of interaction should be suggested by that Board.

The City Manager said that the Board has discussed the concept of vendors and that is being researched.

Commissioner Hutchinson said the number of vendors need to be limited for at least the first year and a trial program.

The City Manager indicated that there will need to be a distinction between a coffee vendor and someone doing charcoal sketches, for example.

The City Manager will work with the Riverwalk Board.

Citizen Volunteer Corps (CVC)

Vice Mayor Teel announced the next CVC project is scheduled at George English Park. In March the Riverwalk and Esplanade would be tackled.

Complaints Against Police Officers

Commissioner Moore said that Channel 4 did an expose on police stations accepting complaints. He asked how the City's Police Department accepts complaints.

Bruce Roberts, Chief of Police, said there is a process in accepting complaints. They could be anonymous, by telephone or a written letter. An officer could also be contacted on the street regarding a complaint. They have a brochure in the lobby, describing the function of Internal Affairs and the process involved. They are an accredited police agency, and therefore, standards have to be maintained, such as internal affairs and the handling of complaints. Complaints are tracked. There is a policy describing the complaint process for all members of the Police Department. All complaints are eventually placed on control forms with tracking numbers. Depending on the type of complaint, they are routed differently. As a result of investigations according to State Statute, complaints are sustained, not sustained, exonerated, or unfounded. If the complaint is sustained, then discipline and, or training is recommended, and in some cases, termination. The department also has a Citizens Review Board who makes recommendations to the City Manager.

Chief Roberts said he saw the expose. Fort Lauderdale does not have a form that Miami has. It is really a practice or tradition in most northeastern departments. The Miami Chief of Police came from Philadelphia and brought the practice with him. They are looking into it.

Commissioner Moore suggested that this matter be placed on the Commission's next conference agenda. According to the expose that was shown, most individuals were harassed when they approached a police department and asked for a complaint form to file a complaint. He said that no negative comments were made regarding the Police Department in Fort Lauderdale. He suggested that there be something placed in the window of the Police Department, announcing that complaint forms are available. He asked how many complaints were filed last year. Chief Roberts said there were about 57 complaints filed, and in a 10-year history, they sustained 29%.

Commissioner Trantalis said Fort Lauderdale is one of the few municipalities that have a Citizens Review Board.

Mayor Naugle suggested that the Police Chief make a recommendation.

Vice Mayor Teel said that the form provides confidence to the complainant.

Commissioner Moore said that he would like assistance to be offered to individuals making the complaint if needed.

Chief Roberts said that they would like some additional time to continue researching this matter and moving forward with this recommendation. It has to be translated into three languages. The brochure has to be changed. Last year 19 of the 51 complaints filed were sustained. There have been dismissals.

The City Manager said that forms would be available in the lobby and assistance would be provided. A copy of the draft form will be provided to the Commission.

Commissioner Hutchinson – New Commission Assistant

Commissioner Hutchinson said that she hired her assistant and her name is Cami Helm.

Utility Advisory Committee

Commissioner Trantalis said that he is withdrawing his nomination of Caldwell Cooper for the Utility Advisory Committee due to the fact that Mr. Cooper wants to stay on the Nuisance Abatement Board. The City Clerk advised that his term would expire on February 17, 2006. Commissioner Trantalis said the appointment could take effect after the expiration of his term on the 17th of February, 2006.

V – City Manager Reports

None Given.

EXECUTIVE CLOSED DOOR SESSION AT 2:13 P.M.

MEETING RECONVENED AT 2:24 P.M.

There being no further business to come before the Commission, the meeting was adjourned at approximately 2:24 p.m.