

COMMISSION CONFERENCE MEETING AGENDA**JULY 6, 2006****Agenda
Item****Page**

I-A	Election Law Changes & Pollworker Recruitment	1
I-B	Public Park at Icon Las Olas – Project Phasing	2
I-C	Sales Tax Increase Dedicated for Mass Transit	3
I-D	Bodies the Exhibit – War Memorial Auditorium	6
II-A	May 2006 Monthly Financial Report	8
II-B	Easement Acquisition For Sanitary Sewer Installation - SW 18 Street Private Road	9
III-B	Advisory Board and Committee Vacancies	8
	1. Audit Committee	(Deferred)
	2. Board of Adjustment	8
	3. Budget Advisory Board	(Deferred)
	3. Cemeteries Advisory Board	(Deferred)
	4. Charter Revision Board	(Deferred)
	5. Community Appearance Advisory Board	(Deferred)
	6. Community Services Board	(Deferred)
	7. Education Advisory Board	(Deferred)
	8. Fire Rescue Facilities Bond Issue Blue Ribbon	(Deferred)
	9. Historic Preservation Board	(Deferred)
	10. Local Law Enforcement Grant	(Deferred)
	11. Marine Advisory Board	9
IV -	Commission Reports	10
	1. National League of Cities	10
	2. HEAT Championship	10
	3. Fireworks	10

COMMISSION CONFERENCE MEETING 2:00 P.M. JULY 6, 2006

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

Absent: None

Also Present: City Manager – George Gretsas
City Attorney - Harry Stewart
City Clerk - Jonda K. Joseph
Sergeant At Arms – Sergeant Mitch Vant Sant

Mayor Naugle said that the Commissioners are running late since they had a previous meeting.

I-A –Election Law Changes & Pollworker Recruitment

Mary Cooney, Public Services Director, Broward County Supervisor of Elections' Office, said they want to highlight some of the election law changes in effect this year and distributed copies of such changes. She further said that they have expanded the number of voting sites being offered for the Fall up to 20 from 14, but the hours are also being modified to eight hours per day which will be from 10:00 a.m. to 6:00 p.m. The sites for Fort Lauderdale will be: Main Library, Oakland Park Library, Imperial Point Library, and the African-American Library.

Commissioner Moore asked about moving from one County to another and still being able to vote.

Ms. Cooney said that if an individual is registered anywhere in the State of Florida, then on election day an individual can go to their new polling place and do an address change and then be able to vote in their new precinct. Previously, if one moved from County to County a new registration form had to be submitted.

Commissioner Moore asked if anyone was aware of how many new residents Broward County received on a daily basis. Ms. Cooney said they only deal with voter registrations.

Commissioner Teel asked if that would also apply for early voting. Ms. Cooney confirmed.

Commissioner Moore asked for information regarding absentee ballots.

Ms. Cooney said that there are three ways voters can vote in Broward County. They can request an absentee ballot that would be mailed to their home or any address provided, early voting 15 days prior to the election, and voting at one's precinct on election day.

Commissioner Teel asked what information has to be provided to show that someone moved from one County to another. Ms. Cooney said that they do not require any proof of residency, but a driver's license has to be shown or provide the last four digits of one's social security number. Voters have to provide a photo ID card on election day.

Commissioner Moore asked if there would be municipal elections at the second primary. Ms. Cooney said that only State voting would take place. She said they are still recruiting VSTs and pollworkers.

Commissioner Moore asked if the new office for the supervisor of elections would remain in Fort Lauderdale. Ms. Cooney said the property they are looking at is located on 27th Avenue.

Action: No action taken.

I-B – Public Park at Icon Las Olas – Project Phasing

Mayor Naugle said no decision would be made today on this item since no back-up material has been provided to the Commission.

Commissioner Moore said it is his impression that this is something the Commission is looking at the rendering of and seeing if they are satisfied with the project, but not something to be voted on at this time.

The City Manager said that no formal vote is to be taken, but no back-up material has been provided. Mayor Naugle said that it is the Commission's policy to have such information provided to them before the meeting.

Commissioner Moore said that the Commission normally does not vote on items during a conference meeting.

Vice Mayor Hutchinson said this is to present the plaza regarding the vent shaft on the east side of the Stranahan House, and has nothing to do with the park or plaza itself. The City Attorney confirmed and said that this is just a status report and no direction would be provided by the Commission.

Enrique DeLapezuela, Related Group of Florida, Senior Project Manager for the project, showed the location on the map of the Stranahan House and began to explain the phasing of the project. Phase I-A now called the Laura Ward Riverwalk Plaza is the area being discussed today. This is just information being supplied. A review will be held with Public Works and then on to DOT permitting. Based on the request of Stranahan House, the grass area in the center is being eliminated so there would be a larger paved area. Another item added is the accessibility ramp so there could be access to the lower level on the waterfront which is surrounded by two planter beds and railings. It will be a dual benefit because there is a new water taxi stop in the area. One of the biggest items on the list is the reduction of the vent structure building, which now is 30' x 30' and it blocks the view of the River from 6th Avenue and Las Olas. Now, there will be a smaller version of the vent tunnel building with the footprint remaining the same, but the structure above the red granite area will be removed and replaced with a smaller one. The structure would have vents that would work on a hinged apparatus.

Mayor Naugle asked about the noise level of the fans without the configuration of the concrete walls. Mr. DeLapezuela said the noise level would remain the same and the fans would stay the same. He proceeded to show the floor plan of the existing building with the fan located in the center. There will be access to the lower level.

Commissioner Teel asked about the height of the new design. Mr. DeLapezuela said it has to be the same height because a certain amount of clearance is needed by the fan which he believes to be 16' 7" from the platform which is about 16" to 18". He said that the vents would be located on all four sides. He said further that this would be a supply fan which would suck air from the outside into the tunnel, and the fan on the south side of the River is the one that extracts.

Tucker Gibbs said he represents Stranahan House and wants to thank everyone for their efforts in making this work. He said they are concerned about two issues which would allow for a more flexible use of the plaza. One of the issues has been the size of the plaza, and they have discussed the ADA access. They made a proposal to the City which would move the planter so it would align with the trees and then everything would move towards the east. Mr. DeLapezuela showed on the map the site of the existing gates. He said the fencing would continue to a point shown on the map. Mr. Gibbs showed on the map where Stranahan House would like a gate to be placed. He thanked everyone for letting them be a part of the process.

The City Manager said that this matter could be scheduled for the Commission's next meeting.

Commissioner Moore asked if the Commission is going to vote on this matter at some time.

The City Manager said it is his understanding that a formal vote is not required, but they did not want to move forward without having some sort of consensus from the Commission.

Commissioner Rodstrom asked about the location of the ADA ramp. Mr. DeLapezuela said it is being placed within the design that has been created for the plaza, but the ramp is standard size.

Commissioner Moore said that by reducing the shed they are giving more room for the courtyard. Mr. DeLapezuela said that they would be gaining about 200 sq. ft. to 600 square feet. Commissioner Moore said he is concerned about doing anything that would compromise the ADA standards.

Commissioner Teel asked about the dimensions of the slab. Mr. DeLapezuela said that the granite presently exists at the site and thinner pavers would be used and match in color. It will be 16" to 18" with a planter all the way around.

Commissioner Rodstrom asked about the type of foliage that would be placed in the planters. Mr. DeLapezuela provided a list of species to be used.

Action: None taken.

I-C – Sales Tax Increase Dedicated for Mass Transit

Peter Partington, City Engineer, said that Errol Taylor and Howard Sackel were at today's meeting representing People for Progress.

Commissioner Teel said she would like the Commission to support this because in order to get mass transit the money will have to come from some place and the mass transit will have to be the type that people will use. She said they need to take the first step.

Commissioner Rodstrom asked how many cities have signed on to this program. It appears there are 12 to 13 so far and some have resolutions pending at this time. Commissioner Rodstrom said she is concerned about the entire penny going for mass transit.

Commissioner Moore said the City of Fort Lauderdale has no reason to allow this to go on the ballot without information, and that is why most cities are hesitant to take a position on this matter. This is similar to the parks bond issue and Fort Lauderdale got very little out of that. He said no information has been provided showing the amount of money that will be needed to make the transit improvements, and what impact there would be if only half-a-penny would be used. He said that they need a dedicated resource for the money and no amounts have been stipulated.

Errol Taylor, Broward County, said a decision has been made regarding the dedicated lanes.

Commissioner Moore asked if they are going to use eminent domain regarding the dedicated lanes and build new ones, or are they going to dedicate an existing lane. Mr. Taylor said that such decisions have not yet been made. Commissioner Moore asked if the rail is still proposed to begin at Sawgrass going up I-595 to the Airport. Mr. Taylor said that now there are six phases for the plan, and the first would be to go north/south on Route 7 (441), and there would be a connection to the Downtown and the Airport area, and then another phase to connect to the Universities. He said that phase five would be the Sawgrass extension.

Commissioner Moore had them show photographs of the various phases of the project. He asked everyone to look at Phase I which makes sense because many of the mass transit riders are along 441, and Lauderdale is the second location where mass transit presently exists. He asked how many people are using mass transit from the Downtown area. He said this is a major flaw in regard to moving people. He asked if there is anything dealing with I-95 and Broward Boulevard and coming into the Downtown area. Mr. Taylor said the piece going to the Downtown will go from 441 and then to the Airport comprising the Second Phase. This would provide access to jobs both at the Airport and Downtown. Commissioner Moore said studies have shown that transportation would be used if there is an area to park cars. There is nowhere near the bus station or in the downtown area where individuals could leave their vehicles in order to use mass transit. He said this does not appear to be a well-thought out plan.

Commissioner Moore said Miami-Dade County failed to generate enough money and misspent the dollars they had available. The same thing was done that is being asked for in this case, and that is to divide money up to each municipality they need support from. He said they are attempting to buy support instead of utilizing the money for the greatest benefit of mass transit. Worst of all this is a regressive tax, and if the Broward Plan is not going to give individuals who are least fortunate with a faster, cleaner and more efficient opportunity for employment and job accessibility, then it is not a good plan. During the first discussions of this item, it was asked what monies would be generated with half-a-cent tax, but that information has not been provided. He asked

what type of impact there would be on the bond. He said if they are going to generate \$130 Million over the same period of time, and there is no cap on how long the bond can run, then they would have to see how many projects could be generated and what impact the \$130 Million would have, and if they would still be able to obtain the same goals if they collected the \$260 Million.

Commissioner Moore said the City did not request Federal funding last year because previously they had been told that these are not true mass transit impacts because they are not looking at the areas where people would be moved. He said they need to look at the impact the half-cent would have, and what projects could be implemented. He requested the League of Cities to have this on their agenda in order to see if resources could be pulled from municipal entities to have an outside source review the impacts and bonding capabilities of the half-cent, and offer the need for attainable housing. He said this could be an opportunity to have a half-cent for mass transit and a half-cent for attainable housing. Transportation is a major concern, but should they give forth a checkbook without having certain things required.

Howard Sackel said they did not create this from whole cloth, but was created out of existing plans by the MPO, Broward County Investment Plan for Transit, Land Use Transportation Plan, along with other plans that have been studied over a period of time. He said further they took the best out of all the plans to make a comprehensive doable plan given a one-cent tax. In regard to bonding, the current financial plan they have developed has little bonding, and the only bonding included is for short-term cash flow in the first years. It is a pay-as-you-go plan. With a half-cent plan, there would have to be more bonding. The County Commission in approving this requested that they look at making it a limited term and agreed to 30 years for the extent of the sales tax.

Commissioner Moore asked why the 30 years has been included. Mr. Sackel said there is some limited bonding, and depending on costs and inflation, they may need to have more bonding and a longer term would be needed for that.

Commissioner Rodstrom asked if the 30 years has been put in place because they did not have a time limit. Mr. Sackel confirmed. He said this is a framework and nothing is set in stone, and they are serving as a catalyst to bring this matter forward, but it is going to the County's plan and the people's plan that will require a lot of public input.

Vice Mayor Hutchinson asked if the County is going to wait to put their "road show" together until it is placed on the ballot. Mr. Sackel confirmed. Vice Mayor Hutchinson said if the County supports this and is ready to go to the next step, then where is the road show.

Commissioner Teel said that this is actually the MPO, and this has been reviewed in great detail. Smaller cities want to know what is in this plan for them. She feels that existing community buses could be used as feeders to get individuals living in small towns to the rail line. Looking at smaller cities, they are impacted but they don't realize they will be served. She is concerned that if they do nothing, what happens to the prices for the land to put attainable housing on. She believes the City officials sitting on the MPO have represented the public. She believes they have taken all their work and documents which have been promulgated to get this matter moving, and to get something moving money has to be put behind it. To do nothing would be wrong, and the time is right now to move this forward.

Mr. Taylor said they are proposing the one-cent because there needs to be a world-class transit network. Many programs have fallen short due to insufficient funds. He said they are presently working with projects in Miami-Dade County and costs are becoming a major issue.

Commissioner Moore said in talking about the MPO's unfounded request, they are no different than any other governing body because it has a lot of things it wants to do. They are asking for the penny tax because they want a high quality operation. He said they have not moved forward with the new police station because they have to obtain more information before moving forward. He further said that a rail would be good on 441 and coming down I-95 to Broward Boulevard, and a rail to the Airport, but he does not see any reason why there should be a rail from Sawgrass to I-595. Traffic signalization and intersection improvements are good, but having a 10-minute headway with buses is far outreached. Broward County's mass transit is not even on the table with People Moving Broward, and not even on the table with the MPO.

Commissioner Teel said Broward County mass transit representatives do attend the MPO meetings, along with two County Commissioners. Broward County staff wears a different hat at those meetings.

Commissioner Moore said there is a group of people who have not been elected discussing taxing individuals in a regressive manner, and not even validating the reason for the taxes. Commissioner Teel said the MPO voted to support this.

Commissioner Rodstrom said Dade County is giving back 20% to the cities in their plan, and Fort Lauderdale is to receive 10%. Mr. Sackel said they are requesting a penny tax, so therefore, it is already twice as much. Secondly, 10% is going back to the cities for transportation improvements, another 10% is going for street and other improvements County-wide that will benefit the cities, plus an additional amount going towards doubling the size of the community bus program which will also benefit the cities. The cities are actually getting more than just the 10%. Mr. Taylor said the money would be the same.

Mayor Naugle asked if this item should be placed on tonight's agenda for a resolution. Commissioner Teel said the matter should be voted on this evening.

Commissioner Teel asked if the technical committee has taken any kind of position on this matter. Mr. Partington said that typically everything goes before the MPO that has been considered by the technical committee.

Commissioner Moore asked why the information requested regarding the impact of a half-cent was not provided. The City Manager said that he is checking on the matter so that the information could be provided.

I-D – Bodies the Exhibition – War Memorial Auditorium

The City Manager said that this falls under the "Please Don't Kill the Messengers" category. Staff reviewed the material and due to the amount of money being requested, he felt it is appropriate for the Commission to provide some input.

Commissioner Moore asked what programs that have been proposed would be blocked by this event, and what revenue was projected from such events.

The Commission was referred to Exhibit 4, page 4, and last year about \$600,000 had been generated during the same time frame. The net amounted to about \$50,000.

The City Manager said the issue is that with all the shows combined for the time period the net revenue is \$50,000.

Jeff Modarelli said the revenue from this exhibit would range from \$400,000 to \$1 Million depending on the number of visitors.

Mayor Naugle asked how many of the 27 shows that would be canceled are held on an annual basis. It was stated that some of the events run a number of times per year and some are scheduled annually. Mr. Modarelli said they would look to either reschedule the events or attempt to find another venue for them. Mayor Naugle said some of the shows have a large following, and therefore, he feels this is a big decision.

Commissioner Moore asked about the individuals who are the producers of this exhibit.

Bob Street, War Memorial Auditorium Manager, said Premier Exhibitions is a national company located in Atlanta, Georgia, and are currently doing the Titanic exhibits throughout the Country. In Tampa the first six months of this exhibit took in \$400,000 and currently are up to \$475,000. Atlanta was slower and in the first few months they did about \$105,000.

Commissioner Moore asked if there is any information regarding the impact of a bed tax or the number of individuals visiting the areas where the exhibits have been held. Mr. Street said the exhibit drew some people from outside the area, and the Tampa exhibit even advertised in the Sun-Sentinel. He said that individuals would probably attend from the Tri-County area. Commissioner Moore asked about the reputations of the exhibitors. Mr. Street said it is an excellent company and reminded everyone that they had put on the Titanic exhibits.

The City Manager said the show has raised some controversy and some of the issues have been targeted at the exhibitors.

Commissioner Moore said the sponsors who hold exhibits in this City on a regular basis would not have the ability to prevent this City from marketing a venue that could bring in positive revenue. He said a controversial exhibit generates money. He said that \$2.3 Million has been put into the building in renovations.

Commissioner Teel said she is surprised by the speed that they are required to act regarding this matter. Normally, large exhibits provide long preparation. She said that possibly they are trying to fill in a gap.

Mr. Modarelli said they heard about the recent remodeling of the Auditorium and made inquiries. Mr. Street said that another company is doing a similar exhibit and beat this company to a site, and that is one reason this time period is available.

Commissioner Teel asked where the bodies are coming from. Mr. Modarelli said the bodies have been obtained from Galleon Medical University Labs in China where they do the pulmarization process. Commissioner Teel asked if families have granted

permissions for these bodies to be released. Mr. Modarelli said Premier Exhibitions claims these are unidentified and unclaimed bodies. Commissioner Teel said she does not support this exhibit because she feels it is not an appropriate use of the facilities, and she is troubled that one certain group of individuals has been chosen for this.

Vice Mayor Hutchinson said she agrees with Commissioner Teel. There are long-term customers who use these facilities and everything is not about money. She said that she is not interested in this exhibit.

Commissioner Rodstrom said Fort Lauderdale is not the first city to do this and the exhibit has been successful. She said people have the choice whether to attend such exhibits or not. From a business standpoint there is a large amount of money on the table and maybe this is a venue to have something different in the City.

Vice Mayor Hutchinson said she does not disagree that individuals have the option to see whatever they want to see, but to move, displace or disallow the individuals who return each year and assist the Memorial to pay their bills is an issue. If this is a work of art, why is this not going to a museum? It is a high projection of cash and there could be a revenue loss, and they are being pushed to make a quick decision.

Commissioner Moore said that it was pointed out to him that the King Tut exhibit was private and personal to someone. The issue is that a value system should not be placed on this exhibit, but that it is an opportunity for revenue. He said it should be up to the individuals whether they attend the exhibit or not.

Mayor Naugle said the two issues to consider are serving existing customers and the moral issue of the exhibit. Therefore, he is against having this exhibit at the Auditorium. He said the bodies are those of oppressed people being displayed around the Country and he finds the circumstances to be very troubling.

Mr. Modarelli said they are still encouraged that the City was approached for such a unique event of this magnitude.

Action: No consensus for having the exhibit in the City.

II-A – May 2006 Monthly Financial Report

Action: None Taken.

III – B – Advisory Board and Committee Vacancies

Audit Committee

Action: Deferred.

Board of Adjustment

The Commission, by consensus, recommends the reappointing of Gus Carbonell, Fred Stresau, and Birch Willey to the Board of Adjustment.

Action: Deferred.

Budget Advisory Board

Action: Deferred.

Cemeteries Advisory Board

Action: Deferred.

Charter Revision Board

Action: Deferred.

Community Appearance Advisory Board

Action: Deferred.

Community Services Board

Action: Deferred.

Education Advisory Board

Action: Deferred..

Fire-Rescue Facilities Bond Issue Blue Ribbon

Action: Deferred

Historic Preservation Board

Action: Deferred.

Local Law Enforcement Grant

Action: Deferred.

Marine Advisory Board

Commissioner Moore recommends appointing Bobby DuBose to the Marine Advisory Board.

Action: Formal Action To Be Taken At Regular Meeting.

II-B – Easement Acquisition for Sanitary Sewer Installation – SW 18 Street Private Road

Vice Mayor Hutchinson said it has always been the position of the Commission that unless it is voluntary they are not going to pursue eminent domain. She said the residents do want the hook-up. She asked if the residents were notified about this issue.

Albert Carbon, Director of Public Works, said that he would verify whether the residents have been contacted. If not, the matter would be rescheduled.

Action: None Taken.

IV – Commission Reports

National League of Cities

Vice Mayor Hutchinson said they have been asked by the National League of Cities to host and showcase some of their programs, such as Neighborhood Recognitions, at their Reno conference in December. She said the road show is ready to go for the Neighborhood Recognitions. It is \$750 for the participation fee and a 10' x 10' booth display will be provided, and provides two complimentary full conference registrations for City employees or elected officials. She hoped that some City employees could attend with them who are involved with the neighborhood programs and could assist in working at the booth.

Commissioner Teel asked where the cost of the flights would come from. The City Manager said the monies would come from the Commission's travel account.

HEAT Championship

Commissioner Moore congratulated the team, and asked if the City could recognize the team for their work.

Mayor Naugle said there is a Sports Walk of Fame on the Riverwalk and suggested that something could be done in that area. He said that possibly a mini-boat parade could be done that would end up on the Riverwalk.

Fireworks

Commissioner Teel said she received a number of telephone calls regarding illegal fireworks on the 4th of July. She said the City's fireworks show was beautiful.

Commissioner Moore said the City needs to make sure that the people selling the fireworks are properly licensed.

Vice Mayor Hutchinson said that residential streets were overtaken by fireworks, but no one appears to clean up afterwards.

The City Manager said from an enforcement standpoint the question is should they enforce the law or not. The policy will have to be applied throughout the City depending on the desire of the Commission.

Bruce Roberts, Chief of Police, said that certain fireworks are illegal.

The City Manager said everything is illegal on public spaces. The Commission could make a policy decision for next year.

Chief Roberts said that some cities have ordinances to ban fireworks completely, but enforcing the rule is another issue.

The City Attorney said that most of the larger fireworks come from out-of-state.

Mayor Naugle said that they should not allow fireworks in public spaces, and publicize in advance that they would be confiscated.

Commissioner Moore said that the issue lies with inspections and he hoped the vendors would be checked. He agrees that they should be banned in public spaces.

There being no further business to come before the Commission, the meeting was adjourned at approximately 4:05 p.m.