

**FORT LAUDERDALE CITY COMMISSION CONFERENCE MEETING
MAY 1, 2007**

**Agenda
Item**

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COMMISSION CONFERENCE MEETING 1:30 P.M. MAY 1, 2007

Present: Mayor Naugle
Commissioners Hutchinson, Rodstrom, and Teel

Absent: Vice Mayor Carlton Moore (via telephone until 2:46 p.m. as noted)

Also Present: City Manager – George Gretsas
City Auditor - John Herbst
City Clerk - Jonda K. Joseph
City Attorney - Harry A. Stewart
Sergeant At Arms – None

I-A – Proposed Ordinance – Prevent Members of City Commission From Soliciting Donations For Third Parties From Persons or Entities That Do Business With the City

The City Attorney noted there are two ordinances included in the back-up materials; one is an amendment to the lobbyist registration ordinance, and the other deals with solicitation of funds by City Commissioners.

Commissioner Rodstrom asked if there is going to be a restricted vendor list to provide to candidates. The City Attorney said that this addresses members of the Commission only.

Action: Consensus as submitted.

I-B – City Commission Staff

Mayor Naugle said that this item was listed in error; it was supposed to be posted for first reading tonight. The City Clerk said that this would be a walk-on ordinance for first reading tonight.

Commissioner Teel was concerned about doing this now without knowing what will occur in Tallahassee. She believed because they are so close to receiving that information, it would be advisable to wait until that information is provided.

Mayor Naugle said that the first reading could take place and may know before second reading. Tallahassee may not agree until July or August, no one knows.

Commissioner Teel commented that the City will be scrambling and potentially laying off people. She did not favor it at this time.

Commissioner Rodstrom agreed.

Action: See regular meeting WALK-ON ordinance. Commissioners Teel and Rodstrom were opposed.

I-C – Ocean Rescue Lifeguard Services – North Beach

The City Manager said staff needs direction as to private or public.

Mayor Naugle said there is a concern from the community that existing activities would be allowed to continue such as surfing, fishing, and launching kayaks. He wanted to allow those activities. The City Manager understood that nothing would change unless the Commission so directs.

Joe Hessmann approved of the meters. He supported inhouse life guards. He wanted present activities to be maintained. They are snorkeling, surfing, kayaking, fishing, diving, canoeing and wind surfing.

Jeff Justinak, Assistant Chief, Fire Rescue, said that unless there is a policy or ordinance change, there is no intention of changing present procedures. If there is a safety issue that arises, it would be brought to the attention of the City Manager.

Commissioner Rodstrom supported in-house personnel. She wanted more information on all amenities provided in this area. She was not comfortable voting without more information.

Mayor Naugle said that policy would be set today that those seven sports would be allowed in that area of the beach. Any changes would have to be brought to the Commission by staff.

The City Attorney clarified that current park rules do not provide for it to come to the Commission. For instance, surfing is allowed in designated areas and policy has been that the designation is by the City Manager.

Commissioner Rodstrom had a problem with that; she wanted the policy tightened while it is before the Commission. She wanted it in the Commission's hands.

Commissioner Rodstrom was concerned about funding for lifeguards when the City may have to layoff employees. The City Manager said that the intent of the parking meters was to earmark those funds for lifeguards. Commissioner Rodstrom stressed that lifeguards were not in the ordinance.

Mayor Naugle said the lifeguard expense would be immune from the Legislature because there would be no reliance on the Legislature to pay for that expense.

Commissioner Rodstrom thought it was premature. She reiterated the upcoming impact by the Legislature and the potential of layoffs.

In response to Mayor Naugle, Commissioner Rodstrom favored the seven sports continuing.

Mayor Naugle preferred contracting out for lifeguards.

Commissioner Moore preferred City staff for the lifeguards. The Commission wanted to see a cost comparison. He wanted to know the cost if the City provides the services.

Mayor Naugle said it is about the same; within a few thousand dollars, not including COLA.

In response to Commissioner Teel, Assistant Chief Justinak indicated the \$575,000 inhouse option includes pension costs.

In response to Commissioner Teel, Assistant Chief Justinak indicated there would be ten employees. He understood the intent was to move this into the next fiscal year, so it would go before the Commission during the budget process. Commissioner Teel said if that is the case, then she would not object. With everything that is happening now, perhaps the City should consider the private sector.

Commissioner Teel asked how many conflicts occur in that area between swimmers and the other amenities. Assistant Chief Justinak was not aware of any instances. Captain Breck Ballou, Fire Rescue, said they do not go to that area very often. Commissioner Teel had not heard of any problems.

Commissioner Moore emphasized safety should be a concern for all beach areas. Lifeguards might improve what is happening in that area even more.

The City Manager said staff is proposing parking meters specifically for the lifeguards. If there are competing interests in that regard, it will complicate the budget process. Mayor Naugle clarified if the meters are approved tonight, the City would move forward with hiring lifeguards. Commissioner Teel indicated she agreed to this based on the funding being dedicated to lifeguards. Commissioner Rodstrom concurred and noted that is why she wanted it provided so in the ordinance.

Tom Ralph, Chairman, Broward County Surfrider Foundation, said that the definition of surfboarding in Ordinance 8168, it directs the Commission to designate surfing areas. For wave powered watercraft, the City Manager is given direction to indicate the area. He suggested the language be combined, so there is no redundancy. The City Attorney agreed to clarify the language before it is presented to the Commission.

Action: There was consensus for inhouse lifeguard staffing, if the regular agenda item for parking meters is approved. Mayor Naugle and Commissioner Teel were opposed to inhouse staffing. However, if this item will first appear in the 2007-2008 budget proposal, Commissioner Teel was agreeable. There was also consensus to continue to allow present sport activities of surfing, fishing, diving, snorkeling, windsurfing, kayaking and canoeing. Commissioner Rodstrom wanted the policy tightened and authority moved from the City Manager to the Commission. She was concerned about hiring in view of matters before the State Legislature at this time.

**EXECUTIVE CLOSED DOOR SESSION 1:50 P.M.
MEETING RECONVENED AT 2:46 P.M.**

Vice Mayor Moore left the meeting (via telephone) at approximately 2:46 p.m.

II-A –March 2007 Monthly Financial Report

No discussion.

III-B – Advisory Board/Committee Appointments

Audit Advisory Board

Action: Deferred.

Board of Adjustment Advisory Board

Commissioner Teel recommended Diana Centarino and Bruce Weihe as members of the Board of Adjustment.

Action: Consensus to interview the following applicants: Diana Centarino and Bruce Weihe.

Cemeteries Board of Trustees

Action: Deferred.

Charter Revision Board

Commissioner Teel recommended reappointment of Susan Tramer to the Charter Revision Board.

Commissioner Rodstrom recommended reappointment of Judy Stern to the Charter Revision Board.

Mayor Naugle recommended reappointment of Chris Fertig to the Charter Revision Board.

Action: Formal Action To Be Taken at Regular Meeting.

Code Enforcement Board

Action: Deferred.

Community Appearance Board

Action: Deferred.

Community Services Advisory Board

Action: Deferred.

Economic Development Advisory Board

Action: Deferred

Education Advisory Board

Commissioner Hutchinson recommended the appointment of Harriet McMichen to the Education Advisory Board.

Action: Formal Action To Be Taken At Regular Meeting.

Fire-Rescue Facilities Bond Blue Ribbon Committee

Action: Deferred.

Historic Preservation Board

Action: Deferred.

Insurance Advisory Board

Action: Deferred

Marine Advisory Board

Action: Deferred.

Northwest Progresso Flagler Heights Redevelopment Advisory Board

Mayor Naugle recommended reappointment of Laura Mutti to Northwest Progresso Flagler Heights Advisory Board.

Action: Formal Action To Be Taken At Regular Meeting.

Nuisance Abatement Board

Action: Deferred.

Parks, Recreation and Beaches Advisory Board

Action: Deferred.

Planning and Zoning Board

Action: Deferred.

Unsafe Structures Board

Commissioner Rodstrom recommended Thornie Jarrett for the consensus appointment to the Unsafe Structures Board in the Electrical Contractor category.

Action: Formal Action To Be Taken At Regular Meeting.

Utility Advisory Committee

Commissioner Rodstrom recommended appointment of Ray Parker to the Utility Advisory Committee.

Action: Formal Action To Be Taken At Regular Meeting.

IV – Commission Reports

Refunding Water Deposits

Commissioner Hutchinson had received calls about refunding water deposits. If payment history is good, it is possible to get one's house water deposit back, but not for one's irrigation system.

Mayor Naugle concluded staff would provide a report on this and if an amendment is necessary, it would come back to the Commission.

Transit Enhancements (A-1-A); Florida Department of Transportation: Trolley Stops, Turtle Compliant Lights, Harbor Drive Intersection

In response to Commissioner Rodstrom, the City Manager said that this matter will be on the next conference agenda, May 15, 2007. Staff is on track for the deadline.

Budget Process – Review of Practices, Procedures and Internal Controls; Employee Position Budgeting

In response to Commissioner Rodstrom concerning internal controls for employee position budgeting, the City Auditor said he had preliminary discussions with the Office of Management and Budget and Human Resources as to how the internal control system would prevent or detect several scenarios. A follow-up meeting is scheduled for this Friday and hoped information could be provided at the next meeting, May 15, 2007.

Neighborhood Special Assessment Districts and Cleanliness of City; Trash and Debris

Commissioner Rodstrom requested a conference item be scheduled regarding neighborhood special assessment districts. She also wanted to consider something that would clean up the City. She mentioned vacant lots and the Howard Johnson site in particular. With respect to special assessments, Mayor Naugle said the mechanism is available at the option of the residents.

The City Manager said costs are associated with new special assessment districts. If new programs are started, the City would have to re-staff.

Commissioner Teel gave some insight as to how it has customarily been handled.

In response to Commissioner Rodstrom, Commissioner Hutchinson said if it is beautification, it would entail staff time; it is not a safe neighborhood issue.

Mayor Naugle said there is a difference between special assessments and neighborhoods who have an annual expenditure for a specific item such as police or maintenance. He suggested an application fee to cover the cost of staff time. The City could contract out the work. There are companies who handle special districts.

Commissioner Rodstrom noted the City would have to put the money out upfront. Mayor Naugle indicated that the application fee could address those upfront dollars.

Commissioner Teel felt the City could facilitate something like that, but she did not feel they should make any financial commitments at this time. In her neighborhood, they found the best way to go was a voluntary program for off-duty police coverage. There is no cost borne by the City. She felt that is the best option.

Commissioner Hutchinson pointed out that in Commissioner Rodstrom's example, it sounds like the residents are looking for infrastructure, not police protection.

The City Manager said these two groups were already discussed at the Commission level. Commissioner Rodstrom confirmed it is the Seven Isles and Las Olas areas. The City Manager indicated this issue keeps being revisited. If the Commission wants to invest in this, it could be done, but at some point there has to be a conclusion.

Mayor Naugle asked the City Manager to look into a fee charged upfront and the work be contracted out. The City Manager raised various problems that could arise.

Action: There was consensus for a staff report on a process that would not impact the City financially and use of a private company.

Cleanliness of City; Trash and Debris

Commissioner Rodstrom requested that the bulk trash issue be discussed at a conference meeting, along with development sites being maintained. She asked if a policy could be set regarding cleaning up the City.

Action Plans; Code Enforcement Division

Commissioner Rodstrom asked if other districts had any experience in that regard to action plans and the Code Enforcement Division.

Commissioner Teel referred to Coral Ridge Isles at 62nd Street and said things were cleaned up. She welcomed such plans in her district. It is an efficient way to get things done; it demonstrates an entire area is being focused on.

Commissioner Hutchinson said one was done in Edgewood a number of years ago and and it was very successful.

Mayor Naugle said that due to the water restrictions, the City has to slack off on enforcement with respect to brown lawns. Cate McCaffrey, Code Enforcement, Building Department, said staff has stopped citing for ground cover.

Commissioner Rodstrom asked if the City is restricting water for new plantings. The City Attorney said that new plantings are exempt.

Florida Department of Transportation and WaterWorks 2011 dumping on vacant lots

Commissioner Teel was finding staging areas are being created by the Florida Department of Transportation and WaterWorks 2011 on vacant lots and construction debris is dumped. The property owner's permission is not always sought. There is no screening or control of dust to the adjacent property.

Mayor Naugle said that FDOT should be applying for a permit.

Demolishing and cleanup of properties

Commissioner Teel said developers are assembling multiple properties and letting buildings sit which become derelict and havens for the homeless. They attract dirt and blight. They go to the community and propose they can put a beautiful building on a horrible site. She felt the City should take a leadership role in this. She said that Coral Springs, Plantation and Parkland have ordinances addressing this problem. The City Attorney indicated that the City of Gainesville also has an ordinance on this. Although not during this drought, there should be some type of ground cover. She wanted to know exactly how it is being handled in other cities. The board-up policy is useless.

Mayor Naugle agreed once the properties are assembled, the buildings should be demolished, the area fenced and ground cover planted. He questioned if vesting is a disincentive to do this. When a project is approved, it should be with the condition that within 60 days action be taken. If there are code violations, perhaps applications should not be processed until they are resolved. He commented on various examples.

Commissioner Teel commented that it may take a couple of years to assemble properties and such blight should not have to be tolerated during that time.

Commissioner Rodstrom pointed out with the market today, properties may sit longer. He favored something retroactive.

Commissioner Teel indicated those who are not seeking any application approval must be addressed as well. She mentioned the theater property across the street from the Galleria.

The City Attorney said that his office started looking at it yesterday at Commissioner Teel's request. There is a good possibility that vesting is one reasons. An ordinance is in place regarding boarding up buildings and a one-year extension, but there is a question of what happens after the extension.

Mayor Naugle raised the idea of a fine. Commissioner Teel did not think they would be concerned about fines. Mayor Naugle was interested in knowing what has accumulated.

In response to Commissioner Rodstrom, Marc LaFerrier, Director of Planning and Zoning, explained property vesting. The subject could be part of Development Review Committee review, although he did not know how enforceable it would be.

Mayor Naugle said that possibly in some cases approval could be rescinded if the buildings are not demolished and the property cleaned.

Commissioner Teel said if vacant property has not been maintained, extensions should not be granted.

Commissioner Rodstrom felt there should be a policy in place; the Commission should not have to monitor and pursue it.

Mayor Naugle thought the Commission could refuse to meet with lobbyists who have clients with such properties.

V – Manager’s Report

Graffiti Initiative

The City Manager said staff has been working on a graffiti initiative. There has been a real headway. He encouraged the Commission to report any graffiti they see. Ms. McCaffrey indicated there is a hotline through the Police Department or directly to Code Enforcement. Mayor Naugle said if graffiti is eliminated quickly, it discourages people from doing it again in the same area. Ms. McCaffrey indicated this is being communicated to people in a letter.

There being no further business to come before the Commission, the meeting was adjourned at approximately 3:20 p.m.