

## FORT LAUDERDALE CITY COMMISSION CONFERENCE MEETING OCTOBER 2, 2007

<b>Agenda Item</b>	<b>Page</b>
I-A	Fire Rescue Facilities Bond Program Update 1
I-B	Changes To Unified Land Development Regulations Recommended By Ad Hoc Code Reform Committee of Council of Fort Lauderdale Civic Association 6
I-C	Proposed Lien Settlements – Special Magistrate and Code Enforcement Board Cases 8
II-A	Radio and Telephone Communications Systems Repairs – Damages As a Result of Lightning – Emergency Repairs 8
II-B	August 2007 Monthly Financial Report 8
II-C	Exterior Wall Replacement – Swimming Hall of Fame at Aquatic Complex – Increased Expenditure 8
III-B	Advisory Board and Committee Vacancies 8
	<ul style="list-style-type: none"> <li>1. Audit Advisory Board Deferred</li> <li>2. Aviation Advisory Board Deferred</li> <li>3. Board of Adjustment Deferred</li> <li>4. Cemeteries Board of Trustees Deferred</li> <li>5. Community Appearance Board Deferred</li> <li>6. Community Services Board 9</li> <li>7. Education Advisory Board Deferred</li> <li>8. Historic Preservation Board Deferred</li> <li>9. Insurance Advisory Board Deferred</li> <li>10. Northwest Progresso-Flagler Heights Redevelopment Advisory Board 9</li> <li>11. Nuisance Abatement Board Deferred</li> <li>12. Parks, Recreation &amp; Beaches Advisory Board Deferred</li> <li>13. Unsafe Structures &amp; Housing Appeals Board Deferred</li> <li>14. Utility Advisory Committee Deferred</li> </ul>
IV	Commission Reports 9
	<ul style="list-style-type: none"> <li>1. Electrical Franchise Agreement (municipalization) PUR-02 on Regular Meeting 9</li> <li>2. Sunrise Bay 10</li> <li>3. Sunrise Lane; the vicinity of the beach 10</li> <li>4. New Advisory Board – cultural tourism and art; presentation by Broward County Cultural Council 11</li> <li>5. Homes, Inc.; redevelopment in Middle River Terrace 11</li> <li>6. Legal Aid and Lincoln Park and Durrs area 11</li> <li>7. Captain Barrington Irving Motorcade; police assistance 12</li> <li>8. Broward Caribbean Carnival; Martin Luther King Parade 12</li> <li>9. Police Procedures; Use of Deadly Force 13</li> <li>10. Recycling Containers on Beach 13</li> <li>11. Social Service Rehabilitation Facilities 13</li> <li>12. Florida League of Cities Budget Meeting 14</li> </ul>

V	City Manager Reports	14
	1. Teamsters Contract	14
	2. Public Information Director	14

**CITY COMMISSION CONFERENCE MEETING                      1:30 P.M.                      OCTOBER 2, 2007**

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

Absent:                      None.

Also Present:    City Manager –                      George Gretsas  
                                     City Auditor -                      John Herbst  
                                     City Clerk -                      Jonda K. Joseph  
                                     City Attorney -                      Harry A. Stewart  
                                     Sergeant At Arms –                      Sgt. John Hospodavis

**I-A – Fire Rescue Facilities Bond Program Update**

James Eddy, Fire Rescue Chief, provided a status report of the department since he joined the City. He noted changes made to the Fire Prevention Bureau, Operations Division, training program as well as planned benchmarking.

Chief Eddy felt the fire stations planned for construction are a little too big. He recommended the stations be built for current apparatus housed at the stations and increase the manpower needed for that apparatus in case of future growth. Currently, there are three people on an engine company, three people on a ladder company and two people on a rescue truck. He proposed to build the stations for the appropriate number of apparatus, but with four people on an engine, four people on a ladder and three people on a rescue. He is only recommending that they build the stations with this in mind.

Commissioner Hutchinson asked about the national standards. Chief Eddy said the National Standards published by the National Fire Protection Association would require, if adopted, four on an engine, four on a ladder and three on a rescue truck.

Chief Eddy felt that two existing stations could possibly be renovated. He was speaking about Stations 13 and 54. He felt it should be considered after a detailed engineering analysis is conducted. If so, the project could be accomplished within the scope of the \$40 million budget on time. The station he is proposing is between two, two and a half, three times larger than the present stations. One idea was that the stations should be built to house all reserve apparatus. He did not feel that is a good idea. They presently have four to five pieces of reserve apparatus. It is getting old. Parking and Fleet Services is always doing repairs on these pieces of equipment even when they are on the ready line. If the reserve apparatus were housed at the stations, it would not be available to Parking and Fleet Services to make repairs.

Albert Carbon, Public Works Director, presented slides on the fire rescue facilities bond program. A copy of the slides is attached to these minutes. Looking at industry standard estimating and inflationary guides, in a ten-year prior period of time, Fort Lauderdale's average was 1.98%. Land value was estimated at \$1.375 million. The same property is now \$2 million. The square foot cost has been constant, and therefore, they are using \$255 per square foot. Staff is looking at minimizing the amount of temporary facilities by moving firefighters to different locations. A 6% contingency was

which was not included in the original bond and an inflationary factor of 4%. He agrees with the Fire Rescue Chief as to remodeling Stations 54 and 13, although additional evaluation is needed.

In response to Commissioner Rodstrom, Mr. Carbon said the City now has obligations to about \$8 million, although \$20 million in bonds have been issued.

Commissioner Rodstrom questioned where Chief Eddy did his research, how did he get it and why was it not provided in the backup materials. Chief Eddy did not know why the information was not included in the backup. He used the historical data that came to the Commission prior to his arrival. Also he is very familiar with the NFPA standards. When looking at the City's structure for fire protection, it is basically neighborhood fire stations. If a neighborhood grows, one would probably not want to add onto a present facility, but rather build another new facility in the area where the population increased in order to increase response time.

Commissioner Rodstrom questioned if that would be outside of the \$40 million bond issue. Chief Eddy said that would be the case if the population grows or there is annexation, but according to the population studies that is not anticipated. This is occurring with respect to Station 8.

Commissioner Rodstrom wanted to see the work that backs up the cost estimates. She asked how Chief Eddy knows whether inflation and contingency factors were not included in the cost estimates. Chief Eddy could not comment on those figures. In looking at the old Commission Agenda Report for the original presentation, there was no backup data relative to a contingency.

Commissioner Rodstrom said she is very disappointed in how this bond has been handled, but did not believe it is Chief Eddy's fault.

Commissioner Rodstrom asked if there is a report from URS, Program Manager. Mr. Carbon said they were not requested to prepare a report for this presentation. Commissioner Rodstrom thought that might be something to do in the future.

Commissioner Rodstrom felt the RFP for the Auditor to look at the bond program should be supplemented with questions, opinions and comments raised by the Fire Rescue Facilities Bond Blue Ribbon Committee. If they had listened to the Committee last year or the year before, perhaps this would be as far along as it is today.

Commissioner Hutchinson recalled this was originally discussed on November 21, 2002 at a Commission workshop for almost three hours. It was under City Manager Johnson's tenure. Many of the figures in the backup came from that administration.

Commissioner Hutchinson noted and Chief Eddy concurred there is a Computer Aided Drafting (CAD) system that shows where stations should be located as it relates to response times. She noted that Deputy Chief Keith Allen made an extensive presentation on locations, space allocations and station sizes. In 2002, Fire Chief Latin talked about \$28-37 million. She questioned what were the duties of the Parks Bond Committee compared to the Fire Rescue Facilities Bond Blue Ribbon Committee. She did not think there is expertise in the committee to design fire stations or choose locations. She relies heavily on the Fire Rescue Department. Original costs did not look

at a lot of the challenges with hurricanes and the rise in construction costs. The concept was to build two stations and then reassess. This project is not going to happen overnight. She was not happy with the Sun Sentinel news article on Saturday; it set a negative tone for today. She would not expect backup as far back as 2002 in this agenda item.

Commissioner Teel commented that there is a lot of history in the record which may be obtained from the City Clerk. She has confidence in the new chief along with Public Works Director Albert Carbon. Construction prices fluctuate, plus hurricanes have an impact. She felt the bond issue is being managed sensibly. The Committee should be complimented but it is unrealistic to think they should take on the job of what staff is hired to do. There is sometimes a tendency for people to micromanage which can cause confusion and delay in itself. She felt the backup provided is adequate.

In response to Commissioner Teel concerning Station 13 at Birch State Park, the City Attorney said the City must have the State's permission to do anything with the footprint. Mr. Carbon explained they were trying to build another station while keeping the existing station in operation. The State did not wish to accommodate the request. The City is going forward with renovations. If a new station was built, there would be a need for temporary facilities.

Vice Mayor Moore commended staff for rethinking this project. In 2002, he advocated a public service bond. He felt an opportunity was lost when fire was separated from police. He felt the City should rethink how the department is operated. The idea of using a smaller station configuration makes sense. Some of the apparatus will change. The City should not necessarily always act on the advice of an advisory body, even though the professional staff should review that advice. He commented that initial discussions centered around Taj Mahal type stations.

Vice Mayor Moore referred to the hiring of an audit and commented that no matter what action is taken, someone will find fault with it. He supported staff's recommendation to downsize and relook.

In response to Vice Mayor Moore concerning the Wilton Manors station, Chief Eddy said service coverage between Fort Lauderdale and Wilton Manors overlaps. It has actually augmented staffing capacity. There is revenue received, but he did not know the amount. Vice Mayor Moore requested more detail on this. He mentioned recent annexations of Twin Lakes and Rock Island. He asked why the City is not utilizing the Broward County sites for deployment. He questioned duplication of services. When the property was annexed, the agreement provided for the City to be given equipment. In the case of Rock Island, the City probably could have saved millions of dollars if it had a working relationship with Broward County. In response to Mayor Naugle, Vice Mayor Moore clarified he is referring to the 31<sup>st</sup> site. If the City did not have to relocate the 9<sup>th</sup> Avenue location to address response time, the City could have used that station for both neighborhoods.

The City Manager offered to look into it.

Mayor Naugle referred to the Fire Rescue Facilities Bond Blue Ribbon Committee providing advice and thought the process worked because they have been sounding the alarm that the City is going to run out of money. The Administration developed a plan to

keep the project within budget. The bond resolution recognizes that some stations might be renovated or demolished. It was anticipated that the City would consider renovating.

Thornie Jarrett, Fire Rescue Facilities Bond Blue Ribbon Committee, introduced other members in attendance. He clarified that the Committee does not design fire stations. Concerning Vice Mayor Moore's comment that some stations were designed to meet neighborhood, he noted that was strictly neighborhood input; it was not discussed by the Committee. The Committee was shocked when staff presented the new plan. For the last two years and 9 months they have been concerned about the shortage of funds. They constantly inquired about the station size and amenities. The stations presented at the beginning were larger than what was outlined in the bond issue which the Committee questioned. They questioned that the bond called for 10,000-12,000 square foot stations and they were being presented with 13,000-15,000 square foot stations. The reason this is here today is because Commission approved a study and audit of the bond program. The Committee feels that an audit is not needed. They favor a study that would take into account the information necessary to determine the station size and number of stations that should be built. For the past two and a half years, the previous fire officials have recommended bigger stations. The new plan fits into the \$40 million budget, but most of the Committee as professionals in the construction industry agree that to refurbish a building built under previous building codes is not necessarily practical. Many times the cost of bringing a building up to present code is high. All of the stations were built prior to Hurricane Andrew. The building code was radically changed after Hurricane Andrew. They recognize the financial crisis. They do not feel the delay to have the study conducted would be significant.

Mayor Naugle asked the City Auditor to comment on the purpose of the audit. The City Auditor said the fire bond, affordability and the original projections, was a topic mentioned several times in his initial discussions with the Commission when joining the City. He felt it is a highly appropriate audit and one that he would conduct irrespective of whether it is contracted out. In the Charter, as the independent City Auditor, he has the authority to decide what audits would be conducted. An RFP was done for an outside firm to conduct this audit because their engineering expertise would yield a better product. The contract was negotiated in good faith and it was awarded. He did not think it would be a good idea to rescind it, but that is the Commission's option.

The City Auditor said they will look at the historical progress of the fire bond to date. There is anecdotal talk of how they do not know whether the original projections were realistic. He felt it is important to verify that. It is appropriate to look at the projections the Chief Eddy and Mr. Carbon have developed. One study is to understand how the City got to where it is now and one is deciding how to go forward. This is the intent of the audit, including controls in place over administration of the program; to give some degree of comfort that the dollars were spent appropriately. He does not think that competes with an analysis of how to bring the program in on-time and on-budget.

The City Manager said he supports the concept of looking at where the City is now. When the Committee was suggesting to build all of the stations at once, staff recommended building two and see how it goes. There are two stations 80% complete. They can see if any mistakes have been made and make adjustments. He commended Public Works for this strategy. He referred to the Committee Chair's statement that the Committee was shocked that they were presented with a new plan at the last minute. In October 26, 2006, the Committee's report indicated value engineering and reduction in

program requirements was being considered. He felt the Committee is indicating that the stations may not be large enough and new firefighters should be consulted. He felt this approach means more money. He has faith in the Fire Rescue Department and the Chief's commitment to having the stations operational within budget. If the City compares to other departments, it may be found that they prefer the larger versions. Unions like bigger and better. Many people will think that Taj Mahal is better.

Vice Mayor Moore was concerned that the audit be done to show how the money was spent and a forecast on the new recommendations. He did not agree with the Fire Rescue Facilities Bond Blue Ribbon Committee because the City has a professional staff reviewing this and making recommendations. As to whether there was an appropriate contingency and so forth, the horse is out of the barn.

Mayor Naugle questioned spending time on whether this was done right by a city manager in Riviera Beach and a fire chief in Texas and a public works director in Destin.

Commissioner Hutchinson agreed. She hoped they look forward although understand mistakes that might have been made. She was concerned about looking at other municipalities. She had visited stations in 2002 and cities had built stations from 15,000 to 23,000 square feet with terrazzo flooring. They will build what they want and that does not necessarily meet the City's needs. She said that she reads the Committee's minutes and values their opinions.

The City Auditor said in the audit there will be a number of risks and objectives to address those risks, and verifying the original projection will simply be one of them. He felt the residents are entitled to know if the program was as detailed as it should have been when the bond issue was sold. Beyond that point, he does not intend to make that six-year ago activity the primary focus.

In response to Commissioner Rodstrom, the City Manager indicated that typically when an audit is started, the City Auditor requests information and it is forthcoming.

Commissioner Rodstrom was concerned the historical backup relating to expenses in the Exhibit A report was not provided with the agenda item. Mayor Naugle and Commissioner Hutchinson did not want that extent of background. Commissioner Teel commented that she need only request it.

In response to Commissioner Rodstrom, the City Auditor said that although he will look at staff's proposal, but more as it relates to the financial aspect, such as contingency, inflation factors, comparative cost per square foot. Best practices of fire stations is not contemplated in the scope. He could check with the firms being considered.

Commissioner Rodstrom explained her concern is that staff's advice was taken before and this is where the project is today. She wanted to increase the scope of services to include a few of the items raised by the Committee.

Vice Mayor Moore was concerned if the City models its department after another one, then that department should operate the City's department. He was not willing to outsource the department to another. This department delivers service to a standard that is satisfactory and above in some cases. The selection of professionals at the head of that department is good.

Commissioner Hutchinson did not see the need for hiring a consultant when the City has software that shows where the stations should be located to address response time. Perhaps the Commission could receive that information.

Vice Mayor Moore was concerned if someone else dictates station locations and problems occur, the Fire Rescue Chief would use that as an excuse.

Commissioner Teel felt the Chief's recommendation on reserve equipment is valid. She further asked if the City Auditor assists in the audit would it be taking him away from his work plan.

In response to Commissioner Teel, the City Auditor said if he undertakes this audit in-house, it would take him away from his work plan. Commissioner Teel felt if a competent company could be selected for the audit, she preferred the City Auditor to stay on track with that work plan.

Commissioner Teel asked if the Committee saw a demonstration of the CAD software program. Mr. Jarrett said he received a demonstration, but did not think others may have had that opportunity. He pointed out that system is based on runs that have occurred. Chief Latin told them it merely interpolates what may occur if a station is moved. Mr. Jarrett did not think it is the projection tool that should be used. It does not indicate how the department would perform under certain circumstances.

Vice Mayor Moore thought the only way to project is to forecast the future. Mr. Jarrett thought there is probably a consultant that could use population growth figures, density figures.

Commissioner Teel felt it would be helpful to extend an invitation to the Committee to see how the software. She felt the equipment is adequate. She agreed there is no one with a crystal ball. People learn from their experiences.

Mayor Naugle noted the department's main service is advanced life support. The City was dissatisfied with County service. It is providing better service. There are lots of ways to verify the information. He appreciated all the hard work of the Committee. The size of the facilities is being addressed. The budget will be exceeded to some extent, but there is no financial crisis. If it can be completed in that ballpark \$40 million, the City will be doing well.

**Action:** There was consensus approval to follow recommendations contained in Memorandum 07-210. Commissioner Rodstrom had concerns. Commissioner Teel requested the Fire Rescue Facilities Bond Blue Ribbon Committee be given the opportunity to view a demonstration of the City's CAD system.

**I-B – Changes To Unified Land Development Regulations Recommended By Ad Hoc Code Reform Committee Of Council Of Fort Lauderdale Civic Associations**

Commissioner Hutchinson commented that when adding the potential RS-8A, there should have been a notation that it pertained to Poinsettia Heights.



Greg Brewton, Deputy Director of Planning and Zoning, noted direction given in September. There may be an opportunity for other neighborhoods in addition to Poinsettia Heights to take advantage of options that become available, but by no means is staff saying this satisfies all issues. There would be another phase. Today they have identified fast track items as they relate to lot coverage, floor area ratio for single-family lots, and additional landscaping. Legislation would be drafted within the first three months and hold public hearings and adopt the legislation in the second three months. The second phase would include retention of a consultant who would look at a timeline to address not only the Ad Hoc Committee's concerns, but also the Planning and Zoning Board. They want to make sure other initiatives would not be delayed. Staff wants to avoid having numerous RS-8 districts.

Mr. Brewton indicated there were additional items the Committee wanted to fast track. One was a tree survey for single-family. Staff felt that may create an impact on single family of \$300-\$500. Staff is looking at possibly an affidavit where existing trees would be indicated on the site plan.

Commissioner Hutchinson noted that Coral Springs uses an affidavit.

Mr. Brewton referred to another suggestion of making DRC application files to be available electronically. This would apply only to large files. This will require some time.

Mr. Brewton explained that the shared drive aisle issue actually pertains to duplexes and possibly townhomes. Staff will take a closer look at this. In 1997, everyone thought changes to the code would make everyone happy, but it has been found that tweaking is needed. For example, a big issue with the Planning and Zoning Board is the cluster home. It was done in 1997, but probably needs tweaked.

In summary, Mr. Brewton felt within the next six months some changes should occur that may be beneficial.

Commissioner Teel said she has a neighborhood who is interested in getting some help with the RS-8A concept concerning front yard storage of motor homes and boats.

Commissioner Teel felt the Planning and Zoning Board has felt left out of the process. She asked at least a representative from the Board be invited to any future Ad Hoc Committee meetings. Commissioner Rodstrom concurred.

The City Manager said regarding the fast track items, it is their intention to have some input through the process in the first three months. In the meantime, they intend to sit down with the Committee and Board to understand their intent before legislation is drafted. For the balance of the items and anything from the Planning and Zoning Board will be handled through the consultant.

Genia Ellis, Council of Fort Lauderdale Civic Associations, said Tom Welch, a member of the Planning and Zoning Board, has been part of the Ad Hoc Committee process and has relayed information to the Board. The Committee's intent is not to take property rights, but to provide options.

Rene Lepine said he was invited to work on this Committee. He suggested the consultant selected be from Fort Lauderdale and would have years of experience with the City's Unified Land Development Regulations.

**Action:** There was consensus approval. Feasibility of including the following additional items in the fast track process will also be looked into: Requiring a tree survey or property owner affidavit for single family homes with any permit; large project electronic filing to Development Review Committee; shared driveways for duplexes; and the Planning and Zoning Board's concerns about cluster development. A representative of the Planning and Zoning Board is to be included in the process.

**I-C – Proposed Lien Settlements – Special Magistrate and Code Enforcement Board Cases**

No discussion.

**EXECUTIVE CLOSED DOOR SESSION WAS HELD AT 3:10 P.M.  
MEETING RECONVENED AT 3:21 P.M.**

**II-A – Radio and Telephone Communications Systems Repairs – Damages As A Result of Lightning – Emergency Repairs**

No discussion.

**II-B – August 2007 Monthly Financial Report**

No discussion.

**II-C – Exterior Wall Replacement – Swimming Hall of Fame at Aquatic Complex – Increased Expenditure**

Vice Mayor Moore did not support this item.

**III-B – Advisory Board/Committee Appointments**

Audit Committee

**Action:** Deferred.

Aviation Advisory Board

**Action:** Deferred.

Board of Adjustment

**Action:** Deferred

Cemeteries Advisory Board

**Action:** Deferred.

Community Appearance Advisory Board

**Action:** Deferred.

Community Services Board

Commissioner Hutchinson recommended appointment of Babtunde "Tunde" Ogunlana to the Community Services Board.

**Action:** Formal Action To Be Taken At Regular Meeting.

Education Advisory Board

**Action:** Deferred.

Historic Preservation Advisory Board

**Action:** Deferred

Insurance Advisory Board

**Action:** Deferred

Northwest Progresso-Flagler Heights Redevelopment Advisory Board

Vice Mayor Moore recommended appointment of Sam Williams to the Northwest Progresso-Flagler Heights Redevelopment Advisory Board.

**Action:** Formal Action To Be Taken At Regular Meeting.

Nuisance Abatement Board

**Action:** Deferred.

Parks, Recreation and Beaches Advisory Board

**Action:** Deferred.

Unsafe Structures and Housing Appeals Board

**Action:** Deferred.

Utility Advisory Committee

**Action:** Deferred.

**IV – Commission Reports**

Electrical Franchise Agreement (municipalization); PUR-02 Regular Meeting

Commissioner Teel thought there was consensus to be put out an RFP on this to see if there was any other vendors that might come forward with the streamlined phase one study, but apparently that is not what the City Manager felt was the direction.

Mayor Naugle noted so many companies have a conflict and this was does not. It was going to be approved subject to being able to bifurcate it and not more than \$150,000 expended before proceeding.

Commissioner Teel thought if it was a smaller study, other companies might be interested. She did not like voting on one vendor. Commissioner Hutchinson concurred.

Mayor Naugle asked if there would be enough time to issue a new RFP. Mike Walker, Procurement Services, said staff checked with other vendors as to why they did not bid. Either they were not interested or could not do this specific type of work. It is very specialized. Staff reevaluated the phases. Phase I would be for \$145,000 that would probably accomplish everything the Commission wants. Phase II for the remainder, \$130,000.

In response to Commissioner Teel, Mr. Walker indicated another RFP would require about 3-4 weeks.

Commissioner Rodstrom wanted to reissue another RFP. Commissioner Hutchinson concurred with the scope split.

Albert Carbon, Public Works Director, clarified it would be 3-4 weeks to put it out and then another month before hearing back. One proposal was received for utility undergrounding from the same firm; \$79,000. Mr. Walker noted the RFP was sent to approximately a thousand prospective vendors. Because of the specialty, only one response was received. It was the same vendor as the original municipalization RFP. Commissioner Teel had trouble believing there is only one vendor in the entire United States; sometimes a vendor may not respond if they are busy on other jobs.

**ACTION:** See PUR-02 at regular meeting.

#### Sunrise Bay

Commissioner Teel provided a walk-on resolution for tonight's meeting, opposing filling of a portion of Sunrise Bay to create an island for the development of Single family residences. The City Attorney said that it would be transmitted to the Army Corps of Engineers by the 7<sup>th</sup>, which is the deadline for comments.

#### Sunrise Lane; the vicinity of the beach

Commissioner Rodstrom said the Sunrise Lane beach area want to improve the area in connection with improvements being made to the Holiday Inn site. The City Manager said staff met with this group. Some of the things they were proposing were not holistic in nature. Staff agreed to work with them. Staff would like to work with them before it comes to the Commission. Funding may be an issue, but a workable plan is needed first.

Vice Mayor Moore believed that they are not organized; there are different competing interests as to what the area should be.

Commissioner Teel met with Blackstone today regarding Pier 66 and raised this to them. Blackstone is interested in helping.

The City Manager wanted a holistic plan before any money is spent. It is an important gateway to the beach and needs help.

Mayor Naugle referred to the Galt Ocean Mile special assessment where property owners made a contribution and the City assisted. The businesses need to contribute. Commissioner Teel concurred. She recalled the group did not want to join the Business Improvement District because it was going to cost.

The City Manager said that the first good faith gesture would be for the businesses to clean up their storefronts.

#### New board: cultural tourism and art: presentation by Broward County Cultural Council

Commissioner Rodstrom presented a magazine, Hollywood 360, by the City of Hollywood to promote culture, tourism and art. She suggested a representative of the Broward Cultural Council be invited to address the Commission to establish a new board to address culture, tourism and the arts.

Mayor Naugle commented that Miami Beach has their own tourism board. Fort Lauderdale may be large enough to obtain legislative support to have their own board.

Commissioner Rodstrom commented even if the City has an additional board it could only help the City.

**Action:** There was consensus approval for a representative of the Broward Cultural Council to be invited to a conference meeting to discuss creation of a board to promote culture, tourism and art.

#### Homes, Inc; redevelopment in Middle River Terrace

Commissioner Rodstrom said that Homes Inc. is interested in redeveloping an area in Middle River Terrace. It is a not-for-profit organization that requires a lot of work in connection with grants. She wanted a representative to make a presentation to the Commission some time in the next three to six months at a conference meeting. The City Manager said staff would be happy to meet with them and report back to the Commission.

#### Legal Aid and Lincoln Park and Durrs area

Vice Mayor Moore received a letter from Legal Aid which states that they are challenging the City with its clean-up. He noted there are social security numbers and dates of birth listed. He was not aware of any decision that the City was negligent concerning contamination at Lincoln Park and the Durrs area. The City Attorney explained they are required to file this notice. The information disclosed is what they are required to supply the City. When a public records request is made, social security numbers are redacted.

Captain Barrington Irving Motorcade; police assistance

Vice Mayor Moore said the African-American Research Library is going to recognize Captain Barrington Irving on October 27, 2007. The Library's correspondence asks that the City assist in the policing of a parade and motorcade. He hoped this would be something the City would consider. Mayor Naugle believed the Sheriff's Office would cover the motorcade when it is in multiple cities. Due to present circumstances, Vice Mayor Moore thought the City might need to assist.

Broward Caribbean Carnival; Martin Luther King parade

Vice Mayor Moore requested an update on the Broward Caribbean Carnival. Phil Thornburg, Parks and Recreation Director, said staff is still waiting for auto liability. At present, they have not been able to obtain it. All other issues have been resolved.

Commissioner Teel asked what would happen if they do not obtain the insurance. Mr. Thornburg said the event is Sunday. The City Attorney said the deadline was last Friday which was not met.

Mr. Thornburg explained the City has no agreement with the promoter until everything is provided.

Commissioner Teel questioned if the event is being advertised. Commissioner Rodstrom asked what could be done without the auto liability insurance. The City Attorney said if the insurance is not provided, he is not sure how the City could stop them from having the parade.

Commissioner Teel pointed out the liability with the floats and automobiles. Mayor Naugle asked about the parade not taking place, if the insurance is not provided.

Vice Mayor Moore noted all of the things they have supplied. He thought this is a new item. The City Attorney explained it has always been a part of it since the City knew their plan was to include a parade. In response to Vice Mayor Moore, Mr. Thornburg understood from the Orioles and the City's Risk Manager that the general coverage provided is not sufficient; that a separate \$1 million automobile liability is necessary. They were informed either Thursday or Friday or last week as soon as the City became aware of the need. Insurance was provided on Monday, although it had been due the previous Friday and around noon, after review by the City and the Orioles, they were notified that separate automobile liability was needed.

Vice Mayor Moore thought a \$4 million liability policy would cover the entire event. Commissioner Rodstrom suggested allowing 24 hours to produce the policy and informing them of this timeline. Commissioner Teel was concerned about the last minute nature. She discussed the risk associated with floats.

Betty Burrell, Director of Finance, noted that Carnival representatives have just sent an email, indicating the auto policy will be delivered by 5 p.m. today.

Mayor Naugle wanted to know the amount of the policy required for the Martin Luther Day parade. Mr. Thornburg said he did not have that information at this time, but could provide it.

#### Police Procedures; use of deadly force

Vice Mayor Moore asked about the status of police procedures and could a closed door executive session be scheduled for the October 16, 2007 meeting. The City Attorney indicated it is not possible to hold a closed door executive session yet because the litigation has not been filed; only a notice of impending litigation. As soon as it is permissible to hold a closed door session, it will be scheduled.

#### Recycling containers on beach

Commissioner Hutchinson wanted to know what happened to the alpha recycling containers on the beach and the associated grant award. She requested a status report.

#### Social Service Rehabilitation Facilities

Commissioner Hutchinson said a lot of social service rehabilitation facilities arriving. She emphasized that the City needs to address this. It has not been possible to get any information about them or access. She wanted a report on it. They are not friendly.

Mayor Naugle said the County is trying to decrease the number of people being incarcerated by increasing various programs. It is being done in a way that the City has no control over the quality of service the people are receiving.

Vice Mayor Moore said it does not all have to be a government program. It could be private. He mentioned two near the DeGraffenreidt Center where there are children. Modifications were made to the homes and the City cannot gain access. It should not be occurring in single family homes. The zoning is inappropriate.

Mayor Naugle believed that some agency is funding this. The City needs to have the agency establish standards; there is proper zoning and so forth. He asked the City Manager to work with the City Attorney to find out if the City could develop regulations. It may be necessary to introduce legislation in order for the City to be able to regulate them.

Commissioner Hutchinson asked that in the meantime she wanted to find out who owns the properties so the owners could be contacted. She was concerned something could happen because it is confrontational. Commissioner Rodstrom concurred. The City should become more restricted.

**Action:** At Commissioner Hutchinson's request, there was consensus approval for the City Manager and City Attorney to look into regulating social service rehabilitation facilities including introducing legislation if necessary. In the short term, Commissioner Hutchinson asked that one in Poinsettia Heights be looked into.

Florida League of Cities Budget Meeting

Mayor Naugle said the League of Cities budget meeting was held in Bonita Springs and there was a lot of discussion concerning the Legislature and the ballot initiative.

**V. City Manager Reports**

Teamsters Contract

The City Manager said the Teamsters ratified their contract which is on tonight's agenda. He thanked the Teamsters for supporting the contract.

Public Information Director

The City Manager announced the Public Information Director's brother has been overseas serving in the armed services and has just returned to the United States.

There being no further business to come before the Commission, the meeting was adjourned at approximately 4:04 p.m.