

FORT LAUDERDALE CITY COMMISSION CONFERENCE MEETING JANUARY 8, 2008

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CITY COMMISSION CONFERENCE MEETING 1:30 P.M. JANUARY 8, 2008

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. C. J. Herbert

I-A – Cultural Arts

Commissioner Rodstrom referred to the backup materials and noted her preference is Option 3, creation of a new advisory committee.

Mary Becht, Broward County Cultural Division, reviewed slides on the Broward Cultural Council, creative economy, cultural and heritage tourism and a municipal arts advisory board . A copy of the slides is attached to these minutes.

Vice Mayor Moore arrived at approximately 1:32 p.m.

James Shermer, Broward County Cultural Division, noted information was furnished concerning the nine grant programs available. The Division offers a mix of project funding and general operating support. Funds go to municipalities, artists and non-profit organizations. Fort Lauderdale is eligible for funding for cultural - tourism, arts and design arts. An arts services brochure was provided. The Division provides entrepreneurial training for artists including a revolving loan program for artists to monetize a cultural product and workshops and programs that promote cultural development.

Ms. Becht said currently Fort Lauderdale is not receiving any grant funds in this area; the City has not applied in several years.

Commissioner Rodstrom pointed out that the City is leaving money on the table. An advisory board could take advantage of opportunities. She noted a partnership between Art Serve and the Atlantic Hotel for promotion of local artists. This is one avenue that could be expanded to other hotels. She also felt such a board would help tourism.

Commissioner Teel referred to information on the cost of operating the current boards previously provided by the City Clerk. She was concerned with what will happening after the January 29, 2008 election and the upcoming legislative session. Perhaps there are boards that are not that necessary any more and this could replace one. Care should be taken not to duplicate. Perhaps there are other approaches besides an advisory board.

Mayor Naugle referred to the City Manager's idea to include under the Economic Development Advisory Board. More members could be added, perhaps five additional individuals in the cultural classification. Commissioner Teel agreed.

Mayor Naugle referred to other cities mandating one percent of building cost for public art. The Economic Development Advisory Board would want to weigh-in on that idea and if their support was gained, it would be easier to sell

Commissioner Rodstrom was concerned if five members were added, it would then total sixteen. If a board is too large, it might dilute what they are trying to do. She thought staff's annual cost estimate of \$10,000-\$20,000 was extremely high.

Vice Mayor Moore suggested the Community Services Board handle this. Due to the importance of tax impact, he felt the Economic Development Advisory Board should consider nothing but how to deal with economic issues and what industries to attract make the existing industries stay and work best, especially those businesses in the marine industry and tourism.

Commissioner Hutchinson agreed. She felt the Community Services Board lost a lot when the City stopped grant funding. She was bothered that the City is not garnering available cultural monies. Perhaps the Community Services Board should be restructured but not lose their focus on the Community Development Block Grant program. The CDBG program is a once a year event whereas this is all year.

Vice Mayor Moore noted it is an opportunity to bring different interests to the same table. The CDBG program has to do with services for very low income individuals. Neither community is aware of the other.

Commissioner Rodstrom agreed provided the board name was changed and more members added.

In response to Commissioner Rodstrom, Commissioner Hutchinson thought that tourism could be handled by that restructured board as well.

Commissioner Teel noted that recently the Community Services Board has been trying to spread their wings and do more. This could be the answer.

Mayor Naugle asked that the ordinance outlining the Community Services Board functions be amended to expand their function to include cultural art and tourism.

Vice Mayor Moore wanted to know the number of current vacancies, as well as the topics discussed during the last year and available grants, so the board will have some frame of reference.

The City Clerk indicated there are currently three vacancies on the board at this point in time. The total number of members is 15.

Mayor Naugle asked if there are any members facing term limits.

Commissioner Hutchinson suggested reappointing everyone, so there is a fresh start. Commissioner Rodstrom noted that those who might not wish to serve on the new board could leave then.

Action: There was consensus approval to expand the scope of the Community Services Board to include cultural arts and tourism; renaming the board and increasing

the membership. Vice Mayor Moore requested the number of vacancies, topics addressed over the last year and potential grants.

I-B – Aquatic Complex – Redevelopment Feasibility Study

Cate McCaffrey, Director of Business Enterprises, said that in April, 2006 an RFP was issued for a comprehensive feasibility study for the Aquatic Complex. On October 12, 2006 the Commission selected the highest ranked proposer, Leisure and Recreation Concepts, Inc. The plan was to include an understanding of the importance of the rich tradition of swimming in Fort Lauderdale, including the City's pools, public swimming, museum, teams, lessons.

Michael Jenkins, Leisure and Recreation Concepts, Inc., gave an overview of their company.

Mr. Jenkins said the Aquatic Complex is antiquated and must be subsidized by the City. The goal was to look at ways to energize the Complex and create revenue. They looked at each component proposed to ensure that they made economic sense. They felt the diversification and synergy of all of the elements together would work to the advantage of each one.

Mr. Jenkins reviewed slides on the master plan for the site. A copy of the slides is attached to these minutes. The beach is important, but people want to do something else occasionally. Alexander Park would serve as a transition zone between the beach and the facility. Some special events could be set up without creating a permanent structure. The pool, due to its deterioration, would be removed and added elsewhere. They proposing demolition of the wave building as it acts as an architectural barrier to the site. The entry would provide an access to the aquatics area or to a water park. They have taken successful elements from other water parks and tried to implement them into this design. They are presently working on an exhibit for the China Olympics. A stage would rise up out of the pool for more uses of the pool. In the future and not in this plan, the zone separating the aquatics facility from the water facility would have a cover that could be opened or closed. A water mist show could be created for evening entertainment. They wanted to create family activities, such as the water mist show, that could occur in addition to the swimming activity. The aquatics event area and the Hall of Fame itself need to be totally energized with more programming and activities. They propose more utilization of the water taxis, shuttles from the Convention Center and the trolley system. The water park would be a separate financial scenario. Approximately 350 spaces would be added in the form of a parking garage. He explained the reasoning for location of the proposed aquarium. It would draw people to the rear of the site. The longer individuals stay, per capita revenue is increased. He described the aquarium features and the Hall of Fame entrance location. They propose a combination entry ticket, discounted based on the number of activities selected. The current museum artifacts are very passive, whereas today audiences want active, participatory, state of the art technology. He elaborated on some ideas being developed now. Meeting rooms would be located on top of the Hall of Fame. There would be a restaurant with indoor and outdoor dining, including service on the top deck of the parking garage. He noted the barrier designed so that people living along the Intracoastal would only see a glass building. He noted aquariums have traditionally been built by municipalities, but there has been a resurgence in private development. He listed some locations in the U.S. He summarized the master plan and noted that parking is a problem.

The City Manager said this is a germination of an idea; many things to think about. Staff plans to talk with groups on the beach and come back to the Commission with that feedback. Once the concepts the Commission likes are solidified, staff will focus on those, including such matters as parking, traffic, financial aspects, etc.

Vice Mayor Moore thought the information presented by the consultant is really dynamic. He wanted input from the Parks, Recreation and Beaches Advisory Board. He would like to see the entire concept implemented, but was concerned about funding. He did not feel parking would be an issue. He thought the hoteliers along the beach could be helpful with respect to parking.

Vice Mayor Moore recalled previous consideration of an aquarium and operator costs. He questioned what is different today. Mr. Jenkins recalled years ago many municipalities tried to go into the aquarium business; they floated bonds to do so. While they were able to support direct operational costs, they had difficulty paying back the bonds. They tried to be everything to all people; the structures were built too large. In the last 8-10 years all over America, interests have changed. He noted some current aquariums throughout the country. There are no aquariums south of Tampa. This proposal is very themed. Primarily it is smaller with the most popular and economically effective and efficient exhibits. The idea is a private developer.

Vice Mayor Moore wanted some research into the Miami Seaquarium.

Commissioner Rodstrom complimented the work. She wanted more of a visual from A-1-A.

In response to Mayor Naugle, Mr. Jenkins said they were involved in the following aquariums: Atlanta, Georgia; Myrtle Beach, South Carolina; Newport, Kentucky (actually Cincinnati, Ohio); Mall of Americas; Bloomington, Minnesota; Texas State Aquarium in Corpus; Monterey, California; Grape Vine, Texas; and Dallas, Texas.

Mayor Naugle asked what beach side communities have done water parks. Mr. Jenkins said they found that people go to such communities on vacation to go in the ocean, but after awhile, individuals want a different environment. Galveston, Texas and Myrtle Beach, South Carolina; Jacksonville Beach, Florida and Atlantic City, New Jersey.

Commissioner Rodstrom commented that the Beach Master Plan discusses the desire for more activities other than the beach and shopping.

Commissioner Hutchinson felt it is a great idea. People want something to do other than the beach.

Mayor Naugle asked the City Auditor to review the financial information.

Vice Mayor Moore thought mass transit would be enhanced, if there was trolley service from the downtown parking garage to the facility.

Ina Lee, Chair, Beach Redevelopment Advisory Board, said she has been involved in the beach transformation since 1984. This concept is a dream beyond anything she has imagined. She elaborated upon the pluses from her perspective. She recently visited

the Monterey aquarium and was very impressed. She felt such a facility will attract people in the summers. She thought it could be a legacy for this particular Commission.

Mayor Naugle asked which of the aquariums referenced were built without selling bonds. Mr. Jenkins replied Newport, Mall of the Americas, Myrtle Beach and south Texas.

Mayor Naugle said when this matter comes back to the Commission, he wanted to see the budgets and attendance information for other aquariums built around the country.

Action: This matter will be resubmitted at a future date to determine the concepts to include.

I-C – Sidewalk Repair Policy

Peter Partington, City Engineer, outlined the current policy that relies on complaints; a list of areas is presented to the Commission and a decision made for the City or property owner to bear the cost. There is about \$100,000 per year for this work. This process is not keeping pace with the true status of the infrastructure. With individual property owners paying for the repairs, the level of complaints is probably being kept down. There are about 320 miles of sidewalk in the city. Assuming a 50-year life span, it would require about \$800,000 per year for replacement over that timeline. Because of the City's age, much of the sidewalk is already fairly old. Additional money would be needed in the first few years to catch up with the backlog. The current ordinance enables the City to involve the property owner in liability issues arising from the sidewalks. However, with the City having deep pockets, in most cases litigants will attempt to sue the City.

In response to Mayor Naugle, the City Attorney said the City has sovereign immunity of \$100,000 per person and \$200,000 per incident, but there are also claims bills. The courts have said that no matter what ordinances say, the city is ultimately responsible for the sidewalk. Most incidents range from \$1,500 to \$2500 and \$70,000 to \$80,000 in unusual cases. Mr. Partington said the Risk Manager has indicated there were 35 claims and the City paid on eight of them, totaling \$230,000 of which \$150,000 was for legal fees. The maximum paid to any one individual was \$40,000.

Mayor Naugle commented about a recent change in the process. The City Attorney explained that the ordinance requires there be a resolution directing the repair be made. Mayor Naugle said that in the past there was no resolution. He asked if individuals who paid for repairs in the last five years for example could obtain a refund. The City Attorney explained such notification is required before the City may assess them; generally repairs are not made until payment is received.

Vice Mayor Moore asked if any other municipalities are handling this matter in the same way. The City Attorney said it varies and depends on how much litigation a city has. Mr. Partington believed about 50% of Broward municipalities use a similar method as Fort Lauderdale. Mayor Naugle asked if it is old or new communities. Mr. Partington could not answer that question, but that the County has adopted responsibility.

Commissioner Hutchinson thought the policy is antiquated. She did not favor the upland property owner paying for the repair. She wanted more specific information, including the names of the cities and their ordinances. She was only interested in data from Broward County. There are sidewalks damaged from trees planted by the City.

Commissioner Rodstrom agreed. She was concerned about the state of the sidewalks but did not feel it should all be the responsibility of the property owner.

Mayor Naugle pointed out if the City accepts responsibility, a funding source will have to be found.

Commissioner Hutchinson asked if someone sues because of a fall on a sidewalk, does the City fix the sidewalk. The City Attorney replied yes. Mr. Partington explained if the complaint comes via litigation, then the City evaluates the situation and almost certainly goes after the private property owner.

In response to Commissioner Teel, Mr. Partington said if a complaint involves one isolated sidewalk severely in need of repair, it could be done as quickly as three months. The average time is about six months. Commissioner Teel pointed out during that period, the City has exposure. She believed it should be the City's responsibility. When the City has planted trees in a right-of-way, the City has the responsibility to repair the sidewalks damaged by those trees. Sidewalks are damaged by construction or trash collection trucks. The sidewalk should be inspected before and after construction work and repairs be made by those parties.

The City Manager explained the Commission would have to decide upon funding, looking all the capital budget requests. Commissioner Teel felt a dedicated source needs to be found otherwise this work will not fare well during prioritizing.

The City Auditor asked when surveying other municipalities, he asked the data on costs borne by the municipality be collected. There are dedicated sources of funds that could be used for sidewalk repair, such as gas tax.

Mayor Naugle asked if the new policy would include residential and commercial.

Vice Mayor Moore felt commercial properties are different and should be looked into with attention to requirements recently being imposed by the City. Mayor Naugle felt that government properties are another consideration.

Commissioner Hutchinson wanted to see about the possibility of some dedicated funding sources.

Commissioner Rodstrom thought if taxpayers receive more money as a result of the upcoming property tax reform referendum, they may be interested in a special assessment for sidewalks.

The City Manager pointed out that once people find out that the City is paying for repairs, there would likely be many people calling about the need for repairs to their sidewalks. Another issue is tax revenue being spent to fix sidewalks while others do not have sidewalks. Lastly, there are canals that need dredging for example.

Mayor Naugle noted the gas tax is being used for resurfacing. Commissioner Hutchinson thought consideration could be given to a portion being used for sidewalk maintenance.

Commissioner Teel said there are people who do not want sidewalks because it interferes with their landscaping.

Action: Before reaching a decision, additional information was requested as to funding options and how other Broward municipalities address the issue.

I-D – Water Disinfection Options – Fiveash Water Treatment Plant

Albert Carbon, Public Works Director, reviewed slides concerning water disinfection options at the Fiveash Water Treatment Plant. A copy of the slides is attached to these minutes. He noted aside from liquid chlorine, the options are limited. To date a little over a million dollars has been spent developing plans and specifications. He was concerned about the third party own/operate option as another party would be making a very essential component of the water treatment process. With the bulk hypochlorite option, existing plans and specifications would be somewhat adaptable because the City is intending to build tanks onsite anyway. The City would lose some self-sufficiency as it would depend upon another party to deliver the hypochlorite. The recommendation is more expensive and includes onsite hypochlorite generation using the traditional design, bid, build method without pre-purchase of equipment.

Bill Salem, representing Carter & VerPlanck, Inc., said staff's memorandum to the Commission states that the City would utilize both the plan documents and pre-qualification package. He asked if the vendors would still be required to be pre-qualified. Mr. Carbon indicated that is correct.

Commissioner Teel agreed with the recommendation. Mayor Naugle preferred the bulk option.

Action: There was consensus approval for design-bid-build (without pre-purchase) procurement; current OSHA equipment procurement documents would be combined with current design plans for OSHA supporting facilities; advertised for competitive bid as a single project. Mayor Naugle preferred the bulk hypochlorite option.

I-E – Fort Lauderdale Historical Society, Inc. – Request For Financial Assistance

Phil Thornburg, Parks and Recreation Director, clarified that parking fees cannot be waived; funding would have to come from the Contingency Fund. The total amount would be \$2,222.75. The City Manager said the Contingency Fund balance is \$55,000.

Commissioner Teel commented about the number of requests throughout the year was concerned about depletion of the Contingency Fund.

Since it is such a small amount, Mayor Naugle felt it should be covered by the private sector.

The City Manager noted the City already budgets \$6,500 for windstorm insurance for the Historical Society.

Vice Mayor Moore was not supportive.

Action: There was no consensus.

I-F – Annie Beck House Proposed Move – Request of Broward Trust For Historic Preservation For In-Kind Contribution

Phil Thornburg, Parks and Recreation Director, said the idea is that the Broward Trust for Historic Preservation would relocate the Annie Beck House to Middle River Terrace Park and occupy it for their operations.

Diane Smart, President, Broward Trust for Historic Preservation, explained the work has to be completed by the end of May or grant funding will be lost.

The City Manager said because there are in-kind services and the waiving of fees, the Commission's approval is being sought.

The City Attorney clarified that fees cannot be waived; the fees would have to be paid from a source. Fees are based upon services provided and calculated to bring in whatever revenue necessary to provide the service. Otherwise, it is a tax and as a tax it is not authorized.

In response to Commissioner Hutchinson, Mr. Thornburg said the request is for \$22,000; \$6,200 of that is in-kind services on the part of Parks and Recreation staff doing tree trimming and relocating; contracting to bring the water supply from the street to the building is \$10,380; a sewer connection is \$3,500; a water meter is \$920; permits are \$1,000. An amount of \$15,800 would need to come from a source.

Mayor Naugle asked who would own the building. Mr. Thornburg said this still has to be discussed, but assumed the City would own the building as it would be on City property and there would be a long-term lease. As such, Mayor Naugle thought money could come from the Parks and Recreation departmental budget, an account where there are unused funds.

In response to Commissioner Hutchinson, Albert Carbon, Public Works Director indicated the water meter connection would also be in-kind services. In response to Mayor Naugle, Mr. Thornburg indicated the water meter connection in-services cost would come from either Parks and Recreation or Public Works. Mr. Carbon indicated it is proposed to be done by Public Works as a service.

Vice Mayor Moore felt it could only be a City building if everyone has access to it. However, the backup materials indicates it would be for the exclusive use of the Broward Trust.

Ms. Smart said the owner is donating the house to the Broward Trust. The City Attorney said if the house will be placed on City property, a lease is needed.

Warren Adams, Executive Director of Broward Trust for Historic Preservation reviewed slides concerning the Annie Beck House proposed move. A copy of the slides is attached to these minutes. He provided some history on Annie Beck's community involvement and her house. After relocation, the house would be used as a permanent office for the Broward Trust as well as Middle River Terrace residents and other non-profit organizations. The City has initiated historic designation for the House which has

been approved by the Historic Preservation Board but as yet the designation has not been approved by the Commission. Commissioner Hutchinson said the Commission's consideration is pending the move. It was not in the best interests of the move to declare is historic. Concerning annual income to cover annual costs to maintain the House, Mr. Adams indicated that Trust membership, donations and fees for services has been growing. Also, the Trust has an endowment that could be tapped if necessary. He noted what would be necessary to claim grant funds back from Broward County and the State.

The City Manager explained in essence the total amount is \$22,000 of which \$6,200 is in-kind services leaving \$15,800. Of the \$15,800, \$10,380 is for water and sewer. Staff contemplates contracting for that work. The remaining \$5,420 is fees. The \$15,800 needs to come from the Contingency Fund. Decisions are necessary on these finances and relocation of the house to Middle River Terrace Park.

Assuming this is a City structure, Commissioner Teel questioned if there is an account other than Contingency from which to charge capital improvements.

The City Attorney clarified that the property would also have to be rezoned as it is currently for park use only. A community building would be permissible.

The City Manager said if the Commission is comfortable with the concept of the house being located to the park and whether the Broward Trust should occupy the building, staff will work with the City Attorney. If the Commission is comfortable with a \$22,000 contribution, staff will return with funding information. Contingency is the easiest. They will try to do the best they can.

Commissioner Teel was concerned about depletion of the Contingency Fund. Perhaps a portion could be budgeted for next year.

Mayor Naugle believed they need immediate permission to conduct soil tests on the property. The City Attorney indicated the soil tests are for compression only.

In response to the City Manager, there was consensus approval to relocate the house, for the Broward Trust to occupy it, for conducting of compression soil tests and the requested in-kind services from the City.

Ms. Smart clarified that the Trust has a restoration plan. The idea is to share it with the neighborhood and public. The plan depends on being able to raise money through grants. As a 501(c)3 not-for-profit organization, they cannot secure grants without ownership of the house.

Vice Mayor Moore was agreeable to in-service contributions, relocation of the building and authorization for the soil tests, but the Trust should seek other sources for the remainder.

The City Auditor commented that the City could consider establishing their own 501(c)3 to permit fundraising for such projects. Mayor Naugle did not feel the Commission needs to be involved in seeking donations.

Commissioner Rodstrom thanked the Broward Trust and hoped there would be more historic buildings presented to the Commission.

Vice Mayor Moore did not understand why this was not going to the park site of Annie Beck. He also questioned the square footage. Ms. Smart said the building site is 1,000 square feet. Mayor Naugle estimated it to be about 220 square feet. Commissioner Rodstrom added that there is a back porch.

Vice Mayor Moore pointed out there will not be a great community use. Ms. Smart said there are several non-profit organizations that have asked to use the house for their meetings. Vice Mayor Moore wanted something to codify the community's use on an annual basis. He wanted to ensure use.

Action: There was consensus approval to relocate the house to Middle River Terrace Park; permission to undertake a compression soil test; approval for in-kind services in the amount of \$6,200; and approval for the Trust to occupy the house. The City Attorney's Office will prepare necessary documents to accomplish these items. Vice Mayor Moore requested codification in the City agreement with the Trust that not-for-profits may use the house.

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

Vice Mayor Moore referred to case CE 05011975, 1331 Chateau Park Drive, and indicated he did not want to grant any consideration. This has to do with someone making a for-profit venture and in such case, the individual should know all of the details. The same consideration is not being given to residents. Mayor Naugle clarified this is a fine for not connecting. The City Manager indicated that staff does not object.

Action: At Vice Mayor Moore's request, CE05011975, 1331 Chateau Park Drive, was not approved. There was consensus approval on all remaining items.

II-A – November 2007 Monthly Financial Report

No discussion.

II-B – Modification of Outdoor Water Use Restrictions

Mayor Naugle wanted to take the restrictions seriously on City properties, even if it means fining a director's budget. All departments should be made aware of the need to be in compliance.

Vice Mayor Moore agreed it should be part of the director's evaluation. Also, he was concerned about the athletic field lighting at parks not being turned off at the appropriate evening hour. Phil Thornburg, Parks and Recreation Director, explained some parks may be irrigated at 2 a.m. for example. It is an educational process. Vice Mayor Moore suggested posting such information on the property. Mr. Thornburg noted there are over two hundred irrigation systems; there are malfunctions from time to time. Vice Mayor Moore felt the evaluation is how quickly a malfunction is attended to. Commissioner Teel felt the response is fast.

Action: Mayor Naugle wanted violations of the restrictions on City properties to be taken very seriously. Vice Mayor Moore suggested any such violations should be made part of the department director's performance evaluation.

II-C – Sunrise Boulevard Asphalt Repair Services – Emergency Purchase

Commissioner Teel complimented staff on the quick resolution.

II-D – 2008 Water and Wastewater Master Plan Updates

Albert Carbon, Public Works Director, reviewed slides on the 2008 Water and Wastewater Master Plan Updates including 2008 Water and Sewer Bond. A copy of the slides is attached to these minutes. The water system also services Oakland Park, Wilton Manors and other areas. Improvements needed and not specifically noted on the slides are the 17th Street Causeway and South Seabreeze water mains. As Davie recently raised their water and wastewater rates, Fort Lauderdale is now 28th lowest of thirty-one municipalities.

Mayor Naugle asked if it is realistic to think that all of contemplated improvements could be made, taking into account inflation and only raising rates 5% per year. Mr. Carbon said they are projecting on inflationary rates for the next short-term period of 4% which includes fuel, electricity and chemicals and 1% is for capital. The variables that cannot be planned for are additional regulatory issues as well as hurricanes or other natural disasters. Another item not anticipated is an additional alternative water source. The City is probably in good condition until about 2012 to 2013 with the current water supply.

The City Manager noted another impact is the drought. Mr. Carbon added the bond agencies will ask about it. There has been a 25% drop in water usage and a drop in revenues; 14% for water and 9% for sewer. In the next couple months, a rate analysis scope of services will be put together to make sure all types of users are paying their fair share.

Vice Mayor Moore felt the institutional rate is out of whack. Mr. Carbon said that would be part of the analysis.

Action: In response to Vice Mayor Moore's concern about the institutional rate, the Director of Public Works indicated that item will be part of the upcoming rate analysis.

II-E – Lohmeyer Wastewater Treatment Plant – Liquid Oxygen Facility – Emergency Repair

No discussion.

II-F – Beach Equipment Rental Concession – Request For Proposals

George Platt, representing Beached Management, Inc., said Beached Management has operated the beach equipment rental concession through various competitive procurements since 1960. On October 18, 2007 Beached Management sent a letter, requesting a final one-year extension under the contract. They requested a small reduction in fees. City staff indicated the Commission would need to authorize such negotiations. He referred to the City's desire to issue a RFP and enhance services.

Although Beached Management is supportive of doing so, the needed homework has not been done. They feel an extension is still in order. If the City chooses to issue an RFP, he would like to offer some suggestions.

Mr. Platt referred to requests by the hoteliers and that City staff has indicated a desire for the final say as to what occurs on the beach. Beached Management has worked with the hotels. City staff has indicated they are doing a good job and in the past year has not asked Beached Management to do anything else. If an extension is not granted, he wanted to make sure the City gets what they want in the process. Everything in the contract relates to revenue to the City. If a significant equipment upgrade is requested, it would be an increased expense for the concessionaire and could result in less revenue for the City. The City needs to look at the equipment, the diversity of it, pricing and the various types of services. Care should be taken that there is an apples to apples comparison. Two new elements are the welcome cabanas and pads as well as concierge – ambassador employee training. He listed all of the stakeholders and urged the Commission to take the time to include all of the stakeholders before the RFP goes out.

Charlie Perry, representing Beached Management, Inc., said they have been working with the hoteliers and established an excellent rapport. Last year before he was granted a one year renewal, he purchased new lounges and umbrellas at the request of the Beach Council. The cost was \$70,000-\$80,000. He would like to recoup that cost with another year renewal. He talked about problems with lounge pads and in this case, specifically storage. The RFP now states that there are six concession sites and each is allowed one storage box. Beached Management has eliminated the need for storage boxes because they are unsightly.

Amoury Piedra, General Manager of Sheraton Trader and Clipper hotels, noted there are also representatives present from the St. Regis and Atlantic hotels. He indicated that Mr. Perry has been good to work with. They want to make sure they are on a level playing field with the competition. Suggestions have been given to City staff on what customers are expecting. He agreed that storage of lounge pads should not be stored on the beach. The primary hotels have offered to store them. He felt it is time to issue an RFP, for all stakehold to work together and look at enhancing services.

The City Manager indicated that staff has spent a great deal of time with the stakeholders on the beach. Staff is willing to meet with the vendor, but care should be taken to not have the vendor crafting the RFP. Assuming the Commission is comfortable with moving forward with an RFP, the matter will come back at a future date.

Commissioner Hutchinson noted that Mr. Perry's contract expires the end of February, and the RFP process cannot be completed by that time. Kirk Buffington, Director of Procurement Services, indicated probably at the first meeting in February, a recommendation would be presented to extend the contract for 60-90 days. Staff was hoping to reach an agreement whereby the last one year renewal could be recommended but he did not think what they have requested is allowable under the contract. The Commission needs to either approve the extension, which is not in the contract or an RFP is issued.

The City Manager felt that 60 days would suffice.

Commissioner Rodstrom felt the Beach Community Redevelopment Agency Director would be in a good position to assist with negotiations. The goal is to have the best possible product for beach goers. She also would not want to see storage on the beach.

In response to Commissioner Rodstrom's concern that every new hotel may have different opinions about this contract, Mayor Naugle explained the contract should be three years in order to amortize equipment cost. The City Manager indicated that ultimately the vendor would be responsible; everything will be covered in the RFP and the contract.

In response to Commissioner Rodstrom, the City Manager was confident that staff has discussed this matter with all of the stakeholders and is prepared to complete an RFP within 60 days. Additionally, staff would hold discussions with the vendor if they request it, but not about specifics as it would be inappropriate for a vendor to craft an RFP.

Mayor Naugle explained the extension calls for a 5% increase and they proposed a 20% decrease. When contracts are extended, they are with the same terms and conditions. It is not the case in this matter.

Commissioner Rodstrom wanted to make sure any transition on the beach is positive. Mr. Platt thanked the City Manager for the opportunity to provide input. He encouraged other vendors to also participate. He pointed out that that cost of a lounge could vary from \$100 to \$1,500. He emphasized the importance of determining the type of equipment with specificity.

Mayor Naugle thought perhaps the equipment could be shown to the Commission.

Commissioner Rodstrom did not want to appear as if the City is privatizing the beach in front of the hotels. Different colors for each hotel would appear that way. The general public needs to realize that the lounges are for them as well.

Vice Mayor Moore wanted minimum requirements for the lounge. It would be one's entrepreneurial risk for something beyond the minimum.

III-B – Advisory Board Appointments

Audit Advisory Board

Action: Deferred.

Aviation Advisory Board

Action: Deferred.

Beach Redevelopment Board

Action: Deferred.

Board of Adjustment

Action: Deferred.

Cemeteries Board of Trustees

Action: Deferred.

Citizens' Police Review Board

Action: Deferred.

Code Enforcement Board

Action: Deferred.

Community Appearance Board

Action: See regular meeting.

Community Services Board

Action: Deferred.

Education Advisory Board

Action: Deferred.

Enterprise Zone Development

Action: Deferred.

Fire-Rescue Facilities Bond Issues Blue Ribbon Committee

Action: Deferred.

Insurance Advisory Board

Action: Deferred.

Marine Advisory Board

Action: Deferred.

Nuisance Abatement Board

Action: Deferred.

Unsafe Structures & Housing Appeals Board

Action: Deferred.

Utility Advisory Committee

Action: Deferred.

IV – City Commission Reports

Citizens Volunteer Corps Project (CVC)

Commissioner Hutchinson announced an upcoming Crime Walk, a CVC project on Friday night. People will meet at the Mizell Center at 6:30 p.m.

World Aids Day, Funk Fest

Vice Mayor Moore thanked all involved in the successful Funk Fest World Aids Day event at Mills Pond Park. He asked efforts be made in order to maintain the same venue for next year. They anticipate an artist that will attract a larger and more diverse audience.

Holiday Decorations; Midtown Business Association; Sistrunk Corridor

Vice Mayor Moore said that Sistrunk Corridor has responded to a grant that will make it viable for them to address holiday decorations next year. He hoped consideration will be given in the build-out to the utility poles in order to easily accommodate electrical decorations.

Lincoln Park

Vice Mayor Moore said there seems to be a number of people utilizing the Lincoln Park connector area. There is a large amount of debris. The playground equipment needs to be painted. Something needs to be done about individuals who may be bringing personal items to the park and leaving them throughout the night. It is discouraging to individuals using the Building and Planning and Zoning Services facility.

Sea Turtles; Lighting on the Beach

Commissioner Rodstrom thanked staff for their efforts in working with the Biological Administrator, Florida Fish and Wildlife authorities on turtle compliant lighting on the beach. The City Manager said they have presented three different ideas which were all refused. The City may need to work with another individual.

Commissioner Teel noted that an individual has mandated lights being turned off along Galt Ocean Mile and residents are contended the individual does not have such authority. She offered to furnish information on this.

Dog Park; Progresso Area

Commissioner Rodstrom said there are constituents from the Progresso area, asking whether any section near the water tower could be fenced and designated for a dog park. She asked if this could be pursued. If there is neighborhood consensus and people self-police it, Mayor Naugle felt it is a good idea.

Commission Meeting Rescheduling; Easter

Commissioner Rodstrom raised the idea of rescheduling the Commission meetings to accommodate Easter break.

Mayor Naugle suggested everyone bring their calendars to the next meeting.

NE 62nd Street

Commissioner Teel thanked staff for getting NE 62 Street paving completed.

Federal Highway (between Sunrise and Oakland Park boulevards); Florida Department of Transportation Project

Commissioner Teel referred to her discussion at the last Metropolitan Planning Organization meeting about a Florida Department of Transportation project on Federal Highway from Sunrise Boulevard to Oakland Park Boulevard. They have re-used some of the medians and installed new ones where changes were needed. The old medians have been left in disgraceful condition.

Peter Partington, City Engineer, said staff made inquiry to FDOT concerning pressure cleaning, but he was not sure what happened. He will follow up.

Broward County Meetings re: Downtown Campus and People Mover from Airport to Port

Mayor Naugle said Broward County is planning to conduct meetings regarding a people mover from the airport to the port and their downtown campus. He suggested that staff on perhaps the assistant city manager level cover those meetings and be prepared to report back to the City Commission.

V – City Manager Report

None given.

There being no further business to come before the Commission, the meeting was adjourned at approximately 4:24 p.m.