

FORT LAUDERDALE CITY COMMISSION CONFERENCE MEETING MARCH 4, 2008

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CITY COMMISSION CONFERENCE MEETING 1:30 P.M. MARCH 4, 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 – Sergeant John Hospodavis

I-A – Partnership With Fort Lauderdale Museum of Art

No discussion.

I-B – Community Bus Program

In response to Mayor Naugle, Peter Partington, City Engineer, indicated Broward County Transportation Department's letter implies they are considering a number of budget reductions. The Transportation Management Association receives about \$400,000 annually from Broward County. The City currently provides about \$230,000 per year from local option gas taxes and various grants have supplied different parts of the service.

Commissioner Hutchinson asked how much more could the City give from the local option gas tax. Mr. Partington believed very little, if no additional monies are available. The level of funding based on projected receipts was brought forward on the agenda earlier this year. Tonight, there is an agenda item, seeking Commission approval to pay administrative costs to the TMA out of the FTA grant which is a different source of funding, a grant.

Commissioner Hutchinson asked what is Broward County Transit looking to cut. Irv Minney of Broward County Transit advised that there has not been any indication. The community bus program is very popular. They wanted to know the City's position. Mayor Naugle said the Commission's message should be that the City wants to continue the current level of service, but is not able to contribute additional money.

Commissioner Teel was concerned about cutbacks considering their previous discussion (downtown transit circulator). This is the feeder lines.

Vice Mayor Moore commented with the present cost of gasoline, the public will be required to use this transit system more. He hoped the present funding level will continue at the City and County levels.

If there is an opportunity, whether through grants or whatever, to increase the City's contribution, Commissioner Hutchinson hoped that those options would be examined.

The City Manager asked if the Commission wants to continue the program as it presently exists. Commissioner Teel wanted there to be a clear understanding that this is part of what will be feeding the downtown transit circulator. Mayor Naugle said this is essential for the future of the transit circulator.

Action: There was consensus direction that the program should continue as it is structured now and with current funding and it should be noted that this program is essential for the future with respect to the Downtown Development Authority's proposal of a downtown transit circulator.

I-C – Proposed Ordinance Amending Chapter 11, City Code – Alternate Code Enforcement System – Issuance of Citations.

Mike Maloney, Code Enforcement Manager, said staff is looking to revise Chapter 11 of the City Code to develop an alternate enforcement process whereby citations could be issued. Staff believes this would be a way to gain compliance sooner. It would be a supplemental method of enforcement. The City would not do away with the Code Enforcement Board or Special Magistrate. The Code Enforcement Board and Special Magistrate can be a very lengthy process. Also, a lot of violations are not being addressed effectively through the Code Enforcement Board or Special Magistrate. It would also be possible to provide a way to go after recurring violators that seem to comply right before the hearing.

Mayor Naugle asked if tenants could be cited. Mr. Maloney replied yes, but obviously the landlord would ultimately be responsible for minimal housing. One example would be a junk vehicle in the front yard. Reasonable time must be provided in most cases. Exceptions would be repeat violations, health and safety violations. In those cases, citations could be issued on the spot. The primary objective is to gain compliance.

The City Attorney indicated that this would require a total revamping of the existing ordinance. It is now allowed under Chapter 162 or the ordinance today. If it is done under Chapter 162, it has to go to County Court. The County Court is not interested, but the City can do it by exercising home rule powers and revamping the code.

Mayor Naugle asked if the citation would be considered a notice to appear or a ticket. The City Attorney said the worst is that it would be considered a uniform traffic citation. This would be essentially an NTA which is like a uniform traffic citation. It will be ticket that imposes a \$25 fine and may be appealed. It would not be an arrest.

Commissioner Teel asked about the advertising signs being placed in the medians. Mr. Maloney indicated there are two ways to address that type of situation. One would be seeing the person doing it or tracking down the business if it is in this county and issuing a citation.

Vice Mayor Moore wanted to see recurring violators cited. Mr. Maloney explained some recurring violators comply just before the hearing. It will be possible to bring to the magistrate's attention that there has been several violations. With the issuance of an order, the individual could be fined immediately with the next violation.

Dennis Ulmer, 1007 NW 11 Place, was concerned about code enforcement employees issuing citations as they are not police officers. He felt they should be working with a

neighborhood police officer. If there are repeat offenses, an arrest should be made. He felt enforcement employees would be put in unnecessary danger.

Vice Mayor Moore felt this would be the same as parking citations that are issued by non-police personnel. People feel that the government does not respond to their desires, but tends to give the violators more opportunity to violate than to provide incentive for them to comply.

Genia Ellis, Council of Fort Lauderdale Civic Association, said she served on the Code Advisory Committee. This citation process was the number one request made by that committee. She believed this is long over due. She believed it is a common practice in other cities.

Action: Consensus approval.

I-D – Proposed Ordinance – New Section 16-1.02, City Code – Assessing \$15 Surcharge For Certain Traffic-Related Infractions and Violations

Vice Mayor Moore said he is not in support of this item.

Action: Consensus approval. Vice Mayor Moore opposed.

I-E – Proposed Ordinance – New Section 16-1.01, City Code – Assessing \$85 Surcharge For Additional Court Costs in Criminal Cases

Vice Mayor Moore said he is not in support of this item.

Action: Consensus approval. Vice Mayor Moore opposed.

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

No discussion.

EXECUTIVE CLOSED DOOR SESSION WAS HELD AT 2:20 P.M.

The City Commission shall meet privately, pursuant to Florida Statute 768.28(16), relative to the following general liability – vehicle accident claim filed with the City’s Risk Management Program: VA GL 07-204 – Jeffrey Fuller.

MEETING RECONVENED AT 2:40 P.M.

II-A – Southside School Construction Status

No discussion.

II-B – Safe Parks and Land Preservation Bond Property Acquisition Update

Phil Thornburg, Parks and Recreation Director, said at the last Broward County Commission meeting there was a discussion about bringing forward properties identified

in the backup material as 7B (Approved Projects Only. No Further Action Authorized). These properties were in the last phase which did not make the cut. The matter was tabled until March 11, 2008. There has not been any change to any of the City's properties in 7B. The moved forward properties would then be in the parks to be funded category. The problem is that the County has about \$5.5 million remaining. There are more requests than money.

Commissioner Hutchinson said some of the 7A projects (Projects Approved for Due Diligence and Acquisition) are inactive. There was considerable discussion at the Land Preservation Board that if there was no willing seller letter by a certain date, the Board would request the Commission to remove those projects so others could move up. Hopefully, a meeting would be scheduled this month.

Mr. Thornburg indicated at the County meeting there was some discussion about the Land Preservation Board's inactivity in removing some of the sites. Commissioner Hutchinson commented that the Board wanted to move sites, but cities would beg. She believed they will now be removed from the list.

Mr. Thornburg clarified the properties are not ranked; it will be first-come, first-serve basis.

Commissioner Rodstrom understood the inactive ones will be removed automatically if they do not make it by March 11. In response to Commissioner Rodstrom, Mr. Thornburg indicated it is not clear whether current appraisals will be requested; staff is looking for direction from the County Commission on the 11th.

In response to Commissioner Hutchinson, Mr. Thornburg indicated that for the City's two 7A projects (River Oaks and Middle River Terrace), the appraisals are about a year old. However, the City is far along on both. They are anticipated at next Tuesday's meeting.

In response to Vice Mayor Moore's question about 7B projects, Lincoln Park Addition, Victoria Park and Harbor Beach Park, Commissioner Hutchinson explained these projects did not make the cut in the ranking process, however, there is a chance that more money may become available. If these 7B projects are ready, the City would have a good chance to get them to the next level. Commissioner Rodstrom felt the Commission should give direction to the City Manager to get everything done on these properties. Commissioner Hutchinson felt the City needs to be ready with these 7B projects on March 11, 2008.

Vice Mayor Moore asked for an update on Sistrunk Park Addition. Mr. Thornburg indicated the site was on the active list. The property owner sold it to a third party who was an unwilling seller, therefore the site went to the inactive list. Now, the property owner is willing to sell. Vice Mayor Moore noted the property is in the CRA and a tax base. He did not see any reason to acquire property from a seller who was unwilling years ago.

Vice Mayor Moore noted that the County, School Board and the City purchased land off Davie Boulevard. That community, along with the rest of the southwest area, has been asking for an acquisition of the music store to give it frontage to Davie Boulevard. There is need for a recreational services building. There is a need to square off the park land. Mr. Thornburg said that the green and open space bond dollars will not buy a building. If

the property referenced in the CRA if purchased, the existing warehouse would have to be demolished in order for the property to become green space.

Commissioner Rodstrom explained Sistrunk Park Addition was in the inventory since 2003, and therefore, has already gone through the process. The only reason it came back out was because she felt it was important to include another property in the pool in case none on the list are granted. She felt that finishing the welcome park to Sistrunk would be doable. There would be green space on both sides of Sistrunk. She felt it will be extremely competitive and the City will be fortunate if any are funded.

Vice Mayor Moore wanted to see the 2003 list before this site is put into the pool. He did not feel it is the most valuable method of obtaining green space. Commissioner Rodstrom said property would have to go through the process by March 11, including a willing seller and up-to-date appraisal. Vice Mayor Moore wanted to see the list.

As a member of the Land Preservation Board, Commissioner Hutchinson indicated that all sites were ranked according to points. She did not want to place something in the mix that may take away from other City projects. Anything new would have to be at the bottom of the list.

Commissioner Rodstrom felt the County will determine the list because it will be on a first come, first serve basis. Commissioner Hutchinson agreed, but also felt the County will take notice of what the Board has done.

Commissioner Hutchinson asked if the City is ready to move forward with Lincoln Park Addition, Victoria Park and Harbor Beach Park. Mr. Thornburg said the City is not ready. They would have to start with willing seller letters and then appraisals. Commissioner Hutchinson asked if staff could secure willing seller letters by March 11.

Mr. Thornburg said the property (Sistrunk Park Addition) is already on the open space list. Vice Mayor Moore noted it is not funded, nor recommended. By the Commission's actions today push it above all the others. Mr. Thornburg clarified the Commission's actions today, if they want to keep Sistrunk Park Addition, would place it in the 7A category, an active parcel. Vice Mayor Moore did not agree with such action.

Commissioner Hutchinson noted \$2 million is the maximum. She asked about gap funding. Commissioner Rodstrom noted there is no gap funding or City match. Mr. Thornburg explained if the County agrees on the 11th to place this site back onto the active list, the City would commence due diligence.

Vice Mayor Moore questioned why this property, Sistrunk Park Addition, is getting all of the attention. He wanted to know what other opportunities might be available.

Mayor Naugle asked the Commission to be provided all previous site lists.

Vice Mayor Moore felt all previous rankings should always be brought to the table when the Commission is dialoguing.

Commissioner Rodstrom pointed out that this property was already selected years ago. In response to Mayor Naugle, Commissioner Rodstrom had no problem with this site being at the bottom of the list.

Mr. Thornburg agreed to furnish the list and find out the status of the properties. Commissioner Hutchinson noted a willing seller letter would also be needed. Commissioner Rodstrom explained there is a criteria involved. The City Manager indicated the Commission would need to have already given direction on a site, and as such, it could be added. Mayor Naugle noted it would have to be indicated as an informal approval.

Action: Vice Mayor Moore wanted to see prior year property rankings and requested that information be furnished. At Commissioner Rodstrom's request, Sistrunk Park Addition (OS-88) was added to the list of projects approved for due diligence and acquisition.

II-C – January 2008 Monthly Financial Report

No discussion.

III-B – Board and Committee Vacancies

Audit Advisory Board

Action: No Formal Action Taken.

Aviation Advisory Board

Commissioner Rodstrom recommended appointment of Michael S. Dunbar and Alberto Calvo to the Aviation Advisory Board.

Action: Formal Action To Be Taken at Regular Meeting.

Beach Redevelopment Board

Commissioner Teel recommended appointment of Jordana Jarjura to the Beach Redevelopment Board.

Action: Formal Action To Be Taken At Regular Meeting.

Board of Adjustment

Action: No Formal Action Taken.

Cemeteries Board of Trustees

Action: No Formal Action Taken.

Code Enforcement Board

Action: No Formal Action Taken.

Community Appearance Board

Action: No Formal Action Taken.

Community Services Board

Action: No Formal Action Taken.

Education Advisory Board

Commissioner Teel recommended appointment of Klaron Grigsby to the Education Advisory Board.

Action: Formal Action To Be Taken At Regular Meeting.

Enterprise Zone Development Agency

Commissioner Hutchinson recommended appointment of Mike Maloney to the Enterprise Zone Development Agency.

Vice Mayor Moore recommended appointment of Alfred Battle to the Enterprise Zone Development Agency.

Mayor Naugle recommended appointment of Clare Vickery to the Enterprise Zone Development Agency.

Commissioner Teel recommended appointment of Bruce Roberts or his designee to the Enterprise Zone Development Agency.

Commissioner Rodstrom recommended appointment of Purvin Pujara to the Enterprise Zone Development Agency.

Action: Formal Action To Be Taken At Regular Meeting.

Insurance Advisory Board

Action: No Formal Action Taken.

Marine Advisory Board

Vice Mayor Moore recommended appointment of Christopher Frederick to the Marine Advisory Board.

Commissioner Rodstrom recommended appointment of Joe Hessman to the Marine Advisory Board provided he is not a City employee.

Action: Formal Action To Be Taken At Regular Meeting.

Nuisance Abatement Board

Action: No Formal Action Taken.

Utility Advisory Committee

Action: Formal Action To Be Taken At Regular Meeting.

IV – City Commission Reports

Crime Walk

Commissioner Hutchinson announced an upcoming Crime Walk on March 21, 2008, 6:30 p.m. in South Middle River.

Waterway Clean-Up

Commissioner Hutchinson announced the upcoming waterway clean-up this Saturday.

FOCUS Newsletter; February/March 2008

Commissioner Hutchinson had received calls and was disturbed by the Mayor's message in the current FOCUS Newsletter in view of the resolution adopted by the Commission on September 5. Mayor Naugle said he was outraged. He said that on October 2nd he was requested to write a column. The column was sent on October 10th. The article was to run the first week of November when the matter was timely, but it was never published. Now, it was sent out in February. When he is asked for a column, he always picks the subject even if he does not write the article. He always insists that the subject matter be timely. The controversy of what was occurring in the parks ended. The old article was used without his permission. He communicated his displeasure to the City Manager.

Commissioner Hutchinson was disappointed that the Mayor wrote the article on October 10th and sent it in light of the resolution adopted on September 5th. She wanted all of this nonsense to stop.

The City Manager said that the issue of not checking with the Mayor is regrettable. In the future, staff will make sure that the Mayor signs off on columns. If the issue is not put out within two weeks, staff will reconfirm with the Mayor.

In response to Vice Mayor Moore, Mayor Naugle indicated that he wrote the article.

Commissioner Teel said people were shocked and dismayed that such information was in the newsletter. She felt the City needs to work harder in having positive things in the publication.

Vice Mayor Moore felt it should be a message from the Commission. Any member of the Commission could have a cause that is out of step with what the Commission wants its image to be. FOCUS is the City's newsletter, that of the Commission.

Mayor Naugle said that he stands by the column because he is against illegal activity taking place in the parks. However, he did not authorize the article to be printed. He contended that the arrest reports would disgust anyone in the room.

Commissioner Rodstrom felt FOCUS should either be completely abolished for budget reasons or there be more oversight and all Commission members can weigh in on the

article. If there is not sufficient oversight on an occasion, the article should not be included. FOCUS represents the full Commission and it is a beautiful publication.

Vice Mayor Moore was insulted by the article. He thought it was out of bounds. The Mayor wrote the article for the FOCUS magazine. He wanted for the Commission to make a comment in its official newsletter.

Vice Mayor Moore was concerned that oversight means censorship. He did not want to stop the Mayor's opinion, but did not think it should be at the taxpayers' expense. There should be a photograph of the Commission. The FOCUS newsletter is the Commission's only forum to communicate with its constituents. The format should be changed as such.

Commissioner Rodstrom felt the Mayor has a right to express his opinion. It is the Commission's fault that he is the only one quoted. Commissioner Hutchinson did not feel the Mayor has a right to express his opinion on the taxpayers' dime. The Commission wanted the City discussed in a positive inclusive way.

In response Vice Mayor Moore, there was consensus the Public Information Office would write the article and the Commission would sign off on it.

Action: There was consensus approval for future articles to be written by the Public Information Office and approved by the Commission, titled as a message from the Commission with a picture of the Commission.

Sistrunk Historical Festival

Vice Mayor Moore thanked everyone for their participation in the Sistrunk Historical Festival. He thanked the Police Department for their efforts. The public truly enjoyed that the event was return to the street. The committee will be meeting with the Police Department for some fine-tuning.

Middle River Terrace Civic Association: code compliance and police services – illegal drugs, homelessness, robberies

Vice Mayor Moore indicated that Middle River Terrace Civic Association is frustrated with several issues. They do not believe government is responding to their needs. This is an area annexed about six years ago. Code compliance and policing does not meet their expectation. They are concerned that assigned police officers are constantly transferred. There are locations where there are consistent recurring drug sales and homelessness. He mentioned a cooperative feeding program that was previously in front of the Police Department has moved in front of Middle River Terrace. The program was a magnet to many dysfunctional people.

Mayor Naugle clarified it was the Broward Sheriff's Office.

Bruce Roberts, Police Chief, said the mounted patrol has been in that area in the past. He commented that a lot of staff attended the meeting. Staff is attempting to form crime watch committees and with a new commander in the district, new initiatives are being formulated. There will be an increased number of meetings with the Association. He elaborated upon recent activities and a congregating area on Broward Boulevard at the

convenience store. Fort Lauderdale worked with BSO and Lauderhill Police Department to eliminate that problem.

Mayor Naugle suggested that the next crime walk take place in this area. Vice Mayor Moore thought that would be possible. He asked the Association to provide their suggestions at the next district meeting.

Calypso Pipeline; Coast Guard

Commissioner Teel commented that the Calypso Pipeline group had promised to provide an update to the community at the end of March. Galt Ocean Mile residents do not feel that is the best time because people are returning north. The City Manager suggested they make a presentation at a conference meeting.

Mayor Naugle commented it is like a factory in a residential area. Northern communities have received a mitigation fee from companies. These were off-shore operations. Perhaps funds could go toward beach renourishment.

Vice Mayor Moore questioned if individuals also find cruise ships or Navy ships offensive. Commissioner Teel had received one complaint of that nature.

Commissioner Teel suggested Mayor Naugle bring forward such a request when it is scheduled at the conference meeting.

Twin Lakes; adjacent industrial zone, fiberglass boat work

Commissioner Teel noted one section of the annexed Twin Lakes area abuts an industrial zone. One of the business is making fiberglass boats. The fumes are choking. Over the years it has been reported to Broward County Health Department and the environmental agency, but nothing is getting done. Valerie Bohlander, Director of Building Services, believed that Broward County has been contacted. She offered to follow up.

Sistrunk Historical Festival

Commissioner Rodstrom said she also attended the Sistrunk Festival Parade. It was a wonderful event. There were representatives of every cultural group. She suggested that they begin now to seek private donations for next year.

Homeless Assistance Center

Commissioner Rodstrom understood apparently there is a maximum at the Homeless Assistance Center. Mayor Naugle indicated the maximum is lifted when the center reaches capacity.

Commissioner Rodstrom asked about raising the maximum. Vice Mayor Moore said when a location was being sought for the homeless, it was stated that it had to be in the Fort Lauderdale downtown. At the time downtown extended to Sunrise Boulevard and 7th Avenue. All of the other social service programs seemed to be in that community, therefore a cap was initiated. There was to be extensive landscaping around the site, but it has deteriorated to nothing. Also the building needs to be repainted. There was a

community relationship and there were to be quarterly meeting to make sure the standards were being met. He was pleased to know that walk-ins are not allowed so as to prevent lines around the outside. The City's position at the time was that Broward County deals with social services. Centers should be placed across the county, and not just in Fort Lauderdale.

Commissioner Teel noted a facility was opened in Pompano Beach. Mayor Naugle indicated a facility now needs to be opened in Hollywood. The increase in beds needs to be spread around the county. Commissioner Hutchinson noted that this consensus was reached with private and public money. There is no reason not to do the same in Hollywood and out west.

Commissioner Rodstrom asked a letter be sent to Broward County expressing the need. Mayor Naugle requested a progress report from the City Manager as to where beds have been opened in other areas and their future plans.

Commissioner Teel cautioned this is not a panacea that will clean-up downtown because people have to meet certain criteria in order to have access to the center. Some people are either not mentally capable or unwilling.

Mayor Naugle felt one of the most effective things is the one-way bus fare. Police officers often are able to find a relative. Commissioner Teel said that is still in effect; it is not forced, but rather an option.

Commissioner Teel agreed the landscaping has not been maintained.

Action: In response to Commissioner Rodstrom, a status report on Broward County's actions on this matter was requested. With respect to the center in Fort Lauderdale, Vice Mayor Moore requested the landscaping be refurbished and the building be painted.

Cultural and Tourism Advisory Board

Commissioner Rodstrom requested an update regarding establishing a cultural and tourism advisory board. The City Manager said that a memorandum was sent to the Commission. There is an issue regarding federal funding and whether staff could be used in the configuration recommended by the Commission. Commissioner Rodstrom wanted to make sure staff is working on this because there are funds the City could be going after.

Billfish Tournament

Mayor Naugle noted the billfish tournament was great.

State and Federal Lobbyists

Vice Mayor Moore requested status reports from the state and federal lobbyists on the Mar 11, 2008 conference meeting agenda.

State Basketball Champion Teams

Mayor Naugle asked if the two State basketball champion teams could be invited to a Commission meeting for recognition (Dillard and Pinecrest High Schools).

V – City Manager Report

None given.

There being no further business to come before the Commission, the meeting was adjourned at approximately 3:39 p.m.