

**FORT LAUDERDALE CITY COMMISSION CONFERENCE MEETING**  
**APRIL 15, 2008**

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**CITY COMMISSION CONFERENCE MEETING      1:30 P.M.      APRIL 15, 2008**

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

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. Todd Jackson

**I-A – Fort Lauderdale Centennial Birthday Celebration – Request By Fort Lauderdale Historical Society To Discuss Their Proposal To City Commission**

Paul McCawley, President, Fort Lauderdale Historical Society, said this is an effort to get the ball rolling for the 100<sup>th</sup> Anniversary of the City's incorporation, March 27, 2011. A committee has been created to work on this. It includes former Mayor Clay Shaw and his wife. One possibility would be for their committee to be a lead organization in putting together the historical context, although substantial help from the City will be needed. He referred to his letter on the topic (March 18, 2008) provided to the Commission. This is central to their mission and they would like to be a part of it.

Ted Lawson, Director of Public Information, said staff looked at how other cities have handled this. It is a big undertaking. It should represent the entire city. Marketing and financial impacts are a consideration.

The City Manager said that throughout the country the pattern is that the governing body typically appoints a committee, which then brings in various organizations to be part of the effort. If the Commission chooses to create a committee, they would have to decide how many individuals would serve on it. It is a big thing for the City and everyone wants to be a part of it.

Vice Mayor Rodstrom noted this would have been a wonderful venue for a cultural arts and tourism board proposed. She asked about potential conflicts of elected officials with fundraising and the ethics policy. The City Attorney said that if they were authorized by the Commission, it was a Commission effort, there would not be a violation.

Vice Mayor Rodstrom thought the Historical Society should be very well involved.

Commissioner Teel was thrilled that former Congressman Shaw and his wife have accepted the invitation from the Historical Society. She felt the Historical Society serving as the central umbrella for this would work well.

Commissioner Hutchinson felt the Historical Society could play a valuable role in this because they can bring forth the city's history. Also they already have a 501(c) established. She wanted to see city-wide participation, for example, schools and the Education Advisory Board. She wanted the Commission to make some appointments to the committee. She was not sure how large the committee should be. She

mentioned old organizations in the city that might want to participate, such as the Chamber of Commerce, Stranahan House and the Women's Club.

Mayor Naugle felt should be scheduled events all year long.

Commissioner Moore applauded the Historical Society for offering. He believed an entity created with a short duration only for this event should be the lead, although the Historical Society should be a piece of the pie. He emphasized the event should be inclusive and there is only one African-American serving on the Historical Society's committee.

Mayor Naugle suggested possibly each commissioner could make two appointments to the new committee. Commissioner Moore believed it should be three individuals because it will take a lot of work. He thanked the Shaw family, but wanted a separate entity.

Mayor Naugle asked if there would be any objection to him asking former Congressman Shaw to serve on the committee and having him chair the effort. Commissioner Moore said it would be an honor.

Mayor Naugle concluded the Commission could come forward with names in the future. One of the first jobs of the committee could be to review ideas and establish a budget so the City could include an appropriation in next year's budget. The Commission could put the committee together in the next couple of meetings.

In response to Vice Mayor Rodstrom, both Mayor Naugle and Commissioner Moore agreed the Historical Society would be a part of this. Mayor Naugle noted one way that could be accomplished would be for commissioners to include members in their appointments. Perhaps, the City may contract with the Historical Society for some of the activities. However, it would be based with the City with the advisory committee making recommendations to the Commission.

**Action:** Consensus approval to establish a committee with three appointments by each member of the Commission and one of the mayor's appointments would be the chair (former Congressman E. Clay Shaw). The Historical Society would be involved. The first task of the committee would be to develop a budget so that it could be included in the 2008-2009 budget.

**I-B – Bahia Mar Property - Lease**

James Blosser, representing LXR (Luxury Resorts & Hotels) who is the lessee and operator of the Bahia Mar Beach Resort and Yachting Center. He noted Frank Herhold, Executive Director of Marine Industries Association of Fort Lauderdale (boat show), is their partner. He requested the Commission authorize staff to commence discussion with LXR to develop a term sheet for a lease extension for a new long term lease so that redevelopment of this property may proceed. He provided history on the property dating back to when the City acquired the property from the federal government and the Coast Guard on October 29, 1947 for \$600,000. Patricia Murphy's Candlelight Restaurant leased the entire site for 50 years commencing September 1, 1962. Thereafter, there were numerous amendments and assignments of the lease with 25-year extensions granted on October 22, 1980 and January 4, 1995. The original lease as extended now expires on August 8, 2062. The current 180-unit hotel was permitted on November 14, 1972. The lease requires a first-class hotel and resort complex. The current uses permitted under the lease are restaurant, cocktail lounge, liquor store, yacht club, hotels/motel, convention hall, retail sales, marine store and service station, charter boats, office, apartments and other similar businesses. The lease requires the lessee to generate the greatest revenue possible for the City. Currently, the lessee pays 4% of annual gross operating profit that increases to 4.25% commencing October 1, 2012 until the end of the term, plus property taxes. This property is located in the Beach Community Redevelopment Agency district. The reconciled lease payment for 2007 was estimated to be \$1,335,000, with 2007 real estate taxes shared by all local governments for \$1,145,000 plus or a combined payment to the public sector of almost \$2,500,000. LXR believes this is a public landmark asset long overdue for redevelopment. The entire property is 38.6 acres.

Mr. Blosser indicated phase one redevelopment in 2002 and 2003 included reconstruction and reconfiguration of the 22.5-acre marina into a world-class marina. Since then, hundreds of meetings have been held with LXR partners, the City and the Marine Industry Association of South Florida on behalf of the boat show to plan redevelopment of the 16.1 acre upland parcel. The key objectives of the redevelopment are to build a world-class resort complex which: 1) permanently accommodates the boat show to make it the biggest and best in the world; 2) provide for enhanced tourism; 3) meet marine industry needs of the community; and 4) make it an open, inviting mixed-use facility, including a boat show park, providing increased revenue to the City – millions more per year and many new jobs.

Mr. Blosser noted when changes occur on the property, the City's participation, as owner, is required to make the necessary adjustments in the lease to be responsive to current and future circumstances. With the renaissance of the central beach, this property, other than the marina, is out of date. LXR is requesting that City staff be authorized to commence discussions for a long-term lease extension or a new lease as authorized by the charter which would accommodate the need for possible equity ownership of apartments or hotel units common in today's resort complexes; and to engage necessary consultants to provide guidance as to what this redevelopment means to the City, including how to maximize value to ensure a fair return to the City.

The City Attorney indicated the developers asked that staff begin negotiations on the proposed project. The proposal does not fit within the four corners of the lease. They

are requesting a 99 year lease. He would like direction from the Commission. The charter prohibits a lease more than fifty years. In 1980 the lease was extended for 25 years, giving them 57 years. In 1995, it was extended another 25 years giving them 67 years. It is possible to approve end to end leases extending past the 50-year lease.

Commissioner Moore felt the City first needs to decide if there should be development for sale on public property.

Mayor Naugle asked if the developer wanted to build apartment buildings as anticipated by the lease and then rent them, the City would be discussing land use issues, and they would be able to remit a percentage of the income to the City. The City Attorney confirmed that as correct. The lease provides for apartments and a mechanism by which the City shares in the revenue. Ninety-nine years is tantamount to fee simple ownership, but there is no mechanism in the lease for the City to get income or charge a fee. The lease needs to be renegotiated. Mayor Naugle understood if there was 54 years remaining on the lease and they wanted to build units and the estimated life of the building was 100 years, they could still request an extension to help justify investment on the real estate as a rental project. The City has done this in the past at the airport. The City Attorney said there is a small technicality causing him to say no. If there is 54 years remaining on the lease, this lease may not be extended. It has to be a new lease. At the end of the term, tenant improvements belong to the City.

Commissioner Teel asked if a co-op arrangement could be a possibility for land owned by the City.

Mayor Naugle noted an example of where this was done recently is New River Village and Marketplace. They are condominiums; a land lease. They own the unit and remit an annual fee that is paid to Broward County.

Vice Mayor Rodstrom felt this sounds like the Palazzo all over again. She did not feel more condominiums are needed. She did not feel the lease is antiquated. She would never agree to developing public land for condominiums unless it is decided by a vote of the people.

Mr. Blosser felt these are the things that should be evaluated by the City's business consultant and legal team. They are not suggesting a 99-year lease. It could be less than 99 years. They cannot sell anything more than what they are entitled to have under the City. They have the right to occupancy as long as they keep the lease current for 99 years. How the occupancy is structured is one of the issues ripe for consideration. Extending the lease to a greater period of time to make the project economically viable is critical. How the revenue is shared, the mechanism regarding ownership structure and other issues are on the table for further discussion.

Commissioner Hutchinson did not know how she feels about condominiums on the site yet. She wanted to know what is in the best interests of the City financially. She is not interested in selling property. Staff and the attorneys need to have this discussion. Questions are what can be built and how long of a lease.

Commissioner Moore agreed with everyone's comments. The minute this goes to staff for negotiation, there will be a number of issues that prove to be positive. Whatever staff does should be based on Commission direction. He referred the three items listed for

discussion. One is a term of 99 years, therefore staff will think they are negotiating up to 99 years. Another item is to amend the allowable use of the parcel. It does not say evaluate. The last item is to provide a methodology to compensate the City. He wanted the City to have a discussion as to what type of development should be built. Then, the developer would respond to what the City wants. He suggested a workshop on the subject of developing this property.

The City Attorney explained the request is not necessarily to approve these items. Staff is asking for authorization. He did not feel comfortable negotiating these terms without authorization from the Commission.

Commissioner Moore did not want negotiations to occur without clarity from the Commission.

The City Manager agreed that negotiating a lease did not make sense without direction by the Commission. Policy decisions were not expected at this time, but staff want to know whether they should move forward. If the City is to really delve into this, because of its complicated nature, staff believes a consultant is needed.

Vice Mayor Rodstrom agreed about the need for a workshop. The Commission needs to take the lead role.

Commissioner Teel felt it is important to get a consultant to represent the City and provide leadership in the marketplace. The current tenant will also be deciding what works for them. Perhaps there will be a meeting of the minds. Without the guidance of a consultant, ideas could come forward but they will not be feasible. She agreed with a workshop.

In response to Commissioner Moore, the City Attorney indicated the City would pay for the consultant. Commissioner Moore did not want any participation by the leaseholder on the consultant's compensation.

In response to the City Manager, Kirk Buffington, Director of Procurement Services, said an RFP would take 30-45 days.

Mayor Naugle asked about timing of the workshop. Vice Mayor Rodstrom thought the consultant should be present at the workshop. Mayor Naugle did not want to see the lease negotiated in public. Commissioner Hutchinson agreed. Commissioner Moore suggested a workshop be held regarding the City's property. The question is whether the City wants a development where units will be for sale. Therefore, he did not see the need to wait for retention of a consultant. Mayor Naugle concluded the workshop would be scheduled and during that time the consultant will be selected.

In response to the City Manager, Mayor Naugle indicated the tenant would present their concept at the workshop.

**Action:** Consensus approval to hold a workshop where LXR would present their proposed concept. The City will issue an RFP for consulting services with anticipated award in 30-45 days.

**I-C – Sidewalk, Sandwich or Movable Signs – Unified Land Development Regulations**

Mayor Naugle was concerned the ULDR ordinance was not provided. Greg Brewton, Director of Planning and Zoning, said that ordinance refers to allowing a special signage district that would be more restrictive and therefore not applicable in this case.

Commissioner Teel was concerned about liability or potential problems with respect to billboards.

Mr. Brewton said there would be some challenges which he listed. There will be legal issues, especially for public sidewalks. An amendment could be considered and then the Commission would need to consider whether to restrict in the code to be specific to a location or allow it city-wide. Another point is type of material.

Donna Mergenhagen said she represents 56 small retail businesses on 17<sup>th</sup> Street who signed a petition, requesting leniency in the code and its enforcement. The petition states a design, a number of signs per location and their location. The request has to do with private sidewalks owned and insured by the tenants and landholders of the businesses. It is not about clothes for sale. It would be additional advertising, including services offers, menus. She agreed there is an excess of signage at this time, but for small businesses, for whom the code has been enforced heavily, have been negatively impacted.

Commissioner Hutchinson thought the Commission would have received the ins and outs. She agreed that some of the bigger centers off 17<sup>th</sup> Street have sandwich board signs on a regular basis. With respect to the economy, many merchants in that area are being challenged, some have closed.

Mayor Naugle raised the idea of having a special district where it could be tried and evaluated. In response to Commissioner Teel, Mayor Naugle said it could apply to a certain portion of 17<sup>th</sup> Street or from the Intracoastal to Federal Highway.

Commissioner Teel asked if this would tie the City's hands in the future if another area requests it. The City Attorney said the biggest problem would be off-site advertising; there has been litigation for years by billboard companies. The issue with billboards is off-site advertising. If the sign is not in front of the specific shop, it is off-site.

Ms. Mergenhagen said they tried to make the wording very specific to the fact that the sign would be in close proximity to the business entryway. The businesses who signed the petition are located from the Intracoastal to Federal Highway on both sides of 17<sup>th</sup> Street. There are a large number of off-site advertising on 17<sup>th</sup> Street now, including bench signs, signs on taxicabs, and advertising on 17<sup>th</sup> Street for businesses a quarter mile away on Cordova Road.

The City Attorney noted that taxicab signs are specifically excluded from the sign ordinance.

Commissioner Teel pointed out businesses in the back of a center could not compete with signage on bus benches for example. She wanted to know how close proximity could be defined.



In response to Commissioner Teel, Ms. Mergenhagen explained when enforcement began they lost business to foot traffic because people tend to look where they are going and not above where the permitted signs are located. Summer is the most difficult. Small retail has a seven month market opportunity. Window displays are not adequate.

Mayor Naugle and Commissioner Rodstrom did not object to a pilot program. Commissioner Teel did not want it to cause other problems.

The City Attorney indicated he would have to compare what is being proposed with the scope of the City's litigation. It could be limited to an internal shopping center. Mayor Naugle wanted it to be a trial and the specific area of 17<sup>th</sup> Street.

Commissioner Teel asked about ADA requirements. The City Attorney said that private sidewalks still have to meet those requirements. Mr. Brewton said that generally a site plan with location and setbacks is submitted.

Commissioner Moore was concerned about giving preference to one area over another; all shopping centers with private sidewalks in its property jurisdiction for example. Mayor Naugle felt this is similar to what was done with the two wheels on, two wheels program how was this program cited in other minutes that was tried in a neighborhood. It should be tried with the thought that other areas could apply for it.

Commissioner Moore disagreed. He also did not think it has to be a sandwich sign. Ms. Mergenhagen said the sandwich sign was specified because it is a standard size; there would be no added cost; the sign could be weighted and removed at night.

Commissioner Moore indicated his greatest concern is that it not give any area an advantage. He felt it is very different than the two wheels on, two wheels off program.

The City Manager felt this will result in such signage all over the city. Mayor Naugle reiterated it is a trial period. Mr. Brewton commented that multiple consecutive signs could obstruct pedestrian traffic. There are competing issues that need to be explored.

Commissioner Teel asked if Ms. Mergenhagen knew how many signs are requested for the center and how far apart they would be. This could consume quite a bit of staff time. Ms. Mergenhagen said that when signatures were collected, individuals were not necessarily interested in having signs but wanted that option. Some had concern about selective enforcement. In her plaza, there are thirteen retail businesses and five have had sandwich signs for some time. Then citations were issued but not to all five. There is no history of pedestrian injury or accidents. Commissioner Teel said full occupancy should be considered.

Commissioner Hutchinson pointed out that business is bad all over the city. This is private property; a landowner might not allow these signs. She wanted to try a pilot. Commissioner Teel did not want such signs in her district.

Note: The Commission recessed and convened as the Board of Directors of the Community Redevelopment Agency from 2:37 p.m. to 2:53 p.m.

**Action:** No consensus

**I-D – Storage of Commercial Vessels – Docks Adjacent To Properties on NE 20<sup>th</sup> Avenue**

Cate McCaffrey, Director of Business Enterprises, said in January, 2008, the Marine Advisory Board unanimously recommended approval of a dock waiver. The proposed dock was to reconfigure an existing dock and to be used for storage of a commercial vessel. This is a charter vessel currently stored at the existing dock, but there is no pick-up or discharge of passengers at the NE 20 Avenue location. It was determined that storage of such a vessel would not be allowed in that zoning district. Previous waivers have been granted in the area, but not specifically for the storage of commercial vessels. To continue to allow such storage, staff is recommending a zoning change that would allow for a conditional use.

Commissioner Moore asked how many other locations in the city would have the opportunity to receive the new zoning designation. Ms. McCaffrey said there are approximately fifteen parcels located on NE 20 Avenue, and there is one other location that could receive this zoning. In further response, Ms. McCaffrey indicated that the adjoining property owners have not discussed this possibility. The City Manager said staff did not move forward with any process until they knew if the Commission was comfortable. Ms. McCaffrey indicated that adjoining property owners have been granted dock waivers.

Mayor Naugle commented even with the zoning, restrictions could still be imposed.

Commissioner Teel said that individuals from Sunrise Intracoastal are present today. This is the single family area across the waterway. She felt this would be a win-win situation because many of the boats are being caught-in by their neighbors. She wanted to look at the area as a whole. Care should be taken that there are not heavy mechanical repairs or live aboards. There is limited parking.

Paul McGee, a resident of Sunrise Intracoastal, was concerned about size limitations due to the current that flows through that area and maneuverability issues. Docks have been expanded and larger boats are being docked in the area. The commercial vessel has a hard time docking. He believed it is dangerous due to the width of the channel. There should be consideration of the commercial nature of what is occurring in a residential area. He wanted to maintain the residential integrity. He requested conditions be imposed with regard to the dolphin moorings and the dock lengths. He favored this clean-up and he favored the marine industry.

Mark Hodges, 777 Middle River Drive, said he has the same concerns as Mr. McGee. There is a lot of traffic from George English Park. During Hurricane Wilma one of the boats in the area broke loose. A marina environment is being created that is not very controlled.

John Terrill, Chair of the Marine Advisory Board, discussed the maneuvering of boats in this area. It could be a dangerous situation if the captain was not skilled. Mooring stern-to two anchors is a tried and true method to secure a boat. It is common practice in Europe. If done properly, boats will not come loose in bad weather, and said this is a common practice in Europe. He chair of the Marine Advisory Board he gets frequent calls about the waterways, but he has not received any calls about the Middle River.

20<sup>th</sup> Avenue is a cut-thru between Broward and Sunrise. He has not received calls regarding current uses in that area. For the past four months this has been discussed by the board, however, residents from Sunrise Intracoastal have never come before the board regarding the current uses on 20 Avenue. He also did not believe there has been a single Victoria Park resident who has expressed a concern. He believed there is an extremely small minority who have concerns. He suggested the Commission genuinely preserve property owner rights.

Vice Mayor Rodstrom asked if the new zoning would work for the area. Captain Terrill said he does not understand the proposal enough to make such a call. It came before the Marine Advisory Board and there was no real discussion at that time from the neighbors. No action was taken by the board.

Commissioner Teel said that no discussion occurred that would have been noticed to the residents on the other side. It is an effort to legalize what is already there. Because this is the narrower part of the river, she wanted to be sure that boats that are anchoring are not encroaching too much. It is an improvement.

Mayor Naugle noted there is concern from the current zoning official have the use is illegal. This proposal would correct the situation.

In response to Vice Mayor Rodstrom, Mayor Naugle said a vessel can take 30% of the waterway on either side provided there is 40% in the middle. Discussion followed wherein it was noted a 90 foot boat could be accommodated in the area. Commissioner Teel added that anchor lines could pose a problem.

Ted Fling, Vice President of Victoria Park Civic Association, noted that 20 Avenue is almost the eastern boundary of Victoria Park; Middle River is the eastern boundary. Several residents have filed applications for dock extensions or changes in the width of their property line. The association put the individuals through quite a process. Everything said by John Terrill as to neighbors not complaining is correct. The most current application was denied by the Marine Advisory Board, although it was approved by the association. The proposal today will allow a marina. He questioned what is the definition of a marina. Mayor Naugle said it could be conditional to something with which the association would agree.

Mr. Fling was concerned about marinas at all of these locations. Mayor Naugle felt a better term would be dockage facility because there should not be maintenance being done in the area. Mr. Fling said if the association could be assured as such, he felt it would be acceptable.

Gene Zorovitch, member of the Marine Advisory Board, said he is speaking as a private citizen. He felt Marine Patrol could offer some good input about this. He would not object to the rezoning. Eventually RS-8 area will be raised again. He felt that should be further studied.

Commissioner Teel suggested the marina term be changed.

In response to Commissioner Moore, Mr. McGee said that he has seen passengers boarding the Capri vessel. Commissioner Moore wanted to be certain this would not occur. Ms. McCaffrey indicated the Applicant specifically indicated on the dock waiver

application that there is no discharging or picking up of passengers. Mayor Naugle suggested it could have been crew or friends of the owner. Commissioner Moore suggested some sort of a penalty or way to control it. Commissioner Teel pointed out that the limited parking would help with control.

**EXECUTIVE CLOSED DOOR SESSION WAS HELD AT 3:20 P.M.**

**The City Commission shall meet privately pursuant to Florida Statute 768.28(16) relative to the following risk management claim:**

**Gregory Allore – VA GL 07-033**

**The City Commission shall meet privately for discussions relative to collective bargaining under the authority of Florida Statute 447.605.**

**MEETING RECONVENED AT 3:44 P.M.**

**I-E – Proposed Policy – Initiation of a Rezoning – Petition Process Including Threshold Percentage Participation**

Commissioner Hutchinson asked that Genia Ellis, President of the Council of Fort Lauderdale Civic Associations, be allowed to address the Commission.

Genia Ellis indicated this has not been formally been brought before the Council. The information is a culmination of a conversation they had with the Planning Department which reflected only on some self-assessment projects that had come forward with a benchmark of 60%.

In response to Mayor Naugle, Greg Brewton, Director of Planning and Zoning, said staff wanted to provide an update to the Commission and that it will be brought back at a future date.

Commissioner Moore believed it should be 70%.

Vice Mayor Rodstrom said that individuals at her pre-agenda meeting suggested 55%.

Mayor Naugle suggested the Council provide a recommendation.

**Action:** A formal recommendation will be forthcoming

**I-F – Green Living Expo – April 26, 2008 – Proposed Budget**

Mayor Naugle indicated he will be speaking at this event.

**Action:** Consensus approval as presented.

**I-G – Request To Support Traffic Lane Reduction on Wilton Drive By the City of Wilton Manors**

Mayor Naugle understood that Wilton Manors wants to narrow this Wilton Drive to two lanes. Because Dixie Highway, and 3<sup>rd</sup> and 4<sup>th</sup> Avenues are all four or five lanes, it will

cause a bottleneck. When an accident occurs on Federal Highway or Interstate 95, these north/south roads are needed. The State recognizes the significance of this request and does not want anything to do with it. Before considering it, there should be a major public hearing and all residents be given an opportunity to speak.

Both Commissioners Hutchinson and Teel agreed with respect to the bottlenecking.

Mayor Naugle asked if this would be presented to the Metropolitan Planning Organization. Commissioner Teel did not think so because it would then be under the purview of Broward County. Commissioner Moore concurred, but did not want to interfere when what another municipality wants to do based on home rule.

The City Manager noted Fort Lauderdale was never officially asked for their approval.

Mayor Naugle reiterated his request that before the City makes a policy decision on this, a public hearing would be held.

Commissioner Hutchinson asked why this issue was placed on today's agenda if there has not been a request by the City of Wilton Manors. Mayor Naugle indicated that Wilton Manors feels the businesses along there would benefit from having two lanes.

Albert Carbon, Public Works Director, said that Wilton Manors commissioned a study for this lane reduction from four to three lanes and forwarded it to Florida Department of Transportation (FDOT). FDOT's response was that they do not recommend it, and if Broward County agrees to assume jurisdiction of the road, it would become a Broward County matter. Mayor Naugle asked that staff to bring this forward before any action to convert the roadway to Broward County. It would make it clear that the City would look closely at any lane reductions in this area.

The City Manager added in the FDOT letter, they request coordination between the City and the other entities.

Commissioner Teel asked what is the down side to having the road under Broward County versus the State. Mayor Naugle said that one disadvantage would be funding because improvements are now funded by the State.

Commissioner Hutchinson asked if the jurisdiction transfer would be the entire roadway or only the section in Wilton Manors. Mr. Carbon thought that issue would have to be addressed with the County. There are roads that transfer from county, to city and then to county depending on level of service.

Mayor Naugle asked the City communicate to the State and County, asking them not to take any action unless a public hearing is held and there can be public input from all the cities involved.

**Action:** There was consensus approval for the City Manager to forward a letter to the State and County expressing the City's request that before any narrowing takes place, public hearings be held for Broward County residents.

**I-H – Broward League of Cities – Appointment of Director, Alternate and Second Alternate**

Commissioner Hutchinson said that she is now the director and Commissioner Teel is the alternate. Commissioner Moore is the past president, and therefore is automatically included.

Mayor Naugle suggested that Vice Mayor Rodstrom could be the second alternate.

**Action:** Consensus approval for: Director, Cindi Hutchinson, Alternate, Christine Teel; Second Alternate, Charlotte E. Rodstrom.

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

No discussion.

### **II-A – February 2008 Monthly Financial Report**

No discussion.

### **II-B – Large User Wastewater Agreement – Contractual Compliance Report – Fiscal Year Ended September 30, 2007**

No discussion.

### **II-C – Comprehensive Annual Financial Report – Fiscal Year Ended September 30, 2007**

Commissioner Moore referred to total expenditures increasing \$10 million in 2007 and of that \$3.2 million was for salaries and wages, specifically eighteen positions. He asked where those positions placed. Allyson Love, Director of Office of Management & Budget, believed those positions were associated with lifeguards and the annexation. Mayor Naugle noted detail on the position is reflected on page 117.

In response to Commissioner Moore, Ray Mannion, Acting Director of Finance, did not anticipate any increase in the Insurance Fund this year. In further response, Mr. Mannion indicated that due to claims, the individual department contribution was increased and that contribution will be evaluated for the upcoming year as part of the budget process.

Commissioner Moore indicated he wanted to know how the City will deal with the positives of last year. There was a 19% increase in property values and a tremendous increase in savings. He wanted to know how the City plans to lessen the impact on the taxpayers. Commissioner Moore noted that expenditures were \$12 million below the 2007 forecast. Ms. Love indicated that reduction is primarily due to property tax reform. Mr. Mannion said the budget was under-run mostly due to vacancies.

Mayor Naugle noted that the 2006 budget was inflated from Hurricane Wilma.

Commissioner Moore noted that services and materials decreased almost \$4 million. He wanted to continue to do whatever can be attributed to such a decrease. Also the City should consider the reduced department contribution to the casualty insurance fund.

The reserves for health and casualty should be very thick now because of what was done the previous year and having no hurricane.

Ms. Love explained the budget is based on projected needs, but due to vacancies and situations changing, the money may not be needed in one year. However it could be needed in another year.

Commissioner Moore encouraged zero-based budgeting. If vacancies have not been filled or needed, they should be cut. Projections should not be inflated.

Vice Mayor Rodstrom explained this is why she wanted a budget workshop. In response to Vice Mayor Rodstrom, Mr. Mannion indicated salary savings were \$6.3 million and money in the operating. Ms. Love indicated that salary savings roll over. Vice Mayor Rodstrom wanted to know how salary savings could be used. She asked if staff believes revenues from property values will be 19% (taxable assessed values) again this year. The City Manager replied no.

**Action:** See minutes for detail on comments by Vice Mayor Rodstrom and Commissioner Moore.

### **III-B – Board and Committee Vacancies**

#### Audit Advisory Board

**Action:** No Formal Action Taken.

#### Board of Adjustment

Commissioner Hutchinson indicated there were quorum problems at the last board meeting. There are two openings from term limits. Two alternates could be moved into full positions. There is still three alternate positions open. Michael Madfis is interested. Commissioner Teel indicated that Karl Shallenberger may be interested. Mayor Naugle asked they be invited to the May 6 meeting for an interview. Commissioners may invite someone for an interview at that time.

**Action:** Applicants recommended by members of the Commission will be invited for interviews on May 6, 2008.

#### Cemeteries Board of Trustees

**Action:** No Formal Action Taken.

#### Code Enforcement Board

Commissioner Hutchinson recommended Charles A. Love to the Code Enforcement Board as an alternate.

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

#### Community Appearance Board

**Action:** No Formal Action Taken.

Community Services Board

Commissioner Teel recommended Maureen J. Persi to the Community Services Board.

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

Economic Development Board

Mayor Naugle recommended Patricia DuMont to the Economic Development Board.

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

Education Advisory Board

Commissioner Hutchinson recommended reinstatement of Gilbert M. Borrero to the Education Advisory Board.

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

Historic Preservation Board

Commissioner Hutchinson recommended reappointment of Nolan Hann and Daryl Jolly to the Historic Preservation Board.

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

Board of Commissioners, City of Fort Lauderdale Housing Authority

**Action:** No Formal Action Taken.

Insurance Advisory Board

**Action:** No Formal Action Taken.

Marine Advisory Board

**Action:** No Formal Action Taken.

Northwest Progresso-Flagler Heights Redevelopment Advisory Board

Commissioner Hutchinson recommended reappointment of Jerry Heniser to the Northwest Progresso-Flagler Heights Redevelopment Advisory Board.

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

Nuisance Abatement Board

It was recommended that Linda Dawkins be an alternate on the Nuisance Abatement Board.



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

Planning and Zoning Board

Commissioner Hutchinson recommended reappointment of Tom Welch to the Planning and Zoning Board, and appointment of Fred Stresau to the Planning and Zoning Board.

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

Utility Advisory Committee

**Action:** No Formal Action Taken.

**IV – City Commission Reports**

Regulating trailers, boats and mobile homes by creation of zoning district, The Landings

Commissioner Teel said The Landings, which is zoned RS-8, want a RS-8B zoning put into effect to regulate parking of trailers, boats and mobile homes. This would be similar to RS-8A or RS-4.4. There is a verbal consensus of the neighborhood. She referred to previous Commission discussion and indicated that The Landings want to know when this could be done. The City Attorney indicated that staff had not been certain whether there was Commission direction on this.

In response to Mayor Naugle, Commissioner Teel explained there is a large motor home parked on Bayview Drive and 55 Street. There will be some cases grandfathered in and they do not have a problem with that. In response to Commissioner Hutchinson, Commissioner Teel explained that people want the motor home moved to the side yard but there is not enough space.

Mayor Naugle felt it is a bad idea to do it for one neighborhood and not for the rest. The City Attorney indicated the zoning category is first created and then the Commission would decide whether to apply it to a neighborhood. Greg Brewton, Director of Planning and Zoning, indicated it would be similar to what was just done with proposed R-0-A-W, it would be RS-8B. Commissioner Teel indicated it would be the same parameters as RS-4.4.

Mayor Naugle noted if an apparatus is to be screened and the side yard is five feet, it would not fit. Commissioner Teel indicated it depends on the width of the apparatus. The intent is to limit parking such apparatus in the front yard. Mayor Naugle questioned the logic. The City Manager said that a proposal would be brought before the Commission at a conference meeting.

**Action:** At Commissioner Teel's request, there was consensus to consider at a conference meeting regulating parking of trailers, boats and mobile homes in The Landings by creation of a zoning district.

Mounted Police

Vice Mayor Rodstrom complimented the mounted police and the attention they received recently from high school students getting out of school. She asked how is horse waste cleaned up. The City Manager indicated he will provide an answer.

### Essential Services

Vice Mayor Rodstrom asked if it would be possible for the City Manager to create a list of what he would consider essential services. The City Manager outlined the City's process to identify essential services. There will be a lot of challenges this year. Last year staff committed state cuts would be addressed without impacting service and it was done. They will try to do the same this year. Mayor Naugle noted that the legislature is still in session. The City Manager indicated that at this point the Property Appraiser has provided the City with guidelines.

The City Auditor noted there is a bill in the legislature now that would limit the fund balance to 10%. In response to Vice Mayor Rodstrom, the City Auditor noted the City's fund balance is at about 25%. The City Manager felt it is important not to chase shadows because there have been many proposals. The sooner the legislature finishes its business, the better the City will be.

### 7<sup>th</sup> Avenue and Sistrunk Boulevard development (Northwest Commercial Redevelopment – Milton Jones)

Commissioner Moore understood there will be a public hearing on this matter, but he did not know when it has been set. He wanted to be aware of this before it occurs so the public may comment. He wanted advance notice; more than five days. The City Manager offered to provide an update.

### 7<sup>th</sup> Avenue; house in disrepair

Commissioner Hutchinson referred to a house on stilts on 7<sup>th</sup> Avenue. The house and four lots will be placed on the auction block tomorrow. Liens and fines are still running on it. She hoped the new owner would address the state of disrepair.

### Bill concerning public comments; legislative session

Commissioner Hutchinson was concerned about some of the bills in the legislature now. One is about allowing the public to speak for thirty minutes if there is no policy in place. She emphasized home rule.

### Las Olas Marina; expansion

Commissioner Hutchinson indicated that she has had discussion with members of the Marine Advisory Board regarding the ability to enlarge the Las Olas Marina. She asked if the Commission could discuss this before the August break. She was interested in staff's input.

### Bill concerning public comments; legislative session

Commissioner Moore suggested the Legislature adopt the same rule concerning public comment for the legislative session and committee meetings. Perhaps, the City should make this recommendation to the League of Cities to bring forward.

**V – City Manager Report**

There being no further business to come before the Commission, the meeting adjourned at approximately 4:25 p. m.