

FORT LAUDERDALE CITY COMMISSION CONFERENCE MEETING
MAY 20, 2008

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CITY COMMISSION CONFERENCE MEETING 1:30 P.M. MAY 20, 2008

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

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

I-A – Two-Day Music Event On The Beach – Florida Beach Festival – Live Nation

Phil Thornburg, Parks and Recreation Director, indicated that Live Nation approached the City about holding a music festival. Staff would like the Commission's feedback before proceeding with any planning.

Mike Luba, representing Live Nation, indicated the event is about a year out. Live Nation is flexible on dates. They are interested in receiving feedback from the Commission. He displayed and reviewed a slide presentation. A copy of the slides is attached to these minutes.

A.J. Wasson, also representing Live Nation, provided additional information on Live Nation's business from their Fort Lauderdale office. Mr. Luba indicated the intent of the proposed event is to put Fort Lauderdale and the beach on the global map as a world-class destination. The festival's main focus would be Saturday and Sunday on the beach. On Friday evening artists (slated for the festival) would play in local restaurants, bars, hotels, and clubs; i.e. Parker Playhouse to Revolution. They are also proposing a street party in the business section. The goal is for the event to be almost totally free wherever possible through sponsorships and VIP funding. They estimate the ticket cost around \$40 to \$50 for Saturday and Sunday combined. A main stage would be constructed by the Yankee Clipper Hotel and four segments to the north with free to the general public to the back.

Mr. Wesson indicated Live Nation did a similar festival in Rio. Mr. Luba added the festival in Rio was completely free for upward of two million. The mayor of Rio is willing to vouch for its success.

Mr. Luba said the goal is to have the event cross from the beach into the water, into the businesses along both sides of A-1-A. Mr. Wesson indicated a day portion of the event (noon to 3 p.m.) is anticipated at the parking garage at A-1-A and Las Olas, creating a family friendly atmosphere, including activities like skateboarding and sand sculptures.

Mr. Luba noted that the intention is for the event not to cost the City anything. Mr. Wesson added they plan to broadcast through a live feed and make a DVD of the event that would be presented as live from Fort Lauderdale beach. The goal is to appeal internationally placing Fort Lauderdale as a global destination. They believe there is a real upside for the residents economically. They intend to integrate with local charities and be sensitive to the environment with respect to holding a concert on the beach.

Due to the massive amount of funding and time investment, Mr. Luba explained that Live Nation would like to establish a multi-year relationship with the City, that is, protection that there will not be a similar event staged within the anticipated timeframe. Also, they need assurance from the City in order to begin dialogue with sponsors and bands. The bands plan one to two years in advance.

Bruce Roberts, Police Chief, introduced Major Tom Harrington.

Major Tom Harrington said that based on preliminary information supplied by Live Nation, the Police Department has developed preliminary plans including three categories: traffic direction and transportation, site security, and logistics and special units. Like the Air and Sea Show, they envision remote parking and a shuttle service to move people to and from the beach. Restricted access and residential passes would be provided by Live Nation and would affect certain neighborhoods. For instance, a checkpoint would be set up at Eisenhower and 17th Street and the local neighborhood would be given passes to get to and from their residences. Everything south of Bayshore Drive would also need passes. This would include area hotels.

Major Harrington said the Police Department would assist Live Nation with bus drop-offs and the street mall they would like to hold. The northbound lanes of A-1-A and Seabreeze would be fenced off into a pedestrian walkway, and the southbound lanes would be coned to allow both northbound and southbound traffic. Live Nation anticipates their build-out to begin the Monday prior to the concert starting. This could create some traffic issues with unloading of equipment. They are looking for staging locations to minimize the impact. Some traffic redirection may be necessary.

Major Harrington indicated in their discussions with Live Nation, Memorial Day weekend of 2009 is being considered. This would pose challenges to the Police Department. The City of Miami Beach has a large music festival every Memorial Day and under mutual aid Fort Lauderdale provides assets to Miami Beach. Fort Lauderdale Police Department would not be able to assist Miami Beach, and Fort Lauderdale would be competing with Miami Beach for law enforcement resources.

Major Harrington noted the City's costs associated with the event would be covered by Live Nation. Event hours would cause several overlapping shifts to occur. Attendees would arrive during the day and not leave until 11 p.m. Staff expects it could take 2-3 hours to get everyone safely onto the buses and back to the remote parking areas. Additionally, there is directing traffic for egress of people after dark. The Police Department will continue to work closely with Live Nation and provide information as to cost for reimbursement purposes.

Commissioner Teel asked about the Sunrise Boulevard bridge. Major Harrington replied it would remain open. Only traffic south of Bayshore Drive will be restricted. If a gridlock begins to occur, they will be directed to u-turn and proceed west or north on A-1-A. Commissioner Teel remarked about the potential dangerous situation in directing traffic after dark. Major Harrington noted when people are leaving, a great deal of is done remotely with operating the traffic signals manually. In response to Commissioner Hutchinson, Major Harrington indicated the buses will be on A-1-A. Commissioner Teel noted there will be some people walking across the bridge. In response to Vice Mayor Rodstrom, Major Harrington said that staff is looking at Las Olas Circle as a possible site for bus drop-off. Access over the bridge around Riviera Isle will be restricted to

those with passes. Signs will also be placed along Las Olas Boulevard along with a community announcement campaign.

Vice Mayor Rodstrom asked about managing the boats in the area. Major Harrington indicated that would be determined as the date nears. The Police Department and Sheriff's Office both have boats. Mayor Naugle asked about the reefs. Major Harrington indicated it would be handled similar to the Air and Sea Show where boats anchor and watch the show. They plan to partner with other agencies.

Vice Mayor Rodstrom asked about police coverage in other parts of the city during the festival. Major Harrington said the Police Department is looking to partner under mutual aid with other agencies as was done with the Air and Sea Show. Those partnering with the City will work the festival. The City will have the same district integrity in terms of police protection.

In response to Commissioner Teel, Police Chief Roberts said police coverage of the festival would be mandated because there are insufficient resources to use the volunteer option. It is similar to the Air and Sea Show only a longer period of time. Mr. Luba noted that Live Nation will bring in a large number of private security officers.

In response to Mayor Naugle, Mr. Thornburg indicated the festival idea came from the Beach Business Improvement District. Mayor Naugle wanted to hear from the District.

Amaury Piedra, General Manager, Sheraton Yankee Clipper & Trader, and Chair of the Beach Business Improvement District (BID). Most of the BID assessment has been used to augment City services, assisting in keeping the beach clean. They also want to show some value to merchants that are being assessed. Major destinations hold major events. They want a signature event and not simply a one-time event, something that would create sustainable tourism, something classy and well done which would promote the destination locally, nationally and internationally. They heard presentations from three entities. Live Nation stood out. The BID and hoteliers on the beach support this event.

Commissioner Teel asked if the BID consulted any of the condominium associations on the beach. Mr. Piedra replied no. Mayor Naugle felt that would be the next step.

In response to Commissioner Teel, Mr. Thornburg clarified that a commitment is not needed today, but they need to know if the Commission wants staff to move forward with the idea. Live Nation will probably need to know by sometime in September for certain.

Commissioner Teel did not want the taxpayers bearing costs for such an event. Mr. Thornburg indicated that is why additional time is needed. Available talent will depend on the weekend selected. Staff wants to be assured they have direction to continue these discussions. A solid commitment will probably be needed in the next two months.

Vice Mayor Rodstrom felt both the tourist industry and residents of the barrier island have equal weight at the table therefore, she was uncomfortable authorizing staff to proceed without the other group present.

With respect to modifications to the South Beach parking lot, Vice Mayor Rodstrom asked how that would be coordinated with this event. John Hoelzle, Director of Parking and Fleet Services, indicated they are working with the Beach CRA; a plan has been

developed. Don Morris, Beach Community Redevelopment Agency Director, advised that staff is in the process of securing permits. The contract would then have to be put out for bid. Vice Mayor Rodstrom wanted to make sure the work is coordinated with events in the area. Perhaps the construction should be done after the event.

In response to Vice Mayor Rodstrom, Mr. Wasson indicated Live Nation is looking for a three-year commitment.

Commissioner Moore felt the proposal is a good idea. He wanted to make sure that Live Nation recognizes care has to be taken with respect to the turtles. Mr. Wasson said it has been addressed. Mr. Luba indicated Live Nation is well aware & sensitive to the issue. Mr. Wasson indicated that several dates are being examined, some of which would not fall during the turtle nesting season.

Commissioner Moore wanted the not-for-profits process to be open and broad. Mr. Wasson indicated they would look to the City for that direction. Mayor Naugle pointed out that the City has a nonprofit dedicated to the parks. Mr. Luba indicated Live Nation does not intend to receive anything and that is why it was left open to the City.

Vice Mayor Rodstrom asked about the attendance age group. Mr. Wasson pointed out there are two components: afternoon and evening. In the evening, the range would be from age 20 to 50. Live Nation does not know the talent at this point.

Mr. Piedra indicated the Beach Business Improvement District wants the City and everyone to have a lot of input on the entertainment. The right acts will attract the right type of clientele. Vice Mayor Rodstrom wanted an age group that would have the resources to make a positive impact on the City's economy.

Commissioner Hutchinson felt the residents need to be contacted for their feedback to make sure they are not inconvenienced in reaching their homes. She also did not want the City to be obligated to pay anything.

Mayor Naugle understood the need for exclusivity and a multi-year contract, but if it is not successful the first year, it will not take the second year. He felt a future Commission would not have a problem preventing a future event if the first does not work out.

Commissioner Hutchinson was concerned if Fort Lauderdale chose the same date for the event as Miami Beach because she wanted to be assured of sufficient police resources. Mayor Naugle added that starting with the time around Memorial Day, fifty percent of the time it will rain. There were few rain-outs in the first of May for the Air and Sea Show during the past thirteen years. Mr. Wasson preferred for the event to be at the forefront or after the in-season.

In response to Commissioner Moore, Chief Roberts indicated the City does not have a yearly contract with respect to Miami Beach; it is more or less what help the City can provide, it does so.

Mayor Naugle emphasized the need to get input from the central beach and south beach residents.

Mr. Luba pointed out that Jazz Fest in New Orleans is cherished as much by the locals as it is by the tourists. They will serve the locals first. It cannot be done without the support of the locals.

Action: There was consensus to move forward with seeking the community's reaction; and that the City would have no financial obligation. Please see above dialogue for more detail.

I-B – Calypso Deepwater Port Project

The City Attorney indicated the project director of the Coast Guard has indicated the environmental impact statement is not expected until the first or second week of June. The public hearing would not be held until 2-4 weeks after that second week in June. Therefore the deadline for submittal of comments is late June or early July.

In response to Commissioner Teel, Judy Stern indicated she was informed at the Coast Guard's presentation will be made at Plaza South on May 28, 2008 at 6 p.m. Representatives from Calypso will also be present.

Bill Claire, a resident of Galt Ocean Mile, did not want to table the matter as he felt that time is running out.

Commissioner Teel felt the Commission could adopt a resolution today because she did not believe Galt residents will change their minds after hearing the presentation. The Galt Ocean Mile Community Association's letter lists their concerns. She wanted to move forward with the resolution and send it to the governor who has the final word. She felt the points raised by the Galt residents are valid.

Mayor Naugle suggested the resolution be scheduled for the next Commission meeting on June 10, 2008.

Mr. Claire recommended the earlier the better. They are actively recruiting others. It is important for the City to go on record. Many people do not know about it, for example, the Chamber of Commerce. The main threat is one of terrorism. He elaborated upon their concern about the potential for spillage, and when mixed with water, it would create a vaporous cloud that could travel up to thirty miles. It is not just a beach problem. The port can go in only forty feet of water therefore the port could be brought within a mile of shore. One tanker holds 33 million gallons of liquefied natural gas which has an explosive power of over 55 atomic bombs.

Commissioner Teel preferred a walk-on resolution at tonight's meeting.

Vice Mayor Rodstrom wanted more information; pros and cons of the issue.

Vice Mayor Rodstrom asked what the Coast Guard would be bringing to the table. Mr. Claire said that he has not spoken with the Coast Guard. He commented that this project has proceeded in absolute secrecy for some two years. There has been no organized opposition because it has traveled under the radar. Vice Mayor Rodstrom believed this is about facilitating more energy for South Florida. She questioned where are people going to get needed energy. Mr. Claire indicated this is a foreign corporation.

The facilities is three miles offshore because they do not have to conform to any City or State rules. The facility would be the first in the United States.

Chris Chiari, District I resident, said the original permitting of this dates back to the fall and winter of 2006. Suez Energy is looking to do permitting in dozens of locations across the country in hopes of securing a limited number of facilities. It is finding a point of least political resistance. The Galt has 12,000 residents with 3,200 registered voters. They have become engaged by this issue. The project went before a citizen advisory committee in Broward County about one year ago. When he raised concerns, the answers were similar to what Mr. Claire has indicated as to a cloud that could extend three miles. There are a lot of questions that have gone unanswered. The project has moved ahead with very little public input. Other communities less than a mile from the beach were totally unaware. He urged the Commission to act today to begin a process of bringing transparency to the issue.

Fred Nesbitt, resident of Galt Ocean Mile, said he was at a presentation where Calypso was discussed by the Coast Guard. When asked about security, the answer was that there would be one boat monitor the area and if there were problems the Coast Guard would be contacted. He read a portion of the General Accountability Office report to Congress in December, 2007: "The Coast Guard, the lead federal agency for maritime security, has insufficient resources to meet its own self-imposed security standards on a project like this." If it comes inshore, the responsibility will fall onto Fort Lauderdale and then Broward County. Firefighters will say they cannot do anything about a vapor cloud. He could not get a satisfactory answer as to the benefit and felt citizens will bear the responsibility and cost but no direct benefits.

Mayor Naugle felt that is a good reason to put off the City's position until the June 10, 2008 meeting. The matter may get approved regardless of whether the City takes a position on it. Perhaps the answer is that there should be a benefit that accrues to the City. He was opposed to the location that is highly populated.

Commissioner Teel felt it is important to get the word out to the general public. By adopting a resolution tonight, it will be reported in the news media and prepare people for the June meeting. The resolution should focus on the location being inappropriate, not the technical parts of it. She wanted to walk it on tonight. Commissioner Hutchinson agreed.

Commissioner Moore asked what role Ms. Stern has in this. Ms. Stern said that she has been involved with this project for close to ten years. There have been multiple public hearings. Some of today's comments are not quite accurate. She wanted it deferred until June 10 when the Coast Guard could address some of the issues. The May 28 meeting is open to the public. This is a regulated issue done by the federal government and state. She represents them.

Commissioner Moore asked why the Mayor wants to defer it. Mayor Naugle noted that the City Attorney has just indicated there will be a public hearing in late June or July. As such the Commission would have the benefit of the Coast Guard meeting on the Galt before having to take a position for the public hearing. He may attend the Coast Guard meeting because he has not heard what the Coast Guard has to say. If it was printed on the agenda and noticed, more people would be informed. It would give the media more time to get the word out.

Commissioner Hutchinson did not object to considering the resolution at tonight's meeting. She would like to see the environmental impact statement. The City Attorney indicated when the project director was asked to confirm if it would be available for June 10, she said early June.

Vice Mayor Rodstrom did not want to restrict anything for the City's future. She was concerned about saying complete denial. The City Attorney assured that such language would not be used.

Commissioner Moore asked about language that would be in the resolution. The City Attorney indicated the resolution would take a position negative to the project. He offered to provide a draft before the evening meeting.

Action: At Commissioner Teel's request, there was consensus to consider a walk-on resolution in opposition to the project at the regular meeting. Mayor Naugle preferred to wait and schedule it for June 10, 2008 on the agenda for better public notice.

Note: The Commission recessed and convened as the Board of Directors of the Community Redevelopment Agency from 2:39 p.m. to 3:13 p.m.

I-C – Foreclosed Properties Action Plan – Ensuring Properties Are Safe, Secure, and Maintained

Commissioner Moore was proud that the City is doing this. He believed this is something that will be a county and state leader.

Action: No objection.

I-D – Proposed Alarm Response Fee Settlements

Commissioner Moore asked about the process. Police Captain Gregory Salters explained upon receipt of the bill, people may inform the City of any concerns. If a concern is expressed, staff reviews the alarm history. If there were false alarms, they would stand with the billing. If there was criminal activity, the individual would not be billed because it would not be a false alarm. The information is then processed through administrative channels to the Commission. He noted one example where some consideration was given to the individual due to the Police Department's billing being delayed.

Commissioner Moore noted bills from 1986 to 2005 and commented that the business likely no longer exists. The notice should not be two years delayed. Captain Salters referred to the mitigation process previously approved and indicated notices are now going out within thirty days. Cases with delayed billing in the recommendation were considered for settlement because of the delay.

Action: Consensus approval as presented.

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

Vice Mayor Rodstrom asked if repeat offenders are given a break repeatedly. Valerie Bohlander, Director of Building Services, explained the Commission does not receive the cases where no reductions are made. The Commission only receives those that are negotiated. Vice Mayor Rodstrom questioned whether there are any repeats from the cases provided to the Commission. Ms. Bohlander indicated that typically fines are not lowered for repeat offenders. The severity of the offense is always taken into account.

Action: Consensus approval as presented.

EXECUTIVE CLOSED DOOR SESSION WAS CANCELLED

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

II-A – Fleet Plan – Fiscal Year 2008 – 2009

Vice Mayor Rodstrom asked when the plan will be presented for Commission consideration. John Hoelzle, Director of Parking and Fleet Services, explained as staff is ready to purchase a vehicle, it is presented to the Commission. This item is what staff has proposed for 2008-2009. Mayor Naugle clarified it is contained in the budget proposal.

Action: The Director of Parking and Fleet Services responded to Vice Mayor Rodstrom's questions.

III-B – Board and Committee Vacancies

Audit Advisory Board

Action: No Formal Action Taken.

Aviation Advisory Board

Commissioner Teel recommended reappointing Lloyd J. Evanson and Joseph Scerbo to the Aviation Advisory Board.

Commissioner Moore recommended reappointing Richard McDonald and Sharon Woods to the Aviation Advisory Board.

Action: Formal Action To Be Taken At Regular Meeting.

Beach Business Improvement District Advisory Committee

Action: No Formal Action Taken.

Beach Redevelopment Board

Action: No Formal Action Taken.

Cemeteries Board of Trustees

Commissioner Moore recommended Gerald Armbrister be appointed to the Cemeteries Board of Trustees.

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

Centennial Celebration Committee

Commissioner Teel recommended Charlie Palmer, Pat Hale, and Claire Crawford be appointed to the Centennial Celebration Committee.

Commissioner Hutchinson recommended Susan McClellon be appointed to the Centennial Celebration Committee.

Commissioner Moore recommended Leroy Tunnage, Beauregard Cummings, and Mary Rizor be appointed to the Centennial Celebration Committee.

Mayor Naugle recommended E. Clay Shaw be appointed the Chair of the Centennial Celebration Board, and recommended that Pat Dumont and Kristina Hebert be appointed to the Centennial Celebration Committee.

Action: Formal Action To Be Taken At Regular Meeting.

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

Action: No Formal Action Taken.

Historic Preservation Board

Commissioner Moore recommended Beauregard Cummings 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

Action: No Formal Action Taken.

Nuisance Abatement Board

Action: No Formal Action Taken.

Planning and Zoning Board

Action: No Formal Action Taken.

Utility Advisory Committee

Action: No Formal Action Taken.

IV – City Commission Reports

13th Street business group

Vice Mayor Rodstrom said the 13th Street business group has requested the City Manager's input. She asked the City Manager to work with them.

Ratification of contract; Fraternal Order of Police

In response to Vice Mayor Rodstrom, Assistant City Manager Hebert noted the police should be finished voting by May 22. Vice Mayor Rodstrom asked about holding a special meeting to consider their contract instead of waiting until June 10. Mayor Naugle said he would be glad to call a special meeting once they know the vote outcome. A meeting could be called within forty-eight hours of the ratification, subject to availability.

Commissioner Moore believed there should be a Commission meeting on June 3 at which time the Commission could vote on both contracts. He would not be available for a special meeting.

In response to Commissioner Teel, the City Attorney advised that a commissioner available for a meeting by telephone cannot make up a quorum; they may attend by telephone but they cannot vote.

Commissioner Moore believed the Commission meetings should be held on the first and third Tuesdays. Secondly, the police union delayed their vote because they were going somewhere. Mayor Naugle pointed out a police memorial was scheduled.

Vice Mayor Rodstrom explained she just wants to get a vote done as soon as possible.

Action: Vice Mayor Rodstrom requested a special meeting be scheduled as soon as possible after the contract is ratified.

Public Works projects and barricades

Commissioner Teel raised the issue of vacant lots being used for Public Works projects.

Albert Carbon, Public Works Director, indicated that two small WaterWorks 2011 crews have been working in the Bayview area. The City received written authorization from the property owner of a vacant lot on Middle River Drive to use it for a short period of time. Some of the City's dump trucks had mechanical problems which caused delay of construction material disposal. The City has caught up and cleaned the site. They should be off the property within a few weeks.

Commissioner Teel emphasized that the City should not break its own rules. There should be policy on the subject and it should be followed.

Mayor Naugle felt the City Manager should prepare best management practices and it could be made part of the City's contracts. Commissioner Moore agreed and mentioned another example.

Commissioner Teel asked about barricades left at a site after it is completed. Mr. Carbon advised that if the barricades belong to a contractor, the barricade cost is included in the project. Sometimes people move them. Residents should report barricades left at a site to 828-8000.

Vice Mayor Rodstrom felt the contract should notate when materials have to be removed once the project was completed. Mr. Carbon said that sometimes the barricades get moved away from the site.

Commissioner Hutchinson referred to WaterWorks work being done on State Road 84 and that the Department of Transportation is parking everywhere and has ruined the new curbing and drainage on 9 Avenue and State Road 84. The district commissioner should be informed when a single family home lot will be used as a staging area. It should be screened.

Mayor Naugle agreed that any such areas should be maintained in an orderly fashion with dumpsters.

Action: In response to Commissioner Teel, Mayor Naugle suggested and there was no objection to the City Manager preparing best management practices with respect to use of vacant lots as staging areas which could be made part of the City's contracts. Commissioner Hutchinson wanted the district commissioner to be informed when a single family home lot will be used as a staging area and that it be screened.

Removal of outdated utility poles

Mayor Naugle referred to utility poles that have been replaced. The tops of the original poles are chopped off. Florida Power and Light claims they contact the other utilities to ask that their connections be relocated, but there does not seem to be any tracking of it. He wanted authorization to meet with the utility companies to get a deadline established.

Commissioner Moore felt it should be done at a Commission meeting.

Mayor Naugle thought perhaps a City website could be established and the poles be tracked to see if they are removed in thirty days.

Action: At Mayor Naugle's request, there was consensus to invite the utility companies to a future conference meeting concerning utility poles that have been replaced, but the original poles were never removed.

Citizen Volunteer Corps; street closures; Lake Ridge

Vice Mayor Rodstrom announced that CVC will be cleaning up street closures in Lake Ridge on June 14. South Middle River Terrace has also begun to work on their street closures as well.

V – City Manager Report

The City Manager said there was an excellent meeting with Broward County Commissioner Gunzburger regarding the homeless. Another meeting is being planned.

Commissioner Moore asked if they are discussing another site in Fort Lauderdale. The City Manager responded that the County's position is that there are more sites in other parts of the county. It was also noted that there are places in the county that have no facilities.

In response to Commissioner Moore, the City Manager offered to raise at the next meeting landscaping around the current facility.

Action: The City Manager reported progress in their meetings with Broward County. Commissioner Moore asked the City Manager to raise the issue of landscaping at the homeless center.

There being no further business to come before the Commission, the meeting was adjourned at approximately 3:38 p. m.