

**FORT LAUDERDALE CITY COMMISSION CONFERENCE MEETING
JUNE 17, 2008**

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CITY COMMISSION CONFERENCE MEETING 1:30 P.M. JUNE 17, 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. Rod McGowan

I-A – Voting Equipment

Dr. Brenda Snipes presented and reviewed slides concerning latest election statistics, 2008 election dates and early voting, election day check-in new voting process, workers needed for elections. A copy of the slides is attached to these minutes.

In response to Commissioner Moore, Dr. Snipes explained how the new paper ballot voting process is planned to function and noted people in line will have the option of completing the ballot while waiting in line and then submitting it when they reach the front of the line. She explained steps being taken to acquaint voters with the new equipment.

Action: Presentation made by Broward County Supervisor of Elections.

I-B – Goals and Objectives – Upcoming Fiscal Year 2008-2009

The City Manager presented and reviewed slides on this topic. As part of cost saving initiatives, roughly sixty vacant positions were frozen in the past year. A copy of the slides is attached to these minutes.

Commissioner Hutchinson asked when the ordinances pertaining to board-ups, noise and citations for code violations could be expected to come before the Commission. Valerie Bohlander, Director of Building Services, said first reading of the code citation ordinance would be the first meeting in July; and lot clearing and board-ups should be September. Cate McCaffrey, Director of Business Enterprises, indicated that the noise ordinance would be presented in July.

Mayor Naugle asked about the expected shortfall for next year. The City Manager hoped to have solid numbers in the next couple of weeks.

Action: Presentation made by the City Manager.

I-C – Florida League of Cities Annual Business Session – August 16, 2008 – Voting Delegate

Action: Mayor Naugle was selected as the City's voting delegate.

I-D – Two-Day Music Event On The Beach – Live Nation

Phil Thornburg, Parks and Recreation Director, noted after the presentation on May 20, 2008, the Commission requested to obtain the community's input. There were some difficulties due to summer recess. They secured support of the Chamber of Commerce, Beach Improvement District, Beach Redevelopment Advisory Board, Parks and Recreation Advisory Board, Central Beach Alliance, Harbor Beach and Harbor Inlet. The Commission requested that community input be sought. Live Nation needs to move forward for talent search. Clear direction is needed today.

Ina Lee, Chair of Beach Redevelopment Advisory Board, said they voted unanimously in favor of this event. She also serves on the Business Improvement District who also support the event. She noted that a lot of people in the community have been contacted. She mentioned her involvement in events on the beach. It will be an economic generator. She expressed support of the event. It will provide an anchor. The City will be promoted both nationally and internationally. She was willing to stake her personal reputation.

Vice Mayor Rodstrom was concerned about the artists that Live Nation has used in other festivals, i.e. Pink Pop festival in the Netherlands. She provided a handout about the Pink Pop festival. Mike Luga, representing Live Nation Artists, explained that they work around the world with all artists. Programming for Pink Pop is on the opposite end of the spectrum from what they perceive for Fort Lauderdale. If they cannot secure the appropriate line-up of artists, the event will not happen. With consensus approval today, they would begin conversations tomorrow and hope to work with the City. In response to Vice Mayor Rodstrom, Mr. Luga indicated that Live Nation could furnish security information on previous events.

Mayor Naugle asked Mr. Luga to name some events with a similar venue as planned in Fort Lauderdale. Mr. Luga noted the Jazz Fest in New Orleans is the goal. Although they did not produce that event, they work with many of the artists. They produced Sun Fest in West Palm Beach. There is a broad range. Another example was the Rolling Stones in Rio.

The City Manager likened Live Nation to the music industry as Publix to groceries. There are items in the store one may not like, but they will search for a number of items the City finds palatable.

Commissioner Teel wanted to require a bond for expenses that may not be covered. In response to Commissioner Teel, the City Attorney explained if use of the beach is obligated for more than one year, it must be done competitively. Commissioner Teel preferred one year in order to see how it works out.

Commissioner Moore spoke highly of Sun Fest and the artists in that program. In response to Commissioner Moore, Marc Stollman of Live Nation indicated this was their first year producing Sun Fest but they have a contract for the future and intend to continue that quality and style.

Commissioner Moore wanted the contract to provide for not-for-profits being facilitated by Live Nation. In further response to Commissioner Moore, Mr. Luga confirmed that general admission would be free or no more than \$50 per ticket.; VIP will be more. Concerning clean-up, Mr. Thornburg explained City staff working with Live Nation will do everything possible to shorten the time for clean-up, but would like the latitude of 24 hours after the second day, although 95% of the trash will be removed after the first night. Commissioner Moore wanted the contract to specify that trash pick-up will be continuous. With respect to canopies, concession stands and so forth, he wanted the 72 hour breakdown time shortened.

In response to Commissioner Moore, Mr. Thornburg explained the intent of the exclusivity language is to ensure there is no more than one "A" artist lineup a year. Mayor Naugle noted it would only have to do with music and not an air and sea show for example.

Commissioner Moore emphasized that he did not want to bring back spring break. He hoped the price point structuring would be similar to Sun Fest.

Commissioner Teel wanted the exclusivity language to be more specific because she felt it would be unreasonable to prohibit a jazz or an opera concert on the beach. The City Attorney said that the exclusivity is limited to one year, otherwise it must be competitive.

Commissioner Teel reiterated her desire for a bond.

In response to Mayor Naugle, the City Attorney explained before the Commission today is a letter of intent with terms and conditions that would be expanded and incorporated into an agreement. The request is to authorize the City Manager to sign the letter of intent which obligates the City to negotiate in good faith and the concert to go forward.

Mayor Naugle wanted a list of events by Live Nation in addition to Sun Fest and Rio to see how they honored commitments and how the events worked out.

Commissioner Teel noted the difficulties with the Air and Sea Show promoter's initial commitment to pay after the event occurred. She wanted assurance which a bond would resolve. Commissioner Moore agreed. Another reason for a bond is that Sun Fest is a city sponsored event which is different that Live Nation's request of this city. He re-emphasized the need to shorten the 72-hour breakdown timeline because this is a public beach. Mayor Naugle thought that 72 hours may not be too much provided it is not for the entire beach. Commissioner Moore wanted them to concentrate on removal of the staging and so forth.

Mr. Luga indicated they have to pay for staff and therefore are motivated to get finished as quickly as possible. He offered to furnish production information on Sun Fest that would indicate the breakdown timeline. Mr. Stollman added that Sun Fest is also an art show.

Vice Mayor Rodstrom asked who is Live Nation's major competitor. Mr. Luga indicated there is no other organization of the same size and scope. In further response to Vice Mayor Rodstrom, Mr. Thornburg suggested that Live Nation provide a reference list and staff could followup. Mayor Naugle wanted some due diligence done by staff.

Vice Mayor Rodstrom wanted to know how the artists would be approved. The City Manager wanted Commission input. Commissioner Moore was uncomfortable in dictating to Live Nation which artists are unacceptable although he supported providing a standard or level. The City Manager agreed a standard would be developed as he did not want to be responsible for selection.

In response to Commissioner Moore, Mr. Luga did not object to a not-for-profit component built into the program. Mayor Naugle wanted to consider People for Parks or something that would benefit Fort Lauderdale. People throughout the county and further use the beach, but the burden of maintaining the beach most often falls onto the City's taxpayers. Commissioner Moore thought there would be other not-for-profits that would be nice to include.

Vice Mayor Rodstrom was not convinced 100% to hold the event, as she believed more due diligence and information could have been provided. Mr. Luga indicated there will be plenty of time after today for both parties to opt out. If they cannot deliver a marquee type of event, they will come back to the Commission. The City Attorney indicated that his office would be drafting the document that will allow for such outs.

Commissioner Hutchinson was concerned about moving people to and from the event. Security is another concern. She also was not in favor of Pink Pop artists.

In response to Mayor Naugle, Mr. Luga indicated that the Rio event was a one-time event last summer.

Vice Mayor Rodstrom wanted to see a list of artists with which Live Nation has had a relationship. She could not consent without that list.

Action: There was consensus to move forward with due diligence, subject to Live Nation providing a bond, provision for not-for-profit and a short list of artists.

I-E – Request of Fort Lauderdale Grande – Complimentary Parking At E Clay Shaw – 17th Street West Side Parking Lot in Connection With School Safety Advocacy Council Event – July 28, 2008 – August 2, 2008

John Hoelzle, Director of Parking and Fleet Services, said this is a private event versus a special event. Mayor Naugle understood the City could grant exclusive use of the lot and the Safety Advocacy Council would reimburse the City for lost revenue.

The City Attorney clarified if there are no outstanding bonds on the parking itself, it is possible to waive fees, but the Commission has not done this historically. Commissioner Moore felt the reimbursement amount should be the meter cost for that day, not an average. Commissioner Hutchinson explained the waiver is only for parking of police cars attending this event.

Action: Exclusive use of the parking lot was granted subject to the city being reimbursed for use of the lot.

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

No discussion.

EXECUTIVE CLOSED DOOR SESSION 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:

Lovetta Patterson – GL 02-076.

MEETING RECONVENED AT 3:38 P.M.

NOTE: The Commission recessed and convened as the Community Redevelopment Agency from 3:39 p.m. to 3:53 p.m.

II-A – Parking Citation Amnesty Program – Final Results and Proposed Amendments To Code of Ordinances, Chapter 26

No discussion.

II-B – Audit Report – Federal and State Grant Expenditures – Fiscal Year 2006-2007

No discussion.

III-B – Board and Committee Vacancies

Affordable Housing Committee

Vice Mayor Rodstrom recommended Rene Lepine and William Isenberg be appointed to the Affordable Housing Committee.

Mayor Naugle recommended Tam English and Jonathan Jordan be appointed to the Affordable Housing Committee.

Commissioner Moore recommended Margie Alexander and Carolyn Dandy be appointed to the Affordable Housing Committee.

Commissioner Teel recommended Greg Stuart and Brad Hubert be appointed to the Affordable Housing Committee.

Action: Formal Action To Be Taken At Regular Meeting.

Historic Preservation Board

Commissioner Teel recommended Bob Prager be appointed to the Historic Preservation Board.

Action: Formal Action To Be Taken At Regular Meeting.

Planning and Zoning Board

Vice Mayor Rodstrom recommended Catherine Maus be reappointed to the Planning and Zoning Board.

Action: Formal Action To Be Taken At Regular Meeting.

IV – City Commission Reports

Beach Master Plan Community Meeting

Vice Mayor Rodstrom attended the last Beach Master Plan meeting. Perhaps some hundred and fifty people voiced opposition to private use of public land.

Action: Vice Mayor Rodstrom commented at the beach master plan community meeting there was opposition to the idea of selling City properties to pay for things.

13th Street Event

Vice Mayor Rodstrom thanked the City Manager and staff for the 13 Street event.

GFOA Conference

In response to Vice Mayor Rodstrom, the City Auditor noted there were some 5,000 finance professionals from around the country attended. The overall response was overwhelmingly positive.

Florida Department of Transportation; Cutbacks in Landscaping Projects

Mayor Naugle referred to a letter he received from the Florida Department of Transportation (DOT) (June 9, 2008) concerning tree removal, A-I-A from NE 18 Street to Oakland Park Boulevard. The City Engineer explained this A-I-A project is due to occur in the next financial year. DOT has indicated that the landscaping work valued at \$35,000 will have to be omitted. Existing landscaping will be left to the extent it does not interfere with their geometric changes, which are extending left turn lanes. They will not make improvements to the medians as usual.

Action: In response to Mayor Naugle, Vice Mayor Rodstrom agreed to look into cutbacks in Florida Department of Transportation landscaping projects announced in the District Four Secretary's letter of June 9, 2008.

Resignation of Commissioner Moore

Commissioner Moore said that he submitted his resignation as commissioner effective November 4, 2008. It was his understanding that there was a Commission consensus that the appointment would be made on November 4 and it was his desire to be sitting here. Members of the district wrote letters asking the Commission to allow that to happen. It is a concern of the community that when that particular wording was used in the charter, the Commission was elected at-large and it was not changed when the City went to districts. A committee was formed, and they are putting together recommendations for the Commission to review as to how the vacancy would be filled. They also want to recommend a pool of names to consider for the vacancy. Therefore, he is raising the issue of the language.

The City Attorney said that this issue is something that the Charter Revision Board is continuing to discuss, but it would not be resolved before the election. Under the Charter, it does say that the remaining members appoint, once there is a vacancy. If there is a vacancy, the remaining members choose a replacement. In the case of a resignation, death or illness, it would only leave the remaining members. If there is a resignation and the Commission chooses to appoint that person prior to that commissioner who resigns, as in this case, prior to the time that the individual leaves, he is part of the remaining commissioners and would have a vote. If they choose to make the appointment after the commissioner leaves, then he/she would not have a vote. Mayor Naugle did not object to the idea of selecting the person before the vacancy exists and letting the commissioner have a vote.

The City Attorney said that the vacancy exists now. As of the second meeting in November, there is a vacancy because Commissioner Moore has resigned irrevocably; he could vote for the replacement.

Mayor Naugle said input would be received and an interview process done. In the past when there was a vacancy, there has been discussion and the Commission looked for a caretaker type of position. This Commission could address this point. Commissioner Moore said the committee is discussing this. He outlined the types of questions being asked. The question at this moment is whether the person should be a candidate or a caretaker. The committee is going to submit a written report prior to the September meeting.

Commissioner Teel asked if the committee is speaking with candidates they feel are appropriate and asking them to apply, or are they trying to convince some individuals to serve. She asked if the representatives from the homeowner associations are working by themselves or reporting back to the general membership. Commissioner Moore said the committee has two representatives from each civic association that reports back to the general membership; they are building consensus through the civic associations.

Mayor Naugle said that the Charter lists specific qualifications for the positions, and he is glad that the group has criteria for a recommendation. Commissioner Moore said they are following the Charter regarding minimum standards and qualifications, but they are also asking that the Commission consider other points during their deliberation. Mayor Naugle felt it is important that the Commission not recognize the group as an official group. Commissioner Moore said the committee understands that they are not an official group.

Commissioner Moore said he has been going to the civic associations and making announcements that the committee is in place, and individuals interested should attend.

Mayor Naugle said he would like things to be in place so someone could be sworn in on November 4th. Commissioner Moore said he would not object to that.

The City Clerk asked if someone wants to apply now could they use the application that exists. Mayor Naugle indicated that would be acceptable.

Action: There was consensus approval to accept applications for Commissioner, District III, on the form provided with the City Clerk's Memorandum 08-129, dated June 13, 2008. A replacement will be sworn in on November 4, 2008.

False Alarm Fees

Commissioner Moore wanted clarification on the fee structure with respect to false alarms. Gregory Salters, Police Captain, explained the structure for residential and non-residential. Revenue for fiscal 2008, \$6,400 for alarm monitoring has been collected; \$830,545.

Commissioner Moore questioned why fines are allowed to escalate where there are code violations yet for false alarms liens are being placed. The City Attorney clarified that both situations are treated the same to the extent that foreclosure proceedings are not commenced until the threshold of \$1,500. Previously, alarm notices were not being mailed timely. This has been resolved and as a result of the delay, fines were lowered or dismissed.

Officer Salters explained changes in the process as a result of recent state legislation. It is now required that two attempts to contact the homeowner be made. He delineated other changes to the process. Alarm companies have been notorious for faulty equipment. As such Mayor Naugle felt the resident should get relief from the alarm company in those cases.

The City Auditor cautioned that a cost analysis should be conducted when fees are changed. Captain Salters believed the individual overseeing this area would have done so.

Commissioner Teel commented that alarm systems need to be inspected and updated from time to time. There is associated maintenance. .

Commissioner Moore wanted this placed on a future conference to assure that the Auditor's point about cost analysis was done and to consider allowing the first two false alarms to be at no charge. In response to Mayor Naugle's desire for it to be a conference report, Commissioner Moore did not object.

In response to Commissioner Moore, Captain Salters noted in 2007 revenue of \$1,345,278 for false alarm responses. Commissioner Moore appreciated the changes to the process with a door hanger and a timely followup letter.

In response to Commissioner Moore, Captain Salters indicated funds collected in this area are deposited in the General Fund.

Action: Commissioner Moore raised questions and concerns about changes to fees and administration of alarm calls. He requested an analysis of the new fees as recommended by the Auditor. The analysis will be provided as a conference report at a future meeting.

National Night Out Against Crime

Commissioner Hutchinson announced National Night Out Against Crime on the first Tuesday in August will be National Night Out Against Crime, The Council of Civic Associations have asked about the City sponsoring an event at Holiday Park. Most of the cost would be inkind.

Mayor Naugle noted there might also be local neighborhood activities that day as well.

Commissioner Moore supported the idea, but wanted to recognize Parks and Recreation Department staff in addition to police and fire employees. He wanted the City Manager to determine the cost.

Commissioner Hutchinson suggested the Council of Civic Associations be asked to poll the neighborhood associations to see which ones want to participate.

The City Manager did not wish to only recognize a select group of employees. Commissioner Teel and Mayor Naugle raised questions about it being an employee appreciation event. It was done in the past but not well attended. Employees would have to attend during off-duty.

Commissioner Moore agreed if there is to be an employee appreciation event, it should be for all employees.

Genia Ellis clarified the idea was appreciation of public safety employees. Historically police and fire equipment are displayed. Commissioner Moore thought it would be more efficient in terms of displaying apparatus for there to be one location.

At Mayor Naugle's request, there was consensus for Commissioner Hutchinson to work with the neighborhood associations and staff and submit the information at the first conference meeting in July.

Action: Commissioner Hutchinson asked the City Manager to follow up in planning and sponsoring an event at Holiday Park for National Night Out Against Crime (first Tuesday in August). There was consensus approval that Commissioner Hutchinson would work with the City Manager.

V – City Manager Report

The City Manager reported that staff spent some time in Washington D.C. dealing with the Federal Aviation Administration and the Baltimore Orioles issue. The City is awaiting their final decision.

There being no further business to come before the Commission, the meeting was adjourned at approximately 4:41 p. m.