

**FORT LAUDERDALE CITY COMMISSION CONFERENCE MEETING**  
**JULY 1, 2008**

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**CITY COMMISSION CONFERENCE MEETING      1:30 P.M.      JULY 1, 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. Frank Sousa

**I – A – City-Wide Parks and Recreation Long-Range Strategic Plan**

Joe Webb of Glatting Jackson Kercher Anglin Lopez Rinehart, Inc. reviewed a slide presentation. A copy of the slides is attached to these minutes. He noted that with respect to facility distribution, there is a void in the southwest and the northeast. The City will need to look for partnerships. The City Parks Department was compared to state and national standards, as well as comparable communities across the state. The acreage per 1,000 population does not include Birch State Park or School Board open spaces. About eight hundred people participated in the needs assessment process. The public opinion survey went out to over 3,000 people with over 630 responses.

In summary, Mr. Webb felt the system is not broke, but there are some things that need to be done. The future of parks and recreation are changing. There needs to be a new long-range strategic plan to re-orient the department.

In response to Commissioner Moore, Mr. Webb indicated there were not assessments that involved questions posed to children. Commissioner Moore felt it is important to talk to children and coaches. With respect to the park system, he felt the emphasis should always be on children. He did not want to accept the item until this is revisited.

Commissioner Moore agreed with the sliding scale pyramid approach with respect to programming and applying that methodology to cost.

In response to Vice Mayor Rodstrom, Mr. Webb said the trends are seen nationally.

Vice Mayor Rodstrom asked about sharing information with the State or County. Mr. Webb did not think believe that has occurred. Vice Mayor Rodstrom wanted to seek intergovernmental cooperation with respect to Birch State Park and Tree Tops Park, for example. Birch State Park is under-utilized.

With respect to addressing the needs of the baby boomers and children, Commissioner Moore felt there should be a parks and recreation website for Broward County, including all municipalities. Vice Mayor Rodstrom agreed. She believed it is the City's responsibility to promote open space and recreation.

Commissioner Moore felt there is a lot of programming throughout the county. Perhaps the League of Cities should put out a recreational website. Vice Mayor Rodstrom

believed enhancement is possible, depending on what strategy the City uses with other governmental entities.

Mr. Webb said that recently they completed a Parks System Master Plan for Miami-Dade County. They formed a charter with other providers of recreational services; South Florida parks and recreation providers.

Vice Mayor Rodstrom requested Commission consensus to pursue the idea of enhancing the City's parks and recreation system, strategizing with other governmental entities. Mayor Naugle indicated the Vice Mayor should simply bring her ideas back to the Commission.

Commissioner Teel noted there is a lack of land in District I. She felt there is plenty of programming available. There is a lack of green space - pocket parks and not necessarily the need for swing sets and activity. These spaces are not easy to find and they are expensive.

Mayor Naugle asked about the lack of data for youth sports and the needs – demographics. Commissioner Teel felt that information is important. She suggested conversing with children in the after school programs instead of a written questionnaire. Mr. Thornburg thought that was a good idea. He indicated that they did speak to coaches.

Elizabeth Hays noted there is no indication of future needs for park space and for the prevention of the loss of park land. Mr. Webb indicated it was addressed but nothing was done as to the potential loss of park land.

The City Manager clarified the City is actually increasing park land. Mayor Naugle agreed and added that enhancements are being made. There are parcels purchased by the City and County and from the 1995-96 bond issue. They need to be developed into passive uses for example.

In response to Vice Mayor Rodstrom, Mr. Thornburg indicated the plan will be presented to the Parks, Recreation and Beaches Advisory Board.

Mayor Naugle noted the cities with which comparisons were made are not the customary ones. He asked why they were selected for comparison. Mr. Webb indicated they looked for similar populations, land use types. There were a variety of reasons. It was not possible to compare with Hollywood because of how statistics are kept. The City Manager offered to make other comparisons if the Commission wishes. Mayor Naugle suggested the top ten populous cities.

**Action:** The plan was presented by Glatting Jackson Kercher Anglin Lopez Rinehart, Inc., City's Consultants. Vice Mayor Rodstrom requested Commission consensus to pursue the idea of enhancing the City's parks and recreation system, strategizing with other governmental entities. Mayor Naugle indicated the Vice Mayor should simply bring her ideas back to the Commission. At Commissioner Moore's request, there was consensus to seek input from children. Mayor Naugle requested additional comparison data for the top ten populous cities.

#### **I-B – Downtown New River Master Plan**

Wayne Jessup, Planning and Zoning, said staff was asked to take a closer look at the New River area in the planning process. He introduced Neil Kittredge of Beyer, Blinder and Belle.

Mr. Kittredge reviewed a slide presentation. A copy of the slides is attached to these minutes. He made the following additional comments during review of the slides. One change is inclusion of the area between SW 2 Street and Broward Boulevard. Overall an important principal is continuous public walkable access along the entire length on both sides ideally with connections back and forth. One challenge is to get the public to feel welcome to walk through active marine sites. A retail market consultant, John Melaniphy, Melaniphy & Associates, was engaged to conduct a study of the retail market. Their conclusion was that within a trade area of a 15 minute drive into a certain suburban area there is a \$5 billion market for consumer spending. The downtown only captured about \$360 million in 2007. On the river, some 450,000 to 600,000 square feet of retail would create a critical mass to become a real destination. Any new development on the river should include ground floor retail spaces, facing the water and it should be the right mix. It could also be cultural or community uses. Even older buildings can be converted. Perhaps a destination restaurant on the south side would draw people to that side. There should not be any parking garages on the water.

In response to Commissioner Hutchinson (Shirt Tail Charlie's), Mr. Kittredge explained the principal is that the Tarpon River neighborhood should have an active maritime waterfront. The original plan showed a canal.

In response to Vice Mayor Rodstrom, Mr. Kittredge confirmed that ferry boats would accommodate bicycles and wheelchairs. Because of traffic, Mayor Naugle felt ferries would be more feasible than bridges.

In response to Vice Mayor Rodstrom, Mr. Jessup indicated that the plan does not identify whether marine use on the river would increase or decrease, but it does identify the importance of marine activity on the river. At this point it makes sense that it would remain in the Tarpon River area, but the look of the marine use would be dependent upon development in the area.

Vice Mayor Rodstrom asked about the plan's encouragement of retail and she wondered if marine use was just as much of a priority. Mayor Naugle said that the City's position has been that the jobs that exist now should be maintained. The question is whether the City would force owners to keep the marine use if they want to develop their property. Mr. Kittredge said if there is redevelopment, the City would want to make sure that retail use is provided.

Vice Mayor Rodstrom asked what the Riverside Hotel is planning on the river with their redevelopment. Mr. Jessup said their new plan is very sympathetic with this plan. On the south side of the river, it is not certain a restaurant is viable in view of Las Olas Boulevard on the other side, they have designed a portion along the river so that it could include restaurant use in the future. Mr. Kittredge said that if things are kick-started in the right way, certain spaces that a restaurant may not have considered previously would become coveted. Anything that the City could do in terms of encouragement would be all the better, for example, a community space, cultural group or an amenity

that has indoor, outdoor activity could occupy those spaces in the short term or a restaurant that is its own destination.

Commissioner Moore wanted kiosks placed along the Riverwalk to give people something to do on the river. He suggested an open vegetable market on Sundays for example. The City needs to be creative with this public space. Retail space on the first floor level of mixed buildings is vacant in many areas of the city. Perhaps Junior Achievement or not-for-profits could use the space and generate dollars while this plan is being developed and developers are coming in.

Mayor Naugle pointed out that there is successful retail in some buildings. Commissioner Moore indicated his comments are directed to the river and the need to stimulate. The City Manager referred to the June 17, 2008 meeting, when they discussed plans for next year, one of which was the public realm plan which would include programming and working with the Riverwalk Trust. It is the next phase of this.

Vice Mayor Rodstrom said if there is vacant retail, it could also be due to the rent being charged. She suggested that emerging artists would be glad to place their easels and art work in empty store fronts. The City Manager offered to contact property owners to see if they would be interested in such an arrangement.

Mayor Naugle referred to the marketing plan that mentioned chain restaurants. He felt that is a mistake. Also, the plan mentioned that the tallest building in the city would be next to the historic district. Mr. Kittredge clarified that statement was written when Boca Development was active. Mayor Naugle did not want it to be part of the City's plan. Mr. Kittredge indicated the planning team also agrees that chain restaurants should not be emphasized.

The City Auditor asked about parking for individuals who want to come to the Riverfront. Mr. Kittredge said that parking has not been a major focus of the plan, but it is important. There needs to be on-street parking. Because many activities being discussed are night and weekend, and therefore could benefit from shared parking. Any large retail development would be planning their own parking. Commissioner Moore noted if 5th was an entrance to the waterway, it is adjacent to the parking garage.

With respect to entryways, Commissioner Moore thought the same entryway treatment as Broward Boulevard should be placed at 7<sup>th</sup> Avenue and 2<sup>nd</sup> Street. Even without a turnaround feature, anything that distinguishes the area would work.

**Action:** A presentation was made by Beyer, Blinder and Belle, City's Consultants. Vice Mayor Rodstrom suggested first floor vacant retail space owners be consulted as to whether they would accommodate displaying artwork from emerging artists until the space is occupied permanently. Commissioner Moore suggested there could also be consideration toward use of such space by Junior Achievement or other not for profits. With respect to the marketing plan, Mayor Naugle was opposed to encouraging chain restaurants or the statement that the tallest building in the city is located next to the historic district. Commissioner Moore thought the same entryway treatment as Broward Boulevard should be placed at 7<sup>th</sup> Avenue and 2<sup>nd</sup> Street.

#### **I-C – Bahia Mar Property – Lease**

Greg Brewton, Director of Planning and Zoning, indicated that Bahia Mar would like to initiate a rezoning process, an application for PUD. The process requires the property owner to allow the lessee to apply. It does not constitute an entitlement of property, uses or investing of rights. Review would be conducted by staff, Planning and Zoning Board and the Commission for ultimate approval.

Mayor Naugle asked the City Attorney's opinion with respect to the City's rights as far as the lease is concerned. The City Attorney advised that Bahia Mar has waived any rights based on the letter they provided. The City requested that waiver in order to move forward. He was satisfied.

Vice Mayor Rodstrom felt they should waive their rights no matter what. She asked about the economic analysis. Mr. Brewton said the RFP is being reviewed by the City Attorney's Office for review. Kirk Buffington, Director of Procurement Services, recommended leaving the RFP out for at least 21 days. The number of responses dictates how long the evaluation process may take. This is clearly a high priority. The scope of services gives the contractor 60 days to provide a report to the Commission. He estimated being able to award the RFP at the first meeting in September and 60 days from that date would be the best case scenario.

Vice Mayor Rodstrom did not want to proceed with review of the application until the economic analysis is complete and the Commission has a briefing on it.

Commissioner Moore did not object to the PUD review process, but the City has not stated what they want to see on this property. The developer is telling the City what he wants to do. He does not object to the developer offering their recommendations, but it is City property and the City needs to say what the City wants on this site. Since this has not been done, he did not object to them saying what they want.

Commissioner Teel agreed it is a question of which happens first. She felt this would stimulate her thought process. The City Attorney has given assurance that the City is not investing rights into the process. She felt this will be more efficient. The timing is different than normal.

Commissioner Moore referred to comments about the need for marinas. The City needs to make sure it looks out for what is best for the public. Someone retained by the City should discuss the dynamics of what the City could derive from this property.

Vice Mayor Rodstrom felt the City is taking the lead financially in protecting this public property. Commissioner Moore disagreed as the economic analysis will indicate if the City is getting a fair market trade for the interest rate the City is now getting on the land lease. He is talking about development of the site. The City does not know what will bring the most money in terms of development use.

Mayor Naugle said the problem is that the property is leased to a business for the next sixty years. The City cannot determine how they are going to invest their money. Commissioner Moore disagreed. They bought a lease or a "particular egg". Now they want a different egg. Even if they made suggestions, the City does not have to let that egg hatch. Mayor Naugle disagreed. In fact they have an obligation to operate it as a first-class facility. Commissioner Moore did not think it means they can tear down a building and redevelop it. Mayor Naugle contended they have such an ability.

Commissioner Moore did not believe they have a right to redevelop the site, although they could rehabilitate and make significant improvements in order to make their lease last sixty years. If it is redeveloped, he questioned if it is to the City's or their desires. Mayor Naugle believed it is to the lessee's desires based on the City's laws and zoning code. Commissioner Moore felt they are requesting a PUD in order to change the zoning code.

Commissioner Moore was encouraged from the last discussion that the boat show will continue. He later found out that they purchased the boat show, so it would naturally continue as it is the major attractor. Since the City did not take the lead on development, therefore they should be allowed to see where they can go.

In response to Mayor Naugle, the City Attorney said staff needs a consensus to allow Bahia Mar to proceed with the PUD. This does not mean that rezoning will take place prior to full negotiations, amendment of the lease and approval of the site plan. This allows them to save a few months while the City is "putting its eggs in a basket".

**Action:** There was consensus approval for City staff to proceed with review of Bahia Mar's application for rezoning to PUD while the City's economic analysis is ongoing. Vice Mayor Rodstrom and Commissioner Moore were opposed.

#### **I-D – Proposed Alarm Response Fee Settlements**

Commissioner Moore disagreed with reducing commercial owners tremendously and doing very little for private homeowners.

**Action:** Consensus approval as presented. Commissioner Moore was opposed.

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

No discussion.

#### **II-B – Audit Report – Community Redevelopment Agency – Northwest Progresso Flagler Heights Area Land Acquisition Policies**

The City Auditor believed the CRA Board should take a more active role in approval of all property purchases. Management concurs with this recommendation. His staff looked to see if there were any policies not being followed, but nothing was found. The report focused on opportunities to improve and control the environment and enhance the strength of existing policies. Management concurs.

In response to Vice Mayor Rodstrom, the City Auditor indicated that the Beach CRA is completed; it will appear on the (July) 15<sup>th</sup> agenda.

**Action:** Vice Mayor Rodstrom wanted to assure the Beach CRA report was forthcoming.

#### **II-A – NW 2 Avenue Water Storage Tank - Rehabilitation**



Mayor Naugle asked about the cost difference between rehabilitating or building a new tank. Albert Carbon, Public Works Director, said the cost is significantly less to rehabilitate the tank. Vice Mayor Rodstrom said that originally the neighborhood wanted the tank relocated. Mr. Carbon said that would be out of the price range. In response to Commissioner Teel, Mr. Carbon provided a historical overview. He indicated a recommendation will be submitted to the Commission to either renovate the tank or install a new elevated tank.

**Action:** Discussion on rehabilitation versus new installation.

### **II-C – May 2008 Monthly Financial Report**

No discussion.

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

#### Audit Advisory Board

**Action:** No Formal Action Taken.

#### Aviation Advisory Board

Vice Mayor Rodstrom recommended reappointment of Albert Calvo and Michael S. Dunbar 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.

#### Cemeteries Board of Trustees

**Action:** No Formal Action Taken.

#### Centennial Celebration Committee

**Action:** No Formal Action Taken.

#### Code Enforcement Board

Vice Mayor Rodstrom recommended William LaMunt as a consensus appointment for the Code Enforcement Board.

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

#### Community Appearance Board

Commissioner Teel recommended Garry Smyth to the Community Appearance Board.

Mayor Naugle recommended Pieter Coetzee to the Community Appearance Board.

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

Community Services Board

**Action:** No Formal Action Taken.

Education Advisory Board

**Action:** No Formal Action Taken.

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

Vice Mayor Rodstrom recommended Jesse Adderley to the Northwest Progresso-Flagler Heights Redevelopment Advisory Board.

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

Nuisance Abatement Board

**Action:** No Formal Action Taken.

Utility Advisory Committee

**Action:** No Formal Action Taken.

**IV – City Commission Reports**

National Night Out Against Crime

Commissioner Hutchinson referred to the memorandum on the cost for a national night out against crime event. She wanted to move forward with it.

Tim Smith, former City Commissioner, indicated that twenty two neighborhoods have signed up to participate to date. He encouraged the Commission to help publicize this.

Commissioner Moore was concerned only two public service departments will be recognized. Parks and Recreation also reduces crime. He wanted those employees to also be recognized.

**Action:** In response to Commissioner Hutchinson, there was no objection to proceeding with a National Night Out Against Crime. Commissioner Moore wanted to also recognize Parks and Recreation employees.

#### Florida Neighborhoods Conference

Commissioner Hutchinson said she attended the Florida Neighborhoods conference in Tallahassee. She offered to share educational materials from the workshops. She commended those involved in the organizing.

#### National Forum For Black Public Administrators

Commissioner Moore noted the board of directors of the National Forum for Black Public Administrators will be presenting him with a national award for leadership on July 10, 2008 in Washington, D.C.

#### Foreclosures; Legal Aid Correspondence

Commissioner Moore referred to a letter from Legal Aid that contains misinformation. It suggests the City is foreclosing on properties due to a code sweep. He noted that citations on the properties were not due to a code sweep, but due to regular code inspections and none of the properties are in foreclosure. Demand letters have been sent. He asked the City Attorney to release correct information to Legal Aid. In response to Commissioner Moore, Valerie Bohlander, Director of Building Services, confirmed the City is not attempting to foreclose on any properties for code violations. The City Attorney confirmed that it is being addressed. He referred to litigation on the subject and that with these allegations, they are trying to reopen that case.

#### Florida League of Cities; Board of Directors Meeting

Commissioner Moore said the Florida League of Cities Board of Directors will meet on August 15-16. As one of the ten most populated cities, the City needs to designate a representative to attend. He recommended Commissioner Hutchinson.

**Action:** There was consensus approval to designate Commissioner Hutchinson to the Florida League of Cities Board of Directors' Ten Most Populated Cities. Mayor Naugle asked the Clerk to notify the League.

#### City Attorney's Report; accomplishments

Commissioner Moore complimented the City Attorney on the report provided concerning that office's accomplishments. Vice Mayor Rodstrom agreed.

#### Middle River Terrace Neighborhood identification sign

Vice Mayor Rodstrom indicated that Middle River Terrace would like to move their neighborhood sign to the median.

Commissioner Moore thought the reason most of these signs are not in the median has to do with indemnification. Albert Carbon, Public Works Director, said staff will

determine whether the sign fits in that location from a traffic perspective and then work with the City Attorney's office if an indemnification clause is necessary.

**Action:** In response to Vice Mayor Rodstrom, the Director of Public Works offered to determine whether the Middle River Terrace neighborhood identification sign could be placed in the median from a traffic perspective and then work with the City Attorney's office if an indemnification clause is necessary.

### Crime

Vice Mayor Rodstrom said at her District II meeting residents brought up issues regarding crime. People think there are more crimes occurring, such as break-ins. With the economy changing, she asked if the Police Department could make a presentation at a conference meeting as to how they plan to address this. Commissioner Hutchinson concurred.

**Action:** Vice Mayor Rodstrom and Commissioner Hutchinson suggested a presentation by the Police Department at a future conference meeting concerning the impact on crime from changes in the economy.

### Single Audit Report and Management Letter: Fiscal Year ended September 30, 2007

Vice Mayor Rodstrom referred to the single audit report and management letter for SHIP and Community Development Block Grant (CDBG) funds and asked if staff will have a procedure to provide periodic status reports to ensure maximum utilization of the grants. Greg Brewton, Director of Planning and Zoning, indicated that is being done.

Vice Mayor Rodstrom also asked about updating the procurement manual. Kirk Buffington, Director of Procurement Services, said the manual will be provided to the City Manager within the next two weeks.

Mayor Naugle suggested the Manager respond to the recommendations and provide it to the Commission as a conference report. Vice Mayor Rodstrom agreed. She also wanted to see the updated procurement manual.

Vice Mayor Rodstrom asked about a procedure for bid tracking. Mr. Buffington indicated that his office does everything electronically concerning receipt of bids. Perhaps this comment may apply to another department.

**Action:** At Vice Mayor Rodstrom's request, the City Manager will submit his response to recommendations in the audit report as a conference report item. Vice Mayor Rodstrom also wanted to see the updated procurement manual.

### Crime

In response to Vice Mayor Rodstrom and citizens at her district meetings, Commissioner Teel said that a police officer attends her pre-agenda meetings and provides up-to-date information. She commented that monitoring shopping center parking lots seems to have driven criminals into neighborhoods.

### Newspaper Racks

Commissioner Teel said newspaper racks are appearing in the medians at The Landings apparently without prior approval. After complaints were registered, it was then relocated onto the sidewalk along Federal Highway. Valerie Bohlander, Director of Building Services, said there is a permitting process; she noted some aspects that are reviewed.

Mayor Naugle asked how much clear space has to be on the sidewalk. Albert Carbon, Public Works Director, said that there has to be 36 inches from curb face to back side wall for ADA clearance. Violations should be reported to Code Enforcement.

#### Vacancy, Interim Commissioner, District III

Mayor Naugle referred to a recent newspaper article wherein Commissioner Moore was quoted as saying that he might run for District III seat. Commissioner Moore said he has never said in a newspaper article that he might run; he said the term limit methodology would allow it. It is illegal to hold two offices.

Mayor Naugle explained is Commissioner Moore is contemplating running for the seat in March, he does not think it would be proper for him to have input regarding the replacement.

Commissioner Moore felt a voice from the district should be at the table when the replacement is selected. He has no intentions of being on the Fort Lauderdale Commission. He has no desire to return to the Fort Lauderdale Commission. He cannot hold two offices. He wants to be at the table for the replacement selection because he was elected by the people of that district. He added that the Commission has agreed to allow it.

Vice Mayor Rodstrom asked what would Commissioner Moore do if he does not win the County position. Commissioner Moore indicated he has no comment.

Mayor Naugle said that Commissioner Moore is welcome to provide his input regarding the selection.

#### Boat Show

Commissioner Moore said that earlier in today's meeting he had made a comment that a particular entity purchased the boat show, and he was informed that is not true. He apologized for making the statement.

#### **V – City Manager Report**

The City Manager said that when the utility locations are marked on sidewalks, it is done with spray paint. Staff is looking into an alternative. Albert Carbon, Public Works Director, said a state organization, Sunshine Markings Group, has a technical advisory group, recently formed, to review this. Water based paint is being used by the City, but not other utilities. It is recommended as it is supposed to fade within 30 days. It is available in aerosol. City staff will be looking into this topic.

#### Finance Director

The City Manager announced that the new Director of Finance will start the end of August.

South Florida Regional Planning Council

Commissioner Moore indicated he will provide copies of topics coming up on the South Florida Regional Planning Council's agenda.

There being no further business to come before the Commission, the meeting was adjourned at approximately 3:28 p. m.