

FORT LAUDERDALE CITY COMMISSION CONFERENCE MEETING SEPTEMBER 16, 2008

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CITY COMMISSION CONFERENCE MEETING 1:35 P.M. SEPTEMBER 16, 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. Hector Martine

I – A – Tree Harmony Program

Phil Thornburg, Parks and Recreation Director, indicated this is a new cooperative program for additional tree canopy along the Riverwalk.

Patsy Mennuti, Executive Director of Riverwalk Trust, introduced volunteers who put this program together.

Scott Strawbridge, Vice Chair of Riverwalk Trust, explained the concept is to relocate trees that would ordinarily be cut down during development.

Elaina Alberani (volunteer for Riverwalk Trust) presented and reviewed the program's brochure. The next step will be to set up a web site and use environmentally sensitive supplies and techniques in producing the brochure.

Ms. Mennuti thanked City staff for their help.

Commissioner Teel commented that the Utility Advisory Committee's Tree Subcommittee works with regard to trees that have to be removed as a result of Florida Power and Light line clearance. She suggested the Riverwalk Trust contact Fred Stresau about the potential of trees.

Vice Mayor Rodstrom asked how the Commission could assist with this program. Mayor Naugle suggested the brochure be available at the Building Department. Mr. Strawbridge added they would like to place the brochure on the City website. He urged City staff and elected officials encourage developers. Vice Mayor Rodstrom suggested the homeowner associations be informed.

Mr. Strawbridge indicated although they are looking for specific trees for Riverwalk, they are not turning down other opportunities to find other locations, working with the Director of Parks and Recreation.

Commissioner Hutchinson wanted Dave Gennaro, Chief Landscape Plans Examiner to work on this also because he reviews all permits.

Action: Consensus approval.

I-B – Air and Sea Show Proposal

Phil Thornburg, Parks and Recreation Director, said the City has been approached with the idea of bringing back the air and sea show. Staff is looking for direction to negotiate with Fort Lauderdale Air Show, LLC concerning a show in May of 2009.

Stanton Smith, Fort Lauderdale Air Show, LLC, presented slides concerning this item. A copy of the slides is attached to these minutes. Fort Lauderdale Air Show is not asking for any taxpayer money.

Steven Savor shared his experience with the Three Rivers Regatta in Pittsburgh, Pennsylvania, that almost ceased because of mismanagement and debt. They took over the event. The debt was paid in about 1 ½ years and the event brought back to viability. He discussed his personal involvement and family friendly things that were a part of the event that could potentially be added to the air and sea show.

Mr. Smith emphasized the request is for cooperative support.

Mr. Smith introduced Joe Milsaps, Chair of Broward Navy Days, noted his involvement in Fleet Week last year. He commented how the air show helps with military recruitment which is good for the community.

Ina Lee indicated she is speaking on behalf of the hotels and businesses on the beach. The hotels would like some form of this event to return because of what it does for the City's overall image. One caveat is that it not compete with the ARVO Convention (Association for Research of Vision and Opthamology). The hotels during the time of this convention are already mostly booked.

Mayor Naugle asked the dates of the ARVO Convention, but Ms. Lee did not know.

Dan Lindblade, Chamber of Commerce, said the Chamber has looked closely at being a sponsor of an air show. They certainly support the idea of going forward with something of this nature.

Kevin Bolender, resident, supported the air show.

Mr. Smith said they are not sure if the dates for 2009 could be changed, but would meet with the military to see if the dates could be changed. It may be that 2010 is better and this is something that they would like to work out in negotiations.

Mayor Naugle believed both ARVO and the air and sea show have occurred simultaneously in the past without problems, but it would be preferable for the events to be held on separate dates. Vice Mayor Rodstrom also thought it would be best for another date in order to maximize economic benefit. In response to Vice Mayor Rodstrom as to 2010 instead of 2009, Mr. Smith indicated it is dependent upon availability of the military.

Commissioner Teel said that some people think the City canceled the air and sea show, but it was because the promoter lost his major sponsor. She pointed out that the weekend before Mother's Day is the second busiest shopping day for the Galleria and the air and sea show was held on that weekend every year. In the past there were

problems with residents having access to their homes. Also, median landscaping was damaged. She asked whether this show would be fully funded without any in-kind contribution from the City. Mr. Smith indicated they are expecting to do so, but wanted authorization to negotiate with the City Manager and get a better understanding of the in-kinds.

Commissioner Teel commented that with current economic conditions residents do not feel there should be any City subsidy.

Mr. Smith indicated they have met with the Department of Transportation and believe they are well on their way to solving the previous access issue. Commissioner Teel understood there could be something extenuating, but it is unacceptable to shut down roads simply for people to exit quickly.

Commissioner Teel pointed out that the Live Nation event may be scheduled for May 23-24, 2009. She felt it might be best to plan for 2010.

In response to Mayor Naugle, Commissioner Teel advised that the vote at her district meeting was 50/50, but people who are impacted voted no and those who do not reside in the event area favored it.

Commissioner Hutchinson supported such an event, but did not want the City to incur any cost.

Commissioner Moore did not wish to consider the event unless it was planned for 2010. The event is only beneficial if it benefits in filling hotel rooms. He did not want the event to conflict with the planned ARVO Convention. The event producer should address damaged public landscape materials. The City does not provide any concession to other businesses and should not do so in this case.

Vice Mayor Rodstrom wanted more resident outreach. She thought 2009 may be too soon. She asked about impact on police officers who work the events if they are scheduled close together. She wanted to support local restaurants. She had concerns about setup and breakdown.

Action: Consensus approval authorizing the City Manager to negotiate for an event to be held in 2010. See minutes for detail of concerns.

I-C – South Beach Wall Replacement and Parking Lot ADA Improvement Project

Don Morris, Beach Community Redevelopment Agency Director, provided an update on the wall design. The plan is now 60% complete. The City has filed with permitting agencies. The main reason for this project is to bring the parking lot into ADA compliance and to replace the deteriorating wall. The new wall would be a wave design and match the iconic wall to the north. The seven foot deteriorating sidewalk will be replaced with a new clear sidewalk of pavers. Other details of the plan include reconstructing beach entryways, installing new turtle compliance lighting, undergrounding all utilities, replacing shower stalls, replacing the toll booth with parking meters, installing new landscaping, resurfacing and restriping the lot, and constructing new pedestrian crossways. The major difference in the plan provided to the Commission 3-4 months ago is that the coconut palms had to be moved out of

Department of Transportation right-of-way because of a gas main. The Department of Transportation was also concerned about the palms being too close to the pavement. The cost estimate is \$4,297,000. They hope to obtain permits by the end of the year, and bid and award a contract by the beginning of March. The bid will be structured so that the contractor will be ready to begin construction immediately after the Live Nation concert and so that the lot would be fully functional for the boat show. Staff is working with the Department of Environmental Protection to secure approval for construction during turtle season and mitigation requirements for intruding into the sand. If the turtle compliant lighting is not approved, an alternative will have to be worked out. Also, this is occurring during hurricane season.

In response to Commissioner Teel, Mr. Morris indicated lineal LED lighting is not contemplated.

Commissioner Moore questioned the necessity of the wall. Mr. Morris said the wall keeps the sand out of the parking lot. Commissioner Moore asked if the height of the proposed wall will be different. Earl Prizlee, Beach Community Redevelopment Agency, indicated the new wall would be slightly higher than the existing one. Commissioner Moore wanted more specific information. He understood the aesthetics, but not the benefit. The City Manager indicated the big difference is aesthetics. The logic was for continuity and to demonstrate this side is as important as the other side of the beach. This area is well-traveled.

Commissioner Moore felt the wall is not high enough to ensure that the sand does not blow into the lot. Mr. Prizlee indicated the new wall would be 36 inches in height. Because of the terrain, the existing wave wall is 36 inches in height, but may be lower in some places by one foot. Thirty-six inches constantly will be better.

The City Manager asked if there are any other issues besides the wall being high enough to keep the sand out.

Commissioner Moore wanted the wall to be functional in terms of keeping the sand out. Timing of the construction is also a concern. Diana Alacon, Parking and Fleet Services, said there are ADA constraints pursuant to the consent decree. The City is obligated to complete the ADA improvements prior to August, 2009.

Commissioner Moore suggested speaking to the judge. Mayor Naugle felt the judge should be told that the City is concerned about doing the work in the hurricane season. The timing should be after the boat show and before the 2010 air and sea show. The City Attorney pointed out that there have been other requests made of the court, therefore it may be difficult.

The City Attorney felt the permits should be secured before asking the judge.

The City Manager pointed out starting the work in December is peak season.

Vice Mayor Rodstrom asked about downtime of the parking lot. Mr. Prizlee explained the goal is to minimize impacts to the parking area for each activity.

Vice Mayor Rodstrom asked about the equipment storage area. Ms. Alacon indicated nothing is anticipated in this project, but staff plans to look at improvements down the road. A new shield and landscaping is planned.

In response to Vice Mayor Rodstrom, Mr. Morris noted some additional expenses that were not originally anticipated. There are funds in this year's Capital Improvement Program to cover the extra costs. The bulk of the fund proposal is the same.

Mayor Naugle wanted a comfortable sitting height for the wall; he suggested 24-30 inches because 36 inches is table top height.

Action: Consensus approval at a height range of 24-30 inches to block blowing sand, maintain the view and a comfortable sitting height. The City Attorney was directed to seek approval from the federal court to extend the completion deadline established in the consent decree on ADA improvements due to the hurricane season.

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

No discussion.

EXECUTIVE CLOSED DOOR SESSION WAS HELD AT 2:34 P.M.

The City Commission shall meet privately pursuant to Florida Statutes 768.28(16) and 286.011 regarding evaluation of the following claims:

Jessica Jones – VA GL 06-626

Elgin Jones – WC 90-5921

Federal Little League, Inc. vs. Little Yankee Boys' Football League, Inc., Broward County Court Case No.: 07-015217

MEETING RECONVENED AT 3:07 P.M.

NOTE: The Commission recessed and convened as the Community Redevelopment Agency Board of Directors from 3:08 p.m. to 3:45 p.m.

III-B – Board and Committee Vacancies

Audit Advisory Board

Action: No Formal Action Taken.

Affordable Housing Committee

Action: No Formal Action Taken.

Beach Business Improvement District Advisory Committee

Action: No Formal Action Taken.

Cemeteries Board of Trustees

Action: No Formal Action Taken.

Centennial Celebration Committee

Vice Mayor Rodstrom recommended Jan Idelman for appointment to the Centennial Celebration Committee.

Action: Formal Action To Be Taken at Regular Meeting.

Citizens Committee of Recognition

There was no objection to the Mayor's suggestion to consensus reappointments of Eugenia Ellis and E. Birch Willey to the Citizens Committee of Recognition.

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

Commissioner Hutchinson recommended Kevin Hull be appointed to the Community Services Board.

Mayor Naugle recommended Donald Carney be appointed to the Community Services Board.

Mayor Naugle recommended Emmett Kater and James Currier be reappointed to the Community Services Board.

Commissioner Moore recommended Christopher Priester and Margaret Birch be reappointed to the Community Services Board.

Action: Formal Action To Be Taken At Regular Meeting.

Economic Development Board

Action: No Formal Action Taken

Education Advisory Board

Commissioner Hutchinson recommended Jacqueline Ackerina be appointed to the Education Advisory Board.

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

Insurance Advisory Board

Action: No Formal Action Taken.

Marine Advisory Board

Action: No Formal Action Taken.

Nuisance Abatement Board

There was no objection to the Mayor's suggestion to consensus reappointment of Douglas Reynolds to the Nuisance Abatement Board.

Action: Formal Action To Be Taken At Regular Meeting.

Parks, Recreation & Beaches Advisory Board

Commissioner Hutchinson recommended reappointing Sean Fee and Jay A. Verkey to the Parks, Recreation and Beaches Advisory Board.

Commissioner Teel recommended Betty Shelley be reappointed to the Parks, Recreation and Beaches Advisory Board.

Mayor Naugle recommended Curtiss Berry, and Mark McCormick be reappointed to the Parks, Recreation and Beaches Advisory Board.

Commissioner Moore recommended Donna Guthrie, Larry Mabson, and Robert Payne be reappointed to the Parks, Recreation and Beaches Advisory Board.

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

Unsafe Structure & Housing Appeals Board

Action: No Formal Action Taken.

Utility Advisory Committee

Action: No Formal Action Taken.

IV – City Commission Reports

Newsracks

Commissioner Teel pointed out that a New Times newsrack was placed in the park area of South Point Condominium. The newsrack was bolted onto the pavement. Before a permit is issued, the site needs to be examined from a common sense standpoint. South Point would like it moved to the north. She felt the ordinance needs to be revisited. There is Sun Sentinel newsrack in front of The Landings entranceway.

Commissioner Hutchinson agreed common sense is not being used. She has a similar situation on 9 Avenue. It is in the middle of the sidewalk.

Commissioner Moore added at NW 15 Avenue and Sunrise Boulevard there are a number of newsracks with stickers indicating they will be removed. He asked when will that be done. Mike Maloney, Code Enforcement Division, indicated they would be picked up fifteen days from the sticker date. The City holds the newsrack for thirty days. There is an administrative fee to retrieve it. Commissioner Moore wanted the violator to be responsible for the administrative cost.

The City Attorney explained the limitations in drafting an ordinance that will stand challenge.

Genia Ellis, resident, noted in the past an agreement was used. The ordinance prevented installation of newsracks in a neighborhood if the neighborhood voted as a group to disallow them. When the new ordinance was written, the agreements were canceled.

The City Attorney did not recall that being in the ordinance and he did not think it would be supportable. The City has taxing and regulatory powers. They are not delegable.

Commissioner Moore wanted to require newsracks be permitted only in commercial zoning districts. The City Attorney indicated that could probably be accomplished. However, there is an extensive list of permitted newsracks which has been grandfathered in. Commissioner Moore suggested the same process as the billboards.

Commissioner Teel wanted to see the approved list for her district.

The City Manager pointed out that there are only two or three complaints compared to the list.

Mayor Naugle asked the Commission to work on finding a more suitable location for any newsrack in their respective districts as needed. The City Manager asked that locations be brought to staff's location and they will work with the publishers.

Action: Commissioner Teel wanted site inspection to decide upon an appropriate location for a newsrack before it is installed. She noted two locations: South Point Condominium on the Galt Ocean Mile and The Landings. Commissioner Hutchinson noted a location on 9 Avenue adjacent to a vacant lot. Commissioner Moore wanted assurance that entities must pay a fee for newsracks that have been removed. Commissioners Teel and Hutchinson requested the list of newsracks in their districts. The City Manager will look into these locations and asked the Commission to report any others as they come to their attention.

Weeds

Commissioner Teel complimented staff for quick attention to weeds on a property on Bayview Drive.

White Fly; Ficus

Vice Mayor Rodstrom suggested the City publicize how people could handle the White Fly problem. Commissioner Hutchinson discussed what she did that was successful. Vice Mayor Rodstrom suggested the City also inform Broward County Administrator.

Action: At the suggestion of Vice Mayor Rodstrom, there was consensus to publicize how to keep the White Fly from damaging Ficus.

Sunrise Lane; Street Cleaning

In response to Vice Mayor Rodstrom, Albert Carbon, Public Works Director, said that he would provide information on the City's street sweeping as to the frequency for Sunrise Lane.

The City Manager pointed out that the store owners are not taking care of their storefronts. They were asked to participate in the Beach Business Improvement District and they were not interested. Vice Mayor Rodstrom wanted to be assured that this area is on the schedule.

Action: Vice Mayor Rodstrom wanted to know the schedule for street cleaning of Sunrise Lane and to provide for a regular schedule.

State of the District Address

Commissioner Moore announced his state of the district address will be held tomorrow evening at the new fire station on 27 Avenue, 6 p.m. He noted the public and Commission are invited.

Auditor Reports

Commissioner Moore wanted to receive the Auditor's comments before the comments are available to everyone. He wanted the Auditor to first meet with him on a subject.

Action: Commissioner Moore wanted the Auditor reports to first be reviewed with members of the Commission.

Swimming Program; Bass Park

Commissioner Moore asked about the swimming program at Bass Park and his understanding that it will not continue because of the City's budget. Phil Thornburg, Parks and Recreation Director, wanted to look into this and report back. He understood there are outside groups utilizing the pool during the time originally set for the swim team.

Action: In response to Commissioner Moore's question about the swimming program at Bass Park and budgetary implications, the Director of Parks and Recreation will look into the matter and report back.

Amendment 2, Florida Constitution; November 4, 2008 Ballot; Marriage Protection Act

Commissioner Hutchinson referred to proposed Amendment 2 to the Florida Constitution raised by Vice Mayor Rodstrom at the last meeting. She wanted the Commission to consider the proposed resolution as a walk-on this evening. In response to Mayor Naugle's desire for the item to appear on the written agenda, Commissioner Hutchinson suggested the October 7, 2008 regular meeting.

Action: Commissioner Hutchinson referred to proposed Amendment 2 to the Florida Constitution that will be on the November 4, 2008 ballot and asked that the resolution presented by the Vice Mayor on September 3, 2008 be walked on the evening regular meeting for the Commission to consider taking a position on it. She did not object to the Mayor's suggestion that it be scheduled on the October 7, 2008 regular meeting agenda so as to provide proper notice.

Florida Urban Transportation Coalition

Mayor Naugle wanted input from the commissioners who represent the City on the Metropolitan Planning Organization (MPO) concerning Broward County's request to participate in the Florida Urban Transportation Coalition (Jacksonville, Miami, Orlando and Fort Lauderdale). Essentially urban areas would meet concerning funding issues such as the Regional Transportation Authority. He felt the City representation on this coalition should be one of those commissioners who also serve on the MPO.

Commissioner Moore suggested Commissioner Teel and that she work also with the South Florida Regional Planning Council.

In response to Mayor Naugle, Commissioner Teel advised that the MPO recommended the Central Broward Transit (light rail). She elaborated upon the perceptions about the concept in general and getting started. She referred to the successful example in Portland. Commissioner Moore felt the timing is right with increased gasoline prices.

Mayor Naugle commented at the National League of Cities' steering committee on transportation in Wyoming, elected officials from around the country are coming to the realization that the gas tax will probably continue to decline and new methods of funding need to come forward.

Commissioner Moore commented that in order to reduce the use of a vehicle, there needs to be a substantial associated cost. It should be taxed in order to have funding for mass transit.

Action: Mayor Naugle indicated that Broward County has expressed interest in forming a Florida Urban Transportation Coalition. Upon Commissioner Moore's suggestion, there was no objection to Commissioner Teel serving as the City's representative.

Consumptive Use Permit; South Florida

Albert Carbon, Public Works Director, announced the City received a 20-year consumptive use permit from the South Florida Water Management District after a 4 ½ year effort (52.4 million gallons per day).

V – City Manager Reports

None.

There being no further business to come before the Commission, the meeting was adjourned at approximately 4:16 p. m.