

FORT LAUDERDALE CITY COMMISSION CONFERENCE MEETING OCTOBER 21, 2008

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CITY COMMISSION CONFERENCE MEETING 1:30 P.M. OCTOBER 21, 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. Patrick Hart

I – A – Interim Commissioner District III Interviews

Commissioner Moore thanked the committee members and applicants for their work and interest.

Pamela Adams noted her involvement with the entire City, including various advisory boards. She referred to her consensus building skills and desire to bring this to the Commission. She was familiar with the vision set forth by the citizens and the Commission and felt capable of following that vision until the seat is filled by the electorate.

Mayor Naugle asked if Ms. Adams served on the Commission, would she consider running for the position. Ms. Adams indicated she responded to that question on the application, indicating if selected, she would not run for the seat. Mayor Naugle asked if Ms. Adams would reconsider. Ms. Adams indicated no. Mayor Naugle clarified it was not a requirement that applicants not run for the seat.

Corey Alston indicated he was born and raised in District III. He provided copies of his resume, along with a Miami Herald news article concerning the City Commission race of 1982. He discussed his involvement in civic affairs. He noted his financial experience and belief that such experience would be helpful in these turbulent times.

Commissioner Moore asked if Mr. Alston has ever ran for office. Mr. Alston said that in 2002 he ran for District 29 State Senate seat and was runner up. He was also appointed by Governor Bush to serve on the Board of Trustees of Florida A and M University.

Mayor Naugle asked if Mr. Alston served on the Commission, would he consider running for the position. Mr. Alston said that his intent is to fill the appointment.

Charnett “Shon” Cash said she has been a member of the district for thirty-five years and has seen it go from good to bad. She believed she could take it back to where it needs to be. Although she has not served on any boards, she has been a community advocate. She believes that she can make a difference. She noted her involvement with under privileged children in the area. She wanted people in the district not to have to worry about crime.

Mayor Naugle asked if Ms. Cash served on the Commission, would she consider running for the position. Ms. Cash indicated because of family commitments it would not

be financially feasible for her to run a campaign. If that was not an obstacle, she would consider it.

Jennings Coleman said that two years ago his area of Rock Island was annexed into Fort Lauderdale. He has not held any elective office, but presently is Chair of the Juvenile Justice Halfway House in Pompano Beach. He discussed his experience. He applied for this position because his homeowner association asked that he represent their area. He also noted his educational experience.

Mayor Naugle asked if Mr. Coleman served on the Commission, would he consider running for the position. Mr. Coleman said he had indicated undecided on the application because he was not sure. However if he could be of help to the community, he would consider running for office. In conclusion, he is undecided.

Magdalene J. Lewis said she is a former educator. She noted her involvement in the community and youth. If appointed, she will work hard for those communities not in the City to be annexed.

Mayor Naugle asked if Dr. Lewis served on the Commission, would she consider running for the position. Dr. Lewis said she is presently undecided. She serves on the Utility Advisory Committee and the newly developed Pantry of Broward County. She emphasized that she is very active, but has time.

Walter "Mickey" Hinton indicated he has resided in Fort Lauderdale since 1937. He commented on his community involvement including the building of a YMCA. He also discussed civil rights issues for African Americans that he experienced over the years. He wanted to help the youth and to make a better City. He was concerned that things have not happened over the years and he would like to make them happen.

Mayor Naugle asked if Mr. Hinton served on the Commission, would he consider running for the position. Mr. Hinton said he indicated no on the application, however if it would help his community, he would do so.

In response to Commissioner Moore, Mr. Hinton said that he ran for the Commission twice against Commissioner Moore.

Ella Phillips discussed the importance of being able to give back to her community. She noted her governmental experience. She would not run for the position, but was committed to support whoever is elected.

Bernadette Norris-Weeks indicated she is a business owner in District III. She believed that her experience would allow her to serve on the Commission and move the district forward. She and her husband have vested interests in the community. She relayed her community involvement. She felt she would be an asset and a consensus builder to the Commission.

Mayor Naugle asked if Ms. Weeks served on the Commission, would she consider running for the position. Ms. Weeks said she would not run for the position.

Sharon Woods, a committee member for the District III vacancy, explained how the committee was created. The committee recognizes that the decision rests with the

Commission, but hopes that their involvement would be welcomed assistance. The committee met with seven of the eight candidates. One candidate refused to meet with the committee and expressed a bias against the City and homeowner associations. Another candidate expressed a desire to run, but the homeowner associations prefer that candidates not look upon the position as an interim selection. One candidate failed to grasp the issues. The committee places its strongest support for the following candidates in alphabetical order: Pamela Adams, Magdalene Lewis and Bernadette Norris-Weeks. The committee hopes that the Commission will listen to their input.

Doug Beck, a resident of Hendricks Isle, said he has been unable to pull out of his driveway for the last 3 ½ years, and has made fifty-one 911 unsuccessful calls. He said that his life is constantly under death threats, but the Commission has not helped him in any way. Mayor Naugle asked for one of the assistant city managers to assist Mr. Beck.

Mayor Naugle thanked the candidates and indicated the Commission would be taking up this issue in November.

Vice Mayor Rodstrom asked if the Commission would be voting on this in November. Mayor Naugle commented that commissioners may interview candidates between now and November. He understood that Commissioner Moore would not be in attendance at the November 4 meeting. The charter clearly states that the remaining commissioners will make the selection.

The City Attorney explained that the resign to run law, which is applicable in this case, creates an artificial vacancy. The charter provides when a vacancy is created, the remaining commissioners appoint a replacement, but that anticipates that a vacancy occurred unexpectedly, such as death, jail, sickness, resigned. Previously, he indicated if the Commission votes on the replacement prior to Commissioner Moore leaving office, he is a remaining commissioner and may vote on it. If the Commission votes on it after he leaves office, he could not vote on it.

Vice Mayor Rodstrom asked if there has to be an immediate replacement. The City Attorney replied that there does not have to be a replacement at all.

Mayor Naugle felt the charter is very clear. He believed the City Attorney is taking into consideration something that the courts have said.

Commissioner Moore pointed out that months ago he discussed this with the Commission. An opinion was requested of the Attorney. The November 4 meeting date was not changed to the 5th due to the election, so that he could be present to vote. He wanted the Commission to express their views and reach a consensus.

Mayor Naugle indicated that some interested individuals were told by the City Clerk's Office that if they were going to run, they could not apply which is not a requirement of the Commission. If that is true, individuals who applied should be given the opportunity to run for the position.

In response to Commissioner Moore, the City Clerk clarified that she explained to interested individuals that there were two positions; one was the interim position, and the permanent position, and that the Commission had discussed, but not formally come to a decision that the interim position would be considered as a caretaker position. She

encouraged them to speak to the Commission about it. She did not tell them that it was black and white.

In response to Mayor Naugle, the City Clerk indicated she did not discourage anyone, but brought the issue to their attention.

Mayor Naugle indicated that one of the applicants informed him that they were told they could not apply if they were planning on running and their campaign representative was told the same. Perhaps those individuals should be given an opportunity.

Commissioner Hutchinson pointed out that the rules that were discussed are being changed. It was done this way so that Commissioner Moore could participate. The meeting date was not changed so that he could participate.

Commissioner Moore discussed how the committee conducted themselves, their desire to follow the rules and that the committee requested a decision about the appointment process early. It seems that the views of this district's citizens are not valued as much as those of the Commission. He hoped that would be occur in this case.

Vice Mayor Rodstrom asked when was the last time such an issue came before the Commission? Commissioner Hutchinson believed it was with former Commissioner Aurelius. Vice Mayor Rodstrom felt there are many questions. She believed people were excluded from the process. There may be people who wanted to apply for the interim position but were told they should only run for the seat. She wanted to know how many homeowner associations were part of the district vacancy committee and how many associations there are in District III.

Commissioner Moore indicated there are eleven associations and ten are recognized by the Council of Civic Associations. One has not followed the rules the Commission agreed would qualify an association to be recognized.

In response to Mayor Naugle, Mr. Hinton indicated that the Durrs homeowner association is not recognized.

Commissioner Moore pointed out that the vacancy was published in the newspaper, giving people notice of when they could apply.

Mayor Naugle read the charter provision concerning vacancies for unexpired terms.

Commissioner Teel asked if the committee at any time discouraged individuals from moving forward with their applications because they wanted to run for the office. Ms. Woods said they had several criteria. One of the criteria was that the person serves as an interim and not run for the seat. The reason for that was that they felt the person would have an unfair advantage and there would not be a level playing field.

Commissioner Teel asked how individuals who were undecided were treated. For example, Dr. Lewis, who was selected by the committee, indicated on the application, undecided. Ms. Woods said there was an interview process and all candidates were asked the same questions in the same order. One of the questions asked was whether candidates still felt the same as what they indicated on their application concerning running for the seat. With Dr. Lewis, she indicated she did not want to run.

Commissioner Teel asked if Dr. Lewis changed her mind, how would Ms. Woods feel about it? Ms. Woods indicated she would feel betrayed.

In March, Ms. Woods indicated the vacancy was discussed at a district meeting. She went on to explain the process that was followed. The committee came together in their recommendation.

Mayor Naugle emphasized that the majority of the remaining members of the Commission make the selection.

Vice Mayor Rodstrom wanted to make sure that candidates who have signed up to run for office were not discouraged to apply for the interim position. Both should have the opportunity to speak before the Commission.

Mayor Naugle indicated that he was told by Ms. Hankerson that she was told by the City Clerk's Office that if she was going to run for the office, she could not apply for the interim position. Her campaign person was also given the same information. Perhaps the other candidates should be consulted. Vice Mayor Rodstrom concurred.

Commissioner Moore reiterated the committee process and that they have brought forward their recommendation. Individuals who wanted the committee's support decided to follow their rules. Those who did not want to do so did not have to do so because the Commission made it clear they would not be disallowed.

Nadine Hankerson said she is disappointed because as a candidate she felt she was left out of the process. She was clearly told at a meeting that if she was a candidate, it was said if one is a candidate for the interim position, one cannot run for the office. She went to the City Clerk's Office for verification and at that time there was no clear-cut answer. She was told that she would get back to her, but she never received the answer. There should have been clear-cut rules. She noted her educational experience. She felt she should have an opportunity to address the Commission.

Commissioner Moore noted that the individuals who sat on the committee did not prevent anyone's input about the process. In response to Commissioner Moore, Mr. Jennings, who advocated being able to run even if the individual filled the interim position, confirmed that no one was disallowed from providing input. Commissioner Moore did not understand that when one does not get what he or she wants, then the process is not proper. The committee set out rules for their endorsement, not the City's endorsement.

Mayor Naugle did not have a disagreement about the committee. It appears that the City gave unclear information. He thanked the committee for their work. He referred to Dr. Hankerson's comments. He felt the other individuals who are interested in running should be contacted to determine if they wish to apply. From Dr. Hankerson's comments, it appears that this is not open to anyone in the district.

In response to Commissioner Moore, the City Clerk indicated that she indicated to people that the Commission had discussed the matter at a conference meeting and had considered the caretaker concept, but had not come to a definite conclusion. She asked each individual to be aware that there were two different positions available and that

they should speak to the Commission about it. As to the phone call to Dr. Hankerson, she did not recall such a call, but thought that surely something of this importance, she would have returned Dr. Hankerson's call.

Mayor Naugle asked if the City Clerk was 100% sure that no one in her office could have misunderstood and given out wrong information in her absence. The City Clerk said that she has told everyone in her office that she is handling all election questions, however, she could not say 100% that an employee at the reception desk may have said something.

Vice Mayor Rodstrom felt the Commission should look for the best replacement. She did not want to exclude anyone. She felt the process failed, but it could be corrected by including the other individuals who want to be considered and encourage them to be publicly interviewed. She wanted the process re-opened.

Commissioner Hutchinson noted the Commission discussed this at more than one meeting and they clearly set out the process. The Commission indicated they would thank the committee for their work, but that it was ultimately the Commission's decision. She had no reason to believe that the City Clerk would circumvent the process. She had no reason to believe the City Clerk is not telling the truth. She did not favor changing the rules. If there was insufficient information, Dr. Hankerson should have consulted Commissioner Moore or any other member of the Commission. There was ample opportunity to do so. There was Commission consensus that Commissioner Moore would be a part of this.

Commissioner Moore said applications were provided by the City Clerk to anyone interested in the temporary or permanent positions. He noted that Dr. Hankerson picked up an application to run for the seat. He read the listed requirements for the temporary position. He noted the Commission required that applicants step down from any board on which they may have been serving. Everyone had the opportunity to obtain from the City Clerk the official statement of how to fill the vacancy.

Commissioner Moore felt this dialogue is gamesmanship. He felt if Dr. Hankerson was able to secure the document to run for the office, she could have secured the document for the temporary position.

Commissioner Teel asked if the application question of whether an applicant, if appointed, would run for office in the 2009 city elections also appeared on the application when there was a vacancy in 1999. The City Clerk said she reviewed the application form carefully with the City Attorney's Office and compared it to the one used in 1999. She was not sure, nor was the City Attorney, if that language was included in 1999, but offered to check and report back to the Commission.

Commissioner Teel thought such a question might have cause for individuals to feel they should check no in order to be favorably considered by the neighborhood committee. She asked that the other applicants be contacts to verify simply to be cautious.

Commissioner Moore noted that question was not posed by the committee, but rather the City application. The committee stated that the individual they chose would only be for the temporary vacancy. He felt that was a legitimate position for the committee to take because they understood that they would have an opportunity to vote for an

individual to represent the district. He agreed that was a legitimate position for them to adopt because the district would then have the chance to vote on their elected official.

Mayor Naugle requested that all of the individuals running for the position be contacted so determine if they were told they could not file for the interim position.

Commissioner Moore reiterated his desire to address this matter by November 4, 2008.

Patty Bailey, secretary of the vacancy committee, indicated she called the City Clerk's Office asking for information as an individual interested in applying. She was provided all of the correct information. If misinformation was given, it was not done intentionally nor on a regular basis. The matter has been published. People had an opportunity to call and find out. She elaborated upon efforts of the committee in terms of publicizing and seeking involvement.

In response to Mayor Naugle, Ms. Bailey indicated the committee only advertised in the Westside Gazette, but there were also articles in the Sun Sentinel and Broward Times.

Commissioner Moore remarked that every time someone submitted an application, it was publicized.

Commissioner Hutchinson noted today is October 21. Applications were due by October 1. If any candidate felt they were not allowed to be part of the process, they should not have waited until today. She felt that games are being played.

Mr. Jennings believed the committee's process was not flawed; rules were followed. The committee tried to select someone from the district. People who filed to run had an opportunity to attend the committee meetings, therefore everyone was knew. The committee was concerned that there would be an appointment from the district.

Mayor Naugle explained his concern was about what staff had offered in the process, not the committee.

Commissioner Moore asked when this discussion will come to a conclusion. Mayor Naugle noted that he wants the other candidates contacted. The City Clerk said that her office will be contacting the other candidates now. Mayor Naugle indicated if all of the candidates are reached by the end of the day, the Commission could continue its discussion.

Continued on page 17.

Action: Interviews were conducted. Mayor Naugle and Vice Mayor Rodstrom raised questions about process. The Clerk was requested to verify with all District III candidates for the full term as to the information they received from the Clerk's Office and the Commission's direction about filing for the interim position; and to verify if the question of whether the applicant would run for the full term was included on the application when a vacancy was filled in 1999.

I-B – Old Dillard Community School – Relocation To Mizell Center

Jeff Modarelli, Director of Economic Development, noted on February 19 the Broward County School Board presented their intent to occupy the first floor of the Mizell Center. Representatives are in attendance today to present some differences to the arrangement.

The City Manager explained staff wanted to bring to the Commission's attention that there is a slight difference between the original proposal and the one presented today and determine whether the concept is acceptable. Mr. Modarelli explained initially there was discussion that the School Board would cover all costs to move City staff to the second floor, along with the first floor renovation cost. The new proposal is asking the City to cover the cost of moving staff to the second floor.

Mayor Naugle pointed out that the City is being requested to bear the air conditioning and lighting cost and to provide security guards, making it available 24/7. Mr. Modarelli indicated there was not enough time to negotiate everything. The City Manager indicated if there is flexibility in terms of capitalizing some of the renovation costs and working it into a lease agreement for it to be paid off over a period of time

In response to Commissioner Teel, Mr. Modarelli indicated the second floor renovation cost is \$225,000. In response to Vice Mayor Rodstrom, the City Manager said the School Board is proposing that the City pay for the second floor renovations and charge them a per square footage lease amount, and the revenue generated from that over 3-4 years would pay off the cost.

Tom Coates, Broward County School Board Director of Facility Management, Planning and Site Acquisition, clarified that they are proposing a straight lease and that the School Board would pay the costs required to improve the space they would occupy. Amortizing costs for the work on the second floor into the lease is not in their proposal.

Commissioner Moore recalled discussions he had with the School Board about them moving City staff to the second floor and they would occupy the first floor and there would be no lease cost.

Mr. Coates indicated that this is the first time he has heard of a deal as outlined. Commissioner Moore noted the School Board changed its position about the build-out (renovations). Mr. Coates indicated if the City wants to recapture the renovation costs in the rental rate, the School Board does not object depending upon the rental rate.

Mayor Naugle commented about the City's need for space and that it could use the building. However, if the School Board is willing to pay a reasonable rent amount and pay expenses to relocate City staff to the second floor, the City would like to see adult education and day care at that site. The School Board has changed its position. The City Manager indicated that staff reviewed the meeting recording and the School Board's proposal was clear.

Bob Crawford, Director of Atlantic Technical Center, reviewed their purpose if to renovate the museum, that this is a community project, and their vision. There was confusion about the first and second floor and which floor the School Board would occupy. Thus the School Board does not know what kind of agreement is anticipated

and their role. They have been all over the board. He went into detail about usage of the floors and their square footages. They believe this is the right place for this use. They are presenting the idea of a regular lease for the first floor.

The City Manager clarified that there was a discussion with the School Board, but they never agreed to the City putting up capital for renovations. Everyone believes this is a good thing for the community. The real question is the business deal. If the School Board is to pay for expenses, staff will negotiate with them. He referred to the idea of the City fronting the \$225,000 and having it paid off over a period of time with lease revenues. He needed Commission direction.

Commissioner Teel was not willing for the current lease amount of \$12 per square foot to be used for renovations; the square footage amount would have to be increased.

Commissioner Moore questioned where anyone could secure space for \$12 per square foot and it is in an area where they need the space. The City needs to recapture its renovation cost. The School Board needs to understand this is a great deal; otherwise they need to go elsewhere. He wanted to make this happen.

Mayor Naugle asked for staff to meet with the School Board and attempt to come to an agreement that would be good for everyone involved.

Action: This item was referred to staff.

I-C – Formation of Kaohsing County, Taiwan and City of Fort Lauderdale As Sister Cities

Nuccia McCormick, Chair Emeritus Sister Cities, introduced Kaohsing, Taiwan as the first Asian sister city. She introduced Russell Weaver, Asian Chairman. The board unanimously agreed with this designation.

Russell Weaver explained this relationship began as a result of Kaohsing delegation attending the boat show in 2006. They have a huge yacht and ship building industry. The intention is economic development with the marine industry being at the heart. Kaohsing will be attending this year's boat show. He provided some background and noted a chair for Fort Lauderdale has been selected, Mrs. Woo, who manufactures and distributes fans. He mentioned the cultural aspect.

Mayor Naugle noted this is the second largest city in the Republic of China. It is a wonderful opportunity.

Action: Consensus approval as submitted. Commissioner Moore was not present.

I-D – Increase Hours For On-Street Parking Along East Las Olas Boulevard Between SE 4 and 12 Avenues – Request of Las Olas Association

Diana Alarcon, Director of Parking and Fleet Services, indicated the request is to activate the parking meters along East Las Olas Boulevard at 11 a.m. instead of the current time of 6:30 p.m.

Commissioner Hutchinson thought it may slow down daytime truck traffic. She asked about encouraging an alternative truck route and she questioned if this is permanent or a pilot program. Ms. Alarcon indicated it was not set up as a pilot. She offered to look into developing a response with respect to truck routing. She hoped it could be implemented in November.

Vice Mayor Rodstrom suggested signage to alert trucks to take an alternative route. Mayor Naugle suggested Building Services assist with alerting contractors.

The City Manager indicated staff's recommendation is to try this. If there is an unintended consequence, it would be brought back to the Commission.

In response to Commissioner Moore, Commissioner Hutchinson suggested the City Manager provided a status report in six months.

Action: Consensus approval as submitted. A conference report on the status will be provided in a six month period.

NOTE: The Commission recessed and convened as the Community Redevelopment Agency Board of Directors from 3:27 p.m. to 3:37 p.m.

I-E – Fort Lauderdale Beach Music Festival

Phil Thornburg, Parks and Recreation Director, provided an update of changes since the Commission's discussion of this matter in June. The agreement will be on the evening agenda for formal action. There are five items not yet clear as detailed in the Commission Agenda Report.

Mr. Thornburg referred to one of the five issues being headline artists and Events Acquisition already knowing who they want to bring and how they are presented to the public.

Mayor Naugle suggested the artists be approved by the City Manager. The City Manager preferred not to be placed in that position. Commissioner Hutchinson felt Events Acquisition knows the Commission's direction. The City Manager questioned how one could define what is good and bad since everyone has a different opinion. Mayor Naugle could not support the City not having any say, although he did not want it to have to be approved by the Commission.

Robert Lochrie, representing Events Acquisition Corporation, indicated they would defer to the Commission's decision on if someone at the staff level should make the decision. They will take the City's concerns under advisement when selecting artists and they understand the type of events the Commission wants at the beach. They want to attract the widest spectrum.

Mayor Naugle reiterated his desire for the Manager's involvement.

With respect to the next item, Mr. Lochrie explained that Michael Cole is the promoter of the event. He brought the event forward in his capacity with Live Nation, but he is now only in an advisory capacity to Live Nation. The corporation and event before the City is

Mr. Cole's. There is a provision in the document that ties the event specifically to Mr. Cole, at the City Attorney's request.

In response to Commissioner Moore, Mr. Lochrie indicated that it was a good splitting between Mr. Cole and Live Nation. Commissioner Hutchinson pointed out that otherwise Live Nation would have kept this event. However, Commissioner Moore thought that Live Nation could have decided this event was not profitable enough. Mr. Lochrie advised that Mr. Cole was not terminated from his position with Live Nation.

Commissioner Teel recalled that Live Nation previously touted a pot of acts available to them. She questioned if the acts will change now with Mr. Cole. Mr. Lochrie did not know the answer specifically, but the relationship that Mr. Cole had with his acts at Live Nation, he continues to have. He did not know if there was a non-compete clause.

Vice Mayor Rodstrom was concerned about the timeline and that the entertainment has not been scheduled. She wanted to know if Events Acquisition has an economic model and a business plan. Mr. Lochrie said that there is an economic plan and a business plan. Mayor Naugle explained that Events Acquisition first needs to have a contract with the City before booking entertainment. Mr. Lochrie emphasized the importance of having the venue before signing acts.

In response to Vice Mayor Rodstrom, the City Manager saw his role as veto power on artist selection. Vice Mayor Rodstrom questioned what guarantee there is about the quality of the entertainment. Mr. Lochrie indicated there are a number of acts with which Mr. Cole has a continued relationship and he will be targeting those. He offered to furnish Mr. Cole's resume that contains that information.

Vice Mayor Rodstrom did not want the short time frame to be to the detriment of the City or beach residents.

Commissioner Moore understood that Mr. Cole will have one opportunity and not a continuum of years.

Mr. Thornburg noted that Events Acquisition agreed to raise the bond to \$2 million. They have also agreed to commit to a charity an amount of \$7,500 or more depending on the event success. There was discussion of whether it would be contributed to the People for Parks Fund.

In response to Vice Mayor Rodstrom, the City Attorney indicated it would be raising money for a third party but it does not violate the ordinance.

Commissioner Moore wanted a minimum of \$25,000. Vice Mayor Rodstrom did not think it should be required at all. Many events announce a designated charity themselves. Mayor Naugle liked the People for Parks Fund. Commissioner Hutchinson thought it could be left to the discretion of Events Acquisition to name a charity. Commissioner Teel suggested the City designate the first year and Events Acquisition could designate the second year. She agreed with contributing for trees and green space and that it should be \$25,000.

Mr. Thornburg indicated once the artists are signed, Events Acquisition will submit a ticket schedule to the City. The range will be free to a certain price. Closest to the stage

will be the most expensive. The final point is the name, Fort Lauderdale Music Festival. If a different name is conceived, they will request the City's approval.

In response to Commissioner Teel, Mr. Rodstrom indicated that they are aware of the turtle.

Vice Mayor Rodstrom thought this was to stimulate the beach on a weekend when there might not be as much business. In response to Vice Mayor Rodstrom, Amaury Piedra, Sheraton Yankee Clipper and Westin Fort Lauderdale Beach, said they wanted to find a middle ground where there would be good weather for the event and one could comfortably have a three-day weekend. He consulted LXR Hotels and the Hilton. Hotels sell out on Saturdays, but Fridays and Sundays are normally in the 70% range. With more activity, the goal is to increase those 70% dates.

Vice Mayor Rodstrom asked if there is a weekend where the hotels are at 25% occupancy. Mr. Piedra commented that as time goes deeper into May, occupancy begins to decline, but then there is the Memorial Day push. They questioned if people would take an extra day off from work to stay. Generally on this weekend (Memorial Day) people depart on Sunday, this should entice them to stay Sunday and arrive early on Friday. They believe this is the best bet.

Vice Mayor Rodstrom suggested looking at a slower weekend next year. Mr. Piedra felt a lot will be learned from the first event. Mayor Naugle noted in 2010 there is the Air and Sea Show.

Commissioner Teel emphasized care should be taken to stay away from the weekend before Mother's Day. The Air and Sea Show cannot be on that weekend. It is too devastating to the Galleria. Mr. Piedra commented that one of the good things about this event is that the residents and the event are aligned. It will be a boost in 2009.

Vice Mayor Rodstrom asked about sponsors. Mr. Lochrie said it will depend largely on the acts. The agreement provides that they have to coordinate with City staff the entire way.

In response to Vice Mayor Rodstrom, Mayor Naugle did not think it would be a good idea for her to attend the coordination meetings. He agreed to answer any constituent questions.

The City Manager noted that this event is unlikely to be perfect for a variety of reasons. He hoped it would be positive for the City, and be even better the following year.

In response to Commissioner Moore, Commissioner Hutchinson indicated that the Tourist Development Council supports the event, but Events Acquisition has not yet gone to the board.

Action: See regular meeting agenda item. There was consensus approval to the following items: City Manager shall approve headline artists. The agreement is with Michael Cole (of Events Acquisition Corporation). Cole will furnish a bond of \$2 million. Cole will donate a minimum of \$25,000 to People for Parks fund. A ticket price schedule will be submitted at a future date, however, there will be some free admission and the term sheet notes \$50. Unless another name is submitted and approved by the

Commission, the title will be Fort Lauderdale Beach Music Festival. The event date will be May 23 and 24, 2009.

I-F – Water Taxi Landing – SE 17 Street Bridge

Commissioner Hutchinson noted this is temporary for the boat show. In response to Commissioner Teel, the City Manager indicated it will be ADA compliant.

Action: Consensus approval. See regular meeting where the following item was adopted: A resolution authorizing the Director of Public Works to execute an file a general use permit with Florida Department of Transportation for placement and operation of water taxi landing and gang-way, proper City Officials to execute an assignment and assumption agreement, assigning permit to Water Transportation Alternatives, Inc. and Director of Public Works to execute all documents necessary to secure permit after review and approval by City Attorney.

I-G – Storage of Commercial Vessels – Docks Adjacent To Properties On NE 20 Avenue

Vice Mayor Rodstrom indicated this section of 20 Avenue is Business. Cate McCaffrey indicated this is specifically ROW zoning.

Mayor Naugle suggested provisioning of vessels take place on the property, not on the street. Commissioner Teel commented that provisioning has been a constant problem with an eighteen wheel truck parked on the street. Mayor Naugle pointed out it would be necessary to get a smaller vehicle that could fit in the parking lot. The City Attorney believed the proposal is to prevent refueling from the upland side, including boats on the docks. All of the commissioners disagreed, except Commissioner Moore who was silent. Mayor Naugle concluded the refueling language should be removed and provisioning is to occur on the property.

Vice Mayor Rodstrom referred to Commission consideration of second principal uses as conditional uses. She asked about landscape requirements. As the parcels are so small, it may not be possible to fully comply to all landscape requirements. The City Attorney agreed to work on the language. Commissioner Teel pointed out that the less landscaping, the more concrete, vehicles and more blight. As such Vice Mayor Rodstrom asked about existing businesses and how they would go about complying with the new landscape requirements. The City Attorney noted the businesses would not be grandfathered unless the Commission so chooses. At present, they are in violation, but the City has not enforced it. Mayor Naugle felt that a leased vessel in the waterway does not make it a commercial vehicle.

Commissioner Teel noted if four boats are situated on a property and in the water, a fire line is necessary.

Ms. McCaffrey indicated that it appears that five of the properties which were originally residential changed to a commercial use without going through proper Building Services procedure and therefore the proposed solution does not address those properties and raises another issue as to how to proceed. This is not an issue with the property in question because the original use was both residential and commercial.

Commissioner Teel felt the City needs to be sensitive to people rafting and going out further into the river because this area is more narrow. The City Attorney felt rafting would be essentially monitored by the fact that the lots do not have much width.

Walter Morgan indicated out of the twelve lots, four of the property owners are present at this meeting. He was concerned about the twenty foot landscaping buffer due to the size of the lots. It would preclude having a small marina. They request it be excluded or minimized. In response to Mayor Naugle, Mr. Morgan felt five feet would be acceptable. Vice Mayor Rodstrom thought Commissioner Teel's point likely applies if all of the lots were purchased by one party. Mr. Morgan explained there is no depth to the site; it will be like a marina only from the standpoint that one would be able to rent a dock space if the parking requirements are met. Commissioner Teel wanted to establish an attractive area. She did not think the footage should be decided today. She agreed that twenty feet is probably too much. Mayor Naugle concluded that staff would come back with a recommendation and the property owners could provide input to staff.

Bob Brantmeyer, Sun Dream Yacht Charters, referred to deliveries. They have worked it out so that trucks can situate completely on their lot. They are committed to being a good neighbor.

Ms. Mc Caffrey understood for properties not related to an extension of the principal use, staff will proceed with what was outlined in the Commission Agenda Report 08-1515, with regard to a marina as conditional use reviewed by Planning and Zoning Board and subject to Commission call-up. Commissioner Hutchinson added there will need to be more discussion on the landscape buffer.

Action: There was consensus approval to proceed with an ordinance for a new ROA-W zoning district. See minutes detail concerning provisioning of vessels and landscaping buffer. Commissioner Teel noted the fire line requirement for four or more boats on a property.

I-H – National League of Cities Annual Business Meeting – November 15, 2008 – Voting Delegate and Alternate

Mayor Naugle volunteered to serve as the delegate as he will be attending. Commissioner Teel said she is also planning to attend and would serve as an alternate, if her flight arrangements permit.

Action: There was consensus approval to proceed with an ordinance for a new ROA-W zoning district. See minutes detail concerning provisioning of vessels and landscaping buffer. Commissioner Teel noted the fire line requirement for four or more boats on a property.

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

No discussion.

EXECUTIVE CLOSED DOOR SESSION WAS HELD AT 4:17 P.M.

The City Commission shall meet privately pursuant to Florida Statute 768.28(16) regarding evaluation of the following cases:

Steven Green – VA GL 07-432

Robert Cammarota – WC 05-12688

MEETING RECONVENED AT 4:35 P.M.

III-B – Board and Committee Vacancies

Affordable Housing Advisory Committee

Action: No Formal Action Taken.

Audit Advisory Board

Action: No Formal Action Taken

Aviation Advisory Board

Commissioner Moore recommended Johnnie Riles to the Aviation Advisory Board.

Action: Formal Action To Be Taken At Regular Meeting.

Cemetery System Board of Trustees

Action: No Formal Action Taken.

Code Enforcement Board

Action: No Formal Action Taken.

Community Appearance Board

Action: No Formal Action Taken.

Community Services Board

Action: No Formal Action Taken.

Economic Development Advisory Board

Mayor Naugle recommended reappointment of Kristina Hebert to the Economic Development Board.

Action: Formal Action To Be Taken At Regular Meeting.

Education Advisory Board

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 Board

Action: No Formal Action Taken.

Nuisance Abatement Board

Action: No Formal Action Taken.

Parks, Recreation and Beaches Board

Vice Mayor Rodstrom recommended reappointment of Jeffrey Cannon to the Parks, Recreation & Beaches Advisory Board.

Commissioner Teel recommended Marilyn Markus to the Parks, Recreation & Beaches Advisory Board.

Action: Formal Action To Be Taken At Regular Meeting.

Planning and Zoning Board

Action: No Formal Action Taken.

Unsafe Structures and Housing Appeals Board

Action: No Formal Action Taken.

Utility Advisory Committee

Action: No Formal Action Taken.

II-A – Davie Boulevard Water Main Abandonment Between State Road 7 and Interstate 95 – Emergency Work Assignment

No discussion.

II-B – Deep Sewer Repair – Pump Station B-14 – NE 33 Avenue and NE 23 Street – Emergency Repairs

No discussion.

I-A – Interim Commissioner District III Interviews

Continued from page 7.

The City Clerk said staff was able to reach Mr. Mizell.

Mayor Naugle asked how many people are running. The City Clerk indicated that Mr. Witherspoon has withdrawn, so there is Mr. Mizell, Mr. DuBose and Dr. Hankerson. In speaking with Mr. Mizell, he did not understand that he was not able to run for the permanent seat if he sought the interim seat. It has not been possible to reach Mr. DuBose, but his wife was told that it was important that he be reached today.

Mayor Naugle asked Mr. Witherspoon be consulted nevertheless.

IV – City Commission Reports**Community Transit Services, Downtown Fort Lauderdale Transportation Management Association**

Commissioner Teel indicated that the Transportation Management Association (TMA) Executive Director canceled the Galt Ocean Mile and some other trolley routes on Friday without any notice. She determined there was an email received by Mark Levitt (Limousines of South Florida) on October 9 or 10, which was almost a week before the TMA Board meeting, indicating the routes would be stopped on the 17th. At the board meeting, she understood service would be continuing until January. Calls were not being answered at the TMA office on Friday. She understood the reasoning of discontinuing routes that do not have sufficient ridership. However, people are contending that the rider count was conducted a year ago and is not accurate. She has furnished applications to people with medical justification to use the County's TOPS program for that group of people. She believed that would be more costly than assisting with the trolley system. Something needs to be communicated to Broward County.

Commissioner Moore indicated that routes were also stopped in Lauderdale Manors. It was the same situation. He commented about the TOPS program delays in service. He felt the TMA administrative costs should be used instead for ridership and the program operated by the City. Some administrative funding could be allocated. He agreed that the statistics are not current. He commented that charging of a fee contributed to the low ridership statistics and now that ridership is free, more people are using it.

Commissioner Hutchinson suggested and there was consensus to defer discussion until the regular meeting.

Action: Commissioner Teel was concerned about the discontinuance of some routes over the past weekend without notice. See regular meeting, agenda item M-26.

Boat Washed Ashore on Galt Ocean Mile

Commissioner Teel thanked all those involved in removing the boat that had washed ashore on the Galt Ocean Mile beach.

Fall Harvest Picnic

Commissioner Teel remarked on the Fall Harvest picnic being a great event.

Citizen Volunteer Corps (CVC)

Vice Mayor Rodstrom announced an upcoming Citizen Volunteer Corps event for South Middle River Civic Association.

Middle River Terrace Open Space (park) & Annie Beck House

Vice Mayor Rodstrom announced that Broward County Commission approved the Middle River Terrace open space addition. No general funds were used to acquire this property. She announced the upcoming Annie Beck reception at the park.

ArtServe and Library

Vice Mayor Rodstrom announced that Broward County Commission approved a 20-year lease with ArtServe, Stonewall and the Library. The ArtServe facility was chosen as the recipient of an Arts Recognition Award for 2008.

Community Services Board; Cultural Arts and Tourism

Vice Mayor Rodstrom emphasized the need for members of the Community Services Board to under their new function with respect to cultural arts and tourism.

Beach Redevelopment Advisory Board & Beach Business Improvement District Advisory Committee meetings

Vice Mayor Rodstrom reported on her attendance at the Beach Redevelopment Advisory Board and Beach Business Improvement District Advisory Committee meetings.

Neighborhood Stabilization Grant Program

Vice Mayor Rodstrom asked the City Manager provide a report on the neighborhood stabilization grant program as soon as possible.

Coral Ridge Park; 24 Street and Bayview Drive

Commissioner Teel thanked Commissioner Hutchinson for her assistance at the Broward County Land Preservation Board meeting concerning Coral Ridge Park and consideration of adding a parking lot. The Board agreed it should remain green space. Mayor Naugle indicated he also sent a letter on the matter.

7th 9th Avenue Connector and Metropolitan Planning Organization, City Representation

Commissioner Moore referred to the last Metropolitan Planning Organization (MPO) meeting and that they continue to believe that the 7th 9th Avenue Connector project is worthy of discussion and continuation.

In response to Commissioner Moore, Vice Mayor Rodstrom noted it was agreed that she would take Commissioner Moore's place on the MPO.

Commissioner Moore asked the Vice Mayor to watch the 7th 9th Avenue Connector process. It is a good project. It was initiated by Broward County. He recalled some of the history on it. The only issue resonating with the MPO at this time is why it is not viewed as a transportation roadway and transit concept.

Action: There was consensus approval for Vice Mayor Rodstrom to serve as the City's representative on the Metropolitan Planning Organization, taking the place of Commissioner Moore. Commissioner Moore asked the Vice Mayor to monitor the 7th 9th Avenue Connector project at the MPO.

Teachers from Indonesia

Commissioner Hutchinson said that tomorrow she will be hosting three teachers from Indonesia who are part of Hawaii's East/West School Partnership Initiative which was also supported by the U.S. State Department to foster better relationships with the Muslim community and the U.S. She encouraged the Commission to participate.

II-C – Audit Report – Building Division

Vice Mayor Rodstrom complimented the Auditor on the report and the response. The City Auditor said they received a lot of staff cooperation.

In response to Commissioner Moore, Valerie Bohlander, Director of Building Services, indicated staff believes that a policy and procedure manual can be completed in six months.

Commission Reports continued

Strayer University

Mayor Naugle commented on the new Strayer University, the first tenant to move into the Riverbend development (Interstate 95 and Broward Boulevard).

V – City Manager Reports

Senator Barack Obama

The City Manager noted that Senator Barack Obama visited Fort Lauderdale today at the 700 block of NW 6 Street.

Migrants Coming Ashore

The City Manager indicated that some migrants came ashore today.

Guns, Ammunition and Grenades

The City Manager reported that a canal cleaning crew and found duffle bags floating in the water filled with guns, ammunition and grenades at 2528 North Federal Highway.

There being no further business to come before the Commission, the meeting was adjourned at approximately 5:06 p. m.