

**FORT LAUDERDALE CITY COMMISSION CONFERENCE MEETING  
NOVEMBER 18, 2008**

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**CITY COMMISSION CONFERENCE MEETING 1:30 P.M. NOVEMBER 18, 2008**

Present: Mayor Naugle  
Commissioners Hutchinson, Teel, and Lewis, 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 Martinez

Mayor Naugle welcomed the new Commissioner, Magdalene E. Lewis.

**I – A – Metropolitan Planning Organization – Appointment of City Representative**

The City Clerk said that this matter was handled at the October 21, 2008 meeting.

**I-B – City Boards and Committees – Reducing Quorum Requirement**

Mayor Naugle suggested it be a majority of those serving on the board at any given time, not counting vacancies.

Elizabeth Hayes, Education Advisory Board Chair, agreed that idea would be helpful.

Commissioner Teel suggested considering reducing the membership of twenty-five for the Community Appearance Board to fifteen. Mayor Naugle suggested asking the board's view.

In response to Mayor Naugle, the City Clerk noted that quasi-judicial boards were not included for consideration.

Dr. Hayes noted the Parks, Recreation and Beaches Board rarely has a quorum problem, however the Education Advisory Board has had quorum problems.

The City Attorney indicated he will review the enabling legislation to see if there are any needed changes.

**Action:** There was consensus approval for the City Attorney to prepare the proper legislation to reduce the quorum requirement to a majority of members, exclusive of vacancies at the time of the meeting, with some consideration of the impact of an extraordinary number of vacancies, for the following boards: Beach Redevelopment, Cemeteries, Centennial, Community Appearance, Community Services, Economic Development, Education, Fire-Rescue Facilities Bond Issue, Insurance, Marine, Northwest Progresso-Flagler Heights Redevelopment, Parks, Recreation and Beaches and Utility. For the Education Advisory Board and Community Appearance Board, their members are to be consulted as to their position on reducing the membership to fifteen.

**II-A – South Florida Water Management District Proposed Year Round Water Conservation Rule**

Mayor Naugle asked what other cities are taking this position.

Commissioner Teel complimented staff on the thorough back-up information. She believed the South Florida Water Management District actions are not well thought out.

Mayor Naugle commented that the South Florida Water Management District is not composed of individuals with expertise in operating a water system.

The City Manager also complimented Albert Carbon, Director of Public Works, noting he has become a regional leader on water issues.

Mr. Carbon indicated that Boca Raton and Delray Beach will be challenging the rule in addition to the information from the leagues in the backup materials. Water conservation rules are not one size fits all.

Vice Mayor Rodstrom questioned the thinking that the new rule will impact the City's infrastructure. Mr. Carbon explained with a two days a week measure, every other day there will be a high peak or a low volume of water. Irrigation is projected to be anywhere from 30% to 50% of the City's water use. With three days a week, there would be more steady usage. This is one concern. The City can better regulate and determine what is best for its customers with respect to conservation and irrigation. In response to Vice Mayor Rodstrom, Mr. Carbon indicated staff will use the special counsel to challenge this. The drought surcharge is an independent issue.

Vice Mayor Rodstrom thought that the South Florida Water Management District would lift the drought surcharge once the new rule is put in place. She was concerned about the timeframe involved to challenge it. Mr. Carbon indicated the two day irrigation limitation is one of the significant issues.

The City Manager noted water is like selling any other type of product that is sold. If someone limits the quantity that can be sold and raises the usage price, less product will be sold. As sales go down, rates will need to be raised to make up the loss or there will be a deficit. The question is whether three-day per week usage will be okay.

Vice Mayor Rodstrom questioned what is the bigger relief for taxpayers: the drought service charge or whatever the City will do to make up the difference.

Commissioner Hutchinson believed that people are complaining because they use too much water. She does not use enough water for the surcharge to kick in.

Mr. Carbon explained there is plenty of water at this time in South Florida. What is being looked at is the levels of Lake Okeechobee and de-minimizing the ups and downs in order to have year round conservation. The District has a four-phased drought program. This will implement a permanent phase three, which is two days per week irrigation.

In response to Vice Mayor Rodstrom, Mayor Naugle indicated no other cities are going to three days per week because it is not allowed. Mr. Carbon said that the Southeast

Florida Utility Council is joining in the challenge against two days a week. The League of Cities is challenging the rule on its basis. With three days per week, other conservation measures would also be imposed which he elaborated upon, noting efficient use is a factor. He went on to note the City's rates are very low. Staff intends to examine the conservation rates and perhaps increase rate charges. The City is capable of covering debt service.

The City Auditor pointed out that as conservation goes up, the price the City charges would have to also go up in order to make the same amount of revenue. The rates will increase for everyone, but less penalty to those who conserve.

**Action:** There was consensus approval for the City to pursue challenging the proposed South Florida Water Management District Proposed Year Round Water Conservation Rule.

### **II-B – Relocation of Fire Station 35 – Property Exchange Between City and Shepard of the Coast Lutheran Church**

In response to Mayor Naugle, James Eddy, Chief of Fire Rescue, indicated there is no objection to the site not being on the corner; he believed it is a great location.

Commissioner Teel complimented Chief Eddy on the creative and cooperative effort.

**Action:** There was consensus approval for staff to negotiate with the Shepard of the Coast Church for the property exchange, including a month-to-month lease agreement for the City to lease the existing Station 35 while constructing the new one for a duration not to exceed 24 months at a monthly rate of \$4,000 and present the exchange and rental agreements to the Commission at a future date.

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

#### Affordable Housing Board

**Action:** No Formal Action Taken.

#### Audit Advisory Board

Commissioner Teel recommended reappointing Joseph P. Welsch to the Audit Advisory Board.

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

#### Cemeteries Board of Trustees

**Action:** No Formal Action Taken.

#### Citizens Police Review Board

Mayor Naugle recommending reappointing George Trodella to the Citizens Police Review Board.

Commissioner Teel recommended reappointing Eileen Helfer to the Citizens Police Review Board.

Commissioner Hutchinson recommended reappointing Alan Stotsky to the Citizens Police Review Board.

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

Code Enforcement Board

**Action:** No Formal Action Taken.

Community Appearance Board

Mayor Naugle recommended reappointing Randall Vitale and Pieter Coetzee to the Community Appearance Board.

Commissioner Hutchinson recommended reappointing Ryan Paton, John Castelli, Jason Johnson, and Marilyn Mammano to the Community Appearance Board.

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

Community Services Board

Vice Mayor Rodstrom recommended reappointing Michael Kimmey and Avery Dial to the Community Services Board.

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

Downtown Development Authority of the City of Fort Lauderdale, Florida

Commissioner Hutchinson nominated Danny O'Shea and Commissioner Teel nominated Greg Durden.

**Action:** There was consensus approval that Mr. O'Shea and Mr. Durden would be invited to the December 3, 2009, conference meeting for interviews.

Economic Development Advisory Board

Commissioner Hutchinson recommended reappointing Ralph Riehl to the Economic Development Advisory Board.

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

Education Advisory Board

**Action:** No Formal Action To Be Taken.

Fire Rescue Facilities Bond Issue Blue Ribbon Committee

Mayor Naugle recommended reappointing Douglas Ruth to the Fire Rescue Facilities Bond Issue Blue Ribbon Committee.

Commissioner Teel recommended reappointing Donald J. Bastedo to the Fire Rescue Facilities Bond Issue Blue Ribbon Committee.

Commissioner Hutchinson recommended reappointing Allan A. Kozich to the Fire Rescue Facilities Bond Issue Blue Ribbon Committee.

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

Board of Trustees of the General Employees Retirement System

Mayor Naugle recommended reappointing Robert Helmholdt to the Board of Trustees of the General Employees Retirement System.

**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

**Action:** No Formal Action Taken.

Parks, Recreation & Beaches Advisory Board

**Action:** No Formal Action Taken.

Board of Trustees of the Police and Firefighters Retirement System

**Action:** No Formal Action Taken.

Unsafe Structure & Housing Appeals Board

**Action:** No Formal Action Taken.

Utility Advisory Committee

Mayor Naugle recommended reappointing Terri Murru to the Utility Advisory Committee.

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

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**EXECUTIVE CLOSED DOOR SESSION WAS HELD AT 2:00 P.M.**

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

**Marcel Levi – GL 07-163C**

**Tom Langwiesner – VA GL 07-272**

**MEETING RECONVENED AT 2:11 P.M.**

NOTE: The Commission convened as the Community Redevelopment Agency Board of Directors from 2:11 p.m. to 2:13 p.m.

**IV – City Commission Reports**

**Crime; Police Department Presentations at Homeowner Meetings**

Commissioner Teel noted that the Police Department has been attending many homeowner meetings and speaking about the Street Crimes Unit that has been well received; they have also provided helpful information about fighting crime.

**Underground Parking**

Vice Mayor Rodstrom wanted more information about underground parking on the barrier island and suggested the topic be scheduled for a conference meeting. She asked if the City has expertise on staff in this area of construction. She wanted information from an engineer instead of someone being paid by the developer. Mayor Naugle noted that the Building Code covers construction and it was written by professionals. In terms of impact to other buildings, the City cannot hold someone harmless from something another party does. Valerie Bohlander, Director of Building Services, indicated the Building Code addresses underground parking and there are also very stringent FEMA regulations. Staff will review underground parking plans and will not issue a permit until regulations are met. She offered to provide this information. The City Attorney noted the Building Code provides for sub-adjacent lateral support, and requires construction in such a manner that would not diminish any sub-adjacent lateral support needs of adjacent buildings. Ms. Bohlander indicated in addition to the City staff review, a Broward County engineer also reviews such plans. Mayor Naugle pointed out that it is ultimately the design professional that places their seal on the plans. The City does not have that type of expertise on staff.

**Action:** In response to Vice Mayor Rodstrom, the Director of Building offered to furnish regulations on underground parking.

**Barrier Island Greenway; Metropolitan Planning Organization**

As a new representative on the Metropolitan Planning Organization, Vice Mayor Rodstrom wanted assurance from the Commission that the Barrier Island Greenway may be added to the priority list. Commissioner Teel indicated the lists are like living documents and constantly changing. Albert Carbon, Public Works Director, explained that there is a funded and an unfunded list. The greenway is on the unfunded list. Commissioner Teel noted that a Commission consensus is not needed in order for the Vice Mayor to try to move the greenway forward. Members try to get unfunded projects moved up to the funded group. Mayor Naugle agreed no consensus is needed because

by it being on the unfunded list means the City has taken a position in favor of that project.

#### Northwest Community Redevelopment Agency

Vice Mayor Rodstrom noted there are some constituents who want to look into other possibilities with respect to the northwest Community Redevelopment Agency. Mayor Naugle and Commissioner Hutchinson recalled the City taking a position in favor of expanding it to NW 13 Street but the County denied it. The City Attorney recalled it was in 2002.

#### District III Neighborhood Improvement Grants

Commissioner Lewis indicated that there are neighborhood improvement grants for District III that have not moved forward for as long as three years.

**Action:** Commissioner Lewis requested a status report from the City Manager on District III neighborhood improvement grants.

#### 4 Avenue Sidewalks

Commissioner Hutchinson reported that Broward County obtained state funding for safe routes to schools, and there are now new sidewalks on the west side of 4 Avenue at State Road 84 to 20 Street and toward 17 Street.

#### Economic Stimulus Potential Projects; National League of Cities Conference, Orlando

Mayor Naugle reported on his attendance at the National League of Cities conference in Orlando last week. From that conference, there is discussion that cities be ready with projects if the federal government calls upon cities in connection with an economic stimulus. Albert Carbon, Public Works Director, said a project that is at the 95% design level is the 11 Avenue swing bridge. Also, there are always water and sewer projects ready to go.

Mayor Naugle wanted to organize a package of projects including the number of people that would be employed, and communicate them to the appropriate members of Congress.

The City Manager noted for bigger project, that the legislative package would come before the Commission at the December meeting for prioritization.

#### Transportation Coalition, Orlando

Commissioner Teel reported on her attendance at the Transportation Coalition held in Orlando. Many cities have wish lists. The Downtown Development Authority's light rail project is ready to go. She emphasized the importance of transportation projects.

Vice Mayor Rodstrom emphasized the need to focus on projects that would generate jobs.



**V – City Manager Reports**

The City Manager reported his plans to meet with the Fish and Wildlife and Environmental Protection state departments in an attempt to obtain assistance for the beach cleaning initiative and the City's permit for the South Beach wall rehabilitation.

**Shooting Tragedy: District III**

Mayor Naugle thanked all those involved with the tragedy while he was away. Commissioner Lewis said that a teacher who may have had knowledge of the child having the weapon was removed from the school today.

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There being no further business to come before the Commission, the meeting was adjourned at approximately 2:34 p. m.