

FORT LAUDERDALE CITY COMMISSION CONFERENCE MEETING

JANUARY 21, 2009

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CITY COMMISSION CONFERENCE MEETING 1:30 P.M. JANUARY 21, 2009

Present: Mayor Naugle
Commissioners Hutchinson, Teel, 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. Frank Sousa

Mayor Naugle announced that discussion of a new ROA-W zoning district has been deferred until February 3, 2009.

I-A – Front Porch Initiative – Request of Dorsey Revitalization Council For Funding In The Amount of \$10,000

Matt Walters, Dorsey Riverbend Revitalization Council, described the history of the Front Porch initiative and its accomplishments. The funding request is for supplemental expenses. Most of their income is derived from a Florida Department of Urban Opportunity grant. Because the use of those funds is restricted, the Council would like funding to assist with seeking grants and associated administrative costs and to offset the cost of the Council's manager. The \$10,000 was originally an annual appropriation but budget changes happened at the State.

Mayor Naugle noted that this is a one-time request.

In response to Vice Mayor Rodstrom, Mr. Walters recalled the City has funded the Front Porch Initiative four of the last eight years.

In response to Vice Mayor Rodstrom, Mayor Naugle indicated the Contingency Fund balance is \$74,500. In response to Vice Mayor Rodstrom's question about accountability, Mayor Naugle suggested the Council provide quarterly reports to the Commission. The City Auditor suggested a budget be required which is similar to what is required for most grant applications at the state and county levels. Vice Mayor Rodstrom explained her concern is simply one of process and accountability.

I-B – 2009 State and Federal Legislative Agenda

Mayor Naugle said that there is a request to delay this item until the State Representative arrives.

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I-C – Proposed Alarm Response Fee Settlements

No discussion.

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

No discussion.

III-B – Board and Committee Vacancies

Affordable Housing Advisory Committee – no appointments at this meeting

Audit Advisory Board

Commissioner Hutchinson recommended John J. Zullo to the Audit Advisory Board.

Beach Redevelopment Board

Commissioner Teel recommended reappointment of Melissa Milroy and Jordana L. Jarjura to the Beach Redevelopment Board.

Cemetery System Board of Trustees

Commissioner Hutchinson recommended reappointment of James Mowell to the Cemetery System Board of Trustees.

Commissioner Teel recommended reappointment of Larry W. Sherman and Jose Manuel Portela to the Cemetery System Board of Trustees.

Mayor Naugle recommended reappointment of Larry M. Ott and Alfred C. Calloway to the Cemetery System Board of Trustees.

Citizens Police Review Board – no appointments at this meeting

Code Enforcement Board

Commissioner Hutchinson suggested reappointing Eugenia Ellis to the Code Enforcement Board (consensus appointment).

Community Appearance Board

Commissioner Hutchinson recommended Rick Murphy to the Community Appearance Board.

Community Services Board – no appointments at this meeting

Economic Development Advisory Board

Commissioner Teel recommended Susanne T. McCoy to the Economic Development Advisory Board.

Education Advisory Board

Commissioner Hutchinson recommended Derek Kelmanson to the Education Advisory Board.

Enterprise Zone Development Agency

Commissioner Hutchinson suggested reappointing Purvin Pujara and Frank Adderley or his designee to the Enterprise Zone Development Agency (consensus appointments).

Fire Rescue Facilities Bond Issue Blue Ribbon Committee – no appointments at this meeting

Insurance Advisory Board

Commissioner Hutchinson recommended reappointment of Charles J. Grimsley to the Insurance Advisory Board.

There was consensus approval to reappoint everyone eligible for reappointment to the Insurance Advisory Board, those being Christopher Prestera, James E. Drake and Joseph Piechura, Sr.

International Swimming Hall of Fame. Board of Directors

Vice Mayor Rodstrom agreed to her reappointment to the International Swimming Hall of Fame Board of Directors.

Marine Advisory Board – no appointments at this meeting

Nuisance Abatement Board

There was consensus approval to reappoint everyone eligible for reappointment to the Nuisance Abatement Board, those being Linda Dawkins (Alternate), Pat Mayers, Laurie A. Watkins, Ted Fling, and David Svetlick.

Parks, Recreation and Beaches Board

Commissioner Teel recommends the appointment of Roger Bond to the Parks, Recreation & Beaches Advisory Board.

Board of Trustees of the Police and Firefighters Retirement System

Mayor Naugle suggested reappointing Dennis Hole to the Board of Trustees of the Police and Firefighters Retirement System (consensus appointment)

Unsafe Structure and Housing Appeals Board

Mayor Naugle suggested appointing John Scherer to the Unsafe Structure & Housing Appeals Board (consensus appointment).

Utility Advisory Committee

Commissioner Hutchinson recommended William Goetz to the Utility Advisory Committee.

Commissioner Lewis said that the Utility Advisory Committee is not presently operating because five individuals have reached their term limits as of December 31, 2008. She

requested some consideration to resolve this dilemma. Mayor Naugle noted that the franchise renewal is fast approaching and it is important to retain experienced members. The City Attorney advised that according to the resolutions, members serve until their replacement is appointed. There was consensus approval for the five individuals to be allowed to continue to serve and that they be informed of this decision. However, Commissioner Hutchinson indicated she has already replaced two of her appointees.

IV – City Commission Reports

Dottie Mancini Park (formerly Imperial Point Park)

Commissioner Teel announced that Broward Health is partnering with the City to install a restroom at the Dottie Mancini Park, formerly known as Imperial Point Park.

City Entrance Sign; A-1-A Southbound

Commissioner Teel believed that the Florida Department of Transportation will be assisting with an entrance sign along A-1-A southbound from Lauderdale-By-The-Sea. She was hopeful about median landscaping.

Executive Airport Control Tower

Commissioner Teel announced a new control tower at Executive Airport will likely be opened in 2011.

City Commission Regular Meeting

Vice Mayor Rodstrom indicated she may be a few minutes late for tonight's meeting. If necessary, she asked another member of the Commission to make her presentation of the WOW award.

Political Signs

Vice Mayor Rodstrom referred to a staff email and asked about a change to City policy on political signs. Residents want to have neighborhood event signs and question why political signs are permitted but neighborhood event signs are not. Mike Maloney, Code Enforcement Manager, said the policy is that campaign signs would be removed from medians and those in the easements that are attached to poles, etc. If a complaint is filed regarding a campaign sign in an easement, Code Enforcement would contact the candidate and provide him or her the opportunity to remove it. Staff has not told anyone that signs in the easements are allowed.

Mayor Naugle felt all candidates should be contacted via e-mail regarding removal of political signs in the swales by the weekend, otherwise starting on Monday, the City would remove them. Mr. Maloney explained that sometimes it is difficult to determine the location of the easement without a survey. The City Manager noted that policy has not been changed.

The City Manager felt the employee may have spoken with a poor choice of language in the email. Signs are not permitted on public property. Code Enforcement needs to have a consistent policy because the law does not provide the City the ability to discriminate between types of signs. Vice Mayor Rodstrom clarified that the people who spoke to her

feel that the City is extending candidates a special privilege and leaving neighborhoods out.

Mayor Naugle thought there are other ways besides surveys to determine the delineation, such as telephone poles. He hoped the Code Enforcement staff would use discretion for those that seem close.

The City Manager suggested the candidates be notified by the City Clerk. The City Clerk disagreed because signage is handled by Code Enforcement. The City Attorney agreed with the Clerk. Mayor Naugle asked the City Clerk to provide Building Services with the candidate contact information.

Vice Mayor Rodstrom explained her concern is consistency.

Senior Center; Riverland Park

Commissioner Lewis said that her district is recommending that there be a senior center in Riverland Park. Mayor Naugle indicated it could be placed on a future conference agenda with a response from staff at that time. He noted there is a building; therefore he thought this would be about senior programming.

Phil Thornburg, Parks and Recreation Director, said staff is aware of the request; it is for a separate building. Programming is presently provided for all ages at the area community center, but nothing specifically for seniors. Mayor Naugle suggested staff look into senior programming.

In response to Vice Mayor Rodstrom, Mr. Thornburg indicated there are time slots available for programming.

The City Manager indicated staff could study the issue and add it to the list of considerations during the capital improvement program process.

In response to Vice Mayor Rodstrom, Mr. Thornburg agreed to work on providing some senior programming in the existing facility.

Mayor Naugle noted other areas of the city where senior activities are available, but asked about the southwest quadrant. Commissioner Hutchinson agreed there is not anything in the southwest quadrant, and noted the closest facility is the Sunshine Cathedral.

Mayor Naugle suggested providing programming in the current facility to see if they utilized. Vice Mayor Rodstrom concurred. Commissioner Hutchinson suggested contacting Edith Lederberg of the Area Agency on Aging.

The City Auditor noted that the senior population is automatically eligible for Community Development Block Grant funds.

Reopening Road Closure; SW 22 Avenue

Commissioner Lewis indicated the Riverland neighborhood is requesting permanent reopening of SW 22 Avenue closure.

Peter Partington, City Engineer, suggested staff be allowed to conduct a survey of the affected neighborhood section and provide those results to the Commission.

In response to Commissioner Teel, Mr. Partington believed the road has been closed since the late 1980s.

There was no objection to staff proceeding with the surveying.

Woodland Park Neighborhood Association; request to rezone Lots 30-46, Block H

Commissioner Lewis asked the Commission to consider rezoning Lots 30 through 46, Block H of Woodland Park to high density residential (15 units per acre). Mayor Naugle explained the procedure. Commissioner Lewis agreed to provide a letter from the neighborhood association requesting the rezoning so that the City would be the applicant.

Broward League of Cities; Items of Consideration

Proposed Broward County Ordinance; people under the age of 21 prohibited from establishments that serve alcohol

Commissioner Hutchinson provided information she received at the last Broward League of Cities meeting: The first item is a proposed Broward County Ordinance that will be considered on February 10, 2009, which would prohibit people under the age of 21 from being present in an establishment that serves alcohol without their legal guardian.

Dishonest services and misuse of office

Commissioner Hutchinson provided information from the federal government concerning dishonest services and misuse of office.

Special Legislative Session Alert

Commissioner Hutchinson provided a legislative alert document concerning the legislature's special session.

Homeless; feeding in City parks

Commissioner Hutchinson continued to be concerned about feeding of the homeless at Stranahan Park and that no one is cleaning up. There needs to be a way to assure the area is cleaned up. It is not the City's responsibility to cleanup.

The City Attorney indicated his office has visited Stranahan Park. There are constitutional issues. Unless stringent rules are put into place and applied to everyone, there is nothing that can be done.

Vice Mayor Rodstrom asked about her idea of a public parking lot for the downtown. Mayor Naugle mentioned it being moved from Holiday Park into a parking lot. Commissioner Teel mentioned tent city from the past and explained the problem is there is no cleanup.

The City Attorney said there is a case in Orlando exactly like this issue. The City would have to be able to show that they create a bigger mess than those who normally use the park. If the idea is not necessarily to stop it, the City could require some kind of a bond and if they do not clean it up, the City could prohibit them from using it.

Mayor Naugle asked the City Attorney to provide some options for a conference item in the next month.

The City Manager believed the fundamental problem is that there are homeless people in the park and not that there is trash. He elaborated upon the increase in the homeless population and agencies responsible for social services, such as Broward County, are cutting back and not fulfilling their obligation.

Mayor Naugle explained the only time the homeless population falls is when the City does not permit people to break the laws. The more services provided, the more homeless there will be. Aggressive law enforcement is needed. Parks are not for providing social services. In the past when the courts indicated it had to be allowed somewhere else other than parks, the City used a parking lot. It sounds like there needs to be a designated area for social services.

Vice Mayor Rodstrom did not want to stop feedings by volunteers. The City needs to have a specific area.

Commissioner Hutchinson explained her concern is about cleanup.

The City Manager recalled the Mayor's request for suggested locations from each district commissioner. Mayor Naugle felt the City may be able to get them to voluntarily use the old helistop.

I-B – 2009 State and Federal Legislative Agenda

Continued from page 1.

Florida Representative Ellyn Bogdanoff noted in the ending legislative special session \$2.3 billion was cut from the budget and \$300 billion was put aside because December revenues were \$100 billion short. She discussed the predicament of considering raising taxes in view of people losing their homes and jobs and businesses going bankrupt. She emphasized the need to figure out how to do better. She believed that everything is on the table. No one wants to say anything specific at this time because no one knows what they are up against. With a new president confidence is often rebuilt. However, the Legislature is anticipating to cut another \$3-4 billion. She guessed the budget will be \$58-59 billion. The 2004 budget was \$58 billion, thus no growth since that time. When there is a bad economy, the need for public assistance increases. She felt all government levels need to work together. She believed there is real opportunity for government efficiencies that could ultimately stimulate the economy.

Police and Firefighter Pensions

Mayor Naugle asked Representative Bogdanoff to assist cities in preventing the loss of Florida Statutes, Chapters 175 and 185 funding if changes are made to pensions to provide for a defined contribution versus a defined benefit for new public safety hires. He noted this issue is contained in the City's legislative agenda information.

Commissioner Hutchinson believed that the City of Miramar has adopted legislation in support of this concept also. Representative Bogdanoff noted she is policy chair of the Florida House for the next two years. She acknowledged the idea.

River Oaks; Drainage

Ms. Bogdanoff noted work is being done with respect to the River Oaks drainage issue. It will be problematic to assist as done in the past, but the Legislature may be able to help with some critical areas.

Calypso Deepwater Port

Commissioner Teel inquired about the Calypso deepwater port status. Representative Bogdanoff indicated she met with the Governor's office and determined that the permit is not on the Governor's desk. She followed up with the Governor's office and the individual in charge of environmental matters. They are aware of how the community feels about this project. They promised to keep her up to date. She believed the public hearing may have been pushed off. Everyone is focused on the budget at this time.

Chris Lyon, City Lobbyist, complimented Representative Bogdanoff for her work on behalf of the City. With respect to the budget cuts, he believed there are rough times ahead. He asked that the Commission prioritize in hopes that something could be successful. He also indicated that he will keep the City informed of any news concerning a potential federal economic stimulus package. He believed it will be a big year to focus on policy. He recommended the Commission take that focus.

Carole Duncanson, City Lobbyist, indicated that at their invitation, she has joined the Broward League of Cities' legislative affairs committee. She will keep the City informed. The League presented a bill that would allow on-line advertising as a cost saving measure. Mayor Naugle wanted to avoid being required to advertise in the Sun Sentinel in view of their readership statistics. Representative Bogdanoff indicated this concern has been raised. There is the issue of the digital divide. Perhaps an argument could be made in areas such as Fort Lauderdale where libraries offer free internet availability.

Vice Mayor Rodstrom pointed out that not everyone is comfortable using a computer. She felt both options should be available and a slow transition to the computer option.

Ms. Duncanson felt the League of Cities organizes their legislative days too late in the process. She recommended commissioners plan on coming to the capitol in February. She mentioned one Florida Department of Transportation upcoming bill that speaks about Interstate 95. Also, there will be some court related bills.

Mayor Naugle expressed concern about the repair and replacement of bridges which is included in the City's economic stimulus submittal (U.S. Conference of Mayors).

Vice Mayor Rodstrom mentioned the fire station could be another, as it is ready to go and would create jobs.

Ms. Gunn said she contacted the federal congressional offices today to try and get a better sense of how the monies will come down. There is not much detail yet. The City has a list of ready-to-go projects. It may make sense to stick with the federal stimulus items which is Exhibit 7. They are in the capital improvement program; some has City

funds committed to them; they are designed and ready to go and fit in with the infrastructure emphasis.

Vice Mayor Rodstrom wanted to know about ordering the items for submittal. Ms. Gunn indicated there is no format per se yet. Mayor Naugle indicated that projects that indicate 90 days are seen as ready to go. Ms. Gunn noted it also depends on what type of project they want; such as transportation, roads, bridges and so forth. Vice Mayor Rodstrom thought the emphasis was infrastructure, bricks and mortar, create jobs. Ms. Gunn indicated there are a variety of things, but that is generally the case. The City Manager explained that it is unknown at this time, so a master list provides flexibility.

Ms. Gunn added that additionally there is an appropriation process through the congressional offices that will continue. The stimulus is not supplanting the appropriation process.

Mayor Naugle wanted to identify projects according to congressional district. Ms. Gunn offered to do this.

The City Manager noted it may be necessary for members of the Commission to assist with their presence in Washington or Tallahassee. More attention is paid to elected officials.

EXECUTIVE CLOSED DOOR SESSION WAS HELD AT 2:48 P.M.

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

Estate of Donald Perry – VA GL 07-415

MEETING RECONVENED AT 2:54 P.M.

V – City Manager Reports

None given.

There being no further business to come before the Commission, the meeting was adjourned at approximately 2:54 p. m.