

**FORT LAUDERDALE CITY COMMISSION CONFERENCE MEETING
APRIL 7, 2009**

Agenda Item	Page
I-A Property Taxes	1
I-B Downtown Fort Lauderdale Transportation Management Association – route structure effective April 30, 2009	1
I-C Fiscal Year 2008-2009 Capital Projects	4
I-D 2009 Neighborhood and Business Capital Improvement Program Grant Funding	18
I-E Discretionary Spending	19
I-F Fourth of July Fireworks	20
I-G American Recovery and Reinvestment Act of 2009	21
I-H Red Light Camera Traffic Enforcement Systems	22
I-I Proposed Lien Settlements – Special Magistrate and Code Enforcement Board Cases	23
I-J Neighborhood Stabilization Program	24
I-K Governmental Accounting Standards Board (GASB) - City Auditor to Apply	26
I-L Appointment of City Commission Members to Various Organizations	26
II-A Nomination of Vice Mayor	26
II-D February 2009 Monthly Financial Report	26
II-B Tourism Report	27
II-C Economic Development Report	27
III-A Communications to City Commission and Minutes circulated for the period ending April 2, 2009	27
III-B Board and Committee Vacancies	27
1. Affordable Housing Advisory Committee	(Deferred)
2. Audit Advisory Board	(Deferred)
3. Aviation Advisory Board	(Deferred)
4. Beach Redevelopment Board	(Deferred)
5. Budget Advisory Board	28
6. Cemetery System Board of Trustees	(Deferred)
7. Centennial Celebration Committee	28
8. Code Enforcement Board	(Deferred)
9. Community Appearance Board	28
10. Community Services Board	28
11. Economic Development Advisory Board	(Deferred)
12. Education Advisory Board	(Deferred)
13. Fire-Rescue Facilities Bond Issue Blue Ribbon Committee	(Deferred)
14. Insurance Advisory Board	(Deferred)
15. Marine Advisory Board	(Deferred)
16. Nuisance Abatement Board	(Deferred)

	17.	Board of Trustees of the Police and Firefighters Retirement System	(Deferred)
	18.	Unsafe Structures & Housing Appeals Board	(Deferred)
	19.	Utility Advisory Committee	(Deferred)
IV		City Commission Reports	29
	1.	Broward Cultural Council Forum	29
	2.	Parking; A-!-A Marathon	29
	3.	Jack and Jill Children's Center	29
	4.	Ambassador to Thurgood Marshall Elementary School; seeking volunteers	29
	5.	Development and Extensions;; Senate Bill 2026 and House Bill 7049 and Condominium Associations; Senate Bill 880	29
	6.	Dr. Elizabeth Hays Civic Park	29
	7.	Easter Baskets; Big Momma volunteerism	30
	8.	District Events	30
	9.	Beach Nourishment, Galt Ocean Mile	30
	10.	Broward County Courthouse	30
	11.	Broward County Mayor	30
	12.	Citizen Recognition Program	30
V		City Manager Reports	30

CITY COMMISSION CONFERENCE MEETING 1:30 P.M. APRIL 7, 2009

Present: Mayor Seiler
Commissioner Roberts, Vice Mayor Rodstrom and Commissioners
DuBose and Rogers

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 – Patrick Hart

I-A – Property Taxes

Lori Parrish, Broward County Property Appraiser, indicated that the Vice Mayor had asked about the 2009 taxable assessed value. She estimated preliminarily 10-12%. Anything one lays their head down in is down. The only commercial properties where there are boosts are parking lots, banks and commercial warehouses. She believed that Fort Lauderdale is faring better than other communities. Assessments are due in arrears, so the 2009 tentative assessments provided to the City on June 1 is based on the status of properties between January 2008 and January 2009. The final assessments are provided on July 1. It is not going to get any better and in many cases it could get progressively worse.

Vice Mayor Rodstrom asked about the worse case scenario next year in Fort Lauderdale. Ms. Parrish indicated 20-30%. She cited some example of decreased values in condominiums in the west and the east - Fort Lauderdale.

Ms. Parrish complimented the Code Enforcement staff of Fort Lauderdale for their assistance to her office. She also complimented the Fire Rescue Departments. She emphasized the importance of getting timely certificate of occupancy information from building departments and that Fort Lauderdale Building Department has done a good job with this.

In response to Commissioner Rogers, Ms. Parrish indicated the 10-12% is residential only. It would be hard to estimate for industrial and commercial and explained why. Commercial warehouses are holding up, but warehouses are necessarily industrial. For her purposes, industrial is manufacturing.

Ms. Parrish suggested the City look at a list of vendors and the dollar amount for each service.

The City Manager thanked Ms. Parrish for her excellent service. Mayor Seiler complimented Ms. Parrish and the responsiveness of her office.

I-B – Downtown Fort Lauderdale Transportation Management Association – route structure effective April 30, 2009

Peter Partington, City Engineer, explained funding sources of the Transportation

Management Association (TMA). Broward County has reduced funding based on ridership numbers on certain routes. In addition the Congestion Mitigation and Air Quality (CMAQ) grant is fully expended this year. The TMA held workshops on what they would like their future route structure to be. They would like to concentrate on the downtown and the beach and use the community bus funding which currently supports the Galt and the northwest extension for the downtown and the beach. He reviewed the four options presented in the commission agenda report. The options are only envisioned for the balance of the fiscal year. The funding agreement for community bus service envisioned an hourly rate of \$43.52 but the agreement actually says \$38.50. This would not change the funding of \$175,000, however because the hours have been cut, the TMA cannot reach the \$175,000 at the lower hourly rate. Therefore this rate change is also requested.

There was consensus approval on the hourly rate change to \$43.52.

Commissioner Roberts noted the chart provided show the highest ridership on the Galt and northwest routes, which are proposed to be cut. Mr. Partington explained that last year when this was reviewed, particularly in the northwest, a fare was being charged and the ridership was much lower. Since the fare has been removed, it appears this route is the highest. He believed that also happened with the Galt.

In response to Vice Mayor Rodstrom, Mr. Partington indicated Options 1 and 4 do not cost anything. The TMA is recommending Option 1.

Alan Hooper, Chair, TMA Board of Directors, responded to Commissioner Roberts' question about cutting the Galt and northwest routes. The TMA's budget has been cut repeatedly. Ways to generate funds are fare and advertising. A fare of 25 cents was imposed to the Galt and the northwest and ridership dropped to almost completely and when it was removed, ridership came back. A fare of \$1 for Las Olas and the beach and 17th Street (convention center) had no impact on the ridership.

Vice Mayor Rodstrom asked about how much money has been expended. Mr. Hooper indicated that since October, the Galt and northwest routes were continued for a deficit of \$50,000-\$70,000. Vice Mayor Rodstrom understood there is no guarantee that the trolley type of vehicle would be used. Mr. Hooper believed that the Galt riders might prefer a mini-van because it is more comfortable but he did not think the northwest riders care one way or the other. He felt the trolley running along Sistrunk shows well and would probably be preferred.

Commissioner Rogers noted the workshop routes came before the Commission months ago. Mr. Hooper concurred. He noted that they were losing revenue at a rapid rate. They looked three years in advance to see where they would be when funding was at its barest bones. They felt Las Olas, 17th Street and A-1-A give the biggest bang for the community at-large. It allows for more advertising sales. It was a business decision. He noted the board membership at the time included two city commissioner, two county commissioners, a Metropolitan Planning Organization (MPO) member and two Downtown Development Authority members. He noted they also lost the north-south Andrews 3 Avenue circulator and a couple of other routes. There were administrative cuts, an employee was laid off. The 17th Street operator agreed to reduce their fee.

Commissioner DuBose explained for some people this is a means of transportation to get to work. He wanted to look at alternatives for the other two routes and use the community funding for the Galt and the northwest. He pointed out that citizens are using the northwest route, but the other routes seem to be more for tourists. Mr. Hooper indicated the TMA's original mission was to serve the downtown. Considering the routes funded by the CMAQ and federal grants, they would be a Galt and northwest TMA. In the workshop, the group decided that they wanted to service the most highly visible and the routes that can keep the TMA functioning. Fares and advertising are bringing dollars to the table. Advertising could be grown to some \$150,000 a year. No one is advertising on the Galt and northwest. If the goal is to run a free bus system, Option 2 allows for funding all routes. The workshop however was working with a finite amount of money. The CRA was suggested and then to work with staff to figure out how to run all of them. He elaborated about what the trolleys say as an amenity for the city. They should be in the Sistrunk master planning.

In response to Commissioner DuBose, the City Attorney indicated if the plan was modified, CRA funds could be used. In response to other observations, the City Attorney indicated that the County would have to approve any modification and they have indicated it would be a legal course of action but made that opinion based upon an expanded plan which is yet to be finalized. Commissioner Rogers understood the purpose of the CRA is to address blight. He felt that this transportation piece addresses that issue. If one wants to develop a part of the city that is blighted, one would show some signs of life, such as transportation along Sistrunk. Mr. Hooper commented that a trolley from a neighborhood to Las Olas, for example, would help promote further development of that neighborhood.

Vice Mayor Rodstrom asked about a special assessment to businesses and developers to help offset the costs. Mr. Hooper felt that would take some time however funding is needed immediately.

Commissioner Rogers referred to the notice requirements for discontinuing routes that could force the TMA to continue to lose money. He wanted to use CRA funding and gas tax savings in order to keep the routes functioning.

The City Auditor explained permitted uses for gas tax revenue. In response to Vice Mayor Rodstrom, the City Auditor indicated that gas tax revenue is decreasing.

Commissioner Roberts agreed with Commissioner Rogers for at least the remainder of the fiscal year.

Commissioner DuBose disagreed with using CRA funding. In response to Commissioner DuBose, the City Attorney indicated the actual language, while not readily apparent in the plan that the monies can be spent for those purposes, it is a requirement that the City Commission that this transportation network would be in furtherance of the CRA plan.

Mayor Seiler noted there are existing bus routes running along with the trolleys in certain areas. There seems to be a lot of redundancy. Les Hollingsworth, TMA Executive Director, indicated there are a number of Broward County Transit routes that overlay the Galt and northwest extension routes. Mayor Seiler emphasized the need for efficiency. However, he recognized the timing is difficult. He felt if routes were run in other

neighborhoods, people in those particular neighborhoods would not want them discontinued either. In response to Mayor Seiler, Mr. Hollingsworth indicated in the northwest it is a combination of people going to work and students.

Vice Mayor Rodstrom emphasized this Commission will have to make cuts that hurt. She was willing to make cuts in order not to raise taxes. She wanted to find the money somewhere else, perhaps a percentage from an administrative function.

Commissioner Rogers wanted to focus on the TMA mission. He agreed with Options 1 or 2.

Commissioner Roberts agreed with Options 2 or 3.

If the consensus is to advise the County that the City is forging ahead with Option 2, Vice Mayor Rodstrom wanted to send a clear message to the County that it is only for the remainder of the budget year. She would then consider Option 2.

Commissioner DuBose supported Options 3 or 4.

Mayor Seiler felt the Galt route has nothing to do with what the TMA was created to do. He felt the northwest route has more of a connection to the TMA as it connects to the core routes of the TMA which is not the case for the Galt. It is probably best to get rid of all of these routes, but he was concerned about the timing. Option 2 will help to get to the end of the year only. Then, those two routes will have to be eliminated. He reiterated his concern about duplication by Broward County Transit.

Mr. Hooper explained the bigger picture is to develop a downtown loop which will free up some revenue to touch the four neighborhoods on the corners of the downtown.

Mayor Seiler asked the TMA representatives to discuss the duplication with Broward County Transit.

Vice Mayor Rodstrom emphasized that County needs to understand the City's position that this is a short-term fix so that the CRA is not used for every little thing. Commissioner DuBose explained care needs to be taken when making cuts not to hit core groups. He did not want to open Pandora's box.

I-C – Fiscal Year 2008-2009 Capital Projects

Shonda Singleton-Taylor, Acting Director of Management and Budget, presented slides on the 2008-2009 capital projects. An overview of the actual dollars spent, those obligated and any remaining balance, was provided. A copy of the slides is attached to these minutes.

LIFE SAFETY PROJECTS

Ms. Singleton-Taylor indicated \$6.6 million was appropriated for life-safety projects: bridges: \$3.6 million for 11th Avenue swing bridge; \$400,000 for Isles of Venice, Fiesta Way, Nurmi Drive and Royal Palm Drive; \$900,000 for seawall replacement at the Performing Arts Center; \$1.5 million for police radios; \$160,000 for Aquatic Complex grandstand repairs.

11th Avenue Swing Bridge

Albert Carbon, Director of Public Works, indicated this is a full restoration. The project was bid and awarded for a little over \$3.2 million. The contractor is set to start in the next 6-8 weeks pending completion of Riverside Park WaterWorks program.

Isles of Venice, Fiesta Way, Nurmi Drive and Royal Palm Drive

Mr. Carbon indicated these bridges have been deemed structurally deficient by the Florida Department of Transportation. It is anticipated this maintenance contract will be put out to bid in the next couple months.

In response to Vice Mayor Rodstrom, Mr. Carbon indicated that Florida Department of Transportation is working on design of complete replacement; the item before the Commission is for temporary repair. The design will not be funded for at least five years. Mr. Carbon explained \$100,000 for repairs has been programmed, but never funded until this year.

The City Manager outlined the capital improvement program process.

In further response to Vice Mayor Rodstrom, Mr. Carbon indicated the City has written notice (late 2008) from the Florida Department of Transportation that the bridges are structurally deficient.

Mayor Seiler asked about the bridges in terms of a true life safety issue. Mr. Carbon indicated all of the bridges have been deemed structurally deficient; it is a life safety issue. No more mechanical parts can be obtained for the 11th Avenue swing bridge. It has been shut down for weeks at a time while staff fabricated the mechanism. The mechanism can no longer be refabricated. There is access to the neighborhood, however. In further response to Mayor Seiler, Mr. Carbon indicated the swing bridge will be out of service for a year for the renovation.

In response to Commissioner Rogers, Mr. Carbon referred to the bridge in Minnesota and indicated it is the same structural components. He emphasized the need to move forward with this project. He believed a separate letter was received concerning this mechanical part and its association with the failure in Minnesota. Commissioner Rogers felt if it is not on the radar with red lights blinking, he wanted to wait. Mr. Carbon said the red lights are blinking. Mayor Seiler wanted letters of this sort provided to the Commission in the backup. He agreed with Commissioner Rogers. If it is shut down for repairs, it will inconvenience the neighborhood regardless. He wanted to be sure it is a life safety issue. There was agreement by the other members of the Commission.

Vice Mayor Rodstrom wanted to find out the timeline for the other bridges as well. If it is a year or two away, she wanted to wait.

The City Manager suggested a separate discussion on bridges. Mayor Seiler did not think the swing bridge could be compared to the Minnesota failure.

Commissioner Rogers said he is starting this position with a budget he did not see, but on the other hand, he did not want to micro-manage. He wanted more facts, statistics.

There was consensus for a separate discussion on bridges until that point nothing should be done on them.

The City Auditor pointed out that bridges of this sort are good candidates for the American Recovery and Reinvestment Act dollars, therefore pausing until the level of funding is known may be appropriate. He pointed out the Department of Transportation funded an overpass, instead of these life safety issues. Perhaps, they saw the bridge funding, therefore the overpass moved to the top of their list.

Mr. Carbon indicated there will need to be discussion about terminating the contract which was awarded in December of 2008.

Public Safety Handheld Voice Radios

Police Captain Gregory advised in 2005 the City was informed that the model radio they primarily use would be going out of service. The City made small incremental replacements; replacement of the remaining inventory was funded in last year's CIP and approved on March 17, 2009.

Seawall Replacement

Cate McCaffrey, Director of Business Enterprises, indicated this is at the Broward Center for Performing Arts. It was designed by staff; 280 feet with an estimated cost of \$1.2 million. Bid opening is tentatively anticipated for June and completion in November. The seawall is needed before the planned floating dock is installed.

In response to Commissioner Rogers, Mr. Carbon, Director of Public Works, indicated the seawall is over fifty years old; he elaborated upon it being structurally insufficient.

Aquatic Complex Grandstand Repairs

Ms. McCaffrey indicated this is to repair deteriorating grandstands at the Aquatic Complex; estimated cost is \$615,000. Temporary repairs have been made. Staff monitors the status and makes repairs as needed. Staff would like to wait until there is an understanding of how this site will be redeveloped. A master plan is projected to be brought to the Commission in May.

In response to the City Auditor, Ms. McCaffrey indicated this facility is located in the Beach CRA, but she understood that temporary repairs could not be funded by the CRA. Mayor Seiler requested a City Attorney opinion when this item comes back to the Commission.

PROJECTS WITH LEGAL IMPLICATIONS

Ms. Singleton-Taylor indicated \$4.1 million was appropriated for projects with legal implications.

Ann Herman Park

Phil Thornburg, Director of Parks and Recreation, indicated this property was purchased through Broward County parks bond. This park will be completed within 2-3 weeks.

Funding has been expended.

Gore Property – River Oaks

(Acquired through Broward County parks bond) Mr. Thornburg noted \$100,000 was budgeted this year for demolition which has been done. Irrigation and sod are now being installed as well as a barrier fence. To date about \$67,000 has been expended to get the property to be green space; some \$5,000 of the remainder was intended for a sign, benches.

Mayor Seiler suggested finishing the amenities so that the park can be opened. Commissioner Rogers indicated that the neighborhood does not expect development of the park any time soon. Mr. Thornburg indicated it will be open no later than three weeks.

With respect to park property acquired with Broward County park bond funds, Mr. Thornburg pointed out there is a five-year provision.

Bill Keith Preserve

(Acquired through Broward County parks bond) Mr. Thornburg noted there is a \$200,000 match in the CIP for a Land and Water Conservation grant in the amount of \$200,000. According to the County restrictions, the park needs to be done by the end of five years, the end of 2010. Without the match, the \$200,000 grant would have to be returned. In order for the property to be usable, the exotics need to be removed, signage placed, benches, etc.

In response to Commissioner Rogers, Mr. Carbon anticipated nine months to design and complete.

Some discussion ensued about the design and amenities and neighborhood involvement. Mayor Seiler was concerned about County requirements being changed as to which plants can be removed.

Commissioner Rogers did not want to expend the money until necessary for the grant requirements. Mr. Thornburg offered to confirm the deadlines.

Southside School Restoration

Mr. Carbon provided some history on the purchase and renovation. Without completion of the interior and exterior renovation of the building and 3.6 acre site, the City would have had to relinquish the funding. The exterior renovation should be completed in June with bids for the interior anticipated in June – July. This is about a \$2.3 million project to complete and in total \$8.6 million with all funding sources.

Mayor Seiler asked what was the original project estimate. Mr. Carbon indicated it was just under \$14 million, but it also included improvements to Hardy Park which the previous Commission decided not to continue with, therefore Southside alone was \$9 million, including the boundless playground and the park along Andrews Avenue.

In response to Commissioner Rogers, Mr. Carbon explained what was done to date to secure the building. In order for the building to be usable, the interior floors need to be completed which is in the second package. It includes interior floors, ceilings, new doors and interior components. This work could be done without any of the other components, but he did not have a dollar amount.

Commissioner Rogers commented about this being a community project with a lot of blood, sweat and tears. It will be an anchor to this area. It is worth the dollars, but the Ferrari may not be needed.

In response to Mayor Seiler, Mr. Carbon advised that \$8.6 million is funded and there is \$2.3 million remaining. The City is on target for the \$2.3 million, which is ADA and the interior. This would complete Southside and the eastern portion of the property.

Commissioner Rodstrom asked the percentage of change orders to date. Mr. Carbon did not have that number. Work from phase three was moved forward. He believed there is a 10% change order factor for the remaining work.

There was no opposition to proceeding with this project.

ADA Settlement

Mr. Carbon indicated this has to do with a federal consent decree and encompasses about \$750,000 of ADA improvements. There is a balance of \$466,000. Completion is anticipated in the next three years. At Mayor Seiler's request, the City Attorney indicated there is a list of the sequence in which this work is being done. He elaborated upon the fact that the work is past due.

There was consensus approval.

REVENUE GENERATING PROJECTS

Ms. Singleton-Taylor indicated \$1.3 million was appropriated in total: \$300,000 for Cooley's Landing; \$310,000 for SE 15 Street docks, \$950,000 for New River floating docks, \$150,000 for Riverwalk improvements and \$75,000 for electrical improvements.

Cooley's Landing

Ms. McCaffrey indicated that this is for the replacement of three boat ramps. Existing facilities are about fifty years old. The estimated cost is \$536,250. The City was awarded grant funding of \$437,090 representing 100% of the construction cost. Bids are anticipated to be opened in May and completion by November.

In response to Commissioner Rogers, Ms. McCaffrey indicated in addition to construction costs, there is approximately \$100,000 for engineering design.

Mayor Seiler asked about considering seasonal timing in projects in order to increase revenues. He felt that should be factored into the planning.

There was no opposition to proceeding with this project.

SE 15 Street Police Boat Dockage

Ms. McCaffrey indicated this was originally a Police Department project that was combined with an ADA consent decree project. There are ADA requirements in the parking lot and the public restroom. The project encompasses reconstruction of the public restroom, parking lot redesign, construction of the police docks, improved drainage, green initiatives, electrical undergrounding, landscaping and lighting. It has been reviewed by the Development Review Committee and Planning and Zoning Board. It is anticipated to be presented to the Commission in May. Estimated construction cost is \$2.4 million, with \$1.9 million grant funding anticipated. She noted what has already been awarded. Absent grant funding, the project would be scaled back.

In response to Vice Mayor Rodstrom, Ms. McCaffrey indicated that City's portion is \$800,000. Ms. McCaffrey responded to Commissioner Roberts' questions, indicating that the grant funding is not yet nailed down, that these grants allow matching funds against one another. The \$2.4 million construction cost does not include contingencies and engineering. The City's cost could be \$800,000 to \$1 million. The work that has to be done are the ADA improvements at \$150,000 and the police docks for a total cost of \$500,000-\$600,000.

Mayor Seiler questioned whether this is a revenue generating site. Ms. McCaffrey indicated it is a heavily used area and revenue is generated from parking. Onstreet parking is also included in the project. There will be more spaces and more onstreet parking. In response to Commissioner DuBose, Diana Alarcon, Director of Parking and Fleet Services, provided information on current parking revenue and what is anticipated: a goal of \$125,000 with some fee adjustments. Ms. McCaffrey detailed the grant funding use, the ADA consent decree work and the police portion.

Commissioner Rogers indicated that he has not seen any clamoring for these improvements. If there is no grant funding, he did not think it should be done.

Ms. Alarcon responded to Vice Mayor Rodstrom's question about onstreet parking on such a small street. Ms. Alarcon explained currently the site does not accommodate vehicle parking for boat passengers, for example. Pavers will be used in order to maintain drainage.

In response to Vice Mayor Rodstrom, Ms. McCaffrey indicated these grants are still being offered.

Mayor Seiler felt it is a good project if the City could secure 80% funding. Without 80% funding, it should not be done. Ms. McCaffrey advised that a reply on the grant applications will be available in July.

In response to Commissioner Rogers, Ms. McCaffrey indicated there is a contingency plan to address the ADA issues if the overall project does not proceed. The City Attorney advised that the City could wait until July on the ADA work.

New River Floating Docks for Small Boaters

Ms. McCaffrey indicated this is for five floating docks to improve access to Riverwalk and amenities for small boaters. The estimated cost is \$1.1 million; the City has \$500,000 in grants. One of these docks is in front of the Performing Arts Center and relates to the seawall mentioned earlier. Staff hopes for construction to start in August and complete by the end of the year for grant requirements. More detail will be presented at a future Commission meeting.

In response to a variety of questions, Ms. McCaffrey clarified it is \$500,000 grant and \$500,000 match. She responded to questions concerning the seawall; how it accommodates small boats and will be ADA compliant; that the project was originated by the Marine Advisory Board and was in the works for some three years, but there were funding issues.

In response to Mayor Seiler, the City Manager explained this ties into the public realm (master plan) as it creates more activity.

There was no opposition to proceeding with this project.

Riverwalk Improvements

Mr. Thornburg indicated this project is \$100,000, with the idea of beginning to fund Riverwalk annually in small increments for capital improvements. The Riverwalk is some twenty years old. Phase one will be a new roof on the Esplanade as well as work on the restrooms.

Mayor Seiler wanted to wait for the Riverwalk plan. Vice Mayor Rodstrom mentioned a development for a part of the area that went into litigation. Perhaps when that is concluded, the developer may wish to contribute to improvements.

There was consensus approval to defer this project for a year.

New River Electrical Improvements

Ms. McCaffrey explained this is to provide electrical service to twenty-four slips on both sides of the river to accommodate mega-yachts. Phase one is design at a cost of \$83,000; overall cost of \$2 million with completion in 2012.

As this also as to do with the Riverwalk plan, Mayor Seiler agreed with the idea, but wanted a temporary deferral awaiting information on the Riverwalk plan. There was consensus approval to defer temporarily awaiting information on the Riverwalk plan.

PARKS PROJECTS

Ms. Singleton-Taylor indicated \$900,000 was appropriated in total for Bayview, Twin Lakes North, Mills Pond and Bass Park.

Bayview Park

Mr. Thornburg noted the poor drainage at this park. Correcting the drainage is

estimated at over \$100,000.

Mayor Seiler asked who was involved in the original design. Mr. Carbon advised that the T-ball area was left out of the restoration. Mayor Seiler pointed out that T-ball is not being played during the time of year that the area floods. He questioned this being needed now. Commissioner Roberts had not received any complaints.

The City Auditor mentioned park impact fees and suggested the Commission be informed of uses for those revenues. Mr. Thornburg expanded on park impact fees.

Mr. Thornburg agreed this could be deferred. There was consensus approval to defer this project.

Twin Lakes Park

Mr. Thornburg indicated this property was recently acquired. The project is demolition with sodding, irrigating and fencing for the short-term. The original amount was \$400,000. Purchase and demolition was \$214,000, and it will cost about \$15,000 for the remainder, leaving a balance. It will then be open green space.

There was no opposition to proceeding with this project.

Mills Pond Park Playground

Mr. Thornburg indicated grant funds were secured for this project that is currently under construction. There was an estimated \$176,000 in the CIP and only \$36,000 will be needed, leaving a balance.

There was no opposition to proceeding with this project.

Bass Park Pool Building

Mr. Thornburg indicated this building was constructed in 1975. There are maintenance issues and the beginning of structural concerns. There is \$200,000 for design. In response to Mayor Seiler, Mr. Thornburg indicated the building is 5,000 square feet; the estimate includes new pumps and so forth. At some point a decision will have to be made on the facility.

In response to Commissioner DuBose, Mr. Thornburg indicated the pool has to be closed from time to time because of the heater and filtration system. It is thirty years old. It is happening more often. Mayor Seiler asked about just doing the mechanical part and not the building. Commissioner DuBose questioned how often is it breaking? It is a heavily used pool. At the Mayor's request, Mr. Thornburg offered to look into the idea, discuss it with Commissioner DuBose and report back to the Commission.

The City Auditor suggested staff look at use of park impact fees wherever possible.

OTHER PROJECTS

Ms. Singleton-Taylor indicated \$2.1 million was appropriated in total: \$130,000 for police ceiling panels; \$96,000 for citywide remote camera system; \$100,000 for bridge

painting; \$97,000 for Broward Boulevard improvement; \$50,000 for navigational sign repairs; \$500,000 for dredging; \$500,000 for neighborhood capital improvement program; \$500,000 for sidewalks; \$100,000 for facilities and \$100,000 for street lights.

Police Headquarters Ceiling Panels

Captain Gregory indicated this is about \$130,000 for replacement of ceiling panels and originated from complaints from employees about air quality. It is being coordinated with the fire alarm project. The Engineering Division has discovered a structural problem with material used for a wall section. Replacement of this section with stronger material is estimated at \$100,000. Staff would like to consider using this project funding for the wall work. Mayor Seiler requested additional detail on the wall.

Remote Camera System

Captain Gregory indicated this is a multi-year project to install cameras at various locations throughout the city to perform criminal investigations. They are portable and can be used based on complaints on drugs, vandalism and at high-target locations such as the Police Department's booking area and evidence area and possibly at events such as the Air and Sea Show. He elaborated upon an incident where the current system had to be disabled in order to preserve a recording for criminal evidence. With the new system, it will not be necessary to take a portion of the system off line when criminal evidence is captured. Recording capabilities will also be expanded. The cost is about \$180,000.

Commissioner Roberts pointed out this is hardware and more storage space. In response to Commissioner Roberts, Captain Gregory indicated the project is completely funded by a \$93,500 grant and \$96,000 CIP. In response to Mayor Seiler, Captain Gregory indicated the grant does not require a match. Commissioner Roberts wanted to make sure the recording capability is addressed first before any enhancement. In response to Vice Mayor Rodstrom, Captain Gregory indicated this grant was associated with Congressman Ron Klein and note that \$257,000 of the total \$551,000 project has already been expended.

Mayor Seiler asked if the \$93,500 could be used and not commit to using the \$400,000. Captain Gregory indicated the server has to be replaced. Staff could look into getting a scaled down proposal.

The City Auditor pointed out that technology is an appropriate use for law enforcement trust funds. Discussion ensued about whether this could be charged to the trust funds because it was started with other funding. Mayor Seiler asked the City Manager to look first at trust funds to make sure the City is not prohibited from using them later. Police Chief Adderley explained that the original system came from a Homeland Security grant. Once grant funds were used, the City was locked in.

There was no opposition to proceeding with use of the \$93,500.

Bridge Painting

Mr. Carbon explained the scope; noted there are fifty-four bridges in the city; this funds two to four bridges.

Commissioner Rogers wanted to defer this work. He felt it can be a perfect neighborhood project.

Mr. Carbon advised that there is a balance of about \$55,000.

There was consensus approval to defer this project.

Broward Boulevard Improvements

Mr. Carbon indicated this is debt service to Broward County for that portion of Broward Boulevard between Andrews Avenue and Highway 441. There are two more yearly payments remaining of about \$97,000.

There was no opposition to proceeding with this project.

Navigational Sign Repairs

Mr. Carbon indicated this is an annual contract for state mandated signage. To date, none of the allocated \$50,000 has been expended. In response to Vice Mayor Rodstrom, Mr. Carbon indicated no grant funding is available.

There was no opposition to proceeding with this project.

Dredging

Mr. Carbon indicated this is an annual contract. There are some sixty canals on the dredging list. About ten to twelve are done each year with the \$500,000 funding. In response to funding questions, Mr. Carbon advised this was submitted for stimulus funding at both the state and federal levels. FIND grant funding has been sought for the New River as they have not funded residential canals.

Mayor Seiler wanted more information and consideration of priorities. Commissioner Rogers wanted to hear from affected people and the marine industry.

The City Auditor commented in Jacksonville the property owner is assessed.

There was consensus approval to deferring this project until additional information is furnished.

Neighborhood Capital Improvement Program

Mr. Carbon noted this is funded at \$500,000; projects are listed on this agenda as another item. None has been expended since the projects have not been identified.

In response to Vice Mayor Rodstrom's question, Ms. Singleton-Taylor advised that the total five-year CIP plan is \$717 million. Mr. Carbon noted that figure includes enterprise funds. Only \$15 million has been budgeted.

Sidewalks

Mr. Carbon advised that this is a new program which was reviewed by the Commission

in September – October of 2008. The cost is shared equally between the City and the adjacent residential property owner and for commercial, the cost would be borne entirely by the property owner. An ordinance to implement the new program is forthcoming. This was funded at \$500,000.

In response to Vice Mayor Rodstrom's question, Mr. Carbon advised that gas tax revenue is used strictly for annual street paving in which the City is falling behind.

Commissioner Rogers was interested in cost benefit analysis in terms of litigation. The City Attorney explained the City cannot abrogate its responsibility for the sidewalk according to case law. If the homeowner informs the City that the sidewalk is cracked and the City makes the homeowner fix it, there is a disincentive for the homeowner to inform the City. If someone slips and falls, the City is sued and generally settles those cases.

There was consensus approval to defer this project until the ordinance is presented.

Facilities

Mr. Carbon advised this is funded at \$100,000. There are 130 buildings in the city. This funds one to two large unanticipated problem areas, such as a roof, air conditioner. They are falling behind. It is an annual amount.

There was no opposition to this item.

Street Lights

Mr. Carbon advised this is an annual program. There are about 4,000 street lights in the city. Each light pole is \$1,000-\$4,000 depending upon height and type. They are replaced on an annual basis. He responded to Vice Mayor Rodstrom's questions about use of CRA money and lighting on the beach.

Ms. Singleton-Taylor summarized that \$15 million was transferred into a holding account and \$6.6 million has been expended or encumbered.

EXECUTIVE CLOSED DOOR SESSION WAS HELD AT 4:04 P.M.

The City Commission shall meet privately pursuant to Florida Statute 286.01(8) regarding evaluation of the following case:

AG Realty Fort Lauderdale, LLC vs. City of Fort Lauderdale – Broward County Circuit Case 09-02937(19)

MEETING RECONVENED AT 4:21 P.M.

Police Department In-Car Digital Video Camera Project

Chief Adderley noted this was authorized by the Commission in 2008; \$2.2 million was allocated as well as a grant opportunity of \$400,000. Thirty-five cameras have been

delivered with 234 remaining. Thus far \$402,000 has been expended along with a pending payment of \$360,000 for a balance of \$1,438,000 excluding the grant.

Mayor Seiler asked if this is a necessity or a luxury. In response to Commissioner Roberts, Kirk Buffington, Director of Procurement Services, reviewed the funding and noted the grant funding is tied to in-car video cameras. He did not know if it would be permissible to apply the grant funding to what has been purchased and no further expenditures made. Chief Adderley believed the merit of the camera speaks for itself. Commissioner Roberts explained it is not an argument concerning the product, but one of priorities. For example, the Police Department overtime budget is almost expended this early in the fiscal year. Some of this funding could be used for crime reduction. This is a bit of a luxury at this point in time.

Commissioner DuBose referred to information in the agenda backup on this item and questioned this being deemed as a luxury. Chief Adderley indicated that the camera is a valuable tool. Commissioner DuBose pointed out that people feel safer with this tool in place. Mayor Seiler referred to the budget cuts that are ahead. He felt it is better to put more boots on the streets and making the community safer, but wanted to defer to the experts on this.

Commissioner Rogers referred to the non-recoverable loss of at least \$1.6 million. Mr. Buffington advised and elaborated that most of that amount is money already expended. The money came from the Fleet Fund; therefore any unexpended funding would go back into that fund.

Commissioner Rogers asked if this is money well spent for the Police Department. Chief Adderley felt the product speaks for itself, it is a good product. In further response, Mr. Buffington indicated if the program was stopped, some of the equipment could be used for another purpose. Tim Edkin, Director of Information Technology Services, indicated it is doubtful items from this project could be used on another project.

Commissioner Rogers felt the cameras are needed.

Mayor Seiler had not heard any compelling reason for the expenditure. Commissioner Rogers did not want to waste \$1.1 million.

Commissioner Roberts pointed out that the laptop aspect is already in place and a valuable tool. The other part relates to the camera. He had asked on March 27 for work on this to be stopped and was concerned that it proceeded until March 31. Separately, he did think an expenditure is a compelling reason to spend more.

In response to Commissioner Roberts, Mr. Edkin noted the associated maintenance costs.

In response to Commissioner Rogers, Mr. Edkin indicated the City would lose most of this investment if it decided to proceed two, three years from now. In response to Commissioner DuBose, Mr. Edkin indicated the City's investment has been about \$760,000 plus the grant of \$400,000.

Mayor Seiler pointed out that this is \$3.7 million with maintenance left to be incurred. Vice Mayor Rodstrom was adamantly opposed to the cameras; it is throwing good money after bad.

Commissioner DuBose agreed with Commissioner Rogers. He favored accountability. It is a good project. He referred to money already invested. Mayor Seiler pointed to the \$4.7 million cost that this Commission has never voted on. Commissioner Roberts, a former chief of police, asked that a hold be put on this. He has not heard law enforcement say it is needed to make the community safe.

Commissioner DuBose pointed out that there are other projects that this Commission did not vote on and they were not stopped.

Commissioner Rogers felt there is a lot of support for use of this type of tool. He reiterated his position that it would be wasteful not to proceed with a good project considering funds have already been expended.

In response to Commissioner Roberts, Mr. Edkin indicated use of equipment for other purposes would depend upon the vendor.

In response to Mayor Seiler, Mr. Edkin indicated the next milestone is next week for \$180,000 which has been scheduled for some time. In order to stop the project, the vendor would need to be sent written notification. Vice Mayor Rodstrom felt the vendor should be notified.

In response to Vice Mayor Rodstrom, Mr. Buffington indicated that the original bid award was September, 2007 and the second award was in October, 2008. Mr. Edkin discussed actions of the vendor and that with installation of the software, the system would be ready except that there are only two test cameras installed.

In further response to Vice Mayor Rodstrom, Mr. Edkin indicated if it was deferred for a year or two, it would have to go back out to bid.

Mayor Seiler asked if the film has evidentiary value. The City Attorney indicated that it is a double edged sword.

In further response to Mayor Seiler, Mr. Edkin explained when the camera activates, trigger points and the direction of the camera. Mayor Seiler questioned whether it could be down-scaled to one camera in the vehicle.

Mayor Seiler asked about the impetus for this project. The City Manager provided an historical overview and that it was concluded the cameras protect the public as well as the police officer. If there are police officers not acting properly, this changes behavior. It also changes the behavior of people who may make false allegations toward police officers.

Vice Mayor Rodstrom raised the question of who would decide upon the triggers for the camera to be activated. Chief Adderley advised that with input from his staff, he would make that decision.

The City Manager indicated when the Commission made this decision, there was a promise to the community.

Mayor Seiler suggested a pilot program.

In response to Mayor Seiler, the City Attorney knew of no police brutality cases from occurrences inside the police vehicle. Mayor Seiler questioned expending \$4.7 million to film traffic stops or inside the vehicle; it does not address alleys or side streets for example.

Commissioner Rogers understood it could be engaged by the operator. He referred to a drug bust with multiple vehicles and multiple camera angles. In response to Commissioner Rogers, the City Attorney indicated brutality allegations are related to arrests and some are related to drugs.

Mayor Seiler wanted to scale the project back to a pilot. Mr. Edkin advised staff would have to negotiate with the vendor. In response to Mayor Seiler, Mr. Edkin advised there are 269 cameras.

Commissioner Roberts felt the cameras will rarely have any effective impact. A large aspect is perception and the rough spot the City went through about 2 ½ years ago which has not happened since. He opposed it.

Commissioner DuBose commented about speeding police vehicles in his neighborhood all the time. He emphasized that there is a passion for this in his community. There is a segment of the city that would feel safer. During economic down times, crime increases. He supported the program.

Mayor Seiler wanted a pilot program in the northwest. He was not aware of any promises made to a community and could not find anyone on the former commission excited about this project. In response to Mayor Seiler, the City Manager did not think there was any dissent on the previous commission's vote on this. The camera takes away suspension; it protects both parties.

Vice Mayor Rodstrom could sort of understand a pilot program. She felt it is a huge amount in the worst of budget times to mitigate something not for the entire city, although she recognized Commissioner DuBose. Perhaps the money could be better spent.

Commissioner Rogers noted the backup indicates there was a unanimous vote on both readings. He reiterated his concern about wasting \$1.1 million. Public safety is a priority and Commissioner DuBose has expressed how his community feels.

In response to Mayor Seiler, Commissioner Rogers indicated he would not oppose a pilot program, but wanted the City Attorney's advice with respect to selective enforcement. The City Attorney indicated if it was found successful in one part of the city and it was not implement citywide could create some issues.

Mayor Seiler had serious financial concerns. In response to Mayor Seiler and Vice Mayor Rodstrom, the City Manager relayed the Commission was unanimous in approving the item and when incidents occurred in District III, people were told the

cameras were coming. Mr. Edkin indicated cameras would be installed in vehicles in May and a test conducted from May 15 to June 15.

In response to Mayor Seiler, the City Attorney indicated that the contract could be canceled. Commissioner Rogers felt as such it could also be modified. Commissioner DuBose believed this is not exclusive to District III. It should be viewed citywide. Simply because things are not reported does not mean they do not happen. Commissioner Rogers concurred and clarified the only reason he would consider a pilot is because of the dollars.

In response to Vice Mayor Rodstrom and Mayor Seiler, Mr. Edkin explained the \$700,000 is for the cameras only and \$1.2 million camera only maintenance. As to other uses, the cameras would probably not have any value, but perhaps some of the other equipment and storage. Chief Adderley indicated that \$2.5 million would fund about twenty officers for a year. The City Auditor indicated that the Fleet Fund is essentially an extension of the General Fund. Commissioner Roberts pointed out with the \$1.2 million maintenance; eleven police officers could be funded.

In order to scale back, the City Attorney advised it would require renegotiation. In response to further dialogue concerning a pilot program, Mr. Edkin offered to check with the vendor.

There was no objection to the City Manager and City Attorney looking into whether the vendor is willing to reduce the scope and, if not, providing whatever is necessary to terminate the contract. Mayor Seiler asked the City Manager to look into whether the grant funds may be used for expenditures already made. This matter will be presented on April 21, 2009.

I-D – 2009 Neighborhood and Business Capital Improvement Program Grant Funding

The City Engineer presented slides concerning this item. A copy of the slides is attached to these minutes. He also provided a verbal overview of the program. This year just under \$500,000 of NCIP projects are proposed; about \$140,000 of projects are not recommended as they exceeded the budget. There are \$100,000 BCIP projects.

In response to Mayor Seiler's question about Rock Island, Mr. Carbon clarified that Broward County is currently constructing sewer lines in a portion of Rock Island, which will extend to the end of summer. Projects generally take 18-24 months before construction begins.

Mayor Seiler asked about an across the board reduction of 10%. In further response to Mayor Seiler, Mr. Carbon indicated that Rock Island could be removed from this year and resubmitted with the next cycle in June – July with the understanding that project would not have to reapply. Some discussion ensued about the flow of projects through the process. Mr. Carbon clarified that none of the 2008 approved projects are completed in construction.

Commissioner DuBose did not want the readjustment of the Rock Island project to jeopardize future project prioritization. Vice Mayor Rodstrom suggested it also be specified that Rock Island may simultaneously apply for the next cycle.

There was consensus approval to remove Rock Island from the NCIP 2009 list, automatically funded for 2010 and Rock Island, if they wish, may also submit an application that is given equal consideration with other applicants.

With respect to BCIP, Commissioner Rogers wanted to leave all projects in place, but reduce the funding overall 10%, assuming bids could be obtained in that range.

There was consensus approval to reduce BCIP 2009 funding by 10%.

Note: The City Commission recessed and convened as the Community Redevelopment Agency Board of Directors from 5:23 p.m. to 5:57 p.m. After the CRA meeting, the City Commission recessed and continued the conference meeting at 6:48 p.m. (Agenda Item I-E – Discretionary Spending) in the City Commission meeting room on the first floor of city hall.

I-E – Discretionary Spending

The City Auditor explained items on the list provided to the Commission are subject to the discretion of management. For example, overtime is frequently subject to management's discretion. However, some departments, such as fire rescue, have minimum mandated staffing levels that require overtime. In those cases, overtime would not be discretionary. Tuition is subject to some union contracts. If the Commission decides to place a freeze on discretionary items, an appeal mechanism at the staff level be established. It is important that staff have the necessary supplies and funds to continue to operate and provide services the residents expect. The same would apply for a freeze on filling vacancies.

At Vice Mayor Rodstrom's request, the City Auditor provided clarification of what could be charged to other professional services. He noted it is subject to fluctuation based on the activities being undertaken in a given year. He went on to explain the budget and encumbered amounts. Vice Mayor Rodstrom wanted more detail on the balance.

In response to Vice Mayor Rodstrom, the City Auditor provided clarification of what could be charged to other services, procurement card and social contributions.

Commissioner Rogers wanted to implement the suggested appeal process and include a way for employees to make suggestions with an associated award program. He also pointed out that some items differ in their nature, such as postage. The City Auditor commented that the appeal board could potentially consist of an assistant city manager, a representative from the City Attorney's Office and the Budget Director. It should not be overly represented with department directors who have a vested interest. There should be a dollar threshold. He posed some examples relating to postage and training. There needs to be a change in mind-set throughout. Employees need to be encouraged to bring ideas forward.

The City Manager recommended the following: All vacant positions with the exception of life safety related be froze. The Budget Director, Human Resources Director and an Assistant City Manager to scrutinize each vacancy (THAW [To Hire A Worker] Committee). A monthly report of those positions released would be furnished to the Commission. All discretionary travel would be frozen. However, certain positions require

a certification which requires continued education and recertification requirements on-site. Those cases would be approved. Secondly, the employee would have to prove that it cannot be accomplished in-house. Thirdly, for certifications to stay abreast with their profession but not as a requirement of the position, they would be looked at carefully and determined on a case by case basis. Lastly, for the discretionary requests, there would have to be a real burden on the part of the employee and almost never. From time to time, there is need to travel to Tallahassee or Washington, D.C. for specific city business and for recruitment. He saw value in that travel. Concerning the encumbered amounts in the exhibit provided the Commission, 87% have been approved by the Commission. The vast majority of these items are policy decisions that come before the Commission. He preferred for the Commission to continue to do so. For the balance of those above the \$5,000 threshold, staff would review internally and provide a monthly report to the Commission. Those below \$5,000 will also be carefully reviewed.

In response to Commissioner Roberts, the City Manager noted that 87% of the items on the exhibit are policy matters that come to the Commission, so the Commission will have control. Vice Mayor Rodstrom wanted to set a percentage in order to set a tone from the top. Commissioner DuBose felt there will be need for more detail on the line items and did not want to lock into an amount by setting a certain percentage. Commissioner Rogers also wanted more detail before voting on a process. Vice Mayor Rodstrom felt a percentage shows a commitment to do more with less and to lead by example.

Mayor Seiler suggested and there was consensus approval that all vacancies except public safety are frozen with a panel as indicated by the City Manager; and all discretionary travel is frozen. The City Auditor offered to work with the Budget staff to organize more detail and bring it forward to the Commission. He agreed it is important to adopt a mindset of frugality. He noted the revenue shortfall that may be experienced this current year. Interest revenue built into last year's budget was very optimistic and as interest rates decline across the board, the City is experiencing the same declines. He emphasized that anything that could be done to save money now will balance out those revenue shortfalls.

Mayor Seiler asked each member of the Commission to meet with the Auditor in order to arrive at a target number. He asked the Auditor to work with staff on structuring.

Note: The City Commission address consent items on the regular meeting agenda from 7:22 p.m. to 7:27 p.m.

I-F – Fourth of July Fireworks

Phil Thornburg, Director of Parks and Recreation, indicated this year's bid is \$129,500. With a \$5,000 sponsorship by the low bidder, the total is \$124,500. Last year's bid was \$80,000. Based on the economic times, staff is seeking direction. He reported on information collected from other cities and their plans; many are undecided.

In response to Vice Mayor Rodstrom, Kirk Buffington, Director of Procurement Services, indicated two bids were received; and indicated one was by a vendor who was awarded the contract two years ago, however it was deemed non-responsive. Essentially there is a single responder. Last year there was a failure of the computer firing equipment. The year before there was failure of some shells. Reasons for increased costs have to do

with liability associated with the barge and decreased supply of fireworks as a result of the Olympics in China.

In response to Commissioner Rogers, Mr. Thornburg indicated options besides the barge have been explored. The State is not willing to permit fireworks in any of their parks. Holiday Park may be an option depending upon the Fire Marshall's guidance. When the stadium was used years ago, the turnout was sparse. In further response to Commissioner Rogers, Mr. Thornburg outlined other activities planned during the day and the evening which is a separate budget item. Additionally \$80,000 is budgeted for fireworks.

With respect to the barge, Commissioner DuBose asked about partnering with another city. Mr. Thornburg indicated he could check with Hollywood. Deerfield Beach will be using their pier. Pompano Beach has not yet made a decision. Mayor Seiler felt the event should be held on the beach. In response to Mayor Seiler, Mr. Thornburg offered to check with Lauderdale-By-The-Sea.

Mayor Seiler wanted to keep the cost to \$80,000 and to hold it on the beach.

Mr. Buffington indicated because there is a single responsive bid, there is more flexibility in downscaling and so forth.

There was consensus approval not to exceed \$80,000, hold the event on the beach, discuss what could be done to adjust to a price of \$80,000 with the vendor or discuss partnering with Lauderdale-By-The-Sea.

Mayor Seiler opened the floor to the public.

Marc Dickerman, a resident of Sailboat Bend, asked about partnering with a cruise line or seek out a corporate sponsorship. Mayor Seiler understood staff already has tried to find a corporate sponsor.

I-G – American Recovery and Reinvestment Act of 2009

Kathleen Gunn, Director of Grants and Legislative Affairs, reviewed the slide presentation provided to the Commission. A copy is attached to these minutes. She indicated that roughly \$500 million is being made available to states and local government for projects and about \$300 billion in tax credits. The City has been told they will receive a certain amount based on population although applications will still have to be submitted. She reviewed areas where the City has the greatest likelihood to compete for additional funding, noting COPS (Community Oriented Policing Services) funding is this evening's Agenda Item M-27). The COPS funding would pay salaries of 12 vacant positions for three years, but obligates the City to retain those officers for an additional year. The drinking water application may require some technical expertise the City does not have on staff, but could result in \$3-4 million funding annually. Although there will be money from the Federal Highway and Federal Transit administrations, it is not clear yet how the City could access those funding sources. As to the Economic Development Administration, funding would be available only for major, major developments and she did not think the City could qualify.

Ms. Gunn explained because of the transparency importance, there are new requirements that go along with accepting these monies. The City will be looking for funding to cover its new standards and procedures.

In response to Vice Mayor Rodstrom, Ms. Gunn offered to look into the viability of the energy efficiency and conservation block grant funding for the Transportation Management Association. Also, the broadband technology guidelines are not yet available, but she will report back when they are available.

Commissioner Roberts expressed concern about administration of the grants and asked about temporary staffing for this. Ms. Gunn agreed that additional staff will be required; she elaborated and noted it may make sense to contract out for compliance aspects. In response to Commissioners DuBose and Rogers, Ms. Gunn indicated that the City could issue a task order to the City's WaterWorks consultants for the EPA drinking water funding application. Mr. Carbon noted the state revolving funds are at 2.25% or 60% of the current bond rating. Some funding will be grants. Ms. Gunn indicated she has not gone through the exercise of evaluating whether some requirements may be too onerous to go through, but planned to do so.

In response to Vice Mayor Rodstrom's concern about flooding, Mr. Carbon advised staff is looking at the stormwater easement program by the EPA.

Mayor Seiler wanted to use current staffing to assist with this.

Mayor Seiler asked the Commission to provide Ms. Gunn with any additional projects that should be added to the Ready To Go Projects for Federal Stimulus consideration by the April 21 meeting. Ms. Gunn advised that the list was also used for appropriation requests to the congressional offices.

Mayor Seiler wanted to put information of this nature on the Television Community Channel 78, so that the public could offer ideas if money is received and not specifically tied to a project application. Jeff Modarelli, Director of Public Information, agreed to place this on the channel.

I-H – Red Light Camera Traffic Enforcement Systems

Police Captain Mike Gregory indicated this topic has been discussed across the country. The concept was approved at the July 15, 2008 conference. There was consensus approval to forego a presentation.

Commissioner Rogers asked about vehicles that roll into the crosswalk in addition to those who run red lights. Captain Gregory indicated there is technology available to identify that type of activity; inclusion in the program would be a policy decision. In further response to Commissioner Rogers, Captain Gregory indicated an ordinance would be presented; it is correct that such violations would not impose points. This program has not yet been adopted by the state, although a bill is before the legislature this year. The program may generate \$100,000-\$200,000 per intersection. The focus is to reduce fatalities and accidents.

Commissioner Roberts supported the program; it is a life safety issue. It provides revenue and does not cost anything to move it forward.

In response to Mayor Seiler, the City Attorney clarified there is a bill in the legislature at this time that differs significantly from the City's proposed ordinance. In the City's ordinance, an individual would pay both the fine by the camera and the ticket issued by an officer. Under the State's proposed legislation, the ticket issued by an officer would apply and the fine by the camera would not. Running a red light camera is not a crime; it is a civil violation of the code. He recommended the Commission wait to see if the legislature adopts the bill and then adopt an ordinance that tracks it. If the proposed ordinance is adopted, there are a number of changes the City would have to make by July 1, when the proposed legislation would take effect, it would not be valid. Mayor Seiler was concerned that the bill has been proposed for a number of years and it has never made it to the floor. The City Attorney felt the income considerations may change that this year because the State has decided to take a piece of the revenue. Mayor Seiler asked the Director of Grants and Legislative Affairs to inform the Commission of the status of the bill.

Mayor Seiler was interested in knowing how many fatalities have occurred as a result of a red light being run.

In further response to Mayor Seiler, Captain Gregory indicated that Pembroke Pines and Hallandale have this system in place, but there are other cities, such as Davie and Hollywood, exploring this idea.

There was consensus approval for the City Attorney to present an ordinance on May 19.

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

Valerie Bohlander, Director of Building Services, responded to Vice Mayor Rodstrom's question about the recommendation concerning Deutsch Bank, explaining that criteria is applied consistently. The code violations occurred before the foreclosure. Vice Mayor Rodstrom questioned the bank having the benefit of only paying a percentage of the accrued fine. Ms. Bohlander explained best judgment is applied to each case. Vice Mayor Rodstrom noted that Deutsch Bank owns several properties in the City. She wanted to be more forceful to get the properties brought up to standard quicker other than liens. Ms. Bohlander elaborated upon everything staff is doing in coordination with the Police and Fire-Rescue departments.

Commissioner Rogers recalled the previous policy and history on this matter. He went on to point out that because the amnesty program somewhat set the bar at 25% it is difficult to get above that. In order to break away from that precedent, he felt it will need to be done in a comprehensive way. He referred to what Miami is doing proactively by ordinance. Ms. Bohlander indicated staff has looked at other ordinances and not seen success. Staff is working with the City Attorney to be able to take quicker action on lot clearing and board-ups. It will be presented in the near future. The City Auditor pointed out that Deutsch Bank is the largest bank holder of foreclosed properties.

Mayor Seiler pointed out that on Cases 3 and 4, the City is returning them to what it would have been had they complied before the hearing, which sends a terrible message to the public. He could not support tying up staff for extended periods of time with no consequences. Ms. Bohlander clarified these are WaterWorks connection cases. The

City Manager suggested this type of case be removed and staff would come back with a revised policy recommendation.

Commissioner Rogers explained there are people who do not have the money to connect to the WaterWorks system.

In response to Commissioner Roberts, Mr. Carbon advised that the connection fee is \$1,000 plus cost to bring the sewer line to the property of \$1,500-\$3,000 depending on the distance of sewer line. Commissioner Roberts wanted to look carefully at each case. In response to Commissioner DuBose, Mr. Carbon listed what the City is doing to assist with hardship cases, noted that there are requirements to qualify. He also explained how the City gets the word out about the assistance available. Additionally, he noted the notice given before the matter goes before the special magistrate. Vice Mayor Rodstrom concluded there are avenues available and agreed with Mayor Seiler.

Mayor Seiler wanted to approve Cases 1, 2 and 5, and double the amount for Cases 3 and 4 to a minimum of \$520. This should be for all WaterWorks connection cases. Commissioner Rogers referred to duplexes versus single family; he wanted to give this more thought. Commissioner DuBose agreed. Commissioner Rogers wanted, for example, the percentage of unpaid hookups.

Mayor Seiler reiterated his position as to the length of time an individual has been on notice and time spent by staff; he did not think that \$520 is burdensome. Commissioner Rogers did not disagree, but did not think there is a policy in place. Commissioner Roberts suggested imposing the \$520 and address the policy in the future. Commissioner Rogers felt that \$520 should be the minimum, assuming it is a case of the people simply not wanting to pay.

Mayor Seiler summarized if an individual does not pay the connect fee and must go through this process, the minimum will be \$520. Cases 3 and 4 will be \$520.

I-J – Neighborhood Stabilization Program

Vice Mayor Rodstrom provided information to the Commission and reviewed it. She drew attention to the evaluation committee's scoring and asked for reasoning behind staff's recommendation. Greg Brewton, Director of Planning and Zoning, reviewed staff's recommendation and the history dating back to the original presentation last year.

Vice Mayor Rodstrom was concerned about the RFP detail not being provided and with individuals serving on Fort Lauderdale Community Development Corporation's board of directors. Staff selected two that did not rate as high as the first ranked proposer. She questioned this, particularly when Fort Lauderdale Community Development Corporation has a past commissioner and candidate on it (Carlton Moore). Mr. Brewton indicated what has been provided is a recommendation from the evaluation committee and staff. Prior to going out with the RFP, staff had no idea who would be responding or the order. Staff has been consistent with its recommendation for there to be multiple vendors.

Kirk Buffington, Director of Procurement Services, responded to Vice Mayor Rodstrom's wanted more information as to why the Housing Authority was turned down. Kirk Buffington, Director of Procurement Services, indicated this is the first time the City has done this. The Housing Authority submitted a response to the RFP with variances. After

the pre-bid conference, an addendum was issued concerning how the fees would be submitted back to the City. The Housing Authority acknowledged the addendum, but did not submit in the way the City asked. After consulting the City Attorney's Office, it was determined it may have been a minor variance, therefore the Procurement Office spoke to the Housing Authority and essentially the Housing Authority indicated they intentionally submitted it to be non-responsive.

Mr. Buffington responded to Vice Mayor Rodstrom's question that certificates of insurance will be provided to the City before contracts are executed. If not furnished, staff would return to the Commission. Concerning Vice Mayor Rodstrom's question about city and county occupational licenses, Mr. Buffington advised that the contractors must have all appropriate state, city and county licenses before award and contract execution. Vice Mayor Rodstrom was concerned with Inner Urban Asset Management because they just formed their limited liability company in January, which was two weeks prior to the bid closing. Mr. Buffington indicated that across the state groups are coming together and forming new corporations to respond to this new type of funding. He expanded on the checking that staff has done. In further response to Vice Mayor Rodstrom, Mr. Buffington advised that Fort Lauderdale Community Development Corporation has been in existence since 1989.

In response to Commissioner Rogers, Mr. Buffington indicated that this is the first time the City has received funding for a revitalization program that requires identifying specific properties, determining what has to be done to rehabilitate them and finding a buyer. He asked about the helpfulness of using a not-for-profit and why multiple providers were recommended. Mr. Brewton referred to the time line and that staff felt it would be best for three vendors working. Wayne Jessup, Deputy Director of Planning and Zoning, advised that staff's recommendation was made known to the selection (evaluation) committee. The committee felt one vendor was significantly more qualified than the others and therefore recommended just that one vendor. In further response, Mr. Brewton offered more detail of how the program will work, indicating that there will be continuous use of the money as homes are rehabilitated, sold and new homes purchased. There were two responders for the administrator component of this project; both were from Jacksonville. The recommended firm has committed to having local participation available when needed. He explained why staff firmly believes the administrator component should be separate. HUD built the administrator cost (10%) into the allocation. The ten percent is split 3% and 7% with the City receiving 7% because the City is ultimately responsible.

Commissioner DuBose felt the City would get more bang for the buck with multiple entities working on this. It also lends to more job creation. He agreed with staff.

Vice Mayor Rodstrom asked what would happen if one vendor was slated to do ten houses, but only completed eight before exhausting all of their money. Mr. Brewton indicated the work would go to the other two and this supports the recommendation of multiple vendors.

Vice Mayor Rodstrom asked about the two higher responses being adjusted downward toward the lowest response (developer fee). Mr. Buffington advised the ordinance provides for a best and final offer process.

Commissioner Rogers wanted to know if the Housing Authority has experience in this area.

Tam English, Executive Director, Fort Lauderdale Housing Authority, advised that they have renovated some 150-200 homes between 1998 and 2003 in a similar program with HUD in a previous foreclosure crisis in the northwest.

I-K – Governmental Accounting Standards Board (GASB) – City Auditor to Apply

The City Auditor advised that a recruiting firm contacted him regarding a vacancy on the Governmental Accounting Standards Board. He explained the scope of this board. It would be an opportunity to have the City represented at this level. It would be a commitment of time, which he detailed, although there would be no cost. He did not believe he would be offered the position due to the level of other applicants and did not exactly when the selection would be made.

Vice Mayor Rodstrom mentioned two of her constituents who are CPA's expressed delight in this opportunity.

In response to Mayor Seiler's question, the City Auditor explained how he anticipated coverage during his absence. Mayor Seiler felt it would be a tremendous honor and a benefit to the City.

There was consensus approval.

I-L – Appointment of City Commission Members to Various Organizations

With respect to consensus board appointments, Mayor Seiler asked the Commission to focus on those vacancies and bring forward names on April 21. The City Clerk indicated that the applications on file will be furnished to the Commission.

There was consensus approval for the following appointment recommendations: Broward League of Cities: Commissioner DuBose, director; Vice Mayor Rodstrom and Commissioner Rogers, alternates; Florida League of Cities Ten Most Populous Cities Board: Mayor Seiler was previously selected; International Swimming Hall of Fame Board of Directors: Vice Mayor Rodstrom would continue to serve; Metropolitan Planning Organization: Vice Mayor Rodstrom would continue to serve and Commissioner Roberts; Resource Recovery Board: Mayor Seiler; State Road 7 Partnership: Commissioner DuBose; Tourist Development Council: Commissioner Rogers; Transportation Management Association: Commissioners Roberts and Rogers were previously selected.

II-A – Nomination of Vice Mayor

Mayor Seiler noted that although it is not required there has traditionally been a rotation through the districts. He suggested continuing that tradition which would mean Commissioner Roberts. There was no objection.

II-D – February 2009 Monthly Financial Report

In response to Mayor Seiler, Shonda Singleton-Taylor, Director of Management and Budget, indicated that 41% of the year has passed and the expenditures are 31.99%.

Commissioner Roberts felt the Police Department overtime budget needs to be addressed and perhaps it should be discussed at the next meeting.

Commissioner Rogers wanted the assumptions made on the revenue side be revisited and a summary provided. Ms. Singleton-Taylor advised the City has received 52% of the budgeted revenue compared to where it should be, 41%. However, there are a few times that are a month or two lagging in receiving the revenue. Staff anticipates coming in slightly under the revenue budget based on state projections. Charges for services are slightly under budget due to timing differences and seasonality. Fines and forfeitures are 19.65% due to reduced code enforcement fines and forfeitures as a result of the economy. Interest earnings are 24%; the City is somewhat behind due to the budgeted interest rate. Revenues are monitored on a monthly basis.

Mayor Seiler agreed that a summary of the revenue assumptions should be provided on a monthly basis.

II-B – Tourism Report

Mayor Seiler referred to the upcoming Super Bowl, Pro Bowl and an Orange Bowl. He wanted the City to look at opportunities to be more flexible and capitalize on tourism.

II-C – Economic Development Report

Stephen Scott, Director of Economic Development, indicated initiatives, such as partnering, will be presented at the next few meetings. Some discussion ensued about the upcoming partnership proposal with the Chamber of Commerce and Broward Alliance.

Mayor Seiler encouraged the business community to provide feedback to Mr. Scott on what should be added to both the tourism and economic development reports.

III-A – Communications to City Commission and Minutes circulated for the period ending April 2, 2009

In response to Mayor Seiler, the City Clerk indicated staff is in the process of implementing the addition of a space on advisory board minutes for communications to the City Commission. For the benefit of the audience, Mayor Seiler explained an item has been added to advisory board agendas for messages to the Commission. When the minutes are provided, this information will be available.

III-B – Board and Committee Vacancies

Affordable Housing Committee – no appointments at this meeting

Audit Advisory Board – no appointments at this meeting

Aviation Advisory Board – no appointments at this meeting

Beach Redevelopment Board – no appointments at this meeting

Budget Advisory Board

Vice Mayor Rodstrom recommended Alan Silva and Bud Bentley to the Budget Advisory Board.

Commissioner Rogers felt on April 21st, the Commission needs to discuss this board's mission and the number of appointments.

Cemetery System, Board of Trustees – no appointments at this meeting

Centennial Celebration Committee

Vice Mayor Rodstrom recommended Barbara Keith to the Centennial Celebration Committee.

Commissioner Rogers noted the Council of Civic Associations has asked to have a voting member on the Centennial Celebration Committee. Mayor Seiler indicated he had discussed this with them, but wanted to consider it on April 21, along with possibly adding nominations by individual members of the Commission.

Code Enforcement Board – no appointments at this meeting

Community Appearance Board

Commissioner DuBose recommended Pearl Maloney to the Community Appearance Board.

Community Services Board

Commissioner DuBose recommended Helen Hinton to the Community Services Board.

Economic Development Advisory Board – no appointments at this meeting

Education Advisory Board

Commissioner DuBose recommended Edna Elijah to the Education Advisory Board.

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

Insurance Advisory Board – no appointments at this meeting

Marine Advisory Board – no appointments at this meeting

Nuisance Abatement Board – no appointments at this meeting

Board of Trustees, Police and Firefighters Retirement System – no appointments at this meeting

Unsafe Structure and Housing Appeals Board – no appointments at this meeting

Utility Advisory Committee – no appointments at this meeting

City Commission Reports

Vice Mayor Rodstrom reported on successful events in various areas including the Victoria Park Art and Jazz Festival, South Middle River bowling tournament, Middle River Terrace dog contest.

Broward Cultural Council Forum

Vice Mayor Rodstrom thanked Planning and Zoning staff for their assistance at the Broward Cultural Council forum.

Parking; A-1-A Marathon

Vice Mayor Rodstrom noted the organizer for the A-1-A Marathon and volleyball events was concerned about the increase in parking fees. She referred the individual to the Director of Parking and Fleet Services. She did not want to see the marathon move away. The City Manager offered to meet with the organizer and report back if there anything the Commission needs to decide.

Jack and Jill Children's Center

Vice Mayor Rodstrom announced there will be free health services on April 18 at Jack and Jill Children's Center. They would like to place this information on the trolley. The City Manager offered to forward the request to the Downtown Fort Lauderdale Transportation Management Association.

Ambassador to Thurgood Marshall Elementary School: seeking volunteers

Vice Mayor Rodstrom provided the content of a letter she would like to send out on City stationary. It has to do with Thurgood Marshall Elementary School. A copy is attached to these minutes. The City Attorney explained the process would be to secure Commission approval before using City stationary for such a letter. He saw nothing wrong with the letter. There was Commission consensus approval.

Development and Extensions; Senate Bill 2026 and House Bill 7049 and Condominium Associations, Senate Bill 880

Vice Mayor Rodstrom indicated she is following these bills along with the League of Cities because it would violate home rule. She also brought attention to Senate Bill 880 which has no companion bill and suggested staff may wish to follow it. If the bills on development and extension come to the legislature's floor, she planned to go to Tallahassee to speak.

Dr. Elizabeth Hays Civic Park

Commissioner Rogers announced the upcoming naming of a park in honor of Dr. Elizabeth Hays on April 25, 9 a.m. Commissioner DuBose noted that area is where the two districts meet. Dr. Hays was very special to District III as well.

Easter Baskets; Big Momma volunteerism

Commissioner DuBose announced Big Momma's efforts to make a tri-county effort in giving out 25,000 Easter baskets this year.

District Events

Commissioner Roberts noted the success of Imperial Point Spring Fling, Coral Ridge Picnic in the Park event and collection of 15,000 pounds of food for the needy by Galt Ocean Mile.

Beach Nourishment, Galt Ocean Mile

Commissioner Roberts noted there is a lot of concern of the Galt Ocean Mile residents about beach nourishment.

Broward County Courthouse

Mayor Seiler noted the economic importance of the courthouse and the need to retain it in the downtown. The task force's finding is for the courthouse to remain in the downtown with no discussion of a satellite until 2025.

Broward County Mayor

Mayor Seiler indicated that he met with the County Mayor and there are plans for additional meetings with the County Administrator, City Manager, County Mayor and himself. The goal is for a joint city – county workshop to work toward cooperation and collaboration.

Citizen Recognition Program

Commissioner Rogers announced the upcoming citizen recognition program on April 21, 11:30 a.m.

City Manager Reports

The City Manager reported on the success of the recent Pantry of Broward event.

There being no further business to come before the Commission, the meeting was adjourned at approximately 9:53 p.m. (some regular meeting business was conducted between 6:06 p.m. and 6:48 p.m., and 7:22 p.m. and 7:27 p.m.)