

**FORT LAUDERDALE CITY COMMISSION CONFERENCE MEETING
APRIL 21, 2009**

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

Present: Mayor Seiler
Vice Mayor Roberts, Commissioners Rodstrom, 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 – COMMUNITY HEALTH CHARITIES

Mayor Seiler indicated this organized approached him about the City opening not-for-profit fund raising to more than one group.

Gwen Cooper, representing Community Health Charities of Florida, provided some historical information about this organization, statistics about City employees and children generally, and additional statistics about diseases and associated costs being incurred locally. She introduced representatives from the ALS Association, Cystic Fibrosis Foundation and the American Cancer Society, which represent small, medium and large agencies in the fifty health charities of Community Health Charities of Florida. She asked that Community Health Charities be included in the City's payroll deduction campaign. Employees see it as a benefit when they can give to the charity of their choice through payroll deduction and when employees give through payroll deduction their gift is six times larger than by just writing a check to an agency. Anything donated will help the entire community.

The City Manager explained that it is technically feasible to do, but staff would like direction as to where to draw the line and which agencies would be included. He did not know the history around United Way being situated as it is.

Commissioner Rogers wanted a sense of what the employees would like to do.

In response to Commissioner DuBose, Ms. Cooper indicated usually their campaigns run side by side with United Way. Community Health Charities' programs and services run year-round.

Commissioner Rodstrom also wanted to know how the employees feel about this. She was concerned about aggressiveness in a campaign. Ms. Cooper explained it is a soft sell and simply an additional choice made available. The City could establish criteria for a campaign. In response to Commissioner Rodstrom, Averill Dorsett, Director of Human Resources, explained how the United Way drive is handled.

Commissioner DuBose commented that in the private sector there are examples of United Way drives being morale boosters. An atmosphere is provided where an individual can choose.

In response to Commissioner Rogers, Ms. Cooper indicated she could provide a survey instrument that could be disseminated under the City's logo via email. United Way does not

for the most part fund health services and this is why Community Health Charities was formed. The City is encouraged to set criteria to allow local organizations to be part of the campaign, but the vetting process of verifying legitimacy of organizations is done by Community Health Charities. She offered to provide sample criteria.

Mayor Seiler explained this topic was discussed in Tallahassee. It was brought to light that services are addressed, but no focus on health. He agreed with the idea of finding out how the employees feel.

In response to Mayor Seiler, Ms. Cooper indicated the City could establish the percentage of the donation that would reach the charity. Every agency's budget is available for review. Community Health Charities' overhead percentage is 9.3. Community Health Charities is owned by the charities. She mentioned other communities that make a donation to Community Health Charities an option.

There was consensus approval to move forward with an employee survey. The City Manager offered to report back on the survey results and information on the process.

I-F – FISCAL YEAR 2009-2010 BUDGET

Shonda Singleton-Taylor, Acting Director of Management and Budget, reviewed slides on the 2009-2010 budget. A copy of the slides is attached to these minutes. The current budget was built based on the previous Commission's key priorities: 1) minimize impacts due to revenue losses. Toward this priority, she noted the pension reform, increase grant funding, maintain strong reserve funds, a strong bond rating and a healthy insurance fund. 2) continue to focus on quality of life issue. Toward this priority, she noted fighting crime, improving fire-rescue response times, proactive code enforcement, beach improvements and reduce nuisances. 3) develop plans for City's future. Toward this priority, she noted various master plans. The City is seeing some decline in local business tax receipt licenses and landscaping, electrical and plumbing permits. The franchise fee contract, which is based on a rate of 6% of gross revenue, expires this fiscal year. There is a slight reduction in state ½ sales tax revenue.

Mayor Seiler noted the ad valorem revenue this year will be lower than it was in 2005-2006. In response to Mayor Seiler, Ms. Singleton-Taylor advised the estimate is based on money received to date and not based on the Property Appraiser's recent presentation to the Commission. Vice Mayor Roberts pointed out a \$2 million revenue deviation. Ms. Singleton-Taylor indicated some of the revenue is expedited plan review; if there is a revenue decrease, there would also be an expenditure decrease. In response to Commissioner Rogers, Ms. Singleton-Taylor advised that 83% of tax revenue has been received.

Commissioner Rogers wanted to know how much of the revenue projections for charges and services is attributable to increased dock fees.

In response to Mayor Seiler, Ms. Singleton-Taylor indicated that interest earnings could be short about \$800,000 this year.

Norm Mason, Assistant Director of Management and Budget, reviewed those slides having to do with expenditures.

Vice Mayor Roberts referred to the downturn in revenue and wanted to develop strategies. He felt it is important to use zero-based budgeting. Mayor Seiler agreed and also discussed potential revenue shortfalls increasing to \$45-50 million in the next year. There was consensus approval to adopt zero-based budgeting process.

Vice Mayor Roberts wanted to carry forward to next year as much savings this year as possible.

Commissioner DuBose asked what would be the best case scenario. Ms. Singleton-Taylor offered a decline range of 5-20%. Five percent would equate to \$6 million in ad valorem. She would have to calculate the other categories. The City Manager elaborated upon staff's reluctance to make projections in this economy. Mayor Seiler wanted to plan for the worse case scenario. He thought it would be some eighteen months before any relief comes about. Commissioner DuBose explained he wanted to be careful in cutting services; i.e. a 10% program cut could equate to 90-95% in certain segments of the city. Therefore, he did not want to go totally worse case scenario. All of the information is needed in order to make decisions.

Commissioner Rogers wanted to plan for the worst and hope for the best. He wanted to get the big picture for this year and not get bogged down which would take away from next year. There must be some confidence in the current budget, but he wanted to make sure this budget will come through.

Commissioner Rodstrom preferred to look at the worse case scenario. She felt the following year will be worse. Every penny saved will help. She did not want to turn to the fund balance. She was interested in a 3-5 year strategic plan and asked the City Auditor's opinion. The City Auditor felt such a plan would go well with zero-based budgeting. He thought good financial management would be a five-year projection. It should include a debt capacity study. As to projections, he noted that eighty percent of the budget is personnel costs. He felt it would be healthy to do a five-year projection. Commissioner Rodstrom wanted to pursue developing a five-year projection. There was consensus approval on developing a five-year projection, although Commissioner Rogers wanted to make sure there is adequate attention devoted to today.

Mayor Seiler wanted the Commission to establish priorities as the City goes through this downtown. He wanted to hold public safety harmless. He wanted to not impact services to children. He did not want to lay off any employees. The City Manager also wanted individual district priorities. He suggested May 19, 2009. Mayor Seiler noted the joint meeting planned with the County Commission also on May 19, at the Governmental Center, 12 noon. As such he adjusted the conference meeting to 2 p.m. The City Manager offered to keep the conference agenda light so that the budget priorities could be accommodated. Commissioner Rodstrom asked that the CRA also not occur on May 19.

The City Manager was confident the City would get through this fiscal year with the budget in place and considering the freeze already implemented. Vice Mayor Roberts wanted to do more than meet the current budget, but to make cuts that could be carried forward. Commissioner Rodstrom concurred. The City Manager indicated that staff had been aware of issues with property values and sales tax revenue.

In response to Mayor Seiler, the City Manager advised that there will be need for assistance in the area of overtime.

The City Auditor referred to other post employment benefits (OPEB) that has to do with health benefits guaranteed to retirees. He argued last year to fully fund this liability as opposed to a pay as you go approach that increases the unfunded liability. The City Manager indicated staff has a different philosophy on this. He wanted the Commission to see what other municipalities are doing with OPEB and the actuarial reports. Mayor Seiler asked the City Auditor to brief the Commission individually.

The City Auditor referred to previous discussion on this matter and noted there is an amount of roughly \$2.5 million owed to the Community Redevelopment Agency. He felt the City should be making this payment. The City Manager thought it was around \$800,000. In response to Commissioner Rogers, the City Auditor explained this has to do with properties added to the tax rolls for the CRA were not coded as being CRA and other taxing entities got the benefit. In response to Mayor Seiler, the City Auditor believed the County owes close to \$5 million. After checking with his staff, the City Auditor confirmed the City's portion is \$2 million general fund.

Mayor Seiler wanted to make sure the budget information is available online.

I-B – BUSINESS EXPANSION AND RETENTION PROGRAM – PARTNERSHIP PROPOSAL WITH GREATER FORT LAUDERDALE CHAMBER OF COMMERCE

The Director of Economic Development reviewed the proposal outlined in the Commission Agenda Report 09-0480. Staff is seeking conceptual approval. With such approval, staff would work with the Chamber and come back to the Commission for an appropriation of funds as well as regular progress reports over the course of the program that is anticipated to go on over several months. The proposal was presented to the Economic Development Board and they unanimously supported it.

Dan Lindblade, President – CEO, Fort Lauderdale Chamber of Commerce, was very pleased and excited to work with the City. In discussions with businesses, they found some concerns as it relates to doing business with the City and staying in this community. The program will improve communications, relationships and information gathering. He estimated for every dollar expended, there will be about a \$14 return. This is different than retaining a consultant because the Chamber will not be leaving after the study is completed, but will be working with the City to implement it.

Mayor Seiler noted that the County has just completed such a survey and he wanted to use it as a starting point. He wanted to make sure there is diversity in the focus.

Commissioner DuBose asked how the return on investment was calculated. Joan Goodrich, representing the Broward Alliance, examined the Alliance's Business Retention and Visitation Outreach Program data (BRAVO) from 2000 to the present. They anticipate assisting businesses with expansion or retention. The estimated is based on real deals and businesses assisted since 2000 at the county level. Commissioner DuBose asked about diversity. Ms. Goodrich indicated the market can be segmented in many ways and that can be decided. They looked at the number of deals with jobs created and capital investment made. It was looked at across the board. Mr. Lindblade indicated they would schedule diversification of the model to make sure there is representation in all of those segment clusters. Mr. Scott added that they will come back to the Commission with their plans.

Mayor Seiler emphasized the desire for diversity geographically and in terms of the demographics.

Commissioner Rogers wanted to make sure the model include small businesses.

Mayor Seiler hoped this could become a model statewide.

There was conceptual consensus approval. An appropriation request will be presented in the future.

EXECUTIVE CLOSED DOOR SESSION WAS HELD AT 2:56 P.M.

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

MEETING RECONVENED AT 3:05 P.M.

I-C – POLICE DIGITAL IN-CAR VIDEO CAMERA PROJECT

In response to Mayor Seiler, Tim Edkin, Director of Information Technology Services, concurred that the total \$3.7 million project included in-vehicle equipment, modems and software that amounted to \$1.5 million. The equipment has been installed and is in use. The City Manager added that the \$760,000 is in addition to the \$1.5 million. He explained the project was composed of two components. First was \$1.5 million for laptops and associated equipment that could be used for other things in addition to the cameras which has been completed. The other component was \$2.2 million for in-car video cameras and of that \$760,000 has been expended or obligated for equipment.

Commissioner Rogers indicated there was a general consensus at his district meeting that this is a good thing and especially a pilot program. A promise was made to people in the community. If only an additional \$10,000 will be expended to install 95 cameras, he considered that to be a pilot. Seven hundred and sixty thousand has already been expended and he did not want to waste those funds. He wanted a pilot program.

Commissioner Rodstrom asked about the \$400,000 from Congressman Klein's Office. Mr. Edkin advised that is the COPS grant. Commissioner Rodstrom wanted to know if the congressman's office was consulted to see if these funds could be used for something other than in-car cameras. Mayor Seiler believed that Congressman Klein's Office referred the City to the Department of Justice and that agency indicated the funding is tied to this use. Commissioner Rodstrom thought her previous vote was for laptops. The City Manager noted again the two components to the project and that it would not be possible to have the camera component without the laptops.

In response to Commissioner DuBose, Mr. Edkin advised that there were already laptops in the police vehicles, but these were a major upgrade.

Commissioner DuBose noted that this issue is not unique to Fort Lauderdale. There are so many things that trump the dollar figure so much so that the Department of Justice set aside funds for this. This program has been shown nationally as more of an asset to cities beyond the intangibles like police confidence, relationships with police. Many police officers favor it because it has cleared them of complaints in many instances. He referred to time

expended to investigate complaints and his belief that there will be a definite return on investment. He did not favor a pilot program because this is a citywide issue. A big reason why this came about was racial profiling. He would not be racially profiled in District III, but more about being in the other districts. If a pilot program is implemented in District III, it would not address how this has come about nationally where there has been a huge increase in such a program. He did not favor throwing away money already expended. It is not a \$4 million expense to put the program into play. He emphasized the City's commitment to citizens at a time when there were police shootings and citizens felt the police were not in line. Because there have not been any shootings is not a good enough reason not to proceed.

In response to Mayor Seiler, Mr. Edkin concurred that the additional cost is \$1.1 million. He corrected his previous statement about maintenance. The first year is included. The additional years 2-5 is \$703,000.

Vice Mayor Roberts referred to his experience in the Police Department. He pointed out that there are almost ninety police officers not on the street including vacancies, those in training, potential hires, light duty and so forth. A critical mass is needed to get the job done. He did not disagree about the benefits of cameras, but wanted the priority to be getting personnel on the street. He noted that crime is increasing because the personnel are not on the street. He wanted to dedicate this money to overtime for the staffing level. Although he does not disagree with Commissioner DuBose, priorities have changed.

Commissioner DuBose pointed out that the police vacancies are not attributed solely to dollars and would be contradictory to what has been heard on the campaign trail. The cameras will help save investigation time. Vice Mayor Roberts concurred, but felt priorities have changed. The money is needed to put personnel on the street.

Vice Mayor Roberts felt there is a limited benefit from a practical perspective. A video can misrepresent reality. Physical evidence is more corroborative. He referred to when this first came about and indicated those shooting incidents would not have been captured. It is over-reliance on a system that does not give the entire picture. Commissioner DuBose felt without it there are gapping holes. There would be multiple angles. There are tangible benefits. He recalled that Vice Mayor Roberts had been very much in favor of these cameras at one point.

Commissioner Rogers supported a pilot program citywide which would only cost \$10,000 and not take away from getting personnel on the street. The cameras were promised to people. In District IV, there is a sentiment that people want them.

Commissioner Rodstrom wanted personnel on the street. Crime is increasing. She was not convinced that the cameras will help.

Mayor Seiler opened the floor to the public.

Marc Dickerman, a resident of District IV, expressed favor in the cameras. He discussed how they can be helpful.

Roosevelt Walters discussed various crime fighting tools adopted by law enforcement as well as how the Citizens Police Review Board was created and that cameras will assist in clearing officers being investigated. He favored the cameras. The program is about safety.

He asked about a potential lawsuit if the City does not proceed as there is already a contract.

Mayor Seiler believed only about 20% of what is occurring around a vehicle is captured on film. Mr. Walters pointed out that an officer could endeavor to be in front of the camera as much as possible. He felt 20% is better than nothing. Commissioner DuBose pointed out that nine out of ten times, it is not just one officer. There would be multiple angles. Vice Mayor Roberts emphasized that it cannot be relied upon that everyone will stay in one spot. Most often, all of the vehicles are facing the same direction. Also, the camera mounting is fixed. Commissioner DuBose pointed out that multiple vehicles would not be parked in a line.

Vice Mayor Roberts pointed out that the discussion has not touched on implementation policy and procedures. He mentioned data storage and staff time for redacting information.

Commissioner DuBose pointed out that many cities have such a program. It is not new.

Mr. Walters noted a new procedure, called field interview, which could be done on camera and alleviate complaints. Many cases do not get to Internal Affairs because of fear.

Margaret Haynie Birch supported the cameras. She believed there is also audio, which would be helpful.

In response to Commissioner Rodstrom, Mr. Edkin indicated that officers would wear a lapel wireless microphone that he thought would carry up to one hundred feet, although not certain about the distance.

Jana Gray-Williams supported the cameras. They will deter racial profiling. Cameras would be helpful to the officer and the individual who is stopped. Police officers should be accountable. Money should not be allowed to separate people because of their color. The program should not be only in District III, but throughout.

Marsha Ellison, President, National Association for the Advancement of Colored People, Fort Lauderdale chapter, noted the City's commitment that was made. She asked the City to live up to that commitment. She discussed field interviews, noting they happen not just in District III. Internal Affairs is seriously lacking in diversity. There are bad apples. In the absence of video, the citizen does not get the benefit of the doubt. The record will reflect that many complaints are either not investigated or not fully investigated. She cited a racial profiling incident that occurred to her. As far as improving the relationship between 12-17 year olds and the Police Department, children say that officers talk to them disrespectfully, which is something the camera could capture. The goal should be to have every tool available and that the commitment made be upheld.

Michael Rajner was concerned about accountability of police officers and the protection of civil rights. He questioned the cost of potential lawsuits. The gay community often feels disenfranchised. They also want to feel safe.

There were no further comments from the public.

Mayor Seiler asked about ongoing costs. Mr. Edkin indicated a protocol has not yet been established. He mentioned some particulars about managing the data.

Commissioner Rodstrom wanted all of the information before making a decision. She questioned why the procedural aspect was not furnished and whether the Commission would have any part in it.

In response to Commissioner Rogers, Mr. Edkin advised that video from other functions is not integrated with this. Commissioner Rogers did not feel it is the Commission's role to implement policy. Commissioner Roberts believed it would have a staffing implication; the full cost is not reflected. Commissioner Rogers reiterated his support in a pilot program.

Mayor Seiler did not support the full program. He did not think it affordable at this time. He referred to the historical information. There is nothing about cameras when looking at the Homeland Security and Florida Department of Law Enforcement angles. He felt the cameras have a value for traffic stops, but otherwise 80% of the activity is not on film. People will claim that the officer parked the vehicle in a way to avoid filming. The City Attorney has reported that there may have been half a dozen traffic stops that resulted in lawsuits of which one was about police brutality. It should come back on the agenda to decide about the pilot or something else.

Kirk Buffington, Director of Procurement Services, indicated if the contract is terminated, there is an obligation to pay for what the vendor believes he has put into the project up to the point of notification. He did not know how much it will cost.

In response to Mayor Seiler, Mr. Edkin listed other municipalities where this vendor has made installations. Mr. Buffington explained that the City's specifications provide for customization of the camera. Mr. Edkin noted one custom feature is a fixed mount. Discussion followed about this feature.

In further response to Mayor Seiler, Mr. Buffington believed the vendor would be amenable to a pilot program.

Mayor Seiler was concerned about the customization and asked if the cost would be less if they were not customized. Mr. Edkin indicated the cost would definitely be less.

In response to Mayor Seiler, Mr. Buffington and Mr. Edkin provided more historical information, including what was brought before the Commission, why Motorola backed out. Commissioner Rodstrom pointed out that the Commission was not provided the RFP with the customization specifications because that is not normally provided.

Mayor Seiler asked if the \$400,000 (grant) can be used toward what the City has already spent. Mr. Edkin indicated that staff has received a verbal no response but has not provided anything in writing. The City Manager advised that the \$400,000 would be used to pay for upcoming costs. He did not believe the \$400,000 can be used for the backend equipment, but it could be used for equipment not yet purchased, the cameras. Commissioner Rodstrom wanted staff to try harder to get a definitive answer on use of the \$400,000.

Commissioner DuBose noted the Commission made a commitment to the northwest and acknowledged that this area has been neglected on many different levels. Not proceeding with these cameras would resonate as neglect once more because it is so important. He did not want this Commission to start out with this practice because it is viewed as a fresh start. Mayor Seiler elaborated upon budget constraints. He was not aware of this issue until

February. He viewed the issue as a law enforcement item and a budget item. He also elaborated upon funding and varying amounts quoted for maintenance.

Commissioner Rogers pointed out that a pilot would cost an additional \$10,000 and maintenance. He believed there is a real perception that this is public safety. He felt accountability is important to the entire city. He agreed with Commissioner DuBose but leaned toward the pilot because of the economy.

Mayor Seiler noted this matter should be brought back to the Commission to consider Option 3: ninety-five cameras at an additional cost of \$10,454; or Option 4: cancel the contract.

I-D – STATUS OF BRIDGES AND PROPOSED REPAIR CONTRACT

Peter Partington, City Engineer, indicated there are thirty bridges for which the City is responsible and are fifty years or older. He noted Florida Department of Transportation's (FDOT) inspection process and the process for categorizing bridges into structurally deficient. There are twelve bridges, including the swing bridge, that have been categorized as structurally deficient or 24%, whereas statewide the average is just under 4%. He showed photographs, provided in Commissioner Agenda Report #09-0464, and elaborated upon the weakening progression of concrete reinforced bridges. Some bridges are the only means of egress to some neighborhoods, which would impose a significant problem if a bridge needed to be closed in an emergency.

The following discussion ensued as a result of questions raised by the Commission. Mr. Partington explained the intention is to award a contract and then cooperatively with FDOT look at what bridges are most necessary. Commissioner Rogers felt staff's summary does not match FDOT in terms of ranking. Mayor Seiler clarified the Commission wants to specify what will be done. Vice Mayor Roberts and Commissioner Rogers clarified the bridges should be ranked according to the FDOT's rating (health index).

Skip Ferrara, Certified Bridge Inspector, Florida Department of Transportation, referred to the inspection reports where the sufficiency rating is noted and provided to the City. He provided more detail about the sufficiency rating and health index in the inspection report. Old bridges that do not meet today's standards could cause a drop in the sufficiency rating, i.e. narrowness. It may have nothing to do with the condition.

Mr. Partington advised that there is no FDOT funding for repairs. There is some money, a couple years out, for replacement. FDOT is funding the design of replacement bridges on Las Olas Isles. Staff agrees the City should be guided by the sufficiency rating.

Mayor Seiler asked the bridges be ranked according to sufficiency rating and brought back at the May 5, 2009 meeting. Commissioner DuBose requested footnotes on the sufficiency rating for bridges that are too narrow for example. Mr. Carbon added the City would obviously not want to repair those that are slated for replacement in the near future.

Mr. Ferrara assured that all of the bridges in FDOT inventory are safe to drive over. If they were not safe, FDOT would close them.

I-E – SW 11 AVENUE SWING BRIDGE

Peter Partington, City Engineer, noted this bridge was constructed in 1924. It has historical value. It has been in structurally deficient category for some time. When the Minnesota bridge collapsed, FDOT (Florida Department of Transportation) conducted emergency inspections of steel bridges with gusset plates. As a result, the City closed the bridge for emergency repairs. He showed photographs, provided in Commissioner Agenda Report #09-0463 and detailed the repair work. Total restoration was bid and awarded in December at a cost of just under \$3.4 million. No work has been done.

The following discussion ensued as a result of questions raised by the Commission. Mr. Partington advised funding would come from the \$15 million reserve as is the \$400,000 for Agenda Item I-D.

Skip Ferrara, Certified Bridge Inspector, Florida Department of Transportation, indicated provided the posted restricted are abided by, it is safe.

Albert Carbon, Director of Public Works, presented an email from John Danielsen, Structures Maintenance Engineer, Florida Department of Transportation, indicating that this bridge is ranked first in the state being most needed for replacement - repair. A copy of the email is attached to these minutes.

Mr. Partington indicated if the bridge remains as it is, there is a strong likelihood it would have to be closed at short notice to at best make emergency repairs or at worst closed semi-permanently while staff figures out what to do to it.

Commissioner Rogers pointed out timing on closing is a consideration. It could not be closed until the WaterWorks 2011 work is finished because it would leave residents with one access. Mr. Partington indicated staff has anticipated that coordination.

Discussion turned to funding. Mr. Carbon advised the City has a \$300,000 state historical grant and \$3.6 million from the capital improvement program. This project is listed on the City's requests, both federal and state. It was not funded by the Metropolitan Planning Organization.

Mr. Partington introduced Timothy Noles, Hardesty & Hanover, who indicated they were retained by the City to inspect this bridge only and recommend whether to rehabilitate or replace it. The bridge has been limited to a five-ton vehicle or the equivalent of a heavily loaded pickup truck, therefore garbage trucks and school buses would exceed the limit; the rating has to do with vehicles crossing over. He expanded on the bridge being in an active state of corrosion and repair challenges. The bridge would have to be shut down six months to replace it. It is less expensive to do the work while the bridge is closed. Hardesty & Hanover was retained in 2000; the plans were completed in 2004 and the City has been looking for funding since that time.

Commissioner Rodstrom questioned why it is a priority now when it has been ongoing since 2000. Mr. Carbon indicated that it was always identified as a priority in the CIP, but never funded.

In terms of safety, the City Auditor thought the NBI rating may be a better gauge. The City Manager advised that the bridge is not going to fall down because it would be shut down

before that occurred. It is unknown how long it will be before it is necessary to shut it down or it will fall down. Typically if nothing is brought forward before such a time, there is a question of why it was not anticipated. The listed bridges are the likeliest to be shut down at some point and then it comes down to repair or replace. This bridge has been repaired and no one knows what happens next. Mr. Partington and Mr. Noles believed the bridge is at the state that it is not worth the cost to repair it. Commissioner Rogers acknowledged the City has two years of letters written after inspections have been made.

Commissioner Dubose understood and the City Manager confirmed that the first priority bridge could be replaced and a week later the third or fourth priority could fail.

The City Auditor questioned how funding of this bridge would impact seeking grant funding. Mr. Carbon advised that staff could seek stimulus funds. This year's federal transportation is completed; there are no grant funds available. Mr. Partington thought this would be an ideal stimulus project. The City Manager suggested freezing, but commit to the money being available while the City exhausts all grant opportunities. Mr. Carbon clarified the Manager is speaking about Agenda Item I-D.

Commissioners Rogers and DuBose and Vice Mayor Roberts favored proceeding with the swing bridge. Mayor Seiler wanted to give staff forty-five days to exhaust every possible federal and state angle. He wanted a letter to be sent to the congressional delegation under his signature.

I-G – FORT LAUDERDALE BEACH MUSIC FESTIVAL

Phil Thornburg, Director of Parks and Recreation, noted in October, 2008, the Commission approved an agreement with a promoter to bring a big music festival to Fort Lauderdale beach on Memorial Day of 2009. They would now like to wait until 2010. Additionally the corporation has changed, which would require reassignment of the contract.

Mark Stollman, S2BN Entertainment, noted their corporate name change from Live Nation and Events Acquisition Corporation and they are proposing an event date change. Mike Luba, S2BN Entertainment, indicated they are looking at mid-May and are prepared to inform the City Manager of the proposed headliner. Mr. Thornburg indicated the previous Commission emphasized that the entertainment and show should be of quality.

Mayor Seiler noted the Air and Sea Show also in mid-May. Commissioner Rodstrom noted previous concern about conflict with Mother's Day and the Galleria Mall. Mr. Luba indicated they have moved away from Memorial Day, Mother's Day and the convention (ARVO) as they understood those times to be less favorable. It will be a two-day festival on May 15 and 16 (Saturday and Sunday) unless it is not possible to lock in two headliners.

Stan Smith, Fort Lauderdale Air Show, indicated they have agreed not to conflict with the ARVO convention or Mother's Day. They would be concerned about taking any more weekends off the table as the military has not responded.

In response to the City Manager, Mr. Luba indicated they could leave it to a mutually agreeable date in May, but are willing to commit now. The City Manager wanted to work with these parties to avoid conflict with Mother's Day and the ophthalmologists and come back to the Commission. Staff needs to be assured the Commission is amenable to the idea.

In response to Commissioner Rodstrom, Don Morris, Director of the Beach Community Redevelopment Agency, advised the South Beach parking lot project will be ready to start in November, but there are event conflicts, therefore staff will be seeking Commission direction. The project will take about a year. Mayor Seiler pointed out there will be the Orange Bowl, Super Bowl and the Pro Bowl.

Ina Lee, Beach Business Improvement District Committee, advised the committee unanimously supports this event, especially because it is not on Memorial Day weekend, but in a time when hotels need the business. The more business that can be brought into May, not conflicting with ARVO, the better. Mayor Seiler thought the previous Commission did not want these events back to back. Ms. Lee did not think that would be wrong because it could create ten-day stays. The City Manager pointed out that one or all events could drop out.

In response to questions about the air and sea show, Mr. Smith indicated that they targeted the spring, not just May; they would be open to April. They would be agreeable to tying in with Fleet Week.

There was consensus approval to assign the agreement from Events Acquisition Corporation to S2BN Entertainment, subject to City Attorney approval and including the key personnel clause.

Mayor Seiler preferred the air and sea show at the end of April. The City Manager offered to coordinate with all parties on the dates in April – May (of 2010).

Note: The Commission recessed and convened as the Community Redevelopment Agency Board of Directors from 5:27 p.m. to 5:53 p.m. After the CRA meeting, the City Commission recessed and continued the conference meeting at 10:44 p.m. (Agenda Item II-A – New Federal Transportation Authorization Legislation) in the City Commission meeting room on the first floor of city hall.

II-A – NEW FEDERAL TRANSPORTATION AUTHORIZATION LEGISLATION

See walk-on item at the regular meeting of this date.

I-H – COLLECTIVE BARGAINING PROCESS

John Dargis, Director of Employee Relations, reviewed slides on how the collective bargaining process works. A copy of the slides is attached to these minutes.

Mayor Seiler wanted copies of all police, fire and general employees' contracts in Broward County, and expiration information. Mr. Dargis indicated the City conducts a survey on such things as starting salary, longevity pay, health insurance contributions in Broward. Vice Mayor Roberts concurred and added that some cities in Dade and Palm Beach should also be included.

In response to Mayor Seiler, Mr. Dargis indicated the 5% COLA has to do with the Teamsters, professional and supervisory contractors for the one remaining contract year. Mr. Dargis pointed out that those groups made major pension concessions, going from a defined benefit to defined contribution plan. Mayor Seiler asked the information collected include health insurance and pension in addition to wages.

In response to Commissioner Rodstrom, Mr. Dargis advised that merit raises are not included in the survey information and they are protected by the union contracts.

Commissioner Rogers wanted to see pertinent clauses of the contracts and perhaps the previous couple terms.

II – LIEN SETTLEMENT PROCESS AND PROPOSED LIEN SETTLEMENTS – SPECIAL MAGISTRATE AND CODE ENFORCEMENT BOARD CASES

In response to Mayor Seiler, Valerie Bohlander, Director of Building Services, indicated staff negotiates to a point where they can afford to pay the lien, sell the property and get someone who will care for the property and make it a viable part of the community again. Mayor Seiler wanted staff to make every effort to secure a copy of the closing statement. Ms. Bohlander indicated the negotiations take place prior to closing.

Commissioner Rogers agreed with Mayor Seiler. Also, he wanted the City penalty to be continually increasing as an incentive to settle. There should not be an understanding that the City will forgive a dollar amount.

Concerning CE08031139; 1409 NW 3 Avenue; Hilda Bleiweiss, Commissioner Rogers wanted to see the closing statement. There was no comment on CEO08072630; 831 NW 1 Avenue; Wells Fargo Bank.

III-A – Communications to City Commission and Minutes circulated for the period ending April 16, 2009

Mayor Seiler asked the City Clerk to extract from the minutes any specific messages from the boards and committees and include that information as a part of this item.

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

Commissioner Rodstrom wanted to reappoint Euridice Miranda Lopez and appoint Art Seitz.

Budget Advisory Board

Commissioner Rogers recommended Ray Williams and Keith Cobb.

Cemetery System, Board of Trustees

Commissioner Rogers recommended William N. Cooke.

Commissioner DuBose recommended Delores Sallette and Cameron LeRoy Mizell.

Charter Revision Board

Commissioner Rodstrom recommended Judy Stern.

Commissioner DuBose recommended Alain Jean.

Code Enforcement Board – no appointments at this meeting

Community Appearance Board

Commissioner DuBose wanted to reappoint Pearl Maloney and appoint Robert McNair.

Community Services Board – no appointments at this meeting

Economic Development Advisory Board

Commissioner Rodstrom recommended Christopher W. “Kit” Denison.

Commissioner DuBose recommended Sheryl Dickey and Miya Burt-Stewart.

Education Advisory Board

Commissioner Rogers recommended Linda Cooke and reappointment of Leonore “Lu” Deaner and Jacqueline Ackerina

Vice Mayor Roberts recommended Heather Moraitis, Katherine Leach and William “Bill” Borawski.

Commissioner DuBose recommended Lillian Small, Mary Foster and Shezette Blue-Small.

Fire Rescue Facilities Bond Issue Blue Ribbon Committee

Commissioner Rogers recommended Frank B. Anderson, Jr.

Insurance Advisory Board – no appointments at this meeting

Marine Advisory Board

Commissioner Rogers recommended Bob Ross and John H. Baker.

Vice Mayor Roberts wanted to reappoint Robert Sadowski and Emilio J. “Mel” DiPietro and appoint Tom Tapp.

Commissioner DuBose wanted to reappoint Stephen Tilbrook and Herb Rassing

Nuisance Abatement Board – no appointments at this meeting

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

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

Utility Advisory Committee – no appointments at this meeting

In lieu of creating a green advisory board, Commissioner Rogers had spoken with the Utility Advisory Committee chair and he offered the idea of changing the Utility Advisory Committee name. He felt that committee may be open to this and there would not be an additional cost.

IV - City Commission Reports

Bonnet House

Commissioner Rodstrom distributed an article about the Bonnet House in a Martha Stewart Living magazine.

Palm Frond Pickup: Isles

Commissioner Rodstrom indicated residents of the Isles would like to pay for all palm fronds picked up instead of just Royal Palms. Mayor Seiler asked this be placed on a conference agenda for discussion.

Upcoming Events

Upcoming events were announced for Districts III and IV.

Airplane Accident; 5240 NW 1st Avenue; Oakland Park

Vice Mayor Roberts noted a recent airplane accident and plans to look into preventing future aircraft accidents.

Visioning

Vice Mayor Roberts referred to the visioning process and the need to address it perhaps at a conference meeting. Mayor Seiler indicated advised that he asked the Centennial Celebration Committee whether they wanted to get involved in the visioning and the Committee felt it should be separate. He suggested the visioning be put on a June or July conference and start it in the fall. Commission Rodstrom wanted to wait until after the budget.

Centennial Celebration Committee Membership

Mayor Seiler indicated that he spoke with the Centennial Celebration Committee Chair and they are amenable to increasing the membership. He asked the City Attorney to draft legislation to increase the membership to twenty-one. Each member of the Commission would have one additional appointment and the Council of Civic Associations would have a permanent voting member.

Green Committee

Mayor Seiler felt that the green issue should be addressed in some way, whether it be renaming the Utility Advisory Committee, creating a new board, or having an additional representative on all boards.

Commissioner DuBose asked whether it would be a committee or a board.

Commissioner Rogers wanted to use the Utility Advisory Committee because they are addressing many things on this topic. Commissioner Rodstrom agreed, but emphasized they would need to be renamed. Mayor Seiler wanted to start with a clean slate. Commissioner Rogers felt it would be easier to get off the ground if direction is given than to start from scratch. He thought such an effort could assist with current fiscal condition. Mayor Seiler asked this item be placed on the next conference agenda.

Open Container Ordinance

Mayor Seiler advised that he has asked staff to look into relaxing the open container ordinance. In the coming year, there will be the boat show, Orange Bowl, Pro Bowl and Super Bowl. This could come back at a conference meeting. None of these events are during the spring break timeline. Vice Mayor Roberts agreed in the interest of economic development and times having changed.

Airplane Accident; 5240 NW First Avenue; Oakland Park

Mayor Seiler commended City employees and their response to the airplane accident.

V - City Manager ReportsShooting

Frank Adderley, Chief of Police, reported about 7 p.m. at 351 SW 6 Street, Broward County Sheriff's major narcotic unit was conducting an undercover drug deal which led to a police shooting and death.

There being no further business to come before the Commission, the meeting was adjourned at approximately 11:45 p.m.