

## FORT LAUDERDALE CITY COMMISSION CONFERENCE MEETING October 6, 2009

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**CITY COMMISSION CONFERENCE MEETING 1:31 P.M. October 6, 2009**

Present: Mayor John P. "Jack" Seiler  
Vice Mayor Bruce G. Roberts, Commissioners Bobby B. DuBose,  
Romney Rogers, and Charlotte E. Rodstrom

Absent: None.

Also Present: City Manager – George Gretsas  
City Auditor - John Herbst  
City Clerk - Jonda K. Joseph  
City Attorney - Harry A. Stewart  
Sergeant At Arms – Sgt. Michael Siekierski

**I-A – Downtown Development Authority Board Interviews**

In response to Commissioner Rogers, the City Attorney advised the criteria does not include a residency requirement, but an alternative. Mayor Seiler anticipated the appointments would be made on October 20, 2009. The City Clerk outlined the membership criteria. Mr. William Bodenhamer, Jr. and Ms. Sheila Franklin are interested, but could not attend today.

James Cole provided an overview of his background, organizations with which he is associated and why he is interested in serving.

In response to Commissioner Rogers' question about real estate background, Mr. Cole indicated that he practices law in the area of real estate development and land use and has personal real estate investments.

Mr. Cole responded to Commissioner DuBose's inquiry about Mr. Cole's take on The Wave and potential expansion into the northwest, emphasizing that expansion should not outgrow infrastructure; it is important to get vehicles off the roads; and direct rail to the downtown and the airport would be helpful.

In response to Mayor Seiler, Mr. Cole outlined his role on a redevelopment committee in Oakland, California.

Mayor Seiler asked if the time commitment is feasible for his present schedule. Mr. Cole stated he spoke with the Chairman of the Downtown Development Authority (DDA) and is willing to make the commitment.

Robert Van Fleet provided an overview of his background, organizations with which he is associated and why he is interested in serving.

Mr. Van Fleet responded to Commissioner DuBose's inquiry about Mr. Van Fleet's take on The Wave and potential expansion into the northwest, noting the popularity of the northwest trolley route and the importance of starting somewhere and the need in order for the downtown to grow.

In response to Mayor Seiler, Mr. Van Fleet stated he would like the DDA to focus on connectivity between the airport and the downtown area in the next 3-5 years. The DDA's role would be securing the funding.

Cort Neimark provided an overview of his background, organizations with which he is associated and why he is interested in serving.

Mr. Neimark responded to Commissioner DuBose's inquiry about Mr. Neimark's take on The Wave and potential expansion into the northwest, indicating the importance of doing whatever is necessary to make the northwest a more unified part of the city.

Mr. Neimark responded to Mayor Seiler's request for additional detail on the uptown development group put forward by a previous commissioner and his experience with respect to transportation issues. In response to Commissioner Rodstrom, Mr. Neimark indicated the uptown development group met with Florida Department of Transportation for signage but there were no discussions with Broward County.

The City Clerk indicated that Charles Fultz had originally confirmed, but staff has not been able to reach him today.

Tim Petrillo provided an overview of his background, organizations with which he is associated and why he is interested in serving.

Mr. Petrillo responded to Commissioner DuBose's inquiry about Mr. Petrillo's take on The Wave and potential expansion into the northwest, indicating his favor of The Wave and such an expansion.

In response to Commissioner Rodstrom, Mr. Petrillo agreed with the goal to keep the downtown vibrant and affordable for future generations.

In response to Mayor Seiler, Mr. Petrillo discussed how he felt the DDA could improve the Riverwalk, including safety and programming. He went on to respond to Commissioner Rogers' question about the DDA's role, being that everyone needs to be on the same page of what is needed. Perhaps the DDA should orchestrate all involved parties. He agreed with Commissioner Rodstrom that The Wave will help with the riverfront.

John Ropes provided an overview of his background, organizations with which he is associated and why he is interested in serving.

Mr. Ropes responded to Commissioner Rogers' inquiry about his interest in historic preservation, indicating he was involved in the first easement donation in the history of South Florida through Dade Heritage Trust. He discussed historic renovation being the heart and soul of the City and the difficulties with accomplishing it.

Mr. Ropes responded to Commissioner DuBose's inquiry about Mr. Ropes' take on The Wave and potential expansion into the northwest, indicating The Wave needs to get in front of problems the City will face in the future. Its viability will be slow in the start. Connection to the northwest is important. He elaborated upon the Florida East Coast (FEC) corridor's importance and that The Wave needs to get done.

In response to Mayor Seiler, Mr. Ropes discussed how he felt the DDA could improve the Riverwalk, noting his belief that there will be no condominiums built in the next ten years, therefore there could be focus on the old Hyde Market property and the New River Center. He mentioned security with come with activity and people and the need in those areas Including more restaurants.

The City Clerk confirmed that Richard Schultz has withdrawn his application. She noted in addition to the current vacancy, there will be two additional vacancies at the end of the year.

Mayor Seiler asked the commissioners meet privately with those individuals who could not be present today. He wanted to make all three appointments and suggested the highest ranked individual would begin immediately.

Commissioner Rogers asked about the Commission establishing criteria for their consideration of the appointments. Mayor Seiler felt it should rest with each member of the Commission.

Mayor Seiler asked for input from the current Downtown Development Authority.

Alan Hooper, Vice Chair of the DDA, (outgoing member) provided an overview of the DDA's role and their most pressing issues. The Wave is first. The future of the downtown will be a sense of place. Maintaining the courthouse in the downtown and getting is rebuilt is a must. He also mentioned the Riverwalk. Appointments to this board need a lot of energy and time and be stakeholders.

Commissioner DuBose was concerned there may be individuals who may be available in 2010 but did not apply because they are not available now. Mayor Seiler suggested the vote be deferred to November 3<sup>rd</sup> and give more opportunity to apply.

Commissioner Rogers wanted to establish scoring criteria so there is some common ground.

Alan Hooper believed those individuals who are really interested in serving on the DDA have already applied. Commissioner Rodstrom pointed out that during the interim, interested individuals could attend any upcoming DDA meeting.

Mayor Seiler requested it be publicized that additional applications would be accepted and anyone not interviewed thus far would be interviewed on October 20. Appointments would be made on November 3. There was consensus approval to rank the top four and the City Clerk to provide a ballot form. After further discussion about establishing scoring criteria, it was decided to rest with each member of the Commission.

Mr. Hooper emphasized the importance of these appointments as both the chair and vice chair are coming off the board and Peter Feldman was next to rotate upward.

### **I-B - Super Bowl XLIV – Sign Code and Open Container Law**

Stephen Scott, Director of Economic Development, noted the Pro Bowl will be held on January 30 (31) and the Super Bowl on February 7. Many associated events will take place in Fort Lauderdale. The Westin Hotel will be NFL headquarters and the

Convention Center will be the press headquarters and site for other events. A concert will be held at the beach. One of the teams will be staying in Fort Lauderdale. There is a desire to paint the City with super bowl signage and banners. He outlined the recommended course of action for exemptions from the sign code, detailed in Commission Agenda Report 09-1272, including declaration of Super Bowl 2010 special event. All other provisions of the code would continue to be part of the review process. With consensus approval, an ordinance would be presented on October 20 for consideration. Open container and alcohol on the beach have also been addressed as directed by the Commission. Alcoholic in plastic cups would be allowed on the beach between Sunrise Boulevard and Holiday Drive for the same 3-5 week period as the Super Bowl 2010 special event.

Mayor Seiler elaborated upon the economic impact of a super bowl. The City has to make this an unbelievable experience for the individuals attending these events so that people will return in the future.

In response to Commissioner Rogers' interest in having the City's logo on the banners for example, Mayor Seiler explained the logo has been established by the Host Committee. If Fort Lauderdale's logo is used, other cities will want the same consideration. Rodney Barreto, Chair of the South Florida Super Bowl Host Committee, stated there is the official logo and the Host Committee logo. As to including the City's logo, it depends on whether a banner is being placed on a building owned by the City. He explained what is being done along Interstate 95 and what the NFL will be doing for their own buildings, the headquarters hotel. The City is being asked to approve of private logos to be placed on banners which would be also approved by the Host Committee and the NFL. Commissioner Rodstrom noted the cost for the City's logo on banners on City buildings would need to be worked out.

In response to Commissioner Rodstrom's question about publicizing, Mr. Barreto felt it would be in the City's best interests to put up a banner welcoming people to Fort Lauderdale. Commissioner Rodstrom wanted to know those areas where the City would have the opportunity to place banners. Mr. Scott advised it would be coordinated through the application.

Mr. Barreto explained the competitiveness of securing a super bowl in an area and the economic impact. He commented on the fact that there was no major arrest at Super Bowl 2007.

Commissioner DuBose agreed this is a unique opportunity for the City as it would help kick-off the City's centennial celebration. He asked about signage with respect to locations. Mr. Scott stated it is proposed for the downtown and the beach. Not every banner will exceed code. In response to Commissioner DuBose, the City Attorney advised the regulation change would be city-wide.

In response to Commissioner Rogers, Mr. Barreto elaborated upon sponsorships that will be sought for signage with an announcement on the signage as to the sponsor. Commissioner Rogers wanted the City logo at no cost on signage that will be on City property. Mr. Barreto did not think that the NFL would put any logos other than their own on the crosswalk associated with their headquarters hotel. Perhaps the Downtown Development Authority could pursue other buildings in the downtown. Commissioner Rogers wanted the City logo on the Bahia Mar crosswalk. Mr. Scott stated the City's

permission would be required in some cases. Mr. Barreto stated the private companies would pay the building owners a fee to place the signs on them. He is sure only the NFL logos would be on the signs they are taking care of. He encouraged the City to promote the area.

Consensus approval as outlined in Commission Agenda Report 09-1272.

#### Outdoor Consumption of Alcoholic Beverages

Commissioner Rogers wanted to keep it off the beach. Commissioner DuBose asked about the proposed concert at the beach. Mayor Seiler indicated the concert would be addressed by a separate permit wherein alcohol would be part of it.

Mayor Seiler suggested it be allowed from Friday to the Monday or sixteen days. Vice Mayor Roberts questioned whether there may be other businesses that want to hold events prior to that Friday. Commissioner Rogers felt those could be addressed by individual special event permits. He did not want to go back to spring break. Mayor Seiler and Commissioner Rodstrom did not think that would occur with people buying \$1,000 tickets.

Commissioner DuBose mentioned the Las Olas downtown and questioned whether the area should be expanded. Mayor Seiler commented about the resistance on the proposal and emphasized the need to create a destination. Commissioner Rodstrom thought the Commission was going to consider relaxing the container law citywide separate from consideration for the Super Bowl.

Vice Mayor Roberts agreed with Commissioner DuBose about considering an expansion to include the downtown. To address Commissioner Rogers, he noted the event held by the Beach Business Improvement District in August where there were no problems. Mayor Seiler asked Commissioner Rodstrom to inquire whether the area residents would object to extending the boundary north of Sunrise Boulevard to Pelican Hotel.

Commissioner Rogers asked about the time of day restrictions. Commissioner Rodstrom pointed out that it becomes a matter of enforcement. She did not like the "no alcohol on the beach" sign at Las Olas Boulevard and the beach. She wanted flexibility and a positive result for the City provided care is taken.

Vice Mayor Roberts suggested the time that businesses close if there has to be an end time at all. He did not think there needs to be a time specified. Mayor Seiler noted the narrow window and the significance of the event. He felt an atmosphere needs to be created. Commissioner Rogers wanted to be sensitive to the message being sent. Vice Mayor Roberts emphasized the need to address this because businesses want to plan events. He mentioned the economic impact and concern whether the sidewalks will be rolled up at eleven p.m. With the type of clientele and experience with the BID, he felt the City would do fairly well. In further response to Commissioner Rogers, Vice Mayor Roberts felt the Super Bowl is perceived as a family friendly event.

Mr. Barreto indicated about 40,000 individuals will come to the City to attend festivities who do not have tickets. He noted there will be a party at the convention center, the beach and a handful of hotels. Outside of this, people will be on South Beach. Citizens might be put out a little, but it is an unusual circumstance. The Host Committee will

promote the opportunity for people to attend the Pro Bowl. He commented on the people who have volunteered. He emphasized the competitiveness of a community securing a super bowl and elaborated upon the economic impact as far away as Naples. There should be the least amount of obstacles for people.

Consensus approval for sixteen days with no time restrictions. See Commission Agenda Report 09-1272.

Commissioner DuBose wanted the downtown to be included. Mayor Seiler was not opposed to revisiting it for the downtown because it has taken some discussion over a period of time with businesses on the beach for this request.

### **I-D - H1N1 Vaccination Campaign**

Dr. Paula Thaqi, Director of Broward County Health Department, stated there is an H1N1 pandemic in this area. She listed statistics. Broward County, Florida and the entire United States have launched a massive immunization. Every community will take a different approach, but the mission of campaign remains the same, that everyone who wants to be vaccinated may be vaccinated. Broward Health Department is coordinating the effort in this county. She noted priority groups to be vaccinated first. Multiple access points are anticipated, both private and public sectors. No one will be turned away from the public sector due to inability to pay. The federal government is providing the vaccine and all supplies for free. She did not expect an emergency declaration with respect to FEMA reimbursement. She noted that the Broward Health Department in partnership with the School Board will provide voluntary in-school vaccinations for all public school students. Broward Health Department anticipates there being multiple public points of dispensing operated by the County and municipalities. Broward Health Department will reimburse \$5 per shot and provide all supplies, forms and pick up of bio-medical waste. She elaborated upon tort immunity to those in the chain of vaccination. She elaborated upon the three memoranda of agreements required for a municipality to operate a public point of dispensing and addressed in her letter of September 17, 2009 provided the Commission. She discussed the City Readiness Initiative in Broward County which is a partnership amongst law enforcement, fire, EMS, universities and hospitals to create plans for massive distribution of antibiotics in the case of a bio-terrorist attack. This foundation will be built upon. The State is negotiating with retail pharmacies. Many medium and large municipalities are having closed points of dispensing for their emergency medical service responders are vaccinating their first responders. Others are considering public points of dispensing for residents who do not have access to care may be vaccinated for free. She finished by noting the department's attention to private and charter schools and efforts in training, gearing up for a huge logistics operation and public information.

In response to Commissioners DuBose and Rodstrom, Dr. Thaqi explained how H1Ni is transmitted. She indicated that seasonal flu vaccination is recommended for everyone. It is possible to be injected for both at the same time, but not with the intra-nasal type. Normal surface cleaning is recommended. With respect to hand washing, she noted 60% alcohol-based hand sanitizer.

Mayor Seiler questioned how many people would be vaccinated in the City if children are vaccinated in school. Dr. Thaqi indicated it is very difficult to estimate. Mayor Seiler was concerned about the cost. Dr. Thaqi confirmed that all of the supplies noted in

would be furnished for free. Mayor Seiler noted the overtime rate for paramedics to administer the vaccination reaching a cost of \$52 or a little less in comparison with Publix or Walgreens. Dr. Thaqi indicated that private pharmacies are being negotiated at this time by the State.

In response to Commissioner Rogers, Dr. Thaqi indicated that the state-wide immunization registry is not being required for partners, but a log would have to be maintained, along with consent forms that would act as the invoice for reimbursement.

Mayor Seiler asked if the City would be held harmless. Dr. Thaqi advised no, but explained that indemnification comes from the federal level for complications related to the vaccine. A slip and fall in a municipal facility would be under the City's normal liability coverage.

In response to Commissioner Rogers' question about instances of side affects, Dr. Thaqi indicated that vaccine is safe.

Dr. Nabil El Sanadi, City EMS Medical Director, noted where information about the vaccine may be easily found by the public. He provided statistics as to cases.

Mayor Seiler did not think it makes economic sense for the City to do this. He wanted to know how many people would actually be involved. Dr. Thaqi advised that although Medicare will cover the vaccination, Medicaid will not cover this for people over the age of twenty-one. Dr. Thaqi felt each city should make this decision. Commissioner Rogers pointed out that the guidelines prohibit denying anyone based on where they reside. In response to Mayor Seiler, Dr. Thaqi advised that Coral Springs has committed. She had visited with all city managers and many cities have their on their commission agendas this week and next. The public efforts for the schools will start October 19. If other cities do not commit, Mayor Seiler was concerned about people coming to Fort Lauderdale for their vaccination. Dr. Thaqi indicated that Broward County will be providing four points of dispensing (PODS). She indicated that information as to locations has changed. She noted what the hospital districts will be doing and that Broward Health Department will administer the vaccine if some in a high priority category comes to the facilities. She explained why they will not be advertising that they will administer vaccine.

Mayor Seiler referred to a letter that he believed was from Chuck Lanza, Broward Sheriff's Office, indicating the County would have three regional POD sites and the recommended hours and staffing levels of forty. Dr. Thaqi indicated that the County PODS will be large. Municipalities are doing different things. Municipalities do not have to meet that criteria. Volunteers are another source.

In response to Commissioner Rogers, Dr. Thaqi stated Broward County would receive 1.1 million doses of vaccine and there are about 1.8 million residents. However, these projections change on a daily basis. She believed vaccine will be available to those who want it, but a 100% acceptance rate is not expected.

Mayor Seiler pointed out that vaccinations are covered according the City's police and fire agreements so those employees could receive the vaccine from their private physician at no cost to the City. Dr. Thaqi indicated that first responders are in the top priority group so they would receive the vaccine before it is provided to private



physicians. The reason for a closed POD is to protect their first responders as early as possible.

In response to Commissioner Rogers, Dr. Thaqi expanded on how the vaccine will be provided to private providers in terms of quantity and time.

Vice Mayor Roberts raised questions regarding the size of the City POD. Amy Aiken, Assistant To The City Manager, stated the POD size would depend on staff needed and so forth. She outlined the City's staffing estimate for three PODS. Dr. Thaqi indicated there is no observation period after an individual is vaccinated. Ms. Aiken indicated the estimate was based on a twenty-minute observation period. She referred to the Action Plan and Cost Analysis (October 5, 2009 Memorandum) that indicates 600 vaccinations per week per POD with the observation period. Dr. Thaqi estimated one vaccination every four minutes, although the Center for Disease Control has estimated more.

Dr. El Sanadi commented that it is common for a fifteen to twenty minute observation. Dr. Thaqi did not think that would change the number of individuals that could be vaccinated per hour. Dr. El Sanadi indicated there would be some impact in terms of flow through the facility. Jeff Justinak, Acting Fire Rescue Chief, pointed out there could be gaps in time and times with numerous people at one time. Dr. Thaqi indicated the hours of operation could be adjusted.

The City Manager indicated that no evidence has been provided regarding the number of people needing or wanting this vaccine that do not have it available in one form or another. The pharmacies are ready to go. First responders have health insurance. It does not seem cost effective. Also, this is a new service, new territory, for local government.

Dr. Thaqi advised in 1976 there was a swine flu vaccination campaign and Broward County vaccinated 233,000, the most in the state. There were multiple points of dispensing, both public and civic. Mayor Seiler asked how many vaccinations had been provided by the government. Dr. Thaqi stated it was a public/private partnership and volunteers were engaged from civic organizations. She did not know if municipalities or Broward County had been involved.

Commissioner DuBose felt there should be a partnership of some sort, but maybe not to the level because of the other entities. In response to his question about response rate, Dr. Thaqi stated that Tennessee just received the vaccine. Everyone is following the priority group structure. She did not know if they have started to dispense but did not think they would have started on public dispensing because of the priority group structure. She could not speak about other particulars of the health system in Tennessee.

In response to Commissioner Rogers, Dr. Thaqi elaborated upon their partnership with the School Board for public schools as well as the Health Department addressing private and charter schools. It was not feasible logistically to vaccinate the entire family when the students are vaccinated.

Mayor Seiler asked about those individuals with health insurance and not in a high priority category coming to Fort Lauderdale. Dr. Thaqi felt it could be difficult to screen. She anticipated that most people with health insurance would not come to a public POD.

In response to Mayor Seiler, Dr. El Sanadi indicated about 40% of the population get a seasonal flu shot. He went on to elaborate upon the statistics for deaths. Dr. Thaqi also elaborated upon the virus itself. Scientists have determined that mass vaccinations are necessary.

Dr. El Sanadi asked about the availability of the vaccine for private practitioners and pharmacies. Dr. Thaqi stated corporate entities are in agreements with the State; the Health Department would not be providing vaccines to them. With respect to private providers, it will depend upon which ones, for example OB/GYN offices for pregnant women. There is a matrix as to when vaccine is arriving and the type of provider. There is a lot of logistics as to distribution. Less than one hundred fifty of the initial two hundred pre-registered private providers have completed the registration process to receive the vaccine. The Health Department is trying to help them complete their registration.

In response to Mayor Seiler, Dr. Thaqi advised that the 1.1 million vaccine is all inclusive for Broward County. As to how much the Health Department will handle, it will depend on the weekly allotment by each type, how much has been requested by private providers and how much is needed for the schools. That decision will be made weekly. If Fort Lauderdale's demand exceeds supply, public PODS will not be opened until there is enough vaccine available.

In response to Commissioner DuBose, Dr. Thaqi confirmed the number, size or staffing level of what the City decides to offer is their option; the agreements do not address that aspect. Mayor Seiler was concerned that the City does not have the information to make that gauge. He thought Fort Lauderdale may end up caring for Lauderhill and Lauderdale Lakes for example. Commissioner DuBose pointed out thought should be given to exposure; people from other cities may work in Fort Lauderdale. Mayor Seiler did not want Fort Lauderdale taxpayers to underwrite the cost. Commissioner DuBose pointed out in that case, Fort Lauderdale taxpayers who cannot afford it are forgotten. With information as to the number in need, he preferred to pay for them to go to a pharmacy. Vice Mayor Roberts commented that it could be done with vouchers. It is not possible to control who accesses a POD.

Commissioner DuBose wanted some form of assistance. Dr. Thaqi indicated if the City wants to use an income eligibility process and vouchers, then an agreement with the Health Department would not be needed.

In response to Mayor Seiler, Dr. Thaqi indicated that the City's proposal is a Cadillac version and large compared to what may ultimately be necessary. The City Manager pointed out that staff developed the cost estimate and they have experience with PODs. Commissioner DuBose felt there is a key distinction between PODs for hurricanes and those for this.

In response to Mayor Seiler, Dr. Thaqi advised that some supplies will be provided for free, but the Health Department has budgeted about \$800,000 for public information and additional items. She concluded by reiterating that the Health Department will partner with any municipality wishing to conduct a closed or public point of dispensing.

Acting Fire Rescue Chief Justinak explained that there are a lot of unknowns. Staff's plan was put together based on 25,000 residents. The number could fluctuate, and the flow is not known. Staff has some experience with other HAZMAT conditions. Perhaps the City could support another city and Fort Lauderdale residents could go there. With unknowns, Commissioner DuBose felt a second proposal on the other end of the Cadillac version should have been provided.

The City Attorney stated that the governmental indemnity is not good; it will only cover the vaccine itself. He was not certain it would cover that to a state related tort claim. Without medical protocol of a fifteen to twenty minute wait period, if there is any allergic reaction or other complication, there would be no indemnification. Commissioner Rogers asked if that could be overcome with a voucher and the City Attorney was doubtful. Commissioner Rogers liked the voucher idea because without a residency requirement, it is a giveaway.

Dr. Thaqi felt the Health Department's attorney could address this. She believed the federal act would supersede local and state laws.

Commissioner Rodstrom pointed out that there would still be administrative cost related to a voucher approach. Commissioner Rogers clarified his thought is that the voucher would send the individual to a pharmacy.

In response to Mayor Seiler, Dr. Thaqi indicated that public PODs would not be anticipated to be opened until the end of October or the beginning of November.

In response to Commissioner Rodstrom, Dr. Thaqi advised there would be no \$5 reimbursement with a voucher.

Mayor Seiler requested the cost and liability estimates be fine-tuned.

The City Auditor pointed out there is a general rule of thumb that the cost to cut a check is \$30 to \$45. For vouchers, checks will have to be cut to pay the pharmacies.

Mayor Seiler requested this item be brought back to the Commission on October 20 with more definitive information. Commissioner DuBose wanted options.

#### **II-A - 2011 Centennial Celebration – Logo**

There was no objection. Commissioner Rogers recommended the City trademark it.

#### **I-C – National League of Cities Annual Business Meeting – November 14, 2009 – Voting Delegate and Alternate**

With Mayor Seiler's suggestion, there was consensus approval for Commissioner DuBose to serve as the City's delegate.

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

There was no objection.

**II-B** – None

**II-C - Audit Report – Performance Measures** – Not addressed

**II-D – August 2009 Monthly Financial Report** - Not addressed

**EXECUTIVE CLOSED DOOR SESSION WAS HELD AT 4:13 P.M.**

The City Commission shall meet privately pursuant to Florida Statutes 447.605 and 768.28, regarding the following:

- (1) Collective Bargaining
- (2) Estate of Martinez-Villaneuva (Liability Case GL 05-813C)
- (3) Luke Smith (Vehicle Liability Case VA GL 05-303)

**MEETING RECONVENED AT 4:36 P.M.**

**NOTE:** The Commission convened as the Community Redevelopment Agency Board of Directors (after the Executive Closed Door Session) from 4:36 to 4:38 p.m.

**II-E – Housing Opportunities For Persons With HIV/AIDS Program**

Jonathan Brown, Housing and Community Development Manager, indicated this information is similar to what was contained in the previously approved action plan.

In response to Commissioner Rodstrom, Mr. Brown and Jeri Pryor of Housing and Community Development, noted those differences in the action plan from the previous year.

Commissioner Rogers commented that this is just one of many programs and asked if a cost analysis has been done as to staff time. He wanted to make sure of efficiency. Greg Brewton, Director of Planning and Zoning, advised that more time is being spent and as such more things are being found as necessary to cover all program regulations.

Commissioner Rodstrom referred to the audit report and asked about performance measures. The City Auditor indicated that Housing and Community Development was not specifically looked at because they were already undergoing three audits. Recommendations as a result of the performance measures review are citywide and this division would be appropriately included.

Mayor Seiler questioned there being \$800,000 of unexpended funds from last year. Ms. Pryor indicated it had to do with transferring the tenant-based voucher program from the Housing Authority to Broward House. These are funds that were not expended by the Housing Authority from 2007-2008. When the award was made to Broward House, staff did not know exactly how much funds were left over. In further response to Mayor Seiler and Commissioner Rodstrom, Mr. Brown indicated that quarterly reports will be a requirement going forward. He could not say whether quarterly reports from the past have been received from each agency. Mr. Brewton indicated that the City was not receiving quarterly reports for the HOPWA program.

Mayor Seiler questioned why the City cannot get straight answers from HUD on the use of these funds. Mr. Brewton indicated staff has tried, but all that has been received are the regulations. Mr. Brown indicated the City received a written interpretation of a HOPWA regulation that staff requested from HUD's national technical advisors, which was forwarded to Maria Ortiz, HUD Miami Field Office Director, who expressed the opinion that it was a sound interpretation. The City Manager added that there has been a lot of back and forth with HUD and most of what the City has received is restatements of the regulations. Commissioner Rodstrom asked if that has been then conveyed to the Commission. Mr. Brown stated that staff has summarized that information in the two analyses provided to the Commission.

In response to Mayor Seiler, Mr. Brown indicated that he has been in contact with Assistant City Attorney Miller and the City Attorney indicated his office was involved with the RFP.

Commissioner Rogers was concerned about the lack of response from HUD when the City has been under an audit. Vice Mayor Roberts agreed.

Michael Rajner, a resident of Pompano Beach, emphasized this is a county-wide program. The Commission should provide that leadership county-wide. There has been a lack of such leadership at the County and City. Broward County has the third highest HIV infection rate in the nation. Quality assurance and training so that people can qualify is needed. In response to Mayor Seiler, Jeri Pryor stated that housing case management is a new strategy being incorporated.

Mr. Rajner felt an ordinance should be enacted to prohibit former City employees from working for contracted vendors. The Commission should review and expand policies with respect to race and gender discrimination. They should also consider advocacy at the national and state level with respect to the City's legislative agenda.

Commissioner Rodstrom noted the City does not have a federal lobbyist. Mr. Rajner stated there needs to be better collaboration with the County who does have such a lobbyist. He urged the Commission to attend the meeting on November 20 with the Office of National HIV/AIDS Policy.

Commissioner Rogers questioned the funding per client in Broward compared to the rest of the country. Mr. Rajner did not have finite statistics, but commented about hearing of the need in his previous endeavors nationwide. He felt staff could provide it.

Angelo Castillo, representing Broward House, responded to questions raised. Typically, HUD provides general guidance to grantees in reliance that they understand HUD programs. Broward House reached out to David Vos, Director of the HUD national office for the HOPWA program and asked specific questions. Mr. Vos responded on three occasions that such costs (Broward House's assisted living costs) are eligible as supportive services of the HOPWA program. This information was supplied to staff. This evening he planned to make a presentation concerning Broward House's bid protest.

Note: The Commission recessed at 5:03 P.M. concerning the Glam-A-Thon proclamation and reconvened the conference meeting at the conclusion of the regular meeting in the Chambers at approximately 2:39 A.M.

**III-A - Communications to City Commission and Minutes Circulated for the Period Ending October 1, 2009** – Not addressed

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

Note: Please see regular meeting item R-03.

**IV - City Commission Reports**

**Placement Of Communication Service Cabinets Within Utility Easement Areas - Zoning Setback Requirements**

Vice Mayor Roberts indicated he has been working with AT&T and the City Attorney's Office concerning placement of place service cabinets in the utility easements instead of the right of way. He wanted to find a way to make this happen and requested it be placed on the October 20 agenda. He mentioned the Palm Aire area. Mayor Seiler wanted language to reserve the right to implement an ordinance if this is not resolved.

**Short-Term Rentals – Residential Property**

Commissioner Rodstrom provided information (made a part of the record) received from a resident about daily and weekly rental of single-family residences. There is a lot of concern about this. She requested it be placed on a conference agenda. Commissioner Rogers had knowledge of it in Melrose and Riverland.

Mayor Seiler asked information as to how other cities have addressed this. The City Attorney indicated he will provide information to the Commission.

Greg Brewton, Director of Planning and Zoning, indicated another aspect raised at neighborhood meetings is community residential homes.

**Undergrounding Utility Lines – Special Assessment Program**

Commissioner Rodstrom suggested bond counsel and financial advisor be present at the October 20 conference when undergrounding utility lines special assessment program is discussed but Mayor Seiler and Commissioner Rogers thought it might be premature. Mayor Seiler thought the consultant from Keith and Schnars should be part of the discussion. He felt the City should first have a plan.

**Citizen Volunteer Corps**

Commissioner Rogers announced an upcoming Citizen Volunteer Corps (CVC) project on October 10, 2009, 8 a.m., at Joseph C. Carter Park.

**Neighborhood Development Criteria Revisions Initiative**

Vice Mayor Roberts requested a status report at the October 20 meeting.

School Resource Officers; Rogers Middle School

Commissioner Rogers commented that the school resource officer from Broward Sheriff's Office has been cut from Rogers Middle School. He elaborated upon the safety implications for students and the neighborhood. He asked that something be done. The City Manager indicated with Commission consensus, an item could be presented on October 20 to authorize funding. Commissioner DuBose believed it is a countywide issue. He suggested a conference discussion before precedence is set. The School Board should be a part of the discussion. Mayor Seiler felt the City must be careful about precedence. The City Manager explained that the Police Department sees this school as different. Assistant Chief Steve Kinsey, Investigations Division, indicated the difference is at-risk students who attend that school. There is currently a police detail. Commissioner Rogers stated the principal is paying for the detail out of her budget. Mayor Seiler suggested this be scheduled on a conference agenda.

District III Events

Commissioner DuBose noted the recent opening of Sistrunk Plaza and another upcoming for Mid-Town Commerce.

Boat Show

Mayor Seiler announced a planned unveiling of a banner for the boat show and asked the Commission to attend.

V - City Manager Reports - None**EXECUTIVE CLOSED DOOR SESSION WAS HELD AT 3:04 A.M.**

**The City Commission shall meet privately pursuant to Florida Statutes 447.605 and 286.011(8), regarding the following:**

- 1) Collective Bargaining**
- 2) Estate of Martinez-Villaneuva (Liability Case GL 05-813C)**
- 3) Luke Smith (Vehicle Liability Case VA GL 05-303)**

**CLOSED DOOR ENDED AT 3:38 A.M.**

There being no further business to come before the Commission, the meeting was adjourned at approximately 3:38 A.M.