

**FORT LAUDERDALE CITY COMMISSION CONFERENCE MEETING
NOVEMBER 3, 2009**

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CITY COMMISSION CONFERENCE MEETING 1:31 P.M. November 3, 2009

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

Absent: Commissioner Bobby B. DuBose

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

Third-grade students from Westminster Academy were present in the audience. At Mayor Seiler's request, they led the Commission and audience in the pledge of allegiance.

I-A – Solid Waste Services – Interlocal Agreement with Broward County

Edward Udvardy, Assistant Director of Public Works, provided a brief history as detailed in the Commission Agenda Report 09-1175. He noted that Kessler Consulting Inc. was retained in 2006 to address a number of solid waste issues, including analysis of the Interlocal agreement and the City's continuing participation in the resource recovery system.

Mitch Kessler of Kessler Consulting Inc. presented slides on their costs and benefits analysis. A copy of the slides is attached to these minutes. In reference to the Cost Scenarios by Option slide, he indicated that the first three options are estimates only. There also may be some redundancy in services with respect to Option 4 with the Resource Recovery Board.

Mr. Udvardy concluded by indicating that the interlocal agreement does not expire until 2013. There is time to look at this.

In response to Commissioner Rodstrom, Mr. Udvardy outlined what would be involved with pursuing Option 4. The \$77,000 was Kessler's initial fee from 2006 which was completed. In July, 2009 a new three-year contract was approved. Albert Carbon, Public Works Director, indicated that based on the Commission's direction today, Kessler Consulting will provide a scope of services that will be brought back to the Commission for approval. Mr. Udvardy stated funds have already been budgeted for this.

Commissioner Rodstrom did not feel there was sufficient information was provided in order for the Commission to give direction on a course of action. Regarding Option 1, she asked the location of the private transfer station, shipment outside of the county. Mr. Kessler explained they met with vendors and requested estimates. Kessler feels viable options are available. He elaborated upon the logistics of how it would work. In further response, Mr. Kessler indicated that Kessler has not done any analysis on Option 3. Commissioner Rogers asked if any community has built their own transfer station and Mr. Kessler could not think of any off hand.

Commissioner Rodstrom noted that Option 4 would be with Broward County and renegotiations with the knowledge that their bond issue has closed and some savings should be possible. Mr. Kessler concurred and noted there also may be some duplication of services that could be eliminated.

Vice Mayor Roberts noted the savings for Option 1 being the largest. He asked about simultaneously negotiating under Option 4 and doing an RFP for Option 1. Mr. Udvardy felt staff could get an idea from the Resource Recovery Board staff rather quickly and report back to the Commission. Mayor Seiler wanted to get information from the Resource Recovery Board staff; he did not think it would be fair to move forward with an RFP. The City Manager added he has not had any discussion with the Resource Recovery Board executive director, only preliminary discussions with their staff. Mr. Kessler pointed out that the savings really come from the administrative costs and Wheelabrator Pass-Through and that is what the City needs to come to understand. He would not recommend proceeding simultaneously.

Commissioner Rogers asked how this decision interfaces with recycling. Mr. Udvardy stated it all ties together; the current commitment with the Interlocal agreement is for all solid waste services. The last term for the City's residential recycling contract was just renewed. Staff would like to keep the options open and move toward a single stream cart program. Commissioner Rogers wanted to see something sooner than 2013 for recycling. Mr. Udvardy agreed, and indicated there would be a cost to purchase carts instead of bins. It is anticipated that solid waste disposal costs would fall.

In further response to Commissioner Rogers as to pure costs and incentive for the City to stay (in the Interlocal agreement), Mr. Kessler advised that Kessler has not reviewed the new Interlocal Agreement. The next step is to work with the Resource Recovery Board on administrative and Wheelabrator pass-through costs. He agreed the City would have some leverage in negotiations.

Mr. Udvardy noted that the City has only had one sanitation rate increase in twelve years.

Mayor Seiler recommended that Option 4 be pursued, including a better understanding of the administrative and Wheelabrator pass-through costs. He pointed out that the disposal costs are substantially lower under the new Interlocal agreement. A determination needs to be made of what services the City currently contracts for that are not needed.

Commissioner Rogers asked about the firmness of the amounts of the third-party transfer options. Mr. Kessler advised the estimated were derived about nine months ago. For example, he felt the disposal cost could be as low as \$45. Kessler would refresh the nine-month estimates before negotiating.

Mr. Udvardy advised staff will bring back a task order for Kessler and once that is proceeding, staff will report back on the negotiations. Mr. Carbon wanted to make sure there is time to negotiate with the Resource Recovery Board, and have enough time to move forward with an RFP is necessary. The task order could be presented on December 1.

Mr. Carbon indicated staff will also request the cost only for an RFP at the same time.

In response to Commissioner Rodstrom, Mayor Seiler and Mr. Udvardy felt the outside expertise is needed for discussions with the Resource Recovery Board.

Mayor Seiler announced this past Thursday, Choice Environmental rolled out ten new clean energy trucks for use in Fort Lauderdale which is the first to have this opportunity.

Mayor Seiler announced that Commissioner DuBose's mother passed away and in order not to adversely impact his district, he noted items being deferred from this agenda.

I-B – Broward County 2035 Long Range Transportation Plan Status Report Including Request For Support of a Dedicated Funding Source For Tri-Rail

Zafar Alikhan of Jacobs Engineering, City Consultant, reviewed slides on this item. A copy of the slides is attached to these minutes. He noted three overall objectives of the plan: improve mobility options; provide environmentally sound options; and link transportation planning to good land use decisions. The plan has been adopted by the Metropolitan Planning Organization (MPO) Steering Committee and other groups that he noted. The MPO Board's final approval is set for November 19th.

A non-cost constrained visioning was conducted. The current plan, however, is titled, cost feasible. The needs (visioning) plan is still part of the Long Range Transportation Plan document. He went on to review the slide titled, What's in the Proposed 2035 Cost Feasible Plan. Tri-Rail services will be enhanced with the implementation of mobility hubs - new transit facilities to get people to Tri-Rail stations. He noted there are dedicated federal funding sources for roadway projects that could be changed at the state legislature level. Aside from the mega projects listed, over 80% of the new funding is dedicated to alternative modes. The potential for light rail transit was evaluated, but because there is no dedicated transit funding, no light rail was identified.

In response to Mayor Seiler, Mr. Alikhan indicated reference to light-rail transit and street car technology will need to be removed from the plan at this time. However, the MPO may be initiating further study and if any of the corridors are better candidates for streetcar or light-rail and that is the vision of the local community, then it should be studied.

Continuing in his review of the slides, Mr. Alikhan indicated that Fort Lauderdale downtown is really key to the plan.

Mayor Seiler and Commissioner Rodstrom asked about linkage to the Florida East coast Corridor (FEC). Renee Cross, Planning and Zoning, and Mr. Alikhan identified those particular hubs that would be right next to the FEC track. Ms. Cross explained the locations are simply identified for study. It would be possible to move a hub from Sunrise and Andrews to Sunrise and the track. These would be gateway hubs. Mr. Alikhan indicated that Jacobs Engineering is working with the FEC.

Greg Stuart, Metropolitan Planning Organization, elaborated upon the funding challenges. The FEC project is not tied to anything financially feasible. He confirmed for Mayor Seiler that there is flexibility in changing the hub locations.

Vice Mayor Roberts noted that the MPO will vote on this plan. Mr. Stuart indicated after that vote, they will work with municipalities for each of the sectors. Mr. Alikhan indicated it is important to have hubs identified and some funding to get started.

Mr. Alikhan continued in his review of the slides. He responded to Commissioner Rodstrom's question about prototypes, indicating that the MPO staff is working on this, but it is quite far into the future. There are program dollars for greenways and bicycle projects, but the actual design would be determined by the local community.

Mayor Seiler opened the floor for public comment.

Art Seitz, beach resident, expressed concerns about Fort Lauderdale beach not obtaining funding from the 2030 long range budget that was \$6.1 billion. He believed it is to be 10% for amenities and greenways are amenities. More like 99% has gone for transportation. Everything has gone west of Interstate 95 yet Fort Lauderdale has a genuine need. He wanted a first class greenway comparable to Deerfield and Hollywood. He pointed out that southeast Florida is the number one most dangerous for pedestrians.

Mayor Seiler believed it is a valid concern. Along the ocean is the greatest place to ride a bicycle. Commissioner Rodstrom pointed out that the 2035 plan, unlike the 2030 plan, does include more for A-1-A greenway and greenways in general. Sitting on the MPO, she and Vice Mayor Roberts are pushing hard in that direction. Vice Mayor Roberts wanted to know the City's allocation of the 5% with respect specifically to greenways in comparison to the remainder of the county. Also, he has been pushing for more light rail especially on Broward Boulevard coming into downtown. Mr. Stuart offered to provide that dollar amount. Mayor Seiler emphasized that people come from all of the other cities to Fort Lauderdale greenway. Mr. Stuart named the coastal Broward cities. Commissioner Rodstrom asserted that Fort Lauderdale is fortunate to have two representatives on the MPO and both are focused in the same direction.

Vice Mayor Roberts indicated that this plan is an improvement, but he wanted feedback on where to go from this point. He was still not 100% comfortable with respect to the greenway and location of the hubs. He pointed out that Fort Lauderdale has 10% of the county population, the downtown and over 50% of the bed tax; consequently this is where the amenities should be. Commissioner Rogers pointed out that Fort Lauderdale's gateway from the airport to the downtown is not exactly beautiful. Commissioner Rodstrom emphasized that she and the Vice Mayor are really five people strong along with all of their constituents.

With respect to pedestrian/bike, Mr. Alikhan indicated that Fort Lauderdale was allocated a start. He is seeing a lot of programs coming out that have emphasis on alternative modes. When applying for grants, the City will be asked if it is part of a regional planning process and that is something that has been started. In response to Commissioner Rodstrom, Ms. Cross advised that there is coordination with staff assigned to grants.

Continuing in his review of the slides, Mr. Alikhan drew attention the slide titled, Proposed 2035 Cost Feasible Plan Revenue Allocation Summary. He noted many cities have discontinued community bus services because they cannot meet required thresholds. Rather than remove the program, a framework has been provided for services that need to be resurrected and those in-service to be able to reconnect to regional facilities. Commissioner Rodstrom asked about funding for community buses. Mr. Stuart explained there is a discussion with Broward County Transit. There is a certain level of control that the MPO has with funding and then it turns to the Broward County Commission who distributes the money.

Mr. Alikhan concluded by referring to the Proposed 2035 Cost Feasible Plan and noting the City is getting almost 90% funding.

In regard to the proposed resolution and Agenda Item CR-07, supporting efforts of the South Florida Regional Transportation Authority to create a dedicated funding source to fund the Tri-Rail System, Mayor Seiler indicated he placed this item on the agenda for consideration. There was consensus support. (Please refer to November 3, 2010 regular meeting.)

I-D – State Road A-1-A – Lane Reduction Feasibility and Streetscape Study (Oakland Park Boulevard To Flamingo Avenue) and Greenway Ideas and Opportunities Study

Albert Carbon, Public Works Director, provided a brief history as detailed in the Commission Agenda Report 09-1604.

Mike Sobczak of Glatting Jackson Kercher Anglin, City Consultant, explained the purpose was to look at the overall corridor and identify specific small projects that would be easily funded in the future, so that segments could be built sequentially and it would come together. The study contains a design toolbox, some fifteen individual projects that could be put into a grant proposal and four options that were presented to residents. He reviewed slides on this matter that are attached to these minutes.

Commissioner Rodstrom referred to Option 1 and the idea of switching the tree island area with the bike lane so that the bike lane is no longer adjacent to the roadway. Mr. Sobatak noted that accidents could occur with bicyclists being adjacent to parked vehicles and it is not how the American Association of Transportation deals with bicyclists.

Mr. Carbon advised that staff is looking for approval in principal of the public's endorsement of Option 4. Both the option approved by the residents (Option 3) and the hybrid (Option 4) talk about moving curbing and islands. With additional public input and detailed design is done, the decision of whether to have bikeways in both directions which is really the difference between the two.

Vice Mayor Roberts felt that Option 3 would be the safest.

Mr. Carbon continue to note the direction being requested. Florida Department of Transportation (FDOT) would like the Commission to endorse reducing the travel lanes from six to four, so that restriping can get started.

Commissioner Rodstrom asked about making the bike lanes a different color. Mr. Carbon stated it would be stamped asphalt. Bruce Hall of Glatting Jackson, noted there is a new alternative that has a life span the same as the roadway; about fifteen years. It is applied on top of the asphalt. Mr. Carbon indicated staff would have to inquire whether stated the issue would have to be addressed with FDOT would be willing to maintain it. Jim Hughes, Florida Department of Transportation, indicated that the staining is hard to maintain, therefore the cities are being requested to assume the responsibility. Skid tests would need to be performed. Mr. Hall believed it is currently being tested at Miami International Airport.

Mr. Hall indicated that FDOT is moving forward with the restoration, rehabilitation and resurfacing projects (RRR). There have been discussions about off-street parking that FDOT has not fully accepted. In response to Commissioner Rogers' question about the history of the six through lanes (A-1-A from Oakland Park Boulevard north to Flamingo Avenue), Mr. Carbon indicated there is one hundred feet of right of way in this area and perhaps not that width to the north and south. Even with the lane reduction, there will continue to be one hundred feet of right of way. It is a matter of reutilizing the right of way. As to possible future widening, Mr. Hughes did not see that occurring in the foreseeable future. Mayor Seiler remarked about the number of lanes along the roadway being four and two. The right of way in all of those areas would have to be acquired in order to widen it. Mr. Carbon indicated that Kimley Horn looked at the capacity of the road being reduced from six to four lanes. They determined the road efficiency would not be lessened. FDOT reviewed Kimley Horn's findings and approved it conceptually, although they are still concerned about the on-street parking issue. FDOT is willing to continue to discuss the lane reduction concept. At least as far into the future as 2025-2030 there is nothing having to do with returning to six lanes. Commissioner Rogers explained his concern is the potential of tearing up improvements that FDOT is doing now.

In response to Commissioner Rodstrom, Mr. Hughes believed in this case, the City would be funding the entire cost to stain the bike lanes or the construction portion. The FDOT contractor would do the staining and striping and the City would maintain it. The resurfacing will probably start in late 2011.

The City Manager pointed out the City will have to pay for this and as such, there is more work to do with respect to the financial aspect. Commissioner Rodstrom suggested a special benefit assessment tax. Mayor Seiler was doubtful people would to pay for it. Vice Mayor Roberts commented that Metropolitan Planning Organization future funding or grants might be sources. Mayor Seiler cautioned against a conceptual approval because people get the impression it will be done but the financial aspect has not been addressed. Commissioner Rodstrom suggested that staff review all of the master plans and coordinate the bike and greenway promises. The City Manager believed that promise is not accurate; people interpret what is contained in a master plan as a promise. Mayor Seiler stated that FDOT has committed to \$1.75 million and everything above that amount is unfunded. Vice Mayor Roberts liked to call it a vision. The community is asking for the most expensive option. He elaborated upon its pluses.

The City Manager referred to the upcoming visioning process and how the (master) plans could be reviewed and work be prioritized with attached costs. Commissioner Rodstrom commented about the visioning becoming a reality rests with the elected

officials and discussions with their constituency. Mayor Seiler emphasized that the Commission sets policy by adopting the budget.

Mr. Hughes noted that the \$1.75 million budget does not include signalization mast arms. This will have to be coordinated with City staff because FDOT would not want to have it installed only to be removed a few years later.

Commissioner Rogers referred to a letter in the backup material from FDOT to the Chairman of Broward County A-1-A Scenic Highway Corridor Management Entity and questioned the City's Public Information Office being the City's recipient of notifications. Mr. Carbon noted the City was notified that A-1-A has been designated as a Florida scenic highway which gives the City several benefits including a stepping-stone to national recognition. It was sent to the Public Information Office because it was a press release.

Mayor Seiler opened the floor for public comment.

Art Seitz, beach resident, asked about the route and questioned it not being scenic. He recommended alternative route for the south end of the Galt. Mr. Carbon noted those areas are secondary opportunities; the primary greenway is A-1-A. In response to Mayor Seiler, Mr. Carbon advised that to the east of A-1-A could be added as a secondary opportunity. There could be opportunities both to the east and west.

Mr. Carbon outlined the recommendation is to 1) approve in principle and direct FDOT to move forward with Option 1 (re-striping from six to four lanes) of the RRR projects, with staff working with FDOT to clearly identify the bike lanes; and 2) approve in principle Options 3 and 4 (moving the curbing) and look at funding opportunities. There is \$400,000 in this year's Capital Improvement Program. Staff will be talking with the University of Florida about their participation with respect to grant writing. There was consensus approval.

Mayor Seiler asked if any actions today would impact the possibility of moving the bike lane east or other available options. Mr. Carbon replied no, however, staff will request Kimley Horn to add the eastern bikepath as a secondary option.

I-C – H1N1 Vaccination Campaign – Points of Dispensing

Amy Aiken, Assistant To The City Manager, noted that the City just learned that Broward County Health Department will be opening a high-risk clinic in Fort Lauderdale for individuals in that category who do not have their own health care provider or insurance.

Mayor Seiler requested this information be posted on the City's web site. Commissioner Rodstrom requested the Commission Office be provided with a copy of what is put on the website.

Ms. Aiken noted by the end of this week there will be six schools in the city that will be receiving the vaccine.

In response to Vice Mayor Roberts, Ms. Aiken explained that first responders would need to go to their own healthcare provider.

In response to Commissioner Rodstrom, Ms. Aiken indicated that the vaccine is still coming in phases. Public schools began in October; more schools are added weekly.

I-E – Fort Lauderdale Stadium Site – Usage

Cates McCaffrey, Director of Business Enterprises, provided a brief history as detailed in the Commission Agenda Report 09-1460. One condition in the Facility Use Agreement with the Baltimore Orioles was Federal Aviation Administration (FAA) approval of the contemplated use. The approval was never obtained. The current short-term agreement with the Orioles is scheduled to expire on December 31. The Orioles could have extended the contract through spring training in 2010, but that option was not exercised. They have not exercised any option with Sarasota as well. There is real potential for the City being responsible for the stadium as of January 1, 2010.

Mayor Seiler requested a meeting be scheduled with the Orioles. He went on to comment about the shortage of soccer fields in the city. This site seems ideal. He added that one of the universities would like to use parking spaces on a temporary basis. If the spaces were leased, it would generate revenue.

In response to Commissioner Rodstrom, Ms. McCaffrey advised that the 2006 agreement was for redevelopment of the entire site, including Lockhart Stadium. The City Manager noted that option is dead; the only issue is that the Orioles may want another year for spring training. Ms. McCaffrey noted in the current agreement, the Orioles are responsible for maintenance. Although their option expired in October, the Commission previously authorized an agreement after an option had expired.

Mayor Seiler simply wanted to determine their intent. He would not object to another year for spring training. However, the City needs to look at the long-term; he felt soccer fields are needed. Ms. McCaffrey pointed out that any use will be subject to FAA approval. She noted existing commitments for portions of the site. Lockhart Stadium has FAA approval for continued use until 2011, but any long-term use would be subject to the same constraints as those to the Orioles or essentially fair-market value of \$1.3 million. In response to Commissioner Rodstrom, Ms. McCaffrey advised that the \$1.3 million is FAA's estimate for use of the entire site. The City Manager added that FAA also indicated that amount was not locked in stone.

Vice Mayor Roberts noted the annual maintenance cost for the practice fields and stadium portion of \$30,000. Ms. McCaffrey advised that included making changes necessary for soccer. The City received approximately \$70,000 in revenue from the Orioles. Vice Mayor Roberts pointed out that revenue from events can offset the maintenance cost. For example, revenue from the Joe DiMaggio event was \$7,500 plus staffing.

Mayor Seiler reiterated his request to meet with the Orioles and determine their intent. If the Orioles will not be continuing, the City should meet with the university on the temporary parking and convert the practice fields to soccer fields. Vice Mayor Roberts concurred, but wanted some offsetting revenue for the maintenance cost. Ms. McCaffrey indicated the \$30,000 does not include upkeep and insurance.

Commissioner Rogers pointed out the provision limiting the income to de minimis. Ms. McCaffrey clarified the interpretation of this provision.

Commissioner Rogers hoped the Orioles would stay for another year, but wanted to give the Orioles a deadline. Mayor Seiler requested a conference call be scheduled with the Orioles on Friday. There was no objection to the Mayor participating in the call.

The City Manager emphasized that the FAA is concerned about seeing a commitment from the City in restoring the zoning to its original form. They believe the City illegally encumbered the land by a zoning change. The City and County land use plans would have to be changed that may take years. The City Attorney provided some history on how the problem occurred. It will have to be changed to some industrial use in order to placate the FAA. Mayor Seiler wanted to meet with the FAA. The City Manager stated that the FAA is not stating if the zoning is changed, the site could not be used for recreational purposes. Their position is that the City artificially devalued the property.

Mayor Seiler pointed out that Pompano Beach Executive Airport has the largest recreational facility adjacent to it.

Commissioner Rodstrom indicated if the FAA is concerned about the zoning, perhaps the City should start at that point. The City Manager commented that the City had discussions on this matter with the Secretary of Transportation, but the administration has changed. Perhaps it would be different now. .

In response to Commissioner Rodstrom, Ms. McCaffrey explained the \$1.3 million was based upon the use of the entire site for annual rent. Commissioner Rogers thought the City could have an excellent argument based on the zoning. Mayor Seiler indicated that was the City's case. Ms. McCaffrey indicated that in discussions in Washington, it was suggested the \$1.3 million could be lowered depending on the use.

Mayor Seiler concluded a conference call be scheduled with the Orioles; staff determine the revenue streams; and a meeting be scheduled with the FAA. Phil Thornburg, Director of Parks and Recreation, responded to his question that he has a price on the fields.

In response to Commissioner Rodstrom concern about informing the FAA sooner than later, Commissioner Rogers felt a long-term plan is needed in order to speak with the FAA.

Mayor Seiler opened the floor for public comment.

Mike Roland, School Board of Broward County, indicated that the School Board has invested over \$3 million into the stadium since Hurricane Wilma. The School Board has a lease agreement until 2011, and is interested in extending it. There are three Fort Lauderdale public high schools that do not have a field. Lockhart is the only medium sized stadium available. Mayor Seiler indicated the City would work with the School Board.

Jack Chew, Wally Byam Caravan Club International, indicated the Caravan Club is interested in renting the parking area to southeast of the stadium for April 11, 12 and 13. He offered some detail about their event and the economic impact. They do not require anything from the City except emergency electricity and about a dozen thirty-gallon trash cans and plastic bags. He noted that they use the picnic table area to serve two

breakfasts and one dinner. In the past they paid the City a little over \$1,000. There are roughly 8,000-10,000 members. Participants are in Fort Lauderdale three days.

Ms. McCaffrey stated the FAA is willing to work with the City for a short-term use provided the City is working on resolving the zoning issue, but events would have to be presented to them.

In response to Mayor Seiler, Mr. Chew believed it is about two hundred parking spaces. Mayor Seiler asked the City Manager to negotiate an agreement with the Caravan Club. The City Manager pointed out that each time the City speaks to the FAA about an event, they ask about progress on the zoning issue. Mr. Chew indicated the Club has in the past indemnified the City and the Orioles for he believed \$2 million.

Mark McCormick, member of the Parks, Recreation and Beaches Board, commented that there have not been any new sports fields added to the City's inventory since the early 1980's. There are not enough fields for City programs. He specifically mentioned the lack of field space for soccer and lacrosse. Moreover there is no space whatsoever for people who are not in a program. He believed the fields at the subject site would be ideal and close to turn-key.

Commissioner Rogers asked Mr. McCormick's opinion on a fair fee for field use. Mr. McCormick felt there is money that could be made. Lauderhill charges \$80 for two hours that would equate to \$600 per child annually just for field space. As such, they put more children on a field.

Ms. McCaffrey pointed out that there are no lights. The main stadium area has lights, but they do not work. There is \$700,000 of insurance money that has been set aside, but according to estimates it is not sufficient. As to the future, Vice Mayor Roberts thought that money could be used to offset costs and perhaps provide lighting for soccer. Mayor Seiler thought the City might be able to partner with an entity to install solar or something cutting edge. He questioned the claim that \$700,000 is insufficient.

Mr. Roland indicated as a result of Hurricane Wilma ten light poles were taken down and replaced with six of better technology and efficiency for \$850,000.

Mayor Seiler questioned if the FAA would permit the installation of lights. Mr. Roland believed it would be permissible provided they are no higher. Phil Thornburg, Parks and Recreation Director, indicated staff has an estimate for the two fields of about \$400,000 to \$500,000. There is a thirty-five foot height restriction on the north side and one hundred foot on the south. It has to be engineered so there is no spillover toward the runways. There could be four to eight soccer fields depending on the size of the child.

Ms. McCaffrey agreed to pursue setting a conference call with the Orioles for this Friday and provide the Commission with revenue information as soon as possible.

In response to Commissioner Rogers, the City Attorney noted it is not a rezoning matter, but rather a land use matter. He indicated that the City should get started with it. It will take six to nine months if everything goes perfect and then about a year.

Jim Keoth, Planning and Zoning, clarified that ultimately the FAA wanted a rezoning, but in order to do so, a land use amendment is necessary. It would take slightly less than

two years for both the rezoning and land use amendment. Mayor Seiler requested the Commission be provided a memorandum on this aspect.

Mayor Seiler wanted to pursue using the space for youth soccer if the Orioles do not stay. There was no objection.

In response to Commissioner Rodstrom, Mr. Thornburg stated an analysis would be provided to the Commission as to revenue from the soccer teams. Mayor Seiler noted the youth travel teams pay for the fields but not program fees. Mr. Thornburg offered to provide the City's fee schedules for fields.

See additional discussion on page 12.

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

No discussion.

II-A – September 2009 Monthly Financial Report

No discussion.

III-A – Communications To City Commission and Minutes Circulating For Period Ending October 29, 2009

The City Clerk advised at the Charter Revision Board's first meeting a member suggested a joint meeting.

Beach Business Improvement District

- 1) Recommend by consensus that the City contribute \$2,500** toward a fourth ground display of holiday lights, previously provided by private contributors.

In response to Commissioner Rodstrom, the City Manager stated that CRA funding could be used if the Commission agrees. Both Mayor Seiler and Commissioner Rodstrom indicated their consent.

There was consensus approval for the CRA contributing \$2,500 as recommended.

- 2) Recommend by consensus to allow food and beverage establishments** to be able to serve food and non-alcoholic beverages in front of their establishments.

Stephen Scott, Economic Development Director, stated the hotels would like to be able to serve food and beverages to guests on the beach.

Commissioner Rodstrom suggested this request be placed on a conference agenda.

The City Manager stated one concept was whether that area of sand directly in front of a business could be treated like a sidewalk café at least for food and soft drinks. It might be helpful for the City Attorney to know if the Commission likes this concept.

Commissioner Rogers pointed out the disparity with signage enforcement for businesses in various areas of the City. Businesses on 17th Street Causeway cannot use a sandwich sign. It is unfair. He wanted to encourage business but there needs to be equal treatment.

Commissioner Rodstrom raised the question of allowing coolers.

The City Manager felt there are two issues; one is signage, and the other is operating a business on the sand. Commissioner Rogers wanted to speak to both as a whole. Signage is part of activating the Riverwalk, for example. He realized a line has to be drawn, but on the other hand, there is a balance.

Mayor Seiler requested this matter scheduled as a conference agenda item. He responded to the City Manager's question that both issues should be scheduled.

Continued below.

I-E – Fort Lauderdale Stadium Site – Usage

Mayor Seiler received information that the fields are zoned as Commercial Recreation on Broward County Land Use Plan, thus the existing recreation uses are permitted by the County plan. When the County plan was created in the 1970's, an inclusion plan process was utilized; meaning the County largely included on the County plan what was submitted by the City. The City Manager stated the category that it no longer exists in the City's code. Jimmy Koeth, Planning and Zoning, advised that the zoning was S-1 which was changed to P in the Unified Land Development Regulations (ULDR) rewrite of 1997. S-1 was parks. Commissioner Rodstrom asked how that zoning worked with the County Land Use Plan. Mr. Koeth explained the area is also parks and open space on the County Land Use Plan and parks on the City's Land Use Plan. Commissioner Rogers asked about the initial zoning of the adjacent airport property when the City took title. Ms. Bennett indicated it was M-1, industrial. It was changed to general aviation-airport and the surrounding properties are airport-industrial, specific to this airport

III-A – Communications To City Commission and Minutes Circulating For Period Ending October 29, 2009

Centennial Celebration Committee

- 1) Permission to participate in pre-Agenda meetings in each Commission District to advise residents of the upcoming Centennial Celebration and solicit resident feedback;**

There was no objection.

- 2) Make WaterWorks 2011 a central theme of any Earth Day celebrations that the City organizes in 2011.**

Chaz Adams, Acting Director of Public Information, stated the Committee wants to make sure WaterWorks is part of any earth day or green celebrations because they feel that WaterWorks is a very positive program. There was no objection.

Community Appearance Board

Motion made by Mr. Murphy, seconded by Ms. Bindler, to recommend the City Commission change the Charter to create a revised Community Appearance Board with the opportunity for the Board to provide architectural review parameters to the Planning and Zoning and Building departments. In a voice vote, the **motion** carried unanimously.

Mayor Seiler was concerned about adding another layer of bureaucracy to the process.

There was consensus to defer discussion.

Education Advisory Board

Motion made by Ms. Elijah, seconded by Ms. Leach, to recommend the City Commission recommend student representatives assist on the Education Advisory Board. In a voice vote, the **motion** carried unanimously.

There was consensus approval. Mayor Seiler wanted to make sure the representation is inclusive and those members would be non-voting. He felt it should apply to the high schools. Julie Richards, Assistant To The City Manager, confirmed for the Mayor that the intention was from Dillard, Fort Lauderdale and Stranahan. In response to Commissioner Rogers, Ms. Richards advised that the board does not work with the private schools.

III-B – Board and Committee Vacancies Including Appointments to Downtown Development Authority

Mayor Seiler announced the Downtown Development Authority appointments are being deferred due to the absence of Commissioner DuBose.

Cemeteries Board of Trustees

Commissioner Rogers recommended John Sykes to the Cemeteries Board of Trustees instead of his previous appointment to the Education Advisory Board.

Education Advisory Board

Commissioner Rogers recommended Chase Adams to the Education Advisory Board instead of his previous appointment to the Cemeteries Board of Trustees.

Commissioner Rodstrom recommended Jim Howell to the Education Advisory Board.

Historic Preservation Board

Commissioner Rodstrom recommended Matthew Andrew DeFelice to the Historic Preservation Board.

Charter Revision Board

The City Clerk reiterated at the Charter Revision Board's first meeting a member suggested a joint workshop. In response to Mayor Seiler, the City Clerk advised the deadline for charter amendment recommendations is June 18. Mayor Seiler suggested a joint meeting on December 1st at noon with lunch.

IV - City Commission ReportsNeighborhood Development Criteria Revisions Initiative

Vice Mayor Roberts asked about the status of the proposed community workshop for this matter. Greg Brewton, Director of Planning and Zoning, noted the planned chronology. There have been public meetings in every district. It will now be heard by the Planning and Zoning Board and then a Commission conference. If someone misses the public meetings, he or she may contact the staff directly. In further response, Mr. Brewton advised that an email was sent to the presidents of the homeowner associations. Staff is interested in learning what are the issues so that information may be provided to the consultant.

Neighborhood Stabilization Program

Greg Brewton, Director of Planning and Zoning, provided a status report on this item in response to Vice Mayor Roberts' request. Updates will be provided to the Commission; no additional action is required from the Commission.

Employee Suggestion Program

Vice Mayor Roberts wanted to know what employee suggestions have been acted on.

Commissioner Rogers noted the Budget Advisory Board had a list of money-saving suggestions. He asked for a status on those items also.

District II Upcoming Events

Commissioner Rodstrom announced upcoming events in District II.

City Employee Halloween Costume Contest

Commissioner Rodstrom mentioned the success of the City employee Halloween costume contest.

Undergrounding Utility Lines Ordinance

In response to Commissioner Rodstrom, the City Attorney indicated staff is working on the undergrounding utility lines ordinance that will first go to the homeowner associations

and interested parties before scheduling it on a Commission agenda. It will be out by the end of November and to the Commission in December.

Halloween

Commissioner Rogers remarked on the number of children in neighborhoods for Halloween.

Riverside Park; bus tour

Commissioner Rogers remarked on the success of the bus tour in Riverside Park.

Citizen Volunteer Corps; Tarpon River Park

Commissioner Rogers announced an upcoming Citizen Volunteer Corps (CVC) project on November 14, 2009, 8 a.m., at Tarpon River Park.

Commissioner Rogers referred to a letter from Walter Nesbitt, a Tarpon River resident, concerning vacant areas where construction has not been completed. Code Enforcement has been good, but citing the developer has not been effective. The developer is being asked to address the issues. Hopefully there will be voluntary results, but if not, it will move to the next level. He felt every commissioner should identify similarly situated areas in their districts. Something more creative may be necessary. It is a broken window issue as well as safety and security.

Florida League of Cities; Finance and Taxation Policy Committee

Commissioner Rogers reported on his attendance at the Florida League of Cities Taxation Policy Committee meeting. There was a lot of discussion on the taxpayer bill of rights (TABOR) proposal, which is not good for municipalities. He elaborated upon the committee's suggestions. There was also discussion about police and firefighter pensions and other benefits involving police and firefighters. A discussion on the history of TABOR ensued including the need for a sunset provision.

City events; Boat Show

Mayor Seiler referred to events throughout and city; he felt there is good morale and excitement in the community. He specifically mentioned the boat show and representation from Sister Cities.

Dredging

Vice Mayor Roberts remarked about the impact of the boat show and the need to find a way for the waterways to be deeper to help the marine industry. Commissioner Rogers felt if there could be better accommodation off boats, it would also help the real estate market. He believed many residents are willing to be assessed for dredging. Mayor Seiler noted his recent presentation to the committee for Florida Inland Navigation District. The district is trying to allow neighboring marinas to piggy-back on their dredging permits. The goal is to piggy-back to dredge the area between the Intracoastal and the marinas. He asked the Director of Business Enterprises to followup in determining appropriate language for a resolution on this matter.

Oasis of the Seas

Mayor Seiler stated the new Oasis of the Seas is coming to the Port one week from Thursday. He elaborated upon the economic impact. He felt the City should make appropriate arrangements to welcome it and ask the City Manager follow-up. The full Commission should be informed.

Vacant Areas Where Construction Has Not Been Completed

Commissioner Rodstrom referred to the previous discussion of the Tarpon River Park area and vacant areas where construction has not been completed. She asked about no trespassing affidavits. The City Attorney explained the process, indicating the City requests them from the property owner when complaints occur. In response to Commissioner Rodstrom and Mayor Seiler, the City Manager offered to look into an educational campaign to inform property owners of the process.

Commissioner Rogers suggested that neighborhoods be encouraged to arrange for a tour with City staff.

The City Manager indicated that police officers are to be interacting with property owners. He offered to make sure that is being done. Commissioner Rodstrom suggested officers provide information on this topic at homeowner meetings.

V - City Manager's ReportH1N1 Vaccination Campaign

The City Manager announced that H1N1 information is now on the City's web site.

Turtle Season

The City Manager advised that turtle season is officially over and the lights are back on.

Broward County Housing Authority

The City Manager referred to a letter from the Broward County Housing Authority concerning a complaint about a proposed project in Middle River Terrace (North Dixie Highway at NE 17 Street). As best as staff knows, the proposal is in compliance with the current zoning. It will be reflected as it develops.

There being no further business to come before the Commission, the meeting was adjourned at approximately 5:03 p. m.