

**FORT LAUDERDALE CITY COMMISSION CONFERENCE MEETING  
JANUARY 6, 2010**

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**CITY COMMISSION CONFERENCE MEETING    1:32 P.M.    January 6, 2010**

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

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

**IV – City Commission Reports**

**Bahia Mar**

Commissioner Rodstrom indicated residents in District II have inquired about the status of the Bahia Mar project.

**Air Lauderdale Show**

Commissioner Rodstrom expressed support in this event and indicated Stan Smith, promoter, is working through some items. As the district commissioner for the barrier island, it is her job to be empathetic and concerned about how events on the barrier island are done as to impact on the many affected people, tourism, hotels and so forth.

**Finance Director Resignation; Forensic Audit**

Commissioner Rodstrom referred to a Tuesday news article in the Miami Herald. With respect to her belief that the finance director resignation is a red flag, she did not have all of the facts and wanted to discuss how this will be handled. She did not want such a news article on Fort Lauderdale. She wanted to know what facts are available in the Finance Department that would assure the Commission there is transparency. She wanted a forensic audit performed. Mayor Seiler indicated that he has not seen any evidence that there are any problems with the City's finances. The City has an independent auditor that reports directly to the Commission. The Commission could direct him without the expense of an outside professional. The City Manager pointed out that a commissioner has presented an article about a U.S. Securities and Exchange Commission (SEC) investigation in another city that has nothing to do with this city and then asked what is being done about it. He felt it is offensive to the people who work in this city. He asked if the Commission is going to allow this. Commissioner Rodstrom clarified that this is not personal, but rather a business decision and a fact-finding mission. She is not claiming something is wrong, but that she does not know. The SEC and other agencies are coming down on cities and elected officials on various types of situations. She noted that Ernst and Young, external auditors, reported a red flag last year in their report and she believed they will report that the same problem exists. Mayor Seiler wanted to decide by consensus what will be audited. He felt the City's budget and its process is solid. He was encouraged by having the Budget Advisory Board's review. Commissioner Rogers did not think they should see something in the newspaper and ask if Fort Lauderdale is in the same situation.

Commissioner Rodstrom asked if the number of finance directors (over a period of time) was disclosed to the bond agencies. Lynda Flynn, Acting Finance Director, explained that they submit specific questions to the City. Several people were involved in discussions with each of the two rating agencies. They did not pose that question. The City Auditor advised that he would not normally expect that question from those involved with a bond issue; it has been a previous comment by Ernst and Young, external auditors, who consider it to be a material weakness in the City's internal control environment. It is probably something they will cite again this year because of the turnover. Mayor Seiler pointed out that such a citation is part of the record available to bond rating agencies. The City Auditor concurred that it has been disclosed in that way. Ms. Flynn indicated that she is required to submit it (external audit report) to the specific agency. The City has to respond to questions raised by the auditors (external).

Commissioner Rogers was concerned about conclusions being reached by Commissioner Rodstrom with respect to the City's bond rating. He did not think there should be questioning without solid facts. Commissioner Rodstrom indicated she asked for the facts at the last meeting, but they were not provided. Commissioner Rogers questioned that he would have to disprove her assumption and Commissioner Rodstrom questioned that she would have to get his authority to ask questions. Commissioner Rogers replied no, but he felt she had mischaracterized what he said. It is not true that he does not want to talk about it; he would like to talk about everything that needs to be discussed but would like to be sure there is a factual basis. Commissioner Rodstrom felt it could have been answered at the last meeting. Mayor Seiler felt the informal conference meeting setting is an easier place to discuss it. Commissioner Rodstrom noted that Ms. Flynn was not called up at the last meeting.

Vice Mayor Roberts felt there are a lot of checks and balances in place; he did not think it is necessary. He would look for input from the Budget Advisory Board before moving forward with any audit.

Mayor Seiler indicated he spoke with the previous finance director as to why he resigned. He would not be surprised if others would leave for the same reason; that being to serve in the same capacity for a school board in the Keys. He asked him (Michael Kinneer) if the resignation had anything to do with the City and its finances and his reply was no.

Commissioner Rodstrom asked if the advisory board would have the full cooperation of finance staff and the City Manager for such a review. Mayor Seiler felt if necessary it would absolutely be afforded, but believed there is a good system of checks and balances.

The City Manager questioned what kind of level of respect can staff expect. He likened it to bringing a news article about a corrupt elected official and asking what is being done to prevent corruption in Fort Lauderdale. He asked if this is going to be tolerated. Mayor Seiler indicated that if a commissioner raises a concern, the Commission will address them and hopefully resolve them at the meeting. The City Manager felt an accusation was made. Commissioner Rodstrom explained that she was asking for help from her colleagues. Mayor Seiler and Vice Mayor Roberts did not perceive it as an accusation. Vice Mayor Roberts saw it as her asking for assurance that it would not happen in Fort Lauderdale which he felt was legitimate for a commissioner to raise. The City Manager

questioned use of an article about Miami. Commissioner Rodstrom indicated she did not know if the Commission had read it and thought it would be good to provide.

Commissioner Rogers felt everyone has their own style, but it is now always fair to pull the pin out of the hand grenade and ask what should be done. Commissioner Rodstrom explained she was elected to present this information. Commissioner Rogers felt it could have been done without the article, however, Commissioner Rodstrom pointed out that he was looking for facts.

#### Budget Process

Vice Mayor Roberts believed the City is falling behind in the budget preparation with respect to zero-based budgeting. He thought it may not be possible to accomplish everything the Commission wanted in that regard. It may be necessary to meet with the Budget Advisory Board again. It may be necessary to make some adjustments for this year.

#### Pill Mills (pain clinics)

Vice Mayor Roberts raised the issue of pill mills. Mayor Seiler indicated that he has requested legislation from the City Attorney. The City Attorney indicated some options will be presented to the Commission. Vice Mayor Roberts noted locations on Federal Highway and his concern what will happen when law enforcement agencies from other areas start to take action. There was consensus approval for the City Attorney to move forward.

#### Satisfaction Survey

Vice Mayor Roberts recalled in 2002-2003 satisfaction surveys were sent out to the public at random as to services provided by the City. It was scientifically done by a consulting firm retained by the City. He felt this would be a tool to use in preparing the budget. The intent is to improve and enhance services. There were five or six questions relating to the Police Department for example. In response to Commissioner Rogers, Vice Mayor Roberts indicated s a department director he had found it worthwhile. He asked staff for a recommendation to do this.

In response to Commissioner DuBose, Vice Mayor Roberts indicated the survey was done annually.

Mayor Seiler asked the Vice Mayor to look into who had administered it and provide it to the Commission. He saw it as a good idea.

#### Pill Mills (pain clinics)

Mayor Seiler pointed out that Cal Deal should have credit for bringing this matter forward. He agreed that Fort Lauderdale needs to get ahead of the other cities.

#### District III Events

Commissioner DuBose noted upcoming events in District III.

Affordable Housing Advisory Committee

Commissioner DuBose indicated he has requested this committee's report that came forward to the previous Commission be furnished to the Commission. He understood there is funding that has to be expended within a defined time and he wanted to make sure the City is on task. He wanted to hold a joint workshop with this committee. Commissioner Rodstrom noted it has to do with grant funding and incentives to developers. The mantra of the previous Commission was that the issue would fix itself based on real estate and property values. Unfortunately when that drops; so do salaries and so forth. She also wanted a revisit.

Mayor Seiler asked the report be furnished to the Commission and a joint workshop be set.

District IV Events

Commissioner DuBose noted recent and upcoming events in District IV.

River House Restaurant; Riverwalk

Commissioner Rogers emphasized the need for Riverwalk and the entire downtown.

Sign Ordinance, Businesses

Commissioner Rogers referred to previous discussion on changes to the sign ordinance, and noted one suggestion that could be investigated is to put information on the side of a building for charitable purposes. He was hopeful something could be done with the ordinance considering the economic times. Commissioner Rodstrom agreed.

Pill Mills (pain clinics)

Commissioner Rogers agreed this needs to be addressed. A brief discussion followed as to the number of local agencies addressing this.

River House Restaurant; Riverwalk

Commissioner Rodstrom suggested Economic Development staff contact a California organization that might be helpful with respect to the possibility of a bed and breakfast. Mayor Seiler preferred a restaurant for that site.

Sign Ordinance, Businesses

Commissioner Rodstrom noted the large mural on A-1-A and expressed the view that if that is possible it seems the sign ordinance could be tweaked.

New Year's Eve event

Mayor Seiler and other members of the Commission comments on the success of this event and complimented staff. He wanted to publicly thank the employees.

Tourism

Mayor Seiler conveyed positive feedback he has received.

Crime Walk

Mayor Seiler announced an upcoming Crime Walk.

Hinton Lawsuit; Potential Soil Contamination

Mayor Seiler requested a closed door session to apprise the Commission.

Parking Discount for the Holiday Season; Las Olas Boulevard

In response to Mayor Seiler, Diana Alarcon, Director of Parking and Fleet Services, provided a verbal status report. Mayor Seiler requested a written report for discussion on January 20.

Parking Citation; Enforcement

Mayor Seiler was concerned about an individual who had too much to drink, chose to take a taxi and received a parking citation. Diana Alarcon, Director of Parking and Fleet Services, agreed to look into creating a policy.

Commissioner Rogers raised the idea of some merchant relief by looking at certain areas. Mayor Seiler questioned enforcement at an hour as early as 7 a.m. may be too aggressive.

Surplus City Property; City Auditor Report

Mayor Seiler asked this item be scheduled on a future agenda.

**I-A – Super Bowl Saturday Night Concert**

Chris Balogh, representing Live Nation, reviewed the site plan in Commission Agenda Report 10-0051 including security and crowd control measures. He noted 25,000-30,000 are predicted. The concert is free to the public. Each designated pen (concert area) typically allows for nine square feet per person which has been determined as a safe calculation for beach concerts. Cox Catering will provide concessions and the Sheraton Hotel will cater the VIP section. A full week is necessary for set-up and tear-down; starting on Friday, January 29. He went into detail about the set-up. The bands to perform are O.A.R. and The Barenaked Ladies, with the opening band being Robert Randolph and The Family Band. There will be an approximate 2-hour block of sound check, starting at 2:00 p.m. on Friday afternoon with O.A.R., followed by a 1-hour sound check with The Barenaked Ladies. All sound and noise would end by 4:30 p.m. Robert Randolph and The Family Band's sound check would take place on the morning of the

show. Lighting and video must be programmed at night and is scheduled from 7 p.m. to approximately midnight; it does not involve any noise. In terms of security, a fenced perimeter is established the first day. The NFL provides branded scrim to wrap the entire fence line for visual appeal. It will include some NFL branding, some wording. Live Nation uses an experienced transportation coordinator and a second individual, to intercept and direct all heavy equipment and large trucks. Any movement of trucks and so forth is done only within the fenced area. Every incoming truck is provided with contact information to better coordinate arrivals and limit the impact of traffic on A-1-A. The truck schedule is timed so as not to have numerous vehicles in the same area at any one time. He went on to note that 60 feet is being left from the top of the berm to the beach; and that the area will be left completely open to the public, with security placed on the site corners and on egress points to direct traffic. In response to Mayor Seiler, Mr. Balogh advised that twenty-four hour security will be in place on Friday morning, January 29, through Tuesday, February 8. A deployment map will be distributed illustrating the security positions. On show day, there will be 150 to 200 security people. Doors are scheduled to open at 4 p.m. on show day, but not until everyone is in place. The concert will begin at 6 p.m. Robert Randolph and The Family Band will play for approximately 45 minutes, with a 10-minute change-over; The Barenaked Ladies for 1 hour, and O.A.R. closing at exactly 9:40 p.m. at which point there is a 20 minute firework show. Some elements of the stage will be broken down as guests are leaving; they will return the next morning at 7 a.m. to complete the tear-down. Everything will be removed except the roadway mat which will be removed on Monday. His staff is directed to alert him of any broken or damaged items so they can be addressed. He also does a walk-through before the event to examine the area and provide a guideline for returning it to its original state. The cleaning crew maintains the area each day, using 'green' methods. As guests leave, they will do a massive sweep. The caterers were alerted not to use small items that are difficult to pick-up. Large tractors will be used the following day to rake and clean the beach. On Monday, there will be last-minute checks for final clean-up.

Mayor Seiler expressed concern regarding the amount of space for foot travel between the concert area and the water line. Mr. Balogh verified that there is approximately 70 to 80 feet of walking space. Mayor Seiler requested that the walkway be increased to allow more space for people to enjoy the beach. Mr. Balogh agreed to alter the length of the pen to allow for 20 to 30 feet of increased walking area. In response to Mayor Seiler, Mr. Balogh advised that the upper parking lot will close on Sunday. Diana Alarcon, Director of Parking and Fleet Services, advised that only the southern half of the lot would be closed; the northern half will be available during that week, and the whole lot will not close until the day of the Pro Bowl. She maintained that, although the concert will use 238 spaces, the City has made efforts to keep the number minimized.

In response to Mayor Seiler's interest in the transportation component, Mr. Balogh introduced Craig Hatch, Game Day Management. Mr. Hatch confirmed his coordination with the City in parking preparation. It is still in planning as to how the other half of the lot will be used on event day. Most likely, it will be used for staff and public safety. The goal is to get these people who will be arriving early parked before the mass of people start to arrive. A local parking garage will be available for staff and vendors. He has coordinated with the City for nine parking garages, both City and private, which are all within two blocks of SE 2 Avenue where a 75-bus shuttle system will be in place. The Water Taxi has been informed of the event, though it is not intended for use. Mayor Seiler inquired whether pedestrians would still be able to use the sidewalk after the

fence is in place. Mr. Balogh indicated there will be a safe management guard at several points on the sidewalk; the sidewalk would remain open until 7 or 8 p.m. and the gates would be closed from midnight to 6 a.m. In further response to Mayor Seiler, he agreed to have the sidewalk remain open during the night.

In response to Commissioner Rodstrom, Mr. Balogh confirmed traffic control measures being taken for impact to A-1-A and site access.

Stephen Scott, Economic Development Director, advised that an event agreement will be presented at the January 20, 2010 meeting.

Mayor Seiler opened the floor for public comment.

Fred Carlson, beach resident, asked for clarification about the north/south public transportation. Ms. Alarcon verified there will be no change to area transit. Mr. Carlson suggested that there be more north and southbound buses. Mayor Seiler asked staff to see if more trolleys could be made available that week. Commissioner Rodstrom suggested that event advertisements also be posted on the trolleys.

Ina Lee, beach resident, questioned how the event is being promoted and how it will interface with the Taste of The NFL event at the Convention Center. Mr. Balogh discussed the types of advertising planned.. He was unsure how the two events would interface. Commissioner Rodstrom inquired if transportation is arranged between the Convention Center and the concert site. Mr. Hatch indicated that the issue was not worked out. . In response to Mayor Seiler, Ms. Lee confirmed that The Taste of The NFL is a high-end ticketed event. Ms. Alarcon pointed out the City's use of the shuttle, maintaining its non-interference with the other event. She also noted that advertisements would be created to promote the shuttle service. Ms. Lee suggested advertising both the event and directions for it. Mr. Hatch noted transportation information will be available on the the NFL's website. Ms. Alarcon indicated Parking and Fleet Services will work with the Public Information Office to get the word out. Police Captain Gregory added that they are working with the Convention Center about implementing traffic control on the (17<sup>th</sup> Street) causeway for Eisenhower.

Commissioner Rodstrom requested a copy of the information piece that will be used by the Public Information Office in their citywide blast.

Genia Ellis, resident, noted there are a number of parking lots along 17<sup>th</sup> Street Causeway that she believed would be used in lieu of the Click And Park program. She suggested that trolleys be available for these people. In response to Mayor Seiler, Ms. Alarcon assured that she would verify the trolley service.

### **I-B – 2010 State And Federal Legislative Agenda**

Kathleen Gunn, Assistant To The City Manager, articulated the recent meeting of the Broward Legislative Delegation to discuss the City's annexation bill. The bill was forwarded to Tallahassee and will be monitored. Mayor Seiler suggested keeping options open. Ms. Gunn advised that Senator Smith indicated his hope that the City and County could work together to make it cost feasible. Mayor Seiler pointed out the City's repeated efforts to work with the County on this matter, however no financial concessions have been granted.



Ms. Gunn went on to advise of a bill to be tracked having to do with utility markings on pavement. Albert Carbon, Public Works Director, provided some insight into the particulars of this bill.

As to appropriation requests, Commissioner Rogers suggested that a group of marketable items be selected. Mayor Seiler felt that no budget requests would be granted this year, so the City's lobbyists will look for opportunities. Carol Duncanson, City Lobbyist, agreed, but sometimes there are dollars that become available. Mayor Seiler suggested simply prioritizing for the lobbyists and responded to Commissioner Rogers' suggestion as to why he would not recommend removing items. Ms. Duncanson indicated it is also beneficial to know the City's priorities. Commissioner Rogers wanted to highlight the WAVE. Commissioner DuBose agreed with Mayor Seiler that there should be a full menu of items if the opportunity arises. There are times when priorities will change based upon opening opportunities. Vice Mayor Roberts understood the way the legislature works. He went on to indicate his priorities are economic development and public safety. Public realm improvements to the beach as well as beach renourishment would be considered as economic development issues. He also noted the interoperable communications system upgrade. Commissioner Rogers explained he wanted to highlight what the City really needs. Vice Mayor Roberts felt that items of a regional nature may have more possibility. Commissioner Rodstrom recalled the same discussion with the previous Commission and the decision was made to follow the full list. The City Lobbyist also provided guidance as to what the legislature was looking at and those items became the priorities. She agreed to leave all of the items on the list. Ms. Duncanson articulated the utmost priorities are jobs and economic stimulus. She noted the benefit of items where more than one municipality is involved. Many of the items are more appropriately geared toward the federal level and she may be able to direct the City so it can work with the appropriate officials.

With respect to appropriations at the federal level and regional matters, Ms. Gunn explained there are opportunities for diverse types of projects at supposedly higher levels of funding. She explained staff's approach and the decision-making process with respect to contacts and partnerships. As to the State, water is a possibility as well as following the stimulus bill in terms of job creation and economic development. Many of the listed items are economic development.

Mayor Seiler confirmed for Ms. Duncanson that completing the River Oaks project remains a priority. In her conversation with the appropriations chairman, he did anticipate funding, but agreed to let her know if they become available. Commissioner Rogers mentioned the Tourist Development Council and that Fort Lauderdale is a donor municipality. He wanted to look at the equity of the funding. Vice Mayor Roberts agreed. Mayor Seiler asked that emphasis be placed on job creation such as Northwest and Progresso Village neighborhood improvements. Any others that create jobs should be added.

Commissioner Rogers noted the South Florida is one of the largest exporters of aircraft parts to Brazil. He suggested incentives to attract an airplane parts business to the Executive Airport that would include job creation. Ms. Duncanson noted there was a bill for the Melbourne area and it has been filed again. It may be possible to amend it. Mayor Seiler wanted to make sure the bill did not benefit just one area. Ms. Duncanson offered to furnish a copy of the bill.

Mayor Seiler agreed a new policy facility is needed, but did not agree with including a \$90 million request. Ms. Duncanson pointed out that Fort Lauderdale is one of countless cities in Florida. Vice Mayor Roberts agreed but questioned if there may be something in the future from Homeland Security for example. Mayor Seiler asked it be moved to the federal agenda.

Vice Mayor Roberts referred to pension reform and his belief that it should be comprehensive by all cities. Regardless of the change, the City should keep the \$5.2 million.

Ms. Duncanson pointed out that there is anticipated discussion on the issue of offshore drilling. There was no support of offshore drilling expressed by the Commission.

Christopher Lyon, City Lobbyist, pointed out that less than half the number of bills that will be filed have been filed. He urged the Commission to review the bills they provide that may impact the City. Mayor Seiler requested that the lobbyists copy the Commission on their emails with Ms. Gunn, however, the Commission should not respond.

### **I-C – Infrastructure And Job Preservation Legislation**

Albert Carbon, Public Works Director, highlighted information in Commission Agenda Report 10-0046. The funding amounts shown in the backup (House Bill 2847) should not be held in stone. He proposed bringing this back to the Commission upon notice of Senate approval or any committee action.

In response to Vice Mayor Roberts, Mr. Carbon indicated the technical committee of the Metropolitan Planning Organization (MPO) needs a response from the City before January 13. With approval today, the information will be submitted on time. Kathleen Gunn, Assistant To The City Manager, provided some insight into how decisions on stimulus funding is being made and that the MPO has control over their portion.

In response to Vice Mayor Roberts' question as to the shovel-ready criteria, Mr. Carbon confirmed these are the projects that area ready to go. Vice Mayor Roberts and Commissioner Rodstrom inquired whether the City could add items. Ms. Gunn understood there will be strict deadline compliance. . Mr. Carbon indicated thatonce he obtains more information about the types of projects in the bill, it may be possible to add more. Commissioner Rogers questioned historically the percentage of funding the City has received from the MPO.In response to Mayor Seiler's suggestion to add another project, Commissioner Rodstrom wanted to know what will be shovel ready in the next ninety days. She noted in addition to what is being submitted to the MPO, there are other categories of projects that should be addressed. She wanted to be shovel ready when the legislature makes the decision. In response to Commissioner Rodstrom, Mr. Carbon advised that based on previous Commission direction, sidewalks were not included. Commissioner Rodstrom asked about adding sidewalks, however, Mayor Seiler felt it would be best to add only one project, that being Sistrunk. There was no objection. Commissioner Rodstrom also wanted to add sidewalks.

Commissioner Rodstrom reiterated her question about projects for the other categories. Ms. Gunn referred to projects noted under Item I-B and explained how she envisioned

the process will work. Commissioner Rodstrom wanted to know about the criteria for the \$2 billion for the housing trust fund and public housing capital fund, which could be used for expansion of the Homeless Assistance Center. She wanted to know what the City could get from this category. Ms. Gunn offered to provide assistance when there is a final bill. She elaborated upon past practice. Mayor Seiler asked the information be emailed to the Commission when it is available. Mr. Carbon pointed out the City's receipt of stimulus money for the Northwest Neighborhood project and requested that this project be added for the remainder of the funding. Alfred Battle, Director of the Northwest Community redevelopment Agency, provided a brief project description. Commissioner DuBose confirmed that the residents are onboard with the project. There was consensus approval to add this item. Commissioner Rodstrom wanted to look at the entire northwest area. There was some question and discussion as to whether South Middle River Terrace (SMRCA) is shovel ready. Commissioner Rodstrom noted it is a matter of being shovel ready in ninety days in order to use fifty percent of the money and then there is a year to use the remainder. Ms. Gunn explained shovel ready is 100% designed and it is ready to be bid. In terms of time, Commissioner Rodstrom pointed out that it would be ninety days from when the bill is approved, not today. Mayor Seiler asked that Ms. Gunn followup on SMRCA status. The City Manager warned against taking on more projects than staff can handle, thereby risking the loss of such stimulus money. Ms. Gunn felt the City is very much ahead of the curve because the funding could be \$10-\$20 million or \$45-\$150 million or nothing if the bill does not pass. She confirmed that information on projects for other categories will be presented to the Commission at a future date.

#### **I-D - Stormwater Master Plan**

Albert Carbon, Public Works Director, reviewed slides concerning this matter. A copy of the slides is attached to these minutes. He explained that the City created the storm water program in approximately 1995, however a master plan was never prepared until now. Mike Schmidt, Camp Dresser & McKee, City Consultant, continued to review the slides. The recharge wells and exfiltration are good candidates for city-wide implementation. These provide a 3-for-1 benefit: reduction in flood stage and duration; recharge, reduced saltwater intrusion; and reduction in the amount of pollutant load going to receiving waters which puts the City in compliance with state requirements. Also, there could be an incorporation with a park.

Mr. Carbon completed review of the slides. He indicated in addition to accepting the plan, staff would like feedback from the Commission with respect to level of service. Staff would also like to expand upon the City's stormwater program into a stormwater utility. The cost benefit analysis will relate to rates. A rate study could be done.

In response to questions raised by the Commission, the following additional information was furnished. Mr. Carbon explained the four worst neighborhoods were used to present the magnitude of the program. Mr. Schmidt verified that the plan is for the overall city; all citizens will benefit. He went on to elaborate upon the various levels of service and associated cost. The City is currently at the top level shown (Slide 6). Mr. Schmidt confirmed that the stormwater regulations have been drafted and should be issued in July. The federal nutrient requirements are to be determined, however there are nutrient requirements in the stormwater regulations so there is consistency. There are other items not in the state and federal requirements, but recognized as sound practice, have been included. Commissioner DuBose questioned making changes in the

ordinance now versus waiting until the regulations have been released. Mr. Carbon clarified that there may be need for two ordinance changes. Building-related best management practices could be done now or in June/July when the state and federal (regulations) come together for that change. The best management practice change cost would vary based on the site. The City's ordinance will be consistent with state and federal regulations as to maintaining onsite for sites larger than one acre. It would not make a major difference whether changed now or later.

South Florida Water Management District controls central Florida flood control systems which are the main canals that connect to the Everglades, New River, C-12 and C-14 Canals. Secondary canals are operated by Broward County. The canal system depth that is kept limits how much water can discharge through surface water. More detail was furnished on filtering.

Commissioner Rogers was concerned about the City paying for part of this in addition to contributing to the South Florida Water Management District (SFWMD) that may not be maintaining the same level of service. The Commission went on to pose questions on this point with the following responses received. Mr. Schmidt advised that SFWMD current level of operations has been factored into the level of service recommendations and went on to provide more explanation of the work that went into the master plan. He was not aware of any changes by the SFWMD. The trend is to divert water south instead of east/west.

Vice Mayor Roberts summarized the actions needed. He went on to suggest looking at addressing only those neighborhoods with flooding problems now. Commissioner Rogers pointed out that the the City offers flooding remedies to areas if they are willing to pay for the improvements. He did not wish to rush into anything. He wanted the rate studies as to levels of service brought back. Mayor Seiler agreed with Commissioners Rogers and DuBose. He emphasized the need to work with other involved agencies. He noted the importance of water issues in Florida for years to come. Commissioner DuBose requested a priority analysis of areas in terms of flooding. Mr. Schmidt articulated that a document showing flooding problem areas based on complaints is included in the master plan (Figure 219). Commissioner Rodstrom was also interested in the rate analyses. She pointed out that the Main Street Act of 2010 has \$2.1 billion for clean water – reclamation and asked that this be investigated.

Commissioner Rogers asked that this be brought back in parts. As to possible impacts from new development, Mr. Carbon indicated that staff has this master plan and could use it as a tool with developers. Mayor Seiler requested an update be provided in a couple meetings (February 2, 2010), but did not envision the Commission taking any specific action until September. Mr. Carbon noted there would be retention of a consultant for the rate study.

Appeal – Historic Preservation Board – 1004 West Broward Boulevard- Sailboat Bend Historic District – Dr. Kennedy Homes – Case 2-H-09

In response to Mayor Seiler, the City Attorney noted the hearing on Dr. Kennedy Homes Historic Preservation Board decision appeal has already been set; however the applicant is requesting a continuance. To follow the City's ordinance, there will be a walk-on resolution this evening changing the hearing date. Mayor Seiler noted the opposition is also interested in having more time. He asked the resolution come forward this evening.

**I-E - Homeless**

Cate McCaffrey, Director of Business Enterprises, noted previous Commission direction and a chronology of staff's work as highlighted in Commission Agenda Report 09-1746. In addition to those organizations listed in the backup that have attended the task force, she added the Downtown Council, Riverwalk Trust, Shepherd's Way, Broward Homeless Initiative, City's Community Development Department, Commissioner Rogers, Chamber of Commerce, Beverly Heights Association, Love Bags, Downtown Civic Association, Broward Workshop and Disabled Veterans. Staff has met with other organizations in addition to these. She went on to mention a similar task force in California that met for two years and resulted in three recommendations that already exist in Broward County that she listed. She referred to the recommendation language, to establish a pilot coordinated services center and clarified there is no intention for the site to provide services other than feeding, but rather referrals. The task force wanted the need for more shelters to be made clear. There is also the issue of cleanup after feedings.

Commissioner Rodstrom referred to current Broward County services and offered to furnish the name of a point person. She also mentioned the Urban League. The City Manager wanted clarity as to what the Commission is interested in. The report reflects the belief that the County is not providing the services that address the problems. There was general agreement that duplication of services should be avoided.

Commissioner Rodstrom felt designated feeding areas are probably the way to do this. She had previously suggested a downtown area near Florida Atlantic University where the City parks transportation vehicles. Commissioner Rogers thought there are enough groups willing to provide food, but there is no organized location. He understood unless a place is designated, the City cannot prohibit feedings at any particular place. He was pleased to see that the community has come to a consensus. For the short-term, he wanted to designate a place, provide for feeding at that place and prohibit feeding where it is not appropriate. Housing then has to be addressed. The City needs to designate a feeding site and provide the education. The Downtown Development Authority is opposed to using the One Stop Shop building. Ms. McCaffrey offered some additional information about the One Stop Shop building. They also looked at the old heliport site, but the cost was exorbitant. She offered to look at the site suggested by Commissioner Rodstrom. In response to Commissioner DuBose, Ms. McCaffrey indicated that sites were suggested, therefore it was decided that nothing be made public at this time. Mayor Seiler asked staff to continue to work with the faith-based community, business leaders that have come forward and the neighborhoods and return with an identified site. In response to Commissioner Rodstrom, Mayor Seiler noted there is Broward County representation on the task force. Commissioner Rogers noted the support of people who are ready to help.

Mayor Seiler opened the floor for public comment.

Genia Ellis, Homeless Task Force member, indicated that they have not yet found an appropriate City-owned site. For sites they did find, there is the question of who would pay for it. The City property list was consulted. Mayor Seiler referred to the Homeless Assistance Center (HAC), suggesting that nearby property be used to keep the resources close together. Ron Centamore, Homeless Task Force member, referred to a property in the Progresso Village vicinity. In response to Commissioner Rodstrom, Ms.

Ellis clarified that, unlike the HAC, the City is merely looking to find a place where the homeless can be fed. There is also Community Development Block Grant funds that could be used. Mayor Seiler asked Ms. Ellis meet with staff to identify cost and a source of funds. Commissioner Rodstrom noted the criteria for an acceptable site.

Fred Carlson, 625 Orton Avenue, reviewed his prior research on this topics and what he learned. There seems to be a need for non-programmed, customer-centric assistance that would require private funding in order to avoid State bureaucracy. In response to Mayor Seiler, Ms. McCaffrey indicated that a member of the task force put together a report on such an approach, low-demand shelter. She offered to furnish it to the Commission.

Bud Bentley, Homeless Task Force member, recommended that multiple sites be used to decrease the impact on any one neighborhood. He provided history of how a safe zone program in the City grew once it was established and that is resulted in Broward County expanding services. However, day services and feeding programs are not a County priority. He did not think the County will assist. The ramifications should be considered. In response to Mayor Seiler, he indicated that moving locations is a possibility. Commissioner Rogers had discussed a mobile center with a private group at one time; he believed it is a good idea. He believed the City needs to take the initial step because of the economic times. He supported looking for multiple sites. There is enough concern in the community, but they are waiting to see what the City is going to do. Mr. Bentley questioned designating a building as opposed to a site. Commissioner Rodstrom questioned how many sites would be appropriate for feeding. Mr. Bentley believed the County would have that information.

Robin Martin, executive director of The Shepherd's Way and Homeless Task Force member, indicated part of his role was to represent the faith community and those who are already feeding the homeless. There is a need to reclaim the parks for what they are meant to be. He emphasized the approach has to work in partnership with the faith community. He suggested starting with one location, make it successful, then add another and more.

With respect to opening one site, Commissioner Rodstrom was concerned about impact to a particular neighborhood. Commissioner Rogers pointed out that the parks are being impacted. Commissioner Rodstrom believed there is evidence that people are sleeping throughout the city. If there is neighborhood buy-in and it is close to the Homeless Assistance Center, she found that to be helpful for all types of services. Mayor Seiler understood there is a neighborhood that has indicated they have a potential site and it is by the Homeless Assistance Center. He wanted staff to meet with them. Commissioner Rodstrom was concerned once it is opened, there may be more people than the neighborhood anticipates. Mayor Seiler indicated he has spoken with the neighborhood and believed they know the issues. Vice Mayor Roberts wanted to narrow the issue to feeding. Mayor Seiler agreed. Commissioner DuBose emphasized with one location, more people will come and it will impact surrounding neighborhoods. He did not see how the not in my neighborhood thinking can be avoided without looking beyond. Currently, people come to Fort Lauderdale because there are services. He thought a site could be construed as another form of a shelter regardless of whether it is overnight.

Mr. Centamore explained the task force's perception was picnic tables, a serving table and restrooms. No food would be prepared at the site. The faith community would set

times and when finished, doors would be locked. Perhaps, there could be referencing assistance but nothing at the site. It would be temporary until the Homeless Assistance Center expands. Perhaps there is a need for multiple sites, but it has to start somewhere. There are no funds for a building. He did not think there should be concern about some neighborhoods objecting.

There was no one else wishing to speak.

Mayor Seiler summarized the consensus to direct staff to identify a feeding site or additional sites if possible.

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

There was no objection.

### **I-G – SE 15 Street Boat Launch And Marina Complex**

Cate McCaffrey, Director of Business Enterprises, noted that staff was requested to follow-up in determining available grant funding. Direction is needed as to whether staff should proceed. She responded to questions concerning funding. The project's 2.8 million dollar cost includes approximately 1.2 million dollars in grant funding. The City is responsible for approximately \$1.5 million. All of the monies are available now, however, some require transfers from other projects for matches and others are matched grant to grant.

Mayor Seiler questioned the demand for the project. Diana Alarcon, Director of Parking and Fleet Services, explained that a six-week survey was conducted and, based on those results, eight spaces were extended to accept a 45'-50' vessel and a provision of on-site parking was made. Estimates are that 60,000 vessels launch from this area. Commissioner Rogers elaborated on this marina's popularity among boaters, emphasizing that the rates are too low. Parking and Fleet Services has been requested to amend the ordinance for a rate adjustment and enforcement of parking rules. The neighborhood is supportive.

In response to Mayor Seiler, Ms. McCaffrey noted that although some money is being moved from the Capital Improvement Program (CIP), a portion was freed because the City received an additional grant.

Mayor Seiler expressed desire to move forward, with the stipulation that a complete rate study is done. He felt there should be a discount for City residents. Ms. Alarcon offered to look into purchasing meters that would allow for the resident rate option. Ms. McCaffrey thought there may be implications with regard to the grant funds. In response to Commissioner Rodstrom, Ms. Alarcon verified that the cost of new meter installation is not included in the current funding information.

Commissioner Rodstrom questioned how the construction would enhance the safety and health of the environment. In response, Ms. Alarcon indicated features such as the addition of sidewalk area utilizing a type of concrete and on-street parking pavers for better drainage. Additionally, resurfacing and re-striping, a 'green' ADA restroom facility with a new code compliant fish cleaning station, and Leadership in Energy and

Environmental Design (LEED) lighting will be included. In further response, she indicated this item will come back for site plan approval and task order. There was consensus approval to move forward with the project.

### **I-H – Fort Lauderdale Stadium – Site Usage and Groundskeeper**

Cate McCaffrey, Director of Business Enterprises, noted the City has already committed to certain events at the stadium and there are two additional items on the regular meeting agenda. At the January 20 conference a soccer group (Traffic Sports, USA) will make a presentation. In the meantime, the site maintenance needs to be addressed. There are ongoing tasks as well as those relating to the committed events. She reviewed the recommendations contained in the Commission Agenda Report 09-1810.

Jamie Siragusa, representing Federal Little League Baseball, indicating the League has been renting the stadium facility with timely payments and without incident since 1996. He would like an extension beyond January and possibly replace the Baltimore Orioles as management. They would be willing to do so on a short-term basis and tie it into the City's agreement with Broward County with respect to Lockhart which would allow the City to maintain long-term flexibility. The League would use all rental fees collected toward facility maintenance. Additionally, Tony Fernandez is interested in using two or three of the fields during the week for baseball lessons. They have looked at other ideas that could produce revenue for the City in the short-term. He recognized the other festival type uses that take place at the site and provide value to the city. If the facility is maintained as a baseball facility in the short-term, it does not require any renovation. Any agreement tied to the time frame of Lockhart Stadium would not bind the City's hands going forward, but may make the deal more palatable to the Federal Aviation Administration (FAA).

Vice Mayor Roberts raised the idea of an RFP for managing or establishing programs. Mayor Seiler agreed an RFP must be done. Mayor Seiler questioned whether there is existing staff on a temporary basis instead of the additional expense. Phil Thornburg, Director of Parks and Recreation, explained staffing is pretty thin now. The irrigation is manual which requires attention almost all of the time. Discussion ensued and questions were raised about the head groundskeeper position and the existing individual. Mayor Seiler and Commissioner Rodstrom wanted to know the compensation package paid to this individual by the Orioles and his duties. Ms. McCaffrey commented about it being a complex operation; a list of the duties has been provided; some staff suggested it may even be necessary to have two employees.

In the interim, Mayor Seiler wanted to have discussions with groups. For example, Keiser University would like to rent parking during the day.

In response to Commissioner Rogers, the City Attorney explained for the entire site there are deed restrictions. If they are not followed, there is no federal funding for the airport.

As to the former Orioles groundskeeper's salary, Ms. McCaffrey believed his application will reflect an hourly rate of \$34, \$68,000, plus full benefits.

With respect to Keiser University parking need, Clara Bennett, Executive Airport Manager, explained daytime parking has been secured from Florida Atlantic University,



but staff has been working with Keiser to provide parking for the other hours for 24/7 parking. Mayor Seiler wanted to be assured it would not conflict with any weekend events, for example. Ms. Bennett clarified she is speaking about a lot on Commercial Boulevard.

Ms. McCaffrey advised that no other groups besides baseball and soccer have come forward to such an extent.

Dale Hobby, representing Motorcycle Safety of Florida, indicated they have been using the stadium parking lot since 1995 and would like to continue to do so. They are easy to co-exist with others. A motorcycle safety course is now mandated by the state. They pay a daily fee that is collected monthly. Ms. McCaffrey indicated staff is recommending approval through February.

In response to Vice Mayor Roberts, Mayor Seiler wanted to get the word out about the intention of an RFP.

In response to Commissioner Rogers, the City Attorney indicated the best approach is to look at the airport master plan and provide language in it that deals with use of this property. Then the City should do an RFP for a short-term. If it is for no more than five years, the FAA will probably approve a use if there is nothing in the plan for the next five years regardless of whether it is market price. As to zoning, the City is in the process of amending the Land Use Plan now to allow for both park and industrial uses that should please the FAA.

In response to Mayor Seiler, Ronna Adams, Business Enterprises, indicated the \$5,750 per month cost is for utilities and security. The fencing needs to be enhanced. Mayor Seiler did not want to invest in fencing at this point in time.

In response to Commissioner Rogers, the City Auditor advised if the facility is not used, the Executive Airport Fund is responsible, otherwise it is charged to the General Fund. Both Mayor Seiler and Commissioner Rogers did not want to relinquish the facility at this time. Ms. McCaffrey pointed out that the Orioles owe the City about \$43,000. Mayor Seiler wanted the Orioles put on notice. Ms. McCaffrey confirmed to Vice Mayor Roberts that the stadium lights were damaged and there is approximately \$750,000 insurance proceeds, unrestricted, for lights that were never repaired.

Mayor Seiler noted there is consensus approval for the recommendations in Commission Agenda Report 09-1810, with Item 1 modified to extend through February and exclude the \$6,650 to enhance fencing and alarm system.

Note: The Commission recessed at 5:35 P.M. and returned to the conference meeting agenda at 8:43 P.M. on the first floor of City Hall.

#### **I-I – Code Amendments – Traffic – Observed Holidays and Add Metered Parking South of NE 13 Street**

Diana Alarcon, Director of Parking and Fleet Services, highlighted pointed in the Commission Agenda Report 09-1657.

In response to Commissioner Rodstrom, Ms. Alarcon explained their routine process of analysis and interacting with the community where meters are being installed including bringing it to the attention of the district commission. There are twenty-seven meters being installed for the Satori property only, north and south (NE 13 Street).

There was consensus approval.

### **II-A – November 2009 Monthly Financial Report**

Shonda Singleton-Taylor, Acting Director of Management and Budget, excluding the timing on pension contributions for each department, the City is at 12.93% expended.

Commissioner Rogers remarked about State revenue projections that does not show any relief until 2012. He agreed with Vice Mayor Roberts' concern about focus on the budget process.

In response to Vice Mayor Roberts, the City Manager confirmed that the freezes and restrictions on training/travel and positions (hiring) are still in effect.

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### **W. J. and Helen Dunsford: 910 NW 47 Court**

Helen Dunsford asked the Commission consider granting forty-five to sixty days for them to clear their backyard, repair the roof and trim the trees (910 NW 47 Court). She did not think there is any immediate danger to anyone.

Valerie Bohlander, Director of Building Services, advised there is a current injunction against this property by the City Attorney's Office. The City Attorney provided a brief verbal report on the history of this matter, which dates back to before the area (Twin Lakes) was annexed into the City and involved Broward County. It has to do with clearing away all of the things in their yard. Photographs were displayed and made a part of the record. The Dunsfords are working with two church groups who are helping with the clean-up. In speaking with representatives of the church groups, he was informed that they have been trying to do the clean-up for several months and are having difficulties with the Dunsfords. If history repeats itself, everything will be the same in sixty days.

Vice Mayor Roberts indicated there have been a lot of complaints from the neighborhood. According to the community, it has been ongoing for almost fifteen years. He initiated the action by speaking with the City Attorney, Building Services and the homeowner association. He disagreed with Mrs. Dunsford as to it not being a hazard. He recommended the City continue moving forward with the action. He would not support any delay. Commissioner Rodstrom concurred, but pointed out that they have until Friday. The City Attorney pointed out that there are two matters, the front and the back yards. He explained the preparations made. The frontyard will be cleared on Friday. Without cooperation, they will proceed with the backyard probably the following Friday or Monday after that. He believed the City liens currently total about \$70,000. There may be liens from Broward County because they have a long history with this property.

Commissioner Rogers validated the commitment made by a member of the First Baptist Church and indicated he also was told that the Dunsfords would not always accept help. Mrs. Dunsford summarized arrangements set out by the church. The court order is very vague. Mayor Seiler explained that the City cannot interfere with what the court has ordered. He noted that they have ten days to move for a rehearing and thirty days to file an appeal. The Dunsfords should seek clarification from the court. The City Attorney suggested Monday instead of Friday, but if no progress is made over the weekend, he recommended cleaning the property. Vice Mayor Roberts wanted to go forward with the original plan of addressing the frontyard on Friday. Mrs. Dunsford indicated that they have never declined assistance, but were distressed about having to give up things in their backyard. The trees and roof will be addressed. The City Attorney advised that the action plan for the frontyard will be available tomorrow. Ms. Bohlander was available for further questions.

### **II-B – Operational Audit of Human Resources Department**

The City Auditor gave a background as to how audits are conducted. He noted the following significant findings. There was only one finding relating to a material weakness that related to the continuity of operations plan or disaster recovery plan. Human Resources is working on this.

Finding 1: The HRD does not maintain a compilation of major federal and state employment laws and does not conduct self-audits to assure compliance with these laws and regulations.

Finding 2: The CAO reviewed HRD practices regarding the management, accounting and approval of absences under the Family Medical Leave Act of 1993 (FMLA) as outlined in PSM 6.2.5.1. Our review focused on the design and effectiveness of internal controls and we noted the following weaknesses and/or opportunities for improvement:

- 6 of 11 (55%) of the employees in our sample did not exhaust all accrued sick/vacation time in accordance with City policy prior to commencing unpaid FMLA leave.
- CAO could not independently verify that all employees who may have been eligible for FMLA were provided with proper notice of the availability of FMLA.
- CAO found that the City did not have the capability of tracking FMLA leave in the payroll system, however we did note that HRD inquired about creating a new HED code in December 2008.
- The FMLA policy does not contain language that requires those employees who do not return to work for the City after FMLA period to be terminated.

Finding 3: The CAO conducted a review of Risk Management's billing, collecting and receipting of various insurance premiums (health, dental and life) from employees while they are out on unpaid leave and noted the following internal control weaknesses:

- An improper segregation of duties exists because the billing, payment and receipting functions are performed by the same person. Moreover, the Insurance Benefits Specialist tracks the billing and payment of

premiums manually even though the City's payroll system is capable of accounting for these transactions electronically.

- The Personnel Records Specialist in HRD missed an opportunity to collect an outstanding insurance arrears balance from the pension payments of a newly retired employee based on the belief that the insurance premium arrears balance could not legally be offset against a City pension payment. HRD was not able to provide authoritative support confirming this belief.

Averill Dorset, Human Resources Director, advised that she gave written management responses for each of the findings. She noted her professional experience and qualifications. She noted that Human Resources is on top of the big laws of most impact. It would be difficult, if not impossible, to keep a list of everything that would encompass labor and employment. In lieu of compiling a list, the City Attorney's Office or outside counsel could be requested to do so. The City Auditor explained that may be good practice, but the goal of the audit is to strive for improvement. When people leave employment, their knowledge goes with them and that is why most of the audits will recommend a written document for a training tool and guide. As a basis for their recommendation, they refer to the Committee of Sponsoring Organizations framework that outlines best practices for internal control. The City Manager explained that staff tries to implement those recommendations of the City Auditor that the Commission can see a difference in the product. He questioned if the City Attorney could provide a list of every law that impacts city government. It is a matter of limited staff.

Mayor Seiler suggested consulting the Florida League of Cities to see what other major cities do. Ms. Dorset wanted to do what works for the operating department. For example, FLSA (Fair Labor Standards Act) is coded in the (payroll) software. With respect to FMLA (Family and Medical Leave Act), it is included in the collective bargaining agreements, personnel rules and policy standards manual. It is not the same as just having oral tradition. She explained while another city may have such a list, they may also have different staffing levels. Mayor Seiler felt it is a matter of having a checklist in order to verify compliance; it is not a criticism of the department. He would like to know if it is a common practice in the state. Ms. Dorset expressed her strong belief in a backup system.

The City Auditor advised that there has not been a response to Finding 3. He believed it has to do with the finance director resignation. There is an improper segregation of duties that he hoped the Finance Department will rectify it. It is contained in this audit because Human Resources plays a part in the payroll system. In response to Commissioner DuBose, the City Auditor advised that various parts of the Finance Department have been audited, but this does not address. He indicated his expectation would be for the finance director and risk management to respond, but essentially his recommendations are to the City Manager who would then direct the department director. Mayor Seiler wanted a response from both departments and asked the acting finance director's response be ascertained. As to collection of outstanding insurance arrears, Ms. Dorset advised that money cannot be taken without an agreement or a court order. Mayor Seiler suggested that be included in the response. The City Auditor agreed some clarity is needed from the City Attorney. The City Attorney advised if it would be money to be paid from the pension, a court order is needed; otherwise it can be done. There is an attempt to collect whenever it is brought to his attention. Mayor Seiler requested a complete response from all those involved.

Finding 7: The CAO conducted a review of the performance evaluation process to determine the timeliness of annual reviews for 35 randomly selected employees. Testing revealed that performance reviews for 12 of 35 employees (34%) were entered into the payroll system more than 30 days after the due date.

The City Auditor believed evaluations are critical to employees and supervisors should complete them on time. Human Resources should follow-up more vigorously. Ms. Dorset recommended quarterly follow-up of those past due. There is only one employee to handle this work. The City Auditor suggested the City Manager make it clear to the department director that they will be held accountable for this. In response to Commissioner Rogers, the City Auditor advised that salary increases are linked to the reviews, but they are effective retroactive. The City Manager explained the prioritization philosophy starting with the Commission and recognizing time and limited staffing constraints. He contended this applies to each of the operational issues. Also, as reductions are made everything does not get done. In response to Mayor Seiler, Ms. Dorset advised the department staff level is down from twenty-five to eighteen over the last four years.

Commissioner Rodstrom believed there are some items that should have been addressed years ago. She mentioned Finding 5, with respect to driver license history not being performed for 5 of 23 of the employees in the hired sample. Ms. Dorset advised that driver license history is not done unless it is relevant for the job. Criminal background checks are performed on everyone. Commissioner Rodstrom asked about training mentioned (Finding 10). Ms. Dorset indicated that she has been pursuing possible avenues for training, but noted the Commission cut of training/travel. Commissioner Rodstrom wanted to take advantage of anything that may be free. The County should include City employees at no cost because it is supported by tax dollars. In regard to Commissioner Rodstrom's question about employment poster requirements (Auditor Comment 1), the City Auditor advised that Human Resources is in agreement with the recommendation.

Vice Mayor Roberts agreed with respect to timeliness of performance evaluations that actually rests with the departments, however sometimes there is just not enough time. He noted the workplace violence training carries City liability. He recommended that certain training be provided for in the budget. In response to Commissioner Rodstrom, Ms. Dorset recalled training has fallen off since the departure of the training coordinator in 2008. Vice Mayor Roberts requested staff get back to tracking employee turnover (Auditor Comment 6).

Commissioner DuBose indicated he resolved his questions directly with Ms. Dorset. He agreed with the comments made on training and felt the Commission should revisit it. Overall, he recognized there are limited resources, but thought the report will result in improvements.

Mayor Seiler was concerned about Finding 6, maintaining complete and accurate records of its employees. He recommended a written procedure and personnel file checklist. Ms. Dorset advised that she has agreed with this finding. In response to Mayor Seiler, the City Auditor advised that at the time of the audit, there was a file in Human Resources and one in the Police Department that could not be located. Mayor

Seiler emphasized the need for a checklist and to maintain a copy of the driver license in all cases. Additional verification is needed for those who are required to drive.

### **III-A – Communications To City Commission and Minutes Circulated For Period Ending December 30, 2009**

#### **Beach Business Improvement District Advisory Committee**

**Motion made by Vice Chair Molinet, seconded by Mr. Oliver,** to let the City Commission know that the BID is in approval of moving forward with re-approving the contract with Wizard Entertainment for Saturday Nite Alive. In a voice vote, the motion carried unanimously.

Both Mayor Seiler and Commissioner Rodstrom were pleased with the event. Mayor Seiler asked staff to inform the committee that this item will be presented to the Commission on January 20.

#### **Community Appearance Board**

**Motion made by Ms. Bindler, seconded by Ms. Walker,** for the Community Appearance Board to form two subcommittees for their Annual Event: a Speaker and Program Subcommittee and a Venue Subcommittee. In a voice vote, the motion carried unanimously.

The City Clerk recalled this was raised previously by Commissioner Rogers and a resolution will be forthcoming. Commissioner Rogers clarified that the board wants to expand their role. Mayor Seiler felt this is something different. Albert Carbon, Director of Public Works, concurred it is different; it would be a separate group. There is an associated cost for minutes and for the event itself. One hundred dollars per meeting hour. In further response, the City Clerk advised that minutes service was bid and that was the price. Kirk Buffington, Director of Procurement Services, believed this item has been bid in the last couple years and at the time there was an extremely limited response. At Mayor Seiler's request, he offered to follow-up with the City Clerk. The City Clerk elaborated upon the current contractors and previous efforts to attract court reporters.

Commissioner Rogers did not want to over-burden staff; he questioned having a venue subcommittee as well as a speaker and program subcommittee. In response to Mayor Seiler, Mr. Carbon agreed to speak with the chair to see about its significance and explain the associated cost.

#### **Census 2010 – Complete Count Committee**

- 1) There was a consensus of the members present** to recommend the City Commission appoint people to the Committee who understand the importance of the Census and are committed and able to

attend the meetings as the present meeting had 4 of 12 members in attendance.

- 2) **There was a consensus of the members present** to transmit to the City Commission the hard-to-reach tracts.

The City Clerk advised that she contacted each member of this committee and impressed upon them the importance of attendance. She noted a miscommunication that has been resolved and commitments of members as to attendance.

Returning to the topic of minutes services, Mr. Buffington indicated it was last bid in 2007. Mayor Seiler asked that there be a review and the Commission be informed. If staff does not believe there will be a benefit, it should not be bid.

In regard to the census, Commissioner DuBose noted a track that is not doing well. He emphasized the financial impact and wanted the awareness level raised by the full Commission. Various suggestions were offered.

Chaz Adams, Acting Director of Public Information, outlined the venues where it is being publicized. Commissioner Rodstrom requested some text that she could include in the District II newsletter. Commissioner DuBose wanted to bring forward the census plan of action at a conference meeting. Mayor Seiler asked that it come back at a conference meeting. In the interim, he asked that a start and an end date be included. Commissioner Rogers questioned if the federal government will provide a status in the various areas. Commissioner DuBose noted that in terms of count, it depends on where an individual is at the time, therefore snowbirds are a factor.

#### Parks, Recreation and Beaches Advisory Board

**Motion made by Mr. Quailey, seconded by Ms. Markus,** to recommend that the City explore any opportunity to acquire American Golf Course for the citizens of Fort Lauderdale so the community can have a public golf course. In a voice vote, the motion carried unanimously.

In response to Mayor Seiler, Phil Thornburg, Director of Parks and Recreation, assumed it would be a 9-hole, par three course which would not be profitable and provided additional information as to the financial status of area public courses in the tri-county area. There is not enough space for an 18-hole course. Vice Mayor Roberts saw the comment centering around Fort Lauderdale being the largest municipality in the county and it has no course where others do, and secondly what will happen to this property. Mr. Thornburg believed that initially the board was concerned about the development itself and then the idea surfaced that it would be nice to have a golf course in the city. Mayor Seiler indicated he has spoken with people on that golf course and their preference is a golf course versus a park. Some discussion ensued as to comments made in the community as to potential condominium development along with a golf course and possible uses. Mayor Seiler asked that inquiry be made as to whether the property is for sale and the Commission be informed, although he did not think the City could afford it.

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

Note: Please see regular meeting item R-03.

**V – City Manager Reports** – None

There being no further business to come before the Commission, the meeting was adjourned at 10:13 P.M.

**EXECUTIVE CLOSED DOOR SESSION WAS HELD AT 10:28 P.M.**

**The City Commission shall meet privately pursuant to Florida Statutes 447.605 regarding collective bargaining.**

**CLOSED DOOR ENDED AT 11:30 P.M.**