

FORT LAUDERDALE CITY COMMISSION CONFERENCE MEETING
FEBRUARY 16, 2010

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CITY COMMISSION CONFERENCE MEETING 1:33 P.M. February 16, 2010

Present: Mayor John P. "Jack" Seiler
Vice Mayor Bruce 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 - Sergeant Dana Swisher

I-A – Centennial Celebration

Congressman Clay Shaw, chair of the Centennial Celebration Committee, introduced chairs of the fact-finding task groups. He encouraged the Commission to offer ideas to the committee. The following fact-finding task group chairs reviewed slides on individual topics. A copy of the slides is attached to these minutes.

Ina Lee, chair of marketing, noted the preliminary marketing plan provided the Commission as part of Commission Agenda Report 10-0207. She elaborated on the credentials and experience of pop artist Charles Fazzino proposed for the centennial pro bono. She displayed artwork he has created for others. Sale of his artwork at his gallery on Las Olas Boulevard will go toward the centennial. Also, there will be a showing of the artwork at the Museum of Art tentatively scheduled for December 9 and he has volunteered to teach students at the museum. She displayed his preliminary poster for the centennial.

The City Attorney indicated the committee is requesting authorization to negotiate a contract with Mr. Fazzino. Ms. Lee explained that he gets a percentage of any of his work sold by the City, but the City may use the artwork as it chooses.

Wingate Payne, chair of legacy, indicated they are trying to encourage others to look forward and leave something behind after the centennial year. There are four programs for which the committee is seeking consensus. She elaborated upon the first: Official Centennial Registry, and presented the printed brochure that was made a part of the record.

Commissioner DuBose asked about the thinking in deciding upon the time frame of 1911-1935 for pioneers. Ms. Payne explained the goal was to find early residents of the city and to keep the timeframe brief, making sure they captured the original builders of the city. It is the first twenty-five years. If more than a hundred are found, all of them will be recognized. Vice Mayor Roberts asked if there is a mail-out planned. Ms. Payne wanted to come to the pre-agenda meetings and mail them for any inquiries received. Ms. Lee indicated it could be put in PDF and will be posted on the website.

Mayor Seiler wanted to challenge citizens to volunteer 100,000 hours over the next year. The committee felt it should be measured as a separate program.

Ms. Payne described the second program: Onesie. Every baby born during the centennial year will be given an official onesie by Broward Health and Holy Cross hospitals. She drew attention to the hospitals' desire for a toy sailboat in the logo instead of the official logo. The hospitals are assuming the cost. There was consensus approval.

Ms. Payne described the third program: Construct Gator Bridge (FEC bridge). The FEC gave cautious encouragement on the idea. Once it is certain that it is possible, the committee would present a financial package and drawings. The Commission liked the idea. Mayor Seiler noted that the price tag will play an important part of the decision.

Ms. Payne described the fourth and last program: Decorative Lighting for 17th Street Causeway. The committee would like to proceed with other governmental agencies.

Commissioner DuBose noted the only concern would be the financial aspect. Mayor Seiler believed it should be solar or some type of cutting edge renewable energy. It could be a positive message to the environmental community.

Donna Mergenhagen, chair of celebrate neighborhoods, indicated the committee is seeking Commission support to expend \$40,000 of the centennial budget to retain a temporary part-time historian. She elaborated upon the justification and need as shown in the commission agenda report and slide. The historian would create a log of all of the information. With respect to the fifty-year mark of the City's history, she noted there is no body of information to consult. The historian would be a bridge to the past, present and future. The committee would like to write an RFP for this consultant.

Commissioner Rogers asked about a coffee table pictorial incorporated into sale of space by businesses and neighborhoods so that it would pay for itself. Ms. Mergenhagen indicated that idea among others were considered, but the viability of sales revenue was determined to be not as great as first thought. It could be revisited. She felt that tying it to this position would hobble the end product that the committee wants from this individual. Former Commissioner Cindi Hutchinson indicated that they looked at the idea and found that they were not profitable. She mentioned Dania Beach and Pompano Beach expending a lot of money and not getting it back because the print cost is so expensive. Ms. Mergenhagen indicated that the Historical Society is willing to provide work space and full access to their archives and a reduced copy costs. They do not have the staff to focus on this project for the next year. In response to Vice Mayor Roberts, Ms. Mergenhagen indicated the end product would be a log and anything more sophisticated would be a separate project. In response to Mayor Seiler, Ms. Mergenhagen indicated the individual would be available to any neighborhood or civic group and the centennial fact-finding task groups that need historical research. She went on to discuss the idea of taking trunk shows to the elementary schools. In response to Commissioner DuBose, Ms. Mergenhagen felt the log should be housed in City Hall. In response to Commissioner Rodstrom, Ms. Mergenhagen advised that Broward County is willing to assist, but not with personnel hours. The same is true with respect to the City's Historic Preservation Board. Commissioner Rogers wanted something that could be sold. He wanted to pursue it by doing an RFP. Ms. Mergenhagen indicated that some people expressed an interest in being the publishers. She agreed to revisit it, including a market assessment. Commissioner DuBose suggested an electronic format. Ms. Lee indicated one of the major challenges of the marketing fact-finding task group is to merchandise the centennial. There are many

ways to use the information. They have just started with this challenge. The request is to secure the information and they will then explore all of the options. Mayor Seiler commented about talented citizens as well as three universities in the city. This fact-finding could be a semester project for the school of urban affairs. He suggested the universities be contacted. Mayor Seiler suggested a show on the history of Fort Lauderdale produced by the Children's Theatre. Ms. Mergenhagen agreed there are many great end products, but the historian is needed in order to get to the end products. Area recognized historians were consulted in drafting the qualifications and responsibilities. Vice Mayor Roberts recognized the request as critical in getting done upfront. Commissioner Rodstrom agreed with Mayor Seiler about having the collection of historical information being a semester project for students. It could be divided and given to multiple universities. The position might then be more for coordinating. Commissioner DuBose felt they should look at experience that the universities have with such a project. Former Commissioner John Aurielus offered to followup with Commissioner Rogers on the publishing of a book that could be sold with a local historian that is an editor and publisher.

IV - City Commission Reports

Black History Month

Commissioner DuBose noted upcoming events relating to Black History Month.

Census Awareness

Commissioner DuBose noted a preparatory tutorial and test have been developed and implemented with volunteers to assist citizens with the census questionnaire. He announced another preparatory tutorial and test will take place this Saturday, Mizell Center. In response to Mayor Seiler, Chaz Adams, Acting Director of Public Information, noted the publicizing taking place for these times.

Sistrunk Boulevard Resurfacing

Commissioner DuBose advised that the recent resurfacing is faulty. Albert Carbon, Director of Public Works, indicated temporary patching was done. After the Sistrunk festival, the contractor will return to complete this work.

Events; District IV

Commissioner Rogers announced upcoming events in District IV.

Super Bowl Activities; Concert on the Beach; Request of Beach Business Improvement District

There was a general discussion on the success of the Super Bowl activities, including no incidents relating to lifting of the prohibition on open containers of alcoholic beverages. Commissioner Rogers noted that the Beach Business Improvement District (BID) has inquired into the possibility of holding such a concert event on the beach quarterly. He felt it should be looked into. Commissioner Rodstrom noted the need to finish the parking lot construction. She asked the City Manager to prepare a wrap-up report for future use.

Undergrounding Utility Lines

Commissioner Rodstrom indicated in her meetings with three homeowner associations, citizens are anxious to get started with undergrounding.

Budget Process

Commissioner Rodstrom indicated feedback at the homeowner association meetings was also concern about getting started with budgeting. Commissioner Rodstrom requested some rough estimates. The City Manager first wanted direction on a form of process. Mayor Seiler requested the City Manager provide a proposed schedule and the City Clerk schedule the schedule along with the topic of zero based budgeting process for the March 2 conference. He asked that the City Auditor be prepared to weigh in and that the Budget Advisory Board Chair or his designee be invited. Commissioner Rodstrom explained using the current approved budget and subtracting the loss in ad valorem of 60%, she would like to know the shortage. At the March 2 meeting, Mayor Seiler asked that there be a discussion on the concept of zero based budgeting, budget calendar and the projected shortfall. The City Manager indicated he could not answer the shortfall question; the number that the City has received from the Property Appraiser is a worst case scenario. At this early stage, he did not think the numbers will make any sense. Commissioner Rodstrom suggested incremental losses such as 5%, 10% and 15% for only property tax. The City Manager indicated he could furnish those figures immediately. Commissioner Rogers pointed out that is only a third of the revenue. Vice Mayor Roberts explained it is understood as a snapshot in time and not complete at this time. He also is receiving the constant inquiries from citizens.

Sunrise Boulevard, Middle River Drive Bridge

Commissioner Rodstrom provided a copy of a letter she received from the Florida Department of Transportation (FDOT), dated February 11, 2010, concerning this bridge and a request for a City response concerning adding aesthetic features. The letter was made a part of the record. Mayor Seiler noted that many people in the area want to see the bridge raised. Peter Partington, City Engineer, provided a verbal status report. He suggested consideration of a resolution in support of raising the bridge. Commissioner Rodstrom recalled there may be some concern on the part of FDOT, but that is separate from the desires of the residents. At Mayor Seiler's request, the City Attorney agreed to schedule a resolution for March 2.

Sunrise Lane Business Improvement Grant

Commissioner Rodstrom reported on the success of this project.

Pine Crest Apartments: Parking (East Broward Boulevard)

In response to Commissioner Rodstrom, the City Attorney indicated at this point no action has occurred. Commissioner Rogers indicated he did not want to stop action on this item from happening. Commissioner Rodstrom asked that this item be scheduled on the March 2 agenda.

Stimulus Projects; Metropolitan Planning Organization

Commissioner Rodstrom noted more time has been made available to submit stimulus projects to the Metropolitan Planning Organization (MPO). She provided information including a list of submittals from all Broward municipalities. For District II, she recommended turtle compliant lighting and safety improvements at 15 Avenue and Sunrise Boulevard be added. She had requested a list of shovel-ready projects and found that staff has no clear definition. She wanted a comprehensive list to send to MPO for funding. Vice Mayor Roberts mentioned there is a debate at the MPO as to whether resurfacing should be included. Many members think only those items that support the 2035 long range transportation plan should be included. Fort Lauderdale is pushing for resurfacing not to be jeopardized. He agreed with Commissioner Rodstrom as to adding projects as they become shovel-ready and to rethink the resurfacing aspect. Commissioner Rodstrom noted the first category is job creation and retention, safety and project need. If a project meets these criteria, then there is a better chance of getting fifty points and having more weight going forward.

In response to the City Manager, Mayor Seiler felt the Commission needs to agree that a project should be added. Vice Mayor Roberts explained that shovel-ready has now become a moving target. Something could become shovel-ready in the time that the bill is extended. Peter Partington, City Engineer, defined shovel-ready as having a contractor onboard, a contract out to bid or 100% design ready to put out to bid. Mayor Seiler requested that as projects become shovel-ready, they be brought to a conference meeting. With respect to 15 Avenue and Sunrise Boulevard, Mr. Partington advised the design is not ready to go. Because of a funding (gas tax) issue, the design could not be completed. Commissioner Rodstrom asked who decided what projects would be deleted from gas tax funding. Albert Carbon, Director of Public Works, advised it is being reviewed now and will be brought back to the Commission. If a project becomes shovel-ready and it cannot be scheduled on a conference, Mayor Seiler asked the information simply be circulated. Commissioner Rogers asked if a grant matrix could be created based on what is available. Kathleen Gunn, Grants and Legislative Affairs, thought such a matrix would be stagnant in a short period of time. Mayor Seiler asked Ms. Gunn to meet with the Commission individually and develop a process.

Vice Mayor Roberts noted his service on a subcommittee of the MPO relative to becoming independent of Broward County. He provided information on bus shelters. He emphasized the need to secure the City's share of this funding. Staff is developing a proposal to submit on design. The City Manager indicated that there is associated maintenance costs. Mr. Partington explained the City has very few shelters and an informal pro bono arrangement with the bus bench vendor. Traditionally the City has never maintained bus shelters. Mayor Seiler requested this item be scheduled for the March 2 conference.

Teen Alliance Coalition; Sale of Drug Paraphernalia

In response to Vice Mayor Roberts, Mayor Seiler suggested this group meet with the Police Legal Advisor as to the legality of their ideas to restrict the retail sale of drug paraphernalia. Commissioner Rodstrom wanted to go as far as legally possible.

Citizen Volunteer Corp

Mayor Seiler complimented these volunteers and noted the success of their recent event.

Events

Mayor Seiler announced upcoming events.

I-B – Recovery Zone Bonds

Kathleen Gunn, Grants and Legislative Affairs, highlighted information in the Commission Agenda Report 10-0270. Lynda Flynn, Acting Director of Finance, reviewed slides on this matter. A copy of the slides is attached to these minutes. She noted the City would consider: Build America Bonds (BAB), Recovery Zone Economic Development Bonds (RZEDB) and Recovery Zone Facility Bonds (RZFB). With respect to the BAB, there is a deadline to secure the 35% rebate of December 31, 2010. With respect to RZFB, Stephen Scott, Economic Development Director, indicated he has been working with his counterparts at Broward County, and suggested the City declare the entire city a recovery zone by ordinance which is what the County and many municipalities have done. A selection process would have to be approved and put into place. Another option would be to use the County's structure, but recommendations would come from the Broward County Selection Committee where the City may have one seat. However, it would be guaranteed that the funding would be spent on City projects. In response to Commissioner DuBose, Frank Hall, Co-Financial Advisor, indicated that the RZFB could be used in a public/private partnership. Albert del Castillo, Bond Counsel, provided insight on the purpose of the RZFB and RZEDB.

Mayor Seiler believed the RZEDB could be used for the courthouse and RZFB for a garage built on private property. The following information was furnished in response to questions raised about the proposed courthouse by Bill Kyriakakis, Broward County Economic Development; Frank Hall, Co-Financial Advisor and Mr. Scott. The County has been designated as a recovery zone and all of the County's \$42 million RZEDB have been reserved for the courthouse, but the final vote to authorize the bonds has not yet been taken. There is no maximum dollar amount per project for use of the RZFB.

In response to Commissioner Rogers, Mr. Scott was not aware of any negative to designating the entire city as a recovery zone. As to demand, he explained that projects have to meet the normal credit review requirements. Essentially entities that can qualify would be able to get more favorable terms. Ms. Gunn noted that the City does not have any obligation to pay back the RZFB, but they are reflected on the City's books as the issuing entity. Mr. Hall advised that a default would not affect the City's credit rating.

Ms. Flynn confirmed for Commissioner DuBose that the timeline for both the RZFB and RZEDB is December 31, 2010. Mr. Scott believed the City could complete the process a month or so earlier than if it joined the County and their projected timeline of August 31.

Mayor Seiler elaborated upon the importance of maintaining the courthouse downtown and its economic impact. If the City is not otherwise using these bonds (RZEDB), they should offer them for the courthouse and join the County, which will ultimately reduce the cost to the taxpayer. In response to Mayor Seiler's question as to other projects

contemplated for these bonds, Ms. Gunn referred to the list of projects shown in the commission agenda report that are in the Capital Improvement Program (CIP) and meet the requirements. Mayor Seiler questioned the fiscal impact if the City proceeded with the listed projects. He thought the courthouse would be a big economic impact downtown. Ms. Flynn pointed out that BAB could also be used for these projects. Kevin Dempsey, RBC Capital Markets, estimated the difference between the BAB and RZEDB for \$8 million would be about \$80,000 annual savings. Commissioner Rodstrom thought the City should be prone to do some projects now based upon the City's credit rating and the BAB would offer savings.

The following responses were provided in reply to the Commission's questions on bond issues. Mr. Hall indicated the interest rate today for the City would be 4.25 to 4.3 percent over thirty years. He did not envision any negative impact to the City's bond rating if they proceed with allocating the City's RZEDB to the County and uses BAB for other projects. Obviously, the structure would impact savings. Ms. Flynn explained that one issue is the length of the issuance; it may not be beneficial to issue a BAB for fifteen years. Mr. Castillo advised that revenue bonds payable from parking revenue and excise taxes have been used in the past for parking facilities. The rate depends on the structure of the issuance and the credit rating of the specific enterprise. Richard Montalbano, RBC Capital Markets, explained the taxable market sees larger transactions as more attractive.

Mayor Seiler and Commissioner Rodstrom felt that it should be publicized that these bonds are available for parking garage developers. In response to the City Manager, Mayor Seiler did not think the City should do anything with respect to a parking garage until the County is finished. Commissioner Rogers did not favor joining the County process for the RZFB. With respect to designating the entire city as a recovery zone, the City Manager did not think it would preclude the Commission from focusing on parking garages for example. In response to Vice Mayor Roberts, Mr. Scott was not aware of any specific business interested in the RZFB. He went on to explain the process would be to advertise. Commissioner Rogers wanted to capitalize on demonstrating that the City can help businesses. Mayor Seiler pointed out the imposed timeline and that he would not favor doing multiple small projects that do not have any impact. Commissioner Rogers wanted to pursue finding out the interest. Mr. Castillo cautioned that even though the City is not responsible for repayment, it should not be known as an issuer of debt that does not get repaid. There should be strict qualifying parameters. Ms. Gunn understood that the bank also have to deem a business credit worthy because the issuance would be through a bank. Mr. Castillo noted besides such a privately placed deal, but there is also a public offering option. Commissioner Rodstrom emphasized it should be specified upfront that there are strict guidelines to attract qualified applicants. Mr. Castillo confirmed for the City Auditor that the bonds could be used for privately constructed projects on City owned property, such as the Executive Airport.

There was consensus approval to use the \$8 million (RZEDB) for the courthouse. The process for RZFB (\$12 million) would be retained by the City. A list of projects needs to be gathered and availability of these bonds publicized, noting that facilities around the courthouse would be helpful. The Downtown Development Authority should be informed. Commissioner Rodstrom wanted all possible avenues, including other municipalities, to be pursued with respect to the courthouse.

Ms. Flynn advised that the water and sewer bond issuance on the evening regular meeting agenda, item R-01 is a fourth installment of a series for WaterWorks 2011. In order to change the methodology from competitive to negotiated, the initial resolution would have to be amended. Because of the necessary amendments, it would almost be impossible to change. Mr. Castillo clarified amendments would be required for BAB. The methodology has nothing to do with the master bond resolution. In response to Commissioner Rodstrom, Mr. Castillo advised that the bonds being considered at the regular meeting could be sold on a negotiated basis, however they are set to be sold on a competitive basis which has been the case very successfully for the three previous issues. Commissioner Rodstrom referred to South Broward Hospital District's bond issue where Mr. Castillo was involved. They reaped a savings with a negotiated method. She wanted to know if the same could be done for these bonds. Mr. Castillo advised that most bonds are issued on a negotiated basis. Commissioner Rodstrom felt BAB should be done on a negotiated basis and the City should develop a project list sooner than later in order to meet the deadline. In further response, Mr. Castillo advised that the City has been successful with competitive issues, but for the right structure and context, the City may want to consider a negotiated method. He anticipated that the issue before the Commission this evening would be competitive as that has been the case in the three previous issues. For BAB going forward, the City may wish to put an underwriting working group in place to be prepared if they decide upon a negotiated method. Mr. Hall advised that for the last fifteen to twenty years the City has used the competitive method with the exception of perhaps three. Typically the negotiated method is used when the debt is not secured. Examples are unique or new revenue streams. In Fort Lauderdale, the financing has been straight forward. Commissioner Rodstrom noted the market is different now. She believed a negotiated approach could produce a savings. Mr. Castillo indicated that he has heard both approaches advocated. Commissioner Rodstrom raised the idea of a retail order period) which resulted in a savings of millions to the South Broward Hospital District. She asked about the issue on this evening's agenda. The City Manager advised that staff's recommendation concerning this evening's item stands. Mr. Hall indicated the working group assigned to this matter has discussed the question of negotiated versus competitive and believes that competitive is the correct route at this time. He agreed with Mr. Castillo to put an underwriting working group together for the future. One issue has been the time needed to put such a working group in place. Commissioner Rodstrom agreed, considering that Broward County, the School Board and the Hospital District all do negotiated sales. Mr. Castillo indicated the City has been comfortable with a competitive method and has secured very good financing deals. He recognized it could change and agreed the market has changed. Commissioner Rogers thought there is still a large appetite for bonds with this rating and asked if that is correct. Mr. Hall indicated this was a key point with the working group. At the Mayor's request, he listed the working group. Albert Carbon, Director of Public Works, explained that CH2MHill is part of the program management for WaterWorks 2011. They hired Charlie Francher to help put together the financial study which is part of the information provided with this evening's item. Bond Counsel and the Financial Advisor lead the working group. Mayor Seiler pointed out if a private entity is part of the working group, the City does not know its relationship with other private entities that might participate in the bond market. He was concerned with CH2MHill being involved in any financing decision as they may have deals with other entities that are not subject to disclosure. The City Attorney explained that CH2MHill is the consultant managing the project; they are not in the decision-making process in terms of how the bonds are marketed or funded.

In response to Commissioner Rodstrom, Ms. Flynn indicated that the Commission voted on retention of Davenport & Company as Co-Financial Advisor; they do not have a Florida office. Commissioner Rodstrom raised questions concerning selection of the financial advisor. Ms. Flynn did not have on-hand the list of responders to the financial advisor solicitation, but offered to find out if Public Financial Management, Inc., who prepared the overview for this item, had responded at the time and when the City will seek selection of a financial advisor again. Commissioner Rodstrom pointed out that Public Financial Management (PFM) is ranked number one in the field. Ms. Flynn advised that PFM is the City's investment manager.

Richard Montalbano, RBC Capital Markets, advised that the City AA credit rating in today's market should do very well in a competitive approach. The legislation for BAB has been extended; next year it will be 28%. Mayor Seiler requested more information about BAB being competitively bid versus negotiated. Mr. Montalbano advised that almost 90% of BAB have been done on a negotiated basis and went on to elaborate upon particulars including educating the buyers and what can be expected in the future. The City should look at BAB for projects going forward. There is no maximum. Julie Santamaria, RBC Capital Markets noted that they are one of the only underwriting firms that has been meeting with the City in the past year or so because the City only does competitive sales. Bankers do not get paid on competitive sales and for bringing savings ideas forward. Mr. Hall clarified that he has met with a number of firms although RBC has devoted more time and at Commissioner Rodstrom's inquiry, he noted two others.

Mayor Seiler asked for more clarity on the noted possible \$700,000 savings. Ms. Flynn indicated it is hypothetical and elaborated upon the thinking. Ms. Santamaria advised that RBC updated their numbers; it does show a seventy basis point differential. She discussed Jacksonville Electric Authority bond issue savings using BAB as an example. Mr. Dempsey added that Jacksonville Electric Authority is a water and sewer provider for the City of Jacksonville and has a lower rating than Fort Lauderdale. He felt Fort Lauderdale could do even better. Mr. Castillo pointed out that the master water and sewer resolution would need to be amended in order to achieve these benefits. However, BAB for other projects could start fresh along these lines. Mayor Seiler concluded an underwriting working group needs to be put together so that the City would be prepared for either competitive or negotiated.

Commissioner Rodstrom questioned why this was not brought forward earlier in that BAB have been available for a year. Mr. Castillo explained that the City's master resolution is so unique in terms of securing the consent of the majority of the \$325 million bondholders. City representatives such as the financial advisor, investment banker, bond counsel or any number of people could be designated to bring the change to the attention of the bondholders. Mr. Hall explained that working team considered BAB as far back as a year and they recognized potential savings, but the issue all along was whether the covenants of the resolution would ever allow it. Mayor Seiler wanted to know what is being done to protect the City against this restriction in the future and whether the issuance on this evening's agenda is further tying the City's hands. Mr. Castillo indicated that documentation would be drafted for future financing to incorporate a BAB option. It was pointed out in conversation that BAB are new. In response to Commissioner Rodstrom, Mr. Castillo indicated that he wrote the master resolution. A brief discussion followed as to protection in the City's current bond provisions that other entities do not have. The City Manager noted historically commissions have taken the

conservative approach of competition. The City Auditor questioned if there is enough remaining water and sewer bond issuance needed that might make it worthwhile to attempt getting a majority of the bondholders to consent to a change. Mr. Carbon advised there is one remaining issuance of \$80 million according to the feasibility report. Mr. Castillo explained what would be necessary. Research would have to be done to assure the current rates could withstand a taxable bond issue until the requisite number of bondholders' consents could be achieved.

Mayor Seiler wanted the working group to develop a recommendation assembling an underwriting (negotiating) team and a competitively bid team. It was noted this would be done by RFP.

EXECUTIVE CLOSED DOOR SESSION WAS HELD AT 4:43 P.M.

The City Commission shall meet privately pursuant to Florida Statutes 768.28 regarding the following: Catherine Costabel Claim VA GL 08-673

CLOSED DOOR ENDED AT 4:50 P.M.

The Walter Hinton, et al. vs. City of Fort Lauderdale; (Lincoln Park/Durrs Neighborhood); Case 07-30358.04 closed door item was deferred and will be rescheduled to March 2, 2010.

I-C – Homeless

Cate McCaffrey, Director of Business Enterprises, noted the Commission's previous direction and what is before the Commission today detailed in Commission Agenda Report 10-0249.

Mayor Seiler opened the floor for public comment.

Burnadette Norris-Weeks, 401 NW 7 Avenue, noted her involvement in homeless efforts. She is also a member of the Midtown Business Association and a business owner. She was opposed to the proposed NW 6 Avenue location as she felt it would disproportionately impact District III. She wanted the City to continue to look at other possible locations and make use of Broward County's task force (Homeless Initiative Partnership) for feedback. In response to Mayor Seiler, she did not have any specific location to suggested but agreed that multiple locations might be advisable. Mayor Seiler outlined how he sees the goal from the City's standpoint. In response to Commissioner Rodstrom, Ms. McCaffrey advised that the County's task force has requested an update from the City which is scheduled on their February 25 agenda. The City has been in close contact with them.

Alan Hooper, a member of City's homeless task force, noted he is a former member of the Downtown Development Authority (DDA) and a businessman. The DDA reached a consensus support of the site found by the City (NW 6 Avenue). He emphasized that the task force looked everywhere. He elaborated upon the advantages of the proposed site and stressed the need to address this issue that is currently impacting the entire city at a time when property values are at stake.

Steve Lucas, member of City's homeless task force, indicated the task force looked at warehouse areas as they were deemed to have the least impact on residential areas, which are near State Road 84 and Lester's Diner, Tarpon River near Publix and Progresso. He outlined the site features that they evaluated. He explained that a contract was secured for the site in order to prevent the price from escalating. There is a 90-day clause for due diligence, therefore it does not have to proceed.

Denny O'Shea, Stiles Corporation, and a member of the Downtown Development Authority, emphasized the need for site and to enforce the City's ordinance concerning City parks. He thought it made sense to find a site near the County facility. The DDA came to consensus support of the proposed location.

Genia Ellis stated she is a member of the City's homeless task force, the Women's Club and Riverwalk Trust. She noted the original Commission direct was to find a location in the near downtown area to address feeding. Other things have come about along the way. Certain services are a County responsibility. The proposed location is the best one they could find. There has not been direction to find multiple sites. The task force wants to move forward and get started with its first site. She emphasized the need.

Dennis Ulmer, 1007 NW 11 Place, noted when the current homeless assistance center was established, no neighborhood wanted it. The City formed a committee at the time to look after activities of the center, but it has not met in years. He elaborated upon conditions imposed at the time, including no feeding, expansion or other social services. In response to Mayor Seiler and Commissioner Rodstrom, Mr. Ulmer suggested the industrial area near North Broward Hospital and agreed more than one site is needed. Frances Esposito, Broward Partnership for Homeless, advised that there is no prohibition on expansion if property is acquired.

Frances Esposito, Broward Partnership for Homeless (Broward Partnership), indicated she has been part of the City's task force and would like to solve this issue with the support of the business community. Broward Partnership's board of directors is not aware of the contract for purchase of the NW 6 Avenue site. She was concerned about perceived adverse impact. She pointed out the issues that will have to be addressed with a feeding center. In response to Mayor Seiler, Ms. Esposito suggested multiple sites and using the first site as a six-month pilot.

Doug Sterner, president of Progresso Village Civic Association, indicated that their concerns on this issue continue to grow. The neighborhood supports the concept that of a designated site and have been agreeable to a site in Progresso Village. They do not see any real effort to share the burden. They were told it would be temporary and that no services would be provided contrary to the commission agenda report. The report also does not mention any consultation with the neighborhood. Before committing to anything, there needs to be more information made available; specifically a feeding schedule. If there are feedings three times a day, seven days a week, there will be a permanent homeless population in Progresso Village which they would like to avoid.

Ron Centamore, resident of Progresso Village and member of the civic association, indicated he is also a member of the City's homeless task force, a downtown business owner and member of the Downtown Civic Association, was also concerned about the permanency of a facility and the frequency of feedings. Some controls are needed. He opposed providing services at this location. There should be an officer posted during the

feedings. It should be closed when the feeding is completed. It must stay in the warehouse district. There should be multiple sites. He mentioned State Road 84 behind Lester's Diner and the west side of Andrews Avenue.

Bud Bentley, 1240 SE 13 Terrace, indicated he is on the Riverwalk Trust Board of Directors and the City Budget Advisory Board. He was concerned about the City embarking on a program that is not budgeted and future expenditures are unlimited. He did not think that feeding and referral services have to be combined. By establishing one site, the homeless population is being given an incentive to move to a specific area. He did not think they would move back on a daily basis. Food should be provided in the areas where they are currently located. Referral service is currently being addressed and referral service does not actually get service for people. Existing service providers all have waiting lists. He asked what would be the response if the faith-based community has one hundred meals and there are two hundred people. He recalled the City's previous experience in assisting the homeless across the street from City Hall. He felt that people throughout the county could be referred to Fort Lauderdale. As to where feeding could take place, he noted a pump station with a concrete pad in his neighborhood. He recommended the number of entities providing food, the number of meals that can be provided, be regulated. Commissioner Rodstrom agreed that without regulation of the number of meals, people will be attracted from other cities.

Pamela Adams, 425 NW 23 Avenue, was opposed to a single site and to situating it in the northwest. She pointed out that the City has spent years trying to revitalize the northwest and this would undermine that effort. She recognized there is a problem but felt it needs to be addressed community-wide. She was not convinced that everyone from various locations would all move to one new site nor that the City could stop feeding in other locations. The northwest area is already over-burdened with social service programs.

Sheryl Dickey, 1033 NW 6 Street, indicated she is a member of Midtown Business Association and is in the process of building on Sistrunk Boulevard. The northwest area is over-burdened with social service programs. She agreed with Mr. Bentley that there is no need for duplicative services. She questioned the City having a budgetary resource for this. She agreed there should be multiple sites. She felt the City should depend more on the faith-based community.

Greg Pentecost, 1532 NW 4 Avenue, indicated he is a resident of South Middle River. He went on to list the social services in the neighborhood. He was opposed to centralization.

Police Officer Sandy Downs, Homeless Outreach, indicated that she has worked with the City's homeless task force. The bottom line is that it will not be possible to move the homeless out of the parks without a feeding location. Referral service is not needed because it is provided at the outreach pickup point. In response to Commissioner Rogers, Officer Downs indicated that the outreach pickup point is by the tree in the three hundred block of NW 1 Avenue. They see 42-62 people daily. Some are repeats because shelters are full. She explained that the homeless already move around the City for feedings. In response to Mayor Seiler, Officer Downs estimated there are currently 2,800 homeless in the City. She has not noticed a seasonal fluctuation. The City Manager noted that Officer Downs is not speaking for the staff. He did not believe that a referral service operating under a tree is a good way to do business. Many people

are turned away. Vice Mayor Roberts believed this information shows the level of task faced daily and that there are services, but they are overwhelmed. Ms. Esposito pointed out that the number of people for such a program is not just the homeless, but also the working poor.

Richard Courtney, a member of the City's homeless task force, pointed out that the outreach teams in Broward County are currently using 100% of all available facilities. Three thousand new homeless people were identified in 2009. Since the recession began in 2007, there has been a two hundred percent increase in seeing people on the street. There were fifteen thousand in 2009. He discussed feeding facilities in Hollywood, Pompano Beach and Lauderhill and their problems. They rarely encounter someone who says they are starving. He pointed out that feeding programs also feed the near-homeless. In response to Mayor Seiler, Mr. Courtney estimated the mentioned feeding facilities are serving one hundred to one hundred fifty per meal. For the City's previous program years ago commonly referred to as tent city, he estimated they feed the four hundred who slept there plus another one hundred fifty.

Note: The City Commission recessed at 5:50 p.m. and returned to the conference meeting agenda, item I-C, at 6:35 p.m., in the Chambers on the first floor of City Hall.

There was no one else wishing to speak.

Commissioner Rodstrom agreed with one site, it would place too much of a burden on one area. She thought this was intended to be temporary throughout the city and feeding only. There is no budget for the proposal. She wanted to encourage the faith-based community to continue to help. She felt there needs to be more discussion. The entire city needs to make a commitment.

Commissioner Rogers felt it is clear that something has to be done and it should be sooner than later. He believed there should be multiple sites and they not impact residential areas, which limits sites to a warehouse district. He believed the faith-based community is willing to coordinate their feeding efforts instead of randomly. He felt the proposed site meets the criteria but there may be concerns about the size. He thought it could be retrofitted without a great expense. Because this is a first step, he wanted to lease. Grant funding may be available for purchase of property in the future if that is the ultimate course.

Commissioner DuBose thought the task force was formed to see what could be done as a city. It appears the homeless issue is not being addressed, but rather the homeless population is being shifted. He agreed there should be multiple locations. It is a not in my backyard mindset. The northwest's backyard is full in terms of all of the issues raised today. There are already situations in the northwest similar to what exists in the downtown. He felt it would be counter-productive to bring the homeless into an area where there is drug activity. With a central location, there will be more than the homeless, but also people from other cities and the working poor.

Vice Mayor Roberts pointed out that the discussion started from there being an overrun of people being fed in the parks. He recalled the City's previous effort to locate a site in the vicinity of the executive airport, but it was struck down by the court. Facilities must be in an area near the population it serves. Social services seem to be situated by the core downtown and the hospital district. The jail is downtown and when people are

released, they are back in the downtown. He agreed multiple sites are needed. It needs to be addressed soon because it is having a negative impact on quality of life and the business community. He visited sites on staff's chart. There are a couple that would be at least 1,500 square feet and in a warehouse district that could be examined. Clearly there are not enough services to deal with the homeless. He wanted to stay focused on freeing up the parks.

Mayor Seiler was surprised as the number of homeless estimated in the City. In addition to feeding the homeless, he felt they will be feeding the near homeless. Perhaps the City does not have the ability to conduct assessments at the same location as the feeding. He acknowledged that discussion with Progresso Village centered out a temporary site. He wanted to establish three temporary sites, north, south and near downtown, and wanted to lease. The City Attorney advised that the court did not indicate a specific range, but rather that it should be near the population that is being served. Mayor Seiler agreed this should not be put upon the northwest. He also did not want to attract homeless from other areas.

Commissioner Rogers raised the issue of the need to make assessments and mentioned the idea of a mobile approach was raised by a member of the faith-based community. He offered to follow-up on that idea. He referred to the City's previous efforts and the need to look forward in trying to have new solutions. He emphasized that some first steps be taken.

In response to Mayor Seiler's suggestion of a rotation approach, Vice Mayor Roberts pointed out that the court has indicated that specific places must be designated for feeding in order to establish the desired prohibitions. Commissioner Rodstrom indicated if temporary sites are the consensus, she did not want the northwest to be first. Mayor Seiler indicated that he was not aware of the promises made to the neighborhood when the County's homeless assistance center was established. Ms. McCaffrey advised that the proposal for a facility next door is in direct contradiction to those promises. Commissioner Rodstrom wanted a clear understanding of those commitments before proceeding. Commissioner Rogers noted a restriction on the homeless assistance center with respect to child care was recently relaxed. The City has to find a way to replicate what that center has been successful in achieving. Mayor Seiler pointed out this is a totally different approach. In response to Mayor Seiler, Ms. McCaffrey advised that the County has not offered any assistance or endorsement, but simply to support the City. In further response, the City Attorney was not certain that one location would stand muster and for temporary sites, the prohibition would have to be just as temporary. He did not know what the court would say about a rotation of sites with a definite time schedule. In response to Commissioner Rodstrom, Ms. McCaffrey advised that staff is meeting with representatives from Hollywood this week and they have met with more than the one County representative on the task force. Mayor Seiler elaborated upon Hollywood's problems with their feeding center. Vice Mayor Roberts emphasized the location has to service Fort Lauderdale's population. Commissioner Rodstrom thought if other cities address the problem there would be less influx to Fort Lauderdale. Ms. McCaffrey noted the two-mile radius shown on the map provided the Commission (Exhibit 2) was simply to provide an idea of what is near the downtown. Considering the court case and the homeless population, she questioned if the boundaries should be extended south of Davie Boulevard. She questioned if two centers would be operating simultaneously and for what period of time, all of which would impact a lease. She went on to clarify that referral services was raised in some of the early Commission

discussions and explained what they envisioned to encompass the term of referral, different than what is currently happening under the tree in the three hundred block of NW 1 Avenue. In response to Vice Mayor Roberts, Ms. McCaffrey acknowledged it would be wise to reach out to social service facilities for possible sites now that the focus has changed but she has not received much response to her calls. Mayor Seiler noted he raised the issue of an assessment because feeding the homeless is not actually tackling the problem. Ms. McCaffrey commented that an assessment can be intensive, but in those cases where an individual can articulate that he or she has a certain problem, they could be directed. The City Manager commented that in discussions with the clergy of the largest churches in the city, there seemed to be consensus if there was agreement on a location, they were committed to dealing with the operation on their own. He went on to elaborate upon why the homeless assistance center is successful being that it is self-contained. There has never been a political consensus for a City facility location. A mobile approach was considered, but the clergy thought that a facility would be best, however services needed to be kept inside. He emphasized the need and the deficiencies with operating under a tree. He advocated a mobile unit and a facility. Many people with whom the City interacts are able to get onto a better life, but others are missed because of the lack of service. He agreed that simply an area for feeding does not solve the problem. Also once a feeding area is known, more and more people will come. He preferred a larger building where services could be self-contained and to get a real commitment from the clergy to operate the facility. He believed the faith-based community is willing to take this project. A commitment was secured from most of the social service agencies to provide people on a once a week to staff a mobile unit. It should not be a small building and simply a handing out of sandwiches. Mayor Seiler agreed the proposed building is less than 1,500 square foot building and insufficient to be self-contained. Vice Mayor Roberts concurred and went on to say there are other negatives about it. Commissioner Rogers also concurred that 200-300 people could not be serviced, however it might be usable if there were other sites.

Commissioner Rodstrom questioned whether there would be enough volunteers over the long run and whether they are prepared for the intensity of the task. Further, there needs to be some form of oversight, which she imagined would be a paid position. She wanted more information on the process. The City Manager outlined the original concept to work with the faith-based community and the social service agencies for a one-stop shop referral service to get the homeless off the streets and through the network in the most efficient way possible without activity on the exterior. There are already homeless outreach officers doing some of this work. Staff was not supportive of the feeding concept. Because the faith-based community wants to do their ministry, staff's first option was not to be in charge of operations. At some point, it morphed into simply feeding. A feeding program will not get people off the streets or out of the parks. Vice Mayor Roberts questioned whether this could happen because the social services are at capacity. He reiterated his belief that the City does not have the ability and where-with-all to accomplish a macro version. He questioned where the people go at the end of the day. The City Manager felt this would show definitively whether the services are available, and if not, the question needs to be posed to those responsible of what is being done about it. Vice Mayor Roberts continued to question being able to accomplish this. Commissioner Rogers cautioned against discounting the support of the faith-based community. He stressed the importance of getting to point one. He felt the City has to take a step.

Mayor Seiler requested a meeting be set with the faith-based community representatives to find out their level of commitment and the extent of their ability to provide referral service. He envisioned there would be multiple sites operating simultaneously.

Mayor Seiler confirmed for Commissioner DuBose that the goal is to prohibit feeding in the parks. Commissioner DuBose pointed out that the parks are not the only place where feeding is taking place. He elaborated upon the magnitude of the issue. Ms. McCaffrey believed the main objective has been to address feeding in the parks and the downtown. She along with Mayor Seiler agreed about the size and complexity of the issue.

The City Auditor commented about the Salvation Army's mobile approach in Des Moines, Iowa, which eliminates many of the problems highlighted in this discussion and feeds seven hundred every day.

Mayor Seiler asked that the seller of the proposed site be asked to not take any action until he meets with the faith-based community and that staff continue to look for other larger sites to the north and south.

I-D – South Andrews Avenue Master Plan and Development Guide

Greg Brewton, Director of Planning and Zoning, indicated this is being provided as an update for the newly seated Commission. With no objections, staff will proceed. He responded to Commissioner Rodstrom's question for the delay, having to do with some disagreement by the South Andrews Business Association (SABA). Everyone is now on the same page. There was no objection.

I-E – Undergrounding Utility Lines – Special Assessment Program

Having had an overview previously, the Commission elected not to receive another.

In response to Commissioner Rodstrom, Peter Partington, City Engineer, advised that some citizen suggestions have been incorporated. He believed that once adopted, the ordinance would stand as it is written. Vice Mayor Roberts wanted clarity about the percentage of buy-in required in order to receive the 25% discount. Mr. Partington outlined what is required to initiate the process, including a petition signed by 66% of the parcel owners of the defined area. The assessment would apply to everyone and would be imposed by the Commission at a public hearing. The ordinance is silent as to a percentage approval at the assessment public hearing stage. Mayor Seiler recalled previous discussion and pointed out abstentions are counted as a no vote. Assistant City Attorney Bob Dunckel advised if there is one individual that refuses, the 25% discount is lost. Nevertheless that individual would still be assessed. The City Attorney clarified that there are two elements to the assessment, which he detailed and noted that both are required in order to receive the 25% discount. The Assistant City Attorney advised there is no discount offered by AT&T or Comcast, but they will also be underground. In response to Commissioner Rogers, Mr. Partington offered more explanation on the mechanics of the process including that a guesstimate of the cost will be provided by staff for circulating of the petition.

Commissioner Rogers was concerned about the accuracy of the guesstimate and asked about a test case. Mr. Partington advised at the assessment hearing there will be 100%

design and a not to exceed number. As to equity for different types of properties, Albert Carbon, Director of Public Works, advised that would be the responsibility of an appraiser that would be hired.

Commissioner Rogers asked consideration has been given to a test case. Mr. Partington advised no and noted that the City has extensive experience with assessments for other purposes. The Commission could direct that only one or two projects first. In support of a test case, Commissioner Rogers noted the diversity of conditions in any given area. In further response, Mr. Carbon advised that the upfront costs have not been budgeted in the current year. He understood that an FPL approved contractor must be used, but wanted to confirm. It could be done as a bid. The nature of the work does not lend itself to a design – build contract. The utilities actually do the design.

Commissioner Rodstrom emphasized that the estimate that will be provided on the petition needs to be as close as possible to the actual cost. She wanted to show on the petition the yearly cost to a resident. Mr. Carbon indicated the estimate will be conservative and consequently high because the amount cannot be increased during the assessment portion of the process. Commissioner Rodstrom agreed. Mr. Dunkel advised if the price is 5% higher than the preliminary estimate, the petition process is repeated.

In response to Mayor Seiler, the City Attorney if there is consensus approval today, it will be ready for a vote in the next two meetings. The initial demonstration of support percentage of residents agreeing may be amended at either readings of the ordinance.

Commissioner Rogers had concerns about proceeding with an ordinance without having a process in place as to who is first and nothing has been budgeted. Mayor Seiler disagreed. Commissioner Rodstrom indicated during the budget process she had asked for money to be budgeted. She recalled some previous discussion on cost.

Mayor Seiler opened the floor for public comment.

Mary Fertig, Idlewyld Improvement Association, requested that the 66% initial demonstration of support of residents agreeing be lowered. She felt there are many safeguards in place. The Idlewyld board requested 51%. She did not see any particular period of time for the percentage to be reached. She suggested six months. Mayor Seiler suggested 180 days and all record property owners when submitted to avoid problems with people moving out of the area. Mr. Carbon advised that the FPL estimate is only good for six months. He suggested 45-60 days.

John Lehr, representing Florida Power and Light Company, explained that the binding cost estimate starts the 180-day window, however, the ballpark estimate is related to the 66% stage (initial demonstration of support) and there is no commitment from FPL to have it done within 180 days after that.

Mayor Seiler asked and received no objection to 180 days for the initial demonstration of support from AT&T representatives in the audience.

There was consensus approval as presented with the one amendment of 180 days for submittal of petitions showing 66% owner support.

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

There was no objection.

II-A – Citizens Committee of Recognition – 2010 Recommendations – Distinguished Citizen, Citizen of the Year, Honored Founder, Exemplary Former City Employee

Genia Ellis, Citizens Committee of Recognition, noted the recommendations contained in Commission Agenda Report 10-0224. There was no objection.

The City Clerk noted the recognition ceremony is to take place on April 20, a 11:30 a.m. in the Chambers.

II-B – 2010-2015 HUD Consolidated Plan Programs – Community Development Block Grant, Home Investment Partnership, Emergency Shelter Grant and Housing Opportunities for Persons with AIDS

Jonathan Brown, Housing and Community Development Manager, sought Commission input on types of programs to be included.

In response to Mayor Seiler, Mr. Brown enumerated what the City provides for the issue of homelessness. Referring to previous discussion on this topic (Item I-C), he noted such items are eligible under the Community Development Block Grant Program (CDBG). There is a 15% cap. Mayor Seiler wanted to keep that option open. Mr. Brown advised that the funding is generally provided as a reimbursement. He confirmed for Mayor Seiler that funding could be used for a facility. In response to Commissioner DuBose, Mr. Brown noted if the 15% was used for a building for a homeless program, there would not be any funds left for any public service programs. He was not aware of any other resources to fund other homeless prevention programs. Commissioner DuBose was concerned that without attention to those programs, more homelessness could essentially occur. In further response, Mr. Brown noted the City annually receives about \$90,000 in emergency shelter grant funds which is provided to the Homeless Assistance Center and Broward County's Homeless Prevention Program. The flexibility is limited.

Commissioner Rogers asked Mr. Brown to make use of a survey being conducted by the Chamber of Commerce for the proposed Small Business Assistance Program.

In response to Commissioner Rogers, Mr. Brown advised that the Step-Up Program would fall under CDBG's Neighborhood Revitalization Strategy Area. The City has a designated neighborhood revitalization strategy area and as a result HUD allows the 15% service cap to be exceeded. The services have to be provided in specific areas which the City has designated. They also have to be approved by HUD. Step-Up was not funded in 2009-2010 because at the time the application was received, they were not recognized by HUD as a community based development organization and the City still \$250,000 from the previous year waiting for such designation. Commissioner Rogers emphasized that the City should be working closely with the Housing Authority. He referred to the vacant lots being escheated to the City and commented that a land trust

with the Step-up Program could fit into an affordable housing program where a long-term strategy is needed. Mr. Brown pointed out that although the \$250,000 was not authorized, \$600,000 was granted for the Housing Authority's Community Housing Development Organization, Housing Enterprises, which was not provided last year. Step-Up's designation problems with HUD have been resolved.

Mr. Brown referred to the Community Services Board's recommended changes to the public services portion of the CDBG program previously brought to the Commission. To follow-up, he noted the changes do not eliminate or impact any of the current organizations. The board also recommended certain funding conditions, which he highlighted. The Commission had concerns about 1) preference given to first-time applicants and 2) agencies not receiving consecutive year funding.

Mayor Seiler opened the floor for public comment.

P. J. Espinal, vice-chair of the Community Services Board, indicated that the board is unanimous in its thinking on this topic. With regard to agencies not receiving funding in four consecutive years, she explained the board has realized that some agencies use the funding as an ongoing funding source, which they did not believe is the goal of this funding. According to HUD, this funding is to be used as seed money to get organizations off the ground. Mayor Seiler explained the Commission's concern has to do with funding a start-up agency that may not be efficient or cost-effective when there is another agency that has demonstrated it operates efficiently and cost-effectively. Ms. Espinal noted the agency could come back in the future. Secondly, the board would not approve an agency that has not proven itself. Historically there has always been multiple applications for each category. If there was a single application in a category and the applicant was not qualified, the money would be disbursed to other programs. It would be very unlikely because of all of the vetting before applications reach the Community Services Board level. More discussion ensued between Mayor Seiler and Ms. Espinal on the point raised by Mayor Seiler and the board's position. Ms. Espinal added that the board wants to make sure that there is wide coverage of the city in use of the funding. Mayor Seiler wanted to make sure that the board maintains flexibility. In response to the City Auditor, Ms. Espinal clarified her comment was about a HUD philosophy. Commissioner Rogers agreed with Mayor Seiler that care should be taken to not disincentive a good agency. He also agreed that this funding should not be an agency's lifeline, but felt that is probably addressed with other criteria such as overall budget strength. He thought an extra point in the ranking for being new is different than preference. Ms. Espinal referred to the Neighborhood Capital Improvement Program. She believed they give a closer look to applicants that have not previously received funding, but she was not sure if preference terminology is used. Commissioner DuBose understood the board's thinking. He pointed out that it may not necessarily be a small agency; it could be a large agency that has not previously serviced the City. Sometimes large agencies address a segment in the forefront and not those in the shadows. Another agency could capture that segment. In response to Commissioner DuBose, Ms. Espinal commented that agencies change their name and reapply. The terminology of agencies instead of programs was chosen carefully. She noted that this point was discussed at length by the board; the proposed language is based on the board's experience. Vice Mayor Roberts asked if Category 6, Other Programs, provides the needed latitude without the four consecutive year criteria. Ms. Espinal emphasized it is about being a completely new program. Mr. Brown explained how Category 6 has historically been used. Vice Mayor Roberts was uncomfortable with the four-year

condition. Ms. Espinal explained that the board does not want to see money going to the same organizations over and over; small, great agencies are being by-passed and elaborated upon the philosophy behind such decision.

In response to Mayor Seiler, Ms. Espinal advised there is \$220,000 in funding and the maximum to any single agency is \$50,000.

Commissioner Rogers thought this condition would encourage agencies to change their name in the fifth year. Both Ms. Espinal and Commissioner DuBose did not think that would occur.

In response to Commissioner Rodstrom, Ms. Espinal advised that the application process provides that if an agency cannot survive without the City's funding, it should look elsewhere.

There was no objection to a one-year test. Mr. Brown noted this is for CDBG funding beginning October 1, 2010 through September 30, 2011.

In response to Commissioner Rogers, Mr. Brown noted the application scoring has already been adjusted.

Ray Diaz, vice president of Broward House, was deeply concerned with staff's ideas with respect to Special Needs Housing Assistance. He referred to Commission discussion about three months ago when two decisions were made. One had to do with the daily rate of \$100 for adult living facility. Direction was given for staff and the organizations to work together, however, this has not occurred. Moving to a cost reimbursement method challenges the daily rate method. He did not see the necessity for this change. He urged the Commission to direct staff to discuss these ideas with the providers. Commissioner DuBose thought there would be opportunity for discussion according to the processing schedule provided with Commission Agenda Report 10-0253 for this item. Greg Brewton, Director of Planning and Zoning, took exception to these comments; it seems that the agency is objecting to staff bringing ideas to the Commission prior to going to the public. These ideas will be vetted in the public forum at a future date and then brought to the Commission for a decision.

In response to Commissioner Rodstrom, Mr. Brewton explained this is the first step of bringing to the Commission's attention that there will be public meetings, staff will be meeting with the agencies, notices will be sent to all of the providers. Quarterly meetings are held. The next meeting is in March. Vice Mayor Roberts was comfortable with staff's position. He believed they will be working with the agencies. He noted the series of meetings where there will be time for input. He emphasized that the Commission charged staff with making sure every detail is addressed in order to correct past issues. Part of that charge may include unpopular recommendations.

III-A – Communications to City Commission and Minutes Circulated for Period Ending February 11, 2010

Beach Business Improvement District Advisory Committee

- 1) Motion made by Mr. Oliver, seconded by Mr. Rosenthal, recommending the City Commission strengthen their partnership with Sun Trolley and**

find ways to expand their services, including the cruise ship terminal. In a voice vote, the motion passed unanimously.

Commissioner Rogers explained that although it would be desirable to do more with the Sun Trolley, however, it is a matter of funding. The Downtown Transportation Management Association (TMA) is looking for additional funding resources including advertising on the trolleys. Mayor Seiler asked this response be delivered to the committee.

- 2) Motion made by Mr. Rosenthal, seconded by Mr. Yaari, congratulating City staff and all involved in the successful event this past weekend and encouraging the City Commission to consider a quarterly event for enhanced business and excitement on Fort Lauderdale Beach. In a voice vote, the motion passed unanimously.**

Mayor Seiler noted the next event will be Where The Boys Are.

Beach Redevelopment Board

- 1) By an 8 – 0 voice vote, the Board recommended the City Commission instruct staff to explore options regarding construction of a pier in the CRA area.**

Mayor Seiler noted the next event will be Where The Boys Are.

Beach Redevelopment Board

- 2) By an 8 – 0 voice vote, the Board recommended the City Commission instruct staff to explore options regarding construction of a pier in the CRA area.**

Mayor Seiler loved the idea. In response to Mayor Seiler, Albert Carbon, Director of Public Works, offered to prepare a white paper on the status of new piers and the process.

Art Seitz, beach resident, indicated he serves on the board, but is speaking as a citizen. He mentioned research done that did not come to fruition. He mentioned plans to renovate the Deerfield Beach pier and other amenities in the beach area. He urged public input be invited to look at the area of the Elbo Room to the Yankee Clipper, from the ocean to the Intracoastal Waterway. He asked again that the Commission respond to the Central Beach Alliance's petition for a committee with respect to the International Swimming Hall of Fame.

- 3) By a 7 – 0 voice vote, the Board recommended that the Las Olas and A-1-A City parking lot be**

open until 4 a.m. to accommodate nearby businesses that are open until 4 a.m.

Diana Alarcon, Parking and Fleet Services, advised that a letter has been sent to the residents, notifying them of the hours being extended to 4 a.m.

Northwest Progresso – Flagler Heights Redevelopment Advisory Board

Motion made by Mr. Wilkes, seconded by Mr. Sterner, to recommend that the City Commission not renegotiate the existing contract with the developer based on the proposed revision [Northwest Commercial Redevelopment Project]. In a voice vote, the motion passed 6-4 as follows: Mr. Gabriel, yes; Mr. Centamore, yes; Mr. Wilkes, yes; Mr. Sterner, yes; Mr. Brady, yes; Mr. Hinton, yes; Mr. Williams, no; Ms. Adderley, no; Mr. Lucas, no; Mr. Ferber, no.

Alfred Battle, Community Redevelopment Agency Director (Northwest), felt this vote reflects the variety of conflicts some members have with the site plan as well as comments at the last meeting concerning density, planning and how the development is situated on the site. Mayor Seiler concluded there is no real consensus.

Visioning Committee

Motion made by Mr. Ladd, seconded by Mr. Gabriel, for the Committee to communicate to the City Commission that the Committee's first steps are to 1) invite a visioning expert at no cost to provide perspective and suggested actions, and 2) receive status reports on identified crucial topics in the city from City staff and other appropriate individuals. In a voice vote, the motion passed unanimously.

There was no objection.

III-B – Board and Committee Vacancies

Note: Please see regular meeting item R-02.

V – City Manager Reports

The City Manager reported fund raising efforts of various departments for Haiti relief.

The City Manager announced that Parking and Fleet Services now has an I-Phone application, Around Me. Diana Alarcon, Director of Parking and Fleet Services, provided some detail. The City Manager also announced that pay by phone will be instituted the beginning of March.

The City Manager announced that a certificate of occupancy was issued for Fire Station 29.

Concerning earlier discussion (Item I-A), Mayor Seiler outlined some of the logistics for the new volunteer 100,000 hours challenge over the next year, beginning March 27.

There being no further business to come before the Commission, the meeting was adjourned at 9:40 p.m.