

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

Agenda

Item		Page
OB	Congressman Ron Klein	2
I-A	Use of Fort Lauderdale Stadium	2
I-B	Interlocal Agreement with School Board of Broward County – School Board of Broward County – Public School Facility Planning – Amendments Including Changes to Level of Service	4
I-C	Code Amendment – Alarm Response Fee Schedule	7
I-D	Amendments to Unified Land Development Regulations – Historic Preservation	1
I-E	Broward League of Cities – Appointment of Director, Alternate and Second Alternate	1
I-F	Proposed Lien Settlements – Special Magistrate and Code Enforcement Board Cases	1
II-A	Comprehensive Annual Financial Report – Fiscal Year Ended September 30, 2009	6
II-B	February 2010 Monthly Financial Report	8
II-C	Affordable Housing Advisory Committee Request – Additional Responsibilities, Creation of One At-Large Seat and Expansion Of Terms	8
II-D	Large User Wastewater Agreement – Contractual Compliance Report Fiscal Year Ended September 30, 2009	8
III-A	Communications to the City Commission and Minutes Circulated For the Period Ending April 1, 2010	9, 12
III-B	Board and Committee Vacancies	11
IV	City Commission Reports	1, 11, 13
	1. Stranahan House	1
	2. Ireland's Inn area; public parking	11
	3. Green Dog Day South River District Festival	11
	4. Construction on the beach	11
	5. Filling Vacant Positions	11
	6. Citizen Volunteer Corps	11
	7. Joseph C. Carter Park	12
	8. Sistrunk Boulevard	12
	9. Census	12
	10. Events	12
	11. Riverwalk District; Arts and Entertainment Public Realm Plan public meeting	13
V	City Manager Reports None	13

**CITY COMMISSION CONFERENCE MEETING 1:38 P.M. April 6, 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 Harvey Jacques

**EXECUTIVE CLOSED DOOR SESSION WAS HELD AT 1:38 P.M.**

**The City Commission shall meet privately pursuant to Florida Statutes 447.605 and 768.28 respectively:**

**Collective Bargaining  
Angela Isham vs. City of Fort Lauderdale Case 03-007988(02)768.28**

**CLOSED DOOR ENDED AT 2:58 P.M.**

**IV - City Commission Reports**

**Stranahan House Event**

Commissioner Rogers announced an upcoming fundraising event for Stranahan House.

Continued on Page 11.

**I-E – Broward League of Cities – Appointment of Director, Alternate and Second Alternate**

There was consensus approval to continue with Commissioner DuBose as the director, Commissioner Rodstrom as alternate and Commissioner Rogers as second alternate.

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

There was no objection.

**I-D – Amendments to Unified Land Development Regulations – Historic Preservation**

The City Attorney recalled the Commission's request to clarify contributing building. The matter was presented to the Historic Preservation Board. The board wants to make a number of changes to the ordinance. In order to do a complete review, it will not be possible to present a clarification on contributing as quickly previously indicated. Mayor Seiler preferred to proceed with a historic preservation rewrite. There was consensus approval. The board, Sailboat Bend neighborhood, staff and David Baber of Broward County should be consulted.

**City Hall, 100 North Andrews Avenue, 8th Floor and 1<sup>st</sup> Floor Chambers**

Note: The City Commission recessed the conference meeting at 3:06 p.m. to hold a joint workshop with the Budget Advisory Board from 3:06 p.m. to 4:04 p.m. and 4:17 p.m. to 4:36 p.m. They returned to the conference meeting agenda at 4:04 p.m. to hear from Congressman Klein and item I-A at 4:37 p.m.

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### Congressman Ron Klein

Mayor Seiler welcomed Congressman Ron Klein. Congressman Klein discussed what the legislature is doing with respect to foreclosures, working with the banks, to help people stay in their homes if possible (Home Affordable Modification Program), upcoming program by NACA, a non-profit organization, in Miami Beach on April 15-19. He noted that the Small Business Association has a loan program with a 90% guarantee and 95% for veterans. He noted that discussion is underway concerning assistance for community banks using some of the Troubled Asset Relief Program (TARP) funds that would give them incentives to make loans in the form of discounts on interest rate. He described legislation he has proposed concerning homeowner insurance. He noted that information will be forthcoming with respect to health care. Citizen feedback is welcomed.

Mayor Seiler opened the floor for questions from the public.

Marc Dickerman, resident, requested assistance with working through the process for social security disability insurance. Congressman Klein offered to assist.

Commissioner DuBose asked if the homeowner insurance bill is for all risks. Congressman Klein indicated it is essentially for high-end risks.

Ray Williams, resident and chairman of Valley Bank, indicated that there is a serious disconnect between policymakers on capital hill and the regulatory people. At the regulatory level, the implementation does not match the stated policy direction and desires of Congress. Congressman Klein commented that time will heal some of this. He has suggested when a loan is wrote down, it be spread over a number of years. He offered to discuss the examiner issue individually.

Note: The City Commission recessed the conference meeting at 4:17 p.m. to continue the joint workshop with the Budget Advisory Board and returned to the conference meeting agenda, item I-A at 4:37 p.m.

### **I-A – Use of Fort Lauderdale Stadium**

Cate McCaffrey, Director of Business Enterprises, noted one item not included in the commission agenda report. It is a proposal from a local law firm for parking at \$1,750 per month. Mayor Seiler asked about the status of Keiser University's inquiry for parking space as well. Clara Bennett, Executive Airport Manager, advised they are contemplating using the Florida Atlantic University parking, which would also be revenue to the airport. Mayor Seiler asked Ms. Bennett to follow-up.

Mayor Seiler referred to the field space and indicated that he does not wish to close the facility. In response to questions raised by the Commission, the following information was provided. Phil Thornburg, Director of Parks and Recreation, advised that Fort

Lauderdale Select is interested in working with Traffic Sports USA for field usage that would bring revenue. Ms. McCaffrey advised that Traffic suggested in-kind services of about \$19,000 monthly and, or an hourly rate for field use as opposed to a daily use fee, but is willing to work with the City because their proposal and that of staff are far apart. She went on to elaborate upon how Traffic could be responsible for restroom and locker room cleanup and some of the other maintenance. The temporary staff (groundskeeper) ends in June. Commissioner DuBose did not see that the cost or staff level reflects the offset for Traffic to assist with field maintenance and maintain and clean locker rooms. Ms. McCaffrey indicated that Traffic's offer to assist has not been quantified to staff.

Mayor Seiler opened the floor for public comment.

Chuck Malkus, 2132 NE 62 Court, understood from speaking with representatives of the Orioles that in 2007, some \$400,000 of event revenue was booked. He emphasized the poor supply of parks in the northeast of the city. He believed generally that the total cost for a park is more than \$30,000 per month. He asked that this park be treated the same as any other in the city.

Dale Hobby, representing Motorcycle Safety of Florida, emphasized Motorcycle Safety's desire to continue using the parking lot at the stadium. Mayor Seiler gave assurance that their operation is likely to be unaffected.

Nicholas Milano, representing Traffic Sports USA, advised their proposal is seven-month use of the stadium with a monthly rental rate of \$5,400 for two-hour daily practice non-exclusive. Traffic will work with other users in the interest of an income stream. They need some office space. Traffic is already slated to play at Lockhart Stadium. Commissioner Rogers asked how the \$5,400 was arrived at. Eduardo Pletsch, representing Traffic Sports USA, indicated it is based on the cost to maintain the fields, keeping one baseball field intact. Discussion turned to how field use by others would be coordinated. Mr. Thornburg pointed out that there is no field lighting and most youth soccer occurs during the winter. He did not know what amount of revenue could be secured from Fort Lauderdale Select. He felt scheduling could be worked out over the seven-month term. Luiz Muzzi, General Manager of Traffic Sports USA, indicated they could be flexible on the afternoon practice hours. Mayor Seiler reiterated his desire not to close the facility. He wanted to continue to use it as a park open to the public and keep it open for the short-term with cooperation amongst the parties. He thought there are other options moving forward. Mr. Muzzi mentioned field conversion proposed by Traffic, at their cost, will allow softball, flag football, lacrosse and soccer.

Ms. McCaffrey emphasized that the maintenance cost reflected in the commission agenda report is accurate. This would result in an unbudgeted General Fund expenditure of \$97,000 over six months, although this does not consider entities speculating renting space. It takes into account Motorcycle Safety and the caravan organization. In response to Mayor Seiler, Mr. Thornburg advised that staff could obtain a cost for outsourcing the maintenance, but \$5,000 will not be sufficient. In response to Commissioner DuBose, Mr. Thornburg advised that in order to keep the entire facility open, three maintenance employees would be required. Once the fields start to be used, it will be heavy maintenance. Ms. McCaffrey advised there is need for an employee to do the scheduling and pursuing additional rental. Mayor Seiler did not see that as full-time; he suggested a partnership with Traffic. In response to Commissioner Rogers, Mr. Muzzi noted Traffic's current arrangement with Miami Dade County. Ms.

McCaffrey pointed out that Federal League pays \$600 per day for three fields; the \$5,400 proposal equates to \$270 per day or twenty uses according to the schedule submitted by Traffic. Mr. Muzzi pointed out the difference is the number of hours during a given day. Ms. McCaffrey noted that the Federal League uses the fields only, not the locker rooms. Mr. Muzzi agreed to assist with field scheduling.

Commissioner DuBose referred to offsets discussed and expressed the view that all considered, the cost scenario could be better. Mayor Seiler agreed and pointed out that the City is at a crossroads with the facility. He was concerned if it is closed, it may never be reopened. It is essentially closing a park.

Art Seitz, 1905 North Atlantic Boulevard, noted a 1972 bond issue by Boca Raton and acquired 3 ½ miles of beachfront. He urged the City to purchase the All American Golf Course and seeking park acquisition because the price of land will probably not in this lifetime be this low.

In response to Ms. McCaffrey, Mayor Seiler advised that proposals received by the City should continue to be sent to the Federal Aviation Administration because the Traffic arrangement is short-term. He wanted to keep all options open. Ms. McCaffrey asked about funding for the groundskeeper that is currently being charged to the Executive Airport. In response to Commissioner Rodstrom's question as to the percentage that would make it possible to continue to charge the position to the airport on a month to month basis, the City Auditor explained it is not possible to share between public and airport uses. Vice Mayor Roberts asked about the Fire Rescue Department's station at the airport. Ms. Bennett advised that rental is paid to the airport and the airport pays for fire service they obtain; the personnel assigned to the Aircraft Rescue Firefighter detail only responds to airport emergencies (confirmed by Jeff Justinak, Acting Fire Rescue Chief). There is also a structural contingent on-site that responds to the area. She went into more detail as to cost assumed by the airport with respect to fire rescue.

Mayor Seiler asked staff to work with the City Attorney to determine whether any portion of the cost could be allocated to the Executive Airport.

Commissioner DuBose wanted staff to lessen the maintenance fee impact. Ronna Adams, Business Enterprises, outlined the cost and workload relating to the temporary groundskeeper. In response to Mayor Seiler, Ms. McCaffrey indicated that it will be possible for the Federal League and Traffic to co-exist. Returning to Commissioner DuBose's question, Mr. Thornburg assured the maintenance will be done as inexpensively as possible and will look at contracting out because it is not possible to hire personnel for seven months.

There was consensus approval according to the above discussion. The City Manager advised that a budget amendment will be presented transferring a certain amount from the Fund Balance to Parks and Recreation Department.

**I-B – Interlocal Agreement with School Board of Broward County – Public School Facility Planning – amendments including changes to level of service**

Greg Brewton, Director of Planning and Zoning, advised this presentation is for informational purposes only at this point.

Chris Akagbosu, School Board of Broward County Growth Management, reviewed slides concerning this matter. A copy of the slides is attached to these minutes. With respect to school boundaries, there needs to be a movement from west to east because the seats exist in the eastern and central part of the county. The proposed amendments to the levels of service, is to go from 110% to 100% gross capacity and include the use of portables (relocatables). The current interlocal agreement does not allow for consideration of portables.

In response to Mayor Seiler, Mr. Akagbosu did not know the specific number of portables not being used, but indicated that for school concurrency there are 2,081 that may be used to meet class size requirements but not to level of service.

Mr. Akagbosu noted in the City's downtown regional activity center, there are over 8,000 available residential units. There is a tri-party agreement concerning 3,000 units, but for the excess that has not been allocated to developers, development cannot move forward if there are no seats.

Mr. Akagbosu continued with review of the slides. He noted there will be a new five-year deadline of 2014-2015 for all concurrency service areas to meet level of service. Fort Lauderdale staff is represented on the Staff Working Group which has reviewed and supports the described interlocal agreement changes. Additionally, to date, six cities have approved the changes. All cities are encouraged to take action no later than May 15. The School Board, Broward County and twenty-one of the twenty-seven cities must agree in order for the changes to become effective. Otherwise, on September 10, 2010, there will be a massive boundary change from the west to the east.

Mayor Seiler asked what is the downside to not approving the changes. Mr. Akagbosu advised the City has approximately 103 portables in the schools that serve Fort Lauderdale and currently they cannot be used to meet level of service and the availability of capacity must be measured as to whether new developments can move forward. With the changes, the portables could be used. In response to Commissioner DuBose, Mr. Akagbuso advised this is a temporary fix for use of the portables until 2018. During this time the School Board will move students into the excess seats and decide what to do. As to use of portables, Mayor Seiler pointed out that the majority of Fort Lauderdale schools are under-enrolled with the exception of elementary. Mr. Akagbuso pointed out that there are a lot of developments in the pipeline; there will not be the capacity and development will be stopped. He responded to Commissioner Rodstrom's question in predicting that point in time is three to five years away.

Commissioner Rogers asked what would prevent the School Board from deciding to use the portables in Fort Lauderdale instead of providing new or revamped schools. Mr. Akagbuso indicated in an effort to work together, the superintendent has committed to quarterly meetings with the cities. Commissioner DuBose was concerned about potential negative impact on eastern communities such as Fort Lauderdale, if this issue is addressed for the western communities. In response to Commissioner DuBose, Vice Mayor Roberts advised that the twenty-one cities must represent fifty percent or more of the population. Mr. Akagbuso listed those cities who have agreed to the changes: Cooper City, Parkland, Pembroke Park, Sunrise, West Park and Weston. Commissioner DuBose did not think that the proposal addresses concerns of eastern communities.

Mayor Seiler was not enthusiastic about portables. He noted that Dillard, Stranahan and Lauderdale high schools are all being denied resources because they are under-enrolled, yet resources are being moved west. He recommended this matter be directed to the Education Advisory Board for a recommendation.

In response to Commissioner Rodstrom, Mr. Brewton advised staff provides the (development) information to them (School Board) in order to stay up to date.

Jill Young, School Board of Broward County School Boundaries, agreed there are some elementary schools that will be impacted if portables are not permitted. Those schools are Riverland, Rock Island and McNab. Bayview is projected to be approximately sixty-eight over and will need to be monitored because it will be close. The other schools mentioned will not have to go through a boundary change because there are portables or space for portables on their campuses. She went on to explain that they must first use adjacent capacity, consequently there is a theory that everything will domino to the east. It is not the case because there is capacity around the western schools. It will not come as far east as Fort Lauderdale. In response to Commissioner Rodstrom, Ms. Young advised that the enrollment study was conducted this year and elaborated upon other sources that were used for comparison that take trends into account. Commissioner Rogers questioned the trend-line used because he understood that the Broward County school system has lost enrollment for the past three years. Ms. Young noted that charter schools opening has impacted enrollment, but acknowledged that does not impact the concurrency issue. It is also not possible to project for immigration.

There was consensus approval of Mayor Seiler's recommendation that this matter be scheduled on the April 15 Education Advisory Board agenda and the board provide a recommendation to the Commission.

Note: The City Commission recessed at 5:48 p.m. and returned to the conference meeting agenda, item II-A at 7:52 p.m., and I-C and the remainder of the conference agenda at 12:02 a.m. in the Chambers on the first floor of City Hall.

### **II-A – Comprehensive Annual Financial Report – Fiscal Year ended September 30, 2009**

Tom Bradley of Ernst & Young, City's External Auditor, indicated that Ernst & Young conducted an audit of the City's financial statements and has issued an unqualified opinion. He noted this is the best type of opinion attainable and went on to define the term. Ernst & Young is currently conducting a single audit of federal and state grants, anticipating completion by the end of May. At that time a management letter will be issued, including recommendations for improvements in the City's internal controls. The audit before the Commission today was issued in order to meet a deadline of the Government Finance Officers Association and to apply for a certificate of achievement for excellence in financial reporting that the City has received for the last twenty years.

Commissioner Rodstrom referred to a communication from the chair of the Audit Advisory Board because the two new members were not comfortable passing the communication to the Commission. She wanted to bring this to the Commission because of the chair's tenure. She read segments of the communication. One concern was that evaluation reports were requested of City management and City Auditor; that the Auditor responded January 29 and that Ernst & Young experienced challenges to

audit timelines and report completion in a timely manner. It was brought to the chair's attention that it was due to high turnover in the Finance Department. The chair further noted that review of the Comprehensive Annual Financial Report (CAFR) at their May meeting did not include the Ernst & Young's report of internal controls nor associated schedule of findings. In response to Mayor Seiler, Mr. Bradley advised it is a clean opinion on the financial statements. The next thing to come has to do with internal controls which timeline is consistent with the prior year and should be completed by the end of May. The federal deadline is June 30. Commissioner Rodstrom noted the chair wanted to indicate that part of the CAFR had not yet been provided. Mayor Seiler asked if the City's financial reports may be accessed online. Lynda Flynn, Director of Finance, advised once it is approved by the Commission, it will be placed online.

Under Economic Conditions of the Introductory, Commissioner Rodstrom referred to the statement that new construction remained strong for Fiscal Year 2009 and assumed this information has probably changed in 2010. Mr. Bradley concurred. Commissioner Rodstrom pointed out that new construction is trending down from 2009 forward and believed next year's report would change. Also, in checking the last five annual reports, all of them referenced the unemployment rate, but there is no mention in this report (introductory section). She felt there should be consistency in the topics addressed throughout the years. Ms. Flynn noted it is addressed in the second paragraph from the bottom of the page (iii). In response to her question about a reimbursement from the Federal Emergency Management Agency (FEMA), Ms. Flynn advised the City has applied for the reimbursement. It must be processed through Washington, D.C. It has been obligated and the City is awaiting receipt of the cash. The City can take credit for the money because it is in process. It has been approved.

Mayor Seiler asked about another application to FEMA as a result of a lawsuit settlement. He recalled it was hurricane related. The City Attorney advised that FEMA appears to be preparing to deny the claim (approximately \$350,000).

Commissioner Rodstrom asked about the noted \$7.1 million pension plan contributions. Mr. Bradley advised that would be for next year which has not yet been audited. She asked about the noted increase in the unreserved, undesignated balance. Ms. Flynn indicated there is a multitude of sources, such as unfilled positions, higher revenues, unexpended expenditures and hurricane revenues. Some are recurring and some are not. In response to Commissioner Rodstrom's question concerning unfunded actuarial accrued liability, Mr. Bradley indicated in 2009 there could be some reduction from 2008 and probably a further reduction into 2010, although the market is now recovering.

Vice Mayor Roberts noted positive financial highlights. The fund balance is far above the 10% to 15% range discussed earlier. He recognized the Commission's job is to maintain this positive picture.

Commissioner Rodstrom noted last year \$10 million was taken from the reserve and \$15 million the previous year. The City is either over-taxing or cutting expenditures, which does not appear to be the case. She noted that this is last year's report and not this year or the future.

#### **I-C – Code Amendment – Alarm Response Fee Schedule**

As there was no timing issue on this matter, it was deferred.



**II-C – Affordable Housing Advisory Committee Request – Additional Responsibilities, Creation of One At-Large Seat and Expansion of Terms**

Jonathan Brown, Housing and Community Development Manager, noted direction is requested concerning the Affordable Housing Advisory Committee's request for an ordinance change. He requested more clarity from the joint workshop. He referred to Commission Agenda Report 10-0495, concerning the committee's responsibilities including advising on an overall strategic approach that integrates the coordination between policy, plans and program delivery for matters related to affordable housing issues, including but not limited to the transmittal of the SHIP report to the State, as required by Florida law. Essentially the committee would like to expand to include federal programs. The change would be accomplished by ordinance. If it is simply as it related to the affordable housing plan as it relates to the City, he did not foresee any problem.

Mayor Seiler referred to the commission agenda report bullet items. He clarified the Commission agreed to the committee meeting on an ongoing basis. The Commission also wanted the committee to look at the federal programs in an advisory capacity. He also understood the committee would participate in the preparation of the SHIP report. In response to Mr. Brown, Mayor Seiler felt the committee's meetings could serve as the public meetings and hearings required for federal submittals. As to the last bullet of recommending procedures for capacity building efforts for affordable housing, Mayor Seiler felt that is an appropriate role for the committee. There was no objection to the committee's request to extend the member terms to three years. The City Clerk confirmed for Vice Mayor Rogers that there are other boards/committees with terms longer than one-year. As to the addition of an at-large member, Mayor Seiler noted with an even number of members, it would cause a problem with voting. Commissioner Rodstrom suggested adding two members. Vice Mayor Rogers suggested those members be by consensus. There was consensus approval on the items described above.

**II-B – February 2010 Monthly Financial Report**

Shonda Singleton-Taylor, Acting Director of Manager and Budget, noted a change to the report to reflect the prior year to date data.

Albert Carbon, Director of Public Works, clarified Mayor Seiler's questions concerning the LTJ settlement information as well as recycling income and anticipated revenue from the Resource Recovery Board (Other Funds narrative on page 3).

**II-D – Large User Wastewater Agreement – Contractual Compliance Report – Fiscal Year Ended September 30, 2009**

No discussion.

**III-A – Communications to City Commission and Minutes Circulated for Period Ending April 1, 2010****Cemetery System Board of Trustees**

**By unanimous consensus, the board revisited and reaffirmed support of the current investment policy.**

At Vice Mayor Rogers' request, the City Auditor believed a consensus has been reached for a more conservative approach to the portfolio allocation that still allows for capital appreciation. He will be presenting this approach to the board.

**Citizens Sustainability Green Committee**

**By unanimous voice vote, the Committee recommends** that the City Commission attend a workshop with the Committee and a member of the Broward County Climate Change Task Force to review the Commission's resolution for the Committee (establishing).

Albert Carbon, Director of Public Works, advised that the committee would like to hold a joint workshop with the Commission and invite a member of the Broward County Climate Change Task Force. He elaborated upon their main focus is to discuss the committee's charge of developing a report on the City's green initiatives, whether the committee should continue and whether an extension may be advisable. Mayor Seiler suggested the committee meet with the task force representative and make a recommendation to the Commission. Vice Mayor Rogers suggested and there was consensus approval a workshop would be scheduled once they have drafted an outline or the report is prepared.

**Community Services Board**

**There was unanimous consensus to convey a thank you to Commissioner DuBose for speaking on the board's behalf regarding recommendations made in connection with the Community Development Block Grant (CDBG) Program and to the entire City Commission for adopting their recommendations.**

No discussion.

**Short Term Residential Use Committee**

**The Short Term Residential Use Committee requested** the following items from City staff members:

Information on other cities of similar size and nature to Fort Lauderdale, and their policies on short term residential use.

Law enforcement and code enforcement actions that have happened in the recent past, as it relates to short term residential use, put geographically on a map so the Committee can focus on areas where problems exist.

The definition of short term residential use.

Department of Revenue rules and regulations regarding short term residential use.

Mayor Seiler asked Greg Brewton, Director of Planning and Zoning, to follow-up in providing the requested information. In further response to Mayor Seiler, Mr. Brewton advised that staff is working with the City Attorney's Office in defining short-term residential use. As to their request for the Department of Revenue rules and regulations regarding short-term residential use, Vice Mayor Rogers explained if one rents their home for more than fourteen days in a year, the income must be declared (Internal Revenue Service). Mayor Seiler asked the City Attorney to determine if the Department of Revenue has anything similar. A comment was also made from the audience concerning the question of a business license.

#### Parks, Recreation and Beaches Advisory Board

**Motion made by Mr. McCormick, seconded by Mr. Quaily,** to recommend that the City Commission convert the Fort Lauderdale Stadium practice fields into a "used sports facility" and to rename the facility "Centennial Park." In a voice vote, the motion carried unanimously {9-0}.

This item was addressed earlier in the meeting (see Item I-A).

**Motion made by Mr. McCormick, seconded by Mr. Payne,** to recommend that the City Commission, in the event of future department budget cuts, such budget cuts should be equitably to all departments. In a voice vote, the **motion** carried 8-1 {Mr. Berry dissenting}.

No discussion.

#### Utility Advisory Committee

**Motion made by Ms. Murru, seconded by Mr. Cole,** to strongly recommend that the City Commission consider a threshold of 80% approval, rather than the suggested 66%, from the mail-out to the entire community (as to Undergrounding). In a voice vote, the motion carried 6-1 (Mr. Larson dissenting).

Not addressed.

Continued on Page 12.

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

Note: Please see regular meeting item R-07.

**IV - City Commission Reports**

Continued from Page 1.

**Ireland's Inn area; public parking**

Commissioner Rodstrom indicated at her pre-agenda meeting, citizens asked about making arrangements with the developer of property that is pending to temporarily open a previously vacated right of way for public parking until the development begins moves forward. The City Attorney advised that the approval was to vacate the street subject to a condition subsequently occurring. The condition has not occurred therefore he did not believe the vacation has been recorded or taken place yet. Diana Alarcon, Director of Parking and Fleet Services, indicated this area is currently being examined. It must also be looked at from a public safety standpoint. She will also be meeting with the neighborhood. Mayor Seiler requested a follow-up report.

**Green Dog Day South River District Festival**

Commissioner Rodstrom advised the event organizer, former commissioner Tim Smith, would like to use City barricades and is willing to pickup and return them. They would also like the open container law waived for the festival area that is barricaded. Concerning the open container law, the City Attorney advised no. As to the barricade, the City Manager asked that Mr. Smith contact him.

**Construction on the beach**

Commissioner Rodstrom noted a news article that comments about no construction on the beach anticipated for two to five years.

**Filling vacant positions**

Commissioner Rodstrom referred to the City Manager's memorandum on filling vacant positions. She asked how many positions have been filled since this Commission took office in March (2009). She thought the Commission was going to make the decision on whether positions were essential. The City Manager indicated the number filled has been minimal; information is being provided to the Commission as it occurs. Commissioner Rodstrom did not think that was the Commission's direction. She felt the Commission should be mindful of decisions relating to management operations to avoid having lots of people being hired before a new administrator comes onboard. The City Manager did not think the characterization of many is accurate and offered to provide a list. Mayor Seiler asked that the list be provided to the Commission.

**Citizen Volunteer Corps**

Vice Mayor Rogers announced an upcoming Citizen Volunteer Corps (CVC) project on April 10, 2010, 8 a.m., at Northwest Gardens.

Joseph C. Carter Park

Commissioner DuBose was concerned about the condition of the restroom facilities and social center at Joseph C. Carter Park. The situation has actually worsened since he previously raised it. Albert Carbon, Director of Public Works, advised that the contractor has committed to get the work completed by June 1. The bonding company has taken over the project. Commissioner DuBose questioned a June 1 date for the gymnasium portion. Mr. Carbon agreed the gymnasium will be much sooner; the June 1 date is for both components. Commissioner DuBose requested a hard date with respect to the gymnasium.

Sistrunk Boulevard

Commissioner DuBose noted his discussion with the Secretary of the Department of Transportation when he recently traveled to Tallahassee. He emphasized that this is a priority project and asked whether the project will be going out to bid by the beginning of next month. Alfred Battle, Director of Community Redevelopment Agency (northwest), explained that the Florida Department of Transportation (FDOT) has asked the City to respond to project plan revisions which were submitted to the vendor last week. The vendor indicated it would take a couple weeks. This would allow the project to go out to bid in the May timeframe discussed. If anything changes, he offered to bring it to the Commission's attention. Mayor Seiler asked Mr. Battle to convey Commissioner DuBose's comments to the vendor. Mr. Battle indicated in follow-up to his conversation with Commissioner DuBose two days ago, the priority status was conveyed to the vendor.

Census

Commissioner DuBose provided a verbal status report on the mail-back percentage. He emphasized the importance of continuing to raise awareness on this topic.

Events

Mayor Seiler remarked on the recent sunrise service and upcoming events.

Continued on Page 13.

**III-A – Communications to City Commission and Minutes Circulated for Period Ending April 1, 2010**

Continued from Page 10.

Short Term Residential Use Committee

In response to the previous question concerning the Department of Revenue's position on long-term versus short-term renter, the City Auditor advised there is a rule that addresses this point. If it is in excess of six months, they consider it long-term. For less than six months, one would have to pay a tourist development tax. Mayor Seiler asked that information be forwarded to the committee chair.

**IV - City Commission Reports**

Continued from Page 12.

**Riverwalk District, Arts and Entertainment Public Realm Plan public meeting**

Mayor Seiler announced this meeting and encouraged people to attend. He wanted to make sure there is ample public notice.

**V – City Manager Reports** - None

There being no further business to come before the Commission, the meeting was adjourned at approximately 12:44 a.m.