

FORT LAUDERDALE CITY COMMISSION CONFERENCE MEETING
JUNE 15, 2010

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CITY COMMISSION CONFERENCE MEETING 1:35 P.M. June 15, 2010

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

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

I-E – Fort Lauderdale Stadium – Redevelopment Proposal

Cate McCaffrey, Director of Business Enterprises, noted the Federal Aviation Administration's (FAA) review of proposals for the stadium and indication that Schlitterbahn Development Group's proposal might be acceptable.

Jeff Henry of Schlitterbahn Development Group provided some highlights about this family business including locations throughout the United States, their designs worldwide and working relationships with other businesses. Their waterpark in Galveston, Texas, is situated on FAA land. He reviewed slides on their business and proposal. A copy of the slides is attached to these minutes.

Commissioner Rodstrom was impressed with the proposal and full use of the property. Commissioner Roberts agreed. He went on to note the need to acquire property to the south for sports fields. Clara Bennett, Director of Executive Airport, explained that because of its location relative to the runway, there is a portion of the southernmost parcel that must be protected and no development may occur. It has an employment center zoning designation whereas the rest is open space.

The following responses were made to questions of Commissioner DuBose and Vice Mayor Rogers. Mr. Henry advised the slide information on economic impact is based on the opening date, but Schlitterbahn is already spending money in Fort Lauderdale. He noted there is also the construction economic impact which was part of the initial submittal. He elaborated upon job creation during construction and permanently. He emphasized that the project is very green, more so than LEED. He noted their lease term in Galveston, Texas. Schlitterbahn would like a lease for the maximum term allowed by the FAA which is twenty year with four, five-year extensions. There is no dismantling requirement in the lease. He noted the website that shows ticket prices and elaborated upon various options. The highest ticket is \$39.95 at the gate and the average expenditure for a day is \$40. Schlitterbahn mostly employs high school and college youth starting at minimum wage with their peak season when children are out of school. He elaborated upon a rigorous training program for employees. About three-hundred room hotel equivalent is proposed. Being primarily a summer destination, he believed they will increase the City's hotel occupancy and Average Daily Rate (ADR) rate. Lodging rates will range \$150-\$1,000. Sports have never been integrated into their facilities because they have never been able to build a stadium such as Fort Lauderdale Stadium. The stadium's resources and the proposed park will integrate very well. There is a similar situation in Frisco, Texas, where those officials would like Schlitterbahn to also integrate a park. He believed that it will be possible to acquire Parcel 25 which would provide for two additional fields. The capital investment noted in

the initial proposal is \$80 million, but it could increase depending upon use of the stadium and the lease. There will need to be zoning adjustments in order to allow lodging. Projected revenue is contained in the initial proposal; the water park revenue ranges \$30-\$35 million; the resort \$10 million and the sports is relatively minor. He elaborated the positive impact on hotel occupancy at other locations.

Mayor Seiler commented that his research of Schlitterbahn is that their facilities are first-class. He wanted to be able to offer soccer fields and to keep Lockhart open. Mr. Henry advised that Schlitterbahn wants to make a deal with the school district so that they will make use of the stadium indefinitely. They intend to maintain and improve the stadium. It is in need of a major update. Mayor Seiler wanted to make sure a commitment on dates customarily reserved for the City is made. He wanted to find a way to keep Traffic Sports USA, Inc. at the site. In response to Mayor Seiler's question, Mr. Henry indicated Schlitterbahn needs a minimum six-month design period, six months for approval process with the City and twelve months for construction of the water park; the lodging component will require more time. Schlitterbahn wants to push forward because they would like to be the first in South Florida. In response to Vice Mayor Rogers, Mr. Henry explained how fair market rent was determined in Galveston; it includes a cost of living escalation required by the FAA.

Mayor Seiler concluded that in the interim it would be possible to have two seasons for soccer and football. Mr. Henry committed to not closing Lockhart Stadium for any event. Fort Lauderdale Stadium will need to close for construction (twelve months). In response to Commissioner DuBose, Mr. Henry explained how parking would be relocated and consolidated, and indicated there is no traffic unless there is an event. Some discussion on the logistics of traffic flow followed and safety precautions.

There was consensus approval to move forward with Schlitterbahn Development Group with the understanding of continued School Board use and effort be made to incorporate professional sports as well.

Ms. McCaffrey noted an appraisal must first be obtained as required by the FAA who has stressed securing a fair market value appraisal at highest and best commercial, industrial use. City staff is continuing to work toward correcting the FAA's concern with respect to zoning. The Airport would pay for the appraisal. Mr. Henry indicated that typically Schlitterbahn secures an appraisal also. Essentially the City and Schlitterbahn needs to agree on the value before going to the FAA. Mayor Seiler asked that staff keep the City Attorney's Office informed. Mr. Henry offered to furnish a copy of their lease with the City of Galveston.

II-B – Fiscal Year Ending September 30, 2009 Single Audit Report and the Management Letter

With reference to the Housing and Community Development Division, Greg Brewton, Director of Planning and Zoning, advised that significant corrective measures have been made; findings have decreased from twenty to seven which are mostly administrative. The culture has changed.

In response to Mayor Seiler's question concerning material weaknesses identified (page 13), Alyson Silva of Ernst & Young advised those identified relate to capital assets on pages 15, and 19 and 20 (financial statements section). The City uses Excel to maintain

its capital asset records. Ernst & Young has recommended a system be used. She noted a specific example with respect to an \$11.6 million entry in the WaterWorks 2011 Program. New assets were added, but old assets removed were not deleted. Essentially the system as well as the fact that the City has not done a physical inventory of its equipment is a material weakness. The overall assets are about one billion dollars. She did not have available information on the threshold for a weakness to be considered material. As to (federal awards and state projects section), she referred to page 21, Findings 2-6 were considered material. Of these, two relate to the Community Development Block Grant Program. In response to Commissioner Rodstrom, Ms. Silva advised that there are different sample sizes depending on the compliance requirement.

In response to Commissioner Rodstrom, Ms. Silva noted there is a schedule on prior audit findings in the report. Ernst & Young follows up every year. The number of findings reduced from seventeen last year to seven. Commissioner Roberts noted there appears to be a lack of recordkeeping (Housing and Community Development) and asked if there would be a system put in place similar to accreditation. Jonathan Brown, Housing and Community Development Manager, advised that staff is moving in that direction. New management in this division did not begin until April. Mr. Brewton advised that a checklist is in place. Commissioner Roberts questioned whether there is a system in place to ensure that rules and regulations are being followed. He likened it to quality and assurance. He suggested that the City Auditor look into this as a constructive means of improvement. The City Auditor advised in developing next year's audit work plan his office recognized the risk factor associated with the Housing and Community Development Division and intended to conduct a review to see the level of change and implementation of all systems. Commissioner Roberts recognized it is not only Housing and Community Development but also the Finance Department. Ms. Flynn advised new staff members have significant experience in year-end and CAFR (Comprehensive Annual Financial Report) reporting and GASB (Governmental Accounting Standards Board) requirements, and have already started work in these areas. In response to Vice Mayor Rogers and Mayor Seiler, Ms. Flynn advised that there is new software tied to the current financial system geared toward fixed assets that was acquired just before the previous controller came onboard. Commissioner Rodstrom felt this is all contingent upon departmental turnover but that has been the case historically which has caused inconsistency. It is a continuing concern. In response to Commissioner Rodstrom, the City Auditor advised that the report does not reflect the findings' offsetting cost.

In response to Commissioner Rodstrom, the City Auditor advised because of the losses sustained by the police and fire retirement system portfolio, the City will need to fund an additional \$5 million this year. He did not know about the general employees retirement system.

Mr. Brewton confirmed for Commissioner Rodstrom that no entity received SHIP (State Housing Initiatives Partnership) funds this year. Commissioner DuBose thought there may be a possibility of some funding this year.

Commissioner DuBose commented on the positive changes that have taken place in Housing and Development. The report captures some of the old culture, thus next year will be a clearer picture. It was suggested that the City Auditor be involved with Housing and Community Development to ensure all changes take place. Mr. Brewton welcomed his participation and noted that the City Auditor has already been a part of some

changes. The City Auditor noted that one of the auditors in his office transferred to Housing and Community Development which will be of help. The City Manager emphasized staff's progress in correcting a long-term problem. Brief discussion followed as to additional changes coming forward including monitoring and documentation.

In response to Commissioner Rodstrom, Ms. Flynn reported on staffing in the Finance Department (see page 78). She added that one issue raised in prior audits had to do with the utility billing system and that system went live yesterday with no major problems. The fixed assets system is next. The City Auditor pointed out that the utility billing system took eighteen months to implement and speculated the fixed assets system would take longer which will also require an inventory. He noted that financial statements of most cities contain an exception relating to fixed assets. It has become more of a focus since GASB introduced a tracking requirement.

In response to Commissioner Roberts' concern about Community Development Block Grant subrecipient funding of \$588,000 (page 26), Mr. Brown advised that monitoring was done, but certain reports wanted by the external auditors, Ernst & Young, were not in place. The City Manager indicated there was monitoring, but in a form other than what Ernst & Young wanted.

Mayor Seiler asked about Risk Management maintaining a claims spreadsheet (page 17). The City Attorney advised that there is a spreadsheet. Ms. Flynn advised this reference has to do with outstanding known liabilities because some liabilities are in other departments not monitored by Risk Management. This will be addressed by Risk Management; the Controller is working with the Risk Manager in putting a process into place. Ms. Silva noted that both cited cases resulted from a legal settlement. Mayor Seiler wanted any corrective action plan to include the City Attorney's Office.

In response to Commissioner Rodstrom (Prior Year Recommendations; Utility Billing System on page 79), Ms. Silva advised their recommendation concerning the utility billing system dates back several years. Ms. Flynn indicated that it took eighteen months to implement because it entails full conversion of a system dating back to 1992; the recommendation does not date back that far.

Ms. Flynn confirmed for Mayor Seiler that bank reconciliations are now within three months and the goal is one month. She believed it is now about two months.

Ms. Flynn explained for Mayor Seiler staff's corrective action taking place (Prior Year Recommendations; Debt Covenants; Compliance Check List on page 81). It will be implemented by the end of the audit. In response to Commissioner Rodstrom, Ms. Silva advised this recommendation first occurred in 2008.

Kathleen Gunn, Grants and Legislative Affairs, explained for Mayor Seiler that a tracking system has been in place for about two years; a standard flow for reimbursement has also been established (Prior Year Recommendations; Grant Administration; Management Tracking System on page 82). The recommendation is for more centralization. Staff will be looking at best practices. It will include the entire process. Ms. Flynn explained the need is for consistency in grant components. The tracking

system established by Ms. Gunn now reconciles to the financial system. The next step is to ensure consistency among departments. In further response, Ms. Gunn advised that the system tracks from the point of application to close-out, and on the application as well as expenditure sides. She elaborated upon some of the system's features. In response to Commissioner Rodstrom, Ms. Gunn advised that there are placeholders in the system for grants under the purview of the Housing and Community Development Division, but not in-depth information. In response to Vice Mayor Rogers, Ms. Gunn indicated that the system cannot generate a report on grant announcements. In response to Commissioner Rodstrom, Ms. Gunn advised that the City is aggressively seeking grant funding wherever staff believes there is a very good chance of being awarded funding.

The City Auditor noted there is a GASB requirement for booking the value of internally generated intangible assets related to computer software and therefore he asked it (tracking system) be recorded.

I-C – Community Bus Service – Downtown Fort Lauderdale Transportation Management Association

Chris Wren, Interim Downtown Fort Lauderdale Transportation Manager, provided a verbal status report on the Transportation Management Association (TMA) since the leadership changed a year ago and thoughts about the future.

Patricia Zeiler, Managing Director of Downtown Fort Lauderdale Transportation Association, reviewed slides on this topic. A copy of the slides is attached to these minutes.

Commissioner Roberts noted conversations about the Galleria becoming a central hub. In the past and that they have offered 3,000 parking spaces on their property for people who work on the beach. He mentioned they previously operated a bus on the beach for \$100,000 annually. He believed the service is almost stand-alone and noted potential advertising revenue. Vice Mayor Rogers discussed the need for connectivity and progress made in that vain. Commissioner Rodstrom was interested in the TMA's work with Port Everglades and asked that the African American Research Library be included on any planned tour. Commissioner Roberts pointed out the community volunteerism that is part of this success. Mayor Seiler requested a schedule be developed and offered to post it on the City's website as well as the governmental television channel. Commissioner Roberts noted the need to publicize that people need only wave to a trolley and it will stop for them. Mr. Wren offered to work on a marketing fact sheet on how to use the service as well as updating the website information.

Mayor Seiler opened the floor for public comment.

Fred Carlson, 625 Orton Avenue, indicated that the hotels are very interested in the service for employees. He emphasized the need to prioritize attention to businesses.

I-B – Homeless Fixed-Site Meal Program

In accord with previous direction, Cate McCaffrey, Director of Business Enterprises, advised that four potential sites have been identified. Pros and cons and conversion cost information is included in Commission Agenda Report 10-0797. The Downtown

Development Authority (DDA) has adopted a resolution (included in the backup), indicating that they do not think the 120 NE 4 Street site should be under consideration, and prefer 901 NW 5 Avenue. Also included in the backup is a letter from Robin Martin of The Shepherd Way, dated June 9, 2010, representing the faith based community, indicating their preference of 540 NE 8 Street.

Mayor Seiler opened the floor for comment from the homeless task force.

In response to Mayor Seiler, Ms. McCaffrey advised that the task force did not make a site recommendation. Robin Martin of Shepherd Way, indicated the faith community is willing to work with the City on any of the sites, but want to be able to be proud of the site and that it could be effective. As such they recommend 540 NE 8 Street. All of the pastors with which Mayor Seiler met have been to this site personally (or their representatives) and believe it is the best site. He clarified that he represents eight of the largest protestant churches located within the city, including groups that are already feeding and those who want to expand their involvement.

Genis Ellis also supported 540 NE 8 Street and indicated that she is speaking on behalf of the groups she represents (did not announce them).

Ron Centamore supported 901 NW 5 Avenue because it is in a warehouse district not surrounded by residential. It is big enough to accommodate the needs and to expand if desired. Money would be needed to bring it up to standards. The second site (120 NE 4 Street) is in the middle of residential and not appropriate in his opinion. He felt 901 NW 10 Terrace is too far away from the area that needs to be served. Concerning 540 NE 8 Street, it could accommodate the needs; the surroundings are commercial and residential; it is being used by some churches now; it may be the least costly. In conclusion he supported this site as well as 901 NE 5 Avenue.

Dennis Ulmer referred to Ordinance C-01-45 concerning the Homeless Assistance Center and asked if these sites meet criteria set forth in the ordinance. Ms. McCaffrey believed only one site is near the Homeless Assistance Center. Mayor Seiler requested a copy of the ordinance.

Fred Carlson asked whether this plan would eliminate the feeding that has occurred on the beach. He wanted that group to be incorporated into this proposal to eliminate random feedings on the beach. Ms. McCaffrey advised that was the concept, to bring everyone together. Mr. Carlson elaborated upon the difficulties historically and wanted City officials to reach out to the organizer, Arnold Abbott. He did not know for certain those feedings are continuing to occur. In response to Commissioner Roberts, the City Attorney indicated it would be possible to impose a social services prohibition within the parks if one or two sites have been allocated, however, the sites must be convenient. Commissioner Roberts wanted to pursue that prohibition.

There was no one else wishing to speak.

Mayor Seiler felt 540 NE 8 Street would be the best. He wanted to choose a second site and to consider a monthly rotating plan using a tent system, with the thought of not putting all of the pressure on one neighborhood. He elaborated upon the need when looking at the impact on the downtown. Vice Mayor Rogers agreed. Discussion ensued concerning the sites and their proximity to residential. Commissioner DuBose was very

disappointed in the recommendations and went on to point out that 901 NW 10 Terrace is in the vicinity of a school and residential is across the street. The area is already heavily saturated with social programs and a homeless issue.

In response to Vice Mayor Rogers, Iris Riley of Transstate Commercial Realty, advised that HANDY (Helping Abused, Neglected, Dependent Youth) administrative offices are across the street from the 540 NE 8 Street site. Commissioner Rodstrom and Vice Mayor Rogers wanted to include HANDY in discussions.

Commissioner DuBose reiterated his concern that the locations were not totally vetted and concern about proximity to youth. Mayor Seiler elaborated upon the problem and that the Commission needs to make this difficult decision. Ms. McCaffrey understood that young people were not coming into the building (HANDY) at that location, but offered to followup. There was some regard being given the property owner in not speaking with the entire neighborhood.

Commissioner Rodstrom asked if Broward County was consulted. Mr. Martin advised that a representative of Broward County has attended the task force meetings. There is no money on the table for this purpose.

Commissioner DuBose did not think the City has done its due diligence on the sites although he recognized the hard work of volunteers on this difficult issue. He did not support locations where youth will be nearby. Mayor Seiler agreed.

In response to Commissioner Rodstrom, Mayor Seiler noted from the backup it appears that the site owners are flexible with respect to the lease amounts.

Commissioner Roberts wanted to followup in determining if there are operations at the HANDY office and proceed with the caveat noted by Commissioner DuBose. Mayor Seiler concurred. In response to Commissioner Roberts, Ms. McCaffrey indicated that a number of locations in the southeast and southwest were visited, but none seemed appropriate. In total about three dozen sites were visited. Commissioner Roberts wanted to look at the previous list of sites.

Commissioner Rodstrom requested a copy of the ordinance (see above). The City Attorney advised that the ordinance does not impose limits beyond the Homeless Assistance Center site except if it is related to the center.

In followup discussion with Ms. Riley, she noted the specific location of HANDY and indicated that the 540 NE 8 Street site has been operated as a homeless feeding center for the last 2 ½ years.

Mayor Seiler asked that HANDY be contacted to determine the use of their facility. Commissioner Rodstrom wanted to make sure every site is examined and locked down before a decision is made. Commissioner Roberts reiterated his desire to revisit the site in the south he previously referenced, but did not want to delay checking with HANDY and consider information on a lease (540 NE 8 Street). With the understanding that the matter will return to a conference, Commissioner Rodstrom was agreeable with collecting this additional information.

EXECUTIVE CLOSED DOOR SESSION WAS HELD AT 4:37 P.M.

The City Commission shall meet privately pursuant to Florida Statutes 286.11:

Alexandria Brown, as Personal Representative of the Estate of Althea Tobias McKay, and on behalf of all survivors vs. Alexander Griss and City of Fort Lauderdale Case 08-010345(18), Claim VA GL 06-627

CLOSED DOOR ENDED AT 4:49 P.M.

I-D – Bus Shelter Installation Program – Broward County Transit

Albert Carbon, Director of Public Works, highlighted information in Commission Agenda Report 10-0650.

In response to Commissioner Rodstrom, Aretha Douglas, Program Manager, Broward County Transit, noted the majority of locations will not require an easement; there are some easements being requested for City owned property. As to duplication in the shelter and bench programs, Mr. Carbon understood that the benches would have to be located outside of the shelter because the stimulus funding being used for the shelters does not allow advertising that is used for the bench program. Ms. Douglas noted several shelter designs have been submitted for consideration. The proposed shelter has an affixed bench. Adjacent existing benches would remain. As to revenue from advertising on bus benches, Allison Oliver, representing the maintenance contractor for the bus bench program, advised there is approximately \$135,000 annually that goes directly to the City. They have worked with Ms. Douglas in moving benches to coordinate them with shelters.

In response to the Commission's questions on maintenance, the following information was provided. Mr. Carbon advised that Facilities Management of Public Works would be responsible for shelter maintenance but Ms. Oliver has been requested to provide a quote. Ms. Oliver advised that about 90% of the shelter locations have existing benches. Tom Terrell, Facilities Manager, advised that depending on the location, the Sanitation Division picks up garbage at shelters twice a week or daily. The City visits the twenty-two Transportation Management Association locations twice a month to pressure clean. The proposal would be once a month for all of fifty-one locations. The City would be responsible to replace solar panels that are stolen or damaged. The shelters remain the property of Broward Transit.

In response to Commissioner Roberts, Ms. Douglas advised the design provided is recommended by Broward Transit and is being used by the listed other cities. Ms. Douglas and Chris Walton, Director of Broward County Transportation, indicated that Broward Transit is still working with two other cities; unused funding would be available for other cities.

Mr. Carbon confirmed without lighting the solar panels are not needed. The shelters are generally in areas where there is ambient light. Mr. Walton indicated that panels could be retrofitted in the future. As to maintenance, Ms. Oliver indicated there is a substantial problem with graffiti and stealing batteries from the solar panels. More discussion ensued concerning the solar panels and the liability if solar panels were installed and not functioning or no lighting provided inside of the shelter.

In response to Vice Mayor Rogers, Ms. Douglas advised that no shelters of the recommended design have been installed yet. She went on to note particulars about the design and associated maintenance for Plantation.

Vice Mayor Rogers did not want to incur any additional maintenance; he did not favor solar panels. He wanted to use the existing contractor. Commissioner Roberts noted that as there is a move toward mass transportation, there needs to be enhancements that will encourage people to use mass transportation. However, he did not want to be obligated for a large maintenance contract. He wanted to move forward with tiers one and two with lighting as it is being installed at their cost. Mr. Carbon pointed out that it is not maintenance free, but rather decreased maintenance for existing shelters. Commissioner DuBose agreed to take advantage of being able to have more shelters. He was not convinced that the maintenance would increase significantly with lighting. Mr. Carbon explained the annual total maintenance cost for tier two is \$29,000. Ms. Oliver advised that because of theft the solar batteries are replaced on average every three months; otherwise they have a life of 2-5 years. They have a warranty. Commissioner Rodstrom favored including solar panels and proceeding with tiers one and two. She wanted to see the maintenance quote from Ms. Oliver which takes into account advertising revenue. With the enhancements, it will hopefully be possible to increase the advertising revenue. She also supported enhancements to encourage and accommodate people using mass transportation. Vice Mayor Rogers was concerned about graffiti and vandalism. He wanted to take one step at a time.

Commissioner Roberts asked how long does the City have access to the funding. Mr. Walton advised the funding was granted for shovel-ready work. Moreover other cities are making requests for additional shelters. Consequently the funding needs to be expended as quickly as possible. In response to Commissioner Rodstrom, Mr. Walton advised that installation could take a year or more. Ms. Douglas indicated the contract will be considered for award after the summer break. Commissioner Rodstrom noted maintenance would not need to be addressed for at least one additional year. Ms. Oliver indicated that the real savings in using their service is that they are already established.

Commissioners Rodstrom and DuBose expressed support in all three tiers. Mayor Seiler and Vice Mayor Rogers had concerns about vandalism and graffiti.

In response to Mayor Seiler, Ms. Douglas advised it would be no sooner than a year before the shelters could be installed.

There was consensus approval to proceed with all three tiers (173) including solar panels and obtaining a maintenance quote from Ms. Oliver. Mr. Carbon reiterated that there will be need to increase the budget for maintenance.

Non-Agenda – Rebuilding Together

Jonathan Brown, Housing and Community Development Manager, provided information as to funding sources used by other municipalities. One requirement is that funding be provided without restrictions therefore it will be difficult to use federal or state funds. Two of the three cities have used general fund monies. The City Auditor explained that the City would have an ongoing sub-recipient monitoring requirement.

Mayor Seiler asked about his previous question concerning sale of the property after it is improved. Mr. Brown advised there is a strong good faith request that the property not be sold, but there is nothing recorded or no ability to impose a lien. Mayor Seiler was concerned about sale of properties after they are improved. Commissioner DuBose asserted that generally generation after generation stays in the home. Mayor Seiler wanted some sort of deed restriction or lien in place to assure the home is not sold for someone else's benefit. Commissioner DuBose believed such a restriction would make it difficult to get participants because traditionally people in these areas have had a bad experience with government; there is a lack of trust.

Sandra Vezci Einhorn, executive director of Rebuilding Together add full name), strongly agreed with Commissioner DuBose concerning the thinking or culture. Homeowners are required to execute a homeowner agreement policy that is a good faith contract that they will not sell their home. Rebuilding Together has never had a problem with a homeowner selling their home. There are over two hundred affiliates across the nation. None of them have any type of binding lien. Mayor Seiler asked how Rebuilding Together monitors what happens with the house. Ms. Einhorn indicated that the volunteers keep in touch with homeowners. Part of their vetting process is to address this question, that is, the homeowner's commitment to the neighborhood.

Commissioner Rodstrom raised the idea of using community redevelopment agency (CRA) funding. Discussion ensued about the area and scope that could be addressed. Ms. Einhorn indicated they would like to focus in one neighborhood. Commissioner DuBose indicated that there are neighborhoods outside of the CRA that are in need. Commissioner Rodstrom was supportive because of the impact and suggested an area outside of the CRA could be considered next year if the program is successful. Mayor Seiler and Vice Mayor Rogers felt CRA is the only source of funding this year. Alfred Battle, CRA Director (Northwest), explained the process for use of CRA funding. Commissioner DuBose felt that there would be an uproar in District III if monies are plucked from the CRA. He wanted additional time. Ms. Einhorn indicated that she only needed to know at this time if the City is interested in the program. With time permitting, Commissioner Rodstrom wanted to explore use of Community Development Block Grant funding. Mayor Seiler requested this item be scheduled on the July 7, 2010 conference agenda.

Mr. Brown advised that Rebuilding Together would also need a waiver for all permitting fees. Ms. Einhorn advised that Fort Lauderdale is not being asked to do anything different than other participating cities. The City Attorney advised that fees are not waived; it could be a subsidy. Mayor Seiler requested this component also be scheduled for July 7.

Note: The City Commission recessed at 5:40 p.m. and reconvened at approximately 1:15 a.m. in the City Commission meeting room on the first floor of City Hall with Conference Item II-D.

IV - City Commission Reports

Sunnyland Homes

In response to Mayor Seiler, Commissioner DuBose had no objection to the Mayor issuing a letter with respect to potential tax credits for Sunnyland Homes and their demolition and redevelopment.

II-A – Solid Waste Disposal Service – Resource Recovery System – Interlocal Agreement with Broward County

Albert Carbon, Director of Public Works, highlighted progress on negotiations shown in Commission Agenda Report 10-0819, including an extension to October 31. The current combined administrative and tipping costs is approximately \$99 and at this point in the negotiations it is approximately just under \$60.

III-A – Communications to City Commission and Minutes Circulated for Period Ending June 10, 2010

Centennial Celebration Committee

The City received several responses to the Historian RFP. The RFP selection Committee is scheduled to meet at 12:00 p.m. on Monday, June 14, 2010. The Committee aims to request Commission approval of a vendor on Wednesday, July 7, 2010.

Mayor Seiler saw no problem with this item.

The Committee is seeking approval for Charles Fazzino to serve as the official artist for the Centennial. The contract between the City of Fort Lauderdale and representatives of Charles Fazzino is an item on the June 15, 2010 Regular Commission meeting agenda.

Commissioner DuBose advised that he met with the appropriate individuals on this item.

The official Centennial Registry brochures were printed, distributed. posted on the City's website and are available to the public.

The Centennial infant onesie was featured on the cover of the June 2010 edition of *Go Riverwalk* magazine.

The Committee is in the process of researching several projects, including:

- An Activity Book to educate students about our local history;
- A giant time capsule;

- A Centennial video project;
- Centennial merchandise;
- The projects previously presented to the Commission, including the 11th Street Bridge lighting project and the Gator Bridge.

The Committee is in the process of finalizing a master project list and budget.

Marine Advisory Board

A Motion was made by Mr. Ressing, seconded by Mr. Ross that the Marine Advisory Board unanimously believes that the 2000 study pertaining to the second boat lift, requiring the second boat lift to be in the center of the property, is ill advised for the following reasons:

- 1. Each property has unique characteristics;**
- 2. There is concern for the cost of additional infrastructure** required, including utilities and additional walkway;
- 3. There is no evidence that centering the lift** would benefit adjacent neighbors; and
- 4. It precludes full utilization of existing dockage.**

The requirement to center a second boat lift is analogous to having a requirement to place a second parking spot at the center of the yard. The **Motion** was approved unanimously (10-0) by roll call vote.

In response to Mayor Seiler, Cate McCaffrey, Director of Business Enterprises, explained the board simply does not want to this happen based on the prior (2000) study.

Police and Fire Pension Board

There was consensus among the Trustees that the following items should be communicated to the City Commission:

- 1. In an effort to comply with the March 15th** submission deadline for their State Report, the Pension Board is considering changing their fiscal year to coincide with the City's fiscal year. The City Finance Director is going to bring a recommendation to the Board at their July meeting. The Board has also requested feedback from the City Manager.

2. The Pension Board has received numerous responses from their Investment Consultant RFP and has begun the evaluation process.

The City Auditor explained the board is having trouble meeting their filing requirements with the State. Unfortunately, they have to wait for information for the City's audited financial statements which are generally not completed until March 31. Their fiscal year ends at the end of the calendar year instead of September 30 which is the case with the City and the general employees pension system. The proposal is to align their fiscal year with the City. Historically there was some issue, but no one seems to recall it. He was not aware of any impediment.

There was no objection.

Economic Development Advisory Board

1. A motion was made by Ms. Burt-Stewart, seconded by Mr. de Vosjoli, to recommend the following to the City Commission:

That the City Commission support the mission of Hold The Line to maintain funding for arts organizations in Broward County, 50 percent of which are located in Fort Lauderdale, at its current levels.

2. A motion was made by Mr. de Vosjoli, seconded by Ms. Burt-Stewart, to recommend the following to the City Commission:

That the EDAB adopt the Sign Ordinance recommendations to be sent to the City Commission. (See attached 2 page document.)

The **Motions** were approved unanimously.

Cultural Projection Signs – Pilot Program

Marvin Chaney, owner of RoboVault building, 3340 SE 6 Avenue (northeast corner of Interstate 595 and Federal Highway), described a concept of placing a graphic illustration on his building to promote cultural, non-profit venues. He understood this would be in violation of the sign code, however, the Economic Development Advisory Board unanimously supports it. He read supportive comments from Irvin Lippman, executive director of the Museum of Art Fort Lauderdale, contained in his letter of June 15, 2010, as well as a letter from Janet Erlick, executive artistic director of Fort Lauderdale Children's Theatre (undated). Copies are attached to these minutes. He added that this could be accomplished with a projector for nighttime only or as a digital billboard.

In response to Vice Mayor Rogers, the City Attorney indicated this would nevertheless be a billboard, but he had recommended determining how many buildings would qualify for such a billboard type of structure before the ordinance is amended. Because the City cannot regulate content, it makes no difference whether not-for-profit information is displayed. The City may only regulate time, place and manner. Vice Mayor Rogers suggested limiting it to buildings of a certain height, visible from interstate highways. The City Attorney did not think that would be acceptable, but the argument could be made. A determination should first be made of how many buildings would qualify because advertising companies will be interested in selling advertising. There are regulations on how many times the copy can change so as not to distract drivers. There could be a limitation on distances between billboards. The City's ordinance is structured around off-site advertising and as such, he would need to look at whether it could be limited to the interstate. He noted the extent to which the City went to rid the city of billboards. Mayor Seiler thought it is a good concept and requested the City Attorney look into what could be done to narrow it as much as possible.

Commissioner Rodstrom commented that the concept is used in several other countries. It is a great way to showcase things. Once the door is opened, there will be more requests. Mr. Chaney indicated that every major metropolitan area across the country allows for such promotion of the arts. The example of what is permitted in Miami was touched upon. Mayor Seiler reiterated that it is a good concept but he was concerned about the potential for billboards littering the city again.

Other listed Sand Ordinance Items in 2 page document attached

Commissioner Roberts noted he has received requests to permit banners within shopping centers. The City Attorney indicated that some may be possible, but it will have a citywide impact. There have been requests for placement on the sidewalk when they are adjacent to the street. He offered to look into the extent of exposure. Vice Mayor Rogers noted that this item was not part of the Economic Development Advisory Board's communication. In certain cases, he felt the banners could be informative and decorative. Commissioner Rodstrom felt the City should promote businesses as much as possible. Vice Mayor Rogers thought the board's recommendations are well thought out and he wanted to pursue all of them. The City Attorney indicated that he will report back on all of them. He commented that some will create a greater demand than is being requested. Commissioner DuBose suggested the same approach that was taken with the signage for War Memorial Auditorium and Parker Playhouse.

I-A – Fiscal Year 2010-2011 Budget – Cost Recovery

Vice Mayor Rogers noted an example of the permit fee for a canopy being half of the canopy cost. He felt the fee should not exceed a specific amount of the value of the improvement. Valerie Bohlander, Director of Building Services, indicated she discussed this with the City's consultant and will bring back a recommendation. Phil Gonot of PMG Associates, City consultant, discussed his experience, precedence on this point and possible approaches. Safety is the concern, not profit.

Mr. Gonot responded to Vice Mayor Rogers' question concerning adjustment for the construction price index. He discussed trends in deciding upon permit fees. In further response, he expressed the view that the fee structure is not an impediment in expediting permitting. With respect to fee structure, he preferred a percentage of value

structure if there could be an outside source on the value. There is a system where parameters are inputted and the system provides a dollar amount. In response to Mayor Seiler, Mr. Gonot indicated the City's (permit fee) structure is just a little below the average. Chris Augustin, Building Official, elaborated upon the work involved with a change in contractor and noted this item is recommended to be lowered.

Vice Mayor Rogers wanted more quality time to review this item. The City Manager emphasized the need to finalize the budget.

Vice Mayor Rogers referred to parks and recreation and noted that at times the City's material costs for programs are not fully recovered. He felt those costs should be covered. Another example of an area that could be raised is the tennis membership. Commissioner Roberts thought the recommendations are a good start. He also felt there should be attention to more recovery in parks and recreation as well as fire rescue. He believed those areas should be improved this fiscal year. Commissioner DuBose agreed.

I-F – Ballot Language – Amend City Charter to Provide for Sale of City-Owned Property for Affordable Housing or Economic Development Purposes – November 2, 2010 General Election

Note: Please see regular meeting item CR-12.

III-B – Board and Committee Vacancies

Note: Please see regular meeting item R-06.

V - City Manager Reports - none

There being no further business to come before the Commission, the meeting was adjourned at approximately 2:04 a.m.