

FORT LAUDERDALE CITY COMMISSION CONFERENCE MEETING
SEPTEMBER 21, 2010

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CITY COMMISSION CONFERENCE MEETING 1:34 P.M. September 21, 2010

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

Also Present: Acting City Manager Allyson Love
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 1:34 P.M.

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

CLOSED DOOR ENDED AT 2:36 P.M.

I-A – Redevelopment of Aquatic Complex – Recreational Design & Construction, Inc.

Cate McCaffrey, Director of Business Enterprises, advised that the City received only one response to the request for proposals for redevelopment of the Aquatic Complex.

Jim Blosser, representing Recreational Design & Construction, Inc., outlined the chronology of steps taken leading to this point also highlighted in Commission Agenda Report 10-1234. Recreational Design believes their proposal is the highest and best use of the 7 ½ acre site. They believe the economic benefits will be great. The facility is now 45 years old and in great need of enhancement and redevelopment.

Jose Murguido, representing Recreational Design, reviewed slides concerning this item. A copy of the slides is attached to these minutes. Joe Cerrone, also representing Recreational Design, explained their goal was to create a multi-purpose facility. One swimming pool, for example, has a removable floor.

In response to Commissioner Rodstrom, Mr. Cerrone advised that both of the restaurants can be accessed directly from the parking garage or the street.

Mr. Cerrone went on to elaborate upon design features that make the facility multi-purpose. He introduced Tom Lochtefeld, representing Wavehouse, that would serve as the economic engine for the facility. He reviewed those slides concerning Wavehouse. In response to Mayor Seiler, Mr. Lochtefeld advised there are currently four wavehouses in the world; no others in Florida. He also displayed a video on Wavehouse that was made a part of the record.

Mr. Cerrone continued review of the slides concerning this item. The revenue estimates are very conservative; they do not take into account all of the new events that could take place. Recreational Design is confident that it can raise capital for the project. He drew attention to the concept of multiple entities playing a part in the financing. For example, a group of entities assisted in funding the performing arts center.

John Webb, representing Greater Fort Lauderdale Convention and Visitors Bureau, noted that the economic impact of the Aquatic Complex has dwindled in the past five or six years due to the condition of the complex. It is probably the most important sporting venue in the county. It is in need of a face lift.

Bruce Wigo, representing the International Swimming Hall of Fame, indicated he has always thought the Wavehouse concept was a perfect blend for any aquatic center. He went on to elaborate upon the history of the Hall of Fame and how it promotes Fort Lauderdale as an international aquatics destination. The City and Hall of Fame have been losing revenue and cannot continue to do so. Improvements to the site are essential to positioning the facility to bring events to the city.

Mr. Blosser referred to "Where we go from here" slide and asked the Commission give direction to refine the design with community involvement and develop an operational plan and a funding plan.

Mayor Seiler opened the floor for public comment.

Art Seitz, resident of 1905 North Atlantic Boulevard, was concerned that Leisure and Recreation Concepts, Inc. (LARC) did not bid on the proposal because principals were on vacation. He questioned why no one from the City had contacted him. He felt there are local politics involved and that there was only one response. The proposer has never done the volume of business that will be required for this project. He did not think the project was properly publicized. He urged the City to seek more proposals.

In response to Mayor Seiler, Ms. McCaffrey was not aware of any objection from Michael Jenkins of Leisure and Recreation Concepts, Inc. (LARC). Kirk Buffington, Director of Procurement Services, was not aware of any communication from Mr. Jenkins regarding not having enough time to respond. Ms. McCaffrey advised that the RFP was released on November 16 and the bids were opened on March 4.

In response to Mr. Seitz's remarks about Commissioner DuBose's campaign, Commissioner DuBose advised that he and his family ran his campaign.

Sadler James, 3073 Harbor Drive, supported the project. He noted that this project does not have the 60,000 square feet of pool deck required in the RFP. He contended bidders did not come forward because there was no way to make it economically viable and meet the most basic requirements; bonding would be required. Bidders thought it would be rejected and they would then bid on something more realistic. There are also questions with deed restrictions on use of the site. He raised questions on financial aspects including debt repayment, revenue projections as well as the number of events projected.

Frank Gernert of Coconuts Restaurant and Tucker Charters, commented on his interest along with other area property owners in the beach master plan and the potential walkway behind their properties. He felt this project would marry well with LXR Luxury Resorts' proposal for Bahia Mar as well as Las Olas Boulevard and the beach itself. He supported the proposal and wanted to see a local company build the project.

Fred Carlson, president of Central Beach Alliance, projected an economic lean trend for the next decade in the United States. He was concerned that swimming would not raise

the revenue it has in the past. He did not think there is enough space. He questioned the adequacy of parking.

In response to questions about parking, Mr. Cerrone advised that there are currently one hundred parking spaces onsite and 300-400 are proposed. There would be more than enough employee parking.

Mr. Carlson was concerned that there was only one bid.

Tim Smith, former commissioner, commented on discussions held during his tenure and that they did not come to fruition. He emphasized the importance of making the project a reality without any more delay.

Ina Lee, 2200 South Ocean Lane, noted her previous service on the Chamber of Commerce Beach Council and City Beach Redevelopment Advisory Board, indicated that the Beach Redevelopment Advisory Board has discussed and put money aside for this project for years. She supported the project, noting the need for a family tourist attraction. She felt this could be the centennial's legacy project.

There was no one else wishing to speak.

Commissioner Rodstrom supported the project. She agreed the City should look for various pockets of money and make it a collaborative effort amongst Broward County, Tourist Development Council, Community Redevelopment Agency, the City and any other entities that may come forward. She suggested that D.C. Alexander Park at \$4.4 million be deferred. She wanted to use the majority if not all of the Beach Community Redevelopment Agency (CRA) funds of \$24 million for this project. She wanted to add dockage to the project and combine docking with parking. She questioned whether it would be possible to use any funding from the fire bond for the ocean rescue facility. The County has set aside \$10 million for a road to offset 9/11 security issues with Port Everglades. If the City decided not to build the road, she believed that \$10 million could be leveraged for this project. She felt the Tourist Development Council would assist.

Commissioner Roberts supported the project as being long over due. He wanted a continued working relationship with Mr. Wigo and others related to swimming competition. He wanted to make sure the facility is able to continue to attract competition. For example, there may need to be adjustments to the diving platform in order to meet standards in the profession. He agreed there needs to be a hard look at the numbers and a workable solution found. He wanted to use the \$24 million from the Beach CRA for the public realm infrastructure that would include this site.

Commissioner DuBose liked the project but asked for more information concerning traffic. Mr. Cerrone explained it is anticipated that people will walk from their hotel in the area. Additionally there is area parking. The facility is designed to handle everyday traffic for an average event of 300-400 vehicles including employees. Hotel and area parking would be used for higher level events which would mean people walking past businesses and hopefully making purchases. For larger events, there would be busing. Commissioner DuBose pointed out that there will be people coming to events who are not staying at a hotel on the beach. Mr. Cerrone advised that Recreational Design is awaiting results of a parking study being done by the CRA. Commissioner Rodstrom pointed out that there will be an impact not just as a result of the City's facility but all of the preceding development along the barrier island. Mr. Blosser advised that they are

sensitive to parking and traffic being an issue, and believe it will come along in development of an operational plan.

Vice Mayor Rogers spoke in favor of the project, need for good stewardship and that the facility needs freshening. He preferred a lease arrangement with the City carving out areas such as parking along with dockage. He wanted to use CRA funds for D.C. Alexander Park, as he saw this being the purpose of that funding source. He believed the swimming pool component is a must. The City could lease the ocean rescue component. He was concerned that there is only one proposer.

With respect to there being one proposer, Mayor Seiler was concerned that Mr. Jenkins has never indicated he had a problem, although he has spoken to the City since the deadlines have come and gone and not brought anything forward. He was also concerned that there is only one proposer, but there was 115 days available to proposers. He did not see this as a deal-breaker. He wanted the amenities and standards to be maintained as a world-class facility.

Mayor Seiler asked for more clarity with respect to the pool deck. Mr. Buffington indicated that the RFP provided for a pool deck of approximately 60,000 square feet; no minimum was specified. He along with the evaluation committee do not believe the variance is enough to find this proposer as non-responsive. Mayor Seiler wanted the deed restrictions addressed. He had serious concerns about the financing as proposed. With respect to the Wavehouse, he questioned the volume of visitors and how many people could use the pool in a given day including volume statistics at other existing facilities. He requested more detail on these points. He agreed with issues raised by Commissioner DuBose with respect to parking and traffic. He did not think there is enough parking. He agreed that there will be people attending the facility who reside locally. He asked the City Auditor to work with staff on this item overall. In further response, it was clarified that the slide noting hotel room rates was to be corrected to indicate \$119. Mayor Seiler emphasized that the Swimming Hall of Fame should truly be made a partner in this venture with all of the tools to succeed. Further discussion ensued as to the uncertainty of the project's feasibility based on the financial information in the presentation wherein Vice Mayor Rogers indicated he did not want to build a facility with tax dollars for the International Swimming Hall of Fame that they cannot afford to lease and Commissioner Rodstrom thought it may be necessary to reduce that \$9 million cost in the interest of affordability.

There was consensus that the Swimming Hall of Fame is a critically important component.

Mayor Seiler advised that he has had conversations with various officials concerning the \$10 million Port Everglades funding set aside for a traffic bypass requested by the City years ago. There is no guarantee of this funding availability for another project. Commissioner Roberts noted that the port director would like to move forward with the bypass. Vice Mayor Rogers felt it is a worthwhile project. Mayor Seiler did not favor using all of the CRA funding. He mentioned the need for a parking garage at the north end of the beach and the beach master plan. Commissioner Rodstrom mentioned discussion by the previously seated commission of a parking garage on Sunrise Lane in cooperation with the Holiday Inn and a brief discussion ensued on the topic of parking.

Mayor Seiler indicated that although there is a consensus to move forward, there is no commitment to any funding.

In response to Commissioner Rodstrom, Diana Alarcon, Director of Parking and Fleet Services, advised that a draft of the parking study is anticipated for January in order to include real seasonal data.

Commissioner Rodstrom requested discussion of the traffic bypass be scheduled on a conference agenda and indicated there may be other components that need to come back.

Mayor Seiler noted a pool deck issue for a facility in Coral Springs that prevented the holding of events. Mr. Wigo was not aware of any problem. Mr. Webb believed it had to do with seating. Mr. Cerrone advised that Recreational Design retained Councilman Hunsaker who he believed to be the foremost authority on international aquatic facilities. Mayor Seiler wanted the City Auditor and staff to be responsible for followup on this point. Commissioner Roberts asked that Mr. Wigo also be involved. Ms. McCaffrey indicated that the City has the benefit of Olympic national world champion coaches in the swim and dive teams. Much of their input was used.

In response to Mayor Seiler, the City Attorney requested thirty days to prepare a response on the deed restriction issue. As to the traffic bypass, Mayor Seiler wanted to first wait for Broward County to conclude their budget.

Mayor Seiler requested a status report at the November 2, 2010 conference meeting.

Albert Carbon, Director of Public Works, responded to Commissioner Rodstrom's question concerning any balance of funds in the fire bond issue considering the southeast station.

I-B – Las Olas Boulevard Ride Only Project – Railing

Albert Carbon, Director of Public Works, highlighted the chronology on this matter contained in Commission Agenda Report 10-1311. Staff is recommending Option 3: Ask FDOT (Florida Department of Transportation) to remove paint and re-install the non-vertical rails that are not adjacent to waterways, and City install decorative rails on areas adjacent to waterways – City will maintain and pay for the decorative rails. This option is estimated to be \$80,000. Option 4 is the community's preference: Remove all existing rails and replace with decorative rails – City will maintain and pay for the rails. This option is estimated at \$130,000. (note: options are quoted from commission agenda report)

Mr. Carbon responded to the Commission's questions as follows: The cost quoted in Option 4 includes replacement of rail where rail currently is in place. Staff hopes to work with FDOT on that portion that has no rail for \$80,000, which is the difference between Options 3 and 4. Maintenance of \$3,000 per year would be the same for either Option 3 or 4. As noted, if new rails are installed, FDOT will transfer all liability to the City because it would be an exception to rails installed by FDOT. As to removal of new railing to areas that previously had no railing, FDOT will no grant approval to remove the rails. The height would be forty-two inches. As to whether the City could avoid any railing if it is assuming liability, the railing is required by the federal government for ADA compliance and cannot be waived. Further detail was offered with respect to ADA requirements.

Mayor Seiler wanted staff and the City Attorney to meet with the FDOT to get a better understanding. He received the Commission's consent to also attend.

Mr. Carbon offered to clarify the reasoning for any rails whatsoever and what liability FDOT is asking the City to accept for new rails. Commissioner Rodstrom thought that FDOT should offset some of the liability cost as the City is following all of the guidelines being requested by FDOT.

Mayor Seiler opened the floor for public comment.

Art Seitz, 1905 N. Atlantic Boulevard, felt there is a safety need. He urged the area be made bicycle and pedestrian friendly and connect the downtown to the beach. He felt the City could be shovel-ready for perhaps \$20,000 and positioned to secure millions of dollars. He felt the monies should be included in this year's budget. He contended this is all about aesthetics.

II-A – Review of Inline Check Valves for Tidal Flooding

Mayor Seiler noted areas throughout the city flood. Experts indicate it has to do with tidal conditions. There are some ideas for drains, but all of the proposals are outrageously expensive. It is not possible to solve all of the flooding problems because they are caused from tidal conditions. If the streets are also raised and too much, the houses will be flooded. He wanted to learn about the valves and develop a plan to test.

Mr. Carbon highlighted points concerning this matter discussed in Commission Agenda Report 10-1336. One of these valves has been installed in the Sunrise Key area and the results are mixed. Another will be installed this week at Hector Park (Rio Vista). He displayed a photograph of the one-way inline check valve for Hector Park and explained its operation. The valve cost is \$5,000. He elaborated upon the maintenance challenges and modifications staff has designed to address them. He went on to discuss conditions in Sunrise Key and that it is now being tested at Hector Park where the residences do not have canals on both sides. There has been some improvement but not a drastic improvement. There is water on the streets.

Mr. Carbon advised that there are seventeen outfalls in Riviera Isles. The total cost, according to the current contract, would be \$234,000. With Commission direction, staff will confirm the price and bring a change order forward. He went on to note that there are other projects on the stormwater project list (Exhibit 6) ahead of Riviera Isles. Flamingo and Solar drives are on hold pending outcome of the stormwater master plan which is scheduled to come to the Commission in November – December time frame.

As to how the stormwater project list was developed, Mr. Carbon explained evaluations are made as to whether there is standing water for seventy-two hours. The City's engineers inspect the area. In the stormwater master plan, a level of service to limit tidal flooding would be a judgment call. Commissioner DuBose was concerned about setting a precedent before completing the stormwater master plan. Commissioner Rodstrom asked how the level of service is being determined. In response to Mayor Seiler's question of whether the Sunrise Key installation has been deemed a success, Mike Fayyaz, Assistant City Engineer, noted the installation has been in place only eight months; these are band-aids installed on a temporary basis for a life of 5-6 years and not a level of service type of improvement. In response to Commissioner DuBose, Mr. Carbon explained it is impossible to know if the Commission would be satisfied without

knowing the capital cost to reach each level of services and the Commission's level of expectation. Commissioner Rodstrom pointed out that the cost to increase the level of service citywide, which would be decided by the Commission once the stormwater master plan is presented, would increase the stormwater rate. If the work was done neighborhood by neighborhood as a capital improvement project there would not be a rate increase. The Commission may not want to spread the cost citywide to address tidal flooding. There are unsafe and unhealthy immediate issues. She preferred to address this project by project from the capital improvement fund. In response to Mayor Seiler, Mr. Carbon enumerated the projects on the list that have tidal flooding problems. He noted Priority 10, NW 8 Avenue, north of NW 11 Street, and indicated as a flooding problem; there is no place for the water to go; it is not tidal related. In response to Commissioner Rodstrom, Mr. Carbon advised that this is all carried in the stormwater enterprise fund (reserve) which is about \$800,000. In response to Mayor Seiler, Mr. Carbon indicated that Riviera Isles is one of the worst tidal flooding areas in the city, as well as Cordova Road intersection with 11th, Hendricks Isle however Mola Drive is the worst. He explained their attempt to address the problem on Mola Drive which resulted in another approach for Sunrise Key. The valves will not completely correct the problem in this instance, but he felt there will be a difference. Commissioner DuBose questioned this being the best use of the money if it is only a band-aid, the outcome is unknown, there are flooding problems throughout the city. Commissioner Rodstrom noted that promises were made during the campaign. This is a huge issue for Riviera Isles; people are tripping and having difficulty getting to their homes. Mayor Seiler believed something must be done, but he did not want to expend \$200,000 and have zero impact. Mr. Carbon indicated that there is an improvement in Sunrise Key, but he wanted to make it clear that the problem is not gone. The fact that the valves will not completely solve the problem has been expressed to the residents.

Mayor Seiler opened the floor for public comment.

Tamara Tennant, president of Riviera Isles Homeowners Association, indicated the water is up to her home on Solar Drive.

In response to Mayor Seiler, Mr. Carbon believed the flooding line could be cut in half.

Andre Assarte, 92 Hendricks Isle, displayed a photograph showing the tidal flooding (not received). Only 300-400 yards flood. He believed Hendricks Isle is a different situation; an inline valve approach would solve the problem.

In response to Mayor Seiler concerning Hendricks Isle, Clayton Pruett, 89 Hendricks Isle, believed that two valves would suffice. He went on to describe the situation in more detail. Mr. Carbon advised that installations would not push the water elsewhere. Hendricks Isle is Priority 18 estimated for 2013-2014. A survey of the area has not been done. Mr. Pruett commented that the area has flooded for the last thirty years, but two weeks ago was the worst. Speed bumps would be helpful.

Mr. Carbon responded to Ms. Tennant's question about the terminology describing the valves, clarifying that Sunrise Key has the same type being proposed although there is a new product that is less expensive and it requires less water to bring it out. The City's bid is based on the new product.

Ms. Tennant advised that the residents understand and accept that if it rains during high-tide, the water will stay in the street until low-tide. The damage has to do with saltwater.

Mayor Seiler suggested installing one valve quickly to test its success. Ms. Tennant advised that Solar and Flamingo are the worst. Mr. Carbon indicated 6-8 valves would be needed for two streets.

Mayor Seiler requested staff provide a ranking in terms of severity.

Ms. Tennant advised that the neighborhood (Riviera Isles) has submitted an application for utility line undergrounding and would like to do both projects simultaneously. The question arose as to whether raising the streets would cause more flooding.

Joe Holland, 1919 NE 32 Avenue, advised that he is a civil engineer. He elaborated upon the challenges and high cost surrounding this issue. The year's worst condition will be occurring on October 8. He suggested an aerial photograph to identify the worst areas. He also suggested more passive approaches, such as raising of the streets, to avoid maintenance intensive approaches such as check valves and pumping. He went into some detail about how inlets and so forth were addressed years ago. He emphasized it is a problem that must be addressed. In the past, valves which were a maintenance nightmare were found ineffective. He was not familiar with the degree of improvement over the years. Mr. Carbon noted some of the improvements that have been made, but acknowledged they are a maintenance nightmare. The approach would be to keep debris from going into the basin and the pipeline; essentially keeping the valve area clean.

In response to Mayor Seiler, Mr. Carbon indicated that the valve installation would be independent of the undergrounding.

In response to Commissioner Rodstrom's previous question, Shonda Singleton-Taylor, Acting Director of Management and Budget, advised that the current year net operating surplus will be about \$4 million.

In response to Vice Mayor Rogers, Mr. Carbon advised that staff could be prepared to be onsite at high-tide on October 8. Mayor Seiler pointed out twelve neighborhoods have brought the problem to the City's attention. He felt staff should decide upon the two most severe situations and move forward with two test projects. It appears that October 8 may be an ideal opportunity. Mr. Holland reiterated his suggestion of an aerial view. Mr. Carbon indicated that an aerial approach would be several thousand dollars. Mayor Seiler suggested taking photographs from the Goodyear blimp.

In response to Mayor Seiler, Mr. Carbon advised that a change order could be presented for the October 19 regular meeting. Ms. Tennant advised that there are homeowners who have offered to pay in order to try the valves as opposed to one on a street. Mr. Carbon indicated ten valves would be needed for Solar and Flamingo drives. Commissioner Rodstrom thought a survey should be done for the Hendricks Isle area and the work possibly delayed to another budget year. Commissioner Rodstrom expressed concern and frustration about helping Riviera Isles and pointed out at the last meeting \$3 million was budgeted from the general fund for the interior design of a building (Southside School) yet there is now quibbling over \$234,000 for a health and safety issue, which is the primary reason for government. Both Mayor Seiler and Commissioner DuBose explained that there is uncertainty about the success rate. Mr. Carbon explained that the neighborhood will still have saltwater in their yards and

possibly the street while it percolates up. However, it will be an improvement. During extreme high-tides, there will be saltwater rising through the ground.

Ms. Tennant advised this is the first time she has heard that there will be saltwater.

Both Vice Mayor Rogers and Commissioner Rogers favored moving forward with these areas where residents are willing to pay for part of the cost. Vice Mayor Rogers added he wanted to make sure the priorities are in line and did not want the City to represent that something will work, people pay and something happens. Commissioner DuBose wanted to deem this as a pilot project and a partnership. Mr. Carbon advised that the City's engineer and storm drain contractor will walk the area and arrive at a firm cost by Monday. He will then contact Ms. Tennant. Mayor Seiler requested it be scheduled for October 5. Mr. Carbon indicated that the cost match could be discussed on October 5. Mayor Seiler advised that the number of valves that could be possible as a pilot program would be discussed at that time. Mr. Carbon advised that an individual valve location cost will be provided. Commissioner Rodstrom asked that a funding source be identified. Commissioner DuBose asked that based on residential homes where individuals are willing to contribute, staff should determine what could be achieved for a given street.

Note: The City Commission recessed at 5:43 p.m. and convened as the Community Redevelopment Agency Board of Directors from 11:01 p.m. until 11:39 p.m. in the City Commission meeting room on the first floor of City Hall. The City Commission then reconvened the conference meeting beginning with Conference Item III-A at approximately 11:39 p.m. in the City Commission meeting room on the first floor of City Hall.

I-C – Surplus City Owned Properties

This item was deferred to October 5, 2010.

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

No discussion.

II-B – Planned Unit Development Zoning District

This item was deferred to October 19, 2010.

III-A – Communications to City Commission and Minutes Circulated for Period Ending September 16, 2010

Beach Business Improvement District Advisory Committee

A Motion made by Mr. William Stanton, Seconded by Mr. Joseph Geluso, to recommend the following to the City Commission:

That the City Commission support the Beach Community Redevelopment funding request for special events for 2010 and 2011 in the amount of \$405,000.

The **motion** was passed unanimously.

Commissioner Rodstrom noted that the Commission honored this request partially. She hoped they are searching for more sponsors. Commissioner DuBose recalled some sponsorships have appeared on the agenda from time to time.

Board of Adjustment

Motion made by Mr. Sniezek, seconded by Mr. Jordan, to recommend that the City Commission direct appropriate Staff to develop comprehensive policy and criteria to address alternative energy generation devices (*e.g.*, windmills, wind turbines) throughout the City; and have the City Lobbyists contact the State Legislators to provide local governments of high density residential areas a greater degree of control over the criteria. By voice vote, the Motion passed unanimously (7-0).

Greg Brewton, Director of Planning and Zoning, advised the board would like the Commission to authorize staff to develop criteria for windmills and turbines within high density residential neighborhoods. Commissioner Rodstrom recalled heated discussion on this topic with the previously seated commission. Mr. Brewton did not think the board was aware of it. He believed the board may be concerned with how such items are coming to them as a board when there is no real hardship. He confirmed that it would require a change to the unified land development regulations. In response to Mayor Seiler, Mr. Brewton believed this communication is about developing a proactive policy and that the City's lobbyist be directed to lobby for this at the (state) legislature level.

Commissioner Rodstrom requested a copy of the current state regulations. Mayor Seiler requested this topic be placed on a conference agenda with information from the City lobbyist and City Attorney's Office.

Budget Advisory Board

Motion made by Mr. Williams, seconded by Ms. Page, for the City Commission to implement the proposal drafted by Mr. Williams regarding appointment of a new city manager. In a voice vote, Board approved unanimously.

NOTE: The memorandum was not available when the agenda packet went to print. It will be furnished as soon as it is received.

Mayor Seiler asked the Commission to read the memorandum on this topic.

Visioning Committee

Motion made by Mr. Sieger and seconded by Ms. Buchan that the full membership of the Visioning Committee serve on the visioning consultant RFP evaluation committee. The motion was passed unanimously.

In response to Mayor Seiler, the City Attorney advised that the code provides for the selection committee to be appointed by City Manager. The Visioning Committee members could attend the selection committee's meetings and make comments. Kirk Buffington, Director of Procurement Services, discussed the membership composition and noted if the Visioning Committee was made a part of the selection committee membership it would mean more staff members being assigned to serve. It would become unwieldy in terms of scheduling meetings. The idea of appointing non-voting members is an option. At present, there are five members from the Visioning Committee and three staff members.

There was consensus approval to remain with the five members and that staff inform the Visioning Committee that the selection committee meetings are open to the public.

City Commission Reports

Sale of City-Owned Property; City Charter Amendment Ballot Language; March 13, 2012

In response to Commissioner Rodstrom, the City Attorney advised it would not be possible to effect the proposed charter amendment concerning sale of surplus property by adopting an ordinance in the alternative because the charter sets out the procedure. He went on to comment on an example where an ordinance could be the mechanism instead of a charter amendment that was pointed out by Mr. Shaw of the Charter Revision Board. He also explained the process being used for sale of such property.

No Trespassing; Vacant Buildings

In response to Commissioner Rodstrom, Valerie Bohlander, Director of Building Services, indicated that the property owner needs to execute an (owner's) affidavit in order for no trespassing signage to be posted on their building. Building Services works closely with the police and fire-rescue departments on this. She encouraged the property owners to contact Building Services.

Noise; Code Enforcement; Barrier Island

In response to Commissioner Rodstrom, Valerie Bohlander, Director of Building Services, advised that code enforcement staff monitors the barrier island during the evening on weekends occasionally. Police officers can issue citations for violations to the code pertaining to noise.

Financial Advisor RFP; Governing with Finances Federal Legislative Bill

In response to Commissioner Rodstrom, Lynda Flynn, Interim Director of Finance, advised that the legislative bill recently passed requires registration for financial advisors. She offered to verify the effective date. The City's financial advisor will be registered and the (upcoming) request for proposals will include the registration requirement and any type of licensing. The current financial advisor's contract expires in October. If the RFP is not completed in time, the Commission would be requested to approve the current financial advisor to work on a month to month basis or a financial advisor would not be needed during the transition. Davenport & Company, LLC is still part of the financial advising team.

Bahia Mar Capital Reserve Account

In response to Commissioner Rodstrom, Lynda Flynn, Interim Director of Finance, advised after a review of the information furnished (by LXR Luxury Resorts) does not indicate that anything was approved by their auditors in meeting the (contract) standards needed.

Small Businesses

Vice Mayor Rogers referred to a letter from a small business owner he sent to the Commission concerning difficulties during this economic downturn. He wanted the topic to be placed on a conference agenda with a report from the Director of Economic Development. He drew attention to the holiday parking discount program and potential amendments to the sign ordinance. In response to Commissioner Rodstrom, Stephen Scott, Director of Economic Development, advised that BusinessF1rst included small businesses. Commissioner Rodstrom agreed with Vice Mayor Rogers.

District III Event

Commissioner DuBose announced a ribbon cutting ceremony for the Midtown Commerce Center grand opening on Friday.

New River Condominiums

Commissioner DuBose advised that he is working on this topic.

Executive Airport – Fort Lauderdale Stadium property; Comprehensive Plan – Land Use Amendment

Commissioner DuBose noted that staff was incorrect on the Broward County Planning Council's October deadline concerning the comprehensive plan (Executive Airport – Fort Lauderdale Stadium property). If the proposed state Constitutional Amendment 4 passes, the City will have to take the amendment before the voters. Even though the Federal Aviation Administration is requiring the City to do one thing, the voters may weigh in differently.

Police Communications System

Commissioner Roberts emphasized the critical need to move forward with the police communications system. Tim Edkin, Director of Information Technology Services, advised that a report on this matter will hopefully be scheduled on the October 19 conference meeting. The original plan was to establish and find a vendor to implement the P-25 system in this coming year. There are funds to do so, along with an engineering study. Monies from the Capital Improvement Program would not be needed until the subsequent year. However, the Motorola proposal may change this and it is being evaluated at this time.

Metropolitan Planning Organization; Unfunded Programs

Commissioner Roberts reported on the recent Metropolitan Planning Organization (MPO) meeting and noted that the 7th – 9th Connector was kept in the eighth position. It will be difficult to keep this project in place. The A-1-A Greenway project was bifurcated

at Oakland Park Boulevard, as recommended by the Florida Department of Transportation, in the hopes of securing funding.

Barrier Island Public Meeting

Commissioner Roberts indicated that he has also notified District I residents. He felt it is useful for districts to cooperate on such matters. In the future Commissioner Rodstrom thought the three districts should try to consolidate into one meeting for this topic.

Violence in the Workplace

Commissioner Roberts advised in the past there was a workplace violence committee that evaluated incidents and issues. There was also staff training. He wanted information from the City Manager as to whether this is still in place. In response to Mayor Seiler, Commissioner Roberts indicated his comments are directed to the future.

City Events

Mayor Seiler announced upcoming City events.

III-B – Board and Committee Vacancies

Note: Please see regular meeting, Item R-03.

IV - City Manager Reports - none

There being no other matters to come before the Commission, the meeting was adjourned at 12:04 a.m.

John P. "Jack" Seiler
Mayor

ATTEST:

Jonda K. Joseph
City Clerk