

FORT LAUDERDALE CITY COMMISSION CONFERENCE MEETING
December 7, 2010

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CITY COMMISSION CONFERENCE MEETING 1:12 P.M. December 7, 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 C. Love
City Auditor John Herbst
City Clerk Jonda K. Joseph
City Attorney Harry A. Stewart
Sergeant At Arms Sergeant Joel Winfrey

**I-A – Centennial Celebration Committee – Sanctioned Events, Clydey Foundation
Winterfest Centennial Showboat, 17th Street Bridge Lighting Project and Parking
Exemption for City Park Garage Usage**

17th Street Bridge Lighting Project

Congressman Clay Shaw, chair of the Centennial Celebration Committee, requested \$11,000 to hire DeRose (design consultants) for the 17th Street Bridge lighting project. In response to Mayor Seiler, the City Attorney recalled FDOT (Florida Department of Transportation) has indicated that the City could proceed with changing out the lights but would be responsible for maintaining the lights and poles. The poles would have to be replaced in order to install the lights. FDOT would assume the electricity cost. Kathleen Gunn, Assistant to the City Manager, Grants, Legislative Affairs and Compliance, remarked that, in order to get a realistic idea of the project's cost, the City must issue an RFP. The City has a continuing contract with DeRose. The Public Works department recommended DeRose write the RFP. There is available funding for this in the centennial budget.

Mayor Seiler did not know of a better landmark for this project than this bridge. In response to Vice Mayor Rogers, Ms. Gunn explained that approximately \$44,000 in centennial funds have been spent to date. There is funding available for this request. She indicated that a task order to retain DeRose could be brought back on December 21.

There was consensus approval.

Peg Buchan, a member of the Centennial Celebration Committee, mentioned that all of the lighting fixtures will be wireless and Internet controlled by City staff. It will be a state-of-the-art project and a centennial legacy.

Parking Exemption for City Park Garage Usage

Congressman Shaw noted the centennial poster unveiling that will take place on December 9 at the Museum of Art. He asked that fees be waived for parking in the garage for this event only. Mayor Seiler was concerned about a precedent and the number of requests that the City receives for parking fee waivers. Congressman Shaw noted the event is co-sponsored by the City. Vice Mayor Rogers felt there is a difference. Diana Alarcon, Director of Parking and Fleet Services, responded to Commissioner DuBose's question about past practice. Mayor Seiler noted that the City has not granted any waivers in the past. In response to Commissioner Rodstrom, Ms. Alarcon advised

that funds for this waiver have not been budgeted. It was pointed out that parking revenues are pledged to an outstanding bond. Commissioner Rodstrom was uncomfortable granting a waiver as it appears to be precedent setting and remarked that the cost would be borne by the taxpayers. Commissioner Roberts felt a distinction could be made for the centennial. Mayor Seiler did not think that a parking fee would impact attendance. He did not want to set a precedent.

No consensus.

Sanctioned Centennial Events

Ms. Gunn noted the list of events provided in the backup (Commission Agenda Report 10-1747) and that as other events are added, updated information will be brought to the Commission.

Clydey Foundation Winterfest Centennial Showboat - no action requested

Mayor Seiler noted that he will not be riding on the boat, so that there is no gift issue.

Sanctioned Centennial Events

A brief discussion ensued as to publicizing the events on the City's website.

Mayor Seiler asked that the committee pursue securing a tennis event as part of the centennial.

I-C – Extend Onstreet Parking Hours – State Road A-1-A North of Sunrise Boulevard – Request of Fort Lauderdale Beach Village Merchants Association

There was no objection.

I-D – Residential Parking Permit Program – Holiday Isle Yacht Club

Mayor Seiler indicated that he represented the Holiday Isle Yacht Club years ago, therefore he will not discuss this.

Diana Alarcon, Director of Parking and Fleet Services, advised that the Yacht Club approached the City with this request. They meet all criteria set forth in the code. With consensus approval, an authorizing resolution will be presented to the Commission. Commissioner Rodstrom indicated that she has spoken with residents of surrounding condominiums and no one has objected. In response to Vice Mayor Rogers, Ms. Alarcon provided more detail on the process.

There was consensus approval.

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

The City Auditor indicated that there does not seem to be any policy or procedure as to how much of a reduction is afforded; it appears to be fairly subjective. He plans to add this topic to the audit work plan and present a recommendation at some point in the future. Vice Mayor Rogers was concerned that once a policy is established, people will

know how much leeway the City will grant. The City Auditor explained the thinking is that people should have a clear understanding that there will be equal treatment and have an expectation of what it will be. It differs from code enforcement board decisions, for example, that are conducted in the public. He believes it is problematic for things done administratively without clear parameters and are subjective. Commissioner DuBose thought the negotiation process could be compromised. Valerie Bohlander, Director of Building Services, confirmed that cases are negotiated. Before meeting with the parties, staff looks at the history, how much time has been expended by the inspector, cooperation, whether the individual caused the violation. There are cases where there is no negotiation. Those have to do with parties who have not been cooperative or taken care of their property and they have caused the violation.

Vice Mayor Rogers thought it would be smart to look at this, but cautioned that it is a double-edged sword. He hoped there would be thorough review. The City Auditor explained a schedule might be a percentage reduction if one re-remediates within thirty days, for example. He did not disagree with the Vice Mayor's concern. He thought it would be helpful to know typical practice in other jurisdictions and to quantify what reductions and fines have cost the City over a period of time. Commissioner DuBose appreciated such a direction that would inform the Commission of the cost. Ms. Bohlander indicated although it has not historically been included in the backup provided to the Commission, the City always recoups its costs. Vice Mayor Rogers emphasized that it truly is not about the fine, but rather about compliance. The City Auditor concurred that there are multiple things the City is trying to accomplish with code enforcement. However, many cases coming forward now are foreclosures where the bank may have had the property for a while and an investor has purchased the property. With a \$100,000 lien on the property, an investor is certainly taking that lien into consideration when negotiating a foreclosure purchase with the bank. It becomes a valid question of whether the City wants to give the investor a windfall by forgiving the lien. This type of situation differs from more of the cases four or five years ago where it was an occupied residence and the owner had ignored something for several years. Commissioner DuBose did not see how the two could be married. Vice Mayor Rogers agreed. He felt it is necessary for the City to have flexibility. Commissioner Rodstrom appreciated the City Auditor conducting such an analysis because it is really money out of the taxpayers' pockets and the appearance of the homes. Commissioner DuBose pointed out that ultimately the requests come to the Commission and a schedule would take away its ability to have input into the process.

Mayor Seiler concluded that this discussion is important; the Auditor is following Commission direction. A policy decision will be made when the report is submitted.

II-A – October 2010 Monthly Financial Report

Vice Mayor Rogers noted that it appears the revenues are short. Shonda Singleton-Taylor, Deputy Director of Finance advised that it is a timing issue.

Commissioner Rodstrom asked if staff has any information on potential ad valorem shortage next year. Mayor Seiler indicated that in his discussion with the property appraiser, she estimated it would be level next year. Ms. Singleton-Taylor advised that the property appraiser has recommended the City forecast flat. Commissioner Rodstrom questioned whether staff has analyzed how much will have to be taken from the reserves. Ms. Singleton-Taylor indicated that is a different issue.

Vice Mayor Rogers asked about Fines and Forfeitures on page 3 of the report (Exhibit 1 to Commission Agenda Report 10-1738). Ms. Singleton-Taylor indicated this is another instance of timing. Much of this line item will be the red light cameras and it has only been one month. Commissioner Roberts believed that establishing site and collection are both behind. He requested a status report be provided for December 21. Ms. Singleton-Taylor felt it would be better to wait for a full quarter experience although the police department could provide information on the installations. Commissioner Roberts wanted a projection. Commissioner Rodstrom remarked that if the revenue is not going to be forthcoming next year, it should not be shown next year.

I-B – Homeless Fixed Site Meal Program

Cate McCaffrey, Director of Business Enterprises, noted that the task force has requested consideration of 901 NW 5 Avenue. This building was previously presented and now the southern half is proposed. She noted area uses which were addressed in further detail as the meeting progressed. The lease amount would be \$6,700 per month. A thirty-day notice to current tenants would be required.

Vice Mayor Rogers emphasized the need to take a leadership role and that this has been underway for some fourteen months. Commissioner Rodstrom questioned whether this would relieve the problem of the homeless in parks. She was concerned about the cost and funding source. Northwest Progresso residents believe this should be a shared responsibility for the entire city. They are concerned about vagrancy issues after feedings. She felt the issue is being moved from one place to another, and the Commission should be realistic about how the problem is being solved. She questioned how much responsibility local government should take on. These issues would be the same in any district area. Ms. McCaffrey indicated that these concerns were discussed by the task force. This was never meant to solve the problem of homelessness. She noted that people could receive referral information at this site and consequently some homeless would be off the street. Nothing has been budgeted. They are confident that the operation could be contained inside of the building. Commissioner Rodstrom recalled a representative from the Homeless Assistance Center (HAC) noting that non-locals may come to the facility, including the working poor, and that many guidelines are needed. Ms. McCaffrey indicated that the faith based community has offered to help coordinate the operation so that there would not be lines. In response to Commissioner Rodstrom, the City Attorney highlighted particulars of a previous lawsuit against the City for stopping feedings on the beach. The court found that feeding the homeless was free speech and the local government only has authority to regulate time, place, and manner. Further it must be a reasonable accommodation. He was uncertain if the proposed site would be a reasonable accommodation. He believed litigation expenses will be part of this. In response to Commissioner DuBose, the City Attorney recalled an Orlando case which he believed the court ruled the city's plan to limit park feedings as unacceptable. He recalled there was a program by Orlando that prevailed. Commissioner Rodstrom questioned the total annual cost. In further response to Commissioner DuBose, the City Attorney elaborated upon his recollection of Orlando's ultimate course of action. Mayor Seiler believed the court upheld Orlando issuing a specific number of permits per park for feedings. Commissioner DuBose thought this could be an alternative. Commissioner Rodstrom maintained that a feeding program will not alleviate homelessness in parks. Commissioner Roberts preferred food and social services, not be distributed at parks. He felt the City would be restricted to the downtown area because that is where that population primarily exists. No matter what is done there will be litigation and negative feedback. It will not eliminate homelessness in Fort Lauderdale, only mitigate the

negative impact it has on quality of life. Vice Mayor Rogers felt it is unacceptable to not do something. Commissioner DuBose thought there is a pattern of locating a facility in the northwest. District III residents are opposed because there is spill over for blocks. He was concerned about the nearby school (Maverick). He suggested identifying four sites. He advocated sensitivity to the surrounding neighborhoods who have had to be burdened with this issue for decades and did not agree with placing the burden on them again. He did not want to take part in it.

Mayor Seiler opened the floor for public comment.

Robin Martin, executive director of Hope South Florida and The Shepherd's Way, was disappointed in the comments. He indicated that they are currently feeding the homeless adjacent to an elementary school and in a park that serves children. He did not support the proposed site. The goal is to feed people in a compassionate way. The faith community is willing to commit to this endeavor, but a decent facility is needed. Although there is a cost, the City is already spending money to clean up the parks that are being used inappropriately. Not every homeless person chooses to be on the street; some are turned away from the homeless assistance center. He urged the Commission to choose a site and give the faith community a chance to help. Hopefully, this will streamline the system so that people can more quickly get off the street. This would be a wonderful step to take in the City's centennial. There have not been problems at current feeding sites even though they are in proximity to what is being argued about today.

Commissioner Rodstrom asked about analyses on increases in the homeless population once feeding sites open. Mr. Martin could not speak to the question, however, there are people coming from surrounding communities to eat. There will always be people against any site that is selected.

Tim Smith, former commissioner, was opposed to this idea. He outlined the history of the City's efforts on this subject including building a homeless assistance center. The agreement reached when the center was built was that there would not be any expansion. He commented that his neighborhood was not aware of the task force formation on this issue. He advocated having a comprehensive plan and task force designed to help people who are willing to be helped. The border should be found for the others. Another option would be to expand the homeless assistance center. Lastly, City Hall parking lot could be a site as no specific neighborhood would be impacted.

Commissioner Roberts clarified this discussion is not about a residential camp. Part of this problem is that social services is overwhelmed and likely will always be overwhelmed. There is some discussion about expanding the homeless assistance center, but it will not reach everyone.

Vice Mayor Rogers pointed out how the community has grown. There were people living in tents in the downtown. There was opposition to the homeless assistance center before it was built, but now there is support for its expansion. He felt it took leadership at the time. It has been fourteen months; a first step has to be taken. Commissioner Rodstrom thought that the homeless assistance center was a step. However, she was not certain the center would want to provide congregate feeding. She believed similar rules imposed that the center would be needed.

Ron Centamore, president of the Downtown Civic Association and a member of the Progresso Village Board of Directors, noted his prior experience as a police officer when tent city (City's previous initiative against homelessness) operated. However, a controlled feeding site is not the same. The homeless issue downtown affects everyone. He wondered how the site's operational cost compares to the cost of lost downtown business. Progresso Park residents will allow the facility to operate in Progresso Village as long as the program is well managed. He elaborated upon the desired guidelines. This should not be the only feeding site in the city. When the site is established, the (Homeless) task force would like to stay intact and focus on more serious issues. If Progresso is the chosen site, task force members can offer input regarding program guidelines. In response to Commissioner DuBose, he indicated he has lived in Progresso Village for four years.

Genia Ellis, member of the Fort Lauderdale Woman's Club Board of Directors and member of the Homeless Task Force, noted the club's location next to Stranahan Park. (Club members) do not object to feedings. However, there is unacceptable behavior occurring at (Stranahan) park which has led to increasing arrests. Some of the problems are caused by people who prey on the homeless. She emphasized that homelessness is not a crime; it is a misfortune, they need assistance. She felt (task force members) have done their job. But, she thought the Commission has done little to solve the problem. She challenged the Commission to take action and choose a site. Commissioner Rodstrom expressed gratitude for the efforts of the task force. She indicated their role was to bring forward possible sites for evaluation. There are some funding unknowns about the proposed site. This is a worthy cause that must be accomplished. However, priorities must be established as the economy has now taken a dip and the reserves have been tapped. Ms. Ellis asserted the task force has worked on this for the past fourteen months, despite the original assignment being a maximum of one year. Commissioner DuBose took exception to the assertion that the Commission has not done anything. Discussion ensued about the complexity of the issue.

Steve Werthman, representing Hope South Florida and The Shepherd's Way, noted his experience and credentials working as a homeless program administrator. He was proud of the community involvement in closing tent city. He found properly operated shelters and feeding programs do not have a negative impact on the community. He cited statistical information contradicting the belief that non-local homeless will be drawn to a site. He elaborated upon established guidelines in (similar) programs. This initiative will mitigate the City's homeless issue, but not eliminate it. He elaborated upon some possible solutions for the issues at (Stranahan) park. If there is funding, expanded shelter and housing options should be made available. He expressed support of this site and encouraged the Commission to move forward. He recognized the faith community's involvement. Some churches cannot conduct feeding programs on their property because of on-site elementary schools. In response to Commissioner Rodstrom, he explained there is a recurring seasonal increase in homelessness during winter; however, most shelter-seeking occurs during the summer. Mayor Seiler wanted this to be a pilot project. In response to Mayor Seiler, Mr. Werthman indicated he only worked with fixed sites and was unaware of a rotational system. There are always people in opposition. He maintained that a properly operated site does not negatively impact the community. Some who opposed the HAC are now requesting its expansion.

Dennis Ulmer, 1007 NW 11 Place, noted he resides approximately one mile from the HAC. He reiterated former commissioner Tim Smith's statement that, when the HAC site was selected, the neighborhood was assured that no services would be added at the

site. In response to Commissioner Rodstrom, the City Attorney offered to review the applicable agreement, but he believed the agreement provides there would not be an additional residential facility.

Fred Carlson, president of Central Beach Alliance, remarked on his work concerning the homeless issue in the beach area. He felt a hard line should be taken with (homeless) individuals who have committed crimes, including panhandlers. The process should be simplified for police to effectively deal with these issues. Some people do not fit into the specific treatment categories established by many homeless programs. He believed the HAC should be expanded and allows entrance without mandating a certain (treatment) program. The feeding issue should be handled compassionately but the City should also try to chip away at the problems they can address.

Chris Wren, executive director of the Downtown Development Authority (DDA), noted the board of directors believes the random, unmanaged nature of feeding programs is negative for the downtown. In response to Mayor Seiler, he believed the board of directors supports this location. He offered the DDA's assistance if needed. Their general desire is to take a shot at solving the issue.

Perry Canan, member of Christ Church, noted he leads a weekly feeding program. He has never before seen the faith-based community come together on this scale. He stressed his feeding program is well controlled. In five years, he has never seen a violent incident. The homeless leave the area when the feeding time ends. He urged the Commission to approve this site.

Charles King, 105 North Victoria Park Road, indicated his opposition to the prior site as well as this one. He felt it will destroy the neighborhood and will increase, rather than decrease homelessness. He suggested City-owned property and/or parking lots be utilized to implement a mobile program so the burden could be shared.

There was no one else wishing to speak.

Mayor Seiler summarized the status and history of this issue. He believed the only fair course of action is to establish a rotational program that operates in all areas of the city. In the short term, a way to approach this must be found. He thought this location may work on a pilot basis, but he was concerned of what the landlord may need from the City.

Paulette Terrill, owner of the proposed building, explained the current tenant is moving out in 30-60 days. There has been discussion about leasing the building. She wanted a minimum one-year commitment. Mayor Seiler reiterated his desire to select four locations disbursed throughout the city or a mobile program. He reasoned that a long-term commitment should not be made to this site because the HAC should be expanded. He thought one feeding location is an ineffective long-term solution.

The following information was furnished in response to the Commission's questions. Ms. Terrill was unsure if she could accept month-to-month terms. She confirmed there will be no conversion expense because this side of the building is open space with approximately five offices. She does not have a prospective tenant other than the City. There has been some interest shown, but she has been waiting for a decision by the City. She expressed willingness to lease month-to-month to the City and provide the City

a 60-day notice if a tenant with more favorable terms was located. She felt this is a good location for the proposed service.

In response to Commissioner Rodstrom, Commissioner DuBose noted that spill-over is a concern. He elaborated upon similar issues with other local programs. The problem must be addressed in a way that is fair to all residents. Mayor Seiler reiterated his desire to implement this as a pilot for a few months to determine how it works out with the faith-based community.

In response to Vice Mayor Rogers, Ms. Terrill was uncertain about leasing the property on a month-to-month basis. Commissioner Rodstrom pointed out that this area has already gone through the endeavor of situating the HAC there. Vice Mayor Rogers wanted to get something started with the understanding they will pursue looking for a site in every district. Mayor Seiler expressed concern that this site's close proximity to the HAC places too much pressure on one neighborhood and committing to anything long-term. Vice Mayor Rogers stressed that an alternative site must be provided in order to legally address the current issues in the City's parks. Ms. McCaffrey emphasized the diligent efforts of the task force to find multiple sites. If there were other sites, they would have been presented. Mayor Seiler liked that this facility does not incur conversion expense. While this pilot is conducted, he wanted to explore other pilots throughout the city. Commissioner Rodstrom supported expansion of the HAC. The City could contribute funds it would have used for this endeavor to help with that expansion. Mayor Seiler first wanted to see the results of a pilot. With winter and the holidays approaching, he felt the Commission should take a step to alleviate the problem. He wanted the task force to continue looking for other sites while this pilot operates. Ms. Terrill asked if the City would stay for one year if the pilot program was successful in the first three, four months. She mentioned how difficult it is to lease a building for only a few months. Mayor Seiler felt the question would be what is meant by working out. Commissioner DuBose stressed that there must be other sites established throughout the city, regardless of this site's success. Mayor Seiler agreed.

Upon Mr. Centamore noting Progresso Village's willingness to commit to one year, Commissioner Rodstrom indicated some residents do not support the commitment. She questioned if all of the residents were polled. Vice Mayor Rogers thought it is reasonable to try something for twelve months if it works, together with agreement to find other sites. Commissioner DuBose reiterated his opposition to the site. If there is a majority in favor of this site, he wanted sites definitely chosen in the other districts as well. If it does not work at this site, it should be tried in another district. Mayor Seiler, Vice Mayor Rogers and Commissioner Rodstrom felt that is a fair approach. Vice Mayor Rogers wanted to be realistic with the building owner. The City Attorney advised that staff could be given direction to negotiate the lease and bring back information on cost.

Commissioner Roberts questioned whether the focus is on a mobile operation or fixed sites in each district. Mayor Seiler clarified that the budget cannot support sites in each district. He wanted to complete a pilot project and then address a budget. He is open to all possibilities including rotating mobile feedings on vacant lots. It depends on the available funding. While the pilot is operating, a site on the city's south side must be located. With north and south locations, he believed people will find it is not so bad. He expressed confidence in the churches helping. Discussion ensued on a rotational program.

Commissioner Rodstrom reiterated her opposition to the proposed site. She wanted to be certain that this is only a three-month pilot and will be well-planned. Even if it is successful, she did not want it to be permanent. Vice Mayor Rogers stressed that the downtown area belongs to everyone, not just those in District IV. This is a first step to address a problem that affects everyone. Commissioner Rodstrom pointed out if it is a matter of cleanliness, more cleaning crew dollars could be devoted to the current situation and it would be less costly. Vice Mayor Rogers emphasized the significance of this partnership (City and faith-based community). The City would be remiss if this leadership was not forthcoming. He believed this is for the City's best interest. Commissioner DuBose thought the issue is about feeding the homeless, not the downtown area. There are areas in District III with worse homeless issues than the downtown. He pointed out that District III had its own downtown but it was taken away. It is not an easy issue and he did not want it interpreted as a slight to anyone. Mayor Seiler wanted to learn from this pilot project and simultaneously look for a site on the south side. Commissioner Rodstrom noted the possibility that it is simply too costly. Commissioner DuBose indicated the Commission has taken leadership in taking on this issue. It is an issue bigger than the City alone. The City should look to the County and all levels of government. Commissioner Roberts agreed, noting that partnerships will be helpful.

As Mayor Seiler concluded, Ms. McCaffrey agreed to meet with Ms. Terrill on a three-month pilot program and have the task force look for a site on the south side of the city. Mayor Seiler requested she first meet with the City Attorney. He further requested each Commission member meet with the City Attorney who would update the Commission on the negotiations. It should then be scheduled on the December 21, 2010 conference.

III-A – Communications to City Commission and Minutes Circulated for Period Ending December 2, 2010

Affordable Housing Advisory Committee

Motion made by Mr. Henn, seconded by Mr. Walters, that given the addition of new members to the Affordable Housing Advisory Committee, the Committee as a whole believes it is in the best interest of the City to bring our final report to the Commission in mid-2011 as opposed to the end of 2010 as originally suggested at our prior workshop. In a voice vote, the **motion** passed unanimously.

There was no objection to the request.

Beach Redevelopment Board

First, there was a general consensus that the Board would like to see the Hall of Fame and Aquatic Center proposal move forward and the Board urges City staff to continue working with RDC. The Board would like the opportunity at future meetings to explore some of the details and find out more information from RDC and City staff so that they can find a way to come to a final plan and proposal.

Secondly, the Board encourages City staff to seek other funds to supplement CRA funds to implement the Wayfinding Signage and make that a priority as a first new action to showing progress on the beach and in the CRA area.

In response to Mayor Seiler, Donald Morris, Beach Community Redevelopment Agency Director, advised that staff is looking for grant opportunities.

Continued below.

I-B – Homeless Fixed Site Meal Program

Mayor Seiler asked Kathleen Gunn, Assistant to the City Manager, Grants, Legislative Affairs and Compliance, look into any grant opportunities for the homeless issue.

III-A – Communications to City Commission and Minutes Circulated for Period Ending December 2, 2010

Continued from above.

Beach Redevelopment Board

Thirdly, because a lot of concerns and questions were raised about the Intracoastal Park and Promenade which is subject to litigation, the Board would appreciate the City Attorney's office briefing the Board at one of its upcoming meetings as to what restrictions and challenges exist in trying to redevelop that project.

In response to Mayor Seiler, Donald Morris, Beach Community Redevelopment Agency Director, explained there is hesitancy to address this publicly while litigation is ongoing.

Budget Advisory Board

Motion made by Mr. Silva, seconded by Mr. Nesbitt, to request that Risk Management make a presentation to the Board in December regarding the self health insurance and airport funds. In a voice vote, Board unanimously approved.

Motion made by Mr. Nesbitt, seconded by Mr. Dickinson, to request that Human Resources attend a Budget Advisory Board meeting to discuss the 250 employees not covered by collective bargaining, to review their salaries and comparative salary data for unionized employees from surrounding cities. In a voice vote, Board approved unanimously.

Mayor Seiler agreed with the request for staff to attend their meeting.

Cemetery System Board of Trustees

Motion made by Ms. Sallette, seconded by Ms. Hayes, to approve allocating up to \$200,000 from the Perpetual Care Trust Fund for fencing at Sunset Memorial Gardens. In a voice vote, Board unanimously approved.

There was no discussion about the second motion. The second item was deferred until the Director of Business Enterprises was available.

Citizens Sustainability Green Committee

Motion made by Mr. Madfis, seconded by Mr. Albee, to request that the Commission expedite the preparation and delivery of the letter to our US Senators indicating the Commission's belief that the Clean Air Act was a valuable piece of legislation that should not be diluted. The letter should be sent without any further delay related to extensive research of the Clean Air Act. In a voice vote, Motion passed unanimously.

Vice Mayor Rogers believed there may have been some misunderstanding. He thought the Commission had decided to wait for specific legislation to address. Commissioner Rodstrom concurred.

Motion made by Ms. Eckels, seconded by Mr. Holland, to approve the Sub-tropical Cities 2011 Conference resolution and send it to the City Commission. The Committee was also requesting a proclamation regarding the event with the same wording as the resolution. In a voice vote, Motion passed unanimously.

No objection.

Motion made by Mr. Madfis, seconded by Mr. Albee, to request that the Commission expedite the preparation and delivery of the letter to our US Senators indicating the Commission's belief that the Clean Air Act is a valuable piece of legislation that should not be diluted. The letter should be sent without any further delay related to extensive research of the Clean Air Act. In a voice vote, Motion passed unanimously.

Returning to the first request of the Committee, Kathleen Gunn, Assistant to the City Manager, Grants, Legislative Affairs and Compliance, highlighted the results of her research on the act. Mayor Seiler requested staff secure information on the pro's and con's and provide that it to the Commission for the December 21 meeting. It would also be helpful to provide the data upon which the Committee relied.

Vice Mayor Rogers noted the request indicates that the letter should indicate the Commission's belief that the act is a valuable piece of legislation that should not be diluted, and expressed the opinion that this statement may not be sufficient to present the City's view.

Cemetery System Board of Trustees

Motion made by Mr. Pearson, seconded by Ms. Sallette, to approve a minimum bid of \$4,400 for the Evergreen surplus property. In a voice vote, with Ms. Hayes abstaining, Board approved unanimously.

In response to Mayor Seiler, Cate McCaffrey, Director of Business Enterprises, clarified the particulars about this item having to do with sale of the property. It will be presented to the Commission in January.

Community Appearance Board

Motion made by Mr. Paton and seconded by Ms. Franklin, to present the following to the City Commission and request the Commission approve the following three new award categories.

In a voice vote, the **motion** passed unanimously

The Community Appearance Board requests City Commission approval to create three additional recognition categories:

- **Business Award**– This award will be presented to a local business that implements projects that improve the community's appearance.
- **Neighborhood Association Award** – This award would be presented to a City of Fort Lauderdale Neighborhood Association. Neighborhood Associations may submit projects that demonstrate how the members joined together to improve the appearance of their community through a particular project.
- **CAB Business Award** – For this award, the CAB will develop a project plan and guidelines, which includes a list of suggested projects. This award would be presented to a business or organization willing to implement the project. These projects would not be major renovations; instead they would encompass beautification type projects.

Attached is additional information regarding the three new proposed award categories.

The Community Appearance Board (CAB) will be presenting plaques to the winners at their Annual Event. The cost of each plaque is approximately \$70.00 and any communication costs of the new awards will be covered

through sponsorship. There will be no additional cost to the City.

There was consensus approval.

Education Advisory Board

The Education Advisory Board would like to recommend to the City Commission to fill the current vacancies on the Centennial Committee with as diverse a representation of this City as possible in order to expand the education of residents of Fort Lauderdale about the complete history of Fort Lauderdale, and as further vacancies arise, to make it a priority to draw from their diverse constituencies so that complete history could be presented to students in all schools within the City of Fort Lauderdale.

Mayor Seiler encouraged the commissioners to make appointments as required and to heed the board's request concerning diversity.

Police and Firefighters Retirement System Board of Trustees

- The Retirement system received a Public Pension Standards Award for Funding and Administration 2010 from the Public Pension Coordinating Council.
- The Board received a letter from GASB (Governmental Accounting Standards Board) acknowledging receipt of the Board's letter voicing their concern over proposed changes.
- The Trustees elected Dennis Hole to serve as the 7th Board member, which requires City Commission approval.

In response to the City Auditor's question concerning the second bull, Mayor Seiler requested that the Auditor's response to the Governmental Accounting Standards Board's letter be scheduled for the December 21, 2010 meeting.

III-B – Board and Committee Vacancies

Community Appearance Board

Tom Catalino (Mayor Seiler)

Short Term Residential Use Committee

Dwight Ledbetter (Vice Mayor Rogers)

EXECUTIVE CLOSED DOOR SESSION WAS HELD AT 4:32 P.M.

The City Commission shall meet privately pursuant to Florida Statutes 768.28(16), regarding the following:

CHUANWEN WANG v CITY OF FORT LAUDERDALE CASE 09-41542

CLOSED DOOR SESSION ENDED AT 4:41 P.M.

Note: The City Commission recessed at 4:41 p.m. and reconvened at 9:59 p.m. in the Chambers on the first floor of City Hall with Commission Reports.

City Commission Reports**On Street Program**

Commissioner Rodstrom noted that her recent appointee to the citizens sustainability green committee (Alena Alberani) would like to present an open street program at a conference meeting, where a portion of a street is closed for a couple of hours to facilitate pedestrians, bike riding, etc. There was consensus approval.

Water Utility Billing Complaints

Commissioner DuBose noted that complaints about sudden increases in water utility bills. Albert Carbon, Director of Public Works, advised that a new billing system was implemented in June/July of 2010 and a 5% rate increase in August. Commissioner DuBose suggested he followup with Julie Richards, Assistant To The City Manager, for specific examples. In response to Commissioner Rodstrom, Mr. Carbon noted a request to conduct a rate study is anticipated for January with the results in March/April. He also mentioned those adopted in the 2010 bond document which showed annual increases through 2014. The rate study will show what is needed.

Volunteerism

Commissioner DuBose noted the success of the Mayor's volunteer challenge. At a recent league of cities workshop, the concept of volunteerism to address budget shortfall areas was discussed.

Pain Clinics: Six-Month Moratorium

Commissioner Roberts noted that state is not addressing the topic of pain clinics as hoped. He wanted to revisit the six-month moratorium on pain clinics and any other recourse that is possible. He asked the City Attorney followup. Commissioner DuBose indicated that the Broward League of Cities is continuing to work on it. Commissioner Roberts indicated that Florida is one of thirteen states that does not have a registry which is a problem. He wanted to make this part of the City's legislative agenda package for the upcoming year.

Centennial Celebration

Vice Mayor Rogers wanted to make sure the City thanks the centennial celebration sponsors.

Governor Elect Town Hall Luncheon on Tourism and Job Creation

Vice Mayor Rogers announced this upcoming luncheon and offered to report back on it.

Centennial Celebration; Homeowner Associations

Vice Mayor Rogers noted activities of District IV homeowner associations to recognize and celebrate the centennial. He urged other members of the Commission to recommend that their associations make use of the centennial's historian.

Las Olas Boulevard Mini Workshop; December 14, 2010

Vice Mayor Rogers announced a mini workshop has been scheduled for December 14, 2010, at Northern Trust on Las Olas Boulevard. It has been publicly noticed. Discussion topics: public safety, streetscapes and economic development including parking and traffic.

Events

Recent and upcoming events were announced by the Commission.

City Lobbyist

Mayor Seiler advised that he has requested the City's lobbyist meet with each member of the Commission on items of their interest. However, the Commission, as a body, should set the City's legislative agenda. There will not be any budget requests. Kathleen Gunn, Assistant to the City Manager, Grants, Legislative Affairs and Compliance, noted that she is working on scheduling meetings. The legislative agenda will be scheduled for presentation to the Commission in January.

City Manager Reports - none

There being no other matters to come before the Commission, the meeting was adjourned at 10:23 p.m.