

**FORT LAUDERDALE CITY COMMISSION CONFERENCE MEETING**  
**JANUARY 4, 2011**

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**CITY COMMISSION CONFERENCE MEETING    1:34 P.M.    January 4, 2011**

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 Tim McCarthy

**City Commission Reports**

**Financial Advisor; statements made on October 19, 2010**

Commissioner Rodstrom recapped the Commission's discussion with the City's financial advisor, Frank Hall, on October 19, 2010 (regular meeting). She quoted from a verbatim transcript of this meeting that is attached to these minutes. She noted that Mr. Hall sent an email to the Commission, indicating with whom he spoke, John Winn of Bank of America and Suntrust. She read an email from Mr. Winn to her, indicating that he was not aware of this opportunity and that Bank of America would be happy to provide an indicative rate, contradicted by Mr. Hall's claim that he had spoken to several lending institutions. This was false information given to the Commission. She referred to another email wherein Mr. Hall requested she publicly retract her statements and if she refused, he would have to think seriously and consider available options. She suggested the matter be referred to the SEC (Securities and Exchange Commission) for a proper investigation. In response to Mayor Seiler, the City Attorney advised, from a legal perspective of a burden of proof, his review of the transcript suggests there was clearly a failure to communicate. Mr. Hall said he contacted two banks; that he got an indicative rate from some bank and he checked with another bank. The transcript does not reflect that he got an indicative rate from the other bank, but there was a possible implication that he had. There is not enough evidence to show there was a clear intent to misrepresent or mislead, but there was clearly a failure to communicate clearly to the questions that were asked. He believed there is not enough evidence to prove intent in court. Commissioner Rodstrom clarified that she would like the matter referred to the SEC for investigation. She reiterated her concern about Mr. Hall's statements. She felt bullied by Mr. Hall. The City Attorney was not sure if the City has a justifiable misrepresentation complaint. In response to Mayor Seiler, the City Attorney believed financial advisors are regulated by the SEC. Commissioner Rodstrom concurred and went on to mention specific legislation enacted in September that placed financial advisors under the SEC's regulation. There is a question on the application as to false statements or omissions to elected bodies.

Commissioner Roberts believed the correct decision was made to refinance the bonds. The issue regarding Mr. Hall is separate, but important. He supported an investigation to clarify the perception issues and contribute to transparency in the future. Mayor Seiler was concerned that more could have been said in the explanation, but he did not believe it was a false statement. Commissioner Rodstrom indicated she would have a problem trusting information from Mr. Hall in the future which will impact her decision-making ability.

Commissioner DuBose thought that all parties should be present to deal with a communication issue. Mayor Seiler agreed. Commissioner Roberts thought the question could and should have been clearly answered. Mayor Seiler thought the City in fact got the best deal at that point in time. He thought that the statements made in the meeting forum are important for the public. He believed there is a lack of communication. He suggested inviting Mr. Hall to the January 19 meeting. Also, the Commission needs a better understanding of its options. He believed referral to the SEC is probably the most drastic. Based on the City Attorney's counsel, he did not go that route. Commissioner Rodstrom indicated the SEC would perform the investigation and provide a recommendation for future actions. Vice Mayor Rogers agreed that Mr. Hall as well as staff should be present to address the issue. Commissioner Rodstrom pointed out that Mr. Hall was present, however Vice Mayor Rogers felt this is another step. Staff who created a report on the matter should also be present. Commissioner Roberts noted that someone will have to be a fact-finder to conclude the validity of what is said at the January 19 meeting.

Mayor Seiler asked arrangements be made for Mr. Hall to be present at the January 19 conference meeting. The City Attorney offered to review the options. Mayor Seiler requested Commissioner Rodstrom organize the e-mail communications into one package and give them to the City Attorney. Commissioner Rodstrom requested that the City Attorney inquire whether a representative of the FINRA (Financial Industry Regulatory Authority) in Boca Raton would be available to attend the conference meeting. Mayor Seiler suggested that the City Attorney could meet with the FINRA representative and update the Commission.

#### Las Olas Boulevard Railing

Commissioner Rodstrom inquired as to the status of the Las Olas Boulevard rails, Mayor Seiler explained the FDOT (Florida Department of Transportation) strongly discourages horizontal rails because of potential for climbing and damage. The City Attorney clarified a rule has not been adopted by the FDOT, but they will only allow horizontal rails if the City pays for them. Albert Carbon, Public Works Director, recalled what was presented to residents of Las Olas Isles was to powder coat the rails black and include emblems on approximately every third vertical rail. If the City purchases and provides the emblems, FDOT will mount them. FDOT would pay for the same rails (vertical) being removed.

#### Special Events; Amplified Music

Commissioner Rodstrom suggested that requests to hold special events with amplified music be highlighted on the agenda so the Commission could alert constituents. Phil Thornburg, Parks and Recreation Director, explained that (amplified music) is noted on the application. He offered to also include it in the memorandum provided to the Commission. In further response, he noted that the City's noise code still applies.

#### Pain Clinics; Moratorium

He suggested the moratorium on pain clinic licensing be extended. He planned to speak to the City's lobbyists concerning more stringent state laws; Florida should be included in the national register. The City Attorney explained that staff is working to close illegally operating clinics, and a zoning ordinance to limit the number and locations of pain clinics. They cannot be outlawed; the State has pre-empted the area of regulation as to distribution of narcotics and provision of medical services. Funding of a database should

be added to the City's legislative agenda. Mayor Seiler cited statistical information regarding overdose deaths related to pain clinics in the state. Commissioner DuBose noted other states are negatively affected by the problem in Florida. The League of Cities is working on this. The change must occur at the state level. The awareness is spreading across the county. Mayor Seiler requested the City Attorney submit a moratorium extension to the Commission and explore other avenues. Mayor Seiler remarked about the pressures imposed by special interest groups opposite of the public's desires. In response to Vice Mayor Rogers, the City Attorney clarified that no permits are being issued. He elaborated upon the clinics that have been closed to date.

#### Public Safety Communication System

Commissioner Roberts requested an update on this item as soon as possible. Mayor Seiler requested the Commission first meet individually with staff. Commissioner Roberts emphasized that this should be a priority because the system supports the entire City's operations. If this is delayed too long, the City may be forced into a situation that is not in the City's best interests. Tim Edkin, Director of Information Technology Services, confirmed staff is in the process of meeting with each commissioner. Mayor Seiler asked that the police and fire rescue chiefs and their communication officers be part of the meetings.

#### Southside School

Vice Mayor Rogers indicated that Southside School should be on the agenda by January 19; there are still some outstanding issues, but there has been progress.

#### Marshall Bridge Noise Mitigation:

He referred to Broward County's noise mitigation policy that imposes a 50/50 cost split with cities and indicated that Broward County Commissioner Rodstrom has proposed a 60/40 split for Marshall Bridge. The City would be responsible for \$152,000 of a \$380,000 project. Residents want the project done. With this being a County bridge, it would set a precedent. The 60/40 split may have been proposed because County Commissioner Rodstrom did not think he could get approval for 50/50.

#### Pedestrian Cross-Walk Signage

Vice Mayor Rogers pointed out the effectiveness of pedestrian cross-walk signage and it is not too costly. Therefore, he wanted such signage installed where needed. Las Olas Boulevard is a perfect example. He requested the Acting City Manager follow-up. Commissioner Rodstrom requested optional prototypes be provided.

#### Citizen Presentations, City Commission Meetings

He noted a resident's request to move regular meeting citizen presentations to earlier in the meeting. Mayor Seiler noted he has not received any such complaints. Its placement currently allows flexibility with the minutes allotted. But, the presentations will be restricted to three minutes if moved to earlier in the meeting. Mayor Seiler requested the individual contact him. In response to Commissioner Rodstrom, Mayor Seiler explained the citizen must disclose the topic. In terms of guidelines for presentation content, Vice Mayor Rogers believed it is the Commission's duty to listen to critical

presentations focused on them, but it is inappropriate for the speaker to criticize staff or a third party.

#### Crime; Atrium Nightclub

Vice Mayor Rogers noted criminal incidents that arose as a result of overflow from the Atrium, a nightclub on South Miami Road in Hollywood. He elaborated upon staff's intervention to rectify the problems.

#### Dillard High School Girl's Basketball Coach Marcia Pinder

He wanted to make arrangements to honor Marcia Pinder for gaining the title of the winningest basketball coach in Florida.

#### Gerry Cooper

Mayor Seiler requested a moment of silence for this individual at the regular meeting.

#### Homeless Site Meal Program

Mayor Seiler noted he, members of the Homeless Task Force (task force) and Downtown Development Authority (DDA) reviewed sites throughout the city. He felt there should be a site on the north and south sides of the (New) River, but no recommendations have been made yet. He wanted to bring this forward after more review with the task force and DDA. The chosen sites must be in a central location, not too far north or south.

#### Events

Members of the Commission announced recent and upcoming events of interest.

#### **I-A – Formation of Duisburg, Germany and City of Fort Lauderdale as Sister Cities Marianne Winfield, Greater Fort Lauderdale Sister Cities International, Inc.**

Stephen Scott, Director of Economic Development, introduced Marianne Winfield, President and Nuccia McCormick, Chairperson Emeritus of Greater Fort Lauderdale Sister Cities International, Inc. Ms. Winfield noted Duisburg's location in the center of Germany, on the Rhine River. Duisburg has no sister cities in the United States. She went on to list some of Duisburg's attributes and sister cities, and reasons for this request. She noted Duisburg's history of commerce on the Rhine River. The goal is to foster economic development through the port. It is a cultural city as well that Fort Lauderdale Sister Cities will pursue. It has a population just under 500,000 and is the twelfth biggest in Germany. In response to Mayor Seiler, she confirmed the Fort Lauderdale Sister Cities' board has approved the proposed.

Ms. McCormick explained how cities are chosen for consideration. She noted Duisburg is comparable to Fort Lauderdale in culture and economic development. In fact it has more industry. She remarked upon the intensity of their interest and her belief that this is the best offer Fort Lauderdale could achieve in Germany. Mayor Seiler pointed out Duisburg has the largest inland port in Europe. He supported the request.

There was consensus approval.

Ms. Winfield noted Gold Coast, Australia, another sister city has been able to avoid the recent flooding and commented about the preparation that made that possible.

### **I-B – “Blue Laws” – Sale of Alcoholic Beverages on Sundays**

The City Attorney pointed out the State statute and City’s ordinance regarding hours of operation has been provided in Commission Agenda Report 11-0017. The State defers to the cities if they care to regulate. The City’s current ordinance does not distinguish between the types of establishments. A change in hours of operation could easily be done; but, a change in hours of operation and to distinguish between types of establishments would require a major re-write.

Commissioner Roberts thought the regulations should be relaxed as neighboring cities have done. He viewed it as an economic issue. Mayor Seiler felt comfortable with hotels, restaurants, and bars from a tourism perspective; but was concerned about the package and liquor stores. Commissioner DuBose shared his concern. Vice Mayor Rogers was concerned about an excessive drinking image for the city. Commissioner Rodstrom explained her focus is on the economic impact and the City’s ability to compete in the tourism industry. Commissioner DuBose disagreed that the law would greatly impact the City’s economy. He shared Mayor Seiler’s concern about relaxing hours of operation for package and liquor stores.

Discussion ensued as to ways to regulate wherein the City Attorney explained this type of regulation is based on licensing. Mayor Seiler noted another compromise is not to extend the time to 7 a.m.

Mayor Seiler opened the floor for public comment.

Dan Lindblade, president of Greater Fort Lauderdale Chamber of Commerce, advised that the chamber has not taken a formal position on this issue. But, their hope is the City’s decision will accommodate the tourist-based economy. He suggested a test be used to measure the impact. In his experience, people will bring their Sunday morning business to areas without blue laws.

Tim Schiavone, Parrot Lounge, pointed out that this is simply adding another day to regulations that already exist to the other six days in the week. He believed the current law confuses tourists. He noted the beach area’s transition to a more sophisticated, but still casual, tourist base. He felt the law should be relaxed across the board for all businesses in a pilot program. In response to Vice Mayor Rogers, he elaborated upon how relaxed hours could positively impact his business. He claimed a local Publix manager told him the store loses tens of thousands of dollars every Sunday. People go to Wilton Manors or Hollywood. Mayor Seiler reiterated his concern about package stores. Mr. Schiavone asked whether the law could be relaxed for grocery stores. Another idea is to allow sales if accompanied with food. He reiterated that package sales are already allowed six other days of the week.

Chuck Malkus, 2132 NE 62 Court, wanted the City to consider whether alcohol could be sold at establishments including grocery stores when a percentage of food is part of the sale.

Ina Lee, president of Travelhost, believed the law should be relaxed for all types of establishments to support tourism and convenience. She recommended a trial period. If

this law was set to respect the Sabbath, she raised the point of the Jewish Sabbath being on Saturday. The individual's right to choose must be respected.

There was no one else wishing to speak.

In response to Mayor Seiler, the City Attorney elaborated upon issues that will require time to address with respect to types of uses. It is much less time consuming to simply relax the hours of operation. Vice Mayor Rogers suggested turning back the time from Noon to 11 a.m. In response to Vice Mayor Rogers and Commissioner Rodstrom, Mr. Schiavone confirmed that he currently opens his business at 11 a.m. on the weekend, but would like to open at 7 a.m. Mayor Seiler noted there is consensus approval to implement a pilot program. He viewed this as a tourist issue; the City is now the largest cruise port in the world. People should be allowed this option. He was open to compromise, but felt something should be done. Commissioner Roberts agreed this is a tourism issue. But, it economically also affects residents. He believed the City's venue has changed. He did not think the perception of the past would come back. He believed the positive economic impact offsets any negative package store issues. He contended that every district has problems (with respect to package store sales). Commissioner DuBose stressed the City must be sensitive to all neighborhoods negatively affected. Commissioner Rodstrom suggested that perhaps compromise on the time; something more than one hour. She thought something across the board would be less confusing. Commissioner DuBose emphasized that several neighborhoods would consider this a set back. He expressed a willingness to do something for tourism, but not package stores. Vice Mayor Rogers pointed out if there is a problem for six days, it is not good to add another day. In considering both avenues, he would be more comfortable with the approach for hotels and restaurants. Discussion ensued as to various alternatives. Vice Mayor Rogers wanted to leave package store regulations unchanged. Mayor Seiler believed there is unanimous consensus to expand the hours for establishments with on-premise consumption. Commissioner Rodstrom thought this might encourage people to frequent such establishments if alcohol cannot be purchased at a store. In response to Mayor Seiler, the City Attorney thought an ordinance could likely be presented on February 1.

There was consensus approval to expand hours for on-premise alcohol sales and consumption (on Sunday mornings).

#### **I-C – Proposed Lien Settlements – Special Magistrate and Code Enforcement Board Cases**

In response to Commissioner Rodstrom's question concerning Item 3, 6760 NW 21 Terrace, Valerie Bohlander, Director of Building Services, confirmed the property owner, William McCulloch, was aware of a permit requirement and did not do so. Once the property was cited, Mr. McCulloch realized a variance was necessary. Mayor Seiler questioned such a massive fine reduction if the property owner knowingly did not secure a permit. Mike Maloney, Code Enforcement Manager, explained the process wherein an extension is generally granted, but the property owner was not present at the hearing where that would occur. Ms. Bohlander indicated the fence came down during Hurricane Wilma and was replaced shortly thereafter which was done by many residents. Commissioner Rodstrom thought the fine would be further reduced. Ms. Bohlander confirmed that after the hurricane, residents were allowed to re-install fences without permits and obtain an express permit afterwards. Mr. Maloney thought it is possible the property owner thought the fines would not accrue while he was applying for a variance.

Commissioner Rodstrom noted this is homesteaded property. She thought it could have been a misunderstanding. Ms. Bohlander believed that was the case. Staff strives not to be punitive. It is a fence installed for safety reasons. The mistake was not attending the massey hearing for an extension. Commissioner Rodstrom took note of the hurricane repairs necessitated and their cost. Mayor Seiler thought the property owner took an excessive amount of time to get a variance. Commissioner DuBose pointed out that the fence was replaced immediately. Hurricane Wilma caused significant damage and chaotic clean-up efforts and circumstances at that time. He alluded to the fine perhaps being as much as a new fence. He agreed that the owner's actions were not unreasonable. He questioned the fairness of a \$6,000 fine during a natural catastrophe. Vice Mayor Rogers pointed out that the violation was ignored. Mayor Seiler thought the fine was too low. Commissioner DuBose thought that the average person is not savvy about such things. He thought this could have happened to anyone. In response to Commissioner Roberts, Ms. Bohlander explained this type of scenario was the norm following Hurricane Wilma. She elaborated upon changes to code requirements for fences and the time it takes to work through issues relating to insurance and process in general. Mr. McCulloch was cited in 2006 and received a variance in 2010. Mr. Maloney thought he assumed fines would not accrue because he was seeking a variance. Mayor Seiler reiterated that many people completed hurricane clean-up before 2010. This individual should not be rewarded for ignoring the situation. Commissioner DuBose disagreed. He thought there could be many other similar cases; each should be looked at individually. It was a natural catastrophe. Mayor Seiler emphasized the extent of this fine reduction. Commissioners Rodstrom pointed out that the original lien amount exceeded the house (mortgage).

There was consensus approval of the item as submitted.

### **II-A – Sunrise Boulevard Bridge Over Middle River**

In response to Mayor Seiler, Scott Peterson, Project Manager, Florida Department of Transportation, indicated the existing bridge is approximately 6.5 feet of vertical clearance and the proposal is 10.2 feet, which is the maximum height feasible. Commissioner Roberts recalled his request for staff to address this project with Coral Ridge residents living near Middle River.

Mr. Peterson reviewed slides concerning this matter. A copy of the slides is attached to these minutes. He noted the landscape plan is conceptual. Landscaping will be placed only on the bridge's east side because there is no space on the west. The FDOT landscape budget is approximately \$125,000. If the City wishes to proceed with any or all of the upgrades shown in the slide presentation, it would have to pay for them upfront by March 2012. With respect to the \$85,000 of potential upgrade costs, Albert Carbon, Director of Public Works, advised that FDOT must purchase a temporary construction easement from the City. The cost of the easement is \$85,000. These funds could be returned to the City and used for other projects or this project. In response to Commissioner Rodstrom, Mr. Peterson indicated the project will take approximately 1 1/2 years. Commissioner Roberts noted the neighborhood meetings held and indicated that residents support the enhancements, specifically the (Galleria) lighting upgrades. He wanted to bring this back to the homeowners association again to get more feedback. Mr. Peterson remarked that a decision from the City is needed within a month. Commissioner Roberts wanted to move forward with deciding on the \$85,000 enhancements and continue to work with residents fine tuning the upgrades. Mr. Peterson noted this is not a final design and assured that FDOT's landscape architect



would work with the City. Mayor Seiler wanted to ensure the price will not exceed \$85,000. Mr. Carbon noted staff will review the property appraisals to confirm the cost's validity and bring it back to the Commission for approval in approximately two months.

Vice Mayor Rogers thought the work should have already been budgeted in the CIP (Capital Improvement Plan). These funds are revenue. It should not be addressed in an ad hoc fashion. One area will benefit from this, not the entire city. Commissioner Rodstrom agreed conceptually, but thought residents want to designate the funds for enhancements because they will be impacted by construction for 1 1/2 years. Commissioner Roberts thought historically enhancements for FDOT projects have been put back into the particular project. In response to his question, Mr. Carbon clarified that this project is not a City project; it is an FDOT project.

In response to questions raised by Commissioner Rodstrom, Mr. Peterson provided the following responses. Improvements will not be included on the bridge's west side because there is not enough right-of-way. FDOT is not acquiring any additional right of way. The road will be partially re-stripped for bike lanes, but there will be no bike lane stripping across the bridge. He offered to look into colored bike lanes.

Mayor Seiler opened the floor for public comment.

Fred Carlson, 625 Orton Avenue, wanted bike lanes to be considered for the future and particularly on bridges. He elaborated upon problems caused by no bike lanes on parts of Sunrise Boulevard. He requested a bike lane be included on this bridge. Discussion ensued regarding the lack of space on the west side.

There was no one else wishing to speak.

In response to Commissioner Rodstrom, Mr. Peterson indicated it would not be difficult to cantilever a bike path off the bridge's south side in terms of construction, but it is not feasible from a permitting standpoint. The FDOT does not own the right-of-way over the water. The City Attorney believed the right-of-way over the water is either owned by the adjacent (property) owners or the state. Mr. Peterson noted if buildings are removed in the future and space is available, the bridge could be widened and bike lanes added. The FHWA (Federal Highway Administration) (permitting) requirements do not allow for the bridge to be widened. The entire permitting process could be jeopardized if the bridge was widened. However, FDOT was able to alter the current to make them both six feet.

Vice Mayor Rogers expressed opposition to using the \$85,000 of revenue for this project. It should be budgeted. Mayor Seiler did not favor spending more than the cost of the right-of-way lease. He thought the same logic would be applied to any project throughout the city. He drew attention to the inconvenience these individuals will incur. Commissioner Rodstrom pointed out that this is a major road. Enhancements are needed for the entire length from Interstate 95 to the beach. Vice Mayor Rogers mentioned another bridge where a neighborhood has wanted sound quieting for a long time, but it is not budgeted. He stressed the importance of truth in budgeting. Commissioner Roberts pointed out these enhancements would be at no cost to the City. Vice Mayor Rogers reiterated that if the \$85,000 was not spent, it would be in the General Fund for use in another area. Commissioner Roberts pointed out that there are benefits to the park that everyone uses. Commissioner DuBose viewed it as leveraging the City's dollars. Mayor Seiler commented in the early 2000s he wrote letters as a state

legislator encouraging FDOT to raise the bridge. It will enhance property values. He saw a connection between this project and impact to this neighborhood. Vice Mayor Rogers thought \$85,000 will be spent on royal palm trees. He questioned whether this expense is reasonable.

Mayor Seiler concluded the matter will be presented for a vote at a future meeting.

### **City Manager Reports**

The Acting City Manager announced appointment of a new finance director, noted his experience and credentials and indicated he will start on February 19. She responded to various questions concerning his former place of employment and offered to provide more detail including the reason he decided to make a change in employment and the number of employees under his direction. In response to Commissioner Rodstrom, Averill Dorsett, Director of Human Resources, chronicled the national scouting and hiring procedure. Commissioners Roberts and Rodstrom questioned if he has experience in performance based budgeting and strategic planning. The Acting City Manager indicated he is experienced in running a finance department and operations similar to that of this city.

### **II-B – November 2010 Monthly Financial Report**

In response to Vice Mayor Rogers, Shonda Singleton-Taylor, Deputy Director of Finance, indicated the reason the actual revenue is less than the budgeted percentage is due to timing of receipt of property and utility taxes. Lynda Flynn, Interim Director of Finance, explained the bulk of property tax revenue is received the last week of December; none is received in October. She elaborated upon the payment pattern. She offered to provide what was received in December. Vice Mayor Rogers questioned the intergovernmental revenue for the CRA (Community Redevelopment Agency) as shown in Exhibit 1, page 12 of the Commission Agenda Report (11-0007) because the year-to-date is \$16 million and \$7 million was budgeted. Ms. Singleton-Taylor offered to followup with an explanation.

Mayor Seiler questioned the \$207,998 variance under Other Miscellaneous in the Cemetery Perpetual Care Revenues and Expenditures as shown in Exhibit 1, page 25 of the commission agenda report. Ms. Singleton-Taylor and Cate McCaffrey, Director of Business Enterprises, elaborated upon possible reasons for the variance, and offered to followup with an explanation. Mayor Seiler expressed concern that such a large sum is listed as miscellaneous.

### **III-A – Communications to City Commission and Minutes Circulated for Period Ending December 30, 2010**

#### **Beach Business Improvement District Advisory Committee**

**By unanimous consensus, the Committee supports the termination of the Prism Powerwash contract, and supports establishment of City Parks and Recreation as the vendor that will provide cleaning and power washing services for the designated areas in the BID corridor.**

Stephen Scott, Director of Economic Development, noted that the Beach Business Improvement District (BID) supplements the City's beach cleaning services via a contract with Prism Powerwash. The annual \$390,000 cost is a large percentage of their revenue. The Parks and Recreation Department estimated it could be done inhouse for \$205,000 but not with existing staff. The BID would like to have Parks and Recreation staff perform the services. In response to Mayor Seiler, Phil Thornburg, Parks and Recreation Director, explained this would require adding two positions, one full-time crew leader and one part-time employee. In order to cover seven days, 40 hours per week, additional part-time employees would be used as well as paying a current Maintenance Worker III overtime for the additional 16 hours. Mr. Scott indicated that the BID would fund it. Commissioner DuBose wanted a breakdown on the estimate including staff impact. Mr. Thornburg stressed this will not impact current staff; additional staff will be hired along with some overtime to current staff.

Mayor Seiler thought it should go out for bid. Don Morris, Beach Community Redevelopment Agency Director, explained this was bid last year. Although Prism was not the low bidder, they were chosen because of their qualifications. Mayor Seiler simply wanted to test the market place by a bid. Vice Mayor Rogers agreed, but anticipated the City could most likely still be the low bidder as they are already performing a percentage of the work. He believed it is a needed service.

In response to Commissioner Rodstrom, Mr. Morris noted the BID boundaries. Mr. Thornburg confirmed for Commissioner Roberts that the City already has the necessary equipment. Vice Mayor Rogers supported looking into this.

Commissioner DuBose wanted to see a breakdown before moving forward. Mr. Thornburg pointed out that the City's bid is now public knowledge. In response to Commissioner Rodstrom, Mr. Scott indicated that the BID would reimburse the City for all personal services' costs. Kirk Buffington, Director of Procurement Services, outlined the process of terminating the contract and rebidding. In response to Vice Mayor Rogers, Mr. Thornburg advised that the estimate does not include equipment depreciation because operating and maintenance is already in the budget. The City Auditor indicated a full cost allocation should be done.

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

Affordable Housing Authority Committee	Edwin P. Parke (consensus)
Beach Redevelopment Board	Chuck Malkus (Seiler)
Cemetery System, Board of Trustees	Larry M. Ott (Seiler) Jonathan Pearson (Seiler)
Code Enforcement Board	Joan Hinton (consensus) Joshua d. Miron (consensus) Janice J. Sheppard (consensus) Chad Thilborger (consensus)
Economic Development Advisory Board	Cary Goldberg (consensus)

Historic Preservation Board

Gretchen Gettemy Thompson (Seiler)

Nuisance Abatement Board

Louise Dowdy (consensus)  
Sal Gatanio (consensus)  
D. Ryan Saunders (consensus)  
Matthew H. Scott (consensus)  
Tom Wolf (consensus)  
Richard P. Schulze (consensus)

Sustainability Advisory Board

Jon Albee (Seiler)

In response to Vice Mayor Rogers, the City Attorney advised the Downtown Development Authority (DDA) does not require members to reside in the city. The City's ordinance would apply unless otherwise provided. The City Clerk believed it is otherwise provided for the DDA and noted it is not an advisory board. Vice Mayor Rogers did not want to include the DDA.

In response to Vice Mayor Rogers, Arleen Gross, City Clerk's Office, noted there is an advertisement on the website for Community Appearance Board membership. Mayor Seiler asked that Kelvin Curtis be contacted to confirm his interest on this board.

There being no other matters to come before the Commission, the meeting was adjourned at 4:57 p.m.