

FORT LAUDERDALE CITY COMMISSION CONFERENCE MEETING
APRIL 5, 2011

Agenda Item		Page
	City Commission Reports	14
	1. Signs; Shopping Center on Federal Highway (Panera Bread)	14
	2. Metropolitan Planning Organization; Committee on Multimodal Transportation System	15
	3. Broward League of Cities Ethics Task Committee; Recommendation to Broward County Commission	15
	4. Events; Road Construction	15
	5. North Runway, International Airport	15
	6. Bank Drive-Thrus	15
	7. National YMCA Swim Championships	15
	8. Dog Park Adjacent to Pet Supermarket; Sunrise Boulevard	15
	9. Sidewalk Proposal	15
	10. Discretionary Fund	16
	11. Metropolitan Planning Organization; Vice Chair	16
I-A	Comprehensive Annual Financial Report – Fiscal Year Ended September 30, 2010	1
I-B	Broward County Ten-Year Plan to End Homelessness	3
I-C	Fort Lauderdale Archery Club – Request for Renewal of Lease Agreement for \$1 Per Year – Property Located at 4590 Peters Road, Plantation, Florida	5
I-D	City of Lauderdale Lakes – Request for Proposal From City For Provision of Law Enforcement Services	6
I-E	South Regional Activity Center – South Andrews East and West Zoning Districts – Rezoning Properties Within the East To The West and Expanding the Boundaries to the East	1, 6
I-F	Code and Unified Land Development Regulations Amendments- Pain Clinic Regulations	6
I-G	Automated Red Light Camera Traffic Enforcement System Status	7
I-H	Citizen Satisfaction Survey	8
I-I	Request of International Swimming Hall of Fame to Lease Office Space To SW Eagle Distributors, LLC	8
I-J	Board and Committee Membership Requirements	8
I-K	Proposed Lien Settlements – Special Magistrate and Code Enforcement Board Cases	8
II-A	February 2011 Monthly Financial Report	9
II-B	Energy Star Pledge Driver Designation – U.S. Environmental Protection Agency	9

III-A	Communications to City Commission and Minutes Circulated for Period Ending March 31, 2011	9, 16
III-B	Board and Committee Vacancies Including Appointment of City's Representative	14
	City Manager Reports None	16

CITY COMMISSION CONFERENCE MEETING

1:37 P.M.

April 5, 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 (telephonically)
City Clerk Jonda K. Joseph
City Attorney Harry A. Stewart
Sergeant At Arms Sergeant Frank Sousa

EXECUTIVE CLOSED DOOR SESSION WAS HELD AT 1:37 P.M.

**The City Commission shall meet privately pursuant to Florida Statutes 447.605,
regarding the following:**

Collective Bargaining

CLOSED DOOR SESSION ENDED AT 2:38 P.M.

**I-E – South Regional Activity Center – South Andrews East and West Zoning
Districts – Rezoning Properties within the East to the West and Expanding the
Boundaries to the East**

Vice Mayor Rogers agreed with staff's recommendations. The goal is to create mixed-use with some density, with a buffer for the existing residential on the east side.

Continued on page 6

**I-A – Comprehensive Annual Financial Report – Fiscal Year Ended September 30,
2010**

Gracelyn Hodge of Ernst & Young, City's external auditors, noted Ernst & Young issued an unqualified audit report on March 23. The results were presented to the Audit Advisory Board on March 28.

Doug Wood, Director of Finance, responded to Mayor Seiler's question, indicating the board accepted the report as presented.

Ms. Hodge confirmed for Commissioner Rodstrom the increase of unfunded liability (**Annual Pension Cost and Funding Status**, page 56). In further response concerning the actuarial assumption on investment rate of return (page 57), Mr. Wood confirmed that 7.75% includes 3.25% for inflation, and the average is less than one percent. The 7.75% is long-term, perhaps over 20-30 years. He went on to note the pension asset growth shown on page 62.

Commissioner Rodstrom raised questions about **other post-employment benefits (OPEB)** (page 59). Mr. Wood advised that staff has not gotten to the point of deciding upon an amount to budget for OPEB next year, however, he noted the value of the assets earning power and when the economy turns, he hoped for that return to be better. The City needs to continue along the lines recommended by the City Auditor.

Commissioner Rodstrom asked about questions concerning the City's claim of \$15.1 million from **FEMA** (page 61). Mr. Wood believed the noted approximate \$7 million reimbursement has been budgeted as revenue. Gloria LeClaire, Controller, clarified that the \$15 million has already been received. The \$7 million receivable is different – project worksheets for which FEMA has not yet paid the City of \$5 million; \$2 million has been received. FEMA could ask the City to return the \$15 million, but all supporting documentation has been submitted, therefore staff does not anticipate having to return any of it. Mayor Seiler thought this is probably a practice common of FEMA nationwide.

Mr. Wood responded to Vice Mayor Rogers' question of whether there is anything unusual in the trends – **Changes in Net Assets** (page 106), other than the impact relating to the economy, assuring there is nothing unusual. Ms. LeClaire responded to Mayor Seiler's question about the **restatements for 2002 through 2005** on the same page. GASB required that intangible assets be placed on the books, which included in-house built software and easements. The City Auditor was aware of a correction made several years ago because interest on the City's construction projects was not capitalized. This may relate to that matter. The Acting City Manager asked the Director of Finance to determine the reason and provide that information. Mayor Seiler requested a written explanation on both footnotes.

Vice Mayor Rogers noted the City recently had secured appraisals on all of its properties for re-insuring purposes. In response to his question, Mr. Wood indicated that information was not included in this report. He added that the insurable value versus cost could be entirely two different numbers. Ms. LeClaire advised that the governmental accounting standards do not require use of the appreciated value of **assets**. The City uses historical costs depreciated; that information does not appear in the Comprehensive Annual Financial Report (CAFR).

Commissioner Roberts noted the increase in net assets over liabilities. He did not recall the percentage pay raises noted in the CAFR having been given or that would be given. As such he felt the **pension liabilities** are unrealistic. Commissioner Rodstrom elaborated upon this Commission's challenge of understanding what was done before they came into office.

In response to Commissioner Rodstrom, Mr. Wood explained that the **assets** are based on cost and as projects are completed, they are recorded as fixed assets.

Mr. Wood confirmed for Mayor Seiler that the **reserve undesignated balance** as of September, 2010, is almost 26 percent of the general fund.

In response to Mayor Seiler, Mr. Wood indicated he is hopeful the City could continue putting \$1 million toward **OPEB** and increase the amount. Mr. Wood agreed with the City Auditor with respect to OPEB liability.

The City Auditor referred to page 19 and noted the City budgeted for a \$6.4 million loss, but the actual result was a \$2.9 million surplus. He complimented staff. Concerning OPEB liability, the annual \$1 million set-aside was based on an actuarial report of several years ago that reflected a \$43 million OPEB liability. He anticipated the next report will show an annual contribution of \$2 to \$3 million. The Commission should consider establishing a trust fund so that the set-aside monies can be invested and a return of 6-7 percent could be generated. He compared this approach to how pension

funds are managed. Otherwise he thought the CAFR is excellent. There were some material weaknesses brought to the Audit Advisory Board's attention relating to inventory or fixed assets and problems with implementing the new utility billing system. He believed most of those concerns have been addressed by the Finance Department. He felt the City is moving forward in a good and strong way.

I-B – Broward County Ten-Year Plan to End Homelessness

Cate McCaffrey, Director of Business Enterprises, outlined the history on bringing this plan forward as outlined in Commission Agenda Report 11-0457. There was one vote of opposition by the homeless task force as to endorsing the plan because of concerns that money could ultimately be taken away from City neighborhoods.

Michael Wright, Broward County Human Services, advised that this plan was adopted by the Board of County Commissioners in 2005 at which time one goal was to create permanent affordable housing for homeless people – 1,200 units. In 2009, there were 800 homeless, unsheltered people in the county and 2,425 on the street. This year, the count completed on January 25 is anticipated to be upward of 1,300 homeless, unsheltered people and over 2,400 in shelters. Today the County Commission approved funding from HUD for 1,054 beds for homeless persons in the county. He noted the City's current efforts to end homelessness. The plan has been endorsed by Hollywood, Oakland Park, Pembroke Pines and Miramar. It will be presented to the Broward Housing Council later this month to get more community support, implement the plan and move forward with creating more affordable housing units.

Commissioner Roberts inquired about an update on what has been accomplished with the goals. Mr. Wright advised when the plan was adopted in 2005, the goal was 1,200 new housing units. Since that time, upwards of 135 units have been created. With a major change to the McKinney Vento funding by the Homeless Emergency and Rapid Transition to Housing Act (HEARTH), there will be a shift toward rapid re-housing. The plan was primarily focused on chronic homeless. Broward County is in the process of updating the plan, moving toward more connectiveness amongst the cities, community development and private funding resources. By being part of this agreement, Commissioner Roberts asked about associated costs. Mr. Wright advised there is no direct cost; it memorializes what the City is already doing. It also helps build support in terms of endorsement by other municipalities. Commissioner DuBose asked if this would prevent the City from securing HUD funding for homelessness. Mr. Wright advised that Fort Lauderdale already participates with thirteen other municipalities with HUD continuum of care funding. Broward County adopted the homeless fund, designating a portion of gas tax revenue coming to a little over \$11 million annually. There is \$9.5 million from HUD and about \$8-10 million in private donations, resources and philanthropic grants. He elaborated upon the coordination helpfulness of the HUD continuum care program. With the change in HUD's funding methodology, it could equate to more dollars for the City with respect to homeless veterans and chronic homeless if the City is a more active participant and endorses the continuum care program. Simply executing the document will not give the City "X" percent more dollars. Commissioner DuBose wanted to know about potential future hurdle for the City receiving funding in terms of allocation percentage because Fort Lauderdale has more homeless than other communities. Both Mr. Wright and Jonathan Brown, Housing and Community Development Manager, indicated that is an unknown. Mr. Brown did not think there would be an impact, but offered to check with HUD.

Mr. Wright noted his professional experience in response to Vice Mayor Rogers. In further response, he indicated that the dollar amounts in the "Finance the Plan to End Homelessness" (page 26 of plan) are not current. He further commented that the six categories of care shown on page 27, attached to these minutes, make up the continuum care program and if they were all quantified, it would be frightening. By joining the continuum, a municipality's entitlement does not decrease whatsoever, however, the County's funding is leveraged in order to access more housing. Vice Mayor Rogers was not comfortable that all parties know the direction of this issue although he agreed with the continuum care program. He felt the County has dropped the ball. He did not see any inroads being made and used the example of Stranahan Park. Half way through the program, the County has only achieved 135 housing units of their 1,200 unit goal. Nine million dollars for 1,054 units is only \$8,500 per unit. Mr. Wright cited how the program works in Oakland Park and current activities in which Fort Lauderdale is already engaged in the program. He went on to elaborate upon how the County has been able to secure more units.

Mayor Seiler agreed with concerns expressed by Commission members. This is a countywide issue and he felt the County's obligation is greater than they acknowledge. There is a disproportionate number of homeless in downtown Fort Lauderdale. Mr. Wright outlined components of the plan for Mayor Seiler. He also noted if the State funds the office on homelessness, there will be new funding of \$64,000 approximately. He touched on the entities that will decide on use of that funding. This ten-year plan is in the process of being updated.

Vice Mayor Rogers expressed frustration because there are people who are willing to contribute now but they do not know the program's direction. There needs to be more clarity on planned direction. In response to Commissioner DuBose, Mr. Wright provided more detail on funding including Hollywood's bonus project proposal that will secure additional funding and more beds. The funding would go to the lead agency and the project sponsor. The County is the lead agency for HUD funding. The administrative fee for grants is 5%, which would be split between the lead agency and the project sponsor. Commissioner DuBose also observed that the plan is not clear enough; there are no specified outcomes. He also felt the County needs to do better with this and that this Commission wants to embrace a plan, but one that will produce outcomes and one with equity in that Fort Lauderdale carries a larger burden. Commissioner DuBose indicated he could not agree to be a part of the program for the concerns expressed. Mr. Wright reiterated that joining the program would not take any funding away from the City.

Commissioner Rodstrom appreciated Mr. Wright coming forward today. She felt the County has a good handle on addressing this situation and that it is a county problem. She thought recent publicity has likely brought more homeless to Fort Lauderdale. She saw no downside to joining the program. Moreover, if it would allow leveraging of funding, that would be a plus. She was intrigued with the idea of using HUD funding. Mr. Wright responded to her question about Neighborhood Stabilization Program (NSP) funds, indicating nothing has been done yet. The Hollywood example was just raised in the last few weeks. Commissioner Rodstrom favored partnering with the County on this problem and to schedule on a conference agenda potential use of NSP and HUD funding sources or any other funding sources.

With respect to outcomes, Mr. Wright advised that all contracts for funding require outcomes. He offered to furnish this information. Commissioner Roberts thought that would be helpful as well as the updated plan. In response to Mayor Seiler, Mr. Wright

advised that Hope South Florida (previously Shepherd's Way) has endorsed the plan. Commissioner Rodstrom wanted to see Fort Lauderdale's outcomes with respect to HUD and Community Development Block Grant (CDBG) funds. Ms. McCaffrey agreed to followup with Mr. Wright and bring the requested information back to the Commission.

In response to Vice Mayor Rogers, Ms. McCaffrey offered to update the Commission on the task force's discussion concerning a mobile site at the April 20 meeting if possible. Vice Mayor Rogers noted there are people who are willing to contribute to the problem but they are waiting for the City to decide on a direction. He felt it is a matter of someone assuming a leadership role. He was really concerned that the City is languishing. He wanted this topic moved to the front burner. He felt the City should send a clearer message. Mayor Seiler was hopeful that a mobile approach might be the solution.

I-C – Fort Lauderdale Archery Club - Request for Fee Reduction- Request for Renewal of Lease Agreement for \$1 per year – Property located at 4590 Peters Road, Plantation, Florida

Stephen Scott, Director of Economic Development, outlined the history of this item as set forth in Commission Agenda Report 11-0434.

Greg Durden, representing Fort Lauderdale Archers, Inc., advised the Club has been associated with the City for more than fifty years and at the current location for twenty-five years. Archery clubs throughout the nation are generally operated by non-profits. No club in southeast Florida pays the amount of rent that Fort Lauderdale Archery Club pays. The Club has an annual deficit of about \$10,000. He noted the tournaments sponsored by the Club and their economic benefit. He noted that the Club has cleaned up the site. He elaborated upon their efforts to initiate a youth archery club and the benefits it would offer.

Bill Coulter, president of Fort Lauderdale Archers, spoke of the breadth of tournaments planned and that the Club has built a facility on the site for such tournaments. The Club would like to partner with the City to launch a youth program.

Dialogue ensued between Vice Mayor Rogers and Mr. Coulter as to revenue of the Club from dues, tournaments and concessions. Commissioner DuBose supported the Club. He noted that they maintain the property. Commissioner Roberts agreed that it is a very worthwhile partnership.

In response to Mayor Seiler, Albert Carton, Director of Public Works, indicated that the site is the former Dixie wellfield. There are test wells on the site with the potential to go deeper into the Floridan Aquifer for the Peele Dixie Water Treatment Plant. The Club has been a very good tenant. The Club maintains the property. Mayor Seiler requested data on maintenance cost. Mayor Seiler was concerned about precedence setting. It is beyond the City limits. If there is a maintenance cost, the City should at least break even. It is a very worthwhile cause however he wanted the cost being breakeven documented and there is no interference with the wellfield operation. Commissioner Rodstrom agreed with the documentation point, but it is a unique situation. She was confident it could proceed. In response to her question, Mr. Scott anticipated the documentation being packaged in an item for the May 3, 2011 meeting.

In response to Vice Mayor Rogers, Mr. Durden advised that trash removal is \$200 per month and part of the request. Mayor Seiler was reluctant, indicating it is not in the City

limits. Mr. Durden indicated there is an adjacent police facility. In response to Mayor Seiler, Mr. Carbon advised that the City does not provide trash pickup service in that area. There is a County contract for the police facility.

I-D – Request of City of Lauderdale Lakes – Request for Provision of Law Enforcement Services

Although complimented, Mayor Seiler noted an attorney general opinion prohibiting the City from doing this. Although there is a 1997 statute that authorizes the provision of such services from one city to another by contract, the City Attorney advised in 2005, the Attorney General specifically indicated there is no authority for a complete transfer of law enforcement services from one municipality to another.

I-E – South Regional Activity Center – South Andrews East and West Zoning Districts – Rezoning Properties within the East to the West and Expanding the Boundaries to the East

Continued from page 1

Vice Mayor Rogers referred to the tables on page 2 of Exhibit 3 to Commission Agenda Report 11-0481 and discussed the breakdown of differences between the SRAC-SA zoning districts and those outside the study area and the number of permitted uses.

Mayor Seiler asked about the properties that had asked to be included. Greg Brewton, Director of Planning and Zoning, indicated that changes would be different for the east and west. There is an interest on the part of those properties east of Andrews, between Andrews and Federal Highway. Staff would like to look at this area with a little more detail in defining plan to encompass those properties that may not be the same as those along the Andrews corridor. It is suggested the City move forward with the west side and further explore the east. There will be community outreach for this area.

I-F – Code and Unified Land Development Regulations Amendments – Pain Clinic Regulations

Mike Maloney, Code Enforcement Manager, noted the Commission requested additional regulations on this matter. He drew attention to and highlighted a proposed ordinance provided. Clinics would be allowed in B-2 and B-3 zoning districts. The ordinance will be presented to the Planning and Zoning Board.

In response to Commissioner Roberts raising questions about a 1,000 foot radius from schools prohibition, Mayor Seiler thought the state law on this point is tied to illegal drugs. In further response to Commissioner Roberts' suggestion of following Broward County task force's idea of prohibiting Sunday hours of operation, Mr. Maloney indicated that could be incorporated. The City Attorney recommended moving the item forward as drafted. When it returns from the Planning and Zoning Board's consideration, staff will be prepared with answers to the Commission's questions and amendments could be incorporated then. For Commissioner Rodstrom's benefit, he explained it is a question of whether the City has this regulatory authority in terms of public purpose. Commissioner Rodstrom wanted more restrictions than Sundays if possible.

Mayor Seiler referred to complaints about people having to wait outside. He felt there is good cause to require a larger waiting room. The City Attorney noted an outdoor

prohibition on page 6 (Section 15-255, Operational standards), but offered to check on the waiting room size. Mayor Seiler wanted this point brought to the Planning and Zoning Board's attention.

I-G – Automated Red Light Camera Traffic Enforcement System Status

Frank Adderley, Chief of Police, highlighted information in Commission Agenda Report 11-0240.

Vice Mayor Rogers requested information on the types of accidents. Commissioner Rodstrom wanted to know if there was a change in the number of fatalities. She wanted to know if it is improving safety before deciding whether to continue with the program. Commissioner Roberts requested an update on the issue of evidentiary hearings in Broward and Palm Beach counties. Brad Weissman, Police Legal Advisor, highlighted issues that have been overcome thus far. There is an outstanding issue of notice where the court has not been accepting documentation furnished by ATS. He went on to explain measures taken and his belief that the City has complied with requirements of the statute. The process is working in just about every other jurisdiction including Palm Beach County. Discussion ensued as to the issues that are raised in the hearings, including that this violation is different than a Sun Pass violation. Commissioner Roberts wanted to pursue this legal aspect and went on to bring attention to the staffing challenge. As to reduction of traffic accidents, he did not believe there is enough data yet due to lack of citations processed. Mr. Weissman indicated that with the staffing and back log challenge, the City has lost the opportunity to bring cases forward to court.

In response to Commissioner Roberts, Chief Adderley indicated there are no public safety aide (PSA) vacancies at this time. He noted the City's crime reduction strategy is to use PSAs to handle less priority calls. He questioned if more staff should be assigned to this program as opposed to burglary and robbery problems throughout the city. Adequate resources for this program are needed, otherwise he did not think it should be done. Discussion ensued concerning the backlog including the need for staff to now spend two days a week in preparation and court appearance. Mr. Weissman felt the City will soon know what is required in terms of documentation for a case. He thought what is currently being put together for a case will be found as sufficient. Mr. Weissman confirmed for Commissioner Roberts that the staff time will not likely be lessening. Vice Mayor Rogers felt there needs to be a period of at least twelve months in order to have data to evaluate. Commissioner Roberts concurred, but was concerned about lack of staffing. In response to Mayor Seiler, Mr. Weissman indicated that the City's contractor, American Traffic Solutions (ATS), has provided some assistance with the documentation. Mr. Weissman was hopeful that more of an update on the situation may occur when the City goes before the court tomorrow. However, if the court will not accept the City's documents for proof of mailing on the notice issue, he thought the City might be dead in the water short of someone coming to the hearing and testifying.

In response to Mayor Seiler, the City Attorney offered to provide a memorandum, updating the Commission on what occurs at the hearings scheduled for tomorrow. Mayor Seiler asked the Commission to be kept apprised. He noted potential state legislation that would eliminate such systems and his desire to monitor the situation in the next couple months.

I-H – Citizen Satisfaction Survey

This item was removed from the agenda at the request of the Acting City Manager.

I-I – Request of International Swimming Hall of Fame to Lease Office Space to SW Eagle Distributors, LLC

Cate McCaffrey, Director of Business Enterprises, indicated there is one outstanding issue from the City Auditor relating to the lease agreement being contingent upon any redevelopment at the site. All other items raised by the City Attorney's Office and Risk Management have been addressed.

In response to Mayor Seiler, Ms. McCaffrey advised that pursuant to the City's agreement with the Swimming Hall of Fame (ISHOF), the City would receive 25 percent of the net revenues. In response to Commissioner Roberts, Ms. McCaffrey indicated that the City has been advised that the proposed lease is aquatic related.

When the outstanding issue is resolved, Ms. McCaffrey offered to inform the Commission by memorandum.

I-J – Board and Committee Membership Requirements

The City Clerk referred to the recent ordinance on residency requirements for boards and noted it was discovered that there is an overriding requirement in enabling legislation for members to be qualified electors of the city. The affected boards are Board of Adjustment, Historic Preservation Board and Planning and Zoning Board. Also, committees were not included in the ordinance. Commissioner Rodstrom agreed with the separation as it currently exists. She confirmed for Commissioner Roberts that residency requirements of Citizens Police Review Board, Code Enforcement Board and Police and Firefighters Retirement System Board of Trustees should remain in place due to their nature. Vice Mayor Rogers recalled the ordinance adopted was only to apply to those boards that do not have other requirements. He felt everything should be on the same page. Mayor Seiler thought all of the boards should be organized together in the code. The City Attorney offered to bring back an ordinance that would provide consistency.

The City Clerk noted recently a City employee was appointed to a board and she believed that may have been a first. The City Attorney explained that historically employees are not appointed to boards because the city manager is an ex-officio member of all boards. Having a subordinate also working on a board may create somewhat of a conflict of interest. Mayor Seiler agreed and suggested a prohibition be included in the upcoming ordinance.

Note: The City Commission recessed at 5:14 p.m. and addressed Conference Item I-J at 9:24 p.m. in the City Commission meeting room on the first floor of City Hall.

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

No objection.

II-A – February 2011 Monthly Financial Report

No discussion.

II-B – Energy Star Pledge Drive Designation – U.S. Environmental Protection Agency

In response to Mayor Seiler, Albert Carbon, Director of Public Works, explained the benefit of having this designation as described in Commission Agenda Report 11-0487. There is no obligation on the part of the City.

III-A – Communications to City Commission and Minutes Circulated for Period Ending March 31, 2011

The City Clerk advised that some of the communications were carried over from the last meeting and consequently may no longer be fresh.

City Manager Search Committee

During a general discussion, there was consensus that the Commission would consider making a selection decision on May 17. Commissioner DuBose inquired about a meet and greet event. It was noted that citizens could meet candidates before and after the committee's interviews on April 11 and 12. The Acting City Manager suggested those members of the Commission that may want to meet individually with candidates during that time frame should inform the Commission Assistant Coordinator. Commissioner DuBose thought the candidates should be asked to stay after the April 11 and 12 interviews to meet citizens. There was consensus to schedule a Commission workshop for interviews on April 20, from 10:30 a.m. to 1:30 p.m. with the conference meeting to commence at 2 p.m. and the Community Redevelopment Agency meeting at 4:30 p.m. The Acting City Manager agreed to remove items that are not time sensitive.

Community Services Board

Motion made by Mr. Whipple and seconded by Ms. Birch to forward the previous communication (June 14, 2010) made by this Board to the City Commission regarding rickshaws, carried by unanimous vote.

The City Commission take proactive steps to develop policy and regulations in regard to Certificates of Public Convenience and Necessity in connection with the operation of pedicabs in the City, such as those which currently exist in the cities of Gainesville and Orlando, Florida.

In response to Mayor Seiler and Commissioner Rodstrom, Mike Maloney, Code Enforcement Manager, indicated the matter of policy and regulations for certificates of public convenience and necessity in connection with the operation of pedicabs will be brought forward to the Commission as soon as possible.

Education Advisory Board

Roomservice Amenities has agreed to donate toiletries to needy students in the schools adopted by the Education Advisory Board. Those schools are: Arthur Ashe, Sunland Park, and Lauderdale Manors. This Board is asking permission from the City Commission to write a letter as requested to the company to accept such donations to be distributed through the principals of the above-mentioned schools, with the letter to be written by the Mayor on the Board's behalf.

Motion made by Mr. Discepola and seconded by Mr. Foulkes to request that the Mayor write to Roomservice Amenities, to accept their donations of toiletries to the above noted schools, on the Education Advisory Board's behalf, carried by unanimous.

In response to Mayor Seiler, the City Attorney agreed to compose a thank you letter for the Mayor's signature.

General Employees Retirement System Board of Trustees

During the 2010 fourth quarter, the Plan returned 8.6%, which ranked in the 3rd percentile of the Public fund universe. Over the trailing year, the portfolio returned 15.9%, which ranked in the 5th percentile.

Mayor Seiler remarked on the excellent return percentages.

Historic Preservation Board

Motion made by Mr. DeFelice, seconded by Mr. Morgan, to request that the City Commission declare a moratorium on any Certificate of Appropriateness for Demolition on any property listed in the Master Site File until the new historic ordinance was complete. In a roll call vote, motion passed 6-0.

Mayor Seiler indicated this item could be discussed when there is a date certain on the historic ordinance.

Parks, Recreation and Beaches Board

Motion made by Vice Chair Fee, seconded by Mr. Berry, to advise the City Commission to extend short-term leases to Traffic Sports USA, Inc. and the School Board on the Federal Aviation Administration property at Lockhart Stadium and Fort Lauderdale Stadium. In a voice vote, the motion passed 9-0. Mr. Knapp abstained. A memorandum of voting conflict is attached to these minutes.

Mayor Seiler asked the Director of Business Enterprises to finalize the letter to Congress and the Senate on the Federal Aviation Administration (FAA) issue. There was consensus approval for the Mayor to send these letters to encourage the FAA to work with the City on the Lockhart Stadium and Fort Lauderdale Stadium issues.

Sustainability Advisory Board

To forward the updated version of Ms. Eckels' letter
regarding the Clean Air Act to the City Commission.

There was no consensus for Item 1.

To recommend Mayor Seiler sign the U.S. Mayors
Climate Agreement, and to couple this with a
proclamation reaffirming the City's commitment, to be
read at a Commission meeting.

There was consensus approval for Item 2. Mayor Seiler asked the City Clerk to arrange for the Mayor to execute the U.S. Mayors Climate Agreement.

To inform the City Commission that some of the
language approved by the Citizens Sustainability Green
Committee regarding the creation of the Sustainability
Advisory Board was omitted from the language presented
to the City Commission on first reading of the enacting
ordinance. The Board recommends that it be revised to
read: "To identify and recommend affordable strategies
associated with resource use, conservation, renewable
energy and energy efficiency, taking into account
ecological, economic and social equities." On second
reading, the language was included in the
Background/Detail portion of the Commission Agenda
Report, however, was not verbally communicated to the
City Commission. The Board recommends that
consideration of an amendment to the ordinance to include
this language be placed on the City Commission's Agenda.

In response to Mayor Seiler concerning Item 3, the City Attorney explained that the language was not included in the ordinance because staff felt responsibilities overlapped with the Budget Advisory Board and other boards. Vice Mayor Rogers liked the concept of identifying affordable strategies. Mayor Seiler asked this item be brought forward on April 20. Vice Mayor Rogers requested a copy of the ordinance also be provided.

Fire-Rescue Facilities Bond Issue Blue Ribbon Committee

The Fire-Rescue Bond Blue Ribbon Committee would
like to acknowledge the contribution of Don Bastedo for his
years of service on this committee. His efforts were always
directed toward producing the best project for the
firefighters and the citizens of Fort Lauderdale.

The Fire-Rescue Bond Blue Ribbon Committee would like the City Commission to formally acknowledge his contributions to our Committee, other City boards on which he served, and to his community for his selfless and tireless efforts towards making this city a better place for all of its citizens.

Mayor Seiler asked the City Clerk followup with arrangements for a formal recognition if it was not already done.

Continued on Page 16

Vice Mayor Rogers wanted staff to identify possible sites for Fire Station 6 within the boundaries of 6 Street, Davie Boulevard, Andrews Avenue and Federal Highway, and to send letters to the property owners.

Commissioner Roberts wanted to swap property for Fire Station 54 so that it could be moved back and be able to use the current property for private development.

Mayor Seiler thought that both of these are possible. He suggested that the Director of Public Works meet with Mayor Seiler and Commissioner Roberts individually.

Marine Advisory Board

Motion made by Mr. Harrison, seconded by Mr. Dean, recommending repair of the Pollution Solution trash collection vessel rather than replacement. In a voice vote, the motion passed unanimously.

Motion made by Mr. Ressing, seconded by Ms. Scott-Founds, that based on the review by the Pollution Solution Subcommittee and the demonstration today, additional alternatives should be purchased for canal cleanup. In a voice vote, the **motion** passed unanimously.

Albert Carbon, Director of Public Works, noted this vessel was purchased twelve years ago to clean the waterways. It is in disrepair. Staff is currently using a pontoon boat but it is very labor-intensive. There were plans for replacement after a period of five years. Four hundred fifty thousand dollars is in the vehicle replacement fund. Staff recommends replacement. If repairing it is considered, staff recommends issue an RFP for a marine engineer or estimator to inspect the boat and develop specifications for its repair. Staff does not have the expertise to advise on repair cost. He was not aware of another municipality with a comparable boat. Ms. McCaffrey indicated that the board was able to find a couple individuals who were willing to look at the boat. They suggested repairing it based on time and material, however, the City would need to issue an RFP. No one was able to provide an estimate. Mr. Carbon indicated that once a marine engineer or estimator is selected, the repair and purchase amounts could be presented to the board or the Commission. Vice Mayor Rogers and Commissioners Rodstrom and Roberts felt an estimate on the repair needs to be determined. Mr. Carbon indicated as all services

provided for sanitation are being evaluated, this could be included in that evaluation of whether to continue the service in-house or by contract.

Motion made by Mr. Ressing, seconded by Mr. Dean, recommending the Mayor and City Commission pay special attention to mega-yachts that visit the city by issuing a welcoming letter thanking them for visiting the city on behalf of the marine industry. In a voice vote, the **motion** passed unanimously.

Mayor Seiler was agreeable to issuing welcoming letters. Ms. McCaffrey agreed to prepare a letter and figure out how to identify the mega-yachts.

Motion made by Mr. Herhold, seconded by Mr. Tapp, recommending future city dockage needs be addressed, allowing for boat show expansion, and improving water access, and therefore the board recommends expansion of the Las Olas Marina by returning the upland parking lot to its original configuration and allowing for wet slip dockage. Two possible concepts are attached. In a voice vote, the **motion** passed unanimously.

Mayor Seiler requested this item be scheduled on a conference agenda.

Motion made by Mr. Dean, seconded by Mr. Ressing, recommending the City Commission enlarge its scope of consideration to add floating docks along the Intracoastal Waterway to facilitate boater access and non-traditional transportation needs for the community, in order to add support to the City Commission's action to allocate funds to the Birch State Park improvement project. In a voice vote, the **motion** passed unanimously.

Commissioner Rodstrom was doubtful that Birch State Park authorities would support placement of docks on park property. Mayor Seiler asked staff to confirm Birch State Park's position on this question and then resubmit the item.

Planning and Zoning Board

Motion made by Mr. Witschen, seconded by Ms. Maus, for the City Commission to consider placing a moratorium on further rezoning cases for businesses not approved by the Master Plan, such as convenience stores. The moratorium would remain in place until the CRA Board has had sufficient time to codify its plan for the redevelopment of the Sistrunk Corridor. In a voice vote, the motion passed unanimously.

In response to Commissioner Rodstrom, Greg Brewton, Director of Planning and Zoning, clarified the context is a case in the Community Redevelopment Agency's (CRA) northwest area; a target of convenience and liquor stores. Commissioner DuBose noted the interest and discussion amongst businesses in District III that this has initiated. He

believed the moratorium will facilitate what is already in place. Commissioner Rodstrom questioned if a moratorium on convenience stores would be in conflict with the CRA mission of economic development. She raised the idea of addressing this through permitting of businesses and specifically prohibiting liquor stores. Alfred Battle, Director of Northwest Community Redevelopment Agency, indicated this is noted in the master plan and was addressed in the scope of work for the consultant. Commissioner DuBose indicated this will actually enhance what is being done in the area. In response to Commissioner Rodstrom, Mr. Brewton explained a code amendment would be applicable citywide. He noted the zoning. In response to Mayor Seiler, Mr. Brewton indicated staff has suggested a year period of time. Mayor Seiler asked a one-year period of time proposal be presented.

Police and Firefighters Retirement System Board of Trustees

The Board would like to extend their thanks to the Mayor for his informative and factual letter to the public with regard to Fort Lauderdale's retirement system.

The Board has approved the hiring of two new small cap managers, Franklin Portfolio Advisors and Eagle Asset Management, pending approval of contracts.

No discussion.

The City Clerk brought to the Commission's attention that Mayor Seiler's term on the Resource Recovery Board is about to expire. There was consensus approval to reappoint Mayor Seiler as the City's representative.

Alfred Battle, Director of Northwest Community Redevelopment Agency, noted that the Enterprise Zone Development Agency at their March 24 meeting, asked that the Commission be informed of bills in the current legislative session as to either abolishing or significantly changing the Enterprise Zone Development Agency. The board requested the Commission adopt a resolution at their next meeting in opposition to any such bill. Other municipalities in the program are adopting similar resolutions. Mayor Seiler requested a sample resolution for the Commission's consideration as requested.

III-B – Board and Committee Vacancies

Note: Please see regular meeting, Item R-05.

City Commission Reports

Signs: Shopping Center on Federal Highway (Panera Bread)

Commissioner Roberts noted the shopping center would like to be allowed to use pennant signage that is currently not permitted with respect to distance and acreage. He asked staff to look into whether the ordinance could be amended to allow such signage.

Metropolitan Planning Organization; Committee on Multimodal Transportation System

Commissioner Roberts noted that the Metropolitan Planning Organization (MPO) is establishing a committee relative to integration of transportation and land use integral to the successful development of an effective multimodal transportation system. He wanted the City to be represented, but was concerned about overloading staff. Vice Mayor Rogers referred to the recent rezoning on South Andrews Avenue and the upcoming WAVE. He was interested in seeing ideas from staff. Commissioner Roberts noted that Fort Lauderdale's downtown is the economic hub of the county and there needs to be attention given to it instead of the outer edges of the county. In response to Commissioner Roberts, Mr. Brewton agreed to return with a list of items given to Planning and Zoning so that the Commission can prioritize them.

Broward League of Cities Ethics Task Committee; Recommendation to Broward County Commission

Commissioner DuBose noted he serves on the Broward League of Cities' Ethics Task Committee. The committee will be submitting a recommendation to the Broward County Commission next month.

Events; Road Construction

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

North Runway, International Airport

Vice Mayor Rogers offered a status report.

Bank Drive-Thrus

Vice Mayor Rogers requested staff look at updating stacking requirements for bank drive-thrus as he believed there should be a reduction. Mayor Seiler agreed.

National YMCA Swim Championships

In response to Commissioner Rodstrom, Cate McCaffrey, Director of Business Enterprises, provided a status report on the event, indicating there have been no complaints.

Dog Park Adjacent to Pet Supermarket; Sunrise Boulevard

Commissioner Rodstrom asked that staff continue to followup with Pet Supermarket concerning their desire to fund a dog park with the goal of the item coming forward on the conference agenda for the first meeting in May.

Sidewalk Proposal

Commissioner Rodstrom provided a proposal from a constituent concerning sidewalks to the Acting City Manager to look into.

Discretionary Fund

Commissioner Rodstrom indicated a constituent suggested establishing a discretionary fund so that repairs could be made more quickly and the fund replenished once insurance proceeds are available.

Metropolitan Planning Organization: Vice Chair

At Commissioner Rodstrom's request, Mayor Seiler asked that a letter be prepared for his signature, expressing the Commission's support in Commissioner Rodstrom serving as the MPO's vice chair.

III-A – Communications to City Commission and Minutes Circulated for Period Ending March 31, 2011

Continued from page 12

Historic Preservation Board

Motion made by Ms. Thompson, seconded by Mr. DeFelice, to send the City Commission the information regarding the Fort Lauderdale Historic Preservation Commendation Awards so they could review it and get it rolling. In a voice vote, motion passed unanimously.

Mayor Seiler was confused by the dates in the communication. Although supportive, he requested more detail be provided to the Commission.

City Manager Reports - None

There being no other matters to come before the Commission, the meeting was adjourned at 10:37 p.m.