

FORT LAUDERDALE CITY COMMISSION CONFERENCE MEETING
MAY 3, 2011

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CITY COMMISSION CONFERENCE MEETING

1:35 P.M.

May 3, 2011

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

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 Harvey Jacques

Absent: Commissioner Bruce G. Roberts

I-A – Expedited Permitting – Qualified New, Expanding or Relocating Businesses that Assist in Creating New Employment in the City

Stephen Scott, Director of Economic Development, summarized the topic and request brought forward by the Greater Fort Lauderdale Broward Alliance as outlined in Commission Agenda Report 11-0640. The Business Assistance Coordinator will act as a liaison and a single point of contact. A development plan team has been identified that would provide an opportunity to meet before the development review process starts to outline a future plan. Companies would receive priority review and whenever possible get seven-day turnaround as well as quick meetings with staff when necessary to resolve issues. A proposed resolution outlining the eligibility criteria and process has been provided (Exhibit 2).

Commissioner Rogers supported the concept and wanted to do the same for home improvements up to \$50,000, for example. Commissioner Rodstrom agreed. She went on to comment on the importance of retaining businesses and that the millage rate plays a part in it. Mayor Seiler commented about the City's favorable standing with its low millage rate in comparison with other communities. Commissioner Rogers and Commissioner Rodstrom agreed with the suggestion that employees track their time.

Commissioner Rodstrom wanted to assure that vendors are local in Broward County or at least Florida.

Vice Mayor DuBose thought it would be helpful to examine the number of employees working on something and decide whether that number could be reduced. Overall he supported the concept and wanted to see the item move forward without delay. Mayor Seiler agreed that this item should move forward as quickly as possible. Mr. Scott indicated that the number of jobs created will be tracked and one stated purpose of the Business Assistance Coordinator is to look at best practices and improvement of processes.

Consensus approval to bring a resolution forward on May 17, 2011.

I-B – Residential Parking Permit Program – Breakwater Homeowners Association – 2621 SE 21 Street

Diana Alarcon, Director of Parking and Fleet Services, indicated staff has been working with this association on their request to establish a residential parking permit program.

City Hall, 100 North Andrews Avenue, 8th Floor Conference Room and 1st Floor Chambers

Only those spaces used for their community center would qualify; there are nine spaces. In response to Commissioner Rodstrom, Ms. Alarcon advised that there have been issues with visitors and jumping the fence, vandalism and so forth.

There was no objection.

In response to Mayor Seiler concerning residential parking permit, Ms. Alarcon advised that being homesteaded (in Fort Lauderdale) is part of the criteria; fulltime, permanent resident. In response to Commissioner Rodstrom, Ms. Alarcon indicated the program cost has been examined. The concept was that parking meter revenue would be earmarked to support lifeguards. Five additional lifeguards and stands were added to the north beach. The meters are generating about \$500,000 and the lifeguard cost is close to \$750,000. Mayor Seiler requested the topic be placed on a conference agenda in the interest of streamlining.

Commissioner Rogers requested this item as well as other requests should be placed on some form of a tracking report.

I-C – Bonnet House – Special Event Permitting

Terry Rynard, Acting Director of Parks and Recreation, indicated this has to do with an annual agreement for permitting Bonnet House events on property both on the west side of A-1-A and beach property on the east side; specifically to allow for approval of events at the staff level that do not impact the public beach purposes easement.

Stephanie Toothaker, representing Bonnet House, reviewed slides concerning the request. A copy of the slides is attached to these minutes. The Bonnet House does not feel the City has a right to regulate what kind of alcohol they serve on their private property. Staff would prefer a limitation to beer, champagne and wine.

Ms. Toothaker and other representatives of Bonnet House responded as follows to questions raised by the Commission. Glass containers would be prohibited. Bonnet House would be responsible for cleanup. It is unlikely that the entire 1,500 feet of beach area would be used for any one event unless the Air and Sea Show returns, for example, and in those types of events, Bonnet House would have to receive individual permission. For those types of events, there would be some type of sanitary facility. The sidewalk would not be used for an event, only the sand. Mayor Seiler wanted assurance that both sidewalks remain open. Ms. Rynard indicated it is addressed in the original deed. Bonnet House beach does not include the sidewalk, but Bonnet House Property East does include the sidewalk. In order to use the sidewalk, Bonnet House would have to come back to the Commission.

Commissioner Rodstrom expressed support in the request. Both Mayor Seiler and Commissioner Rodstrom also expressed support in the signage, but Mayor Seiler did not want to open the sign ordinance. It was understood that Bonnet House would work with the City Attorney's Office on the signage. Discussion ensued concerning permitting alcohol on the beach as part of event applications. Ms. Toothaker clarified the Bonnet House is raising the question of sale of alcohol on private property; for the 300 feet of beach only. Mayor Seiler was concerned about the message that would be sent by allowing containers and types of alcohol in this area other than permitted by the City's rules. He was uncertain about extending anything beyond the private beach area. Some discussion ensued about delineating the private beach area. Mayor Seiler wanted to

clearly show to the public that it is a private event where alcoholic beverages are permitted.

Mayor Seiler suggested the City logo be placed on the signage. Patrick Shavloske, representing the Bonnet House, indicated that would not be objectionable.

There was consensus approval for the ordinances to be presented on first reading and the events agreement simultaneously with second reading of the ordinances.

I-D – Amendment to Employee Voluntary Deferred Compensation Program to Allow for Participant Loans

Doug Wood, Director of Finance, highlighted the history of the City's voluntary deferred compensation program for employees and the request to amend the plan to allow for participants to take out loans detailed in Commission Agenda Report 11-0620. Currently withdrawals are only permitted on an emergency basis. This amendment would be at no cost to the City except for staff monitoring changes by the plan administrators.

Mayor Seiler questioned the extent of City staff time that would be necessary. Both Mr. Wood and Dennis Stone, Employee Benefits Coordinator, indicated it would be minimal. Mr. Stone advised that the administrators provide an annual report to the City, and other than that, there actually is not any time spent by staff on a monthly basis. In response to Mayor Seiler and Vice Mayor DuBose, Mr. Wood indicated that there is no cost recovery for City time. He went on to note the repayment terms. Aaron Schwartz, representing Nationwide Retirement Solutions, and Fernando Deaguero, representing International City Management Association Retirement Corporation (ICMA), responded to questions about this program and the City's DROP Program. The City Auditor provided an overview for more clarity. The City Attorney wanted to first obtain a tax attorney's opinion to be assured that a single default would not jeopardize the City's plan and to see what other cities have loan options. Mr. Schwartz advised that any default by an individual would rest with that individual. Such loan options are exercised in many other cities across the country through Nationwide. He elaborated upon the difficulties with using the hardship option to withdraw money and that the loan option has proven helpful. In a sense it could remove some of the fiduciary burden from the City. He could not respond to Commissioner Rodstrom's question of whether the City would be indemnified as to the tax liability. Vice Mayor DuBose noted the benefit this would provide to employees aside from the hardship avenue. Mr. Deaguero explained there would be potential fiduciary liability when an employee seeks a hardship withdraw under false pretenses and if it is approved by the City, it could jeopardize the plan. In Fort Lauderdale the administrators or Nationwide and ICMA, would be responsible for screening the hardship applications. Under the loan provisions, it is the administrators' responsibility. Mayor Seiler requested other cities be contacted to determine if any have an opinion on file as noted by the City Attorney. The City Auditor indicated when employment is terminated, the entire loan balance is due which becomes a taxable event. He hoped that employees are made fully aware.

There was consensus approval for the matter to return for a vote when the City Attorney is comfortable with the noted tax issue.

I-E – Neighborhood Stabilization Program 3

Jonathan Brown, Housing and Community Development Manager, provided an overview of information contained in Commission Agenda Report 11-0636. He referred to Commission Memorandum (11-071) provided as Exhibit 2 to the commission agenda report and indicated staff's recommendation is to use a competitive process in procuring NSP 3 developers/vendors.

In response to Commissioner Rodstrom, Mr. Brown explained that HUD's regulations state for contracts over \$100,000 they would look for a competitive process to be used. In speaking with HUD staff members, they indicate it is not a requirement but have not been able to provide anything in writing to document that it is not a requirement. The procurement policies also support an RFP course. The City has three years from March 29, 2011, when the contract was executed, to expend the funds. Kirk Buffington, Director of Procurement Services, advised that it will not take long to get through the RFP process because such an RFP has already been done before. Commissioner Rogers wanted to be sure there would be rollover money for more projects. The goal is to stabilize neighborhoods. He did not want to over-do the interior improvements. Vice Mayor DuBose totally disagreed with a lipstick approach; he felt the interior is a part of this. Some of the work is driven by the code. He was familiar with the neighborhood where the photographs were taken. He felt the City is being an excellent steward of the funds. The program is highly regulated by HUD and they are following the regulations. He would not support simply painting, for example. Commissioner Rogers wanted to see before and after photographs so as to be certain the program is proceeding correctly. Mayor Seiler requested the photographs be provided to the Commission. Vice Mayor DuBose did not feel a photograph captures the true essence. He wanted the Commission to be invited to see some properties prior to their renovation. He did not think the Commission could rely totally on numbers. In response to Mayor Seiler, Mr. Brown advised that three homes have been completed and sold this year. There are six or seven homebuyers approved who are waiting for properties to be completed. Commissioner Rodstrom wanted to know why the funds are not rolling over. Mr. Brown advised it has to do with closing costs, developer fees and down payment assistance. Low income people would not be able to afford a house except through the assistance of the Commission. The banks approve the transactions and therefore decide whether applicants can afford the debt load. Commissioner Rodstrom wanted to know how much money is going toward closing costs, developer fees and down payment assistance. Commissioner Rogers thought it would be a poor choice if a home was purchased for \$100,000 and it required \$60,000 of improvements, for example. Mayor Seiler was also concerned about rolling over dollars and questioned if the down payment assistance, developer fees and closing costs are exceeding the City's budget. Greg Brewton, Director of Planning and Zoning, responded he did not think they are. There is a percentage provided was approved by the Commission for each agency. Down payment assistance follows the City's traditional purchase assistance program. The maximum that may be provided is \$75,000 however the City will not more than what the first mortgage company will provide. In these properties applicants are not receiving such an amount because of what the City is expending. The properties are being purchased at one percent below appraised value and then the rehab. The down payment assistance funds are returned to the City upon sale and title transfer. The developer fee is based on the sales price. Commissioner Rogers observed that second highest figure that the percentage will be applied to is what will be paid for the rehab, therefore it will drive the percentage at closing. There would have been no way to know at the onset how much was going to be expended for down payment assistance. Vice Mayor DuBose clarified

that the NSP funds are being used in existing programs. There are funds rolling over because the City exceeded their initial goal. Mr. Brown clarified that there are rollover dollars on each property. On the three completed homes, some \$60,000-\$70,000 was rolled over. One problem has had to do with State Housing Initiatives Partnership (SHIP). The City intended to use those funds for first-time homebuyers. The City was previously received \$1.5 to \$2 million a year. Staff intends to use HOME dollars to help stretch the NSP program funding however it limits the number of homebuyers who are not looking for NSP but rather purchase assistance. Mr. Brewton explained that individuals purchasing these homes likely need down payment assistance otherwise the homes will remain vacant. Commissioner Rogers questioned whether the program has the right mix if the City must provide down payment assistance in order for people to afford the home. Mr. Brown advised that HUD sets the maximum sales price; it cannot exceed the appraised value.

Commissioner Rogers favored moving forward with an RFP and including an incentive for the developer to be more prudent with the dollars so that there is money left over. Commissioner Rodstrom was agreeable, provided the deadline is met and it does not slow down expending of the money. Vice Mayor DuBose was opposed to an RFP. He felt it could slow the process without the City knowing what it will get. The City vetted the existing vendors and the program is on track. He thought an RFP might prove to be more of a detriment than a benefit; momentum will be lost. He knew that other government entities have continued with existing vendors.

In response to Mayor Seiler, a brief discussion ensued as to the status of work by the existing vendors. Both Commissioner Rodstrom and Vice Mayor DuBose noted that it was previously decided that one vendor would just finish under NSP 1 and not proceed to NSP 3. Vice Mayor DuBose believed it has to do with the makeup or type of vendor and it has proven to be an issue across the country. He did not want to go through that again. The City Attorney explained HUD regulations state that a competitive process will be used which was done for NSP 1. There is no decertification process in the City's code. The City would be adding another risk that it has not followed the competitive process on the books. Kirk Buffington, Director of Procurement Services, thought an RFP could be released in the next couple weeks. Vice Mayor DuBose wanted to see what other cities are doing. Mr. Buffington explained that each agency has different rules. Mr. Brown indicated that he had checked with two counties. One waived it based on HUD waiving the citizens participation process, however, that process only deals with citizen comments and further, HUD did not actually waive it, they only reduced the time period. Commissioner Rogers wanted to take the conservative approach. Mayor Seiler preferred to go out for an RFP and avoid any issue with HUD. He was also concerned that there are only two vendors unless an RFP is done. However, if Vice Mayor DuBose believes other cities have done this successfully, he would not object to deferring it for two weeks. Mr. Brewton did not object to a deferral as staff would prefer to proceed without an RFP. Staff is being cautious because they have been unable to obtain anything in writing from HUD. Mr. Brown quoted the only regulation staff was able to find that indicates for contracts of \$100,000 or more, HUD would be looking for the competitive process. In response to Commissioner Rodstrom, Mr. Brown noted although an RFP was used for NSP 1, it is under a different act than NSP 3.

There was consensus approval to defer this item so that Mr. Brown could meet with Vice Mayor DuBose as to consulting other cities and work with the City Attorney. Mr. Brown was also requested to determine if the third vendor would be part of NSP 3. Commissioner Rogers was interested in seeing RFP language.

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

There was no objection.

II-A – Schedule of Large User Wastewater Treatment Rate Computation – Fiscal Year Ended September 30, 2010

Mayor Seiler left the meeting at approximately 3:15 p.m.

In response to Commissioner Rodstrom and Rogers, Gloria LeClaire, City Controller, explained it was calculated that a refund of roughly \$1.7 million was due to the five governmental agencies noted (in Commission Agenda Report 11-0603). The monies were set aside for this purpose. The new rate is 1.12475721. Mayor Seiler returned at approximately 3:18 p.m. Ms. LeClaire indicated when this report is approved, a lump sum refund check will be issued. Mayor Seiler asked about a credit being issued in the alternative. The City Attorney did not believe it addresses the overpayment which is why the City has always paid it back. Discussion turned to whether the \$1.7 million was budgeted and what number was used in this year's revenues. Mr. Wood advised it is recorded as net revenue with a liability to repay the governmental agencies. Mr. LeClaire knew there was a refund last year also, but did not know the amount. The Acting City Manager offered to furnish that information. Mr. Wood and Ms. LeClaire expressed the opinion that this does not have a budgetary impact going forward. Ms. LeClaire explained the agencies are being charged less because the City's expenditures came in less. In further response to Commissioner Rodstrom, the City Auditor advised that he has reviewed this item.

II-B – Housing and Community Development Division Annual Year End Report

The City Clerk announced an email sent to Mayor Seiler on May 2, 2011 by Angelo Castillo of Broward House that is attached to these minutes. Mayor Seiler wanted Mr. Castillo to know that emails should not be sent to his private law firm.

Jonathan Brown, Housing and Community Development Manager, explained in the past there has not been a mechanism showing the Commission the results of approved funding allocations and that is the purpose of this report. He noted many clients would like the City to do more, but there are overriding restrictions. He highlighted the report contents.

Mayor Seiler requested narrative on what has been accomplished for each goal. In response to Mayor Seiler, the City Auditor explained his office has not audited this division because they have been audited by several other agencies in the last two years. Their next project is to review the division's progress in complying with the audits. In response to Vice Mayor DuBose, Mr. Brown noted that the audits have driven this report and moreover all audits with the management responses have been provided to the City Auditor. Vice Mayor DuBose referred to the Program and Funding Overview on page 7 of the report and wanted the report to distinguish one-time programs from ongoing ones. Jeri Pryor, Housing and Community Development, provided more clarity for Commissioner Rogers on programs shown on page 21. The City will be receiving more funding (increase of Emergency Shelter Grant from \$90,000 to \$120,000) to assist with rent assistance to replace the one-time Homeless Prevention & Rapid Re-Housing

Program funding. Mayor Seiler asked the City Auditor to provide his findings to the Commission.

II-C – March 2011 Monthly Financial Report

Shonda Singleton-Taylor, Deputy Director of Finance, responded to Mayor Seiler's and Vice Mayor DuBose's questions as to the substantial increase in the self-insured health fund's expenditures, noting there has been an increase in claims. Vice Mayor DuBose asked about the administrative expenses. The Acting City Manager offered to provide more detail on these points. In further response, the City Auditor advised that it is typical to see more health claims during economic downturns due to higher stress and people concerned about losing their jobs tend to accelerate optional surgical procedures. Also, as spouse and dependent health coverage may be reduced, employees try to enroll them in the City's plan. One audit would be to ensure that all spouse and dependent enrollees are legitimate which is on their risk assessment roster. The Acting City Manager advised that there is an existing system addressing this. Ms. Singleton-Taylor responded to Vice Mayor DuBose, noting the reason for a higher percentage in overtime in Parks and Recreation. She, Mr. Wood and the City Auditor also explained general fund encumbrances from the previous year and this year.

Ms. Singleton-Taylor returned to the self-insured health fund question and noted the revised budget column shows that last year the City used some of the fund balance to cover increased claim costs. In response to Commissioner Rodstrom, Ms. Singleton-Taylor advised it is unknown whether that will be necessary again this coming year. Mr. Wood indicated it is a projection, recognizing that health costs are not stable.

Commissioner Rodstrom noted the differences in original and final budget amounts for the general fund reserve and expenditures as of March 31 and for February 28 and January 31. Ms. Singleton-Taylor explained the report was changes to break out sales and use taxes which are merely a pass-through.

Returning again to the self-insured health fund, the City Auditor explained the revised budget shows the anticipated use of a little over \$2 million from the reserves to balance the budget. Thus far, there is a loss of about \$1 million, which indicates the City is on-track with what it expected. This was anticipated when the Commission adopted the budget. Ms. Singleton-Taylor noted on January 1 there was an increase. For Vice Mayor DuBose, Mr. Wood advised the increase was taken into consideration. The City Auditor offered more insight on budgeting internal reserve funds.

Commissioner Rogers questioned the lag is payment of franchise fees from Florida Power and Light. The Acting City Manager thought some of this may be attributable to booking transactions. The City Auditor advised that the lag is typically two months. Ms. Singleton-Taylor advised that February's was received in April, but it is simply not yet reflected in the report. In further response, Ms. Singleton-Taylor advised that there is a one-month lag for utility taxes. The City Auditor responded to his question concerning rents and concessions and special assessments, noting the amounts are in line with five-year trends.

In response to Commissioner Rogers, Mr. Wood explained that the refund related to the large user wastewater treatment rate under Agenda Item II-A is not reflected in this report because it is not booked as an expense or revenue; it is booked as a liability. It is a revenue that has already been adjusted out. The City Auditor confirmed that liability

items are non-budgeted and would not be shown on the budget side. It is not an expense. It is on the balance sheet and comprehensive annual financial report. Commissioner Rogers suggested footnotes be included for large amount aberrations. The Acting City Manager thought they could be addressed in the narrative Portion.

Commissioner Rogers noted the excess monies in the Parking Fund. He wanted to be proactive with respect to building a parking garage.

III-A – Communications to City Commission and Minutes Circulated for Period Ending April 28, 2011

Affordable Housing Advisory Committee

Motion made by Ms. Spangler-Bartle, seconded by Mr. Walters, to recommend that the City take action by sending a letter to the State to request that the Sadowski Act remain in effect. In a voice vote, the **motion** passed unanimously.

There was consensus approval for the City Manager's Office to draft a letter for the Mayor's signature.

Beach Business Improvement District Advisory Committee

The BID unanimously supports paddle boarding on the beach, as it gives residents and visitors alike another potential activity to enjoy while visiting the beach.

There was consensus approval.

Board of Adjustment

Motion made by Mr. Shallenberger, seconded by Mr. Madfis to advise the Commission that the Board of Adjustment had been asked to hear four cases on alternative energies/wind turbines and the Board believed the decision was a policy decision that should be made in coordination with the City Commission and any experts that the City Commission may need to make that decision. In a roll call vote, motion passed 7-0.

Commissioner Rogers suggested and there was consensus approval to refer this item first to the Utility Advisory Committee. The City Attorney advised that this cannot be prohibited, but the City can regulate it. He noted cases that have occurred thus far in the city.

Police and Firefighters Pension Board

The Board has approved an addendum to the Fund's investment policy. They have also approved the Annual Audit. The Annual State Report has been submitted to the State Division of Retirement.

Commissioner Rodstrom wanted more money to be budgeted toward the pension and indicated she will raise this during the budget process.

Centennial Celebration Committee

Commissioner Rogers had read an employee suggestion that employees wanted to play a part in the centennial. He wanted the committee to develop something along those lines. There was no objection.

Economic Development Advisory Board

Commissioner Rogers wanted the board to develop a strategy to encourage and reach out for economic development from a global perspective. The monies that the Community Redevelopment Agency will expend in the next several years for the beach area will be of interest to investors. There was no objection.

Education Advisory Board

Commissioner Rogers wanted the board to look into the City's potential for a charter school. Mayor Seiler thought the new city manager could also be consulted. Vice Mayor DuBose agreed, but wanted to also look at the City's schools as a whole.

III-B – Board and Committee Vacancies

Commissioner Rodstrom explained Paul Dooley has been serving as an alternate on the Code Enforcement board. She had nominated Rob Smith to the board as a full member. She asked that Mr. Dooley serve as a full member, and Mr. Smith as an alternate since he is newer and does not object.

Commissioner Rodstrom indicated that she referred Bob Oelke to Vice Mayor DuBose as he is interested in serving on the Audit Advisory Board and the Vice Mayor has an opening.

Planned Unit Development Zoning District Advisory Committee

The City Attorney responded to Commissioner Rogers' question concerning the length of the Planned United Development Zoning District Advisory Committee.

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

City Commission Reports

Redistricting

In response to Mayor Seiler, the City Attorney advised that the City is required to redistrict based on census results. While it would be good to complete redistricting before the next election, there is no requirement to do so. In the past the City hired a consultant to balance the districts. Mayor Seiler did not favor hiring a consultant. He asked this item be placed on a conference agenda by June 7.

Broward County B-Cycle Bike Sharing Program

In response to Mayor Seiler, Acting Assistant City Manager Kathleen Gunn provided a verbal status report on this item. Progress is being made, but there are issues that staff is working through them. Mayor Seiler wanted to support this item with Fort Lauderdale being the county's hub and requested an update at the May 17 meeting.

Beach Master Plan; Sasaki Associates, Inc.

Mayor Seiler wanted to move forward to implement some items in the Sasaki Beach Master Plan while waiting on the overall plan.

Courtney Crush advised that she has a client who has purchased a significant number of properties on the beach and is interested in working with staff to perhaps add retail - art gallery uses noted in the Sasaki Plan. This client would be interested in making a presentation to the Commission as to how those uses could be integrated. The area is central beach, south of the Bonnet House and west of the tall hotels. It is the interior corridor and not in the CRA. She has spoken with the Directors of Economic Development and Planning and Zoning and Terry Burgess, Zoning Administrator, Commissioner Rodstrom and Mayor Seiler wanted the item to be placed on the agenda. The Acting City Manager explained it may need to be June 7 as opposed to May 17 because of the number of items on May 17. Commissioner Rodstrom explained that the zoning is split in the area and there is a need for consistency in the area. Ms. Crush explained the zoning code provides it is only permissible for uses noted by Sasaki with a 50-room hotel or they are accessory to other things.

Mayor Seiler asked that where possible items to be scheduled on a future conference be accomplished within the next two meetings.

Continued on page 12

Construction of Bypass Road - Port Everglades Port To Eisenhower Boulevard

Broward County Commissioner John Rodstrom referred to letters of April 1 and April 29, from Bonnie Miskel (representing Broward County) concerning the Broward County Convention Center Development of Regional Impact (DRI) and indicated there has not been a response. Copies of both letters are attached to these minutes. Referring to the April 1 letter, Mayor Seiler did not want to interfere with Broward County's efforts to complete construction work at Port Everglades (Item 1). County Commissioner Rodstrom understood District IV sensitivities and Commissioner Rogers suggestion for a turning lane for some relief to U.S. 1, however he did not think it would be satisfactory. He believed some adjustments could be made, but did not think District IV constituents would be satisfied. Commissioner Rogers indicated he is not at all through the issue and would not object to an extension to the Broward County Convention Center Development of Regional Impact (DRI) deadline. Discussion followed wherein County Commissioner Rodstrom asked if the City would consider reopening Miami Road which could serve as the bypass because it is a \$30 million savings.

Mayor Seiler believed a decision needs to be made as to the need for the bypass road. He is waiting for the traffic study shown in item 2 of the April 1 letter in order to decide on the bypass road. With regard to Item 3, he felt a decision needs to be made regardless

of the traffic component. He felt that improvements for Port Terminal 4 should be allowed to proceed. He did not think a parking dispute should delay a terminal. Commissioner Rogers believed the legal position is that the road is necessary. He has not yet seen an alternative with which he is comfortable. Mayor Seiler wanted Commissioner Rogers and County Commissioner Rodstrom to meet and work through the issues. Commissioner Rogers pointed out that he first heard of this perhaps 30-45 days ago. Mayor Seiler emphasized that the port issues need to move forward regardless. Commissioner Rogers did not want to disregard the unintended consequences. On Sunday morning, for instance, he was notified that traffic was backed up from the port to Federal Highway. Commissioner Rodstrom wanted to know what would happen if Miami Road was opened (median on State Road 84). County Commissioner Rodstrom did not think that would be studied. He also did not think the traffic analysis to be conducted will satisfy the residents. Commissioner Rogers wanted the gate to be moved first and then a legal opinion on the DRI. County Commissioner Rodstrom wanted to demonstrate to the County Commission that the City is willing to work with the County on this. He suggested that he communicate to them that if the gate is moved, the City is willing to resolve issues so as not to hold up the port. Then more time could be given to discuss the bypass. Commissioner Rogers thought that would be fair. Vice Mayor DuBose agreed with the Mayor concerning the port and Terminal 4 that will create jobs. Mayor Seiler noted another issue is the Terminal 4 basin extension. Vice Mayor DuBose thought in this way the City is moving, but with caution. Commissioner Rogers agreed. Mayor Seiler wanted to continue to defer to the district commissioner on traffic and parking, but he wanted to remain a good partner with the County on economic development issues.

In response to Mayor Seiler's question concerning what needs to be resolved with respect to Terminal 4, the City Attorney advised that one issue is parking. The City's position is that the Port DRI is one DRI. A goodly amount of the parking is already consumed at the port. The terminal will take more spaces than are left. Mayor Seiler indicated that County staff has indicated that there is sufficient parking. In response to Mayor Seiler, Greg Brewton, Director of Planning and Zoning, understood that the numbers have changed. He believed it has to do with what is being used versus what is required by ordinance. Mayor Seiler wanted this point answered because it is an opportunity to bring in larger ships. Commissioner Rogers indicated with an answer on the parking and an answer from the City Attorney on the DRI with respect to the port separate from the convention center and hotel, he believed that would be enough information to work with County Commissioner Rodstrom. Mayor Seiler emphasized the importance of this getting resolved. In response to County Commissioner Rodstrom, Commissioner Rogers felt the City is committed to getting Terminal 4 built with the provisos noted including moving the guard house noted by County Commissioner Rodstrom and there will be more time given on the other issues.

Note: The Commission recessed at 4:43 p.m. and convened as the Community Redevelopment Agency Board of Commissioners from 4:43 p.m. until 4:46 p.m.

Note: The City Commission reconvened and addressed the remaining Commission Reports at approximately 8:44 p.m. in the City Commission meeting room on the first floor of City Hall.

City Commission Reports

Continued from Page 9

Floating Docks; Public Notice

Commissioner Rodstrom raised the issue of posting signage for certain matters coming before advisory boards such as the floating docks raised under citizen presentations (April 5, 2011). She asked if such matters are posted on the community governmental television channel. Cate McCaffrey, Director of Business Enterprises, thought perhaps more attention could be given when items of this nature are coming before a board, there is outreach. Most people have been happy about the access. Commissioner Rodstrom thought for large projects, there be some form of notice.

In response to Mayor Seiler, Ms. McCaffrey advised that pursuant to the grant guidelines, there is a limitation of 26 feet. Mayor Seiler thought some measure should be pursued to allow larger boats if there are no other smaller boats docked at the time. Ms. McCaffrey advised it was explained to the individual that he could dock his boat on the river.

Events and Matters of Interest

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

Signage; Courthouse and City Hall

Commissioner Rogers noted that Florida Department of Transportation will be posting directional signage on Federal Highway for the courthouse and city hall, however, he requested the Acting City Manager follow-up on the signage. It should specify it is the federal courthouse to avoid confusion with the State courthouse. He also suggested signage for the State courthouse be looked at.

City Manager Reports - none

There being no other matters to come before the Commission, the meeting was adjourned at 8:58 p.m.