

FORT LAUDERDALE CITY COMMISSION CONFERENCE MEETING
JUNE 7, 2011

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CITY COMMISSION CONFERENCE MEETING

1:50 P.M.

June 7, 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 Dana Swisher

EXECUTIVE CLOSED DOOR SESSION WAS HELD AT 1:50 P.M.

The City Commission shall meet privately pursuant to Florida Statutes 447.605 and 768.28(16) respectively, regarding the following:

Collective Bargaining

Barbara Annette Rolle vs. City of Fort Lauderdale Case 09-06803 (PP L 07-809)

CLOSED DOOR SESSION ENDED AT 2:35 P.M.

Note: The City Commission reconvened at 2:42 p.m.

I-C – Broward County Northport Development of Regional Impact and Port Everglades Cruise Terminal 4

This item was removed from the agenda at the request of Broward County.

Concerning second reading of Bahia Mar rezoning to Planned Unit Development, Case 3-ZPUD-08, Commissioner Roberts noted information received from a citizen in District I via email and wanted to defer this item from the regular meeting agenda. The applicant is amenable to a deferral. He wanted the City Attorney to work with the applicant and address the questions raised. Mayor Seiler only wanted to defer it two weeks. There was no objection. The City Attorney noted a vote would be necessary at the regular meeting.

Concerning Short Term Residential Use Committee, Commissioner Rogers noted the full membership is present and wanted to discuss the matter at this time. (recent state legislation). In response to Mayor Seiler, the City Attorney advised that the legislature has pre-empted the field; the only issue is whether the City could craft something that would pass muster. In response to Commissioner Rodstrom, he confirmed that the current ordinance is enforceable. The City's position is that short-term residential rentals are a commercial use. In such case, the City enforces zoning regulations which prohibits such commercial use in a residential zone. There are two pending cases on whether the ordinance as written is being properly interpreted. He anticipated they would be pending for some nine months. The ordinance does not resolve the question of what period of time is short-term.

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

Commissioner Rogers believed the Commission should give direction today as to whether the committee should continue to meet and decide upon a timeline. Discussion ensued concerning the new legislation, pre-emption and whether the committee should meet until it is clearer how to proceed.

Marilyn Mammano, chair of Short Term Residential Use Committee, indicated that the committee has come to a consensus on a number of other related issues.

In response to Ron Mastriana, a member of the committee, the City Attorney elaborated upon the City's enforcement practice for short-term residential rentals and indicated when it reaches the level of a hotel or commercial activity, it has been supported (by the court). There are two cases pending on whether the interpretation is appropriate. However, he did not believe any clarification would be allowed. He did not think an amendment to provide such a definition would be permissible. In response to Ms. Mammano, the City Attorney indicated that making the City's ordinance less restrictive for the marine industry would also not be permissible however he did not think that the City has encountered the marine industry with respect to enforcement.

Mayor Seiler asked that the committee meet as many times as necessary to develop their recommendation and then submit them for the City Attorney's review. The matter could be scheduled on a conference agenda.

I-A – Fort Lauderdale Stadium and Lockhart Stadium – License Agreements with School Board of Broward County and Traffic Sports, Inc.

Cate McCaffrey, Director of Business Enterprises, highlighted the history of this item contained in Commission Agenda Report 11-0839. The Federal Aviation Administration (FAA) would require that all revenue minus documented and auditable maintenance expenses must be deposited in the airport fund and that would include any third party use of the stadiums. This term is unacceptable to the Strikers and School Board. In response to Mayor Seiler, Ms. McCaffrey indicated that staff has not been able to find another comparable situation in the country. The FAA does not want to see any entity profiting from use of the land. Discussion ensued about the FAA's interpretation wherein Mayor Seiler received consensus approval to meet with the FAA to find a solution. He felt clearly the School Board should be allowed use of the property for students.

Janna Lhota of Holland & Knight, representing Fort Lauderdale Strikers, thought a short-term solution may be a rental schedule. The Strikers want to stay.

Mike Roland, Lockhart Stadium Manager, School Board of Broward County, also expressed a desire to stay, but if required to vacate, he requested ninety days from their June 30 expiration date.

Mayor Seiler assured that the City will do everything possible so that the Strikers and School Board may continue to use the facilities. He asked this item be scheduled on the June 21 meeting. In the interim, he requested staff draft letters to all members of the Broward Congressional Delegation, requesting an extension in order to work this out. He asked the draft letters be presented to representatives for the Strikers and School Board for their approval. He also asked that Mr. Lhota arrange a telephone conference call with Congressman Klein.

I-B – Appointment of City Manager – Lee R. Feldman

Mayor Seiler reviewed the proposed term sheet provided as Exhibit 1 of Commission Agenda Report 11-0857. At Mayor Seiler's request, the City Auditor noted the net difference from the previous city manager of about a \$60,000 savings. Mayor Seiler went on to mention that Mr. Feldman has a number of outside involvements that he thought would be very beneficial to the City and therefore had no objection to his continued outside activities (Paragraph 7 of Employment Contract).

The City Attorney confirmed for Vice Mayor DuBose that the contract does not have an expiration date, except the sixty-day provision. In response to Commissioner Rodstrom, he explained that a salary is established with this contract which is approved by resolution. If cost of living increases are granted to the highest level of management, the city manager would receive them. An independent merit increase could be accomplished by another resolution. In further response to Vice Mayor DuBose, the City Attorney advised that the City Clerk's contract is also continuous. Mr. Feldman would be in category of Management Level 1. The City Auditor and City Attorney delineated the number of leave days and the available option if not used. The City Attorney confirmed that any member of the Commission could call up the contract, however for any action to be taken it would require three.

Commissioner Rogers requested some modification to Paragraph 4, Suspension, that he had discussed with Mr. Feldman. The City Attorney proposed after "serious job-related misconduct", the following language be added with a comma "charged with a crime involving moral turpitude". Mr. Feldman had no objection.

Commissioner Rogers referred to Paragraph 5(C), Termination or Resignation, and requested that copies of any notice by the city manager should be provided to the commission as well as the mayor or city attorney. The City Attorney suggested it be provided that notice shall be given in accordance with Paragraph 19 of the contract and that language referring to it being directed to the mayor or city attorney. There was no objection.

Commissioner Rogers referred to Paragraph 6, Salary, and indicated the City Attorney has addressed his concern that the Commission only would grant such benefits. In followup to Vice Mayor DuBose's previous question, the City Attorney noted Subparagraph (B) provides for all charter offices to receive any cost of living increases granted to Management Category 1 employees. It could be made optional by changing "agrees to" to "may". He noted that last time a cost of living increase was granted, the charter offices did not receive it even though it is provided for in their contracts. Commissioner Rogers thought it is possible for the manager to recommend such raises to his employees and benefit from it. Both Commissioners Roberts and Rodstrom pointed out that the Commission's vote could address this. Mayor Seiler did not want to draw a line of separation in view of the City's desire to build a team.

With regard to Paragraph 8, Hours of Work, Commissioner Rogers wanted reference to normal business hours even though he recognized that there may be exceptions. Mayor Seiler strongly disagreed. He elaborated upon the areas of focus desirable for the city manager as well as chain or command and delegation. The job is much more than forty hours. Commissioner Rogers clarified that he wanted this point defined.

Mayor Seiler requested this item be addressed first at the evening meeting.

Mayor Seiler thanked Acting City Manager Allyson Love for her service.

I-E – Estimated Federal Housing and Community Development Funding and Proposed U.S. Department of Housing and Urban Development Annual Action Plan of Consolidated Plan – Fiscal Year 2011-2012

Jonathan Brown, Housing and Community Development Manager, referred to estimates received from HUD that were provided to the Commission. Funding allocations for the Emergency Shelter Grant Program follows what the City has historically done. With respect to Housing Opportunities for Persons with HIV/AIDS (HOPWA), the House of Hope has indicated that they do not wish to proceed with the \$233,879.52 proposed in that they are still working with previous funding. As to use of this funding, he noted that the only agency in this program that received increased program funding was Broward House. Direction will be needed as to allocating the \$233,879.52. The City has received about \$3.4 million in Community Development Block Grant Program (CDBG) requests and \$1.8 million in available funding.

In response to Vice Mayor DuBose, Mr. Brown advised that the HOPWA program increased \$658,000. Vice Mayor DuBose questioned whether the decrease in CDBG funding was primarily taken from Neighborhood Revitalization Strategy Area (NRSA). Greg Brewton, Director of Planning and Zoning, advised that the strategy is based on federal mandate and Community Services Board recommendations. Staff has made recommendations for the balance of about \$100,000, considering past Commission direction. It does not reflect any current discussion with the Commission.

Commissioner Roberts asked if the City has data showing that the program prevented participants from becoming homeless, for example, by the Homeless Prevention Program. He wanted to focus on programs that are effective. With respect to Public Service Activities, he wanted to know the reasoning behind a program being removed and so forth. He requested this type of backup be provided prior to the meeting when this will be considered.

Commissioner Rogers wanted to know how the CDBG administration funds are being utilized by staff. Mr. Brewton advised that these funds are being used for Housing and Community Development staff to soften the general fund impact. Vice Mayor DuBose asked what is staff doing to help agencies achieve their outcomes. Mr. Brown noted that the year-end report provides an outline of what the division does. Commissioner Rodstrom wanted a cost to be shown with each program.

Next year going forward, the City Auditor thought benchmark data against other similar size cities that administer these programs would be useful. Commissioner Roberts wanted staff to try to get some information this year and plan to get more next year.

Mr. Brewton understood that staff is to meet with the Commission individually, and collect information on outcomes and benchmark data from similar size cities on administrative costs. Mayor Seiler requested staff target bringing this matter back to the Commission on June 21 if possible.

I-D – Aquatic Complex Grandstands – Replacement

Cate McCaffrey, Director of Business Enterprises, outlined previous direction of the Commission. After Public Works reviewed the estimate, it has been reduced from \$1,000,500 to \$710,000. Albert Carbon, Director of Public Works, indicated that the modular restroom and metal bleachers could be relocated to another facility. The following responses were provided to questions raised by the Commission. Mayor Seiler noted that there are no funds budgeted for this work. Ms. McCaffrey indicated that it has always been contemplated that the entire facility would have to be closed at some time and the City might not be able to host the YMCA event and the YMCA is aware of this. The YMCA has indicated they will return to Fort Lauderdale. They are the only entity that has indicated they could not continue to host their event at the Aquatic Complex without the seating. The City has not received a commitment from Red Bull as to holding the Wake of Fame again this year. Mayor Seiler emphasized that the City needs an equal return for a temporary solution investment. In response to Commissioner Rogers, Laura Voet, Aquatic Complex Manager, advised that according to the Convention and Visitors Bureau, the economic impact of the YMCA event is about \$5 million. There are about 5,000 visitors every year. They do not want to be anywhere else. Commissioner Roberts pointed out that the City will be losing the YMCA and other events for a period of time and there is no guarantee of their return. It is too much to expend for a temporary fix. In response to Commissioner Rodstrom, Mr. Carbon advised that bleacher rental would be \$25,000 per event. He pointed out that the demolition needs to be done in any event. A modular restroom could be relocated; it would not be possible to rent a restroom for such a period of time for less. In response to Commissioner Rogers, Mr. Carbon explained the basis for the recommendation to purchase a modular restroom versus steps necessary to maintain the existing restroom. There may be some savings with reuse of light fixtures.

Mr. Carbon advised that with Commission consensus, a task order of about \$40,000 for design work in order to determine the actual cost. It was noted that this would provide more definitive cost estimates.

Vice Mayor DuBose pointed out that at some point it will not be possible to hold the YMCA event regardless. Commissioner Rodstrom noted that RDC has been working to reduce the redevelopment cost and hope to make a presentation on June 21. Ms. Voet indicated for Commissioner Rogers that the YMCA pays the City \$39,500. Mayor Seiler did not want to proceed with demolition until a redevelopment plan is in place. Commissioner Rogers noted the approximate \$40,000 income, economic impact and that the bleachers will have to be demolished regardless.

Mayor Seiler explained this item was placed on today's agenda because the YMCA must make a decision on venue by June 15. With the cost presented, he did not believe it makes sense unless there were several events lined up. He felt the City needs to move forward with redevelopment. He is uncomfortable with the numbers on the level of business from RDC. The City could redevelop the pool itself with Community Redevelopment Agency funds. Commissioner Rodstrom agreed that she also would not support a piecemeal fix for one event at a cost that is not budgeted.

In response to Mayor Seiler, Ms. McCaffrey indicated that the Aquatic Complex redevelopment will be on the June 21 agenda. Staff has been working with the consultant on traffic and parking, and waiting for information promised relative to reducing the cost and size. She was not sure about the operational part. In response to

Commissioner Roberts' question about a business plan, Ms. McCaffrey indicated that the suggested management is different, therefore it will be a policy issue and part of the discussion. The City Auditor advised that he has not received anything. Ms. McCaffrey indicated that information requested by the City Auditor has been re-sent, and plan to make it clear that the City is requesting this information. The City Auditor indicated that he has requested information repeatedly for the last year and what has been provided has not met expectations. Commissioner Rodstrom explained that a business plan has to contain that portion of the facility that will be operated by the City. The City Auditor mentioned the marketing and demographic components.

I-F – Neighborhood Stabilization Programs 1 and 3

Jonathan Brown, Housing and Community Development Manager, outlined previous direction of the Commission. As requested by Commissioner Rogers, he provided before and after photographs of neighborhood stabilization homes that were made a part of the record.

Program 1

In response to Commissioner Rogers' question concerning Item 5, 3470 SW 15 Street by Inner Urban Asset Management Company (Exhibit 2 to Commission Agenda Report 11-0731), Mr. Brown advised that the home cannot be sold for over the appraised value. A copy of Exhibit 2 is attached to these minutes. In a more detailed review of the transaction, he pointed out that when the property is sold the subsidy provided to the homebuyer comes back to the City. Commissioner Rogers was concerned that the City is not recouping all of the costs and putting money back into the program. Mr. Brown noted the goal at the onset of this program was twenty-five properties in the three-year period and in the first go-around, twenty-eight were completed. Vice Mayor DuBose pointed out that the City received second-round funding from the U.S. Department of Housing and Urban Development (HUD) because it was following the program's design. He explained that this program differs from traditional HUD programming as it allows the City to recapture some of the money. In response to Mayor Seiler, Mr. Brown advised that satisfaction of the mortgage is paid back to the housing fund and can be reused. The City Auditor explained that HUD considers any money that flows back to the City as program income. Mayor Seiler pointed out that it is not a net income, but rather program income.

In response to Mayor Seiler, Mr. Brown advised that both agencies are doing a great job in terms of quality. Inner Urban Asset Management Company has sold four of their thirteen properties and Florida's Attainable Homes Company, LLC has sold two of their thirteen properties. Vice Mayor DuBose explained the challenges of renovating structures that are fifty years old, for example. Mr. Brown noted another factor is that the housing market is still declining. Commissioner Rogers was concerned about the extent of change orders for Item 1, 1377 Riverland Road, by Fort Lauderdale Community Development Corp. Greg Brewton, Director of Planning and Zoning, felt it needs to be viewed from the objective of renovating an area in decline. In some cases, if not for this program, the home would be left unchanged and the entire neighborhood would continue to decline. A property has been rehabilitated that might not have ever been otherwise and this might encourage other developers. In response to Mayor Seiler, Lennar Robinson of Fort Lauderdale Community Development Corp., noted that this property appraised for \$172,000 and will sell for that amount. He provided more detail as to the need for the change order stemming from requests of inspectors. As to money

returning to the City, Mr. Brown explained that the City does not yet know how much down payment assistance will be provided or the closing costs. Based on the amount of the loan, there should be some program income. Mr. Robinson indicated the loan amount will be \$113,000. Mr. Brown noted that subtracted from the \$113,000 are costs or down payment assistance and closing costs which includes the developer's fee.

Mayor Seiler asked about the developer percentage fee basis. Mr. Brown advised that it is based on the acquisition and rehabilitation costs. All agencies are treated the same.

Program 3

Mr. Brown outlined previous Commission discussion and the question of whether to issue a request for proposals. In response to a letter written by Vice Mayor DuBose, HUD indicated that for sub-recipients or developers a competitive process is not required; developers in place could be used. Discussion ensued about the number of developers under the previous competitive process. Vice Mayor DuBose summarized the chronology that has occurred to date.

Mayor Seiler opened the floor for public comment.

Fred Carlson, 625 Orton Avenue, asked the impact of each house on the City's budget and what is the associated liability with respect to the mortgages. He also inquired about demolishing a block and allowing private development. Greg Brewton, Director of Planning and Zoning, advised that there is no impact to the City's budget and no future liability on under-performing mortgages. Vice Mayor DuBose pointed out that it puts property back on the tax rolls. Mr. Brown advised that the down-side risk to the City is nil. Mayor Seiler indicated this is not something the private sector would do because it is not profitable. In further response, Mayor Seiler explained this is essentially a federal grant program for stabilization of neighborhoods.

In response to Commissioner Rogers, Vice Mayor DuBose explained that houses in Commissioner Rogers' neighborhood, for example, would not qualify for this program, but they would probably have a greater resale and be helpful in meeting a profit margin.

Tam English, Fort Lauderdale Housing Authority, outlined a Neighborhood Stabilization Program (NSP) proposal for single family homes made by the Housing Authority to a previous commission at the request of former Mayor Naugle. Because some neighborhoods are still depressed, the appraisals are not as high as desired in comparison with what has been invested. Other areas have had similar problems, including West Palm Beach that was cited in the Sun Sentinel last week. Because the houses are so scattered throughout the city, the program has had minimal impact in fixing neighborhoods.

Mr. English referred to the three homes sold and noted an average of \$32,000 per home was recouped and the City paid an average of \$139,000 per home, which is giving away an average of \$107,000 per home. He questioned if the recipients are economically equipped to manage these homes for the next five, ten to twenty years which is the goal. He felt the City should look at being effective with the next \$2 million. He was opposed to continuing in the same fashion. He discussed their work with Broward County Neighborhood Stabilization Program funding in Dania and Oakland Park on multi-family units. They have purchased a substantial number of units in a block and been successful

in making neighborhood corrections. He urged the City to look seriously at multi-family properties.

In response to Mayor Seiler, Mr. English advised that the Housing Authority bid on this project but their bid was deemed unresponsive even though their bid is exactly what was ultimately done.

Vice Mayor DuBose contended it is absolutely out of line to say that there has not been any impact to neighborhoods by what has been done with single family homes. He indicated that his perspective is one of residing in an affected neighborhood. Also, an objective of NSP 3 was to localize and identify neighborhoods for a more concentrated approach. Further dialogue on this point ensued between the Vice Mayor and Mr. English.

In response to Commissioner Rogers' previously expressed concern, the City Auditor reiterated his suggestion for benchmark data from other cities.

Mayor Seiler wanted the developer fee to be the same for all vendors. Concerning requested Commission direction on how to proceed with NSP 3, Mr. Brown pointed out that there is no competition currently as it relates to the rehabilitation work itself. Mr. Brown reviewed sales and closings of the three vendors. Steve Wallerstein of Inner Urban Asset Management Company advised they have closed on four and sold eight.

In response to Commissioner Rogers raising the idea of addressing an entire block, Mayor Seiler and Commissioner Roberts noted the Commission's previous consensus on the current approach.

Mayor Seiler wanted to inquire whether all vendors would accept a fee of 10.5 percent. Kirk Buffington, Director of Procurement Services, confirmed that given the vendor terminated for non-performance under NSP 1 and is still non-performing, the argument could be made that he is still non-performing. Staff will attempt to negotiate a lower percentage with the new contracts. Greg Brewton, Director of Planning and Zoning, indicated that HUD had suggested a flat rate. There was no objection to this option.

Note: The City Commission recessed at 5:20 p.m. and reconvened at 8:29 p.m. in the City Commission meeting room on the first floor of City Hall to address Agenda Item I-G and the remainder of the agenda.

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

No objection.

II-A – Selection and Evaluation Committees – Process to Evaluate, Rank and Recommend Architectural – Engineering Consultant Contracts

Kirk Buffington, Director of Procurement Services, noted previous Commission direction. He noted the increase of architectural and engineering (A & E) contractors retained for City business for the last six years shown in Exhibit 2 of Commission Agenda Report 11-0831.

Mayor Seiler opened the floor for public comment.

Larry Elliott of Carollo Engineers referred to statements that the selection committee has been encouraged to select more than one firm if they wanted to do so, however, he did not find that offer when he reviewed the audio tape recordings. According to the RFP, the committee is to rank a first proposer and then it would go to the Commission to negotiate with the first ranked proposer. After negotiations, it provides that the City reserves the right to award a contract to more than one consultant based on the City's best interests. There is no plural user in the language addressing the committee's process.

Commissioner Roberts did not see anything in the commission agenda report addressing selection committee aberrations when there is one skewed in the process. Mr. Buffington advised he is still working on this.

Mr. Buffington noted that he provided a memorandum to the Commission today, correcting his statement made at the May 17 Commission meeting. There was not an expressed discussion of multiple awards during discussion of award of a water consultant. However, the request for qualifications (RFQ) clearly states that the City reserves the right to award to multiple contractors as may be in its best interest. The selection committee uses the RFQ in its deliberations. Three committee members who served on the water consulting contract also served on the wastewater consulting contract. During the wastewater contract discussion there was an expressed discussion about coming forward with a motion for more than a single award. After speaking with four of the five committee members, he had no doubt that they knew this was an alternative. In looking at the multiple contracts on Exhibit 2, it is clear that the selection committees know they can make multiple award recommendations. Mr. Elliott noted that the wastewater committee came after the drinking water one. The procurement representative did not offer that option to the committee even when one member asked to revote, noting his/her belief that it is very, very close. He thought it should be clearly stated to the committee in the future.

In response to Mayor Seiler, Mr. Buffington thought staff is probably moving toward a standard deviation and statistical analysis. If a score is one standard deviation greater or less than the average mean of all scores, then it may be disqualified. He wanted to look into the impact in the past. In response to Commissioner Rogers, Mr. Buffington explained prohibitions according to the statute in weighing certain factors in the process. Commissioner Rogers thought the intricacies of the project (s) need to be at the forefront as well as the City's experience with particular contractors doing that type of work. Mr. Buffington advised that all contractors are required to submit a state form listing their references, previous projects and so forth. They also submit additional information specific to their experience on what the City may be looking for. However, continuing contracts are not project specific. For multiple awards, all of the contractors are equal at that point. Thus, when a task order is needed it is based on the listed criteria (Commission Agenda Report 11-0831) and the needs of the using department. Albert Carbon, Director of Public Works, advised that some criteria is weighted depending upon the project: experience of the project manager and similar projects, firm size. Consultants have strengths in varying areas.

Art Seitz, 1905 North Ocean Boulevard, referred to the architectural contract selection process for the Aquatic Complex redevelopment. He remarked on the individual committee member' rankings for Recreational Design and Construction, Inc. (RDC). He noted that the decision was made for six proposals not to be considered. RDC

subsequently found a bigger partner, Terry Stiles, and with this, committee member Wayne Jessup changed his score to a higher level. He emphasized that experience and the resume should be verified. He claimed that RDC inaccurately listed work on Disney's Typhoon Lagoon.

There was no one else wishing to speak.

II-B – April 2011 Monthly Financial Report

Commissioner Rogers thanked Acting City Manager Love for controlling expenses and making sure the City stayed on budget during her tenure.

III-A – Communications to City Commission and Minutes Circulated for Period Ending June 2, 2011

Beach Redevelopment Board

Motion by Mr. Malkus and seconded by Vice Chair Motwani, that at today's BRAB meeting the Board had a thorough discussion on the property known as Intracoastal Park and Promenade. There was a consensus to follow the Sasaki Beach Master Plan and investigate the opportunity for the Intracoastal Park and Promenade and surrounding landscaping. The BRAB requests that the CRA direct staff to begin investigating opportunities to implement the Master Plan improvements on the Intracoastal Park and Promenade and identify funding to support what is currently proposed by the Sasaki Plan. In a voice vote, the motion passed unanimously.

Commissioner Rodstrom understood this item is ongoing.

Continued on Page 11

Board of Adjustment

Motion made by Mr. Sniezek, seconded by Mr. Shallenberger, to request that the City Commission direct the Planning and Zoning Board to hold a workshop regarding the placement of wind powered energy sources, and that all other boards in the City would be invited to attend. In a voice vote, motion passed 7-0.

Commissioner Rodstrom noted this item of interest.

Continued on Page 12

Budget Advisory Board

Motion made by Mr. Timiraos, seconded by Mr. Nesbitt, to recommend the City Commission follow a national trend and adopt inclusion of domestic partnership benefits for all

City employees. In a voice vote, motion passed unanimously.

Motion made by Mr. Snead, seconded by Mr. Nesbitt, to recommend adoption of the attached resolution regarding the pay issue with non-unionized staff, amending the effective date to the current fiscal year only. In a voice vote, motion passed 5 – 1 with Mr. Silva opposed.

Motion made by Mr. Silva, seconded by Mr. Timiraos, to recommend the City Commission establish an irrevocable employees' post-employment benefits trust and that it initially be financed with General Fund and other fund reserves needed to bring it up to the net OPEB obligation to date, as of the end of 2011, that this be done before the end of the fiscal year. The amount is anticipated to be approximately \$10 million from all funds. Going forward, the City should put into the trust what is actuarially required on an annual basis from all funds. In a voice vote, motion passed unanimously.

No discussion.

Cemetery System Board of Trustees

By unanimous consensus, the Board requested that the City Commission review the fence replacement project at Sunset Cemetery and allow the replacement fence to be installed without a variance.

No discussion.

Economic Development Advisory Board

Motion made by Mr. Hughes, seconded by Mr. Riehl, that the City explore funding tourism-related marketing options in addition to what the Convention and Visitors Bureau provides, and consider other cities' initiatives and funding sources to determine best practices for marketing our city. In a voice vote, the motion passed unanimously.

No discussion.

Fire-Rescue Facilities Bond Issue Blue Ribbon Committee

Motion made by Mr. Nesbitt, seconded by Mr. Kirsch, to recommend the City use funding sources other than the Fire Bond Funds to purchase land at *x location* as discussed (3201 NE 33rd AVE, controlled by PNC Bank) for Station 54 while continuing to operate Station 54 at its current location. Upon completion of construction, the

property is to be sold and the proceeds used to reimburse the funding source. In a voice vote, motion passed unanimously.

No discussion.

Northwest Progresso-Flagler Heights Redevelopment Advisory Board

Motion made by Mr. Gabriel, seconded by Mr. Hubert, to remind the Commission of the proposed joint workshop meeting at 7 p.m. on June 28, 2011, at the Mizell Center. In a voice vote, the motion passed unanimously.

No discussion.

Utility Advisory Committee

Motion made by Ms. Murru, seconded by Mr. Weiss, to recommend to the City Commission to consider the opportunity to approve the Fort Lauderdale Hilton Beach Resort's site-specific commercial application for wind turbine installation. In a voice vote, the motion passed 7-1 (Mr. Larson dissenting).

Commissioner Rodstrom planned to do some community outreach on this topic and requested it be placed on a conference agenda. There was no objection. She indicated that she would speak to the new manager as to scheduling.

Beach Redevelopment Board

Continued from Page 10

Don Morris, Director of Community Redevelopment Agency (Beach area), believed the board wanted staff to look at improvements proposed by Sasaki in addition to those relating to the Intracoastal Promenade. Once a selection is made for the promenade, staff could prepare task orders for the other projects to determine the costs. It is not included in the budget that was previously presented; it pertains to the interior development. Commissioner Rodstrom wanted to first determine the cost for the work already authorized for staff to proceed on. Commissioners Rogers and Roberts were interested in seeing cost estimates. Commissioner Roberts wanted to be ready to proceed when money becomes available. Commissioner Rodstrom concurred. Mayor Seiler wanted to also explore public/private partnerships and keep all of the options open.

Cate McCaffrey, Director of Business Enterprises, indicated at the June 21, 2011 conference meeting, there will be a communication from the Marine Advisory Board relative to their plans for the Las Olas Marina site. Mayor Seiler wanted to be certain revenue information is provided from marine, parking and the Community Redevelopment Agency.

III-B – Board and Committee Vacancies

Note: Please see regular meeting item R-05.

City Commission Reports

New Growth Management Legislation; Evaluation and Appraisal Report; Visioning Project

Commissioner Rogers requested staff (Planning and Zoning) look into the feasibility of completing the Evaluation and Appraisal Report (EAR) inhouse in light of the new simplified legislation that could result in a savings of \$100,000 which could be applied to the visioning project.

Board of Adjustment

Continued from Page 10

In response to Greg Brewton, Director of Planning and Zoning Director, Mayor Seiler indicated the topic should come back to the Commission at a conference meeting at which time a decision will be made as to whether a workshop should be held.

Rivermont Property

Commissioner Rogers reported that it appears the Rivermont property may be acquired by the National Trust for Historic Preservation.

Fire Boat

Commissioner Rogers requested a status report on purchase of a fire boat to assist with fires on vessels.

Events and Matters of Interest

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

Water and Sea Levels, Transportation

Commissioner Rodstrom remarked on an excellent presentation made to the Broward Metropolitan Planning Organization on water and sea levels and transportation. She wanted to make arrangements after the summer for a presentation to be made to the Commission.

Bahia Mar; Planned Unit Development Rezoning Deferral

In response to Commissioner Rodstrom, Commissioner Roberts indicated his reason for deferring this item was to receive answers to questions contained in the email that the Commission received. He anticipated that the City Attorney would work with the applicant and staff to address questions in the email.

Outsourcing Requests for Proposals

Commissioner Roberts wanted staff to compete with the private sector in responding to upcoming outsourcing requests for proposals.

Broward County Municipal Code of Ethics Proposed by Broward League of Cities

Vice Mayor DuBose advised that the (League) municipalities' ordinance was heard today by the County Commission and referred to the Inspector General. Significant changes have been made to the ordinance since this Commission discussed it. The opt-out language was removed.

Procurement, Local Preference

Vice Mayor DuBose advised that he has brought to the new city manager's attention his desire to discuss at a conference the idea of local preference in the area of procurement.

2011-2012 Budget

Mayor Seiler encouraged the Commission to meet with the City Manager and any staff he may so select on budget issues so that discussions and questions may take place in June.

City Manager Reports – none

There being no other matters to come before the City Commission, the meeting was adjourned at 9:18 p.m.