

**COMMUNITY SERVICES ADVISORY BOARD MEETING
OCTOBER 10, 2005 – 7:00 P.M.**

**CITY COMMISSION CHAMBERS – 1ST FLOOR
100 N. ANDREWS AVENUE**

Board Members

	<u>Present</u>	<u>Absent</u>	<u>Cumulative From 10/03</u>	
			<u>(P)</u>	<u>(A)</u>
Jennie Brooks	P		16	4
Marie Conroy		A	13	4
Marjorie Davis		A	5	15
John Hurley	P		10	10
Robert Pascal		A	17	3
Sanford Rosenthal	P		20	0
Diane Schuster	P		2	0
Robert Smith	P		20	0
William Goetz	P		11	1
Michael Kimmey		A	9	2
Alfred Imgrund	P		8	0
Avery Dial	P		2	0

Staff Present:

Assistant City Attorney
Margarette Hayes, Housing & Community Development
Leon Burgess, Housing & Community Development
Rose Reed, Community Inspections
Susan Batchelder, Housing & Community Development

Margaret A. Muhl (D'Alessio), Recording Secretary

Guests

John Rayson	Kenneth Graves	Susan Ciccone
Kevin Green	Lorraine Wilde	

Margarette Hayes called the meeting to order at approximately 7:03 p.m., roll call was taken, and a quorum was present.

Margarette Hayes stated that an election would be held tonight for the Chair and Vice Chair of the Community Services Board.

Election of Chair and Co-Chair

Margarette Hayes stated that Jennie Brooks was serving as Chair in an Interim status since her term ended on September 30, 2005. She stated that per the City Attorney's Office, Ms. Brooks could actively participate in the process until a new appointment was made by Commissioner Moore.

Ms. Hayes stated that she needed someone to act in the Interim to assist in conducting the election process.

Jennie Brooks volunteered to act as Chair until a new Chair was elected.

Robert Smith proceeded to nominate John Hurley as Chair of the Community Services Advisory Board. Alfred Imgrund seconded the nomination. Nominations were closed since no other individuals had been nominated for the position.

The Board unanimously voted to accept John Hurley as Chair of the Community Services Advisory Board.

Call to Order

Chair John Hurley proceeded to call the meeting of the Community Services Advisory Board of October 10, 2005 to order.

Motion made by Chair John Hurley and seconded by Jennie Brooks to open the floor for nominations for the position of Co-Chair of the Community Services Advisory Board. Board unanimously approved.

Diane Schuster proceeded to nominate William Goetz as Co-Chair of the Community Services Advisory Board. Seconded by Robert Smith.

No other nominations were made.

Motion made by Chair John Hurley and seconded by Jennie Brooks to close the nominations. Board unanimously approved.

The Board unanimously approved William Goetz as Co-Chair of the Community Services Advisory Board.

Approval of Minutes – September 12, 2005

Co-Chair William Goetz stated that Diane Schuster was listed twice on the attendance portion of the minutes. Correction would be made.

Motion made by Chair John Hurley and seconded by Robert Smith to approve the minutes of the September 12, 2005 meeting as corrected. Board unanimously approved.

New Board Member Update

Margarette Hayes stated that the following vacancies would be noted at the October 18, 2005 City Commission Meeting. She continued stating that Mayor Naugle has one appointment for the CSB Board; Commissioner Moore has two appointments to be made, and Commissioner Hutchinson has one appointment to be made.

Certificates of Public Convenience and Necessity Applications

Chair John Hurley stated that Tri-County Transport/Airport Express has filed an application for such certificate.

Margarette Hayes stated that last month the Board had received the application package and several items were needed such as a driving record to be submitted for Tri-County Transport, and Clean-Air Taxi also needed to submit a driving record. She advised that all back-up materials had been provided to the Board, and tonight the Board was to make a recommendation regarding the applications.

Margarette Hayes explained that the Board needed to decide if presentations were to be made again by the applicants.

Chair John Hurley stated that three minutes would be provided to each applicant to make their presentation.

Tri-County Transport/Airport Express

John Rayson, attorney, stated that he was representing Tri-County Transport/Airport Express. He stated that this company has been providing their services to Broward County and the City of Fort Lauderdale for the last 20 years, and were located at 517 N. Federal Highway. He explained that they were seeking a renewal of the Certificate of Public Convenience for 134 City permits. He stated that they had an excellent reputation and provided safe transportation for their customers. He stated the vehicles were late model Lincoln Town Cars, Club Wagons, Savannahs, and a Chevrolet Suburban. All vehicles were insured and driving records had been submitted. He added that they would comply with all regulations, rules and ordinances of the City and would be bound by City rates. He explained that license fees were paid, and a statement of assets and liabilities had been filed. He advised that Lorraine Wilde was the Company's CEO and she had been in the transportation business for over 30 years. He also stated that a certification of their Chief Financial Officer had also been provided.

Mr. Rayson added that there were no violations against any of the drivers or the vehicles, and urged the Board to grant renewal of their 134 permits.

Sanford Rosenthal asked if Airport Express had booths at the Airport. Mr. Rayson confirmed. Sanford Rosenthal stated that he has used the company in the past, but had difficulty obtaining receipts. Mr. Rayson stated that the policy of the Company was that receipts would be granted whenever requested, and he was not aware of such a problem. He stated that the matter would be rectified.

Lorraine Wilde, CEO, stated that if anyone had any problems to contact her. She explained that business cards were used as receipts and meters were not used. She stated they did not have the ability to produce an electronic receipt. She stated that on the cards, the drivers and number of the vehicles were listed, along with room to list "TO" and "FROM" and the amount paid. She stated that there should be no reluctance on the part of the drivers to produce such receipts. She stated that training is provided to the drivers regarding handicap situations and service animals.

Mr. Rayson advised that Ms. Wilde was the past President of the Florida Limousine Association, and was on the Board of Directors for Florida Ground Transportation Association, along with the Airport Ground Transportation Association.

Robert Smith complimented the company on their application, and stated that it was very thorough and professional.

Chair John Hurley stated that he was experienced in reading driving records, and Ms. Wilde has not had a traffic ticket for 7 years.

Motion made by Robert Smith and seconded by Jennie Brooks to approve the renewal of permits for Certificates of Public Convenience and Necessity for Tri-County Transport/Airport Express. Board unanimously approved.

Carlos Escobar, owner of Escobar/Rickshaw.

Miguel DeLaPaz stated that he was Mr. Escobar's brother-in-law and would be serving as Interpreter this evening. He further stated that Mr. Escobar was seeking to serve the community in the Las Olas area.

Jennie Brooks stated that flashing safety lights were to be placed on the vehicles, and she asked if that had been done. Mr. DeLaPaz advised that Mr. Escobar was not aware that he was to provide the lights, but would have that done.

Rose Reed, Community Inspections, explained that Mr. Escobar is a new applicant and was applying for 10 rickshaws. She explained that part of the Ordinance for non-motorized vehicles was that they had to send the applications to the police, fire, zoning and City Manager's Office. She stated that the police did not have any objection to the vehicles, but had recommended that flashing red lights be installed.

Jennie Brooks asked if Mr. Escobar was willing to install the lights. Mr. DeLaPaz explained that Mr. Escobar would install such lights.

Jennie Brooks asked if Mr. Escobar was capable of communicating with the potential passengers. Mr. DeLaPaz explained that he would be able to communicate, but tonight's meeting was more structured and he requested some assistance.

Chair John Hurley asked where such rickshaws would operate. Mr. Escobar stated that he wanted to operate near Las Olas Riverfront, on Las Olas Boulevard, and along the park at the Riverfront. Chair John Hurley asked if Mr. Escobar understood the restrictions applied to the operation of the rickshaws. He stated further that the Zoning Administrator felt the rickshaws should be restricted to street pavement and not operate on public sidewalks. Mr. Escobar agreed to the conditions made. Chair John Hurley further stated that no such vehicles could operate on sidewalks in the Downtown area. Mr. Escobar stated that he understood the restrictions.

Alfred Imgrund asked how many employees were there for the company. Mr. Escobar stated that there were ten employees. Mr. Imgrund asked how were the employee's language skills and could they communicate in English. Mr. Escobar stated that the employees spoke English.

William Goetz asked if there would be a stationary place for the rickshaws while waiting for fares. Mr. DeLaPaz explained that Mr. Escobar was going to leave the place for his point of departure up to this Board.

Margarette Hayes advised that staff felt as long as he was not blocking traffic, they could stop at any point and wait for fares. She stated that this was different than the cabs because the vehicles were non-motorized in this case.

Robert Smith stated that he felt it was enterprising that the company had the Fire Department sign-off, and he believed this would be a benefit to the City.

Sanford Rosenthal asked if there would be set fares for the rickshaws. Mr. Escobar explained the fee would be \$1.00 per block.

COMMUNITY SERVICES ADVISORY BOARD

OCTOBER 10, 2005

PAGE 5

Alfred Imgrund stated that he was in favor of the rickshaws and felt they would enhance the Downtown area.

Avery Dial stated that the application looked good and he felt the rickshaws were a great idea for the City.

Chair John Hurley stated that he believed in free enterprise, and if people were able to communicate their services would be used.

Motion made by Jennie Brooks and seconded by Alfred Imgrund to approve the requests made by Escobar/Rickshaws for Certificates of Convenience and Public Necessity. Board unanimously approved.

Clean Air Taxi/Elite Bicycles

Kevin Green stated that he was requesting permits to conduct his business for pedicabs and rickshaws along Las Olas Boulevard and A1A.

Jennie Brooks stated that in looking at Mr. Green's driving record, she was concerned how he would operate the non-motorized vehicles. Mr. Green stated that for two years he had not received any tickets regarding his bikes. Jennie Brooks asked what type of violations pertained to these types of vehicles. Mr. Green stated that violations could be issued in regard to parking, but his tickets had been dismissed and were in regard to another company. He stated that he had received a violation regarding failure to use a blinker.

Chair John Hurley stated that in reviewing Mr. Green's driving record, it might be to his advantage to operate non-motorized vehicles.

Jennie Brooks asked how many rickshaws the company owned. Mr. Green stated that he had three rickshaws, but intended to purchase some new ones after receiving the permits. Mr. Green stated that he is requesting 20 rickshaw permits and 20 bicycle permits. Ms. Brooks asked why he was requesting so many permits when he had fewer vehicles. Mr. Green stated that he wanted the permits so he could compete with the competition.

Margarette Hayes stated that Mr. Green had to abide by the request he had made on his application. She advised that he had requested 10 permits for each.

Alfred Imgrund stated that he reviewed the police memorandum dated June 25, 2005, which recommended a denial of the business permits and reasons for such denial.

Robert Smith stated that Mr. Escobar planned on operating in a limited area, and he had City Officials sign off on his documents. He continued stating that Mr. Green was planning to operate in a wider area, but he had not had anyone sign off, except for the Police Department who denied the request. He suggested that possibly Mr. Green should have other individuals sign off on his request.

Sanford Rosenthal asked if Mr. Green was presently operating his rickshaws. Mr. Green confirmed and explained he was operating under someone else's permits. He explained that he wanted his own permits so he could profit from the service.

Sanford Rosenthal suggested that possibly one permit be granted to Mr. Green so as to help him establish a "track record."

COMMUNITY SERVICES ADVISORY BOARD

OCTOBER 10, 2005

PAGE 6

Chair John Hurley stated that in reviewing the police memorandum, he would like Mr. Green to clarify each issue listed. In a letter dated June 25, 2005, it stated: "Mr. Green has been warned, cited, and arrested in the past for violations related to his illegal, unauthorized operation of a pedicab in the beach area." Chair John Hurley asked if Mr. Green had ever been arrested. Mr. Green confirmed and stated that he was 40 years old and had been arrested about three times. He continued stating that he had first been arrested when he was 17 years old for grand theft auto. He explained that he was charged as an adult. He explained that the second time he was arrested was in regard to trespassing, loitering, and other minor incidents. He stated that the third time he was arrested was in regard to domestic violence in 1998 or 1999, and he had been convicted and had served about two years in prison. He explained that since he had been working with the rickshaws, he has not had any trouble.

Chair John Hurley stated further that the third paragraph of the memorandum stated: "Mr. Green has been involved in several disturbances in the beach area. He has also been cited for other complaints, including animal complaints, trespassing, and assault on the beach area. He has also been arrested for battery on a law enforcement officer and resisting arrest with violence in the City of Fort Lauderdale." He asked if Mr. Green had been arrested regarding battery on a law enforcement officer, and resisting arrest with violence in the City of Fort Lauderdale. Mr. Green explained that while he was in jail for the domestic charge, he received the other violation. He stated that he had to defend himself. Chair John Hurley clarified that Mr. Green had not been arrested the fourth time because he had already been under arrest, and therefore, was served a Summons. Mr. Green confirmed. Chair John Hurley asked what was the result of such charges. Mr. Green stated that he served time for the charges and had been in prison for three years. He reiterated that he had not had any problems since 1998.

Chair John Hurley asked when he had been charged with battery and resisting arrest. Mr. Green stated that he was not sure of the dates, but believed it was in 1998.

Chair John Hurley continued stating that in the second to last paragraph it stated: "In a previous application, Mr. Green indicated that he had never been involved in a vehicle for hire business." He said that there appears to be a Fort Lauderdale Police Department report contradicting such matter. Mr. Green stated that he was working for someone else previously.

Chair John Hurley asked what Mr. Green did to obtain his living at this point in time. Mr. Green explained that he rode a bike daily and he would have 5-6 employees. He explained further that presently he was the only person operating the bikes. He reiterated that he was planning on purchasing five new vehicles from Colorado, Main Street Pedicab. He explained that presently he had 3 vehicles.

Jennie Brooks stated that this was a difficult situation, and Mr. Green was prone to violations. She reiterated that everyone deserves a chance, and possibly one permit could be granted and Mr. Green would be put on probation to see how things worked out. She stated that a "track record" could then be established for him.

Mr. Green reiterated that he has not had any recent violations.

Sanford Rosenthal stated that he was inclined to grant Mr. Green a chance and a permit be issued for either a rickshaw or a pedicab.

Alfred Imgrund stated that the Board's function was to vote in favor or denial of the application. He felt they needed to focus on the application that had been submitted. He stated that he was not in favor of granting Mr. Green's request.

COMMUNITY SERVICES ADVISORY BOARD

OCTOBER 10, 2005

PAGE 7

Chair John Hurley asked about citations and notices to appear in Court that had been issued. Mr. Green confirmed that he had received such citations and notices and that was reflected in his driving record. He explained that 8-9 of them had been dismissed, but still appeared on his driving record. Chair John Hurley explained that a dismissed ticket would not appear on a driving record. He further stated that a memorandum had been provided regarding violations issued to Mr. Green regarding his operation of the rickshaw.

Diane Schuster stated that Mr. Green's past infractions show that he has some character flaws, and therefore, the citizens of the City should not be subject to his services. She suggested that he attempt to earn a living in a different manner.

Avery Dial asked for some further clarification of the violations issued to Mr. Green. Mr. Green stated that he did not like to talk about the past. He reiterated that the police officer who mainly caused him problems was no longer in the area. Mr. Dial stated that the police letter was damaging to Mr. Green, but some of the violations did not reflect his ability to run a business.

Jennie Brooks asked if any complaints had been registered by customers during the last two years that Mr. Green was operating the rickshaws under someone else's permits. Mr. Green stated that no complaints had been filed.

Robert Smith stated that some of the violations had been issued at one time and he felt that something was wrong with the situation.

Alfred Imgrund stated that he was now in favor of approving Mr. Green's application, and then the matter could be decided upon by the City Commission.

Motion made by Jennie Brooks and seconded by Avery Dial to approve the applications as submitted. The Board approved with the exception of Diane Schuster and Sanford Rosenthal who voted against the motion.

William Goetz left the meeting at approximately 8:03 p.m.

KSG Transportation, Inc.

Chair John Hurley stated that some further information was to be supplied by KSG Transportation regarding the application.

Rose Reed explained that the Board had previously requested that the company submit a business plan. She stated that such plan had been provided, along with other pertinent information, to the Board.

Kenneth Graves, President of KSG Transportation, Inc., stated that all requested information was provided. He explained that he was not operating this business, but was providing escort services.

Rose Reed stated that he was being paid under the corporate name, and pertinent information had been supplied for the Board's review.

Mr. Graves explained that he was seeking permits for one sedan and one luxury limousine. He stated that his licenses are all in effect.

Margarette Hayes announced that Dr. Goetz was needed to make the quorum. She further advised that A Plus Tours and Transportation did not send a representative to attend tonight's

COMMUNITY SERVICES ADVISORY BOARD

OCTOBER 10, 2005

PAGE 8

meeting. Chair John Hurley stated that upon Dr. Goetz's return, he would entertain a motion to remove that company from tonight's agenda.

Margarette Hayes explained that they could move forward to Other Business at this time.

Other Business

Letter Regarding Absences of Board Members

Margarette Hayes stated that a letter had been submitted to the Board in regard to Board Members and their absences. She proceeded to explain the letter and stated that if anyone was absent for three consecutive meetings in one calendar year, then there would be an automatic resignation from the Board. She stated that no excused absences were provided for in the regulations, but good reasons for such absences could be determined by the Chair and a recommendation made to the City Commission that the individual be reinstated on the Board. Ms. Hayes proceeded to read the sample letter.

Chair John Hurley asked how he could make such a recommendation. Ms. Hayes explained that it would have to be stated to staff.

Training of Board Liaisons

Margarette Hayes explained that there had been a training session for all liaisons last week, and she explained further that there would be training for advisory board participants in the next 4-6 months.

Application Funding Cycle

Margarette Hayes stated that William Goetz had made some recommendations regarding changes being made to the application for funding. She stated that staff wanted to make it as "clean cut" as possible. She stated further that Mr. Goetz's comments were distributed to the Board for their review and consideration.

Ms. Hayes reminded everyone that the application cycle would begin in January, 2006. She advised that this Board would not be meeting in December.

William Goetz returned to the meeting at approximately 8:11 p.m.

KSG Transportation, Inc. (previous discussion continued)

Chair John Hurley stated that he had reviewed KSG Transportation, Inc. application for permits, and he asked William Goetz if he had any questions or comments to make regarding this application. Mr. Goetz stated that he had no further comments regarding this issue.

Chair John Hurley stated that Mr. Graves had received a ticket from a State Trooper, and he asked if that had been recent. Mr. Graves confirmed and stated that the matter was still pending.

Motion made by Robert Smith and seconded by Avery Dial to approve the application for permits of KSG Transportation, Inc. Board unanimously approved.

A Plus Tours and Transportation

COMMUNITY SERVICES ADVISORY BOARD

OCTOBER 10, 2005

PAGE 9

Chair John Hurley stated that a representative from A Plus Tours and Transportation was not present at tonight's meeting.

Motion made by Jennie Brooks and seconded by Robert Smith to remove A Plus Tours and Transportation from tonight's agenda. Board unanimously approved.

Ranking Considerations

Margarette Hayes reminded the Board Members to review the ranking considerations submitted by Dr. Goetz so everyone would be prepared to discuss the issue at the Board's next meeting.

Motion made by Jennie Brooks and seconded by Alfred Imgrund to adjourn the meeting.

There being no other business to come before this Board, the meeting was adjourned at approximately 8:20 p.m.

Respectfully submitted

Margaret A. Muhl (D'Alessio)
Recording Secretary