

**COMMUNITY SERVICES BOARD MEETING
February 11, 2008- 7:00 P.M.**

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

Board Members

	<u>Present</u>	<u>Absent</u>	<u>Cumulative From 10/07</u>	
			<u>(P)</u>	<u>(A)</u>
Marjorie Davis		A	0	3
William Goetz	P		3	0
Michael Kimmey		A	1	2
Avery Dial	P		3	0
Margaret Birch	P		2	1
Fenel Antoine	P		2	1
Emmett Kater	P		2	1
P.J. Espinal		A	0	3
David Maymon		A	2	1
Tunde Ogunlana	P		2	1
Christopher Priester	P		3	0

Staff Present:

Margarette Hayes, Manager, Housing & Community Development
Susan Batchelder, Assistant ACD Manager
Angelia Basto, Clerk Typist II
Lindwell Bradley, Community Inspections

Margaret A. Muhl, Recording Secretary

Call to Order

Chair William Goetz called the meeting to order at approximately 7:16 p.m. and all stood for the Pledge of Allegiance. Roll call was taken and there was no quorum. Therefore, no decisions could be taken by the Board at this meeting.

Board and Staff Introductions

Margarette Hayes proceeded to introduce staff who were present at tonight's meeting.

Margaret Birch asked if Marjorie Davis' standing on the Board was ever clarified. It was her understanding that she was not a voting member.

Chair William Goetz stated she was listed as an ex officio consensus member.

Margarette Hayes stated that she would not be counted toward a quorum. She further stated that Ms. Davis was a consensus and life member of this Board. She advised that the quorum still stands at 8 for this Board.

New Board Member Updates

Ms. Hayes stated that there were no new board appointments at this time.

Election of Officers

Margarette Hayes stated that again the election of officers could not take place this evening since there was not a quorum present.

Approval of Minutes

Minutes could not be approved due to there being a lack of a quorum.

Ms. Birch stated that last month she asked when an administrative decision could be made due to the frequent lack of a quorum for this Board.

Margarette Hayes stated that she sent a request to the City Clerk and copied the Assistant City Attorney who works specifically on advisory boards, and she was informed that a quorum had to be present to conduct business. She further stated that there had been discussion by the Commission regarding restructuring this Board. Therefore, she was not sure if that was the hold up regarding any new appointments, and she would contact the City Clerk tomorrow in an attempt to get an update on the situation. She reiterated that they could not continue to be held hostage due to not having a quorum.

Ms. Birch stated that she did not believe the City would want to continue conducting business in that fashion.

Chair William Goetz suggested that everyone on this Board be contacted so they could arrange a special meeting after the scheduled Commission meeting.

Certificate of Public Convenience & Necessity Application

Margarette Hayes stated that this matter could be discussed, but no formal recommendation could be made to the Commission at this time. She further stated that after the presentations were made regarding this matter, there were some members of the public that wanted to speak on this issue.

Lindwell Bradley, Business Tax Supervisor, stated they are presenting an application by The Summit Transportation LLC seeking a Certificate of Public Convenience & Necessity for rental cars and chauffeur services. He proceeded to show a photograph of the type of car that would be used in the business.

Mr. Bradley stated that the company would provide pick-up and drop-off services for customers for a fee. A home business tax was being sought by the applicant, but he would not be able to have any personnel at the home office or any undue traffic at the site.

Joseph Sager, 2050 NE 39th Street, stated that he has been in the hospitality industry for the last three years and have worked with many hotels and other transportation services during that time. Therefore, he decided to start his own business due to the demand for such type of service.

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Ms. Birch asked if this type of business only required a normal operator's license.

Mr. Bradley stated that the applicant had a Broward County Taxi Limo Driver's ID and the license to go along with that.

Ms. Birch stated that there appeared to be a few incidents filed against this applicant, but there appeared to be no offenses after 2002.

Mr. Sager stated that he had been younger when the incidents were filed and now he was older and more responsible.

Mr. Kater stated that he was concerned about the type of car being used in case of an emergency and the passengers had to quickly exit the vehicle. Mr. Sager explained the exits available on the vehicle.

Mr. Bradley stated that the City Attorney would probably have to look into that matter. He added that before the applicant received his certificate from the County the vehicle had been inspected. Mr. Kater stated that he believed the County did not inspect the vehicle in regard to emergency exit.

Chair William Goetz stated that they would have to inquire further as to whether this type of vehicle would be acceptable for the proposed use.

Mr. Sager further stated that the same type of vehicle was being used throughout the City and have received such certificates.

Chair William Goetz asked if there would be signage placed on the vehicle. Mr. Sager explained that he was currently looking into having a sign placed on the rear window. Chair William Goetz stated that he was not sure if the area which was zoned R-8 permitted commercial vehicles to be parked in driveways. Mr. Sager stated that he was looking into the matter, and he was aware that the majority of the vehicles in service used magnetic signs. He further advised that a bench seat was added to the vehicle, thereby permitting 10 passengers, including the driver. He stated that the additional seat was permitted and Chevy would install it if requested. He continued stating that the County would not pass the vehicle for this type of service if the fourth row seat was not installed.

Ms. Birch stated that everyone needed to be reminded that this Board was a "rubber stamp," and requests coming before this Board have already been through various steps of the process. Therefore, some of the questions asked at times had already been cleared by staff or another agency.

Mr. Bradley stated that if the applicant had the required County certificates, they were ready to move forward in the process. All requirements were listed in the ordinance, and if provided by the applicant it was then up to staff to present the applications to the Board.

Mr. Kater reiterated his concern regarding emergency exit.

Mr. Sager reiterated that the fourth seat was not used on a regular basis and only when necessary.

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Mr. Kater suggested that possibly a handle on the inside of the door could be installed to be used for emergency exits.

Mr. Antoine voiced his concerns about the type of vehicle being used and did not feel it would be safe.

Christopher Priester stated that he knows someone who has this type of vehicle with the extra seat, and he could not think of any scenario when the back seat would be used because luggage would probably be placed in that area. Mr. Sager confirmed.

Mr. Bradley reiterated that this application was before this Board so the applicant could operate in this City.

Joe Davis, B&L Service, stated that this company owned Yellow Cab. He continued stating that there were approximately 2,000 active cab drivers in Broward County who were competing with the other types of vehicles for hire. He explained that these other types of vehicles were supposed to operate on a pre-arranged basis and only taxicabs were to receive the demand response work. He further stated that modifications were being made to these other types of vehicles to comply with the County ordinance. Therefore, such individuals did not compete in the lottery with the County to obtain a license. He advised that the County did not inspect vehicles in connection with safety features. Currently, the County is not going to issue any more permits for such vehicles, and have sent letters to the insurance companies so they would continue the policies.

Ms. Birch stated that based on what she just heard, it appeared that these individuals needed to work closer with the County in order to get the type of ordinance that was needed.

Mr. Davis stated they have approached the County and demanded that they cease and desist issuing such certificates until the matter is further investigated. The County has complied and would probably be meeting with the industry shortly.

Mr. Kater advised the applicant to install the handle on the inside of the back door to protect himself and his passengers. Ms. Birch reiterated that the applicant needed to do whatever was necessary to make the vehicle safe.

Lorraine Wilde, Go Airport Shuttle and Tri-County Transportation Services, stated that Greg Baker is an attorney who works in passenger transportation and consumer services for Broward County. She spoke with him regarding this application and was informed of the situation and the compliance with the ordinance. She stated that she also raised the issue of safety, and was informed that the insurance companies must state how many passengers the vehicles are rated for.

Mr. Dial asked why the additional seat was installed by someone other than the dealer. Mr. Sager stated that it was cheaper having an outside garage install the seat. He further explained that when he applied for his permit from the County, he was instructed by them what criteria he had to meet.

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Robert Smith, NW 3rd Avenue and former member of this Board, cautioned the Board regarding these types of situations. He believed that the safety concerns should be addressed to the County and not at this meeting.

Mr. Dial stated that if the additional seat is a factory option, then he did not feel that would be done if it was not within the safety guidelines for that vehicle.

Chair William Goetz stated that it should be checked if the seat was considered safe if installed by someone other than the dealer.

Mr. Bradley asked if this application had to be re-advertised before coming back to this Board for a vote and recommendation.

Ms. Hayes explained that she would check with the Legal Department on that issue.

Mr. Bradley clarified that there were 45 other such types of vehicles in the County, but he did not know how many were operating in this City.

Mr. Davis stated that he did not believe any licenses had been issued by this City to these types of vehicles to operate legally.

Mr. Sager stated that at least 15 other vehicles of this type were operating in this City whether they have applied for a license or not.

Ms. Hayes explained that a motion required a formal action.

Ms. Birch reiterated that this Board was not asking Mr. Bradley to go to the City Attorney to make inquiries.

Other Business

Ms. Hayes asked the Board for their suggestion regarding the scheduling of the special meeting. February 25, 2008 was the date suggested for the meeting. She advised that a confirmation would be sent to the Board Members regarding that date for this meeting.

There being no further business to come before this Board, the meeting was adjourned at approximately 8.22 p.m.

Respectfully submitted,

Margaret A. Muhl,
Recording Secretary