

APPROVED
City of Fort Lauderdale
Community Services Board
March 14, 2011 – 7:00 P.M.
City Hall, 100 North Andrews Avenue, 1st Floor
Fort Lauderdale, FL 33301

MEMBERS		OCT 2010/SEPT 2011	
		PRESENT	ABSENT
Donald Karney, Chair	P	6	0
Richard Whipple, Vice Chair	P	5	1
Erika Baer	A	4	2
Margaret Birch (arr. 7:14 p.m.)	P	5	1
James Currier	P	4	2
Nadia Locke	A	3	3
Wendy Gonsler (arr. 7:14 p.m.)	P	5	1
Jeannine Richards	P	6	0
David Tilbury (arr. 7:11 p.m.)	P	4	2
Earl Bosworth	P	2	0
Helen Hinton	P	2	0
Kenneth Staab	P	2	0

Staff Present:

Angelia Basto, Administrative Aide
Susan Batchelder, Assistant Manager of Housing & Community Development
Karen Reese, Economic Development Department
Barbara Hartmann, Recording Secretary, Prototype, Inc.

Roll Call

- **Quorum Requirement**

As of March 14, 2011, there are 12 appointed members to the Board, which means 7 members would constitute a quorum.

Chair Donald Karney called the meeting to order at 7:05 p.m. Roll call was taken and it was determined a quorum was present.

Board/Staff Introductions

Ms. Batchelder introduced Barbara Hartmann, Recording Secretary, from Prototype, Inc. She also introduced Angelia Basto, Administrative Aide, and Karen Reese, Economic Development representative.

City Commission News

None.

Election of Vice Chair

Chair Karney opened the floor for nominations for a new Vice Chair, as the position remained vacant and the sole nominee had resigned from the board.

Ms. Hinton nominated Mr. Whipple for Vice Chair, and Mr. Bosworth seconded the nomination. In a voice vote, the nomination was approved unanimously.

Approval of Minutes Summary – February 15, 2011

Mr. Staab mentioned that on Page 2, second full paragraph, he misspoke when he introduced himself. He should have said he was appointed from District 1, rather than from District 3.

Ms. Batchelder had a correction from the City Clerk's office in reference to the Communication to the City Commission. She mentioned that the Board's Communication was not acceptable, as it was not concise. The revised Communication, included below, will be presented to the City Commission:

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

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

The Board supports the use of pedicabs as an alternative "green" transportation, and as such has approved a limited number of permits. The permits were awarded to new companies in order to promote healthy business competition, as well as to the company presently operating pedicabs.

Motion by Mr. Carrier, seconded by Vice Chair Whipple, to approve the minutes of the February 15, 2011, meeting as corrected. In a voice vote, the motion passed unanimously.

[Mr. Tilbury joined the meeting at 7:11 p.m.]

Update on Certificates of Public Convenience and Necessity

Ms. Batchelder announced that the scheduled speaker, Skip Margerum from Code Compliance and Occupational Licensing Bureau, was unable to attend. He did send a handout of what they have been working on. It has been presented to the City Commission, been approved, and they will move forward with the ordinance. Ms. Batchelder recommended that the Board review the document to see that it includes everything that was discussed by the companies that were present at the Board meeting.

[Ms. Birch and Ms. Gonsler joined the meeting at 7:14 p.m.]

Motion by Mr. Currier, seconded by Ms. Hinton, to present the “Recommendations for Rules for Non-Motorized Vehicles” to the Clerk in a written form to be copied into the minutes, rather than read them all. In a voice vote, the motion passed unanimously.

Chair Karney announced that at the last City Commission meeting, both companies were granted 20 new licenses, so there are more pedicabs operating on the streets.

Recommendations for Rules for Non-Motorized Vehicles

The Commission had taken the Boards comments to adopt some safety and operating rule for non-motorized vehicles. Below are the Conditions put on the two companies that came before your Board. The Commission has approved 10 vehicles for each vendor. They have also directed staff to write Ordinances to reflect these conditions for all future non-motorized vehicles.

Staff Evaluation and Recommended Conditions:

Based on direction from the City Commission at the February 1, 2011 meeting, City staff from Code Enforcement, the Police Department, Risk Management, and the City Attorney’s office met to discuss public safety concerns relating to non-motorized vehicles that are not addressed in our current ordinance. Staff then met with the applicants of both Orient Express and Oceanview for their input on the safety concerns. Based on input from staff and the applicants, as well as a review of ordinances from other large cities, staff makes the following recommended conditions, which are in addition to the requirements set forth in City Ordinance for non-motorized vehicle permits:

The following acts by any operator or driver are prohibited:

- To operate a non-motorized vehicle upon or across any of the following roadways in the City: State Road 84, S.E. 17 St., Davie Blvd., Broward Blvd., any portion of Sunrise Blvd. west of Bayview Dr., Oakland Park Blvd., and Federal Hwy (US1), provided, however, that crossing at a legal crosswalk if approved as part of the operator’s route will be permitted.

- To operate a non-motorized vehicle on or across any street which is posted at a speed greater than 35 miles per hour?
- To operate a non-motorized vehicle upon or across any bridge while carrying passengers, specifically, but not limited to: S.E. 17 St., E Las Olas Blvd., E Sunrise Blvd., E Oakland Park Blvd., S Andrews Ave., S.E. 3 Ave., and S.W.7 Ave.
- The utilization of any handheld cellular phone or similar device while the vehicle is in motion or carrying passengers.
- To allow any passenger or occupant of the non-motorized vehicle to drink or consume alcoholic beverages or to possess an open container of an alcoholic beverage.
- To stage a non-motorized vehicle upon the sidewalk portion of a right-of-way in a manner which would leave less than five (5) feet of clearance for pedestrian travel.
- To operate a non-motorized vehicle upon the sidewalk portion of a right-of-way, except at the direction of a police officer.
- To operate a non-motorized vehicle while carrying a number of passengers that exceeds the number of passenger seats which such vehicle was designed to accommodate, or while any passenger is standing or sitting anywhere other than in the passenger seat thereof.
- To operate a non-motorized vehicle while carrying a passenger under 16 years of age without such passenger wearing a bicycle helmet, or carrying a passenger under 4 years of age or who weighs 40 pounds or less without such child being secured in a seat or carrier designed to carry a child of that age or size, provided, however, that an adult rider may carry a child securely attached to his or her person in a backpack or sling.
- To operate a non-motorized vehicle which does not prominently display, in a frame covered with clear plastic, a card or sign, printed in plain legible letters or numbers which states the following: the rates for transportation services and/or that the rates are driver negotiable; and the name, address, and phone number of the license holder.
- To operate a non-motorized vehicle in any manner which would violate any federal or state statutes or rules, or any ordinances or regulations of the City and any other governmental agency having jurisdiction over the use and travel within and over the roadways and right-of-ways within the City.

No driver shall operate a non-motorized vehicle on any street unless the vehicle meets the following safety and equipment standards:

- Tires shall be of the size appropriate for the non-motorized vehicle and with no mismatched tires. There shall be no cuts into the tire or localized worn spots that expose the ply. No tire is permitted when the tire has tread wear indicators that are visible.
- Equipped with an operational bell or horn.
- Equipped with operational brakes which will enable the driver to stop the vehicle within 15 feet from a speed of ten miles per hour on dry, level, clean pavement.

The brake systems shall demonstrate a reasonable total braking force when tested, using the "quick stop method".

- Equipped with a headlight capable of projecting a beam of white light, either steady stream or flashing, for a distance at a minimum of 500 feet, which shall be clearly visible between the hours of sunset and sunrise and which must be illuminated at all times during operation.
- Equipped with a red tail light, either steady stream or flashing, affixed to the rear of the passenger compartment, which shall be clearly visible between the hours of sunset and sunrise from a distance of 600 feet to the rear of the non-motorized vehicle and which must be illuminated at all times during operation.
- Equipped with a slow moving vehicle triangle affixed to the rear, or reflective tape outlining the rear of the vehicle from edge to edge.
- Equipped with turn signal lamps which must be visible for a distance of at least 500 feet from the rear of the non-motorized vehicle, which indicate right and left turns. Such turn signal lamps and/or appropriate hand and arm signals must be utilized when turning.

Recommended Insurance Requirements:

Each business/owner shall maintain public liability insurance with a combined single limit for death, bodily injury and property damage liability in an amount not less than \$1,000,000 per occurrence and an aggregate of not less than \$2,000,000. In addition, a no-fault medical payment policy/coverage form must be maintained in an amount not less than \$5,000 per person. The policy or policies must provide protection consistent with the operation of non-motorized vehicles.

All such insurance policies shall be written by companies with an A.M. Best rating of A- or better and authorized to transact business in the State. A certificate of insurance indicating the above referenced liability amounts and policy period must be filed with the license division every six months and approved by the city's risk manager prior to issuance or renewal of any permit. All such policies shall be kept in full force and effect at all times any non-motorized vehicle is operated within the city.

Cultural Arts and Tourism Report and Discussion

Ms. Reese mentioned that she had handed out flyers for Riverfest and Beachfest.

She reminded the Board of the upcoming Centennial celebration. On March 26, she said there will be festivities on the beach with fireworks at midnight. Beginning at noon on March 27, which is the actual 100th Anniversary Day, there will be activities at Hyzienga Plaza with food vendors, live music, a 4' x 8' birthday cake, and a multimedia presentation. There will be a fireworks display at 8:00 p.m.

Along Las Olas from noon to 5:00 p.m., there will be entertainment and cultural activities. In front of the Historical Society, there will be classroom activities from noon to 5:00 p.m., and entertainment on two stages. From noon to 5:00 p.m., there will be additional activities at the Esplanade.

She encouraged everyone to attend and to distribute the information cards. She said she has more of the cards for anyone who would like them.

Ms. Reese recalled that at the last Board meeting, there was a discussion about the Board's charge. Chair Karney said he sent the link to the 2020 Plan to Ms. Basto. Ms. Reese wondered if looking at the 2020 Plan helped the Board understand their mission. She asked the Board if they wanted to discuss this subject now or at a later date.

Chair Karney looked through the Plan and what stood out to him was that they need help fundraising. Mr. Bosworth concurred that funding was a concern, as they have based most of the budget for cultural activities on State sales tax revenue, which has dropped. There are many other things the Board can do to assist with events. He suggested the Board members "do homework" and come back with suggestions of things the Board could do.

Ms. Reese said she was trying to introduce the Board to cultural and tourism activities within the City that the Board can help promote without utilizing funds. She mentioned FAT Village as an example of something the Board could get involved in, perhaps having an art walk in the area as a Board activity.

Mr. Bosworth commented that he thinks the Board can try to get businesses involved in the activities through volunteerism or sponsorships. He added that the 2020 Plan is very extensive, and it would take a full meeting to go through it in detail.

Ms. Reese wondered how the Board wanted to go about generating ideas. Chair Karney said that a mix of emails and collectively presenting the ideas at a meeting would be a good start.

Mr. Currier mentioned a "money show" that he is familiar with. This show attracts leaders in finance and would be of interest to people now because of the economy. He suggested having a similar show in Fort Lauderdale, perhaps with the sponsorship of the Sun Sentinel, which did a similar show in the past.

Mr. Currier also suggested an authors' event, which has had a good turnout in Stuart. If there are high-profile authors, that would attract locals and tourists.

Ms. Reese stated that if the Board wants to do either of these events, they should lay out a plan, contact the presenters, get a venue and so forth. She said she would fully support whatever the Board would want to do, but she is here as the Liaison. The first

thing the Board would do if they have an idea is to present it to the City Commission to see if that is the direction the City wants to go.

Ms. Gonsler thought that the Board should consider their broader goal in alignment with the City's plan before they get specific. She did not think the Board should be the "worker bees." She thought they could work on adding one event to the City calendar, however. She said if they do not figure out what they are doing first, it would be like "shooting arrows" without knowing what the target is.

Mr. Staab thought last month's visit was very educational, and thought similar trips would be beneficial. He said there are partnering opportunities with local colleges and universities.

Ms. Reese brought up that the Board did add one event to the City calendar this year – the United Nations Refugee Art Exhibit.

Ms. Reese suggested that Mr. Bosworth send an email with some ideas, and she will continue to schedule some tours to increase the Board's exposure to possible partners. She repeated the possibility of visiting FAT Village.

Chair Karney asked Ms. Reese when she would be in attendance, and she said she would be back in June, as she understood the Board would be busy in April and May. Chair Karney said each Board member needs to be thinking of what they can do. Mr. Bosworth said he would bring copies of the 2020 Plan to the next meeting.

Chair Karney brought up the Las Olas Art Show and wondered how the Board felt about getting involved in that. He suggested inviting them to a meeting and reaching out to them to see how the Board could help. Mr. Currier thought they were doing well on their own so far. Ms. Birch said that before inviting them to the meeting, the Board should determine if they have the time for additional volunteer work. Chair Karney said it would just be exploratory and connecting with them. Ms. Gonsler thought they were a for-profit enterprise, and they should not get involved.

Chair Karney mentioned the South Side Cultural Arts Center dedication in the coming week and Ms. Reese said she would follow up on that.

Chair Karney also read in the paper about investors who are buying up property on the City beach to build hotels and so forth, and he wondered what the City was doing to work with them. Ms. Reese said that unless the investors contact the City for incentives, the City just assists them with regulatory process.

Mr. Tilbury wondered how long into the evening the Sun Trolley runs, and Ms. Reese thought it was until 8:00 p.m. during the week, and 10:00 p.m. on the weekends, but was not sure. Mr. Tilbury remarked that he spends a lot of time at the beach and is asked by tourists about things to do, and he said some parts of the town are not

sufficiently linked. He proposed running the Sun Trolley until 2:00 or 3:00 a.m. Ms. Reese said the City is not in charge of running the Sun Trolley, although they do have a relationship with them. She said the Trolley just started a pilot program with the Port, taking cruise ship passengers to specific spots including Las Olas and Riverfront and taking them to the airport. She said the Trolley is also going to the Galleria. She said she would pass his request along and bring back more detailed information.

Ms. Reese reviewed that the Board would write down their ideas in an email to Ms. Basto or herself and she will collaborate with Ms. Basto. She said the ideas would be confidential.

Ms. Reese said that Ms. Batchelder suggested having a report on the Sun Trolley pilot project by the City (Stephen Scott), Gray Lines, and the Sun Trolley (Patricia Zelier) at the June meeting. The Board agreed that would be a good idea, and Ms. Reese said she would set that up.

CDBG Application and Rating Process

Ms. Batchelder said they have approximately 22 applications and are still waiting for clarification from the City Attorney's office on a few of the documents that came in. She hoped the Board would get their books by the next week. She said they try to have the meeting at 6:00 p.m., so that they can get through all the applications in one meeting.

She also said the Board needs to decide what amount of time they will give each presenter, such as three minutes for presenting and three minutes for questions. Ms. Batchelder said an alternative to the presentations would be for the Board to rank them by their applications only. It would be up to the Board to decide if they want to do that. She added that once they get their books, any member could make an appointment to go see an agency's operations.

Chair Karney asked the Board if anybody objected to ranking them via application only. There was discussion about what time to start the meeting to allow enough time to hear the presentations, and 6:30 p.m. was suggested, as one member could not make it at 6:00 p.m. Ms. Batchelder will see if the room is available at 6:30 p.m. She added that the Board may need a motion to approve if some of the members will not be here for all of the presentations and they are allowed to rank the organizations on the applications only.

Ms. Gonsler thought they should listen to all presentations or none. She said if someone arrives late (through no fault of their own) and only hears some of the presentations, she did not think it was fair. Ms. Batchelder mentioned that the meetings are tape recorded and someone could listen to the tape.

Mr. Staab wondered if someone should be excluded from the review process if they are familiar with a company. He also wondered if there needed to be a quorum to go

through the process. Ms. Batchelder said she would send a list of all the applicants before they get the books so they can see if they recognize any names. In order to be excluded, a person would have to benefit or an organization of which they are a Board member would have to benefit in some way. Just knowing the people involved would not exclude anybody.

Mr. Staab was curious if there would be an appeal raised if not all the Board heard all of the presentations. Ms. Batchelder reiterated the Board would have to vote on that issue. If a Board member missed the presentation, the Board member could still listen to the tape. However, they would miss the opportunity to ask clarifying questions.

Mr. Staab wondered about going to on-site visits individually or as a group. Ms. Batchelder said they could go as a small group, but reminded the Board they could not discuss it amongst themselves.

Vice Chair Whipple wondered if someone reading the application would have a chance to ask questions, and Ms. Batchelder replied that they could do that.

Motion by Vice Chair Whipple, seconded by Mr. Tilbury, that after staff checks to see if they have already advertised the presentation start time for the agencies, that the Board begin at 6:30 p.m., if that can happen. Also, that anyone that cannot make it for all the presentations still be allowed to evaluate. If they have questions, the questions should get turned in so they can be asked to the organizations, when the Board has questions and answers. In addition, there should be time limits of three minutes for presentations and three for questions/answers. In a voice vote, the motion passed unanimously.

Chair Karney confirmed that everyone had a chance to look over the completed version of the application.

Ms. Gonsler recalled they had moved past the understanding of what the different categories mean and the scoring of the different categories. She thought there were two remaining issues to settle: one, the establishment of a minimum cut-off because that impacts the selection process; secondly, how the funds are allocated in relation to the categories. She said there is no formula. She continued that they do not know how much money there is, and that is a problem. Ms. Gonsler said that last year they took the two highest scores within each category and allocated the funds among those.

Ms. Hinton expressed concern about reducing the amount they ask for in order to spread the funds around. Ms. Batchelder said that is addressed in the application: the organization is asked how they plan to run their operation if they do not get the full amount requested. Ms. Gonsler pointed out that if an organization says it will help half as many people on half the money, that is not accurate, due to economies of scale.

Vice Chair Whipple was concerned that they would get a lot of applications in one category, such as social services. He wondered if they would limit themselves if they

only pick two from each category. Ms. Gonsher thought that “two per category” was their fallback position last year. She suggested picking one per category if they meet the minimum cut-off, then looking at the other highest scores after that.

Motion by Vice Chair Whipple, seconded by Ms. Gonsher, that for scoring purposes, anything under 70 points be excluded. In a roll call vote, the motion failed 2 – 8 as follows: Ms. Birch, no; Mr. Bosworth, yes; Mr. Currier, yes; Ms. Gonsher, no; Ms. Hinton, no; Chair Karney, no; Ms. Richards, no; Mr. Staab, no; Mr. Tilbury, no; Vice Chair Whipple, no.

Motion by Mr. Tilbury, seconded by Mr. Currier, that the minimum score to be considered eligible is 65%. In a roll call vote, the motion failed 2 - 8 as follows: Ms. Birch, no; Mr. Bosworth, no; Mr. Currier, yes; Ms. Gonsher, no; Ms. Hinton, no; Chair Karney, no; Ms. Richards, no; Mr. Staab, no; Mr. Tilbury, yes; Vice Chair Whipple, no.

Motion by Ms. Birch, seconded by Ms. Gonsher, that the cut-off point be 75%. In a roll call vote, the motion passed 9 - 1 as follows: Ms. Birch, yes; Mr. Bosworth, yes; Mr. Currier, no; Ms. Gonsher, yes; Ms. Hinton, yes; Chair Karney, yes; Ms. Richards, yes; Mr. Staab, yes; Mr. Tilbury, yes; Vice Chair Whipple, yes.

Motion by Ms. Gonsher, seconded by Mr. Tilbury, that the Board approve one submission from each of the identified categories. Should there be funding remaining at the end of that process, then the Board continue with funding through the next highest scored submissions, no matter which categories they are in, until all funding has been used up. In a voice vote, the motion passed unanimously.

Mr. Tilbury clarified that they would go in the first round by category, then every round after that, solely by score.

Vice Chair Whipple wondered how the requirement came about that they had to choose one per category. Ms. Gonsher thought they were trying to align with the City’s needs and priorities. Ms. Batchelder also commented that organizations specify their categories when they turn in their application.

Ms. Gonsher wondered what about the process for allocating funds that are less than an organization’s request. Ms. Gonsher remarked that there are two potential ways to handle it: to look at the application conceptually and determine if they really need the money; or, to look at a formula that is applied to all. Ms. Batchelder commented that if they received funding the prior year, they can receive no more than that, according to HUD.

Ms. Gonsher reminded the Board that they are asking for more budgetary information on the application form this year.

Ms. Batchelder mentioned that one of the criticisms that came back from last year was that the Board was making rules on how to award the money at the allocation meeting.

Mr. Bosworth said a formula makes it much easier and more objective in the end, even though it may be time-consuming to work the formula out initially.

Ms. Gonsler suggested funding one from each category. The formula would be that they would get a percentage based on their score, i.e., a score of 89 means they get 89% of their request.

Motion by Vice Chair Whipple, seconded by Ms. Hinton, that they decide them case by case. In a voice vote, the motion passed unanimously.

Ms. Batchelder said by doing it case by case, that would also eliminate the very low scoring organizations, so that would shorten it up. Ms. Gonsler commented that by going case by case, that would also eliminate a second round.

Ms. Batchelder remarked there are six categories, and the "Other" category is one of the six. Ms. Gonsler presented a situation where \$240,000 is the amount of money, 6 is the number of categories, and that means each category is only going to get \$40,000, not \$50,000.

Ms. Birch commented that organizations may ask for \$50,000 under the premise of "ask for more than you want," hoping they will get something in the neighborhood of what they want. She recommended that the Board consider if the agency can survive on less than what they are asking for.

Vice Chair Whipple advised the new members of the Board to bear in mind they are going by the rules that they have set when they go through the applications. He thought this evaluation form was one of the best he had seen.

Communications to City Commission

None.

Other Business

None.

Good of the Order

Chair Karney announced on March 24 at noon, the Trailblazers of Broward County will be having a lecture and slide show, "Fort Lauderdale – 100 Years", at the Main Library, Sixth Floor. He encouraged all to attend, and he will send the details to Ms. Basto to email out.

Vice Chair Whipple announced that within the next few weeks, registration will open for the Florida Neighborhoods Conference, held at Pier 66 July 7-8-9. It is a City-sanctioned Centennial event, and there will only be 300 registrations. He encouraged people to sign up early.

Adjournment

Motion by Ms. Hinton, seconded by Mr. Staab, to adjourn the meeting at 8:37 p.m. In a voice vote, the motion passed unanimously.

[Minutes prepared by J. Rubin, Prototype, Inc.]