

**APPROVED**  
**ECONOMIC DEVELOPMENT ADVISORY BOARD (EDAB)**  
**MEETING MINUTES**  
**CITY OF FORT LAUDERDALE**  
**100 NORTH ANDREWS AVENUE**  
**8<sup>TH</sup> FLOOR CONFERENCE ROOM**  
**WEDNESDAY, JANUARY 13, 2010 – 3:45-5:15 P.M.**

<b>Board Members</b>	<b>Attendance</b>	<b>1/10 – 12/10</b>	
		<b>Present</b>	<b>Absent</b>
Dev Motwani, Chair	P	1	0
Miya Burt-Stewart, Vice Chair	P	1	0
Ralph Riehl	P	1	0
Mark Krom	P	1	0
Patricia DuMont	A	0	1
Sean de Vosjoli	A	0	1
Christopher Denison	P	1	0
Sheryl Dickey (arr. 4:45)	P	1	0
Christopher Pollock	P	1	0
Adam Sanders	P	1	0
Cort Neimark	P	1	0

At this time, there are 11 appointed members to the Board, which means 6 would constitute a quorum.

**Staff**

Stephen Scott, Economic Development Director  
Karen Reese, Economic Development Representative  
Patricia Smith, Economic Development Representative  
Jennifer Picinich, Recording Secretary, Prototype, Inc.

**Communications to City Commission**

- **Motion** made by Vice Chair Krom, seconded by Chair Riehl, to recommend a pilot program for projection display to promote cultural nonprofit organizations, events, and exhibits on the RoboVault Building for a period of one year at no cost to the City, subject to review by the City Attorney and response from the City Commission within 30 days. In a voice vote, the **motion** carried unanimously.
- **Motion** made by Ms. Dickey, seconded by Mr. Pollock, requesting that the next board meeting consist of a workshop for one hour regarding the sign ordinance and requesting the assistance of City Planning and Zoning, Code Enforcement staff and City Attorney's Office attend the

workshop and provide assistance. In a voice vote, the **motion** carried unanimously.

#### **I. Call to Order & Introductions**

Chair Riehl called the meeting to order at 3:50 p.m. and it was determined a quorum was present. The Board members, Staff, and guests introduced themselves.

#### **II. Approval of December 9, 2009 Minutes**

Mr. Motwani requested that his attendance be corrected for past meetings.

**Motion** made by Mr. Pollock, seconded by Mr. Denison, to approve the December 9, 2009 minutes with correction to Mr. Motwani's attendance. In a voice vote, the **motion** carried unanimously.

#### **III. Introduction of New Members**

Chair Riehl introduced new member Cort Neimark. Mr. Neimark is an attorney and is serving on the Board for the second time.

#### **IV. Election of Officers**

Ms. Stewart nominated Mr. Motwani, seconded by Mr. Denison, to serve as Chair. In a unanimous vote, Mr. Motwani was elected Chair.

Mr. Scott thanked outgoing Chair Riehl for his leadership of the Board, and presented him with a plaque in appreciation of his service.

Mr. Denison nominated Ms. Burt-Stewart, seconded by Mr. Pollock, to serve as Vice Chair. In a unanimous vote, Ms. Burt-Stewart was elected Chair.

The Board recognized outgoing Vice Chair Krom for his service as well. The Board recognized their outgoing officers with a round of applause.

#### **V. Business Capital Improvement Update**

Mr. Scott informed the Board that they would not revisit the issue related to Sister Cities International's BCIP application as previously planned, as the application has since been withdrawn. He stated that Mr. Marvin Chaney, guest, had been added to tonight's Agenda at Chair Riehl's request. Mr. Chaney is the owner of RoboVault. He read and distributed a statement to the Board emphasizing the need for a commitment of public and private resources to the arts.

He explained that he had recently met with Planning and Zoning Staff to discuss the possibility of displaying images of upcoming museum exhibitions and performing arts productions from South Florida on the RoboVault building; however, the promotion was determined to be “akin to billboard advertising” and was not allowed by Code. He was before the Board to ask their endorsement of possible changes to this Ordinance.

Mr. Chaney continued that his hope is to promote the arts by encouraging banners or graphic material to be displayed on the sides of “off-site buildings or structures,” such as the RoboVault building. He noted that a letter of support from the Museum of Discovery and Science is included with his information, and that most major cities nationwide allow this form of promotion of the arts. He asserted that this concept would “make a strong statement” that Fort Lauderdale is supportive of the arts, and would send a positive message to tourists entering the City.

He noted that his building has “tremendous exposure” to both the Federal Highway and 595, and he would charge no fee to the nonprofit organizations to be advertised. Mr. Chaney would purchase an outdoor projector and display promotional material provided by these organizations.

Mr. Krom requested clarification of the existing Ordinance. Mr. Chaney explained that “off-site signage” is considered akin to billboard advertising. As part of the proposed change to the Sign Ordinance, modifications would be approved on a case-by-case basis.

Vice Chair Burt-Stewart commented that allowing decisions on a case-by-case basis would be a challenge for the City. She asked Mr. Chaney why he was interested in this change, as he would receive no monetary benefit from it. Mr. Chaney stated he is a concerned citizen and a supporter of the arts, and sees similar advertising in other cities.

Mr. Scott advised that the issue of off-site advertising often arises with the City Attorney’s Office, who created a strict Ordinance to be able to “rein in billboards.” He cautioned that making exceptions to this Ordinance could undo this effort, and noted that if the Board feels an exception is appropriate for nonprofit organizations, this can be part of the discussion. He counseled, however, that the Board take no action at this time, as another similar issue is also on tonight’s Agenda. He concluded that “these changes will have consequences that we need to consider.”

Mr. Pollock stated he “would love to support” the suggested promotion, noting that the City has “archaic Ordinances” regarding signage that should be simplified. He felt this is the answer rather than allowing for exceptions.

Mr. Denison observed that he is also a supporter of the arts, and thinks the proposed concept would “[bring] a lot of class” to the City. He suggested that a one-year exemption to the Ordinance be allowed for this exception.

Mr. Krom commented that while the concept would look “sharp” on the RoboVault building, he would not be in favor of supporting it for all commercial buildings, as this could “induce clutter.”

Mr. Niemark noted that as the display in question would be projected onto the building, a “separate category” to the Ordinance could be distinguished for projected advertisements.

Chair Motwani pointed out that both what is being approved and who would approve the proposed display would be changing, and they should “foresee some concerns” in this area. Mr. Chaney replied that the projected display would change “on a daily basis,” based upon performing arts programs, museum exhibits, or similar features. He assured the Board that there would be no displays on his building on the behalf of organizations other than nonprofit groups.

Chair Motwani clarified that his concern was for how changing material might be seen as “hard to monitor or regulate from a pilot program perspective.” He explained that he was attempting to anticipate any questions that may arise, and asked Mr. Scott whether this discussion was related or coincidental to an Agenda Item regarding the Sign Ordinance. Mr. Scott stated the two Items were separate discussions.

Mr. Riehl advised the City Commission was aware the arts were bringing in fewer donations, and proposed that a pilot program could address this issue. He felt the Board should encourage “a positive approach” for the arts rather than many of the billboards currently seen in the City.

Mr. Chaney read the Board his letter from the Museum of Discovery and Science, which urged support of the proposed program.

Vice Chair Burt-Stewart referred to Mr. Riehl’s comment, asking if the program will promote the arts “from a dollar standpoint” as well as through promotion of artistic value. Mr. Riehl felt the display would increase attendance at arts events and along the Riverwalk area. Mr. Chaney explained the actual display would announce exhibitions coming to the museums, for example, or orchestral performances.

Mr. Krom encouraged the Board to act, as the City Commission has given it license to make recommendations for the City. He felt the program “can benefit us immediately,” and because actual change of the Ordinance could take months

or years, they could act in a “creative and innovative” manner and recommend support of the program on a pilot basis. He suggested a one-year program, which could be reviewed in three to six months to consider it on a long-term basis.

Vice Chair Burt-Stewart asked how they would be able to gauge whether the program is economically beneficial to the City. Mr. Krom felt they could determine performance indicators, such as event attendance, donations, and sponsorships for the arts.

Chair Motwani felt the issue is similar to the City’s outlawing of open containers on the beach in order to “eliminate the spring break element” from that area; this Ordinance is now being revisited on a pilot basis for certain events. He compared this to the Sign Ordinance, which was intended to eliminate “certain types of billboards,” not those in support of the arts.

Mr. Denison pointed out that a one-year pilot program would allow for feedback, and nonprofit organizations could provide information by which the program’s success could be measured, such as attendance at events. He added that the public would be able to express their views if the proposal is brought before the City Commission.

Mr. Scott asked if the Board wished to act on this particular suggestion, or as a result of the Sign Ordinance discussion Item. Mr. Niemark asked if “projected light” is covered by the Sign Ordinance. It was clarified that it is not, although Mr. Chaney stated that City Staff had advised it is a Sign Ordinance issue.

**Motion** made by Mr. Krom, seconded by Mr. Riehl, to recommend a pilot for the projection display to promote nonprofit organizations, events, and exhibits on the RoboVault building for a period of one year at no cost to the City.

Mr. Denison proposed amending the **motion** to refer specifically to “artistic or cultural” nonprofit organizations. Mr. Chaney suggested referring to museums and performing arts centers.

**Amendment**, proposed by Mr. Krom, that the **motion** refer to cultural nonprofit organizations and events.

Mr. Scott recommended the inclusion of language stating the recommendation would be subject to the review of the City Attorney.

**Amendment**, proposed by Mr. Krom, that the **motion** state such a pilot program would be subject to the review of the City Attorney.

Mr. Denison asked if the Board could request a timeline in which to hear a response from the City Attorney, such as by the time of the next scheduled Board

meeting, in order to “move this [issue] along.” Mr. Scott advised that if the Board would like to hear the opinion of the City Attorney regarding approval, they should request this as part of the **motion**.

**Amendment**, proposed by Mr. Krom, that the Board receive a response from the City Commission within 30 days.

Mr. Riehl seconded the **motion** as **amended** above.

In a voice vote, the **motion** carried unanimously.

The following Item was taken out of order on the Agenda.

## **VII. Sign Ordinance**

Mr. Scott explained that at the last City Commission meeting, the Board was asked to review the City’s Sign Ordinance. He recalled that he had emailed copies of the Ordinance to the members; since then, he noted, he had also seen a 2004 consultants’ report that had been done “in an attempt to rewrite our Sign Ordinance.” He distributed copies of this report to the Board as well, advising that the process of reconsidering the Ordinance could be streamlined if they agreed with the report’s suggestions. Mr. Scott also noted the report was never approved by the City Commission.

He continued that a representative of the Planning Department should ideally be present at every meeting in which the Sign Ordinance is discussed, and also suggested that a member of the City Attorney’s Office should be in attendance as well. Mr. Riehl proposed that Code Enforcement should also attend, as they are very familiar with the present Code as regards signage.

Chair Motwani requested that Mr. Scott clarify what the Board is being asked to do. Mr. Scott advised that the motivation behind the City Commission’s recommendation came from Commissioner Romney Rogers, who often receives complaints from business owners who obey the existing Code, while other businesses regularly defy Code by placing “sandwich boards” on individuals in front of their businesses. Commissioner Rogers did not believe this is fair, and would like the Board to approach the issue “from an economic development angle” and make the Code more conducive to a business-friendly environment.

He continued that the Sign Ordinance is perceived as “restrictive,” and the City Commission would like the Board to review the materials provided and discuss the Ordinance at upcoming meetings.

Vice Chair Burt-Stewart asked if this means the Board should consider ways to promote the economy while keeping City beautification in mind. Mr. Scott confirmed this view.

Mr. Pollock asked if the Board's review of the documents provided would give them a "complete understanding" of the Sign Ordinance. Mr. Scott stated these documents were recommended as potentially helpful to the Board for their discussion, and reiterated that the consultants' report was "a proposed revision to the Sign Code."

Ms. Dickey joined the meeting at this time (4:45 p.m.).

Chair Motwani informed the Board that he had asked members of the business community for their input, as well as drawing from his own experiences with Sign Code. He agreed that the consultants' report could be used as "a tool to get some ideas," as the City had hired the firm who prepared the report. He added that the report had been approved by the Planning and Zoning Department, although it had not been implemented by the City Commission.

He felt the Board could identify different issues related to the existing Code, such as:

1. Aesthetics;
2. Economic impact;
3. Safety;
4. Code enforcement.

Mr. Scott felt the Board should begin by discussing how they would review the Ordinance, emphasizing that the members should "drive" the discussion process rather than he.

Mr. Pollock suggested they consider the various issues, including "fees, time, and safety," review the documents provided, and discuss them at the next meeting. Should they make recommendations, they would need to ensure they are legally valid.

Mr. Niemark proposed the Board review both the existing and recommended Sign Ordinances, and determine whether the recommendation would be an improvement or if the Board might be able to provide a better alternative.

Vice Chair Burt-Stewart noted that the existing Code addresses projected signs under the topic of "outdoor advertising" (p. 397).

Mr. Denison felt that focusing on the economic development aspect of Sign Code would mean determining if there are restrictive elements, and whether there are ways in which to "be creative in view of the climate." He pointed out that the first

year for a business is “critical” to that business’ survival; therefore, if it takes six months to one year for that business to “get a sign,” their existence is immediately threatened. He suggested temporary signage, such as a banner, might be an answer to this problem. Ms. Dickey pointed out that construction companies are allowed temporary signage at sites, for example.

Chair Motwani stated the Board should reach a consensus on the process after reviewing the materials, and observed that it would probably take them more than one meeting to arrive at a conclusion. He asked if any members wished to suggest how to go about this, or would like to recommend a timeline.

Ms. Dickey felt a member of Planning and Zoning Staff should be present to clarify and explain issues for the Board. Mr. Scott agreed Planning and Zoning “has to be a part of this process,” as he would not be able to answer all the Board’s questions. He suggested that the Board might want to communicate their desire for this Department’s presence in the form of a vote.

Vice Chair Burt-Stewart felt the Board should approach the Code “from a section standpoint,” covering a specific number of sections within a specific time period. This could identify opportunities for revisions or cost saves while keeping the members “on task” and discussing the same information at the same time. She also agreed it is important that members of Planning and Zoning, Code Enforcement, and the City Attorney’s Office be present at meetings in which the discussion will occur.

Mr. Pollock proposed that each member take home and review the documents provided, then “submit questions or statements” to Mr. Scott’s office, from which they would be forwarded to the Planning and Zoning Department. This would enable members of Planning and Zoning Staff to attend the next Board meeting already prepared to respond to these questions or comments.

Chair Motwani asked if the members felt one meeting would be sufficient to cover questions on “the entire Code,” or if they felt it would be better to hold the discussion over two meetings. Mr. Krom noted one alternative would be to hold one longer meeting; Mr. Riehl suggested dedicating one hour of each meeting to discussion of Code, with the remaining half hour reserved for other Agenda items. He also felt it is “essential” that Code Enforcement representatives attend these meetings as well as members of Planning and Zoning or the City Attorney’s Office, pointing out that they would be able to provide examples of citations they have handed out for Code violations and share their own experiences with the process.

Mr. Denison emphasized the need to maintain a focus on the business and economic development perspectives rather than technicalities of Code.



Chair Motwani suggested, based upon members' comments, that they review Section 47-22.1 through 47-22.6 at the next meeting, followed by review of 47-22.7 through 47-22.11 at a subsequent meeting. They would submit any questions in advance of these meetings to the Economic Development Office, which would be forwarded to Planning and Zoning or Code Enforcement. At a third meeting, the Board would determine specific recommendations based upon the discussions of the two previous meetings. At Mr. Scott's recommendation, he proposed that questions be submitted 10 days prior to meeting dates; in addition, members may bring additional questions to the meetings if necessary.

Mr. Krom asked what format the meetings would take. Chair Motwani felt a workshop format would be helpful.

**Motion** made by Ms. Dickey, seconded by Mr. Pollock, to request that the next EDAB meeting consist of a workshop for one hour regarding the Sign Ordinance, and requesting the assistance of City Staff in the Planning and Zoning, Legal, and Code Enforcement Departments to attend the meeting and assist with the workshop.

In a voice vote, the **motion** carried unanimously.

## **VI. Chair Report**

Mr. Krom asked if Business First had gathered any data or heard any commentary related to the Sign Ordinance. Mr. Scott recalled the subject had arisen at one meeting he had attended.

Chair Motwani informed the Board that he had attended four meetings with City businesses, and characterized the program as "going extremely well." He felt the project will find out what the City is doing right, what can be improved upon, and what is beyond the City's direct control. He added that the Greater Fort Lauderdale Chamber of Commerce remains "very active" in the effort as well.

Regarding signage, Chair Motwani noted that there have been "general comments" related to timing, permitting, costs, and other aspects that affect the business community. He characterized the telephone survey as "very successful," as nearly 1000 businesses have responded. Business First has conducted approximately 20 site visits so far, with 40 to 50 individual site visits with businesses planned by the end of February 2010. These will be followed up by tabulation and review of both quantitative and qualitative data from the telephone surveys and individual interviews respectively.

He concluded that Business First expects to find opportunities for both the City and the Chamber to improve and promote greater economic development.

Mr. Scott added that the report following the site visits and telephone surveys will hopefully be presented to the City Commission by their second meeting in March 2010. Business First plans to follow up on its report with “real action” and implementation of its recommendations.

### **VIII. Director’s Report**

Mr. Scott advised that the River House Restaurant, formerly located on the Riverwalk, has closed, which is having a “significant negative impact” on the area. He encouraged the Board to contribute any suggestions or ideas for activation of this space.

The sidewalk café Ordinance passed unanimously at the last City Commission meeting, and are now allowed up to Sunrise Boulevard.

A concert expected to draw 30,000-35,000 people to Fort Lauderdale Beach on the night before the Super Bowl has been announced. Admission to the event will be free.

A Boat Show Host Committee is being formed. Mr. Scott expected to have more information to provide in the future.

He concluded that he had attended a meeting of the Realtors’ Association of Greater Fort Lauderdale, and it was noted that this organization has experienced issues with the Sign Ordinance as well. He felt this should be considered by the Board when the Ordinance is discussed.

Mr. Pollock recalled that the Greater Fort Lauderdale Alliance, formerly the Broward Alliance, is “terminating all Film Commission activities.” Ms. Reese explained that this operation has been moved to the Broward County Government Center, and is not being terminated. Chair Motwani recognized Ms. Reese for her hard work in this area, citing the recent filming of three “Bollywood” movies in the City.

### **IX. Old / New Business**

Mr. Scott confirmed that the Board’s Communications to the City Commission will include the two motions made earlier at today’s meeting.

There being no further business to come before the Board at this time, the meeting was adjourned at 5:19 p.m.