

**UTILITY ADVISORY COMMITTEE
CITY OF FORT LAUDERDALE
CITY HALL 8TH FLOOR CONFERENCE ROOM
100 NORTH ANDREWS AVENUE
FT. LAUDERDALE, FLORIDA 33301
APRIL 22, 2008 – 6:30 P.M.**

Cumulative
January 2008 - December 2008

<u>Committee Member</u>	<u>Attendance</u>	<u>Present</u>	<u>Absent</u>
Bunney Brenneman, Chair	P	4	0
Bernard Petreccia, Vice Chair	A	2	2
Richard Barrett	A	2	2
Robert Caine	P	3	1
L. Thomas Chancey	A	2	2
Robert Cole	P	3	1
Caldwell Cooper	A	0	4
Dr. Magdalene Lewis	P	3	1
Terri Murru	P	3	1
Raymond Parker	A	3	1
Fred Stresau	P	4	0
Debora van Valkenburgh	P	4	0
Claire Vickery [6:48 p.m.]	P	3	1
Nathaniel Wilkerson	A	1	3

City Representatives

Peter Partington, City Engineer & Staff Liaison
Robert Dunckel, Assistant City Attorney
Brigitte Chiappetta, Recording Clerk, Prototype, Inc.

Guests

Lynn Shatas, FPL
Vic Beninate, AT&T
Robert Connors, Craven & Thompson
Cathy Donn, Craven & Thompson
Nectaria Chakas, Lochrie & Chakas, P.A.

I. Call to Order

Chair Brenneman called the meeting to order at 6:35 p.m.

II. Roll Call

Roll was called and attendance noted. A quorum was not yet present.

[Quorum was attained at 6:48 p.m., upon the arrival of Ms. Vickery.]

III. Self Introductions

Committee members, staff and guests introduced themselves.

IV. Minutes of March 25, 2008 Meeting

The following correction was requested by Lynn Shatas:

- On page 5, in the 3rd paragraph from the bottom, the last sentence should read "100 megawatts for each unit," not 100,000.

Motion made by Mr. Caine, seconded by Ms. Murru, to approve the minutes of the March 25, 2008 UAC meeting, with the foregoing correction to be made. Upon voice vote the minutes were approved unanimously.

V. Old Business

- **Line Clearing Update** **Lynn Shatas, Area Manager, FPL**

Lynn Shatas, Florida Power & Light, advised that she gave her update last month and did not have anything additional to report at this time.

- **Status on RFP #3** **City Staff**

Mr. Partington recalled that at last month's meeting he stated that the RFP was nearly ready to go. Mr. Partington has subsequently learned that it has been sent to the Purchasing Director, who has not yet completed his review. As soon as it is ready to go out, this Committee will see the RFP and be given an opportunity to comment.

Ms. Murru expressed concern as to the current status of the RFP and inquired as to whether anything can be done to assist in getting it out. Mr. Partington indicated that he did not know the reason for the delay.

- **Other Old Business**

Mr. Stresau announced that last week Vic Beninate and his group from AT&T presented the City Landscape Inspector with a list of solutions to the boxes that were discussed by this Committee last month. A meeting was held a week ago and, to Mr. Stresau's understanding, most of what was discussed last week has been provided to the Landscape Plans Examiner today. Some of the design solutions that were discussed with Mr. Partington, Mr. Dunckel and Mr. Beninate will be looked at again, and if acceptable, Mr. Stresau had recommended that Mr. Partington be provided with a copy so that it can be discussed with him. Mr. Stresau reminded the Committee that he would be away in May.

Mr. Stresau suggested that David Gennaro, Landscape Inspector, could probably come and make a presentation to the Committee if he will be close to the front end of the Agenda. Mr. Stresau felt it important that Mr. Gennaro review it with Mr. Partington before bringing it to the Board because there was a lot of discussion about the positioning of the boxes and the locations of the sidewalks in the various right-of-way widths. Mr. Stresau expressed that until this is worked out with the engineering department, it doesn't make a lot of sense to bring it to the Board.

Mr. Partington asked if Mr. Gennaro had been formally sent any proposed landscaping designs for boxes that have been approved in principle under the new ordinance. Mr. Stresau advised that AT&T's suggested solutions for softening the impact of the boxes in the public rights-of-way were being reviewed. It was felt the landscape architect for AT&T should be included in the meetings. Mr. Partington expressed that it is most critical for the landscape architect to look at where the sidewalks are positioned in the 40-ft., 50-ft. and the 60-ft. rights-of-way because they do change. In the smaller, narrower width rights-of-way there is almost nothing you can do. In the 50-ft. rights-of-way, it depends on whether there is a sidewalk, and in the 60-ft. rights-of-way, you can do almost anything. Mr. Stresau related that the landscape architect was to develop some schematic designs for each of those different right-of-way widths, with and without sidewalks, and was following up on Mr. Partington's comment that in the future not all rights-of-way would have sidewalks on both sides of the street, which would affect the location of the boxes.

For the Committee's benefit, Mr. Partington outlined the process involving the applications being processed under the new ordinance:

- AT&T would submit an application to the City that contains a fairly detailed sketch and photographs of the area where they propose to install cabinets.
- Letters would be sent to the adjoining property owners and the homeowner's association.
- The Engineer would review the application and inform the District Commissioner that such an application was received.
- An approval in principle would be issued.
- When AT&T had the approval in principle, they would then submit a visual mitigation landscaping plan to the City.

Mr. Partington advised that this process has occurred in approximately 15 cases to date, however, he is not aware of where things stand with the landscaping plans for these first 15 cases. Mr. Partington stated that it was their intention to enlist the support of Mr. Gennaro, Landscape Inspector, to help review those landscaping plans. However, a lot of the basic placement work is done, to the point that the City has issued the approvals in principle.

Mr. Partington confirmed that Mr. Stresau had been looking at what is known as a "typical." Mr. Stresau indicated that if the Committee were to reach some kind of

agreement, then those details could be utilized in what had been submitted. Mr. Stresau admitted that he had no idea if anything had yet been approved in the Building Department.

Mr. Stresau suggested that this Committee might like to see the typical that he has worked on with Mr. Gennaro, as the typical might help the Committee in approving the specifics with the first 15 landscaping proposals.

Mr. Stresau advised that Mr. Gennaro seemed to think that the typical looked pretty good and he believed that Mr. Gennaro could sit down with Mr. Partington and go over it and there wouldn't be any reason why it couldn't be presented at the next meeting. Mr. Stresau stated that it was important to move this ahead.

Mr. Partington expressed that he was fine that the typical come before this Committee, but there should be a caveat that the applications would not be held up pending this Committee's review. Mr. Stresau stated that it depends on whether or not a sidewalk exists in a 50' or 60' right-of-way, or whether or not the engineering department is going to require a sidewalk on the side in which the box is placed because this would change the configuration of how the box would be mounted in the ground. Once the cable is in the ground, they cannot change the box 180 degrees so that the doors open over a sidewalk, or conversely if it sits on the property line and opens towards the street. Mr. Stresau explained that in order for the proposed cabinets to be approved by the Building Department, they would need to review the typicals and then go to each specific box that is in the Building Department and apply the typical solution, based on what currently exists in the right of way. This does not mean the applications will not be approved until the Committee looks at the typical schematics. Mr. Partington stated that it may mean that up to 15 or 20 or so specific locations could be approved before this Committee has even seen the typical.

Mr. Dunckel advised the ordinance itself is self-effectuating. The process, from AT&T's perspective, should not be held up pending any kind of review by this Committee. Mr. Dunckel expressed that is important to hear from Mr. Beninate as to whether there is a severe conflict between the time line that is being discussed here tonight with this panel's review of what Mr. Stresau has done and AT&T's expectations. Mr. Dunckel stated that he would have to counsel staff to abide by AT&T's expectations because they are involved in a legal process.

Mr. Beninate advised that there were meetings held last week with Mr. Stresau, Mr. Gennaro, AT&T's landscape architect, Mike Fay, and himself. The project was being approached from two standpoints: (1) type of plants and (2) design. Mr. Stresau pointed out that there is a third dimension, which is the size of the area you are working with. Additionally, location of sidewalks and whether or not you have sidewalks play a big part on how you lay it out and where you put the doors. Mr. Beninate stated that he believed that Mr. Fay has addressed those issues. Mr. Beninate advised that there have been discussions with AT&T personnel who appeared pleased with the results, and Mr. Fay has hand delivering it to Mr. Gennaro in the Building Department today. Mr. Beninate

proposed that the Committee get together with Mr. Partington to review the plans to see if they meet with the Committee's approval. If so, Mr. Beninate suggested going forward. Mr. Partington agreed that this should be done, certainly with those that have already received approval in principle.

Mr. Stresau felt it was a good meeting as Mr. Fay is a designer, he knows this City and he knows the plant material. When leaving the meeting last week, it appeared that everyone was in accord with what had been discussed. Mr. Stresau noted that in order to move these applications forward, they would be shown to the Engineering Department and Planning Department, and if approved per the typicals, they would then be brought to this Board.

Mr. Partington stated that this was not correct, as Mr. Dunckel advised there was a 10 to 15 page ordinance that needed to be followed. Mr. Partington stressed that there were a number of applications in process, so the time line to allow this Committee to comment on the typicals may not work for some of these applications. However, it is Mr. Partington's belief that a good percentage of what has been discussed will be applied to the applications that are already being processed.

Ms. Vickery explained that when she brought this matter up at the last meeting, it was her intention only that this Committee be advised as to what was going to be installed – not that the Committee needed to comment or approve, but just to be aware of the final boxes.

Mr. Stresau agreed that it was important for AT&T to come before this Committee and show everyone what they are attempting to do.

Mr. Dunckel indicated that if the Board wanted to have a presentation at the next meeting by Dave Gennaro, they would have to proceed without the expectation that any or all of the applications will be held up pending the Board's review. He reiterated that there is a legal process that has to proceed. Mr. Dunckel stated that the Board can look at these applications, but it cannot hold up the process.

Chair Brenneman clarified that it was not the intention of this Board to hold up the legal process, but that in order to be aware and conversant with this process, the Committee members would like to see the final result of the process and where it presently stands.

Mr. Stresau opined that it would be appropriate for AT&T to make that presentation, and that it not be presented by City Staff.

Mr. Partington stated that the ordinance requires AT&T to do visual mitigation, and that he agrees that it would be appropriate for AT&T to show examples of what is being proposed. Mr. Beninate offered that he would try to line up Mr. Fay, as AT&T's representative, to talk about design, plants, placement, etc., at the next meeting.

VI. New Business

- **Proposed CVS development – NE 18th Avenue & East Commercial Boulevard** **Lochrie & Chakas, P.A.**

Chair Brenneman introduced Nectaria Chakas of Lochrie & Chakas, P.A., who in turn introduced the project's engineer, Robert Connors of Craven & Thompson, and Cathy Donn of Craven & Thompson. Ms. Chakas explained that Chair Brenneman asked that they show the Committee their current plan to underground utility overhead lines on this site. Currently, the project is in the development review process, having been before the Development Review Committee, they have responded to all of Staff's comments, and a presentation has been made to the neighborhood association of which Chair Brenneman is the President. When Chair Brenneman saw what was being proposed in terms of the utility relocation plan, she was so pleased that she asked that it be presented to this Committee.

Ms. Chakas showed the Committee various plans, aerial photographs and renderings of the proposed CVS store, which is somewhat different in design than other more typical CVS stores. An existing office building is going to be demolished to make way for the CVS store.

Ms. Chakas referenced an exhibit depicting the utility easement for the site and where the current overhead utility lines exist, as well as where they are proposed to be undergrounded. It is their intention to run all of the overhead power lines for this development underground around the perimeter of the site. While there is an expense to this process, Ms. Chakas related that it makes for a much better development. Ms. Chakas confirmed that the City's code does not require that the power lines be buried, but it is encouraged when it can be done. Ms. Chakas expressed that this would also allow for some more interesting landscaping to be utilized.

Ms. Chakas responded to Ms. Murru that it is estimated that it will cost an additional \$250,000 to underground on this project, but feels it will actually cost less.

Mr. Dunckel asked if Comcast would be included in the undergrounding plan. Ms. Chakas advised that there are currently negotiations underway which propose to give an easement to AT&T.

Mr. Stresau inquired as to the City Engineering Department's position on planting on top of FPL underground lines. Mr. Dunckel expressed he would like to hear FPL's position on this subject.

Ms. Shatas admitted to not having much information on this particular project, but believed that it is fairly standard when a developer wants to come in and install the power lines underground. There is a concern for certain vegetation or trees that are planted directly on top of the duct banks that can be a problem, so FPL does like to know what is being planted there. In addition, Ms. Shatas advised that the engineering cost

that is incurred to get the firm estimate is applied to the project if the developer goes forward with the project.

Ms. Shatas admitted that Mr. Stresau's question was very important, as the above ground trees and vegetation can cause problems to the underground facility.

Mr. Partington inquired as to whether the ducts were going to go into existing City rights-of-way. Mr. Connors indicated they would not, but they would go into a 10-ft. perimeter easement. Mr. Partington asked whether the landscaping would go in that same easement. Ms. Chakas stated that it would, but that they still needed to work with Mr. Gennaro on this, especially to make sure that the types of trees being planted are not the type that would cause these types of issues.

Mr. Partington stated that the City Engineer only controls the right-of-way, not a private easement in favor of FPL. Therefore, if FPL will allow whatever is being proposed in the way of landscaping over the ducts, then City Engineering will not get in the way of that.

Ms. Donn explained that the utility companies are aware of what currently exists, and the landscape design has been discussed with them. She indicated on the exhibit where landscaping currently exists that will be utilized, and where small trees are proposed, such that the landscaping being considered will work with the utility easement.

Ms. Stresau, noting that this plan has already gone to DRC, advised that it is a requirement that at least 50% of the street trees on the rights-of-way must be canopy trees. He expressed concern that a canopy tree could not sit on top of the FPL easement. Mr. Stresau asked if the easement could be put under the asphalt in the middle of the parking lot to free up landscape areas between the perimeter parking and the edge of the right of way.

Ms. Vickery asked the difference in the cost of what was being done. Ms. Chakas responded that it would cost an additional \$50,000 to do the overhead relocation. Ms. Murru explained that this is what she was asking previously – not the cost of going underground, but the difference in the cost.

Mr. Stresau asked if the easement could be placed under the asphalt if the drainage issues could be worked out. Mr. Cole stated that this would only save 30 feet. Further, if CVS went away one day, it would be desirable that the site be developable. Mr. Stresau and Mr. Cole agreed it may be best to move the easement in 10 feet and out from underneath the landscape area. Mr. Cole also indicated that the duct bank is concrete, so it is somewhat protected from the roots.

Chair Brenneman thanked everyone for presenting this to the Committee and acknowledged that this was going above and beyond what the City Code requires, and offered creative solutions.

- **Overview of UAC GREEN Living Expo Event**

Chair Brenneman remarked that the GREEN Living Expo Event was coming up this Saturday and that there presently existed a state of “crunch.”

Chair Brenneman advised Ms. Vickery that she had been unable to reach the Professor at all regarding the student volunteers.

Chair Brenneman showed the Committee a site plan of Stranahan Park. She explained that the Parks Department is due to come in about 7:30 a.m. and that she would be there as well. Chair Brenneman advised that Parks would put covers on the tables, each booth to receive one table with a cover and two chairs. Parks would also be wrapping a dumpster with reused paper that is being provided by the City Recycling Manager, Casey Eckels. The paper will be taped together with blue masking tape. The dumpster will be utilized to take “other” plastics, #4 through #7; old lawn chairs and patio furniture; 5 gallon pails; flower pots; and anything that is plastic that is not curbside recyclable. These are all items that are very difficult to recycle. Chair Brenneman explained that when dropping in recyclables, people will be invited to leave a message about recycling, Earth Day, Arbor Day and water conservation on the wrapped dumpster for everyone to see. The dumpster will be located on SE 1st Avenue, which will be closed to traffic.

Chair Brenneman indicated on the site plan where Mr. Caine will be setting up a solar panel display. In addition, there will be 6 booths for the Seminole Tribe of Florida, who will be bringing their live animal exhibit of Everglades animals. Their entire area will be fenced and secured, at which time the animals can be released.

Paid parking will be available at the City garage, as well as free parking at City Hall garage.

Chair Brenneman advised that entertainment would include Capt. Conservation, courtesy of FPL, for a wonderful interactive presentation involving the children. This will take place between 10:00 a.m. and 2:00 p.m.

Ms. Vickery suggested that there be a crossing guard for people coming across Broward Boulevard from the City Hall garage. Chair Brenneman conveyed that she had tried to reach Assistant Chief Bobby Carter and had thus far failed to connect.

Ms. Brenneman showed on the site plan where various displays would be located, including FPL’s hybrid truck, which would be located at the book drop area of the library. The gazebo would be used for entertainment. Mr. Partington suggested that Capt. Conservation utilize the gazebo for his presentations. Chair Brenneman advised that, according to Ms. Shatas, Capt. Conservation would probably begin at 11:00 a.m.

Chair Brenneman also conveyed that the Arbor Day program will begin at 10:00 a.m. Then there will be a welcoming by the Garden Club. At 10:20 a.m., Mayor Naugle will receive the Tree City award from City Forester, Gene Dempsey. The Mayor will then

open the event with a special announcement of a green policy initiative. Chair Brenneman further explained that the Mayor will then leave the podium in his wife's special car which is a neighborhood electric vehicle on display.

Additional entertainment would include the Mai Kai Polynesian dancers. Chair Brenneman was awaiting word as to the Seminole Tribe's dancers and musicians.

Ms. Murru suggested that a notice be sent to the Council of Civic Associations to send out a flyer about this event.

Mr. Partington reminded the Committee members that the Parks Department and, specifically, Assistant Parks Director, Terry Rynard, and Debbie Bilecka would be responsible for organization of this event. They will need arrangements to be finalized as soon as possible. Mr. Partington asked that anyone who has an exhibitor who might come to determine whether they are coming or not and finalize that information to either or both Chair Brenneman and Terry Rynard.

Mr. Partington remarked that Chair Brenneman had put in a tremendous amount of work into this event, which is shaping up to be a good event, and that she is owed a debt of gratitude.

Chair Brenneman confirmed that everything had to be in place between 8:30 and 9:30 a.m.

Ms. Shatas asked Chair Brenneman how the issue of homeless people would be addressed in Stranahan Park. Ms. Vickery again suggested that the Fort Lauderdale Police be contacted to assist with this and other issues.

Motion was made by Ms. Van Valkenburgh to recognize Chair Brenneman for the work she has done in coordinating this event. Chair Brenneman expressed concern for many loose ends still needing to be tied up.

Chair Brenneman advised there appeared to be 38 exhibitors, with 46 booths, which included 9 City departments.

Ms. Murru asked Chair Brenneman if anything was needed from the Committee members in addition to attending the event, showing support and spreading the word. Chair Brenneman confirmed that getting the word out was definitely needed

Chair Brenneman advised that Ted Lawson, Director of the Public Information Office had promised to get some publicity out immediately before the event with the major newspapers. Both NBC and Comcast had been contacted to provide additional publicity.

Mr. Beninate indicated that AT&T's media department put something in the Herald.

- **Other New Business**

There was no “other new business” to discuss.

VII. Good of the Committee / Announcements

Chair Brenneman reiterated that she hoped everyone will attend the Green Living Expo at Stranahan Park on April 26, 2008. In addition, the UAC will have a booth relating to the Tree Subcommittee.

VIII. Next Meeting – UAC Regular Meeting May 27, 2008 at 6:30 p.m.

IX. Adjourn

With no further business to discuss, the meeting adjourned at 7:47 p.m.