

**UTILITY ADVISORY COMMITTEE  
CITY OF FORT LAUDERDALE  
CITY HALL 8<sup>TH</sup> FLOOR CONFERENCE ROOM  
100 NORTH ANDREWS AVENUE  
FT. LAUDERDALE, FLORIDA 33301  
MAY 27, 2008 – 6:30 P.M.**

Cumulative  
January 2008 - December 2008

<b><u>Committee Member</u></b>	<b><u>Attendance</u></b>	<b><u>Present</u></b>	<b><u>Absent</u></b>
Bunney Brenneman, Chair	P	5	0
Bernard Petreccia, Vice Chair	P	3	2
Richard Barrett	A	2	3
Robert Caine	P	4	1
L. Thomas Chancey	P	3	2
Robert Cole	A	3	2
Dr. Magdalene Lewis	P	4	1
Terri Murru	P	4	1
Raymond Parker	A	3	2
Fred Stresau	A	4	1
Debora van Valkenburgh	P	5	0
Claire Vickery	A	3	2
Nathaniel Wilkerson	A	1	4

**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  
Mike Fay, Landscape Architect Consultant for AT&T

**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 present.

As a matter of housekeeping, Chair Brenneman announced that Caldwell Cooper is no longer on the Committee, as he was removed for consecutive absences. Chair Brenneman felt it important to inform the Committee that Mr. Cooper had requested his

appointing Commissioner, Charlotte Rodstrom, that he be removed from the Committee because his father is in the hospital in New York and as a result, he is traveling frequently. He was not stepping down due to a lack of interest, or a lack of concern for the work of this Committee, but felt that for the good of the Committee – so as not to impact the quorum further – he needed to ask to be removed. However, Commissioner Rodstrom did not remove him from the Committee. Assistant City Attorney, Robert Dunckel advised that Mr. Cooper was automatically removed by virtue of his four absences.

Chair Brenneman announced that fellow Committee member and colleague, Tom Chancey, had recently lost his mother and that she had attended a memorial service which celebrated her life of 102 years. Chair Brenneman expressed that Mr. Chancey's mother was much-beloved and had a life-long history of helping others.

Chair Brenneman also announced that Bernard Petreccia had resigned as Co-Chair for the Utility Advisory Committee, but that he was not resigning as a Committee member. Mr. Petreccia explained that his stepping down as Co-Chair was due to personal reasons which could deter him from contributing as much as he feels he should to assist the Chairperson.

### **III. Self Introductions**

Committee members, staff and guests introduced themselves.

### **IV. Minutes of April 22, 2008 Meeting**

The Minutes of the April 22, 2008 Utility Advisory Committee could not be approved as a quorum was not present.

### **V. Old Business**

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

Lynn Shatas, Florida Power & Light, advised that there is no new update at this time. Chair Brenneman asked the Committee members to bring their line clearing maps to the meetings, as it will assist in understanding the next quarter's plan when announced by Ms. Shatas.

Mr. Chancey stated that he had received an emergency phone call a few weeks ago from Mr. Orshefsky, who said that his trees had again been badly cleared. Mr. Chancey explained that he had personally taken care of these trees on a yearly basis in order to keep them away from power lines. Mr. Chancey expressed that these trees were cleared so beyond the necessity of line clearance that this Committee should really move on doing something about this.

Mr. Chancey recalled that the Committee had talked about this for 5 years and it is understood there is no safety issue involved. Mr. Chancey stated that this time the trees were cleared beyond what was even reasonable. Mr. Chancey advised that he personally supervised Mr. Orshefsky's tree maintenance for years in order to keep them away from the lines under all circumstances. This case is a prime example of a problem that keeps coming up over and over again.

Mr. Chancey expressed that some people are properly maintaining their trees safely away from wires in a natural, but very effective structural way. He suggested that tags can be placed on those trees and that the Asplundh sub-contracted line clearance people, as they move down the street, will know that it isn't necessary to touch those tagged trees, because they are already being touched – not every 3 years, but every year.

Chair Brenneman asked if these trees are in the front right-of-way or the side or back of the property. Mr. Chancey explained that these trees are on Mr. Orshefsky's property, and that these are trees that he has himself planted and maintained for 15 years. The distribution line runs along the edge of the street.

Mr. Chancey commented that it is obvious that the person that did this was not paying attention. For safety reasons, Mr. Chancey assured that he would never suggest that Florida Power & Light not perform line clearance.

Mr. Chancey reiterated that there has to be a way to tag the trees that are being maintained in lieu of Florida Power & Light's personnel doing so. Ms. Shatas responded that those trees in Mr. Orshefsky's yard should not have been trimmed. She explained that she has talked with the Florida Power & Light vegetation people when it occurred previously. While she does not know what has happened as a result, it has caused some special meetings within Florida Power & Light to discuss this. Ms. Shatas assured the Committee that she was very, very upset about this and that this has not fallen on deaf ears.

Mr. Chancey suggested that a tag color should be agreed upon and the tree should be tagged. The Asplundh men can then be told that any trees with a particular color tag on them are already being cared for and they can be skipped. Mr. Chancey claimed that there were meetings on this subject four years ago, but the Committee had just not done anything about it. Mr. Chancey stated that he understood how things slip through the cracks and is not blaming Florida Power & Light for this.

Mr. Chancey contended that everyone in the sequence needs something they can look at, such as a colored tag, and that this situation would be solved very quickly. If nothing else, this one issue should be moved upon.

Ms. Shatas advised that she would bring this up again because this situation should not have happened. Mr. Chancey affirmed that anytime Ms. Shatas has been called by either himself or someone that has called him, she has responded, so that is clearly not

the issue. The issue is that there are too many humans out there, and there needs to be a simple way for those humans to know when a tree has been taken care of.

Chair Brenneman stated that Ms. Shatas had come up with some very interesting information from a field supervisor on colors of flags. Chair Brenneman suggested that if the Committee could go over that information, perhaps a tag color could be agreed upon to get this started. Ms. Shatas indicated that she would appreciate this, as she needs to take it back to Florida Power & Light and find out what color flags identify other utilities.

Chair Brenneman advised that she had looked over all the flags, she had spoken with advertising people and the neon or bright colors have the greatest visibility. The one that is the farthest from any of the colors that were mentioned by the field supervisor is "neon green."

Chair Brenneman advised Ms. Shatas that she welcomed receiving feedback from her meetings, and assured Ms. Shatas that the Committee wished to cooperate as good partners with Florida Power & Light. Chair Brenneman asked if feedback could be provided at the June 24th meeting and Ms. Shatas indicated that June should be fine, but that she would confirm this with Chair Brenneman.

- **Status on RFP #3**

**City Staff**

Mr. Partington distributed copies of the RFP that is ready to go out to the Committee members that were present at this time. He then noted which members were not in attendance in order that he could email them a copy of the RFP. Mr. Partington advised that this RFP was ready to go and reminded the Committee members that on March 25, 2008, this Committee passed a motion requesting the City Manager to email the final draft form of RFP #3 to Utility Advisory Committee members, who must respond individually with comments via email to Mr. Partington within 24 hours of receipt. Mr. Partington reiterated that he would need all such individual comments by the end of the week. The RFP will then go out by the end of the week or very early next week.

Mr. Partington apologized for the delay in distributing this RFP, explaining that the Purchasing Department has been very busy with numerous high profile RFP's, causing a back-up.

- **Other Old Business**

Chair Brenneman noted there was no other old business to discuss.

## **VI. New Business**

- **Presentation on Beautification/Landscaping Solutions Proposed for AT&T Cabinets**      **Vic Beninate, AT&T**

Chair Brenneman announced the presentation on beautification/landscaping examples,

rather than solutions, proposed for AT&T cabinets, and welcomed Mike Fay. Chair Brenneman invited Mr. Fay, a landscape architect, and Mr. Beninate of AT&T to the front of the room. Mr. Fay distributed to the Committee members three individual examples/solutions – not proposals -- that have been worked out for specific property examples.

Mr. Partington reminded the Committee that there is a 2-stage process by the Ordinance wherein approval in principle is given to the locations of the cabinets, and then AT&T develops specific visual mitigation plans. Mr. Partington conveyed that he attended a meeting with Fred Stresau, Mr. Fay and Mr. Beninate to go over the overall concept of the visual mitigation plans. Before any final permits were issued, they walked through 3 or 4 to help visualize the typical situation. As a result of that meeting, 14 or 15 detailed approvals have been given out. This is informational as to what is being done in the way of visual mitigation. Mr. Partington stated that he didn't believe that at this time any sites had received the landscaping.

Mr. Fay advised that over the last several weeks he has been working with Mr. Partington and his staff, Dave Gennaro, Chief Landscape Inspector with the City, Fred Stresau, Landscape Architect, and AT&T's staff members in developing standard guidelines for the beautification of these cabinets. A list of approved hedge materials and trees to be used for this purpose was prepared. The approved hedge material to be used at the time of planning will be 24-inches overall, will be installed on either side of the cabinet, 5-feet from the face of the cabinet, as well as in the front of the cabinet between the cabinet and the edge of the pavement, if there is space available to do so.

Mr. Fay stated that the trees would be installed at 8-feet overall and be planted 10-feet from the face of the cabinet or on either side of the cabinet. If there is adequate space, a tree will be planted between the face of the cabinet and the edge of the pavement to further enhance the landscaping around these cabinets to visually obscure them.

Mr. Fay referred to the 3 examples that were provided to the Committee members, which have already been approved and permitted, to give an idea of what is trying to be accomplished. In certain instances there will be existing trees on the site which will be utilized if they are in close proximity to the cabinets.

Mr. Fay explained that the packages will be presented in the same format before the Committee this evening and would include:

- 1) Site plan that shows cabinets;
- 2) Landscape plan which specifies the plant material, the location of plant material, and the existing plant material; and
- 3) Photograph showing the existing conditions around those cabinets.

Mr. Dunckel asked Mr. Fay what could be done with a 40-foot right-of-way and whether any cabinets were planned for a 40-foot right-of-way. Mr. Fay advised that every one of these will be somewhat unique. The standardized guidelines can be followed for the most part, but there will be situations where existing conditions will have to be tweaked. In a 40-foot right-of-way, there is really not too much room to do planting. Mr. Fay

suggested that a hedge can be planted on either side of the cabinet. It is not desirable to present a situation where people have to walk around the hedge material into the street to get around the cabinet, especially if there is no sidewalk.

Mr. Dunckel confirmed that if the street runs north-south, a visual mitigation is offered for the northbound and the southbound traffic, but as one comes alongside it, the cabinet will be visible. Mr. Fay agreed that there was not much more that could be done in such a case. Mr. Fay acknowledged that when there is more room available, a lot more can be done with the landscaping.

When referencing the three examples provided to the Committee this evening, Mr. Fay indicated that they would not be cookie-cutter, but would be typical solutions. Each location would have packages submitted which resemble the examples currently before the Committee. These will be reviewed on a case by case basis, and depending on the space available, the landscaping will be maximized for the space.

Mr. Partington suggested that Mr. Fay read out the list of shrubs being proposed.

Ms. Murru asked who pays and whether there was a sprinkler system that maintains the landscaping. Mr. Partington stated that AT&T has to provide maintenance. Mr. Fay advised that it will be AT&T's responsibility to make sure that this system works, including making any necessary repairs, before the plants are planted.

Ms. Murru asked if this is customary for other parts of the country, or if this is just being done for the City for Fort Lauderdale. Mr. Beninate stated that this was not normal and customary and is just being done for Fort Lauderdale.

Mr. Petreccia asked the height of the proposed hedge. Mr. Fay responded that at the time of planting it will be a minimum of 24-inches, but will not be allowed to grow taller than 36-inches. The trees that are specified are all approved by Florida Power & Light. The hedges will not be permitted to grow so high that it presents a place for people to go and hide, as this area cannot be monitored. Therefore, by keeping the hedges at 36-inches height, and the canopy of the trees on either side and the front, it will screen these units in areas where there is room to do this. Mr. Petreccia felt this is acceptable.

Mr. Petreccia, referring to a photograph of a leaning box asked if there is anything that can be done about this. Mr. Beninate asked to be advised if there are any such boxes that are leaning, so AT&T can see what can be done about them. Sometimes there is no slack available to move the cables, but if there is a way to straighten it out, they will attempt to do so.

Upon questioning by Mr. Chancey, Mr. Fay clarified that the site plans contain both a drawing of an existing cabinet and a new cabinet. Mr. Chancey asked if they were going to plant a 3-foot hedge around a 6-foot box and only hide the first 3 feet of it, rather than paint the cabinet dark green and paint leaves on it, as he has shown FPL has done. Mr. Fay stated that the new boxes were 4-feet tall. Mr. Chancey did note that the old boxes

were still 6-feet tall and would only be covered by a 3-foot hedge.

Mr. Fay advised that in a situation where there was a large mature specimen tree, it would be advisable to plant an under story tree underneath it in close proximity. Mr. Fay indicated that they want to make sure there is 10-feet between the face of the box and where the small tree is planted. Mr. Chancey remarked that he understood this concept, when the only alternative one has is to screen something with plants when there are setbacks. Mr. Chancey then asked why sod is being planted behind the hedge, which will then have to be mowed, and will be a place potentially for homeless to lay down upon behind the hedge.

Mr. Chancey contended that he sees this as creating more maintenance hazards than he has seen in a long time. It is his opinion that it would be better to paint the boxes green and to plant perhaps one more plant as it would not be noticeable and would then be done. Mr. Chancey expressed that he felt this was a waste of time, and what Mr. Fay has been requested to do is beyond what is reasonable, is totally not necessary, is a waste of AT&T's money and a waste of time and maintenance costs. Mr. Chancey explained that this was not a criticism of Mr. Fay's talent, because he is working within refinements in an urban setting that has pushed him up against a wall in creating things that absolutely, from a maintenance standpoint and his 50 years of experience, makes no sense.

Mr. Chancey affirmed that he is only making the point that he understands the reason for doing this, and the gift that AT&T is trying to give this City, which is appreciated, but that he does not want AT&T wasting their money. Mr. Chancey expressed that, understanding maintenance, horticulture, landscape architecture, and arboriculture, this plan is going to waste some money and is not going to do the job that is sought here. Mr. Chancey stated that he would rather go back to the idea of painting the boxes and showing some illustrations that are already in town with a couple of simple plants, such as the *Roebelenii*, which doesn't need to be touched more than once every two years and doesn't grow more than 6 inches a year. Mr. Chancey stated that he felt Mr. Fay was requested to come up with such detail so that it looks impressive to Dave Gennaro and others that are following rules and regulations out of a book. He urged that people needed to be helped, and not just the pocketbook. Mr. Chancey felt there was no other way to talk about this without getting blunt.

Ms. Murru asked if this is something that the City wants to do, or if this has been requested by someone beyond the Board. Ms. Murru advised that she feels a moral obligation on this Committee to not make the government or private entities go beyond and above, simply because things are bantered about and discussed among the Committee; and that at the end of the day, it is the Board's responsibility to be appropriate with both tax and private dollars. Ms. Murru asked to be informed if there is something here that she does not know about.

Chair Brenneman informed Mr. Chancey that the Committee had not seen the leaf painted boxes. Mr. Chancey explained that he brought pictures in, but will advise where

they are located so that the Committee can go take a look at them, as he felt this is important. He expressed that the Committee members are appointed as free volunteers to give advice, and that if the members don't get to the truth and stop beating around the bush for 5 more years and get something accomplished, this Committee might as well stop doing so.

Mr. Partington asked the Committee to remember the history of this matter in which very large AT&T boxes started to appear around the City, which alarmed a lot of people. This set into motion a course of action that culminated in an Ordinance. This Ordinance was discussed and debated with the City Commission several times. Mr. Partington asserted that the City Commission was so alarmed by the potential for the number and size of these boxes, that they legislated a maximum size for the boxes, and legislated for visual mitigation.

Mr. Partington advised that the maximum allowable size for the box is 4-feet high, 50-inches long, and 26-inches wide. Mr. Chancey expressed that this was a big difference from the beginning when this Committee was asking for something to be changed. Mr. Partington stated that in linear dimensions, it was probably 30% smaller, and in volume measurements it may be as much as 80-90% smaller. Mr. Partington agreed that this is significantly smaller than the large boxes that started to appear around the City.

Mr. Chancey expressed that what was brought up by this Committee has been greatly corrected, which is appreciated, but now even better results are trying to be obtained.

Mr. Partington explained that AT&T and himself, along with City Staff, have to now work within the Ordinance that has been approved. He then read the Ordinance which states:

Mitigation of Visual Impacts in Certain Areas [residential areas]. The location and construction of at-grade communications service facilities shall incorporate features that are determined by the City Engineer to optimize to the extent technically possible, mitigation of visual impacts to surrounding properties and the surrounding neighborhood by incorporating one or more of the following appurtenant features in the construction of the facilities site:

Screen plantings consisting of a combination of trees, shrubs and ground cover with an emphasis on xeriscaping; shade trees that do not conflict with overhead utilities; architectural features, such as neighborhood entryway features, or any other features or existing features that mitigate the visual impact of the at-grade communications service facilities.

Mr. Partington stated that the Ordinance goes on to spell out the maintenance obligation on the applicant, AT&T.

Mr. Chancey advised that he personally has no argument with anything that has been said at tonight's meeting – that these are just comments made to help the landscape

architect come up with a solution for his client that makes a good solution for everyone. Mr. Chancey stated that he is not saying that Mr. Fay has done the wrong thing, but from what Mr. Partington read, sometimes it is creates a screening technique that is high in maintenance and it is questionable as to whether it works. For instance, if the box is 4-foot tall, and the hedge is 3-foot tall, then it is not screening the box. Mr. Chancey would like this Committee to do something to assist AT&T in some way so that this does not turn out to be more of a burden.

Ms. Murru asked if the City wants AT&T to do this. Mr. Dunckel asserted that the City adopted an Ordinance which was thoroughly discussed at several meetings, and the section just read by Mr. Partington got particular attention from the City in which clauses were removed and other clauses were structured. Mr. Dunckel reiterated that the City Commission adopted this Ordinance.

Mr. Petreccia restated that the photographs depicted existing boxes which were larger – more like sheds – than the new boxes. Mr. Chancey stated for the record that he realized the new boxes were 4 feet, with the limit of the hedge around it being 3 feet. Mr. Dunckel said that the box in the photograph had a height of 48-inches.

Mr. Partington clarified that the landscape architect, Mr. Fay, had said the hedge would be a height of 3-feet, but this was not contained within the Ordinance. Mr. Chancey mentioned that Mr. Fay made an observation that if the hedge was 4-foot tall, it could become a campsite for the homeless, and asked whether the City cared about this. Mr. Dunckel indicated that he didn't believe Mr. Fay necessarily used the words "campsite for the homeless," but that anyone who has gone through DRC has heard a constant refrain from the police about offering criminal opportunities. Mr. Chancey said he wasn't debating this issue, but he was just trying to be helpful. Mr. Chancey contended that he understood that, but he was making a point. He asked if a 36-inch hedge is sufficient to hide a 48-inch box and whether this is the solution. He queried whether the Committee had to go along with the City's Ordinance, and whether the Committee must support whatever is being put down on paper now. Mr. Dunckel stated that there was a judgment call there and referred to the statement of "optimizing mitigation of visual impacts." Mr. Dunckel acknowledged that reasonable people could differ as to what that might be. He recounted that Mike Fay has worked with Staff and that they had apparently felt that the plan before the Committee is the optimization. Mr. Fay concurred.

Mr. Chancey expressed that, in his opinion, the Committee is not really going to give their input and that it does not really matter. Mr. Chancey questioned what the Committee is here to do. Mr. Dunckel indicated that, as he just said, reasonable people may differ on that.

Mr. Partington explained that he had read the Ordinance, and that the Ordinance had to be interpreted. He stated that there had been meetings between Staff, AT&T, their landscape architect and people from the City. The meetings produced some typical landscape plans that appear to meet the intent of the Ordinance, and that on the basis of

that, he had approved about 14 or 15 locations. Mr. Partington felt that what is open to debate and further interpretation is exactly the typical landscaping plan that would be applied. Mr. Partington advised that clearly whatever the Committee recommends or wants to recommend must meet the statement highlighted by Mr. Dunckel – features determined to optimize, to the extent technically possible, the mitigation of visual impacts. Mr. Partington believed this meant that one should not be able to see the majority of the box from most directions – this being his own interpretation of the Ordinance. What is now being discussed is how to interpret the Ordinance and apply a landscaping plan to that Ordinance. Mr. Partington offered that the Committee should be fully entitled to give input on the landscaping plan – whether it is too extensive, not extensive enough, or whether certain plants are not desired – all of which would be fine to discuss.

Mr. Chancey concluded by stating that when the City Attorney asked Mr. Fay questions, it brought something to mind about setbacks and certain situations where this particular type of plan would not work. He explained that he merely wanted to point out a few things that he observed over time that might be a problem for AT&T, the owner of the property, the people that want to see it done and the City Commission. He indicated it was not a criticism, but he was trying to come up with some understanding of the Committee's role.

Mr. Partington then read the portion of the Ordinance which speaks to maintenance:

The registrant [AT&T] shall be responsible for the proper maintenance, protection of any landscaping unless otherwise agreed upon by the relevant homeowner association or owner of the lot or parcel abutting the site. Maintenance shall include, to the extent necessary, watering, weeding, mowing, fertilizing, treating, mulching, trimming, removal or replacement of dead or diseased plants on a regular basis so as to continue a healthy growing condition, and present a neat and well-kept appearance at all times.

Mr. Partington expressed that clearly the Ordinance places an extensive obligation onto the registrant. Further, Mr. Partington editorialized that clearly the City has a valuable commodity here in the ability of a third party to put equipment into the City's right-of-way. These boxes, which are generally the subject of these applications, will actually significantly expand AT&T's service offerings. Mr. Partington expressed that from a commercial standpoint, this is a very valuable opportunity that now presents itself to AT&T. Mr. Partington believed that it was clear that AT&T was very willing to do this for the commercial upside that this offers them.

Mr. Chancey said that he understands this, but that he still does not understand how the 36-inch hedge will hide a 48-inch box, unless the box is painted.

Mr. Petreccia suggested that the new box to be placed at 1400 Coral Ridge Drive be placed as closely as possible to the property line and closer to the existing box, but to

place it between the existing box and the bamboo. Mr. Petreccia asked that this particular plan be revisited.

Mr. Partington agreed that this was a good suggestion. He did want to explain, however, that the boxes have to be placed in side yards, and wanted to clarify that the photograph does not depict the front of the house, but was instead the side yard.

Mr. Beninate offered to jump in and further discuss the Ordinance and the way AT&T started out doing the boxes and the way they are being done now. Previously, AT&T had a 7-foot box rather than a 4-foot box. Originally, AT&T would place the box and then later worry about talking to people that did not like it. Per the Ordinance, AT&T sends written notification to the property owners and adjoining property owners which gives details as to where the boxes will be placed. Mr. Beninate stated that there have been 2 or 3 property owners who have spoken with the City and claimed that there was a problem.

Mr. Beninate explained that he and the engineer will either call or make a visit to the property owner and come to an agreement as to where the box can be placed, dependent upon approval by the City. This is now what is being done with each and every box that will be placed. Mr. Beninate feels that the people whose homes are in the plans before the Committee this evening have already been notified, as well as the adjoining property owners, and that no further boxes will be placed without doing so. Mr. Beninate acknowledges that his idea of what is beautiful may differ completely from the homeowner. Because of the reaction that AT&T received from first placing the boxes, they now realize they must work with people and try to make them happy.

Chair Brenneman asked Mr. Fay to continue with his presentation.

Mr. Fay stated that Dave Gennaro, Fred Stresau and he had come up a list of 6 approved hedge materials:

- Cocoplum
- Orange Jasmine
- Ixora Nora Grant
- Simpson Stopper
- Eugenia Uniflora (Surinam Cherry)
- Ficus Benjamina

Mr. Fay indicated that these are all very tough hedge material and felt that these are 6 good choices that can be used.

Mr. Fay provided the following list of 9 approved trees:

- Black Ironwood
- Silver Buttonwood
- Cordia Sebestins (with orange flower)
- Eugenia Stoppers

- Crepe Myrtle (would provide color)
- Ligustrum trees
- Thrinax multi-stem (6-7 feet overall)
- Crabwood
- Orange Jasmine trees

Mr. Fay indicated that these are all small trees, which have all been approved by FPL through their guidelines of "right tree in the right place."

Mr. Chancey suggested that Mr. Fay speak with Mr. Stresau when he returns and to check with University, as several of these plants are getting brand new pests that are going to wipe them out. Mr. Fay said that he does not always agree with University, and neither does Mr. Stresau or Mr. Gennaro.

Ms. Van Valkenburgh made a motion to reject Mr. Fay's presentation of the visual mitigation plan as less than optimum. Chair Brenneman explained that there was not a quorum present. Ms. Van Valkenburgh then restated that she would stand for rejecting Mr. Fay's presentation of the visual mitigation plan as less than optimum, as evidenced by insufficient screening, a 3-foot hedge to cover a 4-foot structure, visual obstruction created by increased foliage, the creation of opportunities for criminal activity, the need for special maintenance and irrigation versus xeriscape, cost to government and private industry, and that the visual mitigation plan does not address the noise impact of the boxes, and so it does not completely meet the needs or address the special concerns of this Committee. Mr. Van Valkenburgh stated that she felt the Committee should go back and look at the bigger picture as the box was more than a visual obstruction or visual nuisance.

Chair Brenneman announced that a motion and a second would not be possible at this time as it could not be voted upon.

Ms. Murru commented that essentially the Committee could have some enlightened conversation, but essentially there is really not much that can be done about this, because even if there was a quorum, this was going to happen. She offered that this was deemed to be in everyone's best interest and that, unless the Committee had extremely strong opinions, this was going to go forward.

Mr. Partington reiterated that the Committee can have full input to the scheme of visual mitigation, and however that was accomplished, either by discussions within the Committee, or by having representatives of this Committee attend Staff meetings, he must operate within the requirement that states that visual mitigation shall be optimized. Therefore, whatever changes are requested must meet that test.

Ms. Murru recalled that at a Special Session before Mayor Naugle and a Commissioner, the issue surrounding the boxes came up. It was at this time that there were suggestions of painting the boxes, wherein Ms. Murru offered that the boxes could be

part of an art project through the Museum of Art, which seemed to be a reasonable, inexpensive and creative way to handle this matter. Ms. Murru affirmed that she does now accept that it is not her job to make the customer happy, and feels much more obligated to advise on taxpayer dollars. Inasmuch as AT&T is a private, for-profit entity, Ms. Murru agreed it was their job to make the customer happy. While she would have preferred an inexpensive choice, Ms. Murru concedes this is not her decision. From her perspective, she liked the less expensive alternative, but completely supports and respects this private entity, which is the City's partner, in doing what they need to do to make their customer happy in order to sell their product.

Mr. Chancey stated that he sees happening over and over that some people give advice, it gets to the authoritative level, the enforcement comes in and then it's all over. He expressed that one can have protests, or one can be outvoted, or one can change all the rules, but he wanted to follow his mother's example by trying to bring people together to do something positive. He reflected that each person's comments were positive, not combative. He explained that he did not want to change the rules, but wanted to say that it would be unique if people showed up that had input – like the community, like the neighbor, like the designer – and had them all on the site, to give the real site interest and really what would work. Mr. Chancey stated that he understands the rules, and he understands invasive species. He said that nothing was said by him in order to be an antagonist against the City's attorney or an antagonist against AT&T or the landscape architect.

Mr. Chancey agreed that Ms. Murru had already stated that the Committee just assumed that it was here to offer suggestions. The suggestions made by this Committee and the neighborhoods caused a second look at something that was offensive, but was something that people wanted, and that there is a way to do it. Every day we see creative things happening by people that are willing to step up to the plate, no charge, and come to the same table. Mr. Chancey expressed that his point was very simple in that the Committee wants to give good suggestions and help out, but that the Committee just does not want to sit here and feel like it is strapped because suddenly it has created a rule that won't let good suggestions be offered.

Mr. Beninate advised that when the system was started, some of the participants were very inflexible, but now they are very flexible. By virtue of having to do the landscape plan, AT&T has learned that you need to situate the box so you can landscape around it, and can still access the door of the box, so this has been very positive. Mr. Beninate stressed that AT&T is trying to do the right thing and are giving people input. There is no winning in making enemies.

Chair Brenneman expressed that since attending the City Commission meeting, there has been a lot of progress. Previously, as was done on Seven Isles, there was no concern for how the landscaping was planted and to how the maintenance workers were then going to open the cabinets, while fighting the shrubbery. Chair Brenneman opined there was no comparison with the way the boxes are currently installed as they had previously been done. There had been a lot of progress made. Mr. Beninate and the

team from AT&T should be commended, as well as everyone's input. Chair Brenneman stated that, unfortunately, this discussion cannot be finished at this time.

Chair Brenneman then asked Mr. Fay if he had anything additional to say at this time, and he expressed that everything had pretty much been stated. Chair Brenneman asked Mr. Fay to make the approved list of shrubbery and trees available so she could ask Gene Dempsey for pictures of the trees in order that the Committee can become more familiar with them. Chair Brenneman thanked Mr. Fay for his presentation and the helpful information provided.

Ms. Murru requested that, when possible, information be provided electronically and that it be eventually posted on a website so that homeowners interested in seeing what could be happening can simply go to a website. Ms. Murru suggested that, whenever possible, the Committee make every effort to model good behavior for other Committees. Chair Brenneman expressed that this was an excellent suggestion and that it is on record that this Committee prefers everything electronically.

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

Chair Brenneman advised that the Green Living Expo took place on April 26, 2008, at Stranahan Park. The Garden Club kept the count of attendees and it was reported that there was in excess of 1,500 visitors. There were 42 exhibitors, including 9 booths from the City. Most people had apparently parked in the City Hall garage, crossed over Broward Boulevard, and approached Stranahan Park from the north.

Chair Brenneman believed that the natural layout of Stranahan Park with its trees and shade was preferable and had worked out well, thanks to the staffers from Parks & Recreation. The exhibitors were not placed in a straight line, but instead were placed under the trees which proved to be so popular that the Community Greenhouse Foundation received numerous requests for an expanded Expo to be planned for next year.

The Public Information Office's final recommendation is that this event be held again next year. The date of April 25<sup>th</sup> is being suggested with a long lead time for planning. It has been suggested that the energy roundtable not be held because it is not needed. Chair Brenneman explained that because the event was so well-attended, the Public Information Office (PIO) has advised they will continue to feed articles and information to the [www.greenftlauderdale.com](http://www.greenftlauderdale.com) website.

Community Greenhouse Foundation, through the generosity of their President, Richard Evans, who has been a participant in the Energy Roundtables II and III, completely took care of funding this and acted as the marketing arm. The entire community is encouraged to submit timely articles to the [www.greenftlauderdale.com](http://www.greenftlauderdale.com) website.

- **Election of Vice Chairman**

Chair Brenneman announced that because there was not a quorum present, there would be no election of Vice Chairman at this meeting.

- **Other New Business**

There was no "other new business" to discuss.

## **VII. Good of the Committee / Announcements**

Mr. Chancey stated that a number of other cities were having their Green Day the same date as Fort Lauderdale. He had recommended at Naturescape Broward's meeting that communication and coordination should be attempted with other cities so everyone is not holding their events on the same day. Mr. Chancey expressed that the Green Living Expo event has become very well accepted and that the interest was there.

Chair Brenneman advised that there was a recommendation from PIO that this matter be brought up tonight, and that a date be decided in order to have almost an entire year to plan. This matter will, however, need to be moved to the next UAC meeting.

Ms. Murru advised that she had gone to the City of Fort Lauderdale's website and that the Green Expo was not even listed as the "Event of the Day," but instead the City was supporting another event that day. Ms. Murru recommended that the PIO support the Green Living Expo in the future.

Additionally, Ms. Murru expressed that everyone does something for Earth Day on the same date and was in favor of choosing Arbor Day, but that the Committee should stay open and flexible until the next UAC Meeting when there is a full quorum. By then Mr. Chancey will have gone to his meeting and have some idea of where other people stand. Ms. Murru stated that the City should be requested to feature the Green Living Expo as the "Event of the Day."

Mr. Chancey advised that event has always been held on National Arbor Day, which is the last Friday of April. This year was the first year the event was held on a Saturday, instead of a Friday, but that people did not care, making this a flexible opportunity.

## **IX. Next Meeting – UAC Regular Meeting June 24, 2008 at 6:30 p.m.**

Chair Brenneman announced that she would e-mail the Committee and inform them that there was a quorum problem this evening, and that they needed to be more vigilant about advising whether or not they intend to be present.

## **IX. Adjourn**

With no further business to discuss, the meeting adjourned at 8:11 p.m.