

**UTILITY ADVISORY COMMITTEE
CITY OF FORT LAUDERDALE
CITY HALL 8TH FLOOR CONFERENCE ROOM
100 NORTH ANDREWS AVENUE
FT. LAUDERDALE, FLORIDA 33301
JUNE 24, 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 [6:39 p.m.]	P	6	0
Bernard Petreccia	P	4	2
Richard Barrett	A	2	4
Robert Caine	P	5	1
L. Thomas Chancey	P	4	2
Robert Cole	P	4	2
Dr. Magdalene Lewis	P	5	1
Terri Murru	P	5	1
Raymond Parker	P	4	2
Fred Stresau	P	5	1
Debora van Valkenburgh	P	6	0
Claire Vickery [6:43 p.m.]	P	4	2
Nathaniel Wilkerson	A	1	5

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

I. Call to Order

Former Vice Chair Bernard Petreccia called the meeting to order at 6:36 p.m.

II. Roll Call & Announcements

Roll was called and attendance noted. A quorum was present.

III. Self Introductions

Committee members, staff and guests introduced themselves, including Gene Dinah of Poinciana Park Civic Association.

[6:39 p.m. Chair Bunney Brenneman arrived]

Chair Brenneman stated that she had sent an e-mail to all Committee members advising that she would be running late this evening since she had a meeting ahead of the Utility Advisory Committee meeting, but she found that the e-mail was returned to her unsent.

IV. Minutes of April 22, 2008 Meeting

Mr. Stresau asked that a correction be made to page 4, last paragraph where "AT&T's landscaper" should be changed to "AT&T's landscape architect." With the foregoing correction, the Minutes of the April 22, 2008 Utility Advisory Committee meeting were thereby approved unanimously by voice vote.

Minutes of May 27, 2008 Meeting

Mr. Stresau asked that a correction be made to page 9, third paragraph where "landscaper" should be changed to "landscape architect." With the foregoing correction, the Minutes of the May 27, 2008 Utility Advisory Committee meeting were thereby approved unanimously by voice vote [Mr. Stresau abstaining, as he was not present at the May 27, 2008 meeting].

V. Unfinished Business

- **Status on RFP #3**

City Staff

Peter Partington advised that RFP #3 was released and that proposals were due on June 25, 2008. The Evaluation Committee will meet the week of June 30, 2008. Mr. Partington recalled that Mr. Stresau had represented the Utility Advisory Committee at the previous Evaluation Committee meeting. He asked if Mr. Stresau would agree to do so again. Mr. Stresau asked if that would be acceptable to the City Manager, and Mr. Partington indicated that to the best of his knowledge, the City Manager would be fine with this as it was previously acceptable.

Motion by Ms. Murru that this Committee recommend to the City Manager that Mr. Stresau serve as representative of the Utility Advisory Committee at the upcoming Evaluation Committee meeting, seconded by Mr. Petreccia. In a voice vote, this motion was unanimously approved.

Chair Brenneman asked Mr. Partington to extend this recommendation to the City Manager.

[6:43 p.m. Claire Vickery arrived]

- **Other Unfinished Business**

Chair Brenneman related that at the last meeting Ms. Van Valkenburgh had made a motion which could not be voted upon due to the lack of a quorum at that time.

Ms. Van Valkenburgh restated her motion to reject 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 because the visual mitigation plan does not address the noise impact of the boxes, and does not completely meet the needs or address the special concerns of the Committee. Thereupon the motion was seconded by Mr. Caine.

Mr. Partington reiterated for the benefit of those members not present at the last meeting, that AT&T's landscape architect, Mike Fay, provided a presentation of typical proposals as to how to visually mitigate the new AT&T boxes under the newly approved City ordinance, which requires visual mitigation.

Mr. Partington explained that he is required, as City Engineer, to sign off on at least some form of visual mitigation, which was being presented by Mr. Fay. There were certain concerns about what was presented. Mr. Partington asked the Committee to understand that even if Ms. Van Valkenburgh's motion is approved, there must still be visual mitigation or Mr. Partington cannot approve the AT&T boxes.

Mr. Chancey stated that he had not denied the need for visual mitigation, but merely that there is more than one way to do so. Mr. Chancey contended that there are hundreds of ways to design things, while he admits the design presented was typical of landscape architecture of the past. He feels there are other ways to do so naturally without having grass mowed behind the hedge in front of the box. He also feels there are other ways to irrigate than those presented to the Committee.

Mr. Chancey questioned whether the City is stuck with the proposals that are currently before it, as he would like to see more opportunities on the table so that the screening process can be good for people, good for AT&T, good for the pocketbook and good for the neighborhoods. Mr. Chancey opined that what is needed is to speak to a few creative people instead of just one.

Chair Brenneman clarified that this Committee has been told that the presentation consisted of only 3 specific examples that landscape architect Mike Fay presented, and they are specific to those addresses, but could be considered examples of what might be done at other locations, depending upon the width of the right-of-way and adjustments that might need to be made.

Robert Dunckel, Assistant City Attorney, asked the Committee to respect the dynamics of what caused this ordinance to come into being. Specifically, AT&T has gone to State legislatures throughout the country and stripped the ability of municipalities to regulate this – being a very, very delicate balance. Mr. Dunckel contended that it took months of

working with AT&T and Staff to put the ordinance together, and while there are balances, they are not perfect from any particular perspective. Mr. Dunckel affirmed that one of the components of the motion is visual obstruction created by increased foliage, which is exactly what the City Commission wanted. Mr. Dunckel expressed that public hearings were held where everyone was permitted to speak, yet he noted that Mr. Chancey did not speak out at any of those hearings.

Mr. Dunckel recalled that after going through the public hearings, the City Commission decided that they wanted this type of foliage. Another component mentioned in the motion is the creation of opportunities for criminal activity. Mr. Dunckel stressed that it is inherent in the City Commission wanting to somehow put something around these cabinets to soften their impact, that when this is done, there is an opportunity for someone to hide on the other side.

Mr. Dunckel then addressed the reference to the cost to government and private industry, and emphasized that these things were well vetted out by the City Commission. In fact, there were some members of the City Commission that wanted to put Draconian financial burdens on AT&T and they ended up backing off of that. Mr. Dunckel contended that this is minimal, as compared to some of the things that were being discussed. For instance, one of the things being discussed was the moment a new generation cabinet came out, all of the other cabinets would have to be replaced without even visiting what kind of amortization period was involved. This would have been very costly to the private sector.

Mr. Dunckel next addressed the reference in the motion to the noise impact. He stated that he had not heard anything spoken about the noise impact. Mr. Dunckel opined that by placing the visual barrier around the boxes, it will serve to mitigate any noise. Even without installing the visual barrier around the boxes, Mr. Dunckel and Mr. Partington have agreed that AT&T has met the parameters of the City's noise ordinance. By putting screening around the boxes, it will serve to mitigate that even further.

Mr. Dunckel suggested that if the Committee wanted to go forward with a motion, a more positive way to address this would be to come up with a series of suggestions that could be implemented in the future, rather than rejecting the proposals completely. Mr. Dunckel summed up that a lot of people worked on these proposals that were involved in all the meetings and understood where the Commission wanted to go. While admitting that the proposals could probably be improved upon, Mr. Dunckel suggested that the Committee travel in that direction rather than just rejecting them.

Ms. Murru expressed that she was grateful to Ms. Van Valkenburgh for making this bold statement and recalled that she has also been in such a position in the past when, as a new Committee member, she had not completely understood the dynamics and history of an issue before the Committee. Ms. Murru stated that she would herself be making a motion that the Committee look at taking in general terms the idea of xeriscaping and offering several suggestions that can be made to our private vendor, which are

philosophies that are shared on the Committee, and offering the suggestions as friendly recommendations.

Mr. Chancey clarified that he did not disagree with anything said by Mr. Dunckel. He advised that like Ms. Murru, he questioned the selection of the plants to be placed in the front of the cabinet. Mr. Chancey asserted that he had not said one thing to debate the proposals, but instead had said that suggestions should be offered to help the landscape architect's design to accomplish what Mr. Dunckel said and what was agreed upon by the Committee. He declared that he did not want to be misunderstood or taken into a debate forum, and reiterated that he was not against one word said by Mr. Dunckel.

Mr. Dunckel asserted that he agreed and that he was responding to the motion on the floor.

Mr. Cole acknowledged that he was not in attendance at last month's meeting, and as such, he did not see the presentation, for which he apologized. He did, however, wish to comment that there is a conflict in that a 3 ft. hedge would not cover a 4-ft. structure, however, if additional screening were provided, it would create a visual obstruction. As such, Mr. Cole felt that the verbiage was conflicting. Rather than state that something is unacceptable, it would be more positive on behalf of the Committee to offer suggestions, rather than just rejecting it.

Ms. Van Valkenburgh clarified that the statement she made about the increased foliage and screening was referring to the photographs that were made available to the Committee which showed trees located in the swale. Her concern was that some types of trees would make it difficult to see traffic or pedestrians in the roadway. Ms. Van Valkenburgh maintained that her reference to increased foliage was not directed to the hedge around the box.

Mr. Partington explained that the permit process that he administers is a 2-stage process:

- (1) Drawings are received without visual mitigation, which are then checked for placement, including sight lines and other such matters.
- (2) When a location is found that appears to be satisfactory, the visual mitigation plan is then submitted. This is again checked for any intrusions into the sight line.

Therefore, there should not be any concerns about intrusion of the visual mitigation into sight lines affect traffic safety. Mr. Partington affirmed that the plans are checked for requirements in City ordinances as to driveways and intersections.

Mr. Dunckel echoed Mr. Partington and advised that neither the cabinets nor the visual mitigation can be placed in such a manner that it violates the Unified Land Development Regulations (ULDR) provisions with respect to sight triangles.

Mr. Caine clarified that it was his impression from last month's presentation that if a little more thought were put into the visual mitigation, that it might reduce the cost which would benefit AT&T. Also, if natural plantings were used, perhaps irrigating would not be necessary. Also, if the visual mitigation was placed closer to the box, it would not create an area where the homeless could sleep. Mr. Caine offered that there might be some minor modifications which could be made that would greatly benefit everyone. In that respect, Mr. Caine would like to put some additional thought into the motion so that it can benefit all of the parties.

Mr. Dunckel maintained that Mr. Partington has a responsibility under the ordinance to administer the ordinance. He urged that it is important that the Committee continue to allow Mr. Partington to administer the ordinance rather than invite AT&T to go to Tallahassee and throw everything out that everyone has worked so hard to accomplish. Mr. Dunckel offered that Mr. Partington can take the consensus of this Committee as a barometric reading on where he might need to go in the future, but that it would not be in the City's best interest to stop the process that is currently ongoing. Because of the sentiment of this Committee, it is important to keep going and also to listen to good, positive comments on how it can be improved

Mr. Caine asked if the Committee votes on this measure, would it place limitations on Mr. Partington to move forward. Mr. Caine maintained that the motion was not to throw out the ordinance, but just to reject the plan.

Mr. Stresau stated that while he does not know what was presented to the Committee, he does know what was discussed. Mr. Stresau proffered that as he and the others sat around the table for several hours, they agonized over trying to figure out how to screen the boxes down to the last inch. He agreed that a 4-ft. box would not be screened by a 3-ft. hedge; however, anyone could potentially hide behind a 4-ft. hedge. Mr. Stresau contended that it was an effort on everyone's part to try to mitigate the boxes, not to completely hide them because that did not appear to be a practical solution.

Mr. Stresau expressed that AT&T has gone way beyond where Mr. Beninate was permitted to go, as he had to speak with Mr. Beninate's boss in St. Louis to try to convince her that a landscape architect was needed, as she simply wanted to submit the plans and see what would then happen. Mr. Stresau acknowledged that he would guarantee that the plans before the Committee are as good as they are going to get. He further addressed Mr. Chancey's concerns for irrigation and stated that, once established, 5 of the 6 proposed hedge materials will not need to be watered. In addition, Mr. Stresau believed that 75% of the boxes would be located in yards where irrigation is already established.

Mr. Stresau suggested that the Committee vote against the motion and that if anyone has comments that they be made in writing to Chair Brenneman, who can distribute the comments to AT&T to see if they agree. Mr. Stresau believed that AT&T would then implement those concerns.

Mr. Stresau then addressed the reference to the cost to government and private industry. He asserted that there would be no such cost as AT&T is paying for the entire cost of the project, including repairing everyone's irrigation system, re-grassing the areas that are torn up when installing the boxes. Coupled with the comments made by Mr. Dunckel, Mr. Stresau contended that he did not see the need to vote for the motion before the Committee. He did acknowledge that he was not in attendance to see what was presented to the Committee last month, however, Mr. Partington was in attendance at all the meetings that had any substance, and he feels certain that he does not want to vote in favor of the motion.

Chair Brenneman contributed that there is a provision in the ordinance that gives Mr. Partington the ultimate authority to administer the ordinance. As part of that, Mr. Partington will be able to exercise his judgment and take into consideration anything he feels is important in the specific site as presented, not simply a generalization.

Ms. Van Valkenburgh clarified that her motion was to reject Mr. Fay's presentation, not to reject the plan.

Ms. Murru noted that half the Committee was not at last month's presentation. She reiterated that she deeply respects that Ms. Van Valkenburgh brought the motion to the table. It is Ms. Murru's belief at this time that the Committee should not vote in favor of the motion. In order that this Committee be taken seriously, the position of the Committee should always be very clear. Therefore, Ms. Murru strongly recommends that this motion be reconsidered and that it be rejected. Ms. Murru expressed a concern that the motion will not be taken in the context with which it was intended.

Mr. Caine asked if Ms. Van Valkenburgh would soften the motion, rather than rejecting the presentation, to reword it to make recommendations that the City and AT&T look into alternatives to improve the quality of visual mitigation. Ms. Murru asserted that she would be happy to hear a second motion from Ms. Van Valkenburgh, such that it states that this Committee appreciates the time and effort put into this by the City Commission and by AT&T, and in the spirit intended, this Committee would like to propose that xeriscaping is considered while moving through this process. Ms. Murru is concerned that Ms. Van Valkenburgh's original motion is too specific and steps over the bounds of this Committee. Further, Ms. Murru stated that it sounds like a rejection of the proposal.

Mr. Partington expressed that it is not often that he gives his recommendation, but he is recommending that the Committee consider tabling this motion and in the interim allow several of the boxes to be landscaped. Mr. Partington explained that a number of permits have been issued along the lines of the landscaping plan that was presented by Mr. Fay.

Mr. Partington concurred with Mr. Dunckel's statement that some of the motion crosses the line upon which the City Commission has already made decisions. In addition, a dedicated member of this group spent a lot of his time personally providing input to the plan that was presented by Mr. Fay. Therefore, this Committee had a voice in the

development of the plan that Mr. Fay presented. Mr. Partington reasoned that if this motion was tabled, and if AT&T agreed, when a few of these sites have been landscaped this Committee can ask to be shown photographs of what has been done. Then, at that time, this issue can be reconsidered.

Mr. Partington advised that if the motion that is currently before this Committee is approved, he will simply proceed with business as usual, but that it will give him "heartburn" about how to approve the visual mitigation. The current motion does not provide alternative solutions to the solutions within the plan which has been presented to this Committee.

Ms. Murru asked Ms. Van Valkenburgh if this Motion were rejected, whether she would consider creating a separate new motion, rather than tabling this and dragging it out. In the alternative, she asked Ms. Van Valkenburgh if she would consider withdrawing this motion.

Motion made by Ms. Van Valkenburgh to withdraw her motion presently before this Committee, seconded by Mr. Caine. Mr. Dunckel advised that by practice and convention within the City of Fort Lauderdale, if the maker and person seconding the motion agree to withdraw, it would generally put the matter to rest. Thereupon, Mr. Dunckel concurred that the matter had been put to rest.

Motion made by Ms. Murru to recommend that Staff consider xeriscaping, greenscaping and other sustainable initiatives that may come along in the future with regard to the visual mitigation of telecommunications cabinets, seconded by Dr. Lewis. In a voice vote the motion was approved unanimously.

Mr. Chancey asked why the presentation was initially made to this Committee. Chair Brenneman advised that a number of permits had already been applied for, with a certain number of permits having been issued. As such, three site specific examples were presented to this Committee.

Mr. Stresau then read from the April 22, 2008 Minutes that "Chair Brenneman clarified it is not the intention of this Board to hold up the legal process but that in order to be aware and conversant in this process, the Committee members would like to see the final results of the process and where it presently stands." Mr. Stresau stated that this is why the Committee voted and asked for Mr. Beninate to bring Mike Fay in to make a presentation on what had been developed up to that point.

- **Other Old Business**

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

VI. New Business

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

Lynn Shatas, Florida Power & Light, provided the Committee with the third quarter line clearance schedules, and advised there were six feeders that will have line clearance: one out of Oakland Park, two out of Sistrunk, one out of Southside Substation, and two out of Verena. Ms. Shatas explained that within the packet are six maps with a sheet showing the feeder number, the corresponding substation and the homeowners' associations that will be impacted by the trimming of each feeder.

Mr. Stresau asked Ms. Shatas if the information provided would go to the City Commission. Ms. Shatas acknowledged that she provides this information to the Commissioners, Mr. Gretsas, and to the individual that will be taking calls from the public.

- **Update Only -- Beautification/
Landscaping Solutions** **Lynn Shatas, Area Manager, FPL**

Ms. Shatas explained that this item concerned the matter wherein Mr. Orshefsky's trees were trimmed during line clearance. Ms. Shatas advised that tomorrow morning there would be a meeting attended by Bill Slaymaker of FPL, Tom Chancey and Gene Dempsey to discuss this matter.

- **Election of Vice Chairman**

Chair Brenneman announced that Bernard Petreccia has resigned as Vice Chair for the Utility Advisory Committee, but that he was not resigning as a Committee member. Chair Brenneman explained that Mr. Petreccia felt that due to his expanding role as grandparent with the recent birth of his grandchild, he would not be able to adequately contribute as Vice Chair to the Committee.

Chair Brenneman stated that his resignation as Vice Chair was being reluctantly accepted and that nominations were now open for the position of Vice Chair.

Ms. Murru nominated Dr. Lewis for Vice Chair. Hearing no further nominations, the nominations were closed. Dr. Lewis agreed to accept the nomination for Vice Chair. In a voice vote, Dr. Lewis was approved unanimously to serve as Vice Chair.

- **Recap of UAC GREEN Living Expo
Event** **Chair Bunney Brenneman**

Chair Brenneman provided the Committee with a concise recap of the Green Living Expo which took place on April 26, 2008, at Stranahan Park.

The Garden Club kept the count of attendees and it was reported that the official figure

of attendees was slightly more than 1,500. There were a total of 42 exhibitors, including 9 City Departments being represented, with some of the most creative exhibits presented.

The event was so successful that news of the success continues through today. The Community Greenhouse Foundation is still getting calls about the event.

The position of the Public Information Office (PIO) of the City is that an event be planned for next year and that a date should be selected by this Committee for next year's event at this time. This would enable the City to build on the momentum that was created by this past event, and would allow for advance time to prepare for and to obtain exhibitors for next year's event. Not only are this year's exhibitors interested, but they have in turn told other people who are now calling through Community Greenhouse about being a part of next year's event.

Chair Brenneman indicated that the Arbor Day event was not as successful when combined with the Green Living Expo event. Chair Brenneman expressed that the Green Living Expo impacted, almost in a negative way, the Arbor Day celebration.

PIO recommends that next year's Arbor Day celebration be held separate and apart from the Green Living Expo as it is a successful event on its own.

Chair Brenneman advised that the majority of the traffic flow came across Broward Boulevard from the City Hall garage. The exhibitors were set up under the trees throughout the Park and were very happy to be under the shade of the trees.

Ms. Murru asked if it was known what the cost of this event was to the City, and whether this information can be provided at the next Utility Advisory Committee meeting. Mr. Partington stated that there was a budget that was approved by the City Commission. Chair Brenneman advised that the event was well under budget.

Ms. Murru then asked if there is a cost for the Arbor Day celebration, she would like to be informed as to the amount of that budget as well.

Mr. Parker suggested that if this event is going to grow, and if the Committee can choose a date early enough and publicize it early enough, perhaps another location should be considered in the event additional room is needed, such as War Memorial – holding it either inside or outside.

Ms. Murru conveyed that she feels very strongly that since the City is paying for this, and the City will support this event, the Committee should select a day when the City will make this the event of the day on their website.

Chair Brenneman advised that the recommended day is Saturday, April 25, 2009. Because this event would be first out of the box, the City could make arrangements so that we do not conflict with other City's events throughout the County and would, in fact,

invite others to participate, thereby hosting a much larger event in our downtown area. Chair Brenneman noted that the advance planning, which would also allow for a "save the date" advance notification which would let people know at least 9 months in advance that we are planning to do this. In addition, we could work more cooperatively, as Mr. Chancey had recommended, as well as allow Rose, his Operations Manager, to bring in different parts of the County to our event. PIO feels there would be a lot more opportunities to get the message out and feels this would help the event to grow. PIO feels that this is an idea whose time has come.

Chair Brenneman expressed that Mr. Caine's solar panels were the hit of the event. The children were especially interested in the FPL truck; however, it will need to be in a much more prominent location. Chair Brenneman indicated that the word had not gotten out to enough families.

Ms. Vickery feels that the universities should be contacted earlier so that volunteers can be utilized to assist with the event as they have some of the forefront thinkers in the area of environmental planning.

Chair Brenneman indicated that both she and Mr. Partington felt that they should check into using Riverwalk during the Sunday jazz brunch for the event. PIO had felt there would be a built-in audience. Upon each visiting the Riverwalk site, it was decided it would not be acceptable. Chair Brenneman noticed that people do not walk around and are only interested in the presentations on the various stages.

In addition, Chair Brenneman checked into utilizing War Memorial. While it may be a good idea, it would have to be held inside.

Ms. Vickery asked if Huizenga Park across from the Museum of Art was considered and Chair Brenneman responded that the site was not large enough.

Mr. Partington stated that the advantage of Stranahan Park is that there was a reasonable amount of shade. In Huizenga Park there is hardly any shade.

Chair Brenneman advised that they also checked out the area in between the Jazz brunch and Huizenga Park and that it was entirely too hot. During this past year's event, the vendors liked that they were placed in the shade throughout the park. In the area to the north of the Women's Club building, there is enough shade and walkways, and proved to be an ideal location.

Mr. Chancey recalled that a wedding was held at the Women's Club during this year's event and that there was quite a bit of space on the north side which he had not known had existed. Mr. Chancey felt with enough advance notice, this space could also be utilized for the Green Living Expo. In addition, the City has been named as a Fly Away City through the National Wildlife Federation. A number of cities were present at the Naturescape Broward meeting and had expressed an interest in backyard habitats. This could likewise be tied into the Green Living Expo.

Mr. Chancey acknowledged that National Arbor Day is Friday, April 24, 2009. Chair Brenneman explained that Arbor Day has a formal agenda of speakers and people and is a completely different event than the Green Living Expo. Mr. Chancey expressed that on Fridays the adult population does not show up. The only way Mr. Chancey was able to expand the interest in Arbor Day was to go to schools and encourage classrooms to get 200 children to attend.

Chair Brenneman advised that a name change has been recommended from Green Living Expo to Green Expo. Chair Brenneman stated that PIO was suggesting the event be held from 10:00 a.m. until 3:00 p.m.

Ms. Van Valkenburgh asked if she should invite Al Gore again, and Chair Brenneman responded that she should do so.

Chair Brenneman advised that she had heard from one of the administrative assistants from the Office of the Governor as we had asked Mayor Naugle to also intervene on our behalf when Ms. Van Valkenburgh invited Governor Christ. They had, in turn, invited Chair Brenneman to attend the Governor's initiative in Miami. The Governor was apparently very interested, but his schedule did not permit him to attend. Chair Brenneman advised that they want to be notified well in advance because the Governor would like to hear about it.

Motion made by Ms. Vickery to change the name of the Green Living Expo to Green Expo and to hold the event on Saturday, April 25, 2009, to be held from 10:00 a.m. until 3:00 p.m., at a currently undisclosed location, seconded by Ms. Van Valkenburgh. In a voice vote the motion was approved unanimously.

- **Other New Business**

Mr. Caine stated that several months ago he had asked that a discussion of underground ordinances be placed on the Agenda, but that it had been postponed because of the Green Living Expo. Mr. Caine recommended that this be placed on next month's Agenda. He clarified that this discussion would involve new ordinances, not the existing ordinance.

Mr. Partington indicated that in the Electric Utility Franchise/Undergrounding Evaluation, it states that in the base work that should be done in the study should be to examine and recommend whether the city should adopt an ordinance requiring all developments/redevelopments in the city to underground electrical infrastructure. He did want to inform the Committee that there was something contained within the RFP #3 on page 17 that related to this issue.

Mr. Caine expressed that he would like to see a City ordinance that when FPL decides to upgrade overhead lines, that they instead would go underground. In addition, when other types of construction are being done, such as major road work, it would be a good

time to underground the overhead utilities. This would not just relate to new development, but also new road work and when FPL decides they are going to upgrade and/or replace their overhead lines that they would be required to underground rather than putting in new overhead lines.

Chair Brenneman indicated it would be placed under "New Business" for the July 22, 2008 meeting.

Mr. Partington asked if the date could be left open as he felt this would require some investigation and that the Committee would have to ask FPL to put an effort into this as well. Also, Mr. Partington might have to get someone from the City's Water Works Program to speak to this Committee. Mr. Partington expressed that this touches on some big, important issues that may need to get researched and may need the right people to be in attendance. As such, Mr. Partington requested that the date be left open at this time for Staff to work out.

Mr. Caine stated that this would be acceptable, but asked that the date for the discussion be set at the next Committee meeting on July 22, 2008.

Mr. Stresau stated that the Committee is in receipt of a letter that was written to Ms. Shatas and FPL by Chris Wren, Executive Director of the Downtown Development Authority (DDA), concerning the Second Street vault and overhead power lines that the DDA paid FPL a large sum of money to underground, and moved ahead with their landscape program on at least the south side of Second Street. Mr. Stresau asked if Ms. Shatas and Mr. Partington can address his letter because it seems that there are still some things lacking in order to bring that project to finality.

Ms. Shatas advised that FPL had to get a structural engineer and went to an outside engineering firm to have an outside engineer. Because of where the vault is, it is not standard and so a structural engineer will be working on that and will be in touch with Chris Wren and Chadwick Blue. Ms. Shatas confirmed that FPL is giving them continuous updates and moving ahead on that.

Mr. Stresau stated that he took pictures of that 2-1/2 years ago and wonders why it took so long to get things lined up. Ms. Shatas said that she could not address that, but only knows that right now they are working with a structural engineer. Mr. Stresau asked if Ms. Shatas had provided Mr. Wren with any information. Ms. Shatas advised that he has been in contact with FPL's service center that she had sent some information over to the area manager at the service center so they could respond.

Mr. Stresau also addressed a presentation to this Committee by Robert Lochrie's office on a proposed CVS development on NE 18th Avenue. In their presentation, they showed where they had contemplated putting the power lines in an easement underground, at which time Mr. Stresau raised the issue that the easement was directly underneath where they were required to put canopy trees in order to comply with the City ordinance. Mr. Stresau asked if anything came of that and whether or not this Committee should

invite Mr. Lochrie to provide an update on the Committee's suggestion to move the easements out from underneath the landscape areas.

Chair Brenneman responded that she could speak to some of that, having been in contact with Ms. Chakas and Mr. Lochrie. Chair Brenneman explained that the item was set to go before the Planning & Zoning Board and believed that it was scheduled to be deferred. Their architects made modifications to the drawings and there were also some concerns about the traffic pattern which were expressed by neighbors. This was also being addressed.

Mr. Dunckel indicated that he has exchanged e-mails with Ms. Chakas because he was interested in reviewing the underlying paperwork that would generate the undergrounding. One of the issues discussed within the series of e-mails was moving that easement away from the plantings and over into the parking lot. To the best of Mr. Dunckel's recollection, Ms. Chakas advised him that the owners ultimately decided they did not want that easement in the parking lot.

Mr. Stresau stated that he was the newest member of the Planning & Zoning Board and assured this Committee that this will come up before the Planning & Zoning Board.

Mr. Cole stated that he did not remember the details, but that he did remember speaking with his staff and that they did make some changes, but he did not know what they were.

Mr. Stresau indicated his surprise that this did not come up at the Development Review Committee (DRC) level. He stated that it might be advantageous to have Mr. Lochrie's office provide this Committee with an executive summary as to what they have done. Mr. Stresau reiterated that they had volunteered to put the power lines underground, which were put directly underneath the landscape areas along one of the City streets, which precluded their ability to plant anything significant over the power lines, even though they will be encased in concrete. It is not known if they are going to put them deep enough and whether they want trees sitting on top of them.

Mr. Stresau stated that there are several cities in Broward County in which you cannot plant trees in a utility easement. Mr. Stresau was suggesting that they report back to this Committee so that a confrontation could be avoided at the Planning & Zoning Board. Chair Brenneman advised that she would contact Ms. Chakas.

Mr. Chancey asked if this Committee has any opportunities to discuss or even consider the issues as far as the sewer systems that are going into the city, or was that utility out of bounds. Mr. Partington responded that strictly, yes, but that he may be able to speak with Mr. Bohlander personally.

VII. Good of the Committee & Announcements

Chair Brenneman noted that there was nothing additional to discuss.

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VIII. Next Meeting – UAC Regular Meeting July 22, 2008 at 6:30 p.m.

IX. Adjourn

With no further business to discuss, the meeting adjourned at 8:13 p.m.