

**COMMISSION CONFERENCE****MAY 6, 2003**Agenda  
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Present: Mayor Naugle  
Commissioners Hutchinson, Teel, Moore, and Trantalis

Also Present: City Manager  
City Attorney  
City Clerk  
Sergeant Schendel

**OB - School Board Facilities Plan**

Commissioner Hutchinson stated that today the School Board rejected the Facilities Plan by a 5-4 vote. She further stated they did not get the Master Plan nor the solutions they were looking for in regard to the \$1.3 Million that they had already paid.

Mayor Naugle asked if they were upset with the attorney paying for it. Commissioner Hutchinson confirmed and stated that most of the money had been paid and they were only approving the last payment, which was a little over \$30,000. She reiterated that they had received nothing that had been requested.

**I-A – Florida Power and Light (FPL) Project for 17<sup>th</sup> Avenue, Victoria Park and Colee Hammock Neighborhoods**

Greg Kisela, Assistant City Manager, stated that the memorandum had summarized an approach they were recommending be used specifically for the Colee Hammock neighborhood. If the Commission agreed, they would go forward and authorize FPL to proceed with the modified plan for the 17<sup>th</sup> Avenue corridor, which consisted of the taller poles being installed that had been recommended by the Utilities Advisory Committee.

Mr. Kisela advised that Mr. Chancey and Mr. Dempsey had agreed to closely supervise whatever trimmings would be necessary to implement the modified plan. In addition, FPL committed working with BellSouth and Comcast to form the binding estimates by July 1, 2003 for the undergrounding of Colee Hammock. One of the requirements was that they were to have a scope by May 20, 2003, and then binding estimates would be presented by July 1, 2003. Then, under Chapter 170 a special assessment hearing would be scheduled for the first meeting in September, and by November 1, 2003, the utility companies agreed to have the systems underground and they would begin dismantling the higher poles which had been part of the modified approach.

Mr. Kisela stated that the cost of the binding estimate at this point for FPL would be \$2280 which they required in advance and would then be added to the assessment project. BellSouth's estimate was approximately \$3500 and did not require the amount to be advanced. He also stated that ComCast did not require an advance or an estimate for undergrounding. He further stated they were looking for direction from Commission so they could authorize FPL to proceed forward.

Commissioner Hutchinson stated that last week they had met out in the street on 17<sup>th</sup> Avenue with the affected property owners in Colee Hammock. It was suggested by FPL and the neighborhood to include South Victoria Park Road, and out of 21 homes, 18 signed off in support of this project. She explained that a large percentage of their power was already underground. She stated this was a compromise that had been reached. She also stated that Mr. Chancey would make sure that the hammock was pruned correctly.

Commissioner Hutchinson further stated that at one of their meetings there was a majority to support that the neighborhood pay for one-half of the binding estimate, and she asked if the City could front the money and have it put as part of their assessment. She reiterated there was a commitment from the neighborhood and they would follow through, and the City would then be reimbursed.

Mr. Kisela reiterated at this point the amount would be \$2280 for FPL.

Commissioner Moore stated that at a previous meeting Mr. Chancey had spoken about the health of some of the trees. Commissioner Hutchinson stated that the bottom line for FPL would be out of the tree canopy, and Mr. Chancey would be on site to make sure things were done properly. She stated she had been advised that there would be minimal cutting at this point in time, but Mr. Chancey would like to have the property owners to prune the hammock over time.

Jay Holloway, Victoria Park FPL Committee, stated that if they allowed FPL to proceed with the modified plan, he felt they would lose their negotiating power. He stated if FPL spent their money and replaced the poles, then monies would be reduced that could be used for undergrounding. He stated further that FPL could underground at this point through Victoria Park in Colee Hammock by placing switches on the existing poles. He stated that FPL had not told the residents this, but he had been provided this information through creditable sources. He stated the need stated for multiple switch boxes was a "scare tactic." He advised that the new wires could be placed underground adjacent to existing facilities. A suggestion would be to feed existing overhead from an underground feeder, which would minimize the number of switch cabinets and negate any new transformer costs. He further stated that another piece of information, which had been withheld from the residents, was that the feed areas did not need switch cabinets. He explained that FPL used a direct board technique, which was good for up to 1,000 feet of underground. There was also a new technique known as magnum board good for up to 2,000 feet. He reiterated that FPL was willing to enter into a binding estimate to pay for undergrounding because the residents were being charged for it.

Mimi Solomon, resident of Victoria Park, stated she was surprised to hear from a member of Victoria Park's FPL Committee about various things which FPL could do, and wondered why for the last 18 months no such information had been conveyed to the residents. In fact, she reiterated they had not heard any recommendations until other individuals began to talk to FPL to see what was occurring. She advised that Victoria Park was having power outages, lines needed to be repaired, and maintenance needed to be done. She stated there were ample funds available to get money to defray the cost of undergrounding. She further stated that presentations were made and the modified plan was approved, and at least some temporary benefit could be given to the residents.

Bonnie Feldman, Victoria Park, stated that she was glad the modified plan was going forward because the Association had supported it, and she felt they were back on the right track.

Commissioner Trantalis stated that this was a very emotional issue and he was not sure that any decision would make everyone happy, but he was pleased that a proposal was reached that somewhat satisfied the neighborhood. He realized the modified plan was not accepted by the majority of the residents at Victoria Park, but he felt the agreement made by FPL to underground from Broward Boulevard to 3<sup>rd</sup> Court at their expense was an important step in resolving this issue. Since the agreement had been reached with Colee Hammock, residents of 17<sup>th</sup> Avenue asked why they could not continue the process up to 8 Street where the undergrounding left off. He advised that a request had been made by various residents as to whether or not the engineering study could be augmented to include the area north of the 3<sup>rd</sup> Court undergrounding to see if it would be appropriate to underground between 3<sup>rd</sup> Court and 8 Street.

Commissioner Trantalis further stated that Mr. Kisela had provided an estimate for the cost for FPL, which totaled \$3450. He felt since they were contributing to the cost for Colee Hammock, then possibly they could accommodate Victoria Park residents for the section not originally designated for undergrounding. He stated the engineering study regarding Colee Hammock should begin immediately because the neighbors agreed to the locations for the above-ground switching boxes, but Victoria Park had not made such determinations as of this point in time. He felt that possibly the information recently supplied regarding other alternatives should be explored. He thought it was inappropriate to spend money for

additional engineering costs for 3<sup>rd</sup> Court to 8 Street until they knew what was to happen regarding the switching boxes. He felt this would be fair to the process and to the residents.

Commissioner Trantalis recommended that the Commission agree with the proposal made by Commissioner Hutchinson and allocate the \$2280 for the FPL engineering costs, and tentatively agree to pay the \$3450 for Victoria Park, subject to the determinations as to where the above-ground switching boxes would be located. If the neighbors on 17<sup>th</sup> Avenue concur as to where they should be placed, then he felt they should move forward with the engineering study for that area. He stated he did not want the Commission to interfere with the modified plan as proposed because he felt they should proceed and underground the portion FPL agreed to do from Broward Boulevard to 3<sup>rd</sup> Court and have the tree trimming done. He felt this would be an appropriate resolution.

Commissioner Moore stated he agreed, but he felt one thing had been overlooked which was that Colee Hammock had come to a consensus that they would accept an assessment. Commissioner Moore further stated that once the new poles were in place and the lines placed above the canopy, perhaps the residents might not feel "the sky was falling." He felt they should go through and build a consensus of the impacted property owners in the other areas and see if they would accept an assessment, and possibly grants could be obtained to augment the cost.

Commissioner Trantalis asked if the assessment had been agreed to by the neighborhood or would there still be a public hearing in September. Commissioner Hutchinson stated that the public hearing was part of the process which did not require 100% of the property owners to agree. She reiterated that the public hearing was part of the law. Commissioner Trantalis agreed with Commissioner Moore that they needed to get the consensus of the impacted residents.

Mayor Naugle asked what was the estimate regarding the cost per household. Mr. Kisela advised it was approximately \$10,000 per household.

Commissioner Hutchinson reiterated they were not sure yet, and that this figure was high.

Commissioner Trantalis stated there was a neighborhood concern since only a small percentage of the electricity was being used from those lines for the area. Commissioner Hutchinson remarked that statement had also been made at her meeting and she did not want to hear such comments any more. She stated there was a grid system for roads and one for electricity. She remarked there was power going from one neighborhood to another, but they needed to get past this or there would never be a consensus.

Mayor Naugle remarked there was no way to capture the 80% of the funds from the other people legally. Commissioner Moore stated that one of the things he approved about this method being used was that it gave everyone time to search for grants that might be available which could reduce the impact to the households.

**Action:** Consensus was reached to move forward with the modified plan.

### **I-B – Adopt-A-Street Program**

Commissioner Moore stated he hoped an invitation would be extended to the Florida Department of Transportation, and felt there was a great opportunity at I-95 and Sunrise Boulevard for them to adopt property.

Commissioner Hutchinson stated she did not know if anyone had asked any questions regarding the various streets suggested, and remarked they were not "written in stone," and felt Miami Road could be adopted by Harbordale with the City's assistance in regard to maintenance.

Mayor Naugle remarked they were conceptually accepted the streets for now, and the list could be modified later on.

**Action:** Approved.

#### **OB - Selection Committee for County Downtown Complex**

Mayor Naugle stated he had received some information a few moments ago that the County Commission had appointed him to the Selection Committee for the Downtown Complex which would begin at 2:30 p.m. today.

Commissioner Hutchinson reiterated that she had been appointed by this Commission to attend that meeting, and was prepared and had read the back-up material. She emphasized that she was not happy with their "bait and switch." She explained that the County Commission had changed their mind and decided to put the Mayor on this committee. She remarked they were going to short list the people today.

Commissioner Moore stated he was disturbed with the process because if this Commission had chosen an individual to represent them, he was not sure how this should be handled.

Therefore, Mayor Naugle turned over the gavel to the Vice-Mayor to continue with the Conference Meeting until he returned.

#### **I-C – Street Solicitors Action Plan**

Before leaving, Mayor Naugle stated there had been many deaths of street vendors in South Florida, and he commended the Police Department in their efforts regarding attempts to cut down on accidents, deaths and injuries caused to those individuals. He stated he was in support of this action plan.

#### **I-D – Interlocal Agreement - School Board of Broward County - Public School Facility Planning**

Mayor Naugle also stated that he hoped whatever was adopted regarding the Interlocal Agreement with the School Board that a clause could be added that included the "Most Favored Cities Clause."

Mayor Naugle left the meeting at approximately 2:22 p.m.

#### **I-C – Street Solicitors Action Plan**

Bud Bentley, Assistant City Manager, stated that Police Chief Bruce Roberts would make a presentation. He further stated that Hollywood was currently in the midst of some litigation.

Commissioner Hutchinson asked if some further explanation could be provided regarding this plan.

Bruce Roberts, Police Chief, explained that the plan was initially developed to reduce traffic accidents and pedestrian accidents in relation to vendors. He stated that Hollywood was involved in litigation, and Pompano was presently developing their own municipal ordinance, which was tailored to specific intersections. He explained their recommendation at this time was to hold off until their litigation was over and see where things stood before getting involved in enforcement action. Chief Roberts stated they had examined a prior Court decision made about 10 years ago.

Commissioner Hutchinson asked if the newspaper vendors were hired as employees of the newspapers or were they independent contractors, and if so, were they required to obtain occupational licenses. She

stated that a suggestion made at her meeting last night was that the vendors get off the streets by 11:00 a.m. and be required to wear identification badges.

Chief Roberts stated that their staff had some preliminary discussions with the newspapers regarding possible options involving the vendors, and the initial indication was that they were agreeable to have the vendors leave the areas by 11:00 a.m. He explained they were looking at this as a life safety issue, and

he wanted to be clear they were not just addressing the newspaper vendors, but including all other types of vendors on the streets.

The City Attorney remarked that the street vendors should have occupational licenses. He stated further the biggest problems were the newspaper vendors and the Homeless Voice individuals. He felt they should sit back and let Hollywood "plow the ground." He explained this problem arose previously in 1988 or 1989 and they had lost on a State Statute, which dealt with commercial use of the right-of-way. The issue in Federal Court in that case was commercial free speech, which had been a newspaper issue. He further explained those issues were still present in the statute they were now addressing. He stated they would check on the occupational license issue as well.

Commissioner Teel asked how long the issue would take in Hollywood before a solution was arrived at. The City Attorney stated that it would take about several months.

Commissioner Trantalis stated he was not clear what the action plan involved and asked for some further clarification.

Chief Roberts explained that they wanted the vendors off the streets due to safety issues, but they were unsure if the Statute was valid and that was why they wanted to see what happened in Hollywood before proceeding forward because the Action Plan might have to be rewritten. Commissioner Trantalis asked if the law was still in effect depending on the outcome of the judicial determination regarding the constitutionality of the law. The City Attorney confirmed. He stated further the question was whether the Statute was unconstitutional as applied. He explained that the previous case dealt with commercial speech and the Court stated it was unconstitutional, and damages had been awarded.

Commissioner Trantalis asked if they were immune from damages due to sovereign immunity. The City Attorney disagreed and stated that under Civil Rights claims, there was no sovereign immunity. Commissioner Trantalis asked if they were attempting to actually remove the vendors from the streets. The City Attorney confirmed. He stated suggestions had been made at his meeting regarding limiting the hours and enforcing the procedure.

The City Attorney stated he had spoken with the attorney who represented the newspapers and they indicated a willingness to work through a regulatory scheme, which would not be challenged, such as limiting the hours of sales.

The City Manager stated the problem was that some of the worst offenders created a traffic and nuisance risk but were not the newspaper vendors, and were other types of solicitors. He felt this Action Plan was a reasonable approach in attempting to control the situation.

Commissioner Trantalis asked if an initial step could be made by requesting the newspapers to implement some type of policy. The City Attorney confirmed.

Commissioner Teel stated she had heard the representatives of the newspapers say that they would be willing to limit the vendors between the hours of 6:00 a.m. to 11:00 a.m. She added that in counting how many individuals would be at an intersection at one time during those hours, the amount totaled in some areas to 8 persons. She felt since it was said that this City was the most dangerous in the US regarding

pedestrians, and now they were going to condone these individuals at these intersections, she felt something more drastic needed to be done. She suggested that possibly the vendors sell the newspapers from the sidewalks.

The City Attorney stated that they had planned to prepare such an ordinance, but there was a question as to whether or not it could be enforced. He stated that Hollywood had been preparing such an ordinance, but then decided to go with the State Statute thinking it would be a safer course of action which proved wrong and now they were being sued.

Commissioner Trantalis stated that if the City had a public purpose, and the Federal Government also had a civil right to enforce, he stated no civil right was 100% entitlement and there were mitigating situations. He felt that a plan could be started letting the vendors sell the newspapers, but from sidewalks or medians, and he did not feel they would be subjecting the City to a lawsuit. He reiterated the situation was dangerous for pedestrians, vendors and drivers.

The City Attorney stated it was their plan to let another municipality "plow the land," but one thing they wanted to consider was the traffic safety issue and prohibit such sales during certain hours. Commissioner Trantalis agreed that would be one way of addressing the matter.

Ken Strand, Nurmi Isles, stated this was an important issue and he felt that the public safety issue took precedence over freedom of speech.

Commissioner Trantalis left the meeting at approximately 2:43 p.m.

Mr. Strand stated this matter was long overdue in being addressed and asked if the City could join with Hollywood in an attempt to resolve the issue.

Commissioner Moore stated he had also met with the newspaper individuals and felt they had good intentions, and discussions had taken place with them offering safety classes to the vendors which he felt was a good idea. He stated if they were discussing safety and yet permitting the vendors to be on the streets at the time of highest volume, this was not a good idea.

Commissioner Trantalis returned to the meeting at 2:45 p.m.

Commissioner Moore felt one matter not reviewed by the Police Department was the kids on the streets collecting for their sport teams. He felt the end result should be to deal with the safety issue. He believed no one should be soliciting in the streets, and felt the vendors also contributed to the debris in the roadways.

Chief Roberts stated that their intent was to take into consideration all vendors, including the kids and groups soliciting.

Commissioner Hutchinson stated that everyone stood on the streets not long ago campaigning and it was a very dangerous thing to do. She felt these individuals needed to be off the streets, and was not buying into the freedom of speech issue.

Commissioner Moore asked if the City was going to act now or wait on the outcome of the litigation.

Commissioner Trantalis reiterated that he did not feel they should wait any longer, and something should be done to remove the vendors from the streets and solicit from the sidewalks. Commissioner Hutchinson asked if that would be enforceable. Chief Roberts replied that took them back to the application of the Statute and its enforceability.

Commissioner Moore stated that he did not believe in "half-the-law," and preferred to wait and see what the outcome was from the litigation. He felt they should write to the newspapers and tell them we were concerned about the safety issue in connection with this matter. If the lawsuit did not come to some sort of conclusion by a certain period of time, then he felt this Commission should take some sort of action for the City.

The City Attorney felt by August there should be some indication as to how the litigation would turn out. Commissioner Moore felt they should give it the test of time. Commissioner Hutchinson reiterated that they needed to research the license issue. The City Attorney confirmed.

Commissioner Moore stated the license issue might have merit, but suggested that also some type of insurance provision be supplied.

James Musters suggested that some type of program or training should be offered to the vendors addressing safety issues.

Commissioner Moore agreed. Commissioner Hutchinson asked if the City of Sunrise had any type of policy preventing vendors from being on the streets. Chief Roberts stated he was not aware of such a policy, but he could check on the matter. He explained that Pompano Beach was presently developing an ordinance, which would target city streets with high traffic.

Commissioner Trantalis asked if they issued licenses could it be construed as sanctioning the solicitors. The City Attorney replied that would not be true of an occupational license because it was just a revenue-generating device. Commissioner Hutchinson stated she did not want to issue licenses to individuals doing business in a right-of-way.

The City Manager stated that the City gave permission to the newspaper who in turn have a contractual relationship with the "hawkers," and individual persons were not given licenses. He asked the Commission to let staff review all aspects of this issue because no matter how they went additional costs would be involved in connection with its enforcement.

**Action:** Matter to be further discussed on September 16, 2003.

**CLOSED DOOR SESSION HELD AT 3:02 P.M.**

**CITY COMMISSION CONFERENCE MEETING RESUMED AT 3:19 P.M.**

Mayor Naugle returned during the closed-door session.

Commissioner Moore left the meeting at 3:19 p.m.

**OB - Update on Selection Committee for County Downtown Complex**

Mayor Naugle announced there were 11 bidders who had responded to the RFP, and 6 out of the 11 had a problem with their bids. He stated that the County had a new requirement stating that small disadvantaged businesses had to sign a form stating their involvement, and evidently the form had not been included in some of the bids. He explained that a motion had been made to throw out the 11 proposals, and they would reconvene in June.

**I-D – Interlocal Agreement - School Board of Broward County - Public School Facility Planning**

The City Manager stated that Bruce Chatterton would make a presentation regarding this matter. He further stated that copies were distributed of a proposal made by the City of Coconut Creek.



Bruce Chatterton, Planning and Zoning Manager stated on April 3, 2003 the Commission had approved the Interlocal Agreement. He announced that Alan Gabriel, Special Counsel to the School Board on this issue, had assisted in workshopping the item and dealing with the State Department of Community Affairs, and direct negotiations with the cities.

Mayor Naugle asked if any other agreements had more favorable terms than Fort Lauderdale's that had been adopted by the School Board. Mr. Chatterton stated not to his knowledge.

Alan Gabriel stated that no other agreement had been adopted other than the agreement this City recently had adopted. He replied there were no changes at all. He further explained that his office sent a letter out yesterday stating that on May 29, 2003 there would be another workshop for all participating cities to address the implementation of the agreement and begin discussions regarding the requested amendments. He stated that other cities, besides Coconut Creek, had offered changes and amendments. He explained that the School Board had made it very clear that the agreement approved by this Commission was the one they were accepting, and no other agreements were being contemplated at this time. He stated they would proceed in looking at the offered amendments. One of the things discussed was that if the city was unique and there was a reason to have a specific amendment for that city, they would consider it. He further stated that no city showed itself to be unique.

Commissioner Moore returned to the meeting at approximately 3:24 p.m.

Commissioner Hutchinson stated the School Board now opted out of the neighborhood's landscaping, zoning, and other things, she asked if this agreement would "hold their feet to the fire" in that they would have to abide by the City's laws.

Mr. Gabriel explained that the Legislature had decided in May 2002, that the school boards, municipalities, and the counties were not communicating regarding school capacities, sitings, or implementation. He stated there were processes in place such as platting and site plans. They established through this bill minimum standards that must be complied with in the agreement. DCA came up with a standard form and Fort Lauderdale participated through the City Attorney's Office and the Planning Department. Workshops were held in order to create a working document as to how Broward County presently did business. He further stated that the School Board had been clear from the beginning that the educational statutes and applicable requirements did not require them to do certain things. Presently, there was no obligation for the School Board to follow site plan or landscape requirements.

Mr. Gabriel further stated that some cities felt this document went too far and were objecting to it. He stated that two cities had not signed-off on the document and they were Dania Beach and Miramar, and DCA would issue notices to them. Under the law, they were required to have a document in place by May 1 or they would be subject to sanctions. He explained that the DCA was aware that Fort Lauderdale had approved the document but not yet released the execution page, and that Southwest Ranches had not yet reviewed the document due to scheduling problems.

Mayor Naugle asked the Commission if they desired him to execute the agreement. There were no objections.

**Action:** Interlocal Agreement to be executed.

**III-B – Advisory Board Appointments**

Board of Adjustment

Commissioner Teel recommended the reappointment of Binni Sweeney to the Board of Adjustment. The Commission concurred.

**Action:** Formal action to be taken at Regular Meeting

Budget Advisory Board

**Action:** Deferred

Charter Revision Board

Commissioner Trantalis recommended the appointment of Ron Gunzburger to the Charter Revision Board. The Commission concurred.

**Action:** Formal action to be taken at Regular Meeting.

Community Appearance Board

**Action:** Deferred

Education Advisory Board

Commissioner Hutchinson appointed Bryan Dasler to the Education Advisory Board.

**Action:** Formal action to be taken at Regular Meeting.

Marine Advisory Board

**Action:** Deferred

**IV – Commission Reports**

FDOT Building on State Road 84

Commissioner Hutchinson stated that she would like an update regarding the FDOT Building on State Road 84, and asked if they had a Certificate of Occupancy. If they did, she stated they needed to close the road.

Gambling Ship

Commissioner Hutchinson stated that she would like an update on the gambling ship and wanted to know if the hotel had changed hands. She stated further that someone from staff needed to find out from the Coast Guard if they were going to permit this boat to be docked at the Best Western. She felt it was generating controversy in her district.

CVC Project

Commissioner Hutchinson stated they had been rained out, and they were going to reschedule the date to paint the Davie Boulevard wall and encouraged everyone to be present.

Wingate Site - Use for Public Services/Parks and Recreation Facilities

Commissioner Moore asked the Commission to take the Wingate site off the table for such use. He believed there were other sites available and felt even the compost site could be considered. He reiterated that the community had consistently stated that they felt there would be negative impacts. He further stated that this site had a history of public mistrust and concerns. He urged the Commission to send a signal to the community that this site would not be considered for such use. He continued stating that they had worked to possibly place a golf course at this site. Commissioner Hutchinson agreed.

Mayor Naugle asked if the Commission could give the City Manager a statement asking his office to come up with other alternatives and if none were available, then they could revisit the matter. Commissioner Moore reiterated he wanted to tell the City Manager that he had no choice regarding the Wingate site for such use, and felt this use was inappropriate for the site. He reiterated this had not been part of their recommendation.

Mayor Naugle stated that if a golf course was placed on the site and accessory to it was an office building for the Parks and Recreation Department would that be objectionable. Commissioner Moore stated it was presently located where another building was being proposed and additional acreage was being assembled, and if a site was to be redeveloped why put in an obnoxious use. He reiterated that the community felt it was contrary to what they had attempted to do for the area. He stated they had even attempted to find County Parks Bond money in order to assemble additional property and create the open green space.

Commissioner Hutchinson stated the site had an obnoxious use for over 20 years and she would never support such a recommendation. Mayor Naugle remarked he had lived next to it for 10 years and did not feel that it had been that bad.

Commissioner Trantalis asked what made this site so "appetizing."

The City Manager explained that it wasn't appetizing but he had limitations. He reiterated that at the last meeting he had been asked where in the City did they have City owned property with sufficient acreage which could possibly contain the two facilities. He felt he would have been negligent in his responsibilities if he did not suggest this site. He explained that they had attempted to find other potential uses for the site even before the community had suggested a golf course. He felt maybe the ballot could have been "tilted" with the possibility of employment opportunities being offered, but that had not been the case.

Commissioner Trantalis asked about the status of the golf course.

Commissioner Hutchinson left the meeting at approximately 3:38 p.m.

The City Manager stated they were still proceeding forward, but had some concerns as to whether there was sufficient space, and they were still trying to obtain 40 or 60 acres at the recycling location.

Greg Kisela, Assistant City Manager, stated that Wingate was a 60-acre site and they had actively been trying to acquire the recycling operation to the north, which was an additional 40 acres.

Commissioner Hutchinson returned to the meeting at approximately 3:39 p.m.

Mr. Kisela stated further they had been advised that they might be under contract to sell the property; therefore, it would be off the market. He explained they had attempted to use County Parks Bond to acquire this property, but they had been unsuccessful. In 2001, he stated the National Golf Foundation had done a feasibility study in order to see if such a facility would pay for itself. Basically, they concluded that with a driving range and 2 six-hole loop executive style course around the driving range, that by the 3<sup>rd</sup> or 4<sup>th</sup> year the facility's operating revenue would support the operating expenses. Unfortunately, he stated it would not support the debt service necessary to construct the facility, which would cost about \$5 Million.

Commissioner Trantalis stated that the golf course option might not be feasible, and asked what other options had they considered for the site.

The City Manager stated that one of the things discussed had been amenities pertaining to the game of golf. They were attempting to get some educational institutions involved in connection with things such as turf management, and how to run a clubhouse. He explained the concept was not just to instruct people on how to play golf, but to find a way to train individuals for jobs in golf related activities.

Mr. Kisela stated that about 5 years ago they did an American Assembly and worked with the community and this was where the open space criteria came from. He explained they were within a few days of completing the remediation, and were now at the time to actively start discussing adaptive reuse. He agreed the community had suffered since the early 1950's and the City's pledge to them had been to find an adaptive reuse which would be an asset to the neighborhood.

Commissioner Trantalis asked what was the total number of acres involved. Mr. Kisela stated they owned 40 acres of elevated landfill at Wingate, and 20 acres consisting of 8 acres of dry retention. He further explained if they acquired the recycling area to the north, then they could redirect the storm water to the lake and fill in the wet retention area. Commissioner Trantalis asked how many acres were needed for the garage facility and Parks and Recreation. Mr. Kisela stated that a minimum would be 8 acres, and possibly 10 to 12 acres, and stated the facility would be on the southern portion of the site.

Commissioner Moore stated that in listening to the presentation of the Police Department that they were willing to look elsewhere for a site for the facility. He felt it was not a necessity that the facility be moved, and it was an unwanted use at a site. He further stated that the Park and Recreation office did not have to move to the same site as the Public Works Department, and felt the offices could be split and had previously recommended this. He believed the compost site, which was about 22 acres, would be large enough for a facility. He urged this Commission to state to the community that they were going down the path and following the community's desires.

**Action:** City Manager to provide an alternate site other than Wingate.

#### FPL/Streetlights/Sistrunk Boulevard

Commissioner Moore stated that the lights had been off on Sistrunk Boulevard covering about 15 blocks for over 2 weeks.

Greg Kisela, Assistant City Manager, stated that a report would be given before the Regular Meeting this evening as to the status of the problem.

Commissioner Moore reiterated that he had called staff over two weeks ago, and the lights were still out.

**Action:** Problem to be solved as soon as possible.

Commissioner Hutchinson left the meeting at approximately 3:48 p.m.

#### Groundbreaking for Sweeting Estates Water Lines

Commissioner Moore stated that he had attended the groundbreaking event for the Sweeting Estate project and that it had been well attended. He stated the residents were very glad about the opportunities, which had been created for redevelopment. The rumors being thrown around were not being accepted by the residents, and were aware that the redevelopment was to design a quality place for them to live.

#### Beach and Galt/Tree Log

Commissioner Teel stated that a very old tree had appeared on the beach, and thanked the City Manager for taking care of the situation.

Commissioner Hutchinson returned to the meeting at approximately 3:52 p.m.

#### FDOT Project on Oakland Park Boulevard

Commissioner Teel stated that she had been disappointed that she had not been aware of the fact that FDOT had decided to visit the Beach Community Center to present plans for the improvements on Oakland Park Boulevard. She stated that someone who had attended the presentation had advised her that FDOT had presented their plans, but were not open to any comments or suggestions. She stated she wanted to make an appointment to go to FDOT and review the plans.

#### Galt Ocean Mile Maintenance

Commissioner Teel stated that the residents were concerned about the maintenance of the improvements, which had been done several years ago, and some "sprucing up" needed to take place.

Commissioner Moore asked about the status of inviting the District Secretary of FDOT to the Commission meeting. The City Manager stated that he had been attempting to fulfill Commissioner Moore's request.

#### Air and Sea Show

Mayor Naugle thanked everyone for their hard work and efforts in regard to the Air and Sea Show, and stated that attendance was excellent.

The City Manager remarked that Channel 10 had given excellent coverage, and a video had been shown of the City's sanitation workers and he felt one worker had embodied the spirit of the City staff with his remark that they were there cleaning up, and that "somebody had to do it." He further stated he was attempting to find out who that employee was and to acknowledge him on behalf of the department.

#### Mary Fertig/Thank You to the City Commission

Commissioner Hutchinson stated that Mary Fertig had sent a thank you to the City Commission for their support regarding the School Board issue.

#### Letter/New Construction Repairs - Harbor Ridge

Mayor Naugle remarked that a letter had been sent from Dan O'Connor complaining about the construction repairs at Harbor Ridge Condominium. He reiterated that the debris could not be discharged onto the adjacent neighbors, and systems had to be installed to capture such debris.

**V - City Manager Reports****Beach Renourishment**

The City Manager stated that on May 13, 2003, the Governor and Cabinet would consider the Broward County Beach Renourishment project.

Mayor Naugle asked if the CRA meeting should be canceled for that date and preferably a Commissioner attend the meeting in Tallahassee.

Commissioner Teel stated that she would attend and had been following the situation. Commissioner Teel further stated she did not object to the CRA meeting being held as scheduled.

Mayor Naugle stated that the CRA meeting would stay on the schedule for May 13, 2003.

**Economic Development**

The City Manager stated that on May 20, 2003 at the Commission Conference meeting he would bring an item forward that would update the Commission regarding economic activities. Also, he suggested that a workshop be held regarding this matter on June 4, 2003 from 1:00 p.m. to 5:00 p.m.

Mayor Naugle suggested that June 5, 2003 be considered, since the 4<sup>th</sup> was the day immediately after the Commission meeting. It was agreed.

**National Forum for Black Public Administrators Conference (NFBPA)**

The City Manager thanked the Commission for their support for the National Forum for Black Public Administrators Conference, which celebrated its 20<sup>th</sup> anniversary and held their event from April 26 to April 30, 2003.

**Street Lights/Sistrunk Boulevard**

Greg Kisela, Assistant City Manager, stated that 2/3 of the area had been repaired from 9<sup>th</sup> to 15<sup>th</sup>, and there had been 3 cuts to the line, and were working on completing the remaining portion of 15<sup>th</sup> to 19<sup>th</sup>. He stated they were not yet sure what had happened, but were still checking on it.

Commissioner Moore stated he felt it was the people doing the roadwork on the water line. He felt they needed to be more careful as to who was permitted to do the public work on the roadways.

There being no further business to come before the Commission, the meeting adjourned at 4:05 p.m.

**Note: A mechanical recording has been made of the foregoing proceedings of which these minutes are a part, and is on file in the office of the City Clerk for a period of two years.**