

COMMISSION CONFERENCE**JUNE 3, 2003**

<u>Agenda Item</u>		<u>Page</u>
I-A	Assemblage of Properties along S.W. 14 Way (Kennelworth Place And Vacation of Cul-de-Sac at S.W. 2 Court	1
I-B	Citywide Parking Rate Study	4
I-C	John Needham House – 828 S.E. 4 Street	8
I-D	Broward County Regional Fire Service Delivery Plan	12
III-B	Advisory Board and Committee Vacancies	25
	1. Board of Trustees, Police and Firefighters Retirement System	(Deferred)
	2. Code Advisory Committee	26
	3. Community Appearance Board	(Deferred)
	4. Education Advisory Board	25
	5. Marine Advisory Board	25
	6. Northwest-Progresso-Flagler Heights Redevelopment Advisory Board	(Deferred)
	7. Planning and Zoning Board	25
IV	City Commission Reports	26
	1. Master Plan for Davie Boulevard	26
	2. Bicycle Advisory Committee	26
	3. Health Department Use of the Old FDOT Building on SR 84	27
	4. Death of Young Man in Police Custody	28
	5. JC Carter Park	29
	6. MLK Committee	29
	7. 5 th Street and 3 rd Avenue Street Closure	30
	8. Code Enforcement Liens	30
	9. Galt Ocean Mile Businesses	31
V.	City Manager Reports	32
	1. Walk-On – Castillo Grand/St. Regis Hotel Development	32
	2. Florida League of Cities Municipal Government Pre-emptions Language	32
	3. Broward County Land Preservation Advisory Board	33
	4. Rise in Property Tax Rolls	33
	5. Commission Service and Staff	33

COMMISSION CONFERENCE

1:35 P.M.

JUNE 3, 2003

Present: Mayor Naugle
Commissioners Hutchinson, Teel, Moore and Trantalis

Also Present: City Manager
City Attorney
City Clerk
Sergeant At Arms – Sergeant Martin

I-A – Assemblage of Properties along S.W. 14 Way (Kennelworth Place) and Vacation of Cul-de-Sac at S.W. 2 Court

The City Manager stated that this matter had been discussed at the Commission's last Regular Meeting, and it was suggested that the matter be held over for a more lengthy discussion at the June 3, 2003 Conference Meeting.

Hector Castro, City Engineer, stated that this was a concept to assemble land by the North Fork of the New River and Argyll Canal, south of Broward Boulevard, and west of 14th Avenue. He proceeded to show a sketch of the site.

Mr. Castro continued stating that the original proposal had been presented to the City's Property and Right-of-Way Committee on May 15, 2003, which was to vacate S.W. 2 Court that ran between 14th Avenue and 14th Way, and assemble the various parcels on either side of S.W. 2 Court into an area which might be desirable for the County to purchase under their Land Preservation Bond Program. He stated that the Property and Right-of-Way Committee was generally in favor of this, but felt that instead of putting the turn around for vehicular traffic on S.W. 14th Way at 2 Court, it should be extended to the River. The reason for the extension was that they wanted to preserve as much River frontage as possible, and it was the only way to keep right-of-way access to Lot No. 1.

Commissioner Hutchinson remarked that this land was exactly what the County was looking for in regard to Land Preservation.

Phil Thornburg, Parks and Recreation Department, explained on a map that Block 3 was City property. He stated that in Block 4, Lot Nos. 5-10 were under contract with the County. Today, he reiterated they were only discussing Lots 1-4. He explained one of the conditions those property owners requested was the vacation of the street and the cul-de-sac. He stated they were looking for guidance today from the Commission so they could pass it on to the County so that it could be used in negotiations with the property owners.

Commissioner Hutchinson stated that the issue was the cul-de-sac. She further stated that there would be pedestrian access to the River.

Commissioner Moore asked for further clarification of the situation, and proceeded to ask where people would park.

Mayor Naugle stated if it was developed as a natural resource area or a nature walk, they would have to have designated parking at that time.

Mr. Thornburg replied there were no plans for parking at this time. Commissioner Hutchinson remarked that eventually the City's property could be part of the mix. Mr. Thornburg agreed. Commissioner Hutchinson stated it was her understanding that this was not going to be a destination point, except for the people in Sailboat Bend.

Commissioner Teel asked where the City employees would be parking. Mr. Thornburg showed the location on the map.

Commissioner Moore stated that he wanted some parking spaces. Commissioner Hutchinson stated that she wanted this matter to proceed to the next level so it could go on to the County. Commissioner Moore asked if a limited number of parking spaces could be provided.

Mr. Castro stated that the parking spaces could be accommodated in the ultimate design, but right now they were only discussing the assemblage of land so the County could purchase it.

Margi Glavovic-Nothard stated that she and her husband owned Lot Nos. 1 and 2. She proceeded to show photographs of the area. She stated the area was full of trees and birds and those would have to be removed in order to provide a road.

Mayor Naugle stated the question was if the 50' right-of-way was vacated, 25' would go to the Nothards and the other 25' would go to the City, but could the property be sold to the Nothards instead of being given to the City in order to have easier access to their property and preserve the wildlife.

Commissioner Moore stated if the property owners had access to their property, and the cul-de-sac would not disallow that accessibility, what was the actual issue. Ms. Nothard replied the trees would have to be removed.

Mr. Castro stated that in vacating the yellow section on the map, the City could elect to vacate only half of the street. Thereby, the west half would go to the property owners of Lot Nos. 1 and 2, and the east half would be maintained as right-of-way. He explained that presently it was all right-of-way to the Argyle Canal. He stated the other option would be to vacate the entire section making the eastern portion part of the park, and the western half would belong to the

property owners, but then they would have to provide some sort of access easement to the property.

Ms. Nothard remarked that they would then have to erect a barrier between themselves and the park, and land from the park would have to be used to provide access.

Commissioner Trantalis asked why they could not just grant the easement and not give up the property. Mayor Naugle remarked this proposal would not be giving up the property, and it would remain City property. Commissioner Trantalis remarked he was referring to the left portion, and asked why an easement could not be given to the property owners to use as access to their property. Commissioner Moore agreed.

Mr. Castro stated along those lines then an option would be not to vacate the property and leave the right-of-way. Commissioner Trantalis asked if leaving the right-of-way meant they would grant an easement. Mr. Castro stated that would not be the case. He further explained that the right-of-way was dedicated on the plat to the public in perpetuity for the purpose of thoroughfare. He continued stating if the property was left at right-of-way from the new turn around point to the Argyll Canal, it could remain as it was, and the property owners of Lot Nos. 1 and 2 would have access as they did now, but the difference would be that they would not own the western 25' of what was now the right-of-way.

Commissioner Trantalis asked what goal they were seeking to accomplish through the vacation. Commissioner Moore replied he did not see any purpose to it.

Ruth Clark, neighbor, stated that she did support the proposal which came from the Nothards regarding the vacation, but part of the issue was the trees on the site and the wildlife. She stated many people wandered off the street onto the property, and she felt they needed to fence off the area so outsiders would not walk on their land and the property was made secure.

Commissioner Moore stated he was still unsure of what was trying to be accomplished in this matter because a fence could be erected around the property at this point in time.

Ms. Nothard stated that their bedrooms were 25' from the property edge and the garage faced the canal, and she proceeded to explain on the map how they had to enter their vehicles onto the property. She remarked that they needed a buffer to secure their privacy.

Don Wilkin, owner of Lot Nos. 1, 2, 3 and 4, was currently involved in negotiations with the County for the sale of his land. He stated that this was a unique area and he had turned down many offers to have the land purchased for

various types of development. He explained that S.W. 2 Court had access to 14th Avenue. He stated another condition was if a fence was erected and they vacate S.W. 2 Court to become a thoroughfare.

Ken Nothard, owner of Lot Nos. 1 and 2, stated that they had a fence on the land previously, but unfortunately a large truck had knocked it down.

Commissioner Moore stated that most likely a vehicle would not explore going down to the end of the road to the water. He stated their concerns would be addressed by moving the cul-de-sac up to S.W. 2 Court. Commissioner Moore remarked he was suspect of waterfront properties wanting to vacate because developers then became interested in taking those lots and using them for different purposes. Mr. Nothard stated they were not interested in demolishing their house because it had been built in 1969 and was a landmark, and they wanted to maintain it as such.

Commissioner Hutchinson reiterated that the area was unique and she felt they needed to negotiate with the County to get rid of the City's property, and she commended the property owners in their desire to open the area up to the park. She felt the City needed to do whatever necessary to allow Lot Nos. 1 and 2 to access their property, not remove the trees, but still have an appropriate buffer. She emphasized the City needed to move this forward to the County, and she felt possibly this could get the County to spend some of their Land Preservation money.

Action: Approval to proceed to the next level and negotiate with the County.

I-B – Citywide Parking Rate Study

Doug Gottshall, Parking Services Manager, stated that he wanted to point out the rationale of doing something now and not wait. He explained it had been 22 years since there had been a citywide parking rate study, and citywide changes made. Mayor Naugle remarked that every year changes had been made. Mr. Gottshall replied some isolated changes had been made.

Commissioner Hutchinson left the meeting at approximately 2:05 p.m. and returned at 2:08 p.m.

Commissioner Moore left the meeting at approximately 2:05 p.m. and returned at 2:08 p.m.

Mr. Gottshall continued stating that there had been a level meter revenue stream of income for the last 6 years at about \$5 Million, and since the revenue had remained level and expenses had increased, the net income has continued to decrease to the point that changes needed to be made. He proceeded to name some of the expenses which they had incurred, such as the change of

mechanical meters to electronic ones and such installations had cost around \$1 Million. He further stated that new technology and computer systems were installed in order to upgrade and the cost was about \$150,000. Each year monies were transferred out of the Parking Fund into the General Fund which totaled about \$1 Million. He felt they needed to increase the parking revenues to support the ongoing enterprise and make the improvements that were required.

Doug Coomer, Kimley-Horn & Associates, stated that the purpose of the parking study was to provide internal consistency regarding the rates, compare the rates with other municipalities, assess the on-street and off-street parking, and to develop the recommendations for any adjustments that were needed.

Mr. Coomer stated that they had considered the following items in their study, such as rate consistency, parking demand, turn-over, characteristics, types of land use in the area, determining locations for short-term and long-term parking spaces, and what activities were in the area.

Mr. Coomer further stated that the rate adjustment and justification needed to meet the business needs in the area, provide equality in the area, meet the parking demands, price parking compared to the private sector lots so the rates were more consistent, and to generate revenue to support the parking infrastructure.

Mr. Coomer continued stating that the reasons for the rate adjustments were so obligations could be met and things could be looked at in a comprehensive manner.

Mayor Naugle stated if they adopted the suggested increases he hoped those increases would be done in an incremental way, such as \$.25, \$.50, and then \$.75.

Mr. Gottshall stated that the current range downtown ran from \$.25 to \$1.00, and they were recommending that range be increased to \$1.25 per hour. Mayor Naugle reiterated that he was suggesting that the \$.25 meters be increased to \$.50 this year, and then the following year another \$.25 be added on.

Commissioner Trantalis asked if they implemented an incremental process, what would the cost be for retooling the meters. Mr. Gottshall remarked there was a cost associated with such changing, and if done incrementally costs could triple. Commissioner Trantalis remarked if they eased into the adjustments, they would only be paying to retool the meters, and no extra revenue would be received. Mayor Naugle suggested they just leave things as they existed. Mr. Gottshall replied that was not a good idea because the workings of the meter had to be changed and reiterated it did require additional monies to be spent. He stated that the recommendations made by Kimley-Horn were for specific areas and to remove the existing inconsistencies in the system.

Commissioner Trantalis felt that consistency should not be the goal, but the question was did they want to charge for parking, how much, and would it be an advantage to the City or a deterrent to the visitor.

Commissioner Teel stated that an increase in the rates was a "sticker shock" at the beginning, but she found it more offensive if there were constant increases. She felt it would be better to make the increase all at once. She believed that the rates had been too low for a long time, and she did not feel that \$1.00 was an unreasonable amount. She remarked that the Galt was a unique situation and was not sure how that issue should be handled. She stated that their original goal was to reduce the amount of cars frequenting the area.

Commissioner Moore stated that the documents suggested they steer individuals to certain locations for parking, and one way to do that would be to have someone at the meters watching the turn-around, or deal with the cost forcing the person to address their habits based upon the frequency that was needed to feed the meter. He further stated that the proposed increase in rates was not drastic, and was a method to move the parking where it should be at this point in time. He believed the City's downtown rates were too low, but they should not be as high as the private lots. He stated that they needed to utilize the parking to deal with the social changes. He felt they needed to obtain monies from individuals parking their cars to dissuade them from driving and encourage the use of mass transit. He continued stating that he preferred there be one increase instead of incremental ones. He stated that he also would like to talk about how the parking fund could be used to deal with mass transit opportunities for the downtown and the beach, including the northwest quadrant.

Commissioner Hutchinson stated that cities all over leveraged some of their parking monies for mass transit. She felt the City needed to find some funding source for mass transit. She further stated her only problem with the increases were with those at City Hall, and she felt they needed to find a better system of management of those meters and should be kept at a lower rate.

Commissioner Moore stated he agreed about the meters at City Hall. He remarked that free parking was offered in other cities around their City Halls and individuals parked there and walked to other locations.

Commissioner Hutchinson suggested they explore the possibility of resident parking permits for adjacent neighborhoods to the Downtown. She asked if the meters at Himmarshee were free on Sundays along Las Olas. Mr. Gottshall replied they were free. She also asked about the metered lots on Las Olas between 9th and 8th Avenues as to whether they were enforced or not after 9:00 p.m. Mr. Gottshall stated that there was no real reason why that was done, but some recommendations were being built into the ordinance. Commissioner Hutchinson remarked that some valet services were using those spaces after

hours. Mr. Gottshall stated they were going to address these issues. He stated they were considering short-term parking around City Hall and would check on those.

Mayor Naugle asked about Bridgeside and he felt that the patrons of the bars were using those spaces, and he suggested that the rates at the garage be lowered so people would use it more.

Mr. Gottshall stated that the north Galt area was at one time 24/7 regarding enforcement, but due to the request of a Commissioner about several years ago, the enforcement had been removed.

Bud Bentley, Assistant City Manager, stated that according to their observation, the lot was being used by the valets and not the restaurants. He stated that an offer had been made to them to provide monthly valet parking permits. The owner's issue was that he wanted the parking on the first floor, but the City was resisting that request due to the fact they wanted to provide public parking on the first floor. He reiterated they had discounted permits for the business.

Commissioner Moore stated if the valets used the garage that could free-up the parking and the revenue from the meters on the street could increase. He felt they could entice the use of the garage by having valet service, and asked what the valet rate was at this time.

Mr. Gottshall replied the proposed rate for the valet permit was a discounted rate and only permitted them to park in the Bridgeside Square garage facility at certain hours in the evenings and on weekends. Mr. Bentley believed it was a \$25 per month permit fee.

Mayor Naugle suggested the District Commissioners work with staff to arrive at a plan to solve this problem.

Commissioner Hutchinson asked if a report could be given as to what percentage of mass transportation could be leveraged.

Mayor Naugle stated that possibly the parking revenues could be used as matching funds. He further stated that he was not in favor of increasing the parking rates all at once, and felt it would cause ill-will towards the City. He asked them not to consider the \$40 fee for special events. The Commissioners agreed.

Mr. Gottshall stated that the intent of the \$40 proposal was to come before the Commission one time and not have to return in 5 years to increase the amounts. He did not feel that the City Manager would permit them to charge \$40 to park in a lot during a special event.

Mayor Naugle stated that he felt the special rate fee should remain at \$10 at this time, and possibly an increase could be considered in the future.

Commissioner Hutchinson stated they needed to more clearly define what constituted a special event.

Commissioner Trantalis asked if they anticipated the increased revenues they intended to generate from the increase in parking rates.

Mr. Gottshall stated that they had done an estimate a year ago and had decided if this proposal was adopted in its entirety that they would bring in the first year about \$1.2 Million gross.

Mayor Naugle remarked there would be two readings of the ordinances.

Commissioner Moore remarked that he had found some things lacking in the report and needed to be addressed. The first item was that there were no parking meters in the northwestern section of the City, which disallowed individuals from having the opportunity of building to the maximum of their property lines to stimulate economic development in the community. He also asked for the Manager to find some method to find areas that could be assembled for future parking, especially along the Sistrunk corridor.

Commissioner Moore also stated that no one discussed marketing in the report. He felt one of the best ways to obtain profit was to sell someone something they did not use. He remarked they had parkulators and needed to stimulate their use. He suggested that students could be given a discount or there could be a bulk sale to the schools.

Mr. Gottshall stated that for several years they had been selling discount rates to FAU and BCC, and he agreed there could be more marketing of the parkulators.

Mayor Naugle remarked that there were 4 parking meters in the northwestern section of the City.

Action: As discussed.

I-C – John Needham House – 828 S.E. 4 Street

Mayor Naugle asked if this matter had been presented to the neighborhood associations.

Ron Mastriana, attorney, stated that they had stopped their presentations to the neighborhoods because they wanted to see how to do it. A presentation had been made to River Crest. He stated their intention at the beginning was to lease space from the Las Olas Company and the garage down the street, and then

request a continuance for a non-use variance. However, Las Olas Company decided not to lease space to them, and therefore, they were looking for another space. This led them to stop their discussions with the neighborhoods until they could arrive at a solution. He explained they had been working with staff in an attempt to arrive at how they could preserve the building as a historic structure, and yet be able to utilize it so Mrs. Doyle could sell the property.

Commissioner Moore left the meeting at approximately 2:47 p.m. and returned at 2:53 p.m.

Mr. Mastriana further explained that Mrs. Doyle's first inclination was to sell it to a developer. He remarked the house was beautiful. She now had an offer to sell the property to the owners of a famous restaurant in New York which would be great for the community. He further stated that the owners of the restaurant were prepared to proceed but requested some direction from the Commission. He explained they had met with staff who had suggested rezoning the property to an H-1 designation which would preserve the property as historic, and minimize any changes which could be done to the actual structure. He stated that before they all went ahead and spent lots of money, they wanted to get the Commission's input.

Mr. Mastriana stated that River Crest had mentioned some very valid issues which dealt with noise, smell, and traffic. He stated that the property owner and the restaurateur were prepared to enter into any type of restrictive covenants which would give the neighborhood the protection they wanted and needed.

Mayor Naugle remarked that restaurants needed a certain amount of designated parking, and asked if they had developed any type of parking plan. Mr. Mastriana stated they had an agreement with the Stiles Company to use their parking lot for the spaces needed.

Martha Hay, Riverview Gardens, stated that she had spoken with about 11 individuals in their building and no one wanted the restaurant because of the traffic and parking problems that would occur, including the noise level. She stated they would support a Bed and Breakfast.

Birch Willey, 818 SE 4 Street, stated that he was speaking as an officer of their board and a property owner, and they did not want a restaurant at the location. He stated they all bought their property when it had been zoned "R" and they did not want to see any spot zoning in the area. He further stated that an "H" area had a lot of exemptions for parking, and would do nothing for the neighborhood. He urged the Commission not to support this proposal.

Christopher Eck, Broward County Historical Commission, stated that he was supportive of Mrs. Doyle's plans to save the building, but realized there were

other problems that had to be addressed. He stated this was one of the premier landmarks of the downtown area.

Commissioner Hutchinson stated that the re-use of an historic structure as a restaurant was not a bad idea, but she was concerned they would be setting a precedence. Yet, she felt they did not offer much to the property owners by way of incentives to preserve such properties. She felt a commercial endeavor would only add to the neighborhood's problems.

Mayor Naugle asked if the property was going to be used as an office, would that be acceptable to the neighbors. Mr. Willey stated that it had been used as a girls school in the past. He further stated that he could not speak on behalf of the neighbors.

Commissioner Trantalis stated he felt they had reached a turning point in the development process for the City by hearing Mr. Mastriana speak of historic preservation. He felt compromises needed to be made in that regard. He felt by having a restaurant at that site, they would be moving in the right direction for such a use at that property.

Commissioner Moore stated that he felt this was spot zoning and in talking about historic value, that was important, but one had to consider the impact on the individuals surrounding the site. He felt other offers would be made for the property and did not think the adjoining property owners would favor such a use.

Commissioner Moore also stated that one never knew how long a business would last at the site, and to change the property for such a structure would define the property for such a use for the rest of its life.

Commissioner Teel agreed with the comments made by Commissioner Moore.

Mr. Mastriana asked if an office would be considered as an appropriate use for the location. Mayor Naugle stated possibly something like the ROA could be considered so no rezoning would have to be done. Mr. Mastriana replied that it could be a continuation of the non-use variance. He stated the original use variance had been issued in 1959.

Commissioner Hutchinson stated that she felt the community wanted the house to stay, but felt a 200-seat restaurant would be a detriment to the community. She asked if the property was designated as H-1, would that disallow a firm from having its offices on the site.

Cecelia Hollar, Director of Construction Services, stated that there was a two-step process involved to allow a non-residential use due to the land use plan. She stated that H-1 would preserve the building and allowed the City to work with the property owner to make sure all standards were met in accordance with the

historical provisions. She stated then they would have to request a variance of some type to permit a non-residential use to be permitted through flex commercial. She explained they had a use variance for their specific use, but there was a land use issue involved. She stated the only way they could do a non-residential, in accordance with the Land Use Plan, would be through flex commercial. She stated further that the Code did not allow flex commercial to H-1, but allowed a rezoning to CB (Community Business), or XP. Then, she explained they would have to go through the process and submit a site plan showing how they were going to put that specific use in that particular building, along with addressing all neighborhood concerns.

Mr. Mastriana stated it would be hard for the property owner to allow a purchaser to go through a 6-8 month process. He asked if there was any type of a continuation of a use variance, leaving the zoning as it presently was, to allow some use besides a restaurant which would not involve such a lengthy process.

Commissioner Trantalis reiterated that an H-1 designation was necessary to preserve the historical structure.

Ms. Hollar stated things could be done simultaneously and probably would require about 6 months.

Dawn Doyle, property owner, stated that she loved the building but in order to have an H-1 designation, she would have to maintain it. She stated the building was vacant and the wear and tear during the last 5 months was horrendous. She also advised that the taxes had tripled on the property, and when she went to contest that she had been told: "Tear it down and build something else." She stated that she could not insure the building due to its age. She stated if she could not sell it to someone that would preserve it, then she needed to sell it to someone who would tear it down and build something new. She remarked this was not her first choice, but she could not afford to maintain the property any longer.

Mr. Mastriana stated they had hired contractors, architects, engineers, and structural professionals to arrive at an estimate regarding putting in the restaurant in order to see if it was feasible. He remarked this could only be done with a "high-priced menu" because the cost would be about \$400,000 to \$500,000.

Commissioner Trantalis asked what the assessed value was of this property. Mrs. Doyle stated it was \$1.6 Million and the square footage was 4400.

Mr. Mastriana explained the second floor was to be residential, and stated that possibly they could reduce the size of the restaurant and have it only on the interior and then maybe the proposal would be more acceptable.

Mayor Naugle reiterated the problem was that the restaurant could turn over down the road, but he felt the location was very desirable for a waterfront office. He felt a more appropriate use could be chosen for the site.

Mr. Mastriana asked if there could be a continuation of a use variance. Mayor Naugle stated if they could show a continuation of a non-conforming use then that could be done.

Action: As discussed.

I-D – Broward County Regional Fire Service Delivery Plan

The City Manager stated they had invited the County Administrator and the County Fire Chief, to discuss the parameters of the County's Regional Fire Rescue Service Plan.

Commissioner Moore left the meeting at approximately 3:23 p.m. and returned at 3:26 p.m.

Commissioner Trantalis left the meeting at approximately 3:23 p.m. and returned at 3:24 p.m.

Herminio Lorenzo, Broward County Fire Chief, stated that the Regional and Specialty Services Plan which had been approved by the Broward County Commission came about as a result of a study done by Tri-Data from Connecticut. He explained that study evaluated fire rescue services in the County, and several recommendations or options for services were made as a result of that study. One of those recommendations was that the County concentrate on providing regional and specialty services, and the municipalities would provide the more parochial services to its constituents.

Chief Lorenzo further stated that prior to that study, a task force had been created consisting of all the municipalities in the County, along with civic groups and homeowners associations. He continued stating that the recommendation made was that Broward County was to provide certain specialty and regional services for the benefit of the entire County. He stated that the recommendations of the task force, together with the recommendations and options provided by the Tri-Data Study were presented to the County Commission, and on June, 2002 they adopted the offering of such services. Chief Lorenzo stated that the regional services included, but were not limited to, hazardous materials, technical rescue, airports/seaports support, air rescue, logistics support, Everglades Service Unit, as well as emergency medical services training units and support units for the benefit of the entire County.

Chief Lorenzo explained that those services were funded by the County Commission as part of the fiscal year for 2002/2003 budget and would be

implemented in two phases. The implementation of the regional services hinged on the County's ability to contract out the unincorporated areas to the municipalities. To date, he stated they had contracted to the cities of Coral Springs, Hollywood, Pembroke Pines, Cooper City, Davie, some areas in Pompano Beach, Deerfield, and Oakland Park. He stated they were currently negotiating with the City of Fort Lauderdale in regard to contracting a specific area. He further stated they were moving forward regarding the program's implementation which called for them to put into service the airports/seaports support battalion, as well as the implementation of the regional hazardous materials team during the last quarter of this fiscal year. Chief Lorenzo added that this year they had funded a second paramedic for the air rescue, as well as hiring one support technician to do the decontamination and delivery of the backboards to the different municipal departments from the hospitals in the County.

Chief Lorenzo continued stating that the second phase of the implementation of the specialty services was slated to begin October 1, 2003, and called for the implementation of the technical rescue team, emergency medical support units, as well as the support training units and the Everglades Unit for the conservation area.

Mayor Naugle remarked that he was aware of a provision for the City to receive some compensation for Haz Mat and technical rescue. Chief Lorenzo stated there were 3 cities, who along with the County, provided specialty services and those were the cities of Fort Lauderdale, Hollywood, and Sunrise. He explained that the concept of providing regional services was that at one time or another the City was called upon to provide services outside of its boundaries in the specialty field, and since these services were going to be funded County-wide, all 3 cities would receive a stipend based on a percentage that was agreed to by the cities and the County which equated to about \$600,000 per year.

Roger Desjarlais, County Administrator, stated that in addition to that the City would have access to the new radio system which the County had spent about \$33 Million on. Chief Lorenzo stated that the Smart Zone infrastructure had been installed and they were going from city to city to install it. He explained this system would allow the cities to go from the city's system to the County's in areas where reception was difficult, and would allow them County-wide communication capabilities, as well as better penetration in higher and denser structures within the City.

Commissioner Hutchinson thanked the County officials for attending today's meeting. She proceeded to state that the City had a Haz Mat Team and a Technical Rescue Team, and she asked what the difference in services would be that the County would provide to the City versus what they already had in place.

Chief Lorenzo stated that one hazardous materials team, in most instances, would be incapable of handling any hazardous material incident by themselves. He stated it normally took 3-4 or more teams to handle a situation. In Broward County today, there were teams which were also fire engines that responded in a fire zone. He explained that the idea of establishing a regional hazardous materials team was to dedicate a team that would respond to emergencies anywhere in the County, and that would be their sole responsibility. In addition to not having a fire zone to respond to on a regular basis, the dedicated regional team would be able to support operations above and beyond hazardous material incidents. He stated that any major incident where this unit would be needed as a support unit to back up City units, they would provide such support. He added that the difference was that Fort Lauderdale, Hollywood and Sunrise had a hazardous materials team, but they needed above and beyond their own resources to provide the specialty service and still had to respond to a fire zone.

Commissioner Hutchinson stated they were going to gather revenue to create the specialty operations plan from revenue by taxing various cities in the County. Mr. Desjarlais replied that was not correct, and stated it would come from within the County's \$10 Million cap which came from all the property owners in the County.

Commissioner Hutchinson asked if there was an extra tax as related to the ad valorem in order to generate this program. Mr. Desjarlais replied there was not.

Commissioner Hutchinson further stated she had some paperwork generated by the County relating to County Regional Services Costs to Cities. She stated that Markham had come out with new numbers so her present numbers were lower. She stated that taxes paid by residents in order to support regional services totaled over \$19 Million. She further stated that the County's teams could probably respond 4 times over a 24-hour period, totaling 1460 times a year in responses. She explained if you took 1460 and divided it by the \$19 Million, one would have a cost of \$13,000 per incident. She further stated when she did the numbers for the City which currently offered these services, and took into consideration the entire fire/rescue budget which incorporated Haz Mat, TRT, EMS, firefighting, support services, administration costs, staff, and salaries which came to \$42 Million. She stated the City responded to 38,000 incidents last year and if one divided it by the fire/rescue budget incident wise, the City was spending less than \$1100 for everything. She felt what the County wanted to do would be cost prohibitive for the City of Fort Lauderdale. She reiterated what the County wanted to provide were the same things the City already provided to its residents. She stated that the City's teams normally responded with someone else, and she believed the City of Fort Lauderdale did not need specialty operations because they were provided to its residents already at a lower cost.

Chief Lorenzo stated that the numbers used by Commissioner Hutchinson were those slated for specialty services, and if one only considered the figures for Haz Mat and TRT, he agreed the numbers were inflated, but he felt they were failing

to take into consideration that not only were Haz Mat and TRT involved but also logistics, communications, emergency support medical units, training, and air rescue which were provided County-wide. He further stated that in looking at how the City was looking at their numbers, it was no different than taking one community within the City and trying to compare it within another one. He reiterated that was not equitable and never would be.

Mr. Desjarlais clarified that the numbers were not only for Haz Mat and TRT, but included everything. Mr. Lorenzo confirmed.

Commissioner Hutchinson reiterated that they were going to differ on the numbers, and she felt that was okay to disagree. She further stated that what the City was already providing for, the residents would be doubly provided with the County's program but at a high cost. She stated that she felt the taxes would increase in order to provide the service.

Commissioner Hutchinson stated that a new fire station was being built at Executive Airport and the Airport fund was contributing one-half, and she proceeded to ask why the Airport and Port Everglades were not paying for the airport and seaport station the county wanted to provide.

Chief Lorenzo stated that there was presently a fire station which the Port Everglades paid for and there was an airport fire station which was inside the Fort Lauderdale/Hollywood International Airport which the Airport paid for. He stated that in addition they were going to create a support battalion due to visions in the future at those facilities which would be great economic generators for the entire County. Mr. Desjarlais stated as to why they would not be contributing to that station, it could be due to diversion of funds from an enterprise fund, but he would have to check into that further.

Commissioner Hutchinson stated that she had a \$100 Million public safety bond which she intended to get passed in the City for infrastructure for public safety. She stated that the taxpayers would be paying more for services that they did not necessarily need or require because the City had a total service package in relation to fire/rescue. Therefore, she reiterated that her goal was the \$100 Million bond, and questioned what they would be paying for since the services were already being provided.

Mr. Desjarlais stated that the City of Fort Lauderdale had been a member of the Task Force which also made recommendations regarding this program and had a vote.

Commissioner Hutchinson stated that it was her understanding that there was discussion at the Task Force level, but there was no real vote by the Task Force.

Otis Latin, Fire Chief, City of Fort Lauderdale, stated that was correct. He explained that he had discussions with Chief Lorenzo and other task force members and many ideas and suggestions were discussed, but they had not returned to the final determination and the funding was to be discussed later on.

Mr. Desjarlais stated the question was what services were voted on by the Task Force. Chief Latin stated that a lot of the services mentioned were discussed with the task force, but there was no final meeting stating what final recommendations were going to be made regarding services. He reiterated that a consensus had been reached on some items, but funding was one of the major things discussed and more information was required.

Commissioner Moore thanked the County for coming to today's meeting. He stated that the Task Force did agree that this concept should be done in phases and that the regional concept made sense. He stated that the first part was to deal with communications, and that was what the Task Force had voted on. Mr. Desjarlais stated they were doing that already. Commissioner Moore reiterated that they never got to "second base" in reference to the other items being suggested by the County. He stated at the meeting before the last meeting, the committee almost disbanded, but a reasonable position was reached and the first step of communications was agreed upon.

Chief Lorenzo stated the Task Force was created, and an invitation had been extended to every municipality in the County, along with any other interested parties, and meetings were arranged. He explained that the Task Force then subdivided into 4 subcommittees to research communications, closest unit response, minimum standards for performing measures, and specialty and regional services. He stated that each committee came up with a recommendation which had been provided to the County Commission at a public hearing, and at that meeting the County Commission had instructed staff to create work groups open to all interested parties and municipalities to develop action plans regarding implementation. He further stated two committees completed their work which were communications and specialty and regional services and the plans were discussed, finalized, and the members were instructed as to when the programs would be taken before the County Commission. These programs were then taken to the County Commission, discussed, and there was no opposition from any municipalities or members of the Task Force present. The programs were then approved by the County Commission.

Chief Lorenzo stated the communications plan was intricate from a technology standpoint and was completed and all work groups had agreed that Broward County was to proceed. The County funded this at a cost of \$33 Million, in addition to the \$18 Million commented on by Commissioner Hutchinson to enhance and enlarge all fire departments in the County. He explained the communication system would make it capable for all fire departments to be

capable of talking to each other and computer dispatchers be common so closest unit response could be achieved. He further explained that one of the other two work groups had not yet completed their work which was the minimum standards group because they had ordered, as part of a grant provided by the County in the amount of \$400,000 over a period of 5 years, a computer software program which could evaluate response times, station locations, and best response routes for the entire County. He stated that was now at the hands of the Broward County Fire Chiefs Association under Chief Brusmalder of the City of Sunrise.

Chief Lorenzo further stated that the closest unit response work group had not yet completed their work because until common communications did exist, there could be no closest unit response because it would not work.

Commissioner Hutchinson remarked that she was aware that the cities south of I-595 were working towards the closest unit response because eventually that would probably be the biggest area that could utilize it, if the Cities chose to do so through an interlocal agreement.

Commissioner Hutchinson further asked why weren't tolls generated from Alligator Alley being applied to assist towards the station the County wanted to build in that location. Mr. Desjarlais replied those were State funds. She stated her question to the State would be: "How could you participate in a station the County was going to build which the State would utilize on their road." She asked if any of these matters had been discussed. Chief Lorenzo stated they had spoken with DOT and the State, and the land where the station was to be built was to be provided through agreement with FDOT, Department of Environmental Protection, and the Federal Government. He stated there were a lot of accidents in the conservation area which were related to sporting activities. He stated that the roadway system in that area also experienced many accidents on a daily basis and were used by all County residents and commerce vehicles.

Commissioner Hutchinson stated she represented approximately 46,000 constituents who asked her how the proposed stations would serve the City, and she was not sure how to answer those questions and explain the situation. She reiterated that they were paying for those services and did not see the connection.

Chief Lorenzo offered an explanation in connection with the beach and that it was only used by City residents. Commissioner Hutchinson remarked that the City was never able to garner any money from the County to assist with the Beach.

Commissioner Hutchinson stated that the County was taxing the City for land preservation and the City contributed about 17%, but only received back about 3%.

Mr. Desjarlais stated they fully appreciated the contribution, but he felt there was no difference in the money the County paid to the City to run the Airport and seaport which provided economic benefits to the City, along with the monies paid to the Convention Center by the County which also helped to improve the City's economy. He further mentioned the Court system which helped to bring workers to the City and contributed to its economics. He added that the Broward County Sheriff's Office dispatched for the City's police which was paid for by the County. He felt they had a good partnership at this time, but he did not want to characterize that one or another was not getting a "good deal." He further added that he was sure the City used good budgeting and did not take monies from the wealthy neighborhoods and only spend it in those locations, but took monies and provided City-wide services. He reiterated that was how the County operated.

The City Manager stated that what the County was hearing was that the City had a pressing need to demonstrate to the taxpayers what was gotten out of each "deal." He felt something as volatile as fire/rescue services were one of the things they worked hard at. He stated the County was probably going to hear continual requests from the City as to the workings of each program offered. He stated that Mr. Desjarlais was correct in pointing out some of the other partnerships they were engaged in, but in looking ahead to 2004 when they hoped to convince the taxpayers that they needed to enhance the City's infrastructure for public safety, they had to justify everything that was in service. Mr. Desjarlais stated the County was happy to provide whatever was necessary to the City and wanted them to be successful in their bond issue.

Commissioner Hutchinson stated that she had one group which was particularly interested in the fire/rescue department, and discussion at the District meeting focused on the Minet decision as it related to specialty services such as Haz Mat and TRT which the City already had, and how this related to the County providing what they already were paying for and had available to them.

Mr. Desjarlais stated that this was one reason why they were going to give the City approximately \$600,000 towards paying the incremental costs between the City's standard service level and their increased cost to provide Haz Mat and TRT. He further stated that somewhere along the way someone would challenge this, but it was a conscious decision which had been made and they were prepared to address that issue when the time came.

Mayor Naugle reiterated that the County was going to reimburse the 3 cities which had these services with funds. Mr. Desjarlais confirmed and stated they would reimburse the incremental costs. He reiterated that when the City was successful, the County would be successful. He explained that the Board he worked for had responsibilities under the Constitution of the Florida Statutes and Charter obligating them to provide services and sometimes this caused a conflict, but he hoped all issues could eventually be resolved.

Commissioner Hutchinson further stated that it was her understanding that the auspice of the Task Force was that the brotherhood/sisterhood of the Fire Department was that the County was going to get out of the business of municipal City services, and the City did not want to lose employees and that was why they were at the table. She stated more cities were being annexed and the County had a more regional approach to the matter, and asked how everything could be resolved. She realized she was simplifying the process, but when they came to the table stating they wanted out of the municipal service business as it related to fire/rescue due to annexation and they were going to lose employees, she thought it was hard to think they would turn around and then hire 40 more employees. Mr. Desjarlais reiterated they were not losing employees. Commissioner Hutchinson stated the auspice to her was the fact that the Task Force came together as it related to the County leaving the municipal city fire business due to annexation. She felt eventually they would not need all the firefighters they had and were at the table due to a personnel issue.

Mr. Desjarlais stated that the Commissioner's information was not 100% accurate. He stated they were going to leave the municipal fire/rescue business, and were attempting to contract with the cities to provide fire/rescue service to the unincorporated areas today and not waiting for annexation. He further stated the County had a regional responsibility which required more firefighters than what they had previously.

Chief Lorenzo explained that one of the most notable quotes out of the whole process was consulting with a task force and other groups who looked at fire/rescue for Broward County, and if they had the opportunity they would not design a system like the current one being used. The whole purpose of the Task Force was to bring to the table people who could contribute ideas and recommendations as to how to improve the system because today's system did not work as well as it could. He emphasized the idea was never to deal with jobs even though it was perceived by many as the whole and sole issue of the meetings, but it was not. He explained the meetings were to be about service. He further explained they had to hire 40 individuals because they were an organization which not only provided services to unincorporated Broward County, but also to the Airport, seaport, and contract cities. He stated like any other fire department in the County, they had attrition. He stated that for the last 10 years the County had not hired a single person, and they had been working with a vacancy factor of over 40 individuals for the last 4 years. He further stated that the Commission had directed them regarding the services based on the number of individuals required to provide such services to hire and fill the vacancies.

Commissioner Hutchinson clarified that there were enough employees as far as firefighters to augment what had been taken from Station Nos. 14 and 23. She asked for the County to let the City negotiate with them regarding Station No. 14. Chief Lorenzo remarked he had been discussing matters with Chief Latin and was trying to convince him to also take in Station No. 23. He further explained

that nothing had yet come out of Station No. 14 and that they still had an engine and rescue which was what they had. If an overflow unit was available, it was called Unit No. 214.

Chief Latin reiterated that they had to disagree in order to agree and that was what they were doing. He stated that basically when they were in the MSBU they had showed there was a need for additional resources in that area, and 214 was put in and they were mutual aid to Broward County, along with two rescues at No. 14. He stated that according to sources they had, they had been informed that the rescue had been removed. He stated it was hard for him to provide mutual aid to the area, if resources were being removed because then he knew they would have to come from his City. He stated he could not agree that the unit was not there. He reiterated that unit was at 214 and there was another unit at No. 23.

Chief Lorenzo stated he wanted to correct himself because Chief Latin was correct in that the unit was there as part of the MSBU, and that was when the County and the City had an agreement which provided for emergency medical services within the City. Subsequent to the dissolution of that agreement, the County had to adjust. He stated that the City had annexed two fire areas which they had covered from Station Nos. 14 and 23 and those were Melrose and Riverland. In addition, Rock Island was contracted to the City of Oakland Park and the response zone for Station Nos. 14 and 23 had been reduced considerably.

Chief Latin reiterated it was still the County's responsibility to take care of that area even though the other areas had been reduced. He felt the City should not have to now subsidize that because of the annexation, and stated even though areas were smaller they still had a call button and resources were needed, and they should not look towards mutual aid.

Commissioner Trantalis left the meeting at approximately 4:07 p.m.

Mr. Desjarlais agreed they still needed to discuss the matter and work out all the issues.

Commissioner Moore stated people could be in the same room during a discussion, but walk out with totally different impressions of what was said, how it was said, and why. He felt that was due to individuals carrying their history with them in and out of the room. He stated when the Task Force created the 4 subcommittees, they found as a group that it was inappropriate that they did not settle on how things would be worked out. He felt the 4 committees made a presentation to the County Commission, but did not represent the entire group. He stated the only thing the group had agreed to as a whole related to communications which appeared to be the most critical and appropriate item to deal with.

Commissioner Moore went on to state that the second thing which came out of the Task Force was arriving at an appropriate response time and what would measure that time. He stated that others felt the Haz Mat and TRT issues were of major importance.

Commissioner Moore stated the equipment had been removed from the stations before the annexation had taken place, and he found it inappropriate to state as fact that due to the annexation and services now being established for Melrose Park and Riverland, even prior to the contract with the City of Oakland Park for Rock Island, that the vehicles had been removed. He stated that the equipment had gone to the most affluent community in Broward County which was Weston. Chief Lorenzo disagreed and stated the rescue from No. 23 had been taken out of service. He stated that the same units assigned to No. 14 were still there.

Mayor Naugle asked about the equipment for 214. Chief Lorenzo stated that it only existed as part of an agreement with the City.

Commissioner Moore stated he felt they did not know where the equipment actually went. He stated he had been informed that the equipment had gone to Weston when they demanded an improved service of the County, which they felt they were not getting due to their population growth, as well as the fact that that municipal entity had decided they did not want their own fire department. He further stated that when you got into contracts and agreements, everyone understood there would always be suspect of every other municipal entity that was not contracting with the Sheriff or Fire Department services of the County, and they were supplanting the funding necessary to give the contract services the fees they were receiving.

Commissioner Trantalis returned to the meeting at approximately 4:12 p.m.

Mr. Desjarlais stated that they understood what was being said, and would provide documentation to Commissioner Moore regarding the location of the equipment.

Commissioner Moore continued stating that he was also interested in the time period because it had been represented as if it had been removed after annexation, and that was not factual and was a misinterpretation. He stated that individuals in the Central Broward area were receiving calls due to the mutual aid agreement that the City's taxpayers were carrying. He stated further that the County had chosen the lower cost by Oakland Park, rather than the cost the City felt was appropriate in order to provide the quality of service that would meet the service standard for that area. He remarked he was not sure what percentage the City was still offering in mutual aid due to the fact the agreement was done with Oakland Park and not with the City of Fort Lauderdale. He asked if a report

could be given as to how many calls the City was still answering in that respect for the area.

Commissioner Moore stated that a task force had been set up and one of the discussions they had was the fact regarding annexation, and what would happen to the County employees if there was an annexation. He remarked they felt there would be individuals who would no longer need services provided by the County's contract if any municipal entity began annexation. He stated that through the task force discussions, along with discussions held with the ad hoc annexation committee, they were concerned how to do an annexation that would be appropriate and gain availability of the fire department to come into the system. He thought they had worked out a way to do that, and asked Chief Latin if there was the necessity to do that. Chief Latin confirmed. Commissioner Moore asked if there had been any problems in filling out the voids when annexation had been done. Chief Latin stated that when announcements were sent out regarding recruitment, there had been no problems filling the vacancies. Commissioner Hutchinson stated that new employees had been hired in September when the annexation had taken place. She also added that 247 had been added to Station 47 giving them 2 rescues and an engine so they could accommodate the 12,000 plus homes which had been annexed in Melrose and Riverland. Commissioner Moore reiterated there had been no need to use any of the County fire personnel. Chief Latin agreed and stated that would cross union lines, and explained they recruited individuals through the recruitment process and an opportunity was provided to County personnel if they chose to take advantage of the offer.

Commissioner Moore further asked about the mutual aid for the Central area of the County and the unresolved amount of calls the City was answering and the amount the County assessed that the City was actually responding to.

Chief Lorenzo stated that he and Chief Latin had discussed the matter and they were attempting to work out a solution.

Chief Latin stated they were discussing the matter and he respected Chief Lorenzo as a Chief, and he needed resources.

Commissioner Moore felt the level of service that should be attributable to the County should not be due to the number of square miles of the area, but due to the high volume of calls. He felt this was stressing the system.

Chief Lorenzo remarked that the County was in disagreement with the numbers that were represented in the paper today. Mr. Desjarlais asked how that issue could be resolved. Chief Latin stated the numbers did not make any difference. He explained they had a Sun Pro Records Management System which was used regarding mutual aid. He stated if you used the numbers given, there were too many calls because they did not represent true mutual aid. He explained that true

mutual aid was when one ran out of their dedicated resources, and then another entity assisted. He further stated these volume of calls did not take place before the resource had been removed.

Commissioner Moore clarified that in an attempt to let the County's budget be better operated and their services to give better delivery, the City was finding that individuals in the central area of the County were underserved, and the City's resources were being used much too often. He reiterated this was not mutual aid, but was a portion of day-to-day operations.

Mr. Desjarlais asked for the Commission to give them time to review the situation and report back. He felt there would always be some sort of disagreement regarding a specific service that appeared lopsided, but they should take a comprehensive look at the situation.

Commissioner Moore stated the County's task was to provide services to the City. Mr. Desjarlais emphasized that many of those services were discretionary. Commissioner Moore reiterated it was the County's obligation to provide services to the residents of the County, and agreed there would always be something that would appear lopsided. He felt the issue was EMS services and how they would define what was appropriate for a particular area which would reduce the need for mutual aid.

Commissioner Moore stated it was everyone's goal to deal with annexation by 2005. He felt the County either had to give the City the resource or give the City the money to cover services rendered for such an area.

Mr. Desjarlais remarked the County would be happy to continue sitting at the table with the City.

Mayor Naugle remarked that he felt the Commission needed further back-up material to document the discussions. Commissioner Hutchinson stated there were issues involved. Mayor Naugle stated he felt the discussions regarding discretionary items which were being done were not necessary and inappropriate. Commissioner Hutchinson agreed.

Commissioner Trantalis remarked that Commissioner Hutchinson was stating that the cost per unit of response appeared to be disproportionate, than if the City performed those services themselves.

Mayor Naugle felt the mutual aid figures were lopsided and the City should be reimbursed.

Commissioner Hutchinson reiterated that mutual aid was an issue and it was with Oakland Park who was abusing this, and emphasized that a letter to that Chief dealt with the situation. She stated now they were servicing their city

appropriately, and if they could not provide the necessary services then they contracted with a larger city who could handle the problem. She remarked this was not happening at Station No. 14. She remarked this was brought up because the opportunity was provided to do so. She stated that she represented an annexed area and she had a unit added to Station 47 in order to service those residents, but the equipment was now being taken from them to supplement what the County could not supply since they sent the equipment elsewhere. She felt this needed to be addressed and the City reimbursed or negotiate for the station's use. Mayor Naugle remarked that one way to accomplish that would be for the City Manager to share all information with the entire Commission so they could be prepared.

The City Manager remarked that the information he was asked for by Commissioner Hutchinson was shared with the Commission. He further stated that much of the information Commissioner Hutchinson had received was through the County records, and he had not been negligent in sharing what information he had with the rest of the Commission. Mayor Naugle asked Commissioner Hutchinson to share with the Commission whatever information she had obtained regarding this matter.

Commissioner Hutchinson stated there was an issue with the Minet decision as it related to services which the City was taxing their residents for in regard to what the County wanted to double-tax them for, and she believed this was the issue. She asked for an opinion from the City Attorney regarding the Menet decision and if it stayed firm regarding Haz Mat and TRT which the City currently provided, and what the County now wanted to provide and tax the City's residents for such services. Commissioner Hutchinson apologized to the Commission for not supplying the additional information she had obtained in this matter.

The City Attorney replied that he would supply that information to the Commission. He further stated there were hosts of decisions on the County's ability to tax for services which the City may or may not desire.

Commissioner Hutchinson stated it was her understanding that unless there was a specialty service provided by the County which was different than what the City already provided, they could not double-tax the residents. The City Attorney remarked that he did not think that was true.

The City Manager stated that the County's means by which they proposed to address that would be through the incremental payment. Mayor Naugle remarked that the County was not giving anything to the City at the present time, but proposed to partially reimburse the City.

Commissioner Hutchinson asked for the Commission to keep in mind the matter of land preservation. Mayor Naugle stated that the County needed to make sure

at some point in time that the cities were happy, and the City had to be satisfied they were getting value and choices were available. Commissioner Trantalis asked what other choices were available. Commissioner Hutchinson stated they could opt out.

Mayor Naugle remarked that Cape Coral was presently in the process of breaking away from the County and were discussing forming a new county. Commissioner Trantalis remarked that he felt it also became a state-wide issue. He felt they were looking at things from a global perspective, and Fort Lauderdale was only 1 of 30 cities, but obviously the City had a mandate from its citizens to make sure they received their "fair share." He felt if they needed to opt out, then they should take such opportunity.

Action: None taken.

Commissioner Moore returned to the meeting at approximately 4:30 p.m.

EXECUTIVE CLOSED DOOR SESSION – 4:30 P.M.

CONFERENCE MEETING RECONVENED AT 4:50 P.M.

III-B – Advisory Board and Committee Vacancies

Education Advisory Board

Commissioner Trantalis appointed Doug Cureton to the Education Advisory Board.

Action: Formal action to be taken at Regular Meeting.

Marine Advisory Board

Commissioner Trantalis appointed Ryan Campbell to the Marine Advisory Board.

Action: Formal action to be taken at Regular Meeting.

Planning and Zoning Board

Commissioner Teel reappointed Alan Gabriel to the Planning and Zoning Board.

Action: Formal action to be taken at Regular Meeting.

Code Advisory Committee

Mayor Naugle remarked that a valued member of the Code Advisory Committee, Doug Blevins, had moved out of the City and could no longer serve on that Committee.

IV – City Commission ReportsMaster Plan for Davie Boulevard

Commissioner Hutchinson stated that at her meeting last night discussion ensued regarding the time frame for the Master Plan for Davie Boulevard.

Greg Kisela, Assistant City Manager, stated that he was going to meet with staff regarding this matter later this week, and then he would provide an update.

Commissioner Hutchinson stated that the group wanted to consider hiring an outside consultant for this matter.

Bicycle Advisory Committee

Commissioner Hutchinson stated that some individuals had discussed their interest with her regarding the Bicycle Advisory Committee. She stated that the Parks and Recreation Department had put in the application for the Bicycle Coordinator Grant, but they would not know about the status of that grant until August. She stated that she wanted to put this committee together, but since they were going to discuss right-of-ways and bike lanes, she wondered if the position being applied for in connection with the grant money would not become an engineering position versus one for Parks and Recreation. She felt the committee should start and begin discussions meantime and be ready for August. She also stated that if the money was received from the grant, then there was the possibility of moving that committee to a higher status, but in the meantime there were issues relating to Pelican Beach, the greenway County issue, and the ability existed to utilize such a group.

Mayor Naugle asked if the committee should be a small one. Commissioner Hutchinson remarked that she was thinking of possibly 7 committee members. Mayor Naugle further stated that they needed to outline the duties and dates for meetings.

Commissioner Teel stated that things were beginning to happen, such as the improvements for Bayview Drive, and this committee needed to be organized.

Commission consensus was to have this committee consist of 5 members.

Commissioner Trantalis felt this should be a priority because it would show the City's desire to offer an alternative use for transportation. He stated that matters were becoming complicated, such as the one regarding the "infamous alley," and it would be important to have such an advisory committee to research the matter and make recommendations. He further asked if possibly the committee's purview should go beyond bike paths. Commissioner Hutchinson remarked that the County was underway with their massive greenway plan. Commissioner Teel felt that would involve too much.

Commissioner Moore stated that he did not feel it would be appropriate to have a new advisory board to deal solely with bicycles, and felt it should be part of Parks and Recreation. He felt it could be an ad hoc committee that would be set to deal with this task through that department because of administrative time and costs that would be involved.

Commissioner Hutchinson asked how the Code Advisory Committee worked. The City Manager stated that minutes were done for that Committee. Commissioner Hutchinson stated her concern in having this as an ad hoc committee was that bike lanes that would involve engineering were not necessarily park related. She realized it was part of it, but engineering issues would be involved and possibly if funding was received it would not even be part of Parks and Recreation, but included as part of the Engineering Department. She felt staff needed to make such a determination when this discussion was brought back to the Commission.

The City Manager stated they might want to draw on the resources of the already established groups and committees who might be interested in this matter, such as the Council of Neighborhood Civic Associations.

Action: Staff to provide a report at the Commission Conference Meeting on June 17, 2003.

Health Department Use of the Old FDOT Building on SR 84

Commissioner Hutchinson stated that she saw over and over again government entities coming to the City for approval on their site plans, and then they opt out of the permitting process and go to the State for final DRC approval. She stated further that promises made to the City in order to get their final sign-off at the DRC level were not kept. She reiterated that the old FDOT Building had been empty and the Health Department decided to lease it and bring in their administrative staff to one location, and on the east side of that site was the clinic. She explained due to traffic from the airport, they had looked ahead and decided to close off 26th Street at 8th Avenue forcing the traffic using that building to go beyond the residential neighborhood to enter and exit the building. As part of their final DRC sign-off, they would keep the gate on 8th Avenue locked with a

box for use only by the Fire/Rescue Department. She reiterated that the gate was open daily from 7:00 a.m. until 5:00 p.m. She felt the "battle" was just beginning. She hoped they would stay aligned on the matter.

Mayor Naugle suggested that possibly the State Representative Tim Ryan could help mediate this matter.

Commissioner Hutchinson added that a letter had been received from Jeffrey Kaiser, Deputy Director, and David Roach was the Administrator of the Broward County Health Department. She further stated that Mr. Roach had been in the meetings they had attended and nothing different had been done, and the matter was similar to the School Board. She explained further when they pulled permits the City signed-off on their plan, but then they opted out and did whatever they wanted. She stated this was very frustrating and that she also had several other entities that were in the process of redoing their buses and they were not following the rules in connection with the City.

Mayor Naugle suggested that a meeting be arranged with appropriate staff to discuss the problem.

Commissioner Hutchinson further explained that this had gone before the Special Master and they had been cited because that had been part of their final DRC sign-off. She remarked the letter was nasty, but she only wanted to protect the residential community.

Commissioner Moore stated he thought there was a road project scheduled for that area, and possibly expedite those road improvements.

Commissioner Hutchinson cautioned the Commission because she was involved in discussions with Stranahan High School in regard to a sports complex and she believed when they appeared for final sign-off, they too would opt out of the permitting process and the City would have no control of what was to take place in a residential neighborhood regarding parking and lighting. She believed the City had to get a "handle" on the matter.

Action: Staff to contact State Representative to arrange a meeting.

Death of Young Man in Police Custody

Commissioner Moore stated that regarding the death of a young man who had been in police custody, a public meeting had been held to give an update on the situation to the community. He stated he was pleased with the information and how it was disseminated to the public by the Department, and he was also pleased how the public had handled the matter. He asked if this matter could be discussed with the heads of the Departments, along with the City Attorney and

the Commissioners, so they were completely up-to-date and possibly see if recommendations could be made regarding courses of action which could be taken. He felt this was a situation that commanded further communication. The City Manager requested that he be able to attend such meeting. Commissioner Moore agreed.

Commissioner Moore stated he felt they needed to ask the Fire Chief about the protocol so the public could have a better understanding of services that were delivered to them. He felt it would be appropriate to have this discussion during a conference meeting.

Commissioner Moore also stated that questions were being asked and he wanted the City to take a more offensive position. He commended staff on how things had been handled. He stated that the City was criticized in that public meeting regarding the methodology used in contacting the family. He asked if there was a specific protocol that was followed.

Action: As discussed.

Joseph C. Carter Park

Commissioner Moore stated that the community had hoped the park would be completed by David Deal Playday in August, 2003, but he had been told that date could not be met. He asked why the work could not be completed by that date, and what time frame appeared to be involved. He stated he was interested in knowing the actual participation of minorities in this project, especially the black business people who were involved. He stated he realized the Commission had no major requirements, but he felt this was a major project in the heart of the African-American Community, and he had been consistently questioned as to who was all involved in this project. He stated he had been informed that there were numerous burglaries and property damage at the site.

The City Manager stated that he would pass along Commissioner Moore's concerns to Ernest Burkeen, Director of Parks and Recreation, in regard to the delays that occurred, and possibly a meeting could be arranged to discuss the matter. He further stated that considerable theft had also taken place during the construction of the African-American Research Library Cultural Center, along with vandalism. He also stated that he would provide the Commissioner with a report regarding minority participation in connection with this project.

Action: Staff to provide report.

MLK Committee

Commissioner Moore stated that the MLK Committee had begun its own entity and presently was seeking funding in order to create an event that would be more spectacular than the previous one. He asked the Commissioners to think about offering constituents from their districts to serve on that committee in order to formulate a plan for the upcoming event. He added that the committee's task was to attribute a fitting tribute to Dr. King and needed whatever volunteers possible, specifically those who were able to coordinate programming, marketing and funding of distinction.

5th Street and 3rd Avenue Street Closure

Commissioner Trantalis stated that a street closure at 5th Street and 3rd Avenue had taken place, and the neighborhood association was requesting if this could be reconsidered since development in the area had changed. The initial need was no longer there, and they wanted the ability to have ingress and egress to the area.

Greg Kisela, Assistant City Manager, stated that he would bring the matter back to the Commission for discussion.

Commissioner Trantalis added there was never a public hearing held in regard to closing the street. Mr. Kisela stated they were temporary closures, but he thought the matter had been scheduled for further discussion but due to issues with the neighborhood association those discussion had not been held.

Action: Public hearing to be scheduled.

Code Enforcement Liens

Commissioner Trantalis commented that at the last several Commission Meetings discussions had been held regarding code enforcement liens, and there appeared to be a practice to reduce liens in order to move things along and have the property owners either comply or sell so the lien amount would not preclude them from selling their property.

Commissioner Trantalis stated when he had asked about foreclosing, the City Attorney stated it had been the City's policy not to be in the real estate business. He stated he understood the policy, but did not understand why the City did not want to be in the real estate business. He stated that he had brought this matter up because he again saw some liens listed on the Commission's agenda for this evening, and again the same issue arose regarding the reduction of fines. He stated that in some cases he realized a reduction was merited, and when he thought about the climate of the real estate market and the opportunities the City

could have in foreclosing on some of the properties, taking title and reselling them, he felt costs could be recaptured. He did not feel the City could lose on the deal. He stated he did not know what would be involved and did not expect the City Manager to take on more work than necessary but in terms of trying to send a message to homeowners that they needed to maintain their properties, he felt the only way they could do that would be to exercise the ultimate leverage which was foreclosure. He suggested that the Commission think about this matter because if the City was not serious, than why have code enforcement as part of their duty.

Mayor Naugle stated if the property was homesteaded, they could not foreclose on a code lien, and reminded everyone that their interest was second to the mortgage holder's.

The City Attorney suggested that possibly a workshop could be held because there were other downsides to the issue besides paying off the mortgage and that liability was another issue. Presently, he advised they now looked at the property appraiser's rolls and those values were usually within 60% to 70% of the property's value. He stated the other problem was if they foreclosed, then they would own one piece here and there and there already were some "trip and fall" issues. He stated security and management would have to be at the site, and believed they needed to have further discussions regarding the pitfalls.

Commissioner Moore agreed that a workshop should be held, especially regarding multi-unit rentals where there had been an owner who consistently had been in violation of the Code. He stated he was concerned when this involved homesteaded property or a single-family home which were occupied, but had a second homesteaded property elsewhere. He reiterated that one of the fortunate things the City had was the Housing Authority who might be able to take the multi-units and gain some control over them in order to address the liability issues.

Mayor Naugle remarked that these discussions would continue to be held at the end of the Commission's Regular Meeting.

Action: As discussed.

Galt Ocean Mile Businesses

Commissioner Teel stated that the Galt Ocean Mile was looking ahead to the holiday season and wanted to have some decorations. She asked if the City could possibly work with them and get the matter coordinated and possibly contribute some funds to the project.

Action: Staff to work with Galt Ocean Mile Community.

City Manager Reports**Walk-On – Castillo Grand/St. Regis Hotel Development**

Mayor Naugle remarked that the Commission needed the minutes regarding this matter, and then discussion could be scheduled for the Commission Meeting on June 17, 2003.

Commissioner Hutchinson asked if this matter had to be brought forward tonight.

Greg Kisela, Assistant City Manager, stated that they were trying to close on the financing and the lender was requiring some administrative changes to the lease agreement, as well as to the overpass agreement. He announced that two minor changes were being made in regard to the assignment and extensions to the dates regarding the overpass and completion of the project.

Mayor Naugle remarked that this needed to have public notice.

Ron Mastriana, attorney, apologized for not having the information to the Commission sooner and the project had been approved, but the two lenders were requiring some amendments. He explained that the amendments were basically extending the time period in order to commence construction. He stated the piling had been installed regarding the overpass for the elevator, and the lease payments had been made regarding the rear access. He emphasized they wanted to close 10 days after they obtained the extension.

Commissioner Teel remarked that she needed more time to review the matter.

Action: Walk-On for Commission Regular Meeting on June 3, 2003.

Florida League of Cities Municipal Government Pre-emptions Language

The City Manager stated that a request had been made by the Florida League of Cities in connection with the municipal government pre-emptions language. He explained this amounted to a request for support in asking the government to veto the measure because of the potential consequences on municipalities.

Bud Bentley, Assistant City Manager, explained this was a transportation Bill No. 676 which was 113 pages long and on page 10 it stated to pre-empt all local regulations such as zoning.

The City Attorney stated it basically would suspend all municipal regulations as they applied to state roadways or appurtenances thereto.

Commissioner Hutchinson clarified that comments made regarding projects they wanted to do in the City would not be permitted. The City Attorney confirmed.

Commissioner Moore suggested they write a letter stating that they were in support of this.

Action: City Manager to write a letter in support.

Broward County Land Preservation Advisory Board

The City Manager stated that in two days the Broward County Land Preservation Advisory Board would meet at 8:30 a.m. He encouraged everyone to attend.

Commissioner Moore stated that he could not attend this meeting due to the fact that he had been selected to serve on a committee to choose an auditor that was to be hired. He stated that a letter would be sent regarding his absence. He asked that since he would be absent, he further requested that his projects not be eliminated from the process.

Action: None.

Rise in Property Tax Rolls

The City Manager stated that everyone was elated over the rise in the property tax rolls, but there were also increased demands on anticipated revenues for next year. He stated he was taking the first of several steps in order to get a handle on this and more scrutiny would be applied to travel, filling vacancies, and capital improvement projects.

Mayor Naugle agreed and stated by taking early precautions they could possibly eliminate layoffs at budget time.

Action: None.

Commission Services and Staff

Commissioner Moore requested that he wanted the opportunity to have a discussion at one of the Commission's Conference Meetings regarding Commission services and staff. He stated he had heard several comments and wanted to discuss this matter.

Action: None.

Meeting adjourned at 5:42 p.m.