

COMMISSION CONFERENCE**JUNE 17, 2003**

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COMMISSION CONFERENCE

1:32 P.M.

JUNE 17, 2003

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

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

**I-E – Sale of Housing Opportunities for Persons with Aids (HOPWA)
Properties to the City of Lauderdale Lakes**

Mayor Naugle stated that there had been a request that Item I-E be heard first in connection with today's agenda.

The City Manager stated that he believed the memorandum sent to the Commission was self-explanatory, but he stated that he wanted to give some relevant history as to how this item first came before the Commission.

Commissioner Moore left the meeting at approximately 1:35 p.m. and returned at 1:37 p.m.

The City Manager further stated that Mayor Brown of Lauderdale Lakes had sent a letter to Mayor Naugle expressing concern regarding the maintenance of properties owned by Fort Lauderdale within Lauderdale Lakes. He stated the first time concern regarding those properties had been expressed was when they were under the guidance of a non-profit group that had been running the HOPWA Program. The City had asked Fort Lauderdale to return before them with a rehabilitation plan for their consideration. Approval was sought from HUD in order to proceed with such rehabilitation. During that time various things occurred, including changes in the Lauderdale Lakes City Commission, and as a consequence they had also changed philosophy as to the best use of that particular property. They then suggested that instead of the City of Fort Lauderdale proceeding with a rehabilitation of those properties, they requested to purchase the properties from the City and put them to their own uses.

The City Manager stated that such purchase had to have approval from the Housing and Urban Development Administration who required that any monies which had gone into those properties had to be recovered, so other units could be purchased to be used by that particular population. He stated that Commissioner Moore had suggested to them that the properties be restored for the same uses, but it appeared the Lauderdale Lakes Commission had been resolute in terms of what they wanted to do with the properties.

The City Manager stated information had been distributed to the Commission regarding what type of investment had been made in the properties which totaled \$338,556, and an additional \$5,474 had been invested in properties from the General Fund. A member of the Commission had suggested that this amount also be recovered. He further stated he wanted to make the Commission aware that they had attempted to move in accordance with their direction, but now there was a different situation regarding what the City of Lauderdale Lakes wanted to do in their City.

Gary Rogers, Lauderdale Lakes CRA Administrator, stated that he had been with the City for about one year, but in September, 2001, the City had conducted a Community Redevelopment Analysis in order to write a CRA Plan. He stated that was a public and inclusive effort, and the properties being discussed today reflected upon the entire strip of properties along NW 31st Avenue which were mostly older 3 and 4 unit buildings in disrepair. He added that the area had high crime, and the CRA Plan identified those properties were to be removed and green space was to be added so as to support the neighborhood, along with the 3 schools in the area. Recently, the Treasure Coast Regional Planning Council came down at the request of the CRA and met with the community and defined what needed to be changed in the community. Once again the properties in that area were identified as places that needed to be changed. He added that there were code enforcement problems at the properties and fines were accumulated to the amount of over \$20,000 which had been reduced.

Commissioner Moore thanked everyone for coming to today's meeting and remarked that the City had struggled with this property. He stated that the non-profit group which had originally purchased those properties was now out of the picture, and the City agreed to allow the City's Housing Authority to offer the units for such use. Based upon the HOPWA funds being used in that manner, they needed to sell the properties so the City would no longer be involved and cited for those properties. He asked if Lauderdale Lakes was prepared at this time to purchase those properties.

Mr. Rogers stated they did not yet have a price for those properties and hoped the City would indicate under what terms they would be willing to sell the properties. He advised that it would then have to be put on their CRA's agenda and obtain an approval. He stated he did not have such authority to make a commitment at this time.

Commissioner Moore asked Ms. Outlaw and her staff to supply Lauderdale Lakes with a number for the sale of the properties. He stated it was not his desire to have a non-profit entity operating these properties where a green space was desired. He requested that whatever monies were received that they be adequate for them to replace those units in the program. He stated he had spoken to the City Manager of Lauderdale Lakes in an attempt to have them reconsider this matter since there was such a great need for housing for these

types of individuals, but she had informed him that it was the desire of the CRA to have the area for open green space. He asked if the City knew what price had been paid for those properties.

Faye Outlaw stated there was about \$345,000 invested in the properties, and approximately \$5600 was from the General Fund. She advised that they would be obligated to pay \$338,000 to HOPWA and the Federal Government, otherwise the General Fund would have to make up the difference.

Commissioner Moore asked if the liens were still at a reduced number. Mr. Rogers advised the liens had been reduced, but there were additional code actions taken recently.

Ms. Outlaw stated it was her understanding that there had been a number of violations cited against the property. Mr. Rogers confirmed. Ms. Outlaw stated the lien had been imposed on the property when it was under the non-profit group and totaled \$22,000. The group was not in the position to pay the lien, and the City was in the process of attempting to obtain the property since the group was becoming defunct. She further stated the City of Fort Lauderdale had appeared before the Lauderdale Lakes Commission regarding the City's interest in retaining the property in an attempt to put it under another non-profit group's advisement. She stated the lien had then been reduced to \$5,000 and it had been paid. Therefore, there was no actual lien at this time, but realized there had been some recent code violations. Mr. Rogers agreed and reiterated that he was not yet aware of what violations had taken place.

Mayor Naugle stated that if there had been any recent violations on those properties, the matter would be taken care of by the end of the week.

Ms. Outlaw agreed and stated they would follow-up on the matter.

Commissioner Moore asked if the \$5,000 out of the General Fund had been used to pay the lien. Ms. Outlaw stated that had not been the case, and the \$5,000 was paid by the non-profit group who had such funds available. Commissioner Moore suggested the City give Lauderdale Lakes an appraised value of the site so the units could be replaced into the program. Ms. Outlaw replied that ideally they hoped to obtain \$345,000 in order to recoup the City's General Fund which was for maintenance, but reiterated the minimum they hoped to recoup would be the \$338,000. Commissioner Moore stated he hoped they would get at least the monies which had been invested. He believed the property would appraise for more than that amount, and then the excess could be a contribution to the City's open green space.

Mayor Naugle stated the matter would have to be reviewed with the City Attorney.

Commissioner Trantalis stated that the City had the obligation to use the same amount of money or more to replace the apartments, and if the City desired to do that with property within Fort Lauderdale's City limits, he felt they might find themselves facing a large gap in regard to the cost of what it would take in order to buy such a number of apartments. He hoped that when the units were replaced that the properties would be in very good condition and habitable and hopefully they would not be looking at a \$345,000 price.

Commissioner Moore stated they did not have to purchase them in Fort Lauderdale because the HOPWA funds were for all of Broward County.

Mayor Naugle stated if the Housing Authority would do this, they would have to ask them if this could be accomplished within that figure.

Commissioner Trantalis asked how much time did they have to find suitable housing for the same amount of units before they would have to turn over the money.

Ms. Outlaw advised that HUD had not given the City an actual time line, but if they proceeded to sell the property to the City of Lauderdale Lakes, they had to send the papers to HUD for approval, and then at that point a time line would be given by which the City would have to acquire the replacement units and to service the operation.

Mayor Naugle stated that somehow they needed to have 30 days to obtain the properties under contract, and also see if the Housing Authority would agree to replace those units. Then, possibly a decision could be postponed for 30 days in order to give them time to obtain appraisals. If this could not be done, then the City could execute the deal with the Housing Authority.

Commissioner Moore stated that could be a possibility, but stated there were few units that the City owned which could be rehabilitated and targeted for this program and allow the Housing Authority to manage them. He further stated there were a number of foreclosed properties due to the Kratenstein debacle that could possibly be used. He believed alternatives were available in regard to providing these units.

The City Manager stated he believed they could move quickly because the Housing Authority probably would have been a successful bidder in regard to rehabilitating these properties had they continued on that route. Therefore, they were qualified and knowing the numbers all units did not have to be provided at one location. Ms. Outlaw confirmed. The City Manager reiterated they had flexibility since they did not have to look at only one location.

Ms. Outlaw advised that single-family homes could also be purchased along with duplexes, triplexes, and the like, as long as they were replacing the same number of units.

Freddie Scott, Housing Manager for Lauderdale Lakes, asked if the proposed sale of the properties would be contingent upon the City of Fort Lauderdale having replacement units in place before the actual sale. Ms. Outlaw stated they did not have to have the actual replacement units in place. At the point when the City agreed to sell, after they obtained HUD's approval, then a time line would be provided as to when those units must be available. Mr. Scott asked if the money the City of Fort Lauderdale had to recapture had to match what had been given to them by the program, and a lesser amount would not make the sale viable. Ms. Outlaw stated there was a minimum and their purpose was to obtain additional funds. She added they needed to recoup what had been invested, otherwise the City had to reimburse monies to HUD.

Commissioner Moore reiterated that the two appraisals came in the amounts of \$291,000 and \$348,000. Mayor Naugle reiterated that HUD was willing to take over the properties and rehabilitate them if the City of Lauderdale Lakes was not willing to purchase those properties.

Mr. Rogers stated that the issues had to be resolved, and he suggested that 30 days be given to them so a written response could be prepared.

Commissioner Moore stated that he was not concerned about the appraised value, but the HOPWA funding amount of \$338,000 was his concern. He reiterated that the City of Fort Lauderdale needed a minimum of \$343,000. He asked if they could inform them of the code violations on the property since they would be negotiating soon, and did not want to re-invest money in properties that could not be rehabilitated based on the City of Lauderdale Lakes' desires.

Mr. Rogers stated they would take these requests to their City Manager and make accommodations so no further action would be taken while they were negotiating.

Mayor Naugle asked if there were code violations on the property, they should call him immediately because he felt that was unacceptable.

Commissioner Moore stated that Hollywood also had property with the same type of concerns, and asked if the City was going into contract for such units with HUD. Ms. Outlaw confirmed. Commissioner Moore asked if they were ready to rehabilitate such units. Ms. Outlaw stated they were ready and they were almost done finalizing the lease agreement, as well as the participation agreement. At that point, the agreements would be executed and they could proceed with the rehabilitation. Commissioner Moore asked if there was anything in the legal

department which would slow down that process. Ms. Outlaw remarked they had the agreements, and HUD was reviewing the documents for comment.

Action: Answer to be provided no later than September 3, 2003.

I-A – Comprehensive Annual Financial Report and Auditors Opinion – Fiscal Year Ended September 30, 2002

Commissioner Moore left the meeting at approximately 1:58 p.m.

Terry Sharp, Director of Finance, proceeded to introduce the people who were involved in putting the statements together and reviewing them as follows: Joanne Rizzi, City Comptroller; Boe Cole, City Treasurer; Cynthia Borders, Ernst & Young; Tony Brunson, Sharpton, Brunson and Company, P.A.

Commissioner Moore returned to the meeting at approximately 2:00 p.m.

Mr. Sharp stated that they had informed the Commission that they were going to be late in releasing the statements due to various reasons, such as a 50% turnover in the accounting staff. A change had been made regarding the City's auditors who were now Ernst & Young. Another factor which caused some delay was the implementation of a new payroll system, and they felt the employees were a priority. Finally, there was a new reporting model which provided a more private sector look at financial statements, and the report now showed a city-wide schedule of net assets. Those assets for the last fiscal year exceeded total liabilities by \$586 Million. A schedule was provided that showed net expense and revenue format which essentially provided a relative financial burden of each of the reporting government functions on taxpayers. He explained it took the expenditures and showed how they were financed, including charges for services and intergovernmental revenue. He further stated that the report reflected the financial information provided to the Commission in April, and showed the status of the insurance fund as a whole as of September 30, 2002, including the deficit situation which was attributable to the health insurance and the increase in workers compensation reserves. It also showed a reduction in the General Fund and General Capital Projects.

Mr. Sharp explained that the report given to the Commission included financial statements, along with the auditor's opinion which indicated they represented the City's financial position as of September 30, 2002. What had not been included was a management letter of recommendations from the auditor, as well as a single audit of grants, and those would be supplied to the Commission at their July 15, 2003 meeting.

Commissioner Moore asked why they had not been supplied at this time. Mr. Sharp replied that it was due to timing and pulling the statements together. He

advised they should be available by the end of the month. Commissioner Moore asked why the deadline had not been met.

Cynthia Borders, Senior Audit Manager, stated they had been working with the City in order to implement the process which began in March, 2003. The audit was concluded on May 23, 2003, and they were in the process at this time of completing the single audit and hoped to be done by the end of this month.

Commissioner Moore asked if this delay would involve any additional expense. Mr. Sharp explained that additional monies had been provided in this year's contract because they were implementing the new reporting model. He reiterated that they would move as expeditiously as possible and would place the financial statements on the City's website.

Commissioner Moore asked why there was a variance in the stormwater fees. Mr. Sharp explained that the \$6,000 difference was between the budget and the actual amount, and speculated that it was part of the budget and they had to estimate the charges, and what properties might change based upon development of the site, but he reiterated that he would get more information regarding the matter. Commissioner Moore also asked about the water sales and other information on the list.

Mayor Naugle stated that in connection with the stormwater fees perhaps it was unpaid charges where revenue had been budgeted. Mr. Sharp stated that he would research the matter and provide the information to the Commission.

Action: Additional information to be provided.

I-B – Florida Department of Transportation – Proposed Transfer of Funds from the Intracoastal Bridge Information Systems (IBIS) Project to the Advanced Public Transportation (APTS) Project

Peter Partington, Acting Assistant City Engineer, stated that the MPO representatives, Commissioners Hutchinson and Moore, flagged this item at a recent meeting. He stated this was a proposal from FDOT to the MPO to take funds from the Intracoastal Waterway Bridge Information Systems and use the money to spend on projects that had been scoped out. He stated they were concerned about this and they were particularly interested in the 17th Street Bridge. He explained they had invited FDOT to explain the status of the Bridge information to the Commission.

Lloyd Robinson, FDOT, stated that they supported the Bridge Information System, but the problem was that there was no construction money in the entire work program of \$8 Million, and there was a need for \$500,000 for the design.

Tahira Faquir stated that the Intracoastal Waterway Bridge Information System was a project the Department had stood behind, and the feasibility studies had been completed. She stated that the issue was that there was money in the amount of \$500,000 for design, but there was no construction money program until the year 2009-2010 which was outside of their 5-year work program. She explained if the money was used to design a system it would be based on current technology and existing conditions which in five years would have to be completely redesigned, and they did not feel that would be a wise use of the money. Based on the feasibility study, the cost for the total system throughout the County would cost \$7.9 Million for construction, and roughly \$600,000 a year for maintenance and operation. For the central area the cost would be \$3.4 Million. She stated their issue was that there was no available money in their 5-year work program to put towards this project for construction, and there was no money available that was non-committed that could be moved within the transportation program.

Ms. Faquir stated their recommendation was that the money be moved toward the Advanced Public Transportation System project which was ITS for which the master plan was under completion, and out of that master plan there would be 8 projects identified that could be implemented. She stated it was their opinion that this money could be used more effectively towards a system design, and the remaining funds be put in various transportation agencies for the purchase of equipment and its implementation. She explained that APTS were items such as advanced passenger counters, information regarding bus schedules, putting advanced vehicle location devices on the buses so scheduling and timing could be better coordinated, and electronic fare payment. These items were designed to make the transit system more efficient and effective, and was also an attempt to attract more riders. She added that Broward County would probably use the \$500,000 towards advanced passenger counters.

Mayor Naugle stated that since this was to be used in conjunction with the problem with the bridges, could this be used for a program that would give relief for the construction and operation of the system at a lower cost, such as a low-frequency radios which could help more with the bridges.

Ms. Faquir stated that such technology was available, but the issue was that \$500,000 would not get a system designed and built. She added that the other problem with funding was a requirement for a Governor's amendment to change the phase for a project.

Commissioner Moore stated the recommendation made was that the matter be tabled so a workshop could be held with the new members of the MPO, and discuss how the funds could best be used. He reiterated they were not saying no to the project, but only holding in abeyance so mistakes would not be made and so everyone could have the understanding as to how the MPO operated and how the funding cycles worked. He further stated that a date for such a workshop had

not yet been selected by the MPO, but was under the impression it would take place by September, which still provided ample time to address FDOT's proposal.

Ms. Faquir stated that if T21 was not authorized again after this year, October was the beginning of the Federal Government's new budget, and she did not know if money would be available after that point.

Mr. Partington stated that the workshop was to be scheduled before the MPO's next meeting, and felt that the MPO would want to reconsider this item at their next meeting.

Commissioner Moore stated that if the workshop took place after the Commission meeting, he asked if they could meet with the City Manager and give a report so he could distribute a memorandum to the Commission. Therefore, if anyone was in opposition to a recommendation, then that matter could be brought up before the MPO.

Action: Action to be taken as discussed.

I-C – Refund Proposal for Sanitary Sewer Assessment Projects

Mayor Naugle stated that he did not recall any action on September 17, 2002 taken by the Commission asking that sewer assessments be rescinded. Commissioner Moore stated it was his impression that they had stated that due to concerns of the constituents in the area, that no action would be taken which was then to rescind the action so it could be further investigated. Mayor Naugle reiterated that he thought they were to attempt to find a way to make it equitable, and not necessarily rescind anything and stated the minutes did not reflect such.

Mayor Naugle further stated they needed to either honor the old commitment or the new commitment and give the residents a choice.

Greg Kisela, Assistant City Manager, stated that this would give individuals an option to either stay with the Waterworks 2011 plan or go with their original assessments. He explained they would first present the ordinance for Tarpon River in the fall, and then the other assessments would follow in October. Then, the individuals would be presented with the options available.

Commissioner Moore stated he was concerned so there would be a level playing field for all concerned citizens, and how could they track it.

Mayor Naugle replied it would be tracked through folio numbers.

Mr. Kisela stated they had a receivable on any individual who owed the City money under special assessments, and if they elected to go with Waterworks

2011, then they would refund to the current property owner the money they would be entitled to. He further stated that in Tarpon River current property owners would have the option, and most likely individuals who paid and had been connected would elect Waterworks 2011 due to it being more economical. Mayor Naugle replied those individuals would have the 10% surcharge on their bill. Mr. Kisela explained unless they wanted to continue under the special assessment and not connect, there would be no 10% surcharge.

Commissioner Moore reiterated that 10 homes on a block could have 5 different payment plans and he asked how they would keep track of those plans. Mr. Kisela reiterated that they only had 2 choices. One choice was Waterworks 2011, and the other choice was the special assessment. He stated they were already under the special assessment so if they chose Waterworks 2011, they would then refund the money and a 10% surcharge would be added to their bill, and the remaining systems would stay intact.

Mayor Naugle stated that under the old plan there were multiple choices. One could hook-up now or delay it and have the assessment accrue. Mr. Kisela reiterated that now there would only be the two choices.

Andy Ziffer, Tarpon River, stated that it was their understanding that whatever they chose to do, it would run with the property under the old plan. If the new plan was chosen, then a 10% surcharge would be added. Commissioner Moore reiterated his concerns.

Commissioner Trantalis left the meeting at approximately 2:24 p.m.

Mr. Kisela further explained there would be a lien on the property, and the property could not transfer hands until the lien was satisfied.

Mayor Naugle asked if the old owner of a property paid the money a long time ago, the new owner would be entitled to a refund which they had no part of.

Commissioner Trantalis returned to the meeting at approximately 2:25 p.m.

The City Attorney stated that it would run with the land. Mayor Naugle remarked that some individuals would get a windfall. The City Attorney explained that each special assessment stood on its own. Now, they were building a larger project and due to the financing and hook-up requirements, they would be able to finance at a cheaper rate with less upfront money. They were actually going backwards and giving the 3 projects which stood on their own, the windfall. He stated he could guarantee if this project was more expensive than the others, the same "clammer" would not be occurring from previous owners.

Mayor Naugle stated he understood the explanation, but he reminded everyone there was no economy of scale in government.

Mr. Kisela reiterated that they would bring back the ordinance in September for Tarpon River, and then one in October for the other three assessed areas.

Commissioner Hutchinson asked why they would be presented in October.

Mike Bailey, Public Services Department, replied that now they were working on a list of parcels different from the ones assessed previously. Due to the timing of everything, the month of October was decided.

Mayor Naugle remarked they were aware of how this worked for residential properties, and asked if there would be a change for commercial properties.

Mr. Kisela confirmed and stated that the Executive Airport special assessment would be a "real bear" since those parcels were predominantly commercial and industrial, and converting those to equivalent residential connections would take time. He further stated that single-family residences would be straight forward.

Mayor Naugle asked if this would have to be done for the commercial properties. Mr. Kisela stated that if this was "unraveled," then everyone needed to be "unraveled" who were affected by the special assessment. Mayor Naugle asked what the fiscal impact would be for the Airport. Mr. Kisela stated he did not have those numbers available at this time, but that had been reported to the Commission at its September, 2002 meeting.

Commissioner Teel asked if the residents would be receiving letters explaining the options or would workshops be held to educate everyone. Mr. Kisela stated there would be public hearings and they would work through the various issues. He stated that they had done a survey last year in Tarpon River and the different scenarios and options were laid out, and this could be done for the Executive Airport and Argyl Canal areas. Mr. Kisela stated that he felt it would be a "no brainer" for Executive Airport and the Argyl Canal since they were connected and had been assessed, and would probably opt for the refund. He stated that some individuals in Tarpon River who had deferred connection might elect to stay with the old plan.

Mayor Naugle asked if they had calculated the fiscal impact of the Airport. Mr. Kisela replied they had looked at the fiscal impact of rescinding all the special assessments, and it would not be material and that information had been supplied to the Commission in September, 2002.

Commissioner Hutchinson asked if there was a calculation for the current commercial properties being sewered under Waterworks 2011 since they were different from the residential portion. Mr. Kisela stated that each parcel had to be calculated, and the ordinance brought before the Commission in relation to the

implementation of the new fees had to be sorted through by calculation of the equivalent residential use.

Action: Ordinance to go before City Commission in September.

II-A – Investment Results for Fiscal Year Ended September 30, 2002.

Commissioner Moore remarked that a lot of revenue had been lost, and due to the present condition of the market, he felt that possibly some portion of the money could be used towards real estate. He stated he wanted to empower the employees with an ownership opportunity through a fund for those who had worked with the City for 5 years or more for the development of workforce or affordable housing. He urged the Commission to have the Finance Director research the matter.

Terry Sharp, Finance Director, stated that a report could be provided to the Commission.

Commissioner Trantalis suggested that perhaps some of the code enforcement foreclosures could be rehabilitated and offered to employees. Commissioner Hutchinson suggested the properties be offered to the employees and have them rehabilitate them.

Action: Report to be supplied regarding workforce or affordable housing for employees.

III-B – Advisory Board and Committee Vacancies

Board of Trustees, Police and Firefighters Retirement System

Mayor Naugle appointed Romney Rogers to the Board of Trustees, Police and Firefighters Retirement System.

Action: Formal action to be taken at Regular Meeting.

Marine Advisory Board

Commissioner Moore reappointed Robert Sadowski and Randy Dunlap to the Marine Advisory Board.

Action: Formal action to be taken at Regular Meeting.

Northwest-Progresso-Flagler Heights Redevelopment Advisory Board

Commissioner Trantalis reappointed Tim Hernandez to the Northwest-Progresso-Flagler Heights Redevelopment Advisory Board.

Action: Formal action to be taken at Regular Meeting.

IV – Commission ReportsGalt Holiday Lights

Commissioner Teel stated that she was working with the Galt Merchants Association in connection with holiday lighting, along with other issues. She stated there was concern about maintenance in the area where the improvements had recently been made.

District I CAP

Commissioner Teel stated that Coral Ridge was getting prepared for the CAP Program. She further stated that some people were interested in the commercial corridors, and stated she had asked staff if there had been any effort to contact the business owners and felt they should explore that avenue.

Mayor Naugle stated that usually the business owners met and took the leadership role.

Commissioner Teel remarked that she had thought the CAP Program would have helped, but it did not appear that was going to happen.

Mayor Naugle stated that in Himmarshee and S. Andrews a business individual encouraged everyone and took the leadership role.

Commissioner Teel stated that they had many different owners and many were absentee landlords, and they struggled in such matters and she felt some extra effort might have to be put forth.

Executive Airport Noise

Commissioner Teel stated that they were doing well and she was attempting to keep everyone happy regarding the noise issue until the FAA report was released. She remarked that she had been at the Airport for a meeting at 8:00 a.m. and the planes lined up for take-off just like rush hour vehicles.

Sunrise Harbour

Commissioner Teel stated that a mixed use building had been constructed on the Intracoastal at Sunrise Boulevard which was the Terry Stiles rental project. She stated they had a beautiful marina which was operated very efficiently and environmentally sound and had been awarded the "Clean Marina Designation" by the State. She added that it had been welcomed by the neighborhood and community rooms were provided for the neighborhood. She also stated that there was also a bakery at the site.

Idlewyld Drive – Streets Perpendicular to Idlewyld

Commissioner Trantalis stated that several individuals had spoken to him regarding streets which were perpendicular to Idlewyld, and that a property owner at the corner had been encouraged by the City to plant there denying public access to the Intracoastal. He further asked if the City could research the matter and determine if there was to be public access.

Greg Kisela, Assistant City Manager, stated that the City Surveyor would check into the matter.

Lake Melba – Poinsettia Heights – Water Quality

Commissioner Trantalis stated that he had inquired whether the City had made any attempt regarding the water quality and source of the pollution for the Poinsettia Heights area.

Greg Kisela, Assistant City Manager, stated that a report would be provided to the Commission.

Code Advisory Committee

Commissioner Moore stated that the Code Advisory Committee was having a problem in getting a quorum at their meetings. He asked what could be done regarding that matter.

23 Avenue between 19th Street & Sunrise Boulevard

Commissioner Moore stated that he had met with the Dillard Park Civic Association, and on 23 Avenue there was a major improvement project done by the County, but the work which had been done caused increased flooding to the area. He stated that he and Hector Castro had met with Commissioner Eggelton and Dick Brossard from the County last night to address this issue. He felt a problem could have existed with the engineering forecast regarding storm water, and they were going to check if a miscalculation had been made.

Commissioner Moore stated there were real problems in the area, and the County stated that possibly there could be a cost of \$1 Million to improve the situation, and the County stated they would pay their share, but the City would also have to contribute. Commissioner Moore stated he was not sure if community block grant dollars could be used or if the money had to come from the General Fund. He stated it was his understanding that this area had been designated as a flood area with FEMA over the last 30 days due to the recent heavy rains, and some of the homeowners might need assistance in the application process.

Commissioner Trantalis asked why the City should pay for a problem that did not exist before the construction. Commissioner Moore reiterated that they were going to review as to whether the engineering projection on how to handle this problem had been done correctly at the front end. He stated that he asked them to do that because if the engineer had done something inappropriate, possibly some bond money could be used to solve the problem. If that was not the case, then possibly the City might have to pay a pro-rata share. Commissioner Trantalis reiterated that the County had caused a problem that did not exist to begin with. Commissioner Moore further stated that possibly that was what the community had desired because they had asked for curbs and gutters.

Mayor Naugle stated that they could look at what had been done with the drainage at Progresso where assessments were done with commercial properties on the east side of the street. He agreed that regarding residential properties they could look for assistance.

Commissioner Trantalis stated that in areas where chronic flooding occurred, what initiatives were being proposed to target the worst problems.

Greg Kisela, Assistant City Manager, stated that in 1992-1993 they had formed the Stormwater Utility Fund which dealt primarily with water quality. Half of those funds were to assist in cases where there was standing water in streets and intersections and hampered traffic. He explained that generated about \$3 Million a year city-wide. Some of the funds had been used towards the "Save Our Swale Program." Clearly, the storm events which occurred last year around June 23rd, there were isolated areas throughout the City which had been under tremendous amounts of water. He stated that Edgewood had 12" to 18" of water on the roads flooding into the homes. He stated that one of the challenges given to Waterworks 2011 was that as they went into the newer areas for sewers, they did not program money for stormwater. This was trying to be addressed comprehensively and something would be brought before the Commission as a policy matter on how to deal with this problem.

Commissioner Trantalis stated there were certain situations throughout the City that had problems due to the heavy rains.

Mayor Naugle remarked that one of the reasons it took time was because they did not want to pollute the waterway.

Commissioner Trantalis reiterated that if water was in the streets making them impassable, the water would eventually drain into the Intracoastal, along with the pollutants. Mayor Naugle stated if the water traveled the slow route and went into the swale, then the pollutants would be captured in the soil and would not go into the waterways. He stated they did not want the water to lay in the streets for a long period of time or go into people's homes. He reiterated it was up to them as elected officials to explain to people that if the water was being routed immediately out of the street, then they would be polluting the waterways and would be in violation of their stormwater permit.

Commissioner Moore stated the issue also was what would happen if there was an extreme amount of rain tomorrow. It was suggested that some entity should sandbag around certain areas to prevent flooding into the homes. He felt they needed to arrive at a process to deal with such a matter.

Mayor Naugle suggested that this item be scheduled for a Commission Conference Meeting.

Commissioner Hutchinson stated that the County had designed this elaborate system which did not work, and therefore, they should be sandbagging.

Mr. Kisela stated that people in River Oaks and Edgewood had batter boards and the properties flooded. He stated that it would be a policy decision of the Commission as to whether they wanted the City to be involved in sandbagging.

Citizen Volunteer Corps

Commissioner Moore stated that as Vice-Mayor he was to deal with the Citizens Volunteer Corps. He asked the Commission if this group could consider a method of generating interest in the business communities to assist in pooling together to acquire holiday decorations.

Commissioner Hutchinson stated that he could ask the groups opinion. Mayor Naugle stated that he could open up a discussion on the matter. Commissioner Teel stated that was a good idea since there did not appear to be any type of coordinated effort at this point in time.

(City Commission Reports Continued on Page 19)

I-D – Fort Lauderdale/Hollywood International Airport – Maintenance Project for Runway 9L/27R

Commissioner Moore left the meeting at approximately 3:18 p.m. and returned at 3:22 p.m.

The City Manager stated that he had extended an invitation to Bill Sherry via the County Administrator. He further stated that Commissioner Hutchinson had posed some questions regarding the maintenance project for Runway 9L/27R.

Commissioner Hutchinson stated that she realized community meetings were being held in regard to the maintenance project for the north runway. She stated that her issue was in regard to the diagonal and its use because it affected not only her district, but most of the County. She stated that she had not heard what alternatives were being offered and asked for such a presentation.

Bill Sherry stated that for all intents and purposes they were a single runway airport, and from time to time repairs were needed. The last time this runway had been overlaid was in 1989. In addition, the project also included upgrades such as lighting, taxiway improvements, and an e-mass system which was an engineered material arresting system which improved safety. He further stated that the project called for getting underway in August and September, 2004, which was a slower time in connection with traffic and noise impacts for various communities of the City would be minimized.

Mr. Sherry added that there had been four initial alternatives, but part of the project also included public outreach. He stated that input received from the community and the airlines would be considered in making adjustments.

Mr. Sherry continued stating that there were four options. Option A would shut down the runway for a 24/7 period of time, and the minimum time the runway needed to be down would be 14 days. During that time the diagonal runway would be used causing an increase in the noise impacts to the communities.

Commissioner Hutchinson asked if that time period took into account problems that could occur due to inclement weather. Mr. Sherry announced that rain days were built into the time period.

Mr. Sherry stated that Option B was a derivative of Option A where they would concentrate on the western portion of the runway, west of the diagonal, and have it closed for 6 days and reopen it for weekend traffic. Then, they would concentrate on the eastern portion of the runway, east of the diagonal, taking about 10 days to do the work. He stated this would extend the time of the contract, but would take the pressure off of the community during the weekend.

Commissioner Hutchinson asked if there would be use of the diagonal during that period of time. Mr. Sherry confirmed. He further stated that any of the four options required the entire Airport to be shut down for a 24-hour period of time when the intersection would be done at the north and the diagonal. He stated that other alternatives were being explored as to whether some of the work could be done at night and keep the Airport operational during the day.

Mr. Sherry further stated that Option C was to close the runway for an 8-hour period of time and keep the Airport operational during the day time. He stated with this option the contract would be extended for 36 days.

Mr. Sherry continued stating that Option D was a derivative of Option C which was to close the Airport for 10 hours which would shorten the contract down to 26 days. He stated that the cost of Options A and B was around \$20 Million, and the cost for Options C and D was about \$20.5 Million. He stated that after receiving community input, they would make a decision possibly around July. The Engineer would then be required to have the plans ready by October, and then there would be a 6-month process for selection of the contractor. He believed they would be ready to begin the project around August, 2004.

Commissioner Hutchinson remarked that the alternative options brought back horrible memories, and asked if any of this had to go back before the Commission.

Mr. Sherry stated that he had been delegated that authority and announced that there had been 4 rounds of community meetings which had not been well attended.

Commissioner Trantalis stated that no matter what option was chosen, the diagonal runway would be used. Mr. Sherry confirmed.

Commissioner Hutchinson stated that she preferred Option A which was the shortest period of time involved.

Mayor Naugle asked if Mr. Sherry wanted this Commission to take a position regarding the options being offered, he could return after receiving all the community input and relay any additional information he had.

Commissioner Hutchinson asked if they could come to her June 30th meeting and talk with the residents.

Elizabeth Hayes stated she had attended some of the meetings and asked for further clarification regarding Options A and B. She stated it was her understanding that the 14 days would not be consecutive because time was needed for the asphalt to cure before they could return and regroove. Mr. Sherry confirmed.

Ms. Hayes stated that Jack Hare from Riverland had put together some flight information, but they had not yet received any response regarding that information. She asked Mr. Sherry if he could check into the matter. Mr. Sherry agreed.

Commissioner Trantalis asked if takeoffs on the diagonal went over the ocean or were landings from over the ocean. Mr. Sherry replied it depended on weather conditions because air traffic launched planes into the wind. He stated further that at that time of the year, it would be safe to bet the winds would be from the east which would have takeoffs going southeast, and landings over the City. Commissioner Trantalis asked if landings generated less noise than takeoffs. Mr. Sherry confirmed.

Action: As discussed.

**COMMISSION RECESSED AT 3:35 P.M. FOR AN
EXECUTIVE CLOSED DOOR SESSION**

COMMISSION RECONVENED AT 4:05 P.M.

IV – City Commission Reports (Continued from Page 13)

Crime Night Out

Commissioner Hutchinson stated that Crime Night Out was an annual event held for over 20 years. She advised that it had been switched and Crime Alert wished to hold an event in Holiday Park, but neighborhoods wanted to do this individually which was the whole point of this group. She stated the neighborhoods were not being encouraged to hold this event on their own. She asked why some neighborhoods did not want to individually host this event. She remarked that they had received a letter from Crime Alert explaining how the City was conducting this event at this time.

Commissioner Trantalis stated he had received a letter from Pat Mayers who was head of Crime Alert announcing the event.

Bruce Roberts, Chief of the Police Department, stated that he would obtain the information and return with a report for the Commission.

Mayor Naugle remarked that McGruff had not heard anything about this as of this time. Commissioner Hutchinson stated she had read about this in Tarpon River's newsletter.

Ernest Burkeen, Director of Parks and Recreation, stated that he had not heard about this as of this time.

Mayor Naugle stated it was good to have the events throughout the City bringing all the neighbors together.

Action: Additional information to be supplied to the Commission.

Airport Agreement 1997 Expansion of South Runway

Commissioner Hutchinson stated that a lot of her neighbors felt that the City was not at the table pro-actively with the County and other municipalities regarding the expansion of the south runway. She agreed that eventually the City had a good legal case, but they were not getting the word out as to what this City was doing, and Hollywood and Dania was spending large amounts of money campaigning to fight this. She stated nothing was being put out to the public and she did not want to wait until the last minute. She felt they needed to be advised as to what was occurring and what position the City was taking in this matter.

The City Attorney advised that the City had signed an Interlocal and Development Agreement.

Mayor Naugle asked if that agreement could be renegotiated or rescinded if the County did not follow through on the issue.

The City Attorney explained if they decided to abandon the project as approved, he felt the City had the opportunity to file a lawsuit informing them to stop work on the project until it would be built as promised. He advised that if they did not build the south runway, there would be no room for expansion and they would not need the new gates and other improvements being made.

Mayor Naugle stated that the City had permitted them to widen 4th Avenue and had contributed land towards it. He felt that the City might have to take the position and have the construction halted in order to enforce the original agreement. He asked how that would occur.

The City Attorney explained they would rescind the original agreement and put a stop work order on the project.

Commissioner Hutchinson remarked they needed to do something because everyone else was, and should not continue waiting.

Mayor Naugle remarked that all 3 cities had signed the agreement. Commissioner Hutchinson added that they were moving through the development order in connection with the widening of 4th Avenue, giving money

to the neighborhoods for a charette regarding SR 84, building garages, and closing a turn lane on 4th.

The City Attorney advised the City would have to give Notice of their Intent to Rescind and have them come and inform the City why they were not building pursuant to the agreed-to conditions. He further stated if the City rescinded the order, they should not be able to build without appropriate permits because this was a development of regional impact and required the City's approval.

Commissioner Trantalis stated that at the public hearing held at the Convention Center, they had committed to additional studies being done in anticipation of the building of the runway. The City Attorney stated the issue was if they did commit to an additional study to see whether they were going to build the south runway as proposed in the development of regional impact, it left them the option not to build what they proposed, and to build something less which would not take the pressure off the diagonal runway.

Commissioner Hutchinson reiterated that they were now looking at other options so they did not have to build according to the development order previously agreed to.

The City Attorney advised that the City's position would be that if they were going to stop the project and plan for something different, then the entire project should be stopped and they could then return with another plan and the City would review it.

Commissioner Trantalis asked if the issue was at the point where they could make such a claim. The City Attorney explained that perhaps it was to the point where the City could request information from the County in order to make such a determination. Commissioner Trantalis remarked that he felt the process had slowed down due to public opposition. He felt their response to that opposition was not to stop the process, but to slow it down, and meantime the process was still going on. The City Attorney stated that the only part of the project which had slowed down was the runway portion.

Commissioner Moore reiterated that in order to "get into the race," the City needed to stop what was developing so things could come to a "head."

Commissioner Trantalis stated that an alternate way of looking at this was that the County could say if the projects were not to continue, then they would have further delays in attempting to build the south runway because those things had to be completed before the runway could be built. If the issue was to be examined through the public hearing process which should be done, then he was not sure what they would be accomplishing.

Commissioner Hutchinson stated that everything being built was moving towards the option chosen which was the expansion of the south runway. Mayor Naugle suggested they schedule a discussion regarding the rescinding of the agreement, and asking them to appear.

The City Attorney explained that as part of their DRA they had to file an annual report, and suggested they get a copy of it and find out when the next one would be due. He remarked that report would tell the City where they were in regard to their development process, and then the City could schedule a Conference discussion.

Mayor Naugle suggested the item be scheduled for a Conference Meeting and an update given regarding the annual report.

Commissioner Hutchinson explained the reason she brought this matter up at this time was for the City to take a stand. She realized they had a legal argument, but they were just sitting back and she felt they needed to be more vocal and to exercise their right. She felt that was what the community wanted and that was what they had signed off on in 1997. She added there were other issues involved, including the Port and the closure of roads.

Commissioner Moore suggested they ask the City's Public Information Office to do a historic review of what had taken place, and to offer the information to the various civic associations so they could publish some of it in their newsletters.

Southwest Coalition Meeting – Gridlock of Bridges

Commissioner Hutchinson stated that she had attended the Southwest Coalition Meeting and discussion had ensued regarding the bridges and gridlock. She stated they had talked about what happened to traffic when an extra 30 minutes was involved due to the shutting of the bridges. She stated that Commissioner Rodstrom had made reference that if the City agreed, and she realized this would have to be a conference item, he would bring up to the County the issue of approaching the Coast Guard to see if a possible extra 30 minutes in the morning and in the afternoon could be added to allow traffic to move out. She stated that Davie Boulevard did not adhere to the same closure standards as the downtown bridges, and in having a discussion with the Coast Guard there could be an opportunity to discuss the matter. She added this could also involve 3rd Avenue and Andrews Avenue.

Mayor Naugle suggested they also needed to hear from the businesses in the area, along with the marine industry. He added that they also needed to include Jamie Hart and the FEC Railroad in the discussions. The City Attorney suggested that the Coast Guard attend the meeting also because there were operational and safety issues involved.

The City Manager asked if they wanted to get input from the Marine Advisory Board. Mayor Naugle and Commissioner Hutchinson confirmed.

Elizabeth Hayes stated that she felt the traffic problem was due to more than just the bridges.

Commissioner Hutchinson added that she felt the City's Traffic Engineer needed to work with DOT in connection with I-95 at the overpass because right turns were not being permitted, and this added to the traffic problems.

Action: Schedule for Marine Advisory Board discussion and invite interested parties as discussed.

South Andrews Business Association

Commissioner Hutchinson stated that the South Andrews Business Association had done their master plan this weekend. She stated that on Thursday night at 6:00 p.m. at the Eastside Antique Place on 14th Street, they would give their presentation.

Stranahan High School

Commissioner Hutchinson stated that Stranahan High School was going through the development process regarding their sports complex, and she wanted to meet with them regarding their plans. She stated she was concerned about the lighting, night games, and the traffic. She reiterated they had not been part of the process and wanted to know what was happening.

The City Manager asked what the time frame was for the project. Commissioner Hutchinson stated she did not know the time frame, but did not want the plans submitted to the City without some discussion taking place.

637 SW 15 Avenue HOPWA Sunshine Properties

Commissioner Hutchinson stated that 637 SW 15 Avenue was a HOPWA property and was a nightmare, and she felt they needed to work more proactively with HUD. She felt they needed an update and wanted to show HUD what was happening at the site.

Faye Outlaw, Interim Director of Community Economic Development, stated that when they had negotiated the agreement with HUD, they were to be able to demolish the properties and use the money to build replacement units without a sanction or repayment from the City of any gap. She stated they had responded in writing giving their approval, but stated if there was a gap then money would have to come from the General Fund.

Commissioner Hutchinson remarked she had been working on this for 4 years and wanted to move on, and wanted an update on the properties. She stated it was vacant and boarded up, but was a continual problem. She added it was a blight on a neighborhood who was attempting to improve their quality of life.

The City Manager stated that HUD now had a new director since this started, and they would meet with that individual and get an update for the Commission.

Mayor Naugle stated that possibly one way to resolve this matter would be to obtain some appraisals and make the property available to a developer for townhouses, and see what the market price could be for the property. If enough money could be obtained, then they could pay off HUD. He felt this was a possible strategy that could bring the matter to a head.

Commissioner Moore stated he liked the idea but felt there was a drawback to it because it was difficult to find locations to build affordable housing. Mayor Naugle stated that something could be put in the RFP that 20% of the units were to be set aside for affordable housing.

Ms. Outlaw stated that they already had preliminary numbers and anticipated a large gap, and therefore, were working on Plan B.

V – City Manager Reports

Budget Update

The City Manager stated that he promised to keep the Commission advised of the incremental steps that were being taken regarding the budget. He stated that as part of next year's budget recommendation, he would be recommending some organizational moves. He stated he had considered the suggestions offered by the Commission on how to make things more efficient, thereby saving some money. Some of the activities from the regulatory end would be put up front particularly in their approach to economic development and Construction Services.

The City Manager further stated that he would also be addressing some of the items in the Latimer Report as related to spam control, and he hoped to accomplish these moves with no net new positions. He stated that some things had been listed as priorities which perhaps had to be addressed through personnel adjustments, such as Historic Preservation, ULI, and so on. He stated the budget would be well thought out and hoped it would give them what was necessary to move forward. He stated they were also going to take into account some early succession planning. He added that in the next 3-5 years they would be losing a fair number of people through DROP and retirement. He believed they had to begin making some decisions now as to whether those individuals would be replaced, if other resources would be available to continue those

positions, or whether they could be combined with other existing positions. There might not be any immediate impacts at this time, but a hiring freeze would be in place.

Public Safety Bond Issue

Mayor Naugle stated that there was a need to improve public safety programs, and to gain voter approval they needed to hold the line on taxes so a favorable response could be received.

The City Manager stated that March might be too soon and their recommendation could possibly be for November of next year. He felt they needed to do a lot of due diligence so they could proceed with creditability.

Meeting adjourned at 6:07 p.m. until after the Regular Meeting this evening.