

COMMISSION CONFERENCE**JULY 15, 2003**

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COMMISSION CONFERENCE

1:30 P.M.

JULY 15, 2003

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

Also Present: City Manager
City Attorney
City Clerk
Sergeant At Arms – Sgt. Gavic

I-A – Budget Message – Fiscal Year 2003/2004

Mayor Naugle stated that this item would be deferred until July 22, 2003 at 6:00 p.m. He stated that based on Commissioner Hutchinson's memo, the Commission at yesterday's workshop decided to discuss this matter on July 22, 2003. He further stated that at tonight's meeting, a motion would be made to defer Item R-1.

I-B – Renaming of Executive Airport's Downtown Helistop in Honor of John Fuhrer

Mayor Naugle stated that the City Commission would accept the recommendation of the Aviation Advisory Board regarding this matter.

Clara Bennett, Interim Airport Director, stated that at the May, 2003 meeting of the Aviation Advisory Board, they had discussed Mr. Fuhrer's 30-year tenure on the Board, and then recommended the renaming of the Helistop in his honor.

Action: Approved.

I-D – Outdoor Sales and Displays of Merchandise

The City Manager stated the Commission had received a list of alternatives and options that addressed this matter. He further stated that what was once a clear issue as to whether the City wanted to expand their use of outdoor sales, they had gone in a temporary mode which allowed special event permits while staff continued to research the matter. He explained that staff had submitted a memorandum which showed the other items which were before the Commission to study, and decide if they should proceed forward with a full-fledged study. He stated that the attention the Commission had brought to this item was appropriate because it had the opportunity of opening up doors for consideration of such things in other areas. He explained that the balancing act would involve the impact on the neighborhoods, and whether they could be fair to everyone and what parameters would be involved.

Commissioner Teel asked if the special arrangement that had been set up would continue until they set up a new ordinance.

Mayor Naugle stated that it did not appear to be a problem and could continue indefinitely.

Commissioner Teel asked what would happen if another group came along and asked for the same privileges. Mayor Naugle stated that they would be treated on a case-by-case basis, and suggested that these approvals be done quarterly.

The City Manager stated that as long as they applied the same standards for everyone and things would be fair, there should be no problem, but before they put in a rule change, it would be prudent to make decisions on a case-by-case basis realizing it was the use of the property that would determine whether it would have a negative impact on the surrounding communities. He stated they could continue going this route until something more permanent was put into place.

Commissioner Teel stated she felt they were on a "slippery slope," and stated she was not in favor of continuing in this way.

Commissioner Moore left the meeting at approximately 1:40 p.m. and returned at 1:41 p.m.

Commissioner Hutchinson stated that currently they were asking for a permit for once-a-month. She continued stating that at the Commission's previous meeting they had approved such a permit for 3 months, therefore, option 3 of staff's memorandum would be to do it twice a month for 3 months. She felt since they still had to come before the Commission and a fee was paid, possibly they could add a clean-up fee to the event so there would be no problem. So far, this event had not caused any problems and she stated that it subsidized the monies they did not receive from the government. She proceeded to remind everyone that they had the ability to pull such a permit at any time. She stated she did not know what to give up on the "pending items" list. She stated that there had been no controversy regarding this matter, except for the one individual who had turned-in this group. She reiterated that she did not have a problem with this item.

Commissioner Trantalis stated that they should not stifle the activities of people in the community since it was not a burden on the neighborhood, and if a problem arose the Commission did have the ability to pull the permit. He stated that he would actually encourage these events to take place in other areas of the City because it helped to revitalize the neighborhoods. He reiterated that it worked in certain communities, and he felt they should let it continue.

Commissioner Hutchinson stated that they were accommodating to other non-profit groups and it was a real community event once-a-month.

Commissioner Teel reiterated that she would be more comfortable if she was sure there would only be legitimate non-profit based groups requesting such permits.

Mayor Naugle asked if the criteria for the present special event permits were for non-profits only.

Greg Kisela, Assistant City Manager, stated they could partnership with a non-profit, but most of the time it was for profit.

Commissioner Moore stated that he felt there should be notices sent to businesses regarding these events. He further stated that such permits had been denied in the past to other groups and businesses. Mayor Naugle remarked that at the present time they could have a special event or sidewalk sale about once-a-month.

Cecelia Hollar, Director Construction Services, stated that Sears could apply for a special event permit, and she was not aware of any provision that they could not do that.

Commissioner Moore reiterated that he believed such businesses should be notified that such an opportunity existed. Mayor Naugle suggested that copies of these minutes be sent to such businesses making them aware of these permits.

The City Manager stated that when discussions had been held regarding businesses such as Sears, it centered around seasonal sales. He felt that was different than what was being discussed today. He further stated that originally Sears had requested to hold a Christmas sale. Mayor Naugle remarked that the request would have to be analyzed because parking lots were full around the holiday season and they did not have the capacity to hold such a sale.

Mayor Naugle stated that he was comfortable with once-a-month sales. He reiterated that they would continue the policy of getting approved quarterly.

Action: Approved continuing with once-a-month sales approved by the Commission on a quarterly basis, until such time as Ordinance is adopted.

I-C – Sister Cities Relationships – Quepos, Costa Rica; Cape Haitien, Haiti; and Belo Horizonte, Brazil

Nuccia McCormick, Chairman Greater Fort Lauderdale Sister Cities International, stated that there were three cities requesting consideration for the Sister City

Program. Those three cities were: Quepos, Costa Rica; Cap Haitien, Haiti; and Belo Horizonte, Brazil.

Quepos, Costa Rica

Marvin Chaney, Chair for Quepos, Costa Rica, stated that the Commission had been provided with an overview regarding Quepos.

Mr. Chaney proceeded to state that the area of Quepos/Manuel Antonio was located on the Pacific Ocean in the Central Coast Region of Costa Rica, and the population was approximately 20,000 people. He reiterated that the actual number of people in the greater Quepos area at any given time differed due to the tourist industry. He stated further that the natural beauty of Quepos was a combination of lush tropical rain forests, impressive cliffs, and pristine beaches. The Manuel Antonio Park had the highest visitation of all the National Parks in Costa Rica, and was one of the few areas where wild populations of the "titi monkey" still existed.

Mr. Chaney continued stating that today tourist development, real estate development, the marine industry and conservation of natural areas were the principal activities in Quepos. He further stated that Quepos was the home for one of the largest sport fishing operations in the world where sailfish, marlin, mahi-mahi and other blue water species fulfilled the needed excitement of many anglers. He advised that current plans included the constructions of a major new marina, and that one of the design, engineering and architectural companies that would be bidding on the project was based in Fort Lauderdale.

Mr. Chaney stated that aside from the importance as a tourist and real estate development area, Quepos was a strategic service and product supplier in the mid-Pacific sector of Costa Rica. Facilities such as banks, hospitals, an airport, diverse retail shops, hotels, and restaurants provided buying opportunities for residents and travelers, along with numerous schools and churches.

Mr. Chaney further stated that the Manuel Antonio National Park was a hilly evergreen forest providing natural shade from the tropical sun to white sandy beaches sloping to the gentle surf. Trails led through dense jungle growth to hidden sandy coves and magnificent lookouts over the ocean and beaches. The rain forest met the sea and the ecosystem was teeming with land, sea and air species. In all, there were over 100 species of animals and nearly 200 species of birds in the Park.

Mr. Chaney stated that a local non-profit organization affiliated with Nova Southeastern University, Wild Spots Foundation, had agreed to conduct a scientific study in Quepos from August 10-16, 2003. The project would include 38 science teachers from the Broward County School System, 10 teachers from the New York City School System, and 10 teachers from the Costa Rica School System who would conduct research at the Park. In addition to sharing their

findings with their students, web cams would be set up and would transmit via the Internet photographs of the area. The purpose of the project would be to educate students about biodiversity and endangered species.

Mr. Chaney reiterated that they believed Quepos, Costa Rica, would make a wonderful addition to Sister Cities of Fort Lauderdale.

Commissioner Moore left the meeting at approximately 1:55 p.m. and returned at 1:58 p.m.

Mayor Naugle remarked that this would be their first Central American Sister City, and he believed it was a beautiful city. He felt there could be an interesting economic development between the two cities.

Mr. Chaney remarked that a new marina had been built near Harpo Beach and was doing very well, and a new marina was going to be built within a year in Quepos. He stated that a new sewage treatment plant was needed and discussions had ensued with local engineers in this City to design it for them.

Cap Haitien, Haiti

Eddy Remy, representative of Cap Haitien, Haiti, stated that it was a historical city which was about to celebrate its 333rd anniversary on August 15, 2003. He stated it was a city which had done well with tourism, but due to political unrest the industry had suffered recently. He explained they were presently in the position where they were redeveloping. Currently, Royal Caribbean Cruise Lines were taking tourists to Labadee, one of the most beautiful beaches in the world and a major place where Christopher Columbus had landed and spent a lot of time. He stated that the first fort was built in Labadee

Mr. Remy further stated that the population presently in Cap Haitien was about 500,000 people and was a growing city. He remarked that it was one of the few cities which had electricity 24/7. He stated there was an airport and 3 airlines flew directly from Fort Lauderdale to Cap Haitien. He stated that many people from the northern region of Haiti resided in Fort Lauderdale. He stated that hotels were developing. He reiterated that other cities were competing to become sister cities with Cap Haitien and they were: Portland, Maine; Savannah, Georgia; New Orleans, Louisiana; and Mobile, Alabama. He stated that the relationship developed by Mayor Naugle with Cap Haitien over the last 3 years was a major reason they desired the relationship of being a sister city.

Mr. Remy stated there was a learning program regarding health and education between Cap Haitien and the City of Fort Lauderdale. He stated that Portland, Maine was working directly with their hospital.

Mr. Remy further stated that Cap Haitien was home to the 8th Wonder of the World which was the Citadel La Ferrier, which was a fortress built on top of a mountain to protect the country from the return of the French. He also stated they had the Sans-Souci Palace which was quite beautiful and was a replica of the Versailles Palace in France. He further stated that there were individuals presently doing research in order to attempt to find the hull of the Santa Maria which had sunk off the coast of Cap Haitien, along with archaeological digs along the coast.

Mr. Remy remarked that the city had unique architecture that was a mixture of French and Spanish.

Mayor Naugle stated that Cap Haitien was the second largest city in Haiti and was located on the north coast which had direct flights from Fort Lauderdale. He stated there was about \$300 Million in aid which was tied up waiting for the elections to be resolved in Haiti, and he felt when those issues were resolved more aid world-wide would flow into Haiti. He remarked there were direct shipping lines going to the city.

Mr. Remy stated there were some companies in Fort Lauderdale who were looking to set up businesses in Cap Haitien. Matrix was looking to set up a new water system for them, and another company was looking to help them grow cotton and increase the trade between the cities. He stated that the International Swimming Hall of Fame was going to do a program on August 10-14, 2003, where they were going to teach 4,000 children how to swim and prevent drowning.

Belo Horizonte

Eric Willner, Chairman Brazil Fort Lauderdale Sister Cities International, stated that Belo Horizonte was the 3rd largest city in Brazil and had a population of over 4 million people. He stated they had an international airport, major universities, museums, 2 major national soccer teams, and was voted by the UN as one of the Top 10 Best Cities to live in. He stated that commercially it was strategically located among the political and economic centers of Brazil, known as the Rio-Sao Paulo and Brasilia axis. He explained the City had one of the lowest crime rates in South America. He stated there was a large mineral industry, along with tourism.

Mr. Willner stated that the climate was similar to Fort Lauderdale's and the city was actually situated on a river. He stated their mayor was young and was looking forward to fostering educational, cultural, and economical exchanges between the cities.

Mayor Naugle thanked everyone for their presentations.

Commissioner Teel asked how much the City was actually spending on the Sister City Program.

The City Manager stated that last year they had budgeted about \$12,000, and there was a recent change in leadership who promised an accounting for last year. He remarked that the highest amount ever spent had been \$32,000. He stated that at the encouragement of the Commission, the group had embarked on fund raising activities of their own in an attempt to reduce their reliance on the City. He did not feel there would be a heavy demand on the City.

Mayor Naugle explained that each country had a chair person and a committee who held fund raisers that would help sponsor expenses and programs.

The City Manager stated that at one point in time there had been some "rocky roads" in the program, but on an average they had stayed within their budget.

Ms. McCormick stated that they hosted the leadership of the countries and they had been able to have fund raisers and were continuing to bear the expenses.

Action: The 3 sister cities which had been presented were approved.

I-E—City Park Mall Garage – Planter Wall Rehabilitation Study and Façade Alternatives

Hector Castro, City Engineer, stated that the Commission had previously asked them to return with alternatives regarding the façade for the City Parking Garage which was currently undergoing renovations. He stated that they were providing the Commission with 3 different alternatives to choose from. The first alternative was to restore the planter wall system exactly as it had been designed originally which would entail about \$1.5 Million in costs. He stated that they had provided the Commission with a 15-year life cycle cost for all the alternatives.

Mr. Castro explained the second alternative also was to restore the planter walls but not putting in living material. He stated that the capital costs were about equal to the first alternative, but had less maintenance costs.

Mr. Castro further stated the last alternative was a completely separate façade which was very expensive.

Mr. Castro stated that today they were seeking the Commission's direction as to which alternative should be followed, and to direct them as to whether to proceed with a Change Order under the current contract which would increase the contract value about 50%, or if it should be done separately.

Mayor Naugle asked if they wanted to receive additional input did a decision have to be made today or could one be rendered at the September meeting.

Mr. Castro stated that Whiting-Turner's contract was until 2004, and if they were not going to be given any additional work, they wanted to be completed by the end of September. He explained that alternatives 1 and 2 provided flexibility since the initial construction was the same, and then the Commission could take some additional time to decide whether to put in living materials or not. Renderings were shown.

Mayor Naugle stated that he liked the plants, but if they were too expensive he really didn't have strong feelings about it.

Commissioner Teel stated that they should be careful with the money and plants were expensive. She asked if they were going to restore the membrane of the planter boxes. Mr. Castro replied that they would be restored under alternative 1, but under alternative 2 they would structurally restore the planter boxes so they could accommodate both types of material.

Mayor Naugle asked if the boxes would be collectors for trash or animals. Mr. Castro stated that since this was a barrier wall system, they would have to be filled in with something eventually. He further stated that in alternative 2, they would structurally be repairing the planter walls so they would serve as barrier walls, and by the time they were completed, the Commission would have to decide what was to be placed inside them.

Commissioner Teel stated she would be concerned if sand or earth were placed in the boxes because then weeds would grow which could become unsightly.

Mr. Castro stated that if the Commission decided to proceed with the aesthetic façade, they would have to probably fill the planters with concrete. He explained they could proceed with either a Change Order or a separate bid to structurally repair the walls, and during that time then decide what was to be placed inside the boxes.

Commissioner Teel asked how accurate the \$400,000 figure was in their report. Mr. Castro explained that the figure came from the consultant and they had taken into consideration that they only had to proceed half-way on each wall. He stated the actual cost for doing a major façade would be about \$25 per sq. ft. and was very expensive.

Commissioner Trantalis stated that it was his understanding that when this matter had been brought to the Commission previously, staff's suggestion was not to reconstruct the planters and the money for that project would be applied to another reconstruction aspect of the garage. The Commission had stated they wanted the planters retained. He asked why the Commission was being given an alternative regarding planter boxes without plants, when in fact this discussion began because the Commission had decided to retain plants in the boxes. Mr.

Castro stated they were under the interpretation that the direction they had received was that because there were problems with the planter wall system during the renovation, they were going to stop working on them and study alternatives of what could be done, and then bring the matter before the Commission for a decision. Then, they could proceed with the restoration of the planters under a separate contract. He reiterated that evidently staff and the Commission's interpretations were different on the matter. He stated that they had previously presented a Change Order that would delete the planter wall work from the contract. Presently, planter wall restoration was still in the contract, but they would have to add the structural improvements to it to make the planters a barrier wall system.

Commissioner Teel asked if they put the item out for bid, they might get a better price than what they had with the current contract. Mr. Castro remarked that there was such a possibility. Commissioner Teel stated that alternate 2 was well illustrated and she was in support of that suggestion.

Commissioner Hutchinson stated that she also preferred the second alternative.

Mr. Castro stated that the Commission could decide to proceed with the planter wall restoration under the current contract with a Change Order, and while that work was being done within the next 6 months, they could meet with other individuals and see what should be done with the boxes.

Commissioner Moore stated that if there ever was a discussion with the Commission and staff did not understand their direction, that they review the tapes, along with a review of the minutes, because there appeared to be a problem getting what was requested.

Commissioner Hutchinson left the meeting at approximately 2:28 p.m. and returned at 2:30 p.m.

Commissioner Moore further stated that clear instructions had been given to staff, but they had not been followed. He realized it would cost more to have live plants, but it was a standard that the community desired. He felt the way this project was even prepared discouraged what had been requested. He suggested that alternative 1 be selected and the work be excluded from the current contract, and they put it out to bid in an attempt to reduce the construction costs.

Mayor Naugle stated that staff felt the walls needed to be rebuilt, and the decision to be made was whether there should be a decorative grill or live plants, and that choice did not have to be made at this point in time. He suggested that they check with other cities also as to how such maintenance was handled.

Commissioner Moore stated that information should have been supplied with the presentation of the alternatives. He felt it was unreasonable at this point in time,

but stated that whatever course of action the Commission wanted to take was agreeable with him.

Mayor Naugle remarked that it appeared that alternative 2 was the choice of the Commission.

Commissioner Teel stated she felt that would be a wise choice and would not rule out the possibility of live plants. She further stated that the capital improvements costs did not concern her as much as the maintenance costs.

Mayor Naugle stated that when these problems arose, it had been stated that there had been missing steel in the boxes, and he asked how that investigation was proceeding. Mr. Castro stated that they had not been constructed according to the design, and they still had the original plans and the original architect was still in business.

Mayor Naugle asked who had been responsible for the inspection and who had been the builder and subcontractors. He felt fraud had been committed and that the matter should be investigated. Mr. Castro replied he would check into the matter.

Commissioner Moore asked for staff to repeat the direction which had just been given to them in an attempt to assure that information would be provided as requested to the Commission.

Mr. Castro stated that their direction was to rebuild the planter walls so they would be structurally sound, and while that work was proceeding, staff would return before the Commission with various options regarding live plants and other types of facades to be used on the boxes. A separate contract would be put out for the materials for the boxes. He stated he was unclear about bidding the planter wall work separately or using a Change Order.

Mayor Naugle asked what Mr. Castro's professional opinion was as to where the most money could be saved. Mr. Castro felt they would get a better price if they bid the work separately. Mayor Naugle stated then they should proceed in that way.

Commissioner Moore reminded staff that a recommendation had been made in regard to speaking with Miami Beach and other cities regarding the maintenance of the live materials.

Action: Alternative 2 approved.

I-F – Broward Cultural Council – Arts and Cultural Committee

Mayor Naugle stated that the request had spoken about County grants that were available to the City, and he hoped in this time of austerity that the City seek whatever grants were available. He asked who in the City would be responsible for pursuing such monies.

The City Manager stated that his office was responsible and they had to deal with the issue of matching funds also. He felt that between his office and the resources of the budget and management, they would be best able to make the inquiries regarding such grants.

Commissioner Moore left the meeting at approximately 2:38 p.m. and returned at 2:39 p.m.

Steve Glassman, Broward County Cultural Division, stated there was a new County grant entitled the Design Arts Grant which was non-matching and consisted of \$15,000 for the specific purpose of cultural planning. He stated this could be a good beginning for the City, and he would leave the information with the City Clerk regarding that program. He further stated that the deadline to apply for this grant was October 1, 2003.

Commissioner Moore stated that he had been receiving e-mails regarding the creation of a County-wide committee for the arts, and suggested they recommend that someone from the City serve on such a committee so they could be informed of what was happening.

Commissioner Trantalis stated that there was a move afoot to form an advisory board to have several cities work together to target potential grant opportunities, organize arts programs, and other similar activities.

Commissioner Moore suggested that possibly Steve Glassman could be the City's representative on such a committee.

Mayor Naugle asked the City Manager to research the matter, and if there was such a committee being formed that Mr. Glassman could possibly be the City's representative. The City Manager agreed.

Action: City Manager to research county-wide arts committee.

I-G – Revisions to Policy and Guidelines for the Paint and Plant Program

The City Manager stated that the original paint and plant program had been very successful, and they were presently recommending some modifications to the program.

Faye Outlaw, Interim Director of Community and Economic Development, stated that this program had raised an interest level above what they had anticipated. She stated that the level of repairs that had been built into the pilot program were no longer sufficient to address the needs they were seeing in the neighborhoods. She further stated that there was a gap between what was initiated in the pilot program and what the actual needs were in the communities. She stated they needed to bring the program into reality, and were requesting various proposed changes to the program that had been outlined in the memorandum distributed to the Commission.

Commissioner Moore stated that he wanted further clarification by staff regarding the "step-up" program, and he felt there were cost savings that could be utilized and asked if they could be considered. Ms. Outlaw stated she did not believe there would be a problem considering them, but she felt the "catch" would be that in the "step-up" program, before they could take on doing housing rehabilitation projects full time, additional staff would be necessary. She stated they were presently in the process of identifying block grant money to bring it back to the Commission. She also stated that at this point she felt they were not in a position to do such a program. She stated that paint and plant had already been written up for bid, but the bids had come in over what had been approved by the Commission for the pilot program, and therefore, the bids had not yet been awarded. She stated they could wait until additional funds were available for the "step-up," but meantime the projects would be placed on hold which was not their preference.

Commissioner Moore asked how many projects were in line. Ms. Outlaw stated there were 18 out of 21, and very few had come in within the \$10,000 cap.

Mayor Naugle stated that when you raised the maximum from \$10,000 to \$25,000, they would be reducing the number of people who would be receiving the benefits. He further stated that some of the expenditures in the increase could be going for "frills" and appliances. He stated that Federal funds were being distributed through the community, and he preferred that more people be assisted.

Commissioner Teel asked what were the anticipated funds they were expecting to receive. Ms. Outlaw stated that for the block grant their allocation was \$2.6 Million, but only a portion of that amount went to the paint and plant program. She thought the amount was around \$100,000, and there was \$200,000 in the program at this time.

Mayor Naugle reiterated that such a policy change would reduce the number of individuals they would be helping.

Commissioner Teel stated that the list of expanded items to be included covered the contents for an entire house, and she felt they were stretching things too far.

Mayor Naugle remarked that some of the individuals who applied for these programs were in dire need, and on the other hand there were others who were not in such dire straits. Commissioner Teel asked if there could be a \$10,000 limit with the provision that under extraordinary circumstances requests could come back before the Commission, thereby letting the Commission see what number of individuals were involved and the types of repairs that were needed. She asked if that would be permitted under HUD.

Ms. Outlaw stated it was permissible and they would follow the instruction of the Commission. She further stated that in actuality they had the homeowners who were eligible, and typically, they would come in for the neighborhood beautification program, and then request the remaining items. She stated the administrative time became astronomical when they were processing these requests on two different tracks. Here, they would be consolidating two different programs under one umbrella so they could have the opportunity to do everything. She further explained that they tracked each property item-by-item. She stated that the maximum dollar amount approved by the Commission under rehabilitation was always maintained.

Mayor Naugle remarked that was not done under the rental rehabilitation program. Ms. Outlaw agreed, but stated regarding homeowners there was a stringent tracking of items.

Commissioner Teel stated that today they could still get more than the allotted \$10,000. Ms. Outlaw agreed.

Mayor Naugle stated he understood why this change was being suggested, but he felt they should be mindful that less people would be assisted in the program, and he hoped they would be individuals who truly needed help. In the past, he had found out that some people were in tremendous need, but others were not. He felt the program could be abused. Under the new changes, individuals would not be scrutinized for various programs as long as they qualified initially.

Ms. Outlaw stated they accepted the information that was supplied and to the best of their ability they attempted to verify and confirm all the data, but if someone was doing something fraudulently to get around the system, they did not have the means or the ability to catch them on the front end. She stated there was a statement in the application which addressed such an issue, and hopefully individuals would not commit fraud, but there was no "fail proof" system.

Commissioner Moore stated the major reason for the increase was that they were not impacting anyone at this time because the bids were larger than what was presently allowed. He asked if there was a provision that stated if fraud was found to have been committed, then the owner would have to pay back the

money or the property would be foreclosed on. Ms. Outlaw stated that such a clause was provided. Commissioner Moore stated that it depended how one looked at the situation.

Ms. Outlaw reiterated that by design Paint and Plant was to be an exterior beautification program, but as they moved into the interior of the unit the program would then pick up code items. She stated that luxury items were prohibited.

The City Manager stated that it was important to note that the increase came at the request of individuals who had been leaders of the programs in the communities, and who were adamant about the needs for the individuals.

Commissioner Trantalis asked if this program had been intended to augment the homeowners to rehabilitate their homes, or was it intended that the homes be rehabilitated through the government monies. He stated the idea was to help people.

Ms. Outlaw stated that this program had evolved as an exterior beautification program and had started out with a cap of \$3,000. Mayor Naugle stated the initial thoughts were that they could make a difference in neighborhoods by assisting individuals to maintain their homes. Commissioner Trantalis stated that it was not a bad thing that code violations were being corrected, but were they veering from the original purpose of the program. He stated that could be possible and they might have a greater scope of responsibility that needed to be addressed, but at the same time were they "starving" the program from its original intent.

Commissioner Moore reiterated that income requirements were also involved, and he stated that many individuals in the community would not be able to match the funds being given. He stated that the program was a "savior" for communities.

Commissioner Hutchinson asked if they were offering a program to paint and plant, why were code officers showing up and writing citations. Mayor Naugle stated that the matter needed to be investigated and the estimates needed to be reviewed. Ms. Outlaw remarked that the information would be supplied to the Commission.

Commissioner Trantalis asked if another program needed to supplement this one. Ms. Outlaw remarked that there was another program. She stated that they could back-out the items listed under the original "Paint and Plant Program," and the other items could be listed for the rehabilitation program. She stated there was nothing before the Commission which was not already covered under one or the other program. She stated that what was before the Commission was a consolidation of items so things could be done at one time and inefficiencies could be corrected. She reiterated that she was confident that the bids would

bear out that some were code related items in combination with exterior improvements.

Commissioner Moore stated that the recommendation was to save staff time and to get the monies spent. He felt having 18 people waiting in line for a lengthy period of time was unnecessary, and they should proceed forward with this recommendation.

Action: As discussed.

I-H – East Community Area Planning (CAP) Initiative – Appointment of Members for Community Leadership Committee (CLC)

Commissioner Teel stated that she wanted to make a correction of a name that had been listed incorrectly which was No. 9 which should read Lucy Fannizi.

Action: Approval of the 25 listed names.

II-A – Proposed Purchasing Contract Extensions for the Fourth Quarter of 2003 (October to December)

Commissioner Moore stated that he wanted to pull for discussion Item Nos. 1, 3, and 4, including turf grass maintenance. He asked if the insurance liability was going to increase to \$320,000 from the estimated amount of \$70,000 and that they not rebid due to market conditions.

Kirk Buffington, Purchasing Manager, stated that had been the advice of the Insurance Advisory Board. Commissioner Moore stated that he believed it should be rebid.

Commissioner Moore asked what year were they in with the contract for emergency board-ups. Mr. Buffington replied the date of origin was 2002, and they were in the third year. Commissioner Moore asked if there was an automatic annual increase of \$5,000. Mr. Buffington stated that was an estimate due to the amount of properties that needed to be boarded up.

Commissioner Moore asked what amount had been spent in the previous year. Mr. Buffington stated he believed it was about \$80,000 and would check on that and supply the exact figure. Commissioner Moore stated that if they boarded up a property due to individuals not maintaining their properties, and then property rights came into play, he felt something had to be done to address this problem.

Mayor Naugle stated that when there was a board-up, they could attempt to seek the owner to authorize signs to be posted saying "No Trespassing."

Commissioner Moore stated there was an open and abandoned building and tax dollars were used for boarding it making it safe and secure, but the City could do nothing further and the owner did not respond. Homeless hung around the property and other undesirable activities took place, and he felt they needed to do something.

Mayor Naugle stated that some structures were not deemed unsafe, and in the meantime it was safer to have a boarded-up building. He felt if some of the buildings were not boarded-up, they could have been deemed unsafe and torn down.

The City Attorney stated that one had to foreclose on a property in order to gain control over it. He further stated that signs could be placed on the property, but the problem was prosecuting for trespassing, and according to the Statute trespassing had to take place without authorization from the owner. Therefore, they needed the owner to state that no one was permitted on their property.

Commissioner Moore suggested they reduce the amount of the board-up contract, and encourage staff to deal with getting rid of the buildings rather than boarding them up.

Mayor Naugle remarked that was more of a policy change, and they should attempt to get more of these types of buildings before the Unsafe Structures Board for demolition or attempt to foreclose. He stated further that they could renew the contract with the understanding that they were going to place more effort on other remedies.

The City Manager stated that in regard to such matters, he had the responsibility of bringing back to the Commission the budgetary economic impacts, and going with foreclosures would not necessarily have cost reductions.

Commissioner Moore reiterated that his recommendation was not in favor of foreclosures, but if there was an abandoned building that it be cited as an unsafe structure and set for demolition.

Mayor Naugle stated that in order to schedule a property owner before the Unsafe Structure Board did they have to get service or could the hearing be conducted without it.

The City Attorney explained that they had to give notice and if the owners were not found, it could be published in the newspaper and a sign could be posted on the property. He further stated that if they had to advertise, it would affect the timing of the meeting. Normally, a return receipt letter would be sent, along with a letter via regular mail, and the property would also be posted.

Mayor Naugle asked if the property was to be boarded-up did an owner have to be served beforehand. The City Attorney explained that notice would be given for them to board the property, and if that was not done within the required time, then the City would do so and a lien would be placed on the property. He stated further that because a property was not boarded-up did not necessarily mean the City could tear it down. Possibly, the criteria regarding unsafe structures should be changed.

Mayor Naugle asked if the public insurance was going to be put out for bid.

Mr. Buffington stated that the first item was public liability which was an increase from \$56,000 to \$70,000.

Commissioner Moore asked why the Arbitrage Service had such a large increase.

Boe Cole, City Treasurer, stated it was not an increase and it depended on the number of arbitrage services that had to be done each year. He stated that normally every five years a service had to be done on each outstanding bond issue.

Commissioner Moore asked if they were recommending a rebid the next time around for the turf grass. Mr. Buffington stated they could and one of the problems they were having was that there was a lot of turf grass maintenance contractors, but not a lot of them were very good. He stated they had cancelled several contracts over the last year and were trying to keep a closer watch. He stated they wanted to keep the good contractors that they were using, but they could put it out for rebid the next time.

Phil Thornburg stated that there had been some problems, but the issues had been resolved.

Commissioner Hutchinson asked who received the 17th Street contract. Mr. Thornburg remarked that Stiles had been cancelled.

Mr. Buffington explained that this was the first extension for the subject contract.

Action: As discussed.

II-B—Accelerated Capital Improvement Program (CIP) Report for the Second Quarter of 2003 (April to June)

Commissioner Moore stated that he was concerned about the tennis pro shop being done first before the meeting room at George English Park.

Ernest Burkeen, Director Parks and Recreation, stated that it was the control office for the facility.

Commissioner Teel stated that it was the layout of the plan because the pro shop was in the same building as the restrooms, therefore, the meeting room at the center would be done at a later date. She believed they had an ingenious plan and it was going to be a great facility.

Action: Approved as presented.

II-C – Parks General Obligation Bond (GOB) Projects – Report for the First Half of 2003 (January to June)

Commissioner Moore stated that the master plan for Carter Park was behind schedule. He stated that he kept getting calls regarding the lighting at that park.

Greg Kisela, Assistant City Manager, stated that they were working with a contractor and they had submitted documentation regarding the sports lighting and site lighting. The information was being evaluated and additional information had been requested. Once the supplemental information was supplied, they would be released to proceed with the installation of the sports lighting.

Commissioner Moore asked how long ago had this project began. Mr. Kisela replied about 11-12 months ago. Commissioner Moore asked why were they just deciding if the specifications were being met. He reiterated that they were already one year into a reconstruction project, and it was being delayed for another 6 months, and they still did not know if the specifications were being met.

Mr. Kisela stated they had submitted the equivalency for the sports lighting in April or May. Supplemental information was requested, and once that was reviewed they could then proceed. Otherwise, they would have to use the equipment specified in the original contract.

Mayor Naugle asked if that was normally installed at the end of the project. Mr. Kisela replied it was done normally at the end of the project and the critical nature of it was to insure its compatibility with the neighborhood, and the spillage into the neighborhood. He explained they were evaluating the impact to the residences.

Commissioner Moore reiterated that the project should have been done by August of this year. Mayor Naugle stated that the project was to be completed in December of this year. Commissioner Moore stated that if this project had proceeded as originally scheduled, the question of lighting should have been addressed long ago.

The City Attorney stated that based upon the information received from the engineer, the lighting would be acceptable. They were now waiting on the wind load calculations for the poles with the lights on them, and that information had not yet been submitted. He further stated they should have the information within the next few weeks.

Commissioner Moore asked if work was being done on the site every day. Mr. Kisela confirmed.

Commissioner Moore asked if a date had been set yet for the Riverland Park groundbreaking. Mr. Kisela stated there was no date as of this time, but a date would be provided in a Friday memo.

Action: Approved as presented.

II-D—Institutional Network (INET) – Comcast Communications

Action: Approved as presented.

EXECUTIVE CLOSED DOOR SESSION 3:30 P.M.

CONFERENCE MEETING RECONVENED AT 4:30 P.M.

CLOSED DOOR SESSION AT 4:30 P.M.

CONFERENCE MEETING RECONVENED AT 5:35 P.M.

City Commission Conference Meeting recessed at 5:35 p.m.