

**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
DECEMBER 16, 2003**

Meeting was called to order at 6:00 p.m. by Mayor Naugle on the above date, City Commission Meeting Room.

Roll call showed:

Present: Commissioner Christine Teel
Commissioner Dean J. Trantalis
Commissioner Cindi Hutchinson
Commissioner Carlton B. Moore
Mayor Jim Naugle

Absent: None

Also Present: Acting City Manager Alan Silva
City Attorney Harry A. Stewart
City Clerk Lucy Kisela
Sergeant At Arms Sergeant D. Lewis

Invocation was offered by Captain Stephen Morris, Area Commander, Salvation Army of Broward County, followed by the recitation of the Pledge of Allegiance.

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore that the agenda and minutes of the November 19, 2002 and November 18, 2003 meetings be approved. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

NOTE: All items were presented by Mayor Naugle unless otherwise shown, and all those desiring to be heard were heard. Items discussed are identified by the agenda number for reference. Items not on the agenda carry the description "OB."

Presentations

OB

1. Expressions of Sympathy

The Mayor and City Commission expressed sympathy to the family of Jeane M. Owen.

2. "Rick Case Bikes for Kids Day"

Commissioner Trantalis presented a proclamation for "Rick Case Bikes for Kids Day" to be observed December 16, 2003.

Rick Case thanked the City for their help over the years with this program. He announced that old bikes could be taken to any Rick Case Dealership or Boys and Girls Clubs and the bikes would be distributed to needy children in time for Christmas.

3. “WOW” Award

Vice Mayor Moore presented the Community Appearance Board's WOW Award for District III to Dr. and Mrs. William Dandy. He stated their home was located at 2660 NW 17th Street, Lake Aire Palm View. Their home was custom built in 1960 and was the jewel of the neighborhood. Over the years they have maintained their home and their meticulous attention to detail set a high standard for the entire neighborhood.

Dr. Dandy thanked the City for the award.

4. Fort Lauderdale Bridge Club

Dean Williams, President of the Fort Lauderdale Bridge Club, made a presentation to the City of Fort Lauderdale in appreciation of their support of this organization and their activities.

Mayor Naugle thanked the organization for their acknowledgement. He stated it was a great partnership between this organization and the City, and they had a wonderful facility that the City was proud of.

5. “First United Methodist Church Day”

Commissioner Hutchinson presented a proclamation to Helen Landers, Chair of the Church Council, and the Pastor of the First United Methodist Church. She further announced that First United Methodist Church Day would be observed on December 16, 2003.

Helen Landers thanked the City for the honor. She stated that they appreciated the relationship between the faith community and the City of Fort Lauderdale.

The Pastor of the First United Methodist Church stated it was a joy to serve this City and its citizens. He stated they were proud of their heritage, but were more excited about the future. He invited everyone to join with them in the work they were doing and helping individuals expect better things in their lives in partnership with the City and its citizens. He wished everyone a Merry Christmas and blessed everyone.

Consent Agenda**(CA)**

The following items were listed on the agenda for approval as recommended. The City Manager reviewed each item and observations were made as shown. The following statement was read:

Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion; if discussion on an item is desired by any City Commissioner or member of the public, however, that item may be removed from the Consent Agenda and considered separately.

Event Agreement – Chanukah Fair**(M-1)**

A motion authorizing and approving the execution of an Event Agreement with **Chabad Lubavitch of Fort Lauderdale** to indemnify, protect and hold harmless the City from any liability in connection with the **Chanukah Fair**, to be held **Sunday, December 21, 2003 from 12:00 noon to 5:00 p.m.** at Huizenga Plaza.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1686 from Acting City Manager.

Event Agreement – Fun Under the Sun**(M-2)**

A motion authorizing and approving the execution of an Event Agreement with **Gay Business Alliance of Greater Fort Lauderdale** to indemnify, protect and hold harmless the City from any liability in connection with the **Fun in the Sun**, to be held at South Beach on **Sunday, March 7, 2004 from 4:00 p.m. to 11:00 p.m.**

Recommend: Motion to approve.

Exhibit: Memo No. 03-1690 from Acting City Manager.

Event Agreement – 24th Annual Sistrunk Historical Parade**(M-3)**

A motion authorizing and approving the execution of an Event Agreement with **Sistrunk Historical Festival Inc.** to indemnify, protect and hold harmless the City from any liability in connection with the **24th Annual Sistrunk Historical Parade** to be held **Saturday, February 7, 2004 from 9:00 a.m. to 12:30 p.m.**; and further authorizing the closing of the following portion of the parade route that is located in the City limits: beginning at Mount Olive Baptist Church at NW 9th Avenue and NW 4th Street; proceeding north on NW 9th Avenue to Sistrunk Boulevard (NW 6th Street); and west on Sistrunk Boulevard to NW 24th Avenue.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1689 from Acting City Manager.

Event Agreement – Greek Festival**(M-4)**

A motion authorizing and approving the execution of an Event Agreement with **Saint Demetrios Greek Orthodox Church** to indemnify, protect and hold harmless the City from any liability in connection with the **Greek Festival**, to be held on **Friday, February 6, 2004 from 12:00 noon to 11:00 p.m.**; Saturday, February 7, 2004 from 11:00 a.m. to 11:00 p.m.; and Sunday February 8, 2004 from 12:00 noon to 7:00 p.m. on the church grounds located at 815 NE 15th Avenue.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1688 from Acting City Manager.

Event Agreement – Ocean Mile Swim**(M-5)**

A motion authorizing and approving the execution of an Event Agreement with **International Swimming Hall of Fame** to indemnify, protect and hold harmless the City from any liability in connection with the **Ocean Mile Swim**, to be held on **Saturday, January 3, 2004 from 6:30 a.m. to 11:00 a.m.** on the Beach.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1687 from Acting City Manager.

Authorization for Litigation – Envirocycle, Inc. -**(M-6)****Contract ITB 792-8112 – Recycling and Disposal of Mixed Debris**

A motion authorizing the proper City officials to commence legal action against Envirocycle, Inc. to recover funds overpaid during the term of contract ITB 792-8112 for the disposal and recycling of mixed debris.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1776 from Acting City Manager.

Contract Award – B.K. Marine Construction, Inc. -**(M-7)****Project 10672 – 2003/2004 Annual Marine Facilities****Repair and Mooring Buoy Maintenance Contract**

A motion authorizing the proper City officials to execute an agreement with B.K. Marine Construction, Inc. in the amount of \$178,115 for the 2003/2004 Annual Marine Facilities Repair Mooring Buoy Maintenance Contract project.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-1651 from Acting City Manager.

Contract Award – American Water Services Underground**(M-8)****Infrastructure, Inc. – Project 10711 – Waterway Conveyance System****Long Term Remediation Program – Priority Sub-Basin A-27.3**

A motion authorizing the proper City officials to execute an agreement with American Water Services Underground Infrastructure, Inc., in the amount of \$1,854,745 for the Wastewater Conveyance System Long Term Remediation Program – Priority Sub-Basin A.27.3 project.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-1765 from Acting City Manager.

**Contract Award – Tenex Enterprises, Inc -
Project 10398 – Executive Airport Construct
Roads and Drainage Improvements**

(M-9)

A motion authorizing the proper City officials to execute an agreement with Tenex Enterprises, Inc. in the amount of \$159,555 for the construction of Executive Airport access roads and drainage improvement project.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-1657 from Acting City Manager.

**Contract Award – Paramount Engineering, Inc. -
Project 10613 – Harbour Isles Median Sculptures**

(M-10)

A motion authorizing the proper City officials to execute an agreement with Paramount Engineering, Inc. in the amount of \$7,057.50 for the Harbour Isles Median Sculptures project.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-1655 from Acting City Manager.

**Task Order 01-01, Amendment No. 2 – Hazen and Sawyer,
P.C. – Project 10532 – Fiveash Well Abandonment and
Relocation Phase 2 Construction Services**

(M-11)

A motion authorizing the proper City officials to execute Task Order 01-01, Amendment 2 with Hazen and Sawyer, P.C. in the amount of \$91,711 for additional engineering services for the Fiveash Well Abandonment and Relocation Phase 2 Construction Services project.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-1775 from Acting City Manager.

Task Order No. 37 – Camp Dresser and McKee, Inc. - (M-12)
Project 10751 – Design and Construction Services for the
East Las Olas/Seven Isles Water and Wastewater
Infrastructure Improvements

A motion authorizing the proper City officials to execute Task Order No. 37 with Camp Dresser and McKee, Inc. in an amount not to exceed \$429,301 for the provision of consulting engineering and construction administration services associated with the East Las Olas/Seven Isles Water and Wastewater Infrastructure Improvements project.

Funds: See Memo
Recommend: Motion to approve.
Exhibit: Memo No. 03-1757 from Acting City Manager.

Change Order No. 2 – Arrow Directional Boring, Inc. - (M-13)
Project 10171 – A – Force Main Replacement/ S.W. 4 Avenue
Directionally Drilled River Crossing

A motion authorizing the proper City officials to execute Change Order No. 2 with Arrow Directional Boring, Inc. in the amount of \$77,900 for additional work under the Force Main Replacement/S.W. 4 Avenue Directionally Drilled River Crossing project.

Funds: See Change Order
Recommend: Motion to approve.
Exhibit: Memo No. 03-1773 from Acting City Manager.

Amendment to Work Authorization 16724.14 – Keith and (M-14)
Schnars, P.A. – Project 10372 – One Stop Shop at Lincoln Park

A motion authorizing the proper City officials to execute an amendment to Work Authorization 16724.14 with Keith and Schnars, P.A. in the amount of \$8,020 for additional design services for the One Stop Shop at Lincoln Park project. (Also see Item M-15 on this Agenda)

Funds: See Memo
Recommend: Motion to approve.
Exhibit: Memo No. 03-1779 from Acting City Manager.

Change Order No. 1 – Hewett-Kier Construction, Inc. - (M-15)
Project 10372 – One Stop Shop at Lincoln Park

A motion authorizing the proper City officials to execute Change Order No. 1 with Hewett-Kier Construction, Inc. in the amount of \$57,556.72 for additional design costs associated with the One Stop Shop at Lincoln Park. (Also see Item M-14 on this Agenda)

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 03-1780 from Acting City Manager.

De-obligation of Florida Department of Law Enforcement (M-16)
Grant Funds in Support of Project PACT and Approval and
Appropriation of Grant Funds in Support of the Friends and
Family Program and Project Ecstasy

A motion approving de-obligation of the \$43,831 Florida Department of Law Enforcement (FDLE) grant (\$34,831 federal - \$8,000 City cash match) in support of PACT; approving appropriation of \$30,000 as revenue and authorize its transfer to the FF program budget; approving appropriation of \$13,831 as revenue and authorize its transfer to the Project Ecstasy program budget; and authorize the proper City officials to amend the program agreement between the City, MODCO and 4th Avenue Church of God for implementation.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-1697 from Acting City Manager.

Grant Acceptance – U.S. Department of Homeland Security - (M-17)
Office of Domestic Preparedness – Florida Department of
Emergency Management – Project Liberty Shield

A motion approving acceptance of reimbursement funds and authorizing reimbursement to the Police Department accounts POL020401 in the amount of \$3,945.45, POL020406 in the amount of \$3,450 and to Administrative Services Department account ADM030708 in the amount of \$4,620 effective October 27, 2003.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-1696 from Acting City Manager.

Agreement – Todd Whitney Kraft d/b/a Tennis Management Group, Inc. – Tennis Program Director (M-18)

A motion authorizing the proper City officials to execute an agreement with Todd Whitney Kraft, d/b/a Tennis Management Group, Inc., to serve as Director of the Fort Lauderdale Tennis Program for a three year term expiring on December 1, 2006.

Recommend: Motion to approve.
Exhibit: Memo No. 03-1770 from Acting City Manager.

Lease Agreement – Flotilla Two, Inc./U.S. Coast Guard Auxiliary Building (M-19)

A motion authorizing the proper City officials to execute a lease agreement with Flotilla Two, Inc. for use of the U.S. Coast Guard Auxiliary building and property located at Seabreeze Boulevard for a term of one year from January 1, 2004 through December 31, 2004.

Recommend: Motion to approve.
Exhibit: Memo No. 03-1760 from Acting City Manager.

Lease Agreement – Dania Farms, Inc. (M-20)

A motion authorizing the proper City officials to execute a one-year agreement with Dania Farms, Inc., for use of a portion of the City's tree nursery for horticultural purposes from August 1, 2003 through July 31, 2004.

Recommend: Motion to approve.
Exhibit: Memo No. 03-1680 from Acting City Manager.

Lease Agreement – Medical Therapeutic Massage Clinic, Inc. - Shop No. 128 at City Park Mall (M-21)

A motion authorizing the proper City officials to execute a lease agreement with Medical Therapeutic Massage Clinic, Inc. for the operation of a pain and stress relief facility in Shop No. 128 at City Park Mall.

Recommend: Motion to approve.
Exhibit: Memo No. 03-1653 from Acting City Manager.

North Broward Hospital District Participation Agreement**(M-22)**

A motion authorizing the proper City officials to execute a Participation Agreement with North Broward Hospital District effective January 1, 2004, including a contract term to coincide with the City's benefit plan and an increase in the fee schedule and termination clause from existing contract.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1795 from Acting City Manager.

Fire Education Trust Fund – Surcharges for FY 2003/2004**(M-23)**

A motion authorizing the proper City officials to approve the use of the Fire Education surcharges in the amount of \$15,717 for FY 2003/2004.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 03-1792 from Acting City Manager.

Exception Request – Essie Reed Replacement Housing Unit**(M-24)**

A motion allowing Essie Reed to act as owner/builder for replacement housing at 2130 NW 8th Street increasing price of replacement housing product from \$72,000 to \$85,000.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1701 from Acting City Manager.

Authorization to Release Payment to Certain Housing Opportunities for Persons with AIDS (HOPWA), Community Development Block Grant (CDBG) and Home Investment Partnerships Program (HOME) Service Providers**(M-25)**

A motion authorizing proposed payments to certain HOPWA, CDBG and HOME Service Providers prior to the execution of the City's Agreements.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1790 from Acting City Manager.

Purchase of Police Gun Range Equipment and Fund Transfer**(M-26)**

A motion authorizing the proper City officials to approve the transfer of \$35,950 from Police Infrastructure funds to Police Station Improvement Funds.

Recommend: Motion to approve.

Exhibit: Memo No. 03-1590 from Acting City Manager.

PURCHASING AGENDA

Proprietary – Sewer Pump Parts**(Pur-1)**

An agreement to purchase sewer pump parts is being presented for approval by the Public Services Department.

Recommended Award: Ellis K. Phelps & Company
 Apopka, FL
 Amount: \$ 11,957
 Bids Solicited/Rec'd: N/A
 Exhibits: Memorandum No. 03-1763 from Acting City Manager

The Procurement and Materials Management Division reviewed this item and recommends awarding the proprietary purchase.

442-8969 – Reject Single Bid – Polymer**(Pur-2)**

Request to reject single bid for color removal polymer and issue a re-bid is being presented for approval by the Public Services Department.

Vendor: Polydyne, Inc.
 Riceboro, GA
 Bids Solicited/Rec'd: 15/1
 Exhibits: Memorandum No. 03-1762 from Acting City Manager

The Procurement and Materials Management Division reviewed this item and recommends rejecting single bid and issuing a re-bid.

442-8967 – Liquid Oxygen**(Pur-3)**

An agreement to purchase liquid oxygen is being presented for approval by the Public Services Department.

Recommended Award: Air Liquide America, L.P.
 Orlando, FL
 Amount: \$ 59,400.00 (estimated)
 Bids Solicited/Rec'd: 9/4
 Exhibits: Memorandum No. 03-1764 Acting City Manager

The Procurement and Materials Management Division reviewed this item and recommends awarding to the low responsive and responsible bidder.

Motion made by Commissioner Hutchinson and seconded by Commissioner Teel that Consent Agenda Item Nos. M-6, M-15, and M-23, be deleted from the Consent Agenda and considered separately, and that all remaining Consent Agenda items be approved as recommended. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson and Mayor Naugle. NAYS: None.

Authorization for Litigation – Envirocycle, Inc. - (M-6)
Contract ITB 792-8112 – Recycling and Disposal of Mixed Debris

Mayor Naugle stated that he had pulled this item because Matthew Morrel of Envirocycle had sent a letter to the City Attorney and the City Commission stating that he wanted to make a request.

Matthew Morrel stated that he was representing Envirocycle and was requesting a 60-day continuance of this item so he could meet with the proper individuals in order to resolve the issue.

The City Attorney stated that he had no objection to the continuance.

Commissioner Moore asked why they were requesting 60 days. Mr. Morrel stated that due to the holidays, this time would take them to the early part of February, thereby giving them the month of January to meet and discuss this matter.

The City Attorney advised that this item would be brought back before the Commission at the second meeting in February, and that would give them plenty of time for this matter. He explained this issue was rather “thorny” and dealt with trash pickup and contract disputes with the City’s previous hauler. He further stated that they had been working on this matter for 6-9 months, and the purpose of this item was to get everyone off dead center and to the bargaining table. He stated that he felt they had accomplished that, and February would be a time period by which matters could be resolved.

Motion made by Commissioner Hutchinson and seconded by Commissioner Teel to table this item until February 17, 2004 at 6:00 p.m. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson and Mayor Naugle. NAYS: None.

Change Order No. 1 – Hewett-Kier Construction, Inc. - (M-15)
Project 10372 – One Stop Shop at Lincoln Park

Commissioner Moore stated that he had pulled this item and stated that the change order was not a concern of his, but he wanted to take the opportunity to discuss the work of the contractor at this site. He stated concerns had been raised about the contractor beginning work too early in the morning, and proceeding into late evening hours. He asked if this issue had been addressed.

Mike Fayyaz, Engineering, stated that they had informed the inspector to ensure that the contractor did not begin his work earlier than 7:30 a.m., and if they did begin earlier no heavy equipment could be used at that time. He continued stating that the contractor had agreed to comply and no further complaints had been received.

Commissioner Moore asked if the situation was being monitored or were they waiting to see if any further complaints were going to be made. Mr. Fayyaz stated they were monitoring the situation until 5:30 p.m., but after that they would have to wait and see if any complaints were made.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to approve this item as recommended. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson and Mayor Naugle. NAYS: None.

Fire Education Trust Fund – Surcharges for FY 2003/2004

(M-23)

Commissioner Hutchinson stated that she had pulled this item and stated that it had come to her attention that the Explorers Program with the Fire Rescue Department was going to cease to exist. She stated that she was approving money for education and she could not think of a better opportunity for young people to continue in this program. She wanted money to be included in the budget for this program and she did not want the program to cease to exist. She felt it was a minimal cost for what was being done for young adults who wanted a career in this field.

Otis Latin, Fire Chief, stated that the program would continue to exist. Commissioner Hutchinson emphasized that she did not want it to be conducted by volunteers. She stated there needed to be a compromise because only a minimal amount of money and staff time was being required for this program. She suggested that possibly meetings only be held once a month and that they could be coordinated with the shifts in the department. She felt this program was just as valuable as the programs in Parks and Recreation. Chief Latin agreed and stated that the way the program had been staffed previously was through some overtime.

Commissioner Hutchinson asked for a further explanation of flex hours. Chief Latin explained that when flex hours were used that time had to be paid back. If the flex hours were used, they were not able to generate revenue during that time. He stated they were attempting to work out the matter. He stated that they had sent out a memorandum asking for volunteers, and so far 2 individuals had offered their services. He explained that earlier in the program, it had been conducted solely by volunteers. He stated that through some management in the Fire Prevention Bureau and through volunteers, the program could continue to work.

Commissioner Hutchinson stated that she was not comfortable with that suggestion, and added that she did not want this program to cease to exist. She reiterated that the program used minimal staff time and money. She added that it took less than \$2,000 per year to run this program because they used old equipment from the fire stations. She stated that individuals from this program went the next step and began the Fire Academy towards their careers. She stated that these young adults put in 6-8 years in this program and she did not want it to cease to exist. She felt this was a worthwhile program and this was an opportunity to fund this program through the Fire Education Programs Trust Fund, and she felt they would be missing the boat if they did not support this. She added that she would not support this item if this program could not be a part of this.

Chief Latin stated he had just been informed that the trust fund could not be used towards this program.

Keith Allen, Fire-Rescye Department, explained that this trust fund was originally established for the continued education of firefighters. He stated that the original State legislation had enabled them to do this back in 1994-1995. He stated that he could research the item further if that was desired.

Commissioner Hutchinson asked if that matter could be explored and announced that this matter would be brought up again under Item M-27.

Commissioner Moore stated he felt everyone would want to support this program, and if the same results could be achieved through volunteers, he felt that would be acceptable until they got a healthier budget. He commended the individuals in the Fire Department who were willing to volunteer their time and efforts towards this program.

Commissioner Hutchinson asked if monies were allotted towards the program besides the volunteers. Chief Latin stated that uniforms came out of their budget and they made certain things work, but the biggest concern was that the person operating the program had to be put back into inspections so revenue could be generated.

Motion made by Commissioner Moore and seconded by Commissioner Teel that the item be approved. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, and Mayor Naugle. NAYS Commissioner Hutchinson.

Mayor Naugle stated that he had been requested to have the Commission take up the items on the agenda and then return to the Motions since such matters could be taken care of quickly.

PUBLIC HEARINGS

**Appeal of Planning and Zoning Board's Decision to Deny (PH-1)
Rezoning from CR to B-1 – DeNovo Hearing – Lauderdale
Marine Center (PZ Case No. 5-Z-03)**

At the July 16, 2003 Planning and Zoning Board regular meeting, the following application was **denied** by a vote of 8-0; on October 7, 2003, the City Commission deferred first reading to October 21, 2003 by a vote of 5-0; and on October 21, 2003, the City Commission deferred first reading to November 18, 2003 by a vote of 5-0; and on November 18, 2003 the City Commission deferred first reading to December 16, 2003 by a vote of 5-0.

Applicant:	Lauderdale Marine Center
Request:	Appeal Planning and Zoning Board's decision to deny rezoning from CR (Commercial Recreation) to B-1 (Boulevard Business)
Location:	2001 S.W. 20 Street

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore to defer this item until January 21, 2004 at 6:00 p.m. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson and Mayor Naugle. NAYS: None.

ORDINANCES

Rezone RS-8 to CF-H – Saint John United Methodist Church (PZ Case No. 17-Z-03) (O-1)

At the October 15, 2003 Planning and Zoning Board regular meetings, the following application was approved by a vote of 8-0. Ordinance No. C-03-43 was published November 20 and 27, 2003, and passed on first reading on December 2, 2003 by a vote of 5-0.

Applicant: Saint John United Methodist Church
 Request: Rezone property from RS-8 to CF-H
 Location: 1520 N.W. 5 Street

Commissioner Hutchinson introduced the following ordinance on second reading:

ORDINANCE NO. C-03-43

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM RS-8 TO CF-H, LOTS 1 THROUGH 4, LOTS 6 AND 26, BLOCK 4, "DORSEY PARK 1ST ADDITION", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 21, PAGE 30, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED ON THE SOUTH SIDE OF NORTHWEST 5TH STREET, BETWEEN NORTHWEST 15TH TERRACE AND NORTHWEST 15TH AVENUE, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson and Mayor Naugle. NAYS: None

Amendment to the Pay Plan – Unpaid Furlough Days for Nonbargaining Unit Employees (Management and Confidential) (O-2)

An ordinance amending Schedules I and II of the Pay Plan by establishing unpaid furlough days for certain employees; providing for pro-ration of the number of furlough days and deduction of prorated unused furlough days from vacation leave balance, sick leave balance and final termination pay balance for certain employees; providing for reimbursement of a prorated portion of the furlough days taken in excess of employee's allotment of furlough days as to certain employees; providing for non-applicability of furlough days as to certain employees; and providing for effective date and sunset date. Notice of proposed Ordinance No. C-03-44 was published November 22, 2003 and passed on first reading by a vote of 5-0. (Also see Item R-5 on this Agenda).

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-03-44

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SCHEDULES I AND II OF THE PAY PLAN BY ESTABLISHING UNPAID FURLOUGH DAYS FOR CERTAIN EMPLOYEES; PROVIDING FOR PRORATION OF THE NUMBER OF FURLOUGH DAYS AND DEDUCTION OF PRORATED UNUSED FURLOUGH DAYS FROM VACATION LEAVE BALANCE, SICK LEAVE BALANCE AND FINAL TERMINATION PAY BALANCE FOR CERTAIN EMPLOYEES; PROVIDING FOR REIMBURSEMENT OF A PRORATED PORTION OF THE FURLOUGH DAYS TAKEN IN EXCESS THE EMPLOYEE'S ALLOTMENT OF FURLOUGH DAYS AS TO CERTAIN EMPLOYEES; PROVIDING FOR NON-APPLICABILITY OF FURLOUGH DAYS AS TO CERTAIN EMPLOYEES; AND PROVIDING FOR EFFECTIVE DATE AND SUNSET DATE.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson and Mayor Naugle. NAYS: None.

Amend ULDR – Section 47-2 Measurements, Section 47-35 Definitions and Section 47-19 Accessory Uses – Building Structures (PZ Case No. 2-T-03) (O-3)

At the May 28, 2003 Planning and Zoning Board special meeting and November 19, 2003 Planning and Zoning Board regular meeting, the following application was recommended by a vote of 7-1. Notice of proposed ordinance was published December 6, 2003.

Applicant: City of Fort Lauderdale
Request: Amend ULDR Section 47-2 Measurements, Section 7-35 Definitions, to revise the definition of front, side, and rear yards and add a definition for corner yard and Section 47-19 Accessory Uses - Building and Structures to make accessory structures provisions consistent with the definition.

Amend ULDR Sections 47-35.1, 47-2.2, 47-19.5, 47-20.5, 47-21.8, 47-19.1, 47-20.22, 47-22.3 and 47-23 – Reformat and Clarify Regulations Governing Sight Triangles (PZ Case No. 5-T-03) (O-4)

At the May 28, 2003 Planning and Zoning Board special meeting and November 19, 2003 Planning and Zoning Board regular meeting, the following application was recommended by a vote of 8-0. Notice of proposed ordinance was published December 6, 2003.

Applicant: City of Fort Lauderdale

Request: Amend the following ULDR Sections: 47-35.1 Definitions, to revise the definition of a sight triangle and place the definition in the appropriate ULDR section; 47-2.2 Measurements, to place the method of measuring sight triangles into the appropriate ULDR section; 47-19.5 Fences, walls and hedges, 47-20.5 General Design of parking facilities site circulation, 47-21.8 Landscape and Tree Preservation Maintenance, and Section 47-22.3 Sign Requirements General Regulations to delete obsolete references and move site triangle definitions and requirements to the appropriate sections, and to provide technical clarification for the regulation relating to fences, wall and hedges; 47-19.1 Accessory Uses, Buildings and Structures General Requirements, 47-20.22, Temporary Parking Lot Standards, references to sight triangles in a particular section; and 47-23. Specific Location Requirements to consolidate sight triangle regulations as they apply to building in all zoning districts, and such other sections required to make the ULDR consistent.

Amend ULDR – Section 47-2 Measurements, Section 47-35 Definitions and Section 47-19 Accessory Uses – Building Structures – Height and Width of Awnings in Public Right-of-Way (PZ Case No. 4-T-03) (O-5)

At the May 28, 2003 Planning and Zoning Board special meeting; the following application was recommended by a vote of 4-3. Notice of proposed ordinance was published December 6, 2003.

Applicant: City of Fort Lauderdale
 Request: Amend Code of Ordinances, Volume I, Section 25-22, Height and width of awnings in the public right-of-way; Sections 47-13.20, Height of awnings on RAC Pedestrian Streets, and 47-19.2, Height of awnings on private property adjacent to streets, to bring these regulations into consistency with the Florida Building Code.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to defer second reading of Ordinances O-3, O-4, and O-5 to Tuesday, January 6, 2004 at 6:00 p.m. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson and Mayor Naugle. NAYS: None.

Amend Section 10-46 – Naming of Trustee of Funds; Investments Funds; Annual Financial Statement and Section 10-47 – Municipal Cemetery System Funds (O-6)

An ordinance amending Section 10-46 of the code of ordinances, entitled “Naming of Trustee of Funds; Investments Funds; Annual Financial Statement,” and Section 10-47 of the code of ordinances, entitled “Municipal Cemetery System Funds,” consolidating the General Reserve Trust fund with the Perpetual Care Trust Fund and requiring 19% of applicable cemetery sales proceeds be deposited into the Perpetual Care Trust Fund. Notice of proposed ordinance was published December 6, 2003.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-03-45

AN ORDINANCE AMENDING SECTION 10-46, NAMING OF TRUSTEE OF FUNDS; INVESTMENTS OF FUNDS; ANNUAL FINANCIAL STATEMENT, AND SECTION 10-47, MUNICIPAL CEMETERY SYSTEM FUNDS, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, CONSOLIDATING THE GENERAL RESERVE TRUST FUND WITH THE PERPETUAL CARE TRUST FUND; AND REQUIRING 19 PERCENT OF APPLICABLE CEMETERY SALES PROCEEDS TO BE DEPOSITED INTO THE PERPETUAL CARE TRUST FUND.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson and Mayor Naugle. NAYS: None.

Commissioner Moore stated that he wanted to meet with staff to receive an updated report regarding Sunset Cemetery.

Julius Delisio, Parks and Recreation Department and Cemetery Board Liaison, stated that the land work was done at Sunset Cemetery, and they were presently in the permitting process. He stated that the project should go out for bid next month. He added that this project had been approved in 2001. Commissioner Moore asked why they were just getting to through the permitting process. Mr. Delisio stated that surveys had been done on the land, along with the design of the building. He advised that he had taken on this position in November, 2002, and had been working aggressively to have this project moved forward. He believed they were about 60 days behind schedule on the building.

Audit Advisory Board

(O-7)

An ordinance establishing an Audit Advisory Board. Notice of proposed ordinance was published December 6, 2003.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-03-46

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, CREATING AN ADVISORY BOARD OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO BE KNOWN AS THE AUDIT ADVISORY BOARD; PROVIDING FOR MEMBERSHIP QUALIFICATIONS, LENGTH OF TERM AND THE PURPOSE AND DUTIES OF THE BOARD.

Which ordinance was read by title only.

Commissioner Hutchinson asked if the City Clerk was prepared this evening to take the board appointments for this committee. The City Clerk stated she could make a note of the names and then at second reading those names could be read as part of the resolution which would appoint them to the board.

Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson and Mayor Naugle. NAYS: None.

Amendment to Chapter 4, Alarm Systems

(O-8)

An ordinance amending Chapter 4 of the Code of Ordinances entitled "Alarm Systems," providing a definition of customer information and requirement that alarm monitoring companies provide their customer information databases to the Police Department and a penalty for failure to provide customer information as required, deleting moot provisions, and providing for severability, repeal of conflicting ordinance provisions and effective date. Notice of proposed ordinance will be published December 27, 2003.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-03-47

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTIONS 4-1, DEFINITIONS, 4-3, REGISTRATION – ALARM MONITORING COMPANIES, AND 4-8, PROHIBITIONS, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING A DEFINITION OF CUSTOMER INFORMATION, PROVIDING A REQUIREMENT THAT ALARM MONITORING COMPANIES PROVIDE THEIR CUSTOMER INFORMATION DATABASES TO THE CITY OF FORT LAUDERDALE POLICE DEPARTMENT AND A PENALTY FOR FAILURE TO PROVIDE CUSTOMER INFORMATION AS REQUIRED, DELETING MOOT PROVISIONS, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson and Mayor Naugle. NAYS: None.

RESOLUTIONS

**City Commission Request for Review – Site Plan Level III/
Conditional Use/RAC-UV – Tamatsu and Maizel Kobayashi
And Charles March – Flagler Junction (PZ Case No. 130-R-02)** (R-1)

A resolution to consider an application filed by T. Kobayashi and C. March for approval of a Site Plan Level III/Conditional Use/RAC-UV. On October 21, 2003, the City Commission deferred consideration of the following item to November 18, 2003 by a vote of 5-0, and on November 18, 2003 the City Commission deferred consideration to December 16, 2003 by a vote of 5-0.

Motion made by Commissioner Moore and seconded by Commissioner Teel to defer consideration of this item to Tuesday, February 17, 2004 at 6:00 p.m. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore and Mayor Naugle. NAYS: Commissioner Hutchinson.

**Transmission of Small Scale Amendment to the Broward
County Land Use Plan Map and Future Land Use Plan Map
Of the City of Fort Lauderdale – (PZ Case No. 6-T-03)** (R-2)

A resolution transmitting a proposed small scale land use amendment to Broward County and requesting that Broward County amend its Land Use Plan Map.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 03-189

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE TRANSMITTAL OF A SMALL SCALE AMENDMENT TO THE BROWARD COUNTY COMPREHENSIVE PLAN TO CHANGE THE LAND USE DESIGNATION OF CERTAIN PROPERTY DESCRIBED AS PARCEL A, PALMDALE PLAT, AS RECORDED IN PLAT BOOK 112, PAGE 9 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AND LOCATED AT 301 N.W. 66TH STREET FROM EMPLOYMENT CENTER TO OFFICE PARK AND REQUESTING THAT BROWARD COUNTY AMEND ITS LAND USE PLAN IN ACCORDANCE WITH THE PROPOSED AMENDMENT.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson and Mayor Naugle. NAYS: None.

**Transmission of Regular Amendments to the City of Fort
Lauderdale Comprehensive Plan (PZ Case Nos. 7-T-03 and
8-T-03)**

(R-3)

A resolution transmitting proposed text and future land use plan map amendments to State Department of Community Affairs (DCA) and requesting DCA review the proposed amendments.

Mayor Naugle announced that there was a form at the back of the Commission Meeting Room for the names and addresses of individuals who wished to receive a notice from the State regarding its review of the text changes.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 03-190

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO TRANSMIT TO THE STATE OF FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS PROPOSED AMENDMENTS TO THE CITY'S FUTURE LAND USE MAP TO INCLUDE ANNEXED AREAS; TO CHANGE ' PERMITTED USES IN THE FUTURE LAND USE ELEMENT; TO REVISE OBJECTIVES AND POLICIES IN THE SANITARY SEWER, SOLID WASTE, DRAINAGE, POTABLE WATER AND NATURAL GROUNDWATER AQUIFER RECHARGE ELEMENT; TO UPDATE INFORMATION IN THE CAPITAL IMPROVEMENTS ELEMENT; TO INCLUDE A NEW PARKS POLICY, GOALS AND OBJECTIVES; AND TO REVISE TEXT TO INCLUDE NEW INFORMATION, TO UPDATE LEVELS OF SERVICE IN ALL RELEVANT ELEMENTS, AND TO ACHIEVE SUBSTANTIAL CONFORMITY WITH THE BROWARD COUNTY COMPREHENSIVE PLAN.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson and Mayor Naugle. NAYS: None.

**Beautification Agreement with Broward County and
Developer Agreement with Zom Fort Lauderdale, Ltd. –
The Waverly – (PZ Case No. 39-R-01)**

(R-4)

A resolution authorizing proper City officials to execute an agreement with Broward County to provide and maintain improvements on Broward Boulevard; and further authorizing the proper City officials to execute an agreement with Zom Fort Lauderdale, Ltd. to assign costs and indemnify the City.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 03-191

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A BEAUTIFICATION AGREEMENT WITH BROWARD COUNTY AND A DEVELOPER AGREEMENT WITH ZOM FORT LAUDERDALE, LTD. FOR RIGHT OF WAY BEAUTIFICATION IMPROVEMENTS.

Which resolution was read by title only.

Commissioner Hutchinson stated that it had been mentioned at her district meeting that there was an opportunity to get a right-turn lane on Broward Boulevard going west, and neighborhoods adjacent to the area were concerned about traffic once The Waverly opened.

Robert Lochrie, attorney for the applicant, stated that this would be a right-turn lane at Federal Highway which had been discussed as part of the original site plan. He stated that due to input from the neighborhood, they decided not to further widen Broward Boulevard at that intersection. Instead, he explained they were putting in median improvements in the center in order to reduce the amount of traffic.

Commissioner Hutchinson asked as part of the agreement, if one was going east on Broward Boulevard just east of Federal Highway, and making a right-hand turn into the Gym would it restrict that movement. Otherwise, she stated he would not clean-up the traffic. Mr. Lochrie stated they could not affect such changes because that was not on their property. He explained it would put a wider median between eastbound and westbound traffic.

Mayor Naugle remarked that the west side was wide and difficult to cross. Commissioner Hutchinson stated that once The Waverly opened, traffic in that area would be phenomenal.

Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson and Mayor Naugle. NAYS: None.

Amendment to Personnel Rules

(R-5)

A resolution amending Personnel Rule XI, Section 3, entitled "Vacation Leave" to provide that the placing of employees on unpaid furlough leave due to the financial condition of the City will not impact the accrual of vacation leave. Also, amending Personnel Rule CI, Section 4, entitled "Sick Leave" to provide that the placing of employees on unpaid furlough leave due to the financial condition of the City will not impact the accrual of sick leave. Further amending Personnel Rule CI, Section 1, entitled "Hours of Work" to provide that during the 2003/2004 fiscal year, the requirement that hourly rate employees must work (be paid status) days immediately before and after a holiday in order to receive pay for the holiday, will be waived for hourly rate employees

that take an unpaid furlough day either immediately before or after a legal City holiday. (Also see Item O-2 on this Agenda)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 03-192

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING PERSONNEL RULE XI, SECTION 3, VACATION LEAVE, PROVIDING THAT EMPLOYEES' UNPAID FURLOUGH LEAVE WILL NOT IMPACT THE ACCRUAL OF VACATION LEAVE; AMENDING PERSONNEL RULE XI, SECTION 4, SICK LEAVE, PROVIDING THAT EMPLOYEES' UNPAID FURLOUGH LEAVE WILL NOT IMPACT THE ACCRUAL OF SICK LEAVE; AND AMENDING PERSONNEL RULE XI, SECTION 1, HOURS OF WORK, WAIVING THE REQUIREMENT THAT HOURLY RATE EMPLOYEES MUST WORK THEIR REGULAR WORK DAYS IMMEDIATELY BEFORE AND AFTER A HOLIDAY IN ORDER TO RECEIVE PAY FOR THE HOLIDAY DURING SUCH TIMES THAT EMPLOYEES ARE REQUIRED TO TAKE UNPAID FURLOUGH LEAVE; AND PROVIDING AN EFFECTIVE DATE.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson and Mayor Naugle. NAYS: None.

Vacation of Drainage Easement – Estate of James B. Fazio/Il Lugano (DRC Case No. 2-M-03) (R-6)

A resolution authorizing the vacation, subject to relocation, of a drainage easement as follows:

Applicant: Estate of James B. Fazio/Il Lugano
Request: Vacate drainage easement
Location: 3333 NE 32 Avenue

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 03-193

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING A 12 FOOT WIDE DRAINAGE EASEMENT BEING DESCRIBED AS THE SOUTH 6.00 FEET OF LOT 1, BLOCK 12 AND THE NORTH 6.00 FEET OF LOT 15 BLOCK 1, "GALT OCEAN MILE," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 34, PAGE 16, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED AT THE WESTERLY EXTENSION OF NORTHEAST 34TH STREET BETWEEN NORTHEAST 32ND AVENUE AND THE

INTRACOASTAL WATERWAY, LYING AND BEING IN THE
CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson and Mayor Naugle. NAYS: None.

Financing for Purchase of the Institutional Network (R-7)
(INET) – SunTrust Leasing Corporation

A resolution authorizing the proper City officials to execute all documents necessary to borrow \$315,000 from the SunTrust Leasing Corporation to fund the purchase of the Institutional Network (INET), as approved by the City Commission on November 4, 2003.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 03-194

A RESOLUTION OF THE CITY COMMISSION OF THE CITY
OF FORT LAUDERDALE, FLORIDA, APPROVING THE
UTILIZATION OF THE SUNTRUST LEASING CORPORATION
MASTER LEASE FINANCE PROGRAM TO FINANCE THE
PURCHASE OF AN INSTITUTIONAL NETWORK TO SUPPORT
CITY FACILITY COMMUNICATIONS.

Which resolution was read by title only.

Commissioner Trantalis asked why this was needed.

Tim Edkin, IT Director, stated that this was for the INET and connected all the City facilities within the building instead of using telephone lines. Commissioner Trantalis stated that this was costing money at a time when the City could not really afford it. Mr. Edkin stated it actually would save the City about \$200,000 per year once the network was in place. He further explained that this was based on current rates. He stated this was a loan which was getting repaid back to the City from Comcast.

Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson and Mayor Naugle. NAYS: None.

Issuance of (Not to Exceed \$11,000,000) Tax Increment (R-8)
Revenue Bonds – Northwest-Progresso-Flagler Heights
Community Redevelopment Area

A resolution approving the issuance of, not to exceed \$11,000,000, Community Redevelopment Agency Tax Increment Revenue Bonds, Series 2003 (Northwest-Progresso-Flagler Heights Community Redevelopment Area Project) for purposes of Section 147(F) of the Internal Revenue Code of 1986, as amended; providing for an effective date.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 03-195

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE ISSUANCE OF NOT TO EXCEED \$11,000,000 FORT LAUDERDALE COMMUNITY REDEVELOPMENT AGENCY TAX INCREMENT REVENUE BONDS, SERIES 2003 (NORTHWEST-PROGRESSO-FLAGLER HEIGHTS COMMUNITY REDEVELOPMENT AREA PROJECT) FOR PURPOSES OF SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; PROVIDING FOR AN EFFECTIVE DATE.

Which resolution was read by title only.

Commissioner Trantalis asked if this would be subject to further clarification such as what funds would be pledged, and should that not be included in the motion.

Terry Sharp, Director of Finance, stated that this was simply to provide for the authorization of the \$5.5 Million now for the bonds associated with the alternate minimum tax, but had nothing to do with the pledge at this time. He reiterated that they were just expressing their intent to borrow up to \$11 Million for such projects. He explained they would not sell any bonds until they had financing in place. He emphasized this did not commit them in any way at this time. He reiterated they were only making sure this evening that they would have access to the \$5.5 Million coming from the State pool. If this would not be approved tonight, then they would lose the opportunity to have those funds subject to the alternate minimum tax. He explained the bond issue would be up for approval in January for the \$19 Million, and at that time would also be approving financing with pledges that were acceptable.

Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson and Mayor Naugle. NAYS: None.

**Lease Agreement – Florida Department of Transportation
(FDOT) – Top of Henry E. Kinney Tunnel – South Side of
New River**

(R-9)

A resolution authorizing the proper City officials to execute a twenty (20) year no-rent lease between the City and FDOT for the right-of-way over the Henry E. Kinney Tunnel on the south side of the New River.

Commissioner Hutchinson left the meeting at approximately 6:44 p.m.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 03-196

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING EXECUTION OF A LEASE WITH THE FLORIDA

DEPARTMENT OF TRANSPORTATION TO LEASE SURPLUS
PROPERTY OVER THE SOUTH SIDE OF THE
HENRY E. KINNEY TUNNEL TO THE CITY OF FORT
LAUDERDALE TO BE UTILIZED FOR THE PUBLIC PURPOSE
OF PROVIDING A PUBLIC LINEAR PARK.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore and Mayor Naugle. NAYS: None.

MOTIONS

FY 2003-2004 Budget Amendment

(M-27)

Commissioner Hutchinson returned at approximately 6:45 p.m.

The Acting City Manager proceeded to read the following statement into the record:

“Today, we are finally at the end of a long and sometimes frustrating budget process that at one time focused more on arcane minutia and almost irrelevant details and less on program and strategic impact and the big picture of long-term financial sustainability.

Balancing a City’s budget is not rocket science. Being honest and open in budgeting, being the messenger of lower expectations in the face of affordability is never easy. Restoring the confidence of the public and the financial markets in municipal finances, calling for responsibility, and calling for accountability may not be politic, but telling the unvarnished truth that we just must live within a budget and manage within its constraints and exposing all to the consequences of their actions or inactions, is my obligation.

Over the past 9 weeks, I have been guided and encouraged by the people’s and Commission’s trust that I could manage the City through troubled fiscal waters. I have projected realistic revenues, estimated reasonable expenses, sought to guarantee those revenues, and control those expenditures.”

Commissioner Moore left the meeting at approximately 6:47 p.m. and returned at 6:50 p.m.

The Acting City Manager continued as follows:

“I have attempted to bring fiscal prudence in balancing the budget. Managerially, I have required accountability from all who would enjoy the public trust. Literally, hundreds of hours of analysis, dialogue, and planning culminated in the consensus reached at the budget workshop of December 3, 2003. At that time the City’s management team clearly defined the magnitude of the budget challenges confronting us this fiscal year. Forthrightly presented, our guardian philosophy on management and fiscal responsibility, and coherently and internally consistent a reasonable plan to restore fiscal stability and financial sustainability. That workshop endorsed a sound financial

blueprint for the future. The Commission requested that I present the necessary agenda item today to implement the revised budget. December 3rd was a watershed date and a point of departure for the future to confront and overcome the fiscal excesses of the past and to get the City back on a firm financial footing. It was a defining moment in restoring long term stability and accountability to City finances. We, together, decided to create a sustainable financial framework. We did not engage in smoke and mirrors, and we did not indulge in the "quick fix." We did agree on the magnitude of this year's \$12 Million problem. We did acknowledge that a sustainable budget would require a \$15 Million reduction in our base as we looked forward to the next fiscal year. We did determine that budget savings would require shared sacrifice by all departments, as well as equity and fairness in treatment, and we trust in the technical expertise of professional managers to ensure public safety and maintain acceptable though reduced levels of service.

We have made many difficult decisions based on reason, rationality, and reality. We internalized the implication of \$8 Million of assumed salary savings in the budget. We dealt with the \$4 Million in revenue overestimates and underestimates of expenditures. We came to understand just how unbalanced the budget was. We became aware of the consequences of a \$3 Million to \$6 Million in expenditure deferrals and one-time "quick fix" revenues that underline the current year's budget and created major problems for sustainability next year. Together we crafted a balanced approach to get the City back on track. One predicated on fiscal prudence and responsibility. Many in the community did not then, and do not now, understand that we are not cutting the budget. We are merely ensuring that we live within a finite set of resources. Expenditure levels approved in September are still intact. The problem is that \$8 Million in the current salary base cannot be paid within those constraints. Another \$4 Million in the current year's budget needed to be reallocated.

In short, absent the consensus of December 3rd, we would have run out of money this fiscal year. The tax rate had been set, the fire assessment fee had been established, and collectable revenues for this fiscal year had been identified. Now, we had to live with that reality and within those resources. Had we not taken action on the 3rd, our bond rating and financial status would have suffered irreparable damage. We would have broken faith with all employees. We would have lost the trust of the public which looks to us for leadership and sound financial stewardship.

Since the budget workshop a number of suggestions had been made to help the financial situation. They have, however, tended to resort to the failed practices of the past. One time income, inflated expectations of revenue, misunderstandings of the fundamentals of municipal accounting, non-recurring revenues used to finance recurring expenses, and wishful thinking. There was a great deal of misinformation and misunderstanding, so we need to set the record straight. The idea of selling vacant City-owned lots lack an understanding that infill parcels are generally sold to first-time home buyers with little, if any, revenue being realized. Other parcels are unbuildable, otherwise lack value, or can be sold with proceeds directed to federal grants or the CRA, not the General Fund. The notion of a code amnesty was yet another unquantifiable non-recurring revenue that had the unintended consequence of undercutting code enforcement. Amnesties lead to expectations of future repeated reduction of fines or similar forgiveness of obligations. The best way to facilitate collections is to eliminate the prospect of reductions or discounts. There should be no amnesties or unseemly bargaining and rebates that occur at the end of many Commission meetings. This "quick fix" misses the point of basic motivating behavior. People pay code fines and liens when

property is sold or refinanced, otherwise, satisfaction of the liens or fines do not result in a person's financial self-interest. The suggestion of foreclosing on code liens, another uncertain one-time revenue proceeds from highly overestimated and unrealistic expectations of potential income. Problems in perfecting liens, clear title questions, homesteaded properties, and mortgage satisfactions, all these tend to yield a stream of revenues that could not be relied upon this year.

As regards parking fine collections, we are attempting to increase them, but these revenues are directed to the Parking Fund, and have no impact on staffing cuts or the General Fund. The comment that we should place meters on the north beach does not address neighborhood concerns and the fact that it would cost us more this year than we would recoup. It also demonstrates a lack of municipal accounting basics. Any proceeds would be returned to the Parking Fund, not the General Fund. The exception to this is if the cost of providing lifeguards on north beach was collected as part of the parking fee.

The idea that permits and licenses do not recoup the cost of providing them is in error. The City's One-Stop Shop already has 100% cost recovery and funds collected cannot be used outside Construction Services. Instituting a contribution from the air transport to Lockhart Stadium is contrary to FAA guidelines, and is financially unsupportable. Lobbying for partial year property taxes yields no increased revenue this year. We have already made it a part of our legislative agenda, but any revenues would come only next year at the earliest.

The idea of making non-profits pay a fire assessment fee is valid, but only \$300,000 can be levied after notification by mail, a public hearing, ordinance amendment, and mailing of bills. Collection this year is dubious at best, and is another case of wishful thinking and overestimating revenues. The suggestion of increasing the millage rate for next year is also valid, but it does not impact this year's revenues.

On the other hand we have already taken action on a number of suggestions. We have undertaken an aggressive austerity program to reduce energy consumption in City Hall that is consistent with payback this year. Watering has been cut back drastically. Travel has been reduced by more than 50%. We are re-evaluating costly leases consistent with ongoing contract terms. We have cut significantly on the expense side. Our overtime has been slashed through reduction plans. We have spent 14% of this year's overtime budget in the first two months, and during the same period last year we had spent 46%. Overtime is down dramatically this year by 74%, especially in the non-public safety areas. Fire and police together still make up a very high percentage of the total budgeting for overtime, 94% of the budget in overtime goes to fire and police.

We have cut out all City-sponsored special events. If the private sector wants to provide the activity, we will issue a permit to the promoter. In regard to the Air & Sea Show, the Commission has already voted to limit the subsidy to \$100,000. As the dimensions of our current financial shortfall have unfolded, I continue to recommend the City's participation be limited to the \$28,000 sponsorship payment.

We have already eliminated duplicate staffing in our Neighborhood Services Division, and our cost utilizing staff to support the NCIP, BCIP, and special assessment programs. We have analyzed the cost of operating the Trash Transfer Station, both in social costs on the neighborhood and the cost of providing services. To make the station

self-sufficient would require a \$35 to \$40 dumping fee. We have already reduced the number of Assistant City Managers to one effective January 16, 2004 with the departure of Mr. Kisela. Alternative cuts have been proposed that pit one department and group of employees against another. For example, the suggestion that Public Safety Aides should replace Park Rangers presents various problems. PSAs are paid at a higher rate. The notion that we supplant one with the other would violate the concept of shared sacrifice, shifting the greater share of savings burden to Parks. Finally, having PSAs work half of their time as Park Rangers would reduce efficiencies in both Parks and Police and would prove administratively and managerially difficult. Their work output would satisfy neither the Parks nor the Police Department.

Those who do not learn from the past are forced to relive it with severe consequences for the future. Those who do not recognize our problems live in a state of denial of their magnitude or the need of resolute action. There are a few unmistakable facts. Our personnel base is too high and unsustainable given current revenues. We cannot rely on the failed policies of the past assuming that one-time non-recurring revenues will bail us out to finance ongoing recurrent expenses. We have no reserves to cushion such shortfalls, they have all been exhausted.

How did we get here? As I have said many times, we have been living beyond our means. Current expenditures did not equal recurring revenues. One-time infusions of revenues have been needed, drawing down reserves and requiring extraordinary and questionable transfers from other funds. The base has been artificially inflated and fundamental cutback decisions were postponed. Political pressures to increase salaries or to maintain a competitive tax rate were perceived to be too intense. There was always a pressure valve, reliance on reserves, overestimating revenues, or using non-recurrent revenues. In many cases, the consequences of decisions were not clearly spelled out and over time the problems merely compounded.

This is the year of decisive action to get our financial home back in order. The plan adopted by consensus of the Commission considers the budget in a holistic fashion to restore financial discipline. We agreed on the savings for this year's budget, including capital improvements and a public safety bond issue. Recognizing that the operating and capital budgets were integrally related, and understand that many of our facilities had been neglected for too long and much preventative maintenance had been deferred, we plan to restore CIP funds for the next year. The Commission had initially agreed to advance the public safety bond issue, or at least the \$40 Million fire portion until March. Having come to closure on the magnitude and detail of the savings at staffing levels, vacant positions across the board would be eliminated. General Fund staffing levels will be reduced from an excessive 2,060 to a more sustainable 1,869, a reduction of 191 positions or 9.3%. This would result unfortunately in some 80 layoffs, about 3.8% of the work force, none of which are firefighters or sworn police officers.

Immediately upon approval of the budget revision, our first focus will be to resolve the issue of furloughs or salary rollbacks, as well as to finalize negotiations with the collective bargaining units. The General Fund budget is approximately \$216 Million. As mentioned earlier, we need to save \$8 Million from salaries in this fiscal year to live within the budget. One component of the \$8 Million is the \$2.4 Million in salary rollbacks or furloughs from City employees. We have prepared a Commission memo that demonstrates in greater detail this issue, but I summarize it here below.

We could achieve these savings if the Unions agree to 6 furlough days. However, at some point in this financial year, furloughs are not a viable option because of the increased cost of overtime. For planning purposes, I am using January as the point when furloughs stop being an option. We could have achieved the savings in October by implementing the 2.2% cut. In January, that cut became 3%, in April it becomes 4.1%, in July 8.2%, and so on until the last pay period of the fiscal year. As you can see, the cost to wait gets significantly higher. While the discussion of pay cuts is unpleasant, the impact is many times worse if these savings are achieved through the more traditional means of layoffs. Take police for an example. The same amount of reduction, the 3% of the rollback of the furloughs equaled in October 13 layoffs, in January 17, in April 25, and in July 56. If the City fails to act until the last pay period of the fiscal year, we have to lay off more employees than we have in order to achieve the savings, an impossibility. This is because in the later months of the fiscal year, the cost of termination pay greatly exceeds the savings in salaries.

I mentioned the \$2.4 Million because we assume that we will achieve these savings. However, our negotiation with the unions are taking longer than we first anticipated. For example, each of the unions had decided that they want a Special Master Hearing which would delay the City Commission's impasse hearing. Again, the Commission memo provides the details so that the Commission understands the impact of these delays. Based upon the scheduling difficulties we are seeing, we may not get to impasse hearings until late March or April. We continue to reinforce with the unions, the importance of implementing the \$2.4 Million salary savings package in each employee group at the earliest practical date. From my discussion with employees, there is a general understanding of why a 2% salary reduction in October was November. The last few months we have been saying it would be a 3% rollback in January, now we are talking to the unions about a 5% rollback because we are looking at an April implementation date due to the scheduling of impasse hearings. If the impasse hearing or the implementation date slips, then the salary rollback percent may very well quickly escalate to 2.8% for the last pay period in July. If the full salary rollback is not achievable, then significant layoffs must occur. It is not in the employee's interest to delay action, and we will continue our effort to reach agreement with the unions. I will schedule a Commission discussion item in January to follow up with the Commission on how best to address these issues.

In closing, the management team have done their part to craft a coherent realistic plan to put us on the path of long-term financial stability and sustainability. It is now time for the public's input, after which the Commission needs to act in the best interest of the entire community. Difficult decisions lie ahead, our fiscal integrity hangs in the balance, and it is now time for the Commission to take the decisive actions of approving the budget amendment, and for all of us to move on with the business of providing City services."

Lybbi Kienzle stated that she was a homeowner in Victoria Park, as well as an owner of several other properties in the City. She stated that she was speaking to protest the possible banning of the Mounted Police Force. She stated she was appalled that this would even be up for discussion. In times like this when terrorist attacks were major points of contention, how could downsizing the Police Department even be considered. She reiterated that this was paid for at no cost to the City. She stated that the police had spent countless hours training the horses for crowd control for the beaches, Air & Sea Show, and FTAA protests. She stated that the City's plan on disregarding these animals

as if they were garbage and sending them off to the glue factory was disgusting. The price tag of losing them was phenomenal. Higher crime, lower property values, less tourists, and wealthy people moving into the developing Las Olas area wanted the best protection, but it will not be there. The Public Safety Aides help free up the officers so they could handle more difficult tasks they were trained to do. The morale of the officers should be high and they should look forward each day to make our City a better and safer place to live.

Ms. Kienzle stated further that the police and firefighters were highly trained in HazMat, first response, and weapons of mass destruction. If the Port was attacked, who would everyone call. She continued stating that they lived in an extremely wealthy City. One may think that firing the City Manager would be a quick solution to all the money that had been squandered, but it was a smoke screen. She continued stating that the temporary City Manager brought in to be the "quick fix hatchet man," still did not reveal where the money had gone and was totally premature. She stated the Commissioners and Mayor wanted to look good and protect their political places. It was no secret that this temporary City Manager was good friends with Ken Jenne, and she asked if this was possibly another opportunity for another politician to take over our police force. She stated the buck stops here. She reiterated they were elected to make informed decisions and protect the citizens' interests, and the Commission has failed miserably at their job. Before the City is torn apart, we are holding the Mayor and Commissioners accountable for the misuse of City funds. She stated they did not have the right to use the police force as a scapegoat. We want the police force to be maintained and not be drowned in a cesspool of politics. She hoped they could see some honesty and courage from the Commissioners. Get your priorities right and don't vote to eliminate the police.

George Tucker, attorney representing the FOP, stated he was here this evening to urge the Commission not to adopt the budget amendment. He stated he had the opportunity to sit through and observe the budget workshop in December, and some misconceptions arose which he felt needed to be addressed. The first misconception was that this budget somehow represented the expertise of the department heads in the City, but it did not. He further stated that in order to represent the expertise, one had to not only tell them how much money to cut, but they had to be asked whether or not they could cut the particular services, while still servicing the citizens of the City. He emphasized that had not been done. What was done was that they were told to cut a certain amount of money, and that was what this budget amendment represented.

Mr. Tucker further stated that the second misconception was that this was a unique situation. It was not, and cities go through budget processes every day. Families go through it every day, and the trick was to balance the expenditures and the revenues. The trick was to somehow get through temporary times when there was a shortfall. He asked why this had to be accomplished in one year in order to get a reserve. He stated this was not an erosion of the tax base because many condominiums were being built in the City. He stated the City had the ability to raise taxes, and all they had to do was restore the tax cuts and the per capita which had been cut over the last couple of years. He stated they needed to find an opportunity to get through this situation without cutting services. He reiterated it did not take a rocket scientist to cut the budget because one only needed a red pen. He continued stating it required for everyone to know what needed to be cut, and to balance the expenditures and the revenues. He reiterated that had not been done. He stated there had only been mandates from the City Manager to cut monies.

Mr. Tucker continued stating that the third misconception was that no alternatives had been offered. Not only were there no alternatives, but there was a resignation letter involved stating to do it his way or he would hit the highway. He asked why no alternatives were being offered, and why was it that someone who had not even been in the City 9 weeks ago was basically leading the City down the "primrose path" of taking away and destroying the fundamental fabric of the community. Services would be cut.

Claudia Gercak stated that she could not say things anything better than the individuals had before her, but stated that she and her neighbors did not want to have the City eliminate the 42 positions of police officers, firefighters, and PSAs. She added it did not make any sense to get rid of the Mounted Patrol. She stated that the Procurement Manager wanted to treat the horses as City property and sell them. She added that once they left the City there would be no control as to where they would go, and could be more valuable to the City if sold on an auction block and ended up as dog food. She stated the barn had been built with confiscated drug money, the official capacity of the building had to be used for law enforcement related activities. The building would still have to be maintained no matter what the use, and two officers had already left the unit. Salaries still had to be paid and the actual operating costs of the unit were minimal. She felt the City would upset and alienate a lot of people if the unit was disbanded. She stated the City and Police Department needed all the friends they could get.

Ms. Gercak stated that she had spoken with one of the Mounted Patrol today, and during that time the officer had been asked for help non-stop, along with individuals stopping to voice their support for this patrol. She stated that did not happen to officers in patrol cars. She believed the City would retain their value in maintaining this patrol. At a City Hall workshop it had been stated that it would cost about \$10 per month in taxes for a \$200,000 home to prevent such elimination of services. She stated that she had signed a petition stating that she would be more than glad to pay such an amount. She stated she should not have to, but if it meant keeping the mounted unit running, she would pledge \$5,000 of her hard-earned money now for such a purpose. Keep the police, keep the firefighters, keep the PSAs and other City employees. She stated that this City and Commission were sophisticated and should be able to figure out how to do it.

Sara Horn stated that she had nothing new to say, but as a 44-year housewife and budget manager, the City should have known better. Everything in this country has risen in cost, and how in God's name could the City be run on as much or less than what had been used in the last 15 years. It made no sense. She did not care if a shell game had been played and the wool pulled over everyone's eyes, everyone should have known better.

Kim Robson stated he had been a PSA for 8 years with the City and added that he loved his job and learned to love the City. He stated this program was one of the best in South Florida and they take over 30 calls away from the officers. In the last year they took 35,000 calls with each call lasting about one hour which freed up the police officers to do the job they were hired to do and protect the citizens. He stated that the Acting City Manager had stated that the cutbacks would only have one or two officers less on a shift, but the Police Department had eliminated numerous positions and had no future plans to hire replacements even though there would be some retirements. He explained that the manning tables for the Police Department included eliminating the CSD Division and the Mounted Patrol. He stated the City had grown through annexation and a large

population growth, and yet fewer officers were being asked to do 35,000 more jobs. He asked how could the citizens and their safety not be jeopardized. He stated he disagreed because if a police officer was doing his job, he would not be out there protecting the City. He needed to be proactive and not reactive.

Mr. Robson further stated that the human issue had not been addressed. He stated that dollars and cents were great for budgets, but a human factor was involved and individuals' safety. He stated that the City had gone from No. 1 in crime about 4-5 years ago, and now was No. 77. He reiterated that it was a coincidence that was when the PSAs came into existence.

Greg Kridos stated that he had been a Sergeant for the past 18 years in the Police Department, and an officer for 25 years. He stated if they were going to meet part of the budget deficit through the Fire, Police or PSAs and close the booking facility at the jail, they would be forcing the police to go from a proactive approach to crime to a reactive approach. He stated that PSAs responded to incidents that did not involve the presence of a suspect and spent about 34,000 hours resolving such matters which permits the police officers to respond to crimes in progress and incidents having a potential for violence. He stated the PSAs dedicated themselves to formulating and implementing operational plans which target specific ongoing police-related problems in the neighborhoods, and allow them to conduct selective traffic enforcement in school zones and other areas of the City that were dangerous in regard to traffic accidents. He stated the budget cuts already reduced the Police Department by 40 officers, and taking the loss of the PSAs and the closure of the booking operation would force officers to spend over 2 hours to book prisoners with a potential to have crime levels increase as they had been in the '90s. If these budget cuts were implemented, then all officers working the patrol division would be required to respond, investigate and report on the additional 34,000 incidents using another 34,000 hours of their time.

Sgt. Kridos stated that the Acting City Manager passed himself off as being fair, honest and open-minded, yet only offered one solution to solving the budget deficit. He had threatened to fire employees who don't agree with him, told department heads not to attend public meeting so he would not be contradicted, and stated that the police should contract investigative services to BSO. He admitted that Chief Roberts had no alternative but to cut key personnel when they had been ordered to cut millions of dollars from their budget. He was not aware that their budget was 87% salary driven, and had thought it was 70%. He attempted to support the Mayor's claim that taxes had risen yearly, but agreed with the Nova Southeastern study which stated that the millage rate had been decreased for the past 6 years. He further stated that the Mayor, Acting City Manager, and Commissioner Teel had rejected all suggestions that the budget deficit be addressed by any means other than firing personnel. Increasing the millage rate by one-half percent would take care of next year's budget. He added that PSAs had answered over 4,000 calls in Commissioner Moore's district in less than one year, and had spent 4,000 hours answering such calls. He stated now the police officers would have to handle such calls. He asked the Commission to work with them and not against them.

Bob Kay stated that he wanted to read a statement to the Commission. "This is a benefit versus cost analysis of the Mounted Patrol Unit. It cost approximately \$18 to maintain a horse per day, and on any given day those officers and horses could participate in any of the following: patrolling the parking lot of the Coral Ridge Mall cost \$18, piece of mind priceless. School presentation or career day cost \$18, a classroom of children who

wanted to grow up to be officers priceless. Attending a homeowners meeting cost \$18, building partnerships with the City and police priceless. Patrolling the beach and Riverwalk and having pictures taken with tourists cost \$18, pictures of the breathtaking Fort Lauderdale sites circulating worldwide priceless. Monitoring school zones cost \$18, knowing your child is safe from speeding cars on the way home from school priceless. Patrolling the alleyways not readily accessible by patrol car cost \$18, never receiving a call that your 80-year old mother had been brutalized in her home priceless.

Mr. Kay stated that he could not take credit for writing this statement because someone else had written it. He reiterated he was not a police officer, nor a City employee, and therefore, his job was not on the line but he was a taxpayer and citizen. He stated he was totally against the budget that they had discussed, and he felt he represented everyone in the room and everyone outside, they elected the Commission and were now saying "no, we reject this budget."

Mr. Kay further stated that he may not be aware of all the facts, but Floyd Johnson was gone and was made the scapegoat for the problems, and everyone seemed to be pointing in other directions. He stated that he was curious to know what had been put in place to prevent such things in the future with Mr. Silva now being the Acting City Manager, and felt everyone should be on board and be aware of what was going on so everyone would now be accountable.

Sam Warren stated it was a shame how the City wanted to balance the budget on the backs of its employees. He stated it was the upper management level which controlled the budget, and not the employees. He stated the upper management staff submitted the budget proposals to the Commission for acceptance. He did not know how these individuals could sleep at night because of giving false information, not including everything into the budget so there would be no over expenditures and underestimated revenues. He reiterated that the City wanted to balance the budget with 6 furlough days for employees because of mismanagement. He added that today he had received the memorandum after the Commission meeting had begun stating some of the information read by the Acting City Manager. He reiterated that it had stated that the City's discussions took place with the 3 unions. He acknowledged they had been in negotiations, but strange how the discussion only went one way with a take it or leave it attitude. He stated that was not fair to the employees and was not negotiating or discussing.

Mr. Warren further stated that the last page of the memo stated there were high costs which the employees had to bear and were waiting for decisions to be made. He emphasized they were waiting for someone to sit down at the table with the unions and make a decision for the City. He stated that he had asked the Acting City Manager to sit at the negotiating table so someone could make decisions. He stated the FOPA wanted to settle their contract, and they wanted to move forward. He reiterated that negotiations were give and take. It appeared the only thing the City appeared to want was to give it to them, but not accept anything in return from the unions. It stated once again it was not fair to the employees to balance the budget on their backs when they had not mismanaged anything.

Mr. Warren stated that he was once again publicly inviting the Acting City Manager to sit down with the unions at the negotiating table in order to resolve their contract.

Ian Kemp, representing 350 firefighters, stated that he wanted the residents to know how they would be affected if this budget was approved. He stated that the services to Melrose Park had been cut already, and yet they had been promised the sky. He stated that in the northwest one of the biggest rescues in the Nation had been reduced from 3 to 2 personnel, and the standard on rescue trucks was for 3 personnel. He stated their TRT team requires 4 personnel, and it was suggested they not respond if they did not have the staff required. Since Thanksgiving Engine No. 13 had been taken out of service 75% of the time. He added that since he had been on the job, no apparatus had ever been taken out of service. He felt that was a travesty. He stated that area was very busy due to snowbirds and tourists. He added that high-rise firefighting was extremely hampered when not having enough personnel. He stated that Rescue No. 13 would also be gone and only one ladder truck would be able to respond in the area. He reiterated that their department was to be reduced by 38 firefighters, EMS staff would be drastically reduced, along with the training staff. He stated they were only as good as the training given to employees. He stated their training was non-existent and getting worse. He urged the Commission to vote down the budget being presented.

Stefanie Suarez stated that she was speaking on behalf of the Firefighter Explorers. She stated this was one of the best programs in South Florida. She explained that the program taught them leadership, discipline and confidence, and helped the Explorers to keep their grades up and stay out of trouble and off the streets. She stated they had a great reflection on the City's Fire Department. She stated they rode on weekends and acted as extra hands and were not being paid. She reiterated that they helped with various City events, and helped with fire prevention activities. She stated that in over a year they had not received any equipment or uniforms. She reiterated there were other alternatives to shutting down the program. She asked if there were any types of grants that would be available for this program. She continued stating that their futures looked to fire service and they obtained first-hand experience in the field. She asked the Commission to seek other alternatives to shutting down this program.

Chris Wanka, Firefighter Explorers, stated that their program had been run by volunteers but Chief Latin had changed that so it could be more consistent. He asked the Commission to keep this program intact and he had always wanted to be a firefighter and this program was the best. Out of nine departments competing in the last Explorer competition, their department placed first overall out of 11 teams. He reiterated that this program made that possible and without this program many future careers would be at stake.

Alfred Lewers, Jr. stated that he was the recruiting Sargeant for the Police Department. He stated they were able to accomplish the goals set for the department by the Commission a few months ago. He explained that he had read many documents and the minutes of the Commission meetings since 1997 and had read many instances where the Commission had demanded Chief Roberts to fill the vacant positions in the Police Department, and if that was not done the funding would be removed. He felt a lot of individuals did not understand why the police exceeded their overtime budget. He stated there was a DROP plan and they had asked to hire 50% of such officers that would be leaving. He further stated that due to annexation an additional 13 police officers were required. Also, due to 9/11 this Commission had mandated that the Police Department provide physical security for key locations throughout the City, and he stated they did not have enough officers to man those places and such positions had to be paid from overtime. He stated that was the reason their overtime budget had been exceeded. He

added that monies had been given to the City over the years due to salary savings. He continued stating that this was the finest Police Department in South Florida, if not in the State. He stated the damage done by reducing the force would be irreparable, and it appeared there could possibly be a conspiracy to make the department ungovernable so the Sheriff's Office could come in and take hold. He urged the Commission not to adopt the proposed budget.

Todd Stolfa stated that he wanted to give a different spin on things. He stated that he had moved here in 1998 and began investing in Middle River Terrace. He added that by working with the Police Department, Raiders, PSAs, and former Commissioner Tim Smith property values were taken from 1999 75% above where they had been. The budget cuts would only devalue those properties and they would regress. He stated he would sell his properties if these cuts were put into effect and go where he would be appreciated.

Jim Lewis stated that he had been a resident in the City for over 15 years. He stated that the PSAs saved the City money and did not cost them money. Money was invested in their training, and if they were taken away the response times in the City would rise and lives would be endangered. He commended the Mayor on the City's Police Department and Fire Department, and asked for him not to use the short-term situation to take it all away so they would not have to go back to where they had previously been 10 years ago. He stated he did not want these cuts to cost lives due to having less firefighters or policemen. He stated he did not mind paying additional monies if he knew what it was for, and if it was to be safe the taxpayers would pay it. If the citizens were not being protected, it would be the elected officials who would pay.

Ronald Centamore, Progresso Village Civic Association, stated that he was a former police officer and if these budget cuts were made, he knew what was going to happen to the City. He explained that their neighborhood was transitional with new development, and he wanted the area to continue to grow and be protected. He stated if they went back to 1994 levels, the neighborhood was afraid the crime levels would increase.

Mr. Centamore stated that he expected great things from the City. He reiterated that the neighborhood had worked hard to improve it, and he did not want them to lose the progress that had been made. He reiterated if he had a problem, he did not want to have to wait long periods of time for an officer to show up or a rescue person to respond. He stated that he knew 3 of the Commissioners did not want the budget cuts, and he believed the right thing had to be done, the right vote made in order to make the City what it should be, and everyone kept in their jobs to keep the citizens safe. He reiterated that their Civic Association stated they would be willing to have their taxes raised in order to keep the level of service.

Rixon Rafter stated that the reason for City government was to provide for the citizens' safety and health. Any shortcoming meant they were failing. The Acting City Manager appeared to be a fine "bean counter," but was not a politician and was not elected to balance the health and safety needs of the public. He stated the Commission was elected to do just that, and if they missed the boat and found themselves in arrears, then they needed to sit down and look at the numbers to see where temporary revenue could be gotten from. He asked if anyone on the Board knew how many City lots were owned outside of the CRA which could be sold, and felt they needed to explore that opportunity. He reminded the Commission that they had just sold Konover for \$6 Million, and asked if

that \$6 Million had been deducted from the shortfall for the current budget year. He stated no one had been informed of such information. He felt they needed to get into details and see where they could generate temporary income to meet the budget needs for this year and next. He stated that was why they were paid the high bucks.

Commissioner Trantalis left the meeting at approximately 7:48 p.m.

Kevin Campos stated that he supported the police, firefighters and PSAs, and cutting those officers would increase crime in the areas. He suggested they cut the Commissioners' salaries and add that money to those departments.

Pat Mayers, Victoria Park, stated that she had been a resident in that area since 1972 and watched the City become the highest city in regard to crime. She stated they had wonderful officers and PSAs who contributed to their quality of life, but if such budget cuts were made their quality of life would be diminished. She stated that other cities were using their code enforcement teams and putting them under the Police Department. She heard the rumor that it generated additional revenue and provided great results. She felt the Commission should explore such a possibility. She stated she was 100% against the police and firefighter personnel being under what they were in March, 2003.

Commissioner Moore left the meeting at approximately 7:49 p.m.

Ginnee Hancock stated that the Acting City Manager had a very sharp pencil this evening and had done a great job of balancing the budget on the books, but the residents had to live in the City and the one element not considered was the human component. She stated he had gone through a list of recommendations that the citizens' leadership initiative had made to him, and it was said over and over again "no, it won't work." She further stated that she asked for them to take another look because nothing was ever cut and dry or final. Alternatives had to be offered. She asked them not to sacrifice the neighborhoods and citizens which the Commission represents. She stated they could not afford such cuts as being proposed. She stated she did not want to live in Crime City USA as they had done before. She reiterated that she lived in Riverside Park and their crime now was up over 20% from what it was one year ago. She stated there were not enough police in that area and they needed additional officers, not less. She felt they needed to be creative with the cuts they were going to make because the end result had to be that they keep the "worker bees" of the Police Department, PSAs, and firefighters. She reiterated they could not afford to lose such people because they were the people doing the work. She stated it did not make sense to make such cuts. If the City had to get rid of fat, get rid of it, but not the individuals doing the jobs and the "feet on the street." She stated that their Association had taken a vote at their last general meeting to see if the membership would consider a special assessment for police if the City failed to provide such work force. She continued stating that the City should not ever fail its citizens because they did not deserve it and they elected their officials to serve the entire City and not just certain neighborhoods. She stated the Commissioners needed to stand up and take care of its citizens. She reiterated that their Association voted they would be willing to pay such an assessment, but look at creative ways to cut the budget. She emphasized they needed the "feet on the street" to balance out the criminals on the street. She urged the Commission to not be pennywise and pound foolish because the City would not recover for a long, long time. She asked for them to use creativity regarding the budget.

Commissioner Trantalis returned to the meeting at approximately 7:51 p.m.

Julia Horn, PSA, stated that she had been with the Police Department for 8 years. She stated she was the third generation to live in Tarpon River. She stated she also chose to serve the community. She reiterated that PSAs were a unique breed of employees for the City because they walked the line between the Police Department and civilians, but they did their jobs with heart and beyond the uniform. She stated she would give additional money in taxes if it meant that the highly qualified, hard-working individuals would retain their employment.

Commissioner Moore returned to the meeting at approximately 7:53 p.m.

Tony Pinto, SMRCA President, stated that there was overwhelming support given tonight against the cuts proposed by the Acting City Manager. He stated their Association stated no to the cutting of police, PSAs and firefighters. He stated further that as the citizen leadership initiative they had proposed many alternatives, which the Acting City Manager had knocked down one by one without even trying them. He stated he was beginning to think that he wanted to create a difficult situation for the Police Department in this City so BSO could come in. He stated they did not want the BSO. He stated he was appealing to the Commission's common sense. He reiterated that 4 new condominiums were being built in the City, and asked how services could be given over the next few years. He stated they were perfect budget wise, but human wise they flunked and had no idea what it was to have a human value. He reiterated further they were affecting the quality of life of the City. He stated they were elected to look after the citizens' health and safety, and if they did not do that they were failing the City and possibly should be removed from office because they were not doing their jobs. He urged the Commission not to accept the budget amendment.

Denise Melanson, PSA, stated that she wanted to thank the public for their support which had been very overwhelming. She stated she was proud to have served the citizens of this City and took pride in her position as a PSA, and she felt this was the best job she had ever held. She stated they realized their position did not command the same respect as an officer, but they contributed a great deal of aid and support to the officers and the citizens. She explained that the PSAs handled a lot of non-progress calls over the year. She stated if the PSAs were eliminated, the calls would be increased for the officers, and the safety of the City and citizens would be severely impacted. She asked why they were not still aware of the accountability.

John Gargotta, Broward Grandparents, stated that they trained and recruited low income older adults for tutoring children and the disabled. He stated they needed this additional income in order to maintain their independence. He stated that he had come to request money for their agency since they had previously received it, but he stated that he could obtain alternative money and could not ask the City for funds in their present situation. He stated that he would prefer to have the citizens protected.

Devy Bruch, Rio Vista, stated that she wanted to pledge \$10,000 towards the Mounted Patrol. She stated that she supported the Mounted Patrol 100%. She added that the children in the area loved the police and respected them. She stated what this patrol was teaching the young was monumental and could not be replaced. She stated that she had faxed a letter to the City Commission and to the publisher of the Sun-Sentinel which she

proceeded to read. She stated that people would be willing to contribute monies to the City, if they knew how those funds would be used and not mismanaged.

Commissioner Hutchinson left the meeting at approximately 8:03 p.m. and returned at 8:04 p.m.

Commissioner Hutchinson stated that she wanted to thank the two individuals who pledged \$15,000 towards the Mounted Patrol. She stated they were now up to \$42,500 to save the Mounted Patrol. She explained that she had received a \$20,000 commitment from Charlie Ladd, \$5,000 commitment from Alan Hooper, and a \$2500 commitment from Peter Feldman.

Bob Kay pledged \$1,000 towards the Mounted Patrol.

Scott Holland, Beach Patrol, stated that he was disappointed in the City Commission. He asked the Commission to listen to everyone's comments this evening. He stated that he had sat in on the bargaining unit negotiations for over 6 months, and they kept hearing about a misrepresentation of funds and different numbers were always being quoted. He stated the Commission was not directing management to supply them with the proper numbers, and they needed to be held accountable which they had not done over the last couple fiscal years and that was why this problem existed. He stated his disappointment was in the Commission and their lack of acknowledgement and reiterated they were partly responsible for the present situation. He stated that the President of the Union spoke to the Commission tonight and every time they picked up a newspaper it stated that it was the union responsible for the impasse. He stated that was not true and the stalling was coming from the City's negotiation team because they were not given the authority to negotiate. He urged the Acting City Manager to sit down with them or resign because they needed someone to help resolve the problem. He stated that the Acting City Manager had a great indifference for them. He reiterated that the Acting City Manager was an axe and was to cut the budget and he did not want to get to know anyone, and it showed. He stated the public and the employees would be the ones to suffer. He stated they were not the ones who created the problem, but were the ones who came out and did their jobs. He emphasized that now this budget was being put on their backs. He felt there were other alternatives such as tax increases. He advised that he had signed the petition for the raising of taxes. Mr. Holland further stated that he had heard that efforts were being made to privatize the pools and Ocean Rescue with a group that had no business doing ocean rescue.

Tom Magnifesta, President FOP, stated he was representing 500 of the finest police officers in the Country. He stated that he had been a police officer for the last 27 years. He stated he was not going to speak about contracts or pay raises, and in fact the FOP during the entire budget process was more than willing to work with the City to arrive at a fair contract and giving the furlough days the City desperately needed. He emphasized that tonight he was here to discuss the future of the City, safety and public service for its citizens, and the lives of its employees. He stated that the Acting City Manager had proposed a revision of the City budget which drastically cut police service, and eliminated 30 police officer positions and terminated 60 detention officers and police service aides. During the process, he stated that he had explained what the consequences would be if this was done. Since many detention officers were gone and the booking facility had been closed for the last week, officers had to go to BSO in order to book their prisoners. Last Friday a simple narcotics arrest took an officer 3 ½ hours

waiting in line at the County jail to book his prisoner. He stated that was completely unacceptable. He stated it was up to the Commission to either vote for this debacle called the City budget, or vote their conscience and preserve the good and safe quality of life that these citizens deserve. He stated it was becoming very evident that the Acting City Manager had one goal which was to dismantle the Fort Lauderdale Police Department who had a proud tradition since 1911. He stated that the Acting City Manager was cozying up to his buddy Ken Jenne at their weekly lunches at Don Arturo or at the golf course. He stated that the Acting City Manager had stated publicly at Leadership Fort Lauderdale that BSO should be coming in and handling investigations and taking over specialty units. He stated he was here to say that no one could police better than the Fort Lauderdale police officers, and especially not the shady statistics which Ken Jenne spreads to the residents of certain areas.

Mr. Magnifesta stated that at the budget workshop meeting, the Mayor stated that he and his colleagues had been elected to make tough decisions. He stated that he disagreed and felt they were elected to make the right decision and that decision was not to terminate employees and blame them for the financial woes of the City.

Mayor Naugle stated that Mr. Magnifesta's time was up and added that he had been untruthful. Mr. Magnifesta offered \$20 for additional time. Mayor Naugle stated he did not want his money.

Mr. Magnifesta stated that the FOP stood willing to work out their problems with the contract. He reiterated that their tactics would not work.

Mayor Naugle stated that one of the problems had been that the union leadership had been dishonest with the public and saying things which were not true. Mr. Magnifesta reiterated that the Mayor had lied to the community for 20 years. Mayor Naugle stated it was important for people to tell the truth, and anyone could come up and say anything they wanted. He felt that everyone should have the decency to tell the truth and when someone did not tell the truth, they lost their credibility.

Susan Lavery stated that she owned rental property in Lake Ridge for the last 12 years. She stated that neighborhood then was a snake pit for crime, and if it was not for having dedicated zoned officers there they would not have had the tremendous growth and increase in property values. She stated the City needed world-class services or people would not move in and more importantly stay. She stated that they were being short-sighted in regard to the budget and did not plan for the future. She felt that with the annexing, they needed more in public safety services and not less.

Doug Blevins, Wilton Manors, stated that he had been a past President of the SMRCA which had been a troubled neighborhood that had benefited by the acts of the Police Department. He read an e-mail from Mayor Naugle dated September 10, 2003 as follows: "Thank you for your e-mail. We are not laying off a single officer or firefighter. Jim." He asked who was telling the truth now. He stated they were taking staffing levels back down to 1994 and the conditions then were deplorable. He stated he did not want to lose one single person on the police force because they were needed. Due to annexation and building thousands of people were going to move into the City and public services would be needed.

Mr. Blevins further stated that community policing had been one of the most effective tools in the neighborhoods. He stated that money had been donated for horses, and therefore, he wanted to pledged \$2500 to Chief Roberts' favorite charity if he could stand up and tell the Commission they were going back to the drawing board regarding the budget. He reiterated the CPOs had to stay. He further stated that the City had an interim City Manager who was threatening to quit. He stated he was not a team player. He stated the officers were the team players making the City safe. He stated that the City did not get into this situation over night and it was because of the Commission who managed the City. He stated they had driven the City into the ground, and now they had to pick themselves back up and a "quick fix" would not work. He asked that at the end of the evening that Chief Roberts ask the City Commission for 60-90 days to review the budget and look at alternatives for cutting the force. He reiterated that the City had to remain intact.

Mayor Naugle asked how many police officers and firefighters were being laid off. The Acting City Manager replied that none were being laid off. Mayor Naugle stated that the e-mail was true, and this was the kind of things that people were doing and commenting on half-truths.

Sergeant Mitch Van Sant stated that he was going to celebrate his 24th anniversary with the Police Department on December 31, 2003. He stated he was what was left of the background investigation unit which was in charge of hiring the individuals the City was going to fire. He stated that since 2000, over 200 individuals had been hired in various capacities throughout the Department. This year they had hired 178 people, and now the City was looking to lay off 110 of those individuals. He stated this did not make sense. The City had made promises to communities and each Commissioner, except for Commissioner Moore and Mayor Naugle, came to the FOP office. He stated that he happened to be one of the liars on the executive board that the Mayor had mentioned, and he took exception to the Mayor calling him a liar as part of such board. He reiterated that they did not put out misinformation. He stated the City was giving the right answers when they wanted the police officers to support their re-election.

Sergeant Van Sant stated that as part of the background investigations unit, the Commission had instructed them to fill their vacancies. Large amounts of money were spent on recruiting materials, consultants and lawyers. He stated they had then spent money on creating a committee to develop Fort Lauderdale 2011 Committed to Excellence Today For a Better Tomorrow. He stated that was not happening. He further stated that in 1994 they had "Best City of Its Size," and the saying turned into "Out The Door in '94." He stated large amounts of money were spent on mailing the values to each employee's home that they wanted to instill into the City employees, and hopefully wanted to instill in themselves also. He stated that they mentioned respect for the dignity of the citizens and their co-workers and for the diversity of all groups. He stated they were not getting the respect from the City, and especially from the Acting City Manager by just cutting and not considering other alternatives. He reiterated that integrity was demonstrated by honesty and fairness in conduct beyond reproach. He asked where did all the money from the City go, where was their responsibility, and where did it get spent. He stated there was definitely shell games played. They had done things for salary savings over the years and would continue to do so. Courage to do the right things for the right reason in the right way was not being done this evening, if the Commission adopted the budget amendment proposed. He stated that team work was important and excellence was achieved through cooperation, communication and collaboration. Lastly,

he stated that most importantly was accountability for their decisions, actions and results. He urged the Commission to not adopt this budget amendment. He stated they had been through a crisis before and no one ever was laid off in the masses being discussed. He stated that the hard dollars they were spending and saving now versus the soft dollars that were going to be needed in order to get the employees back would not happen. The City would be crippled and their jobs, along with the individuals they were looking to lay off, would be in jeopardy.

Paul Rosen, Riverwalk Fort Lauderdale Trust, stated that the future of the City laid in the Downtown. Riverwalk was the jewel of Downtown, along with the Las Olas District which would enhance the quality of life in the City. He stated that the City's original vision of a Riverwalk called for public investment which had been repaid with private investment along the River. He stated they were concerned that cuts in staff, elimination of capital funds, and the reduction of the irrigation schedule would greatly reduce the quality of life for the citizens and endanger the safety of the citizens and the investment that the City had made. He asked for them to consider an amendment to the amendment to enhance and maintain the funding as much as possible. He stated they looked forward to working with the Commission and Parks and Recreation for feasible solutions, including volunteer and funding opportunities.

Tim Smith stated that he wanted to recognize some citizen leaders that had met this past week, and who had arrived at some great ideas for the Commission to work into their plans for additional revenue and less expenditures, but the City had thrown all those ideas into the trash. He stated that they were here tonight in solidarity to ask for the City not to cut police and fire personnel. He stated that he used to sit up there and had evidently gotten out in the nick of time, and he felt for them and the decisions that had to be made. He stated he was upset with the Commission because they had a "bonehead move" on the table that would be the worst thing for this City, and he felt in their hearts they all knew it. He stated he was calling the program the "Alan Silva Beans, Beans, Beans, Its Only Just Beans Plan," and it was a terrible plan. He stated that the City had made some major mistakes in their days and spring break was one of them and almost ruined the City. Another mistake was the self-insured plan for the employees which had cost the City millions. He stated he hoped they would not make this big mistake. He felt in this day and age when everyone was concerned about the safety of the Country and the City more than ever before, that this plan would bring Homeland Insecurity, and not security and he felt the Commission knew that. He realized they were in a bind, but other cities in the same situation did the same thing as being suggested which was to make massive cuts in public safety. He reiterated that the cities which did make such cuts had a large increase in crime. He stated those cities realized their mistakes and rehired their police officers. He asked if this City was going to make the same type of mistakes or was this City going to be brighter and not make such mistakes.

Mr. Smith stated that in the '90's before the PSAs, Community Policing and full staffing, this City was the most crime ridden city in the entire US. He stated they should not have their legacy show that they had sent the City back to such conditions once again. He stated he wanted to thank Commissioner Trantalis for being there from the start. He thanked Commissioner Hutchinson for being concerned about public safety. He felt for Commissioner Moore because many of the individuals in his district worked for the City and they might lose their jobs and that put him in a "tight pinch." He felt when public safety suffered, the northwest section of the City would be the first to suffer. He urged the Commission to not let that happen. He stated that they had one overriding

responsibility as leaders of the City, and that was to keep everyone safe. Therefore, he begged them to leave the police and firefighters alone.

Linda Peacock stated that she could not believe what the Commissioners had done to this City. She further stated that the jail had been built due to the crime in the areas and now they were going to start things all over again. She stated it was ironic that individuals were being laid off, salaries were being cut, but in today's paper she had read they were coming up with \$2.5 Million to buy the old South Side School, and spending another couple of million in renovations. She asked if the Sun-Sentinel was a liar too. She stated that she had celebrated her 25th year with the City and she just made a little over \$30,000 per year, and paid towards her health and pension benefits. She stated that she did not hear anything about a budget problem until after the Commission had voted themselves a 100% raise. She stated she was not sure, but felt their health and pensions were greatly paid for also.

Ms. Peacock continued stating that what they were doing with the budget and the PSAs was a disgrace. She stated they had approved the budget and the employees went by what had been approved with their salary raises and benefits. Since they were now in a tight squeeze, they were screwing the employees who kept the City going. She further stated that she had seen on the TV that when her Chief was giving a presentation on how to save the PSAs, Commissioner Teel had asked what was a PSA and what did they do. She stated the mess was not made by Mr. Johnson alone, and she did not understand why the Commission did not accept responsibility for it. She reiterated that several suggestions had been made regarding revenue money from the Police Department, and every 3 of the 4 ideas which generated money was turned down by the Acting City Manager. She emphasized that the only thing he came up with was to cut people and their jobs. She stated that she had read in e-mails that due to it being late in the year, furlough days would no longer be an option. She felt that was discrimination.

Ms. Peacock stated that about 3 years ago the Mayor's car had been stolen from his driveway and Linda Williams, the PSA involved, had been complimented on how fast she had responded and the Mayor stated that he had appreciated such response. She stated if his car got stolen again, he should call it in and maybe the call could be taken over the phone.

Dean Peters, Middle River Terrace, stated that he would be happy to pay additional taxes so he would not have to carry a gun to walk down his neighborhood streets.

Bobby Orfanos, owner of Bikini Bob's, stated that they needed the police at night who had educated him on what to watch for. In 2002 they had about 100,000 spring breakers and last year had about 300,000 and this year they were expecting 500,000. Therefore, they needed the police and felt there had to be a way to get the money that was needed. He reiterated that he felt bad for the position the Commission was put in, but alternatives had to be found because the officers were badly needed.

Commissioner Moore left the meeting at approximately 8:34 p.m. and returned at 8:37 p.m.

Barbara Phillips stated that she was a single mother with 3 kids and her street was known as Front Street by those involved in crime. She stated to feel safe in her home she had two pitbulls. She felt they would be making a big mistake by eliminating the

police officers because they were badly needed, and without them the citizens would suffer.

David Lewis, SMRCA, stated that he was proud of the Police Department and the hard work they had done to help clean up their neighborhood. He stated the Community Policing had greatly improved the area also. He continued stating that he did not know what world the Acting City Manager was living in, but if he wrote the same speech with the \$5 words he used tonight in a house on 8th Avenue, and stayed there a few weeks and then write a speech which would reflect what he had stated this evening, he wondered what such a speech would be like if he lived in the real world with real people. He stated they were selling the Beach and not the Downtown. He asked the Commission to rethink what they were doing and stated that they should not cut the police and firefighters.

Tom Andrew stated that he was speaking as a citizen who was at odds with his neighborhood's position on this matter. He advised that it was important to balance the budget. He stated that he did not buy into the citizens leadership initiative and the claims that this budget would "disband" the Police Department. He advised that he did not support the associated undercurrents of recalled threats against the majority of the Commissioners, but he did support keeping the police and fire services at a staffing that was sensible and fiscally responsible levels. After the ship is set right, he asked for the Commission to add back the positions which were being eliminated as the City could afford it. He stated that he had faith that the City would bear up and meet this challenge. He further stated that he wanted to contribute \$1,000 towards the Mounted Patrol.

Commissioner Hutchinson stated that she had hoped to bring up some items at the December 3, 2003 meeting, but that meeting had been cut short. She stated that she agreed there could be a \$12 Million shortfall, but she felt they needed to be more creative as to how they would get there. She stated further she had tried to do her homework as it related to what she felt the City could do in working smarter during these tight times, and not give up a lot of personnel that they did not want to lose. She stated that she did not want to pit one group against the other, and it was not something she wanted to do but she had to. At the last meeting on December 3, 2003, she stated that she had raised the issue of the Park Rangers and the PSAs taking over their duties. She stated she was not here to disregard what the job was as to why the Park Rangers had been created, and it appeared there had been a lot of discussion as to why they were created back in the early '90's which was because the community did not like the police. She stated it was an opportunity to create a position which could be a buffer.

Commissioner Moore left the meeting at approximately 8:47 p.m.

Commissioner Hutchinson continued stating that they were now in tight budget times, and if there was an opportunity to cross department lines as it related to staffing, she encouraged the Commission to instruct the Acting City Manager to look at how they could do business differently, keep the PSAs and allow them to do the work that the Park Rangers did. She believed the PSAs could accommodate the City in this regard, and she realized that some of the Rangers had been with the City for a long time. She encouraged the City to look to see how they could keep a certified person dealing with the park issues. She encouraged the Commission to explore this possibility and was asking for the support of this Commission to at least allow the departments to investigate

this matter. She stated she was not convinced that this could not be done, and she believed more work needed to be done in this regard.

Commissioner Hutchinson continued stating that the total for the Mounted Patrol was up to \$44,500 to care for the horses. She stated the positions were not going anywhere because the police officers would be put in cars, on a bike, or on a motorcycle. She stated the positions would stay in the budget, but supposedly the City could not afford the care of the horses. She stated she wondered why there was not a sponsor out there who could put their name on the barn and take care of the needs of the horses. She reminded everyone that they had been a gift to the City, and they needed to be creative in regard to funding their care. She felt the City was missing the boat when they did not look for sponsors for programs that they signed on for. She stated that she wanted a consensus from the Commission in regard to the Park Rangers and the PSAs. She further stated she wanted to keep the Mounted Patrol. She felt she was only about \$24,000 short of being able to feed the horses for one year. She stated they had received sound commitments of dollars from the public who did not want to lose the services that they were arbitrarily cutting this evening.

Commissioner Hutchinson stated that everyone knew they could not take a pay cut due to the rules in the Charter, and if they selectively took such a cut it would not happen until 2006 after the election. She stated that one thing she had always said to the employees was that the budget cuts she had to take would hurt her pocketbook, the same as the cuts she was asking those employees to take. She stated she could not do smoke and mirrors on her own Commission budget. She asked the Commission to stop all travel, except for the Commissioners who sat on the National League of Cities or the Broward and Florida League of Cities. She also asked for this Commission to give up their expense allowance and communication costs so they could give something back since they were asking the employees to do the same.

Commissioner Moore returned to the meeting at approximately 8:50 p.m.

Commissioner Hutchinson further stated that she did not know how to do a furlough in her position, but she would give back something. She stated she had never been so broke in her life since she had taken a public office job. She stated that giving back \$425 per month would affect her budget greatly, she was being very serious, but she was willing to do it and was no different than any other employee. She stated that she wanted Commission consensus on that issue.

Commissioner Hutchinson further stated that the biggest challenge for Chief Latin was the overtime, and it appeared they were asking other departments to work leaner and smarter with less people. She stated that the Fire Prevention Office had 22 full time employees, and in doing a cost comparison study as it related to annual fire inspection fees across the County, the City was fairly high in that study. She added that they had the most inspectors on the street. She stated that it cost \$2.1 Million for the Fire Prevention Office to bring in \$1.2 Million, and she felt they were not working leaner and smarter. She asked if their biggest problem in the Fire Department was overtime and there was an opportunity to move certified firefighters in the Fire Prevention Office onto shifts for a short window, she suggested they transfer 8-10 individuals from that office back onto the streets so they could secure the overtime costs, and maybe not have to take units out of service. She requested that the Acting City Manager return to the Commission and state why this could not be done.

Commissioner Hutchinson continued stating that tonight was the Explorer's annual Christmas Party, but they had chose to spend it here in order to fight for their program which they felt was worthwhile. She stated she too felt the program was worthwhile and believed that the rest of the Commission would agree. She wanted to see this program go from a volunteer status to a permanent status.

Commissioner Hutchinson further stated that in regard to the Latimer Report, surveys had been done but she did not think they had done much with it which was a shame because people would not respond the second time since nothing had been done previously with their opinions and suggestions. As part of the report, discussion had been submitted regarding a Deputy City Manager position. In looking at organizational structure and changes, she felt that there was a possibility of eliminating all the Assistant City Manager positions and creating the position of Deputy City Manager. She explained that would give the City Manager the flexibility of appointing an actor in that position until the new person came on board. She felt the Commission needed direction in this matter this evening. She remarked that it would have a budget savings for the City. She added that Mr. Kisela's salary had been paid out of one of the Enterprise Funds, and if the Deputy City Manager was to oversee the Enterprise Funds, they would be able to split the budget hit between the Enterprise Fund and City Manager's Office. She stated the Commission was being asked for their input in this matter.

Commissioner Hutchinson stated that after the budget was over, she requested that they had an organizational chart reflecting all changes being made by department, position, and by name. She stated if changes were to be made longer than 90 days that the updates be made and organizational charts be provided to reflect such changes, and that quarterly reports be given. She stated it was by Charter that they were not allowed to deal with the employee structure, but she was here and was going to have her say and give her input. She stated these were the things she wanted the Commission to discuss.

Mayor Naugle asked how many Park Ranger positions were there.

Ernest Burkeen, Director of Parks and Recreation, stated that they had 10 Park Ranger positions. He advised they had started with 17, but 2 were vacant and 5 were slated to be laid off. They would then have 10 Rangers following this hearing. He added that their salaries comprised \$752,000. He explained they were at a lower level than the PSAs and could not bump into another position.

Commissioner Hutchinson asked how many PSAs could be funded with the \$752,000. The Acting City Manager stated that the \$752,000 had been included in their budget. Mr. Burkeen advised that also included salaries, materials, and vehicles. The Acting City Manager stated if the Rangers were terminated, there would be termination pay involved. Mr. Burkeen advised that the salaries totaled about \$400,000.

Chief Roberts advised that the cost for a PSA was roughly \$42,000 per year, including salary and benefits. The Acting City Manager stated that in line with the suggestion being made by Commissioner Hutchinson, 10-15 of the PSAs would then be split-financed. Commissioner Hutchinson stated that she had a stadium at the end of her street, and rarely saw Park Rangers in the area. She stated that she was not discrediting the Park Rangers, but she felt if services were being duplicated when things were tight, it

did not make sense to do it. Chief Robert stated that in doing rough math, the salary equivalent would equal about 16-17 PSA positions.

Commissioner Moore stated he appreciated this exercise going on but was also embarrassed by it because they were dealing with people's lives, and that should not be done at a podium and place one group against the other. He stated it was good that consideration was being given to various suggestions and questions asked, but this was not the manner to be used to make a final decision. He stated that he preferred to see a person retaining their job, than keeping a horse. He asked for such considerations to be made when staff was making their calculations.

Mr. Sharp asked for a clarification as to what the Commission wanted them to calculate at this time. Mayor Naugle stated that they wanted to determine how many PSA positions could be retained, if they replaced the 10 Park Rangers presently being used.

Commissioner Trantalis stated that he realized this was not the type of discussion they should be having during the holiday season because this was a time everyone should be happy and not shouting at each other. He stated that earlier this year the Commission had been presented with various facts, and they then decided to vote on a budget as presented. He felt that the budget which had been passed was insufficient to cover the City's needs. He believed everyone agreed with that fact. He stated they were now in a difficult position of trying to make due as a City and fulfill their duty as a Commission and make sure they complied with what was legally required, such as keeping a balanced budget, while still providing the necessary services to its citizens. He believed that no one on the Commission wanted to neglect their duty.

Commissioner Trantalis continued stating that the Acting City Manager had presented the Commission with facts he had discovered, and now the Commission had to deal with such information. He stated he did not intend to leave tonight's meeting until they arrived at a way to fund the PSAs. He further stated that concept had not been contemplated by the Acting City Manager, but he hoped everyone could be more open-minded. He did not think they should dismiss certain income opportunities which had been presented to staff that should be re-examined.

Commissioner Trantalis further stated that the Acting City Manager had stated this evening that they could not rely on one-time fixes to carry them through. He stated that the reality was that they had to rely on such fixes in order to carry them through to the end of this budget term. He stated that opportunities which would not jeopardize the City fiscally or interfere with public service responsibilities or possibly create a funding source to carry them through the year so they could then approach the next fiscal year more intelligently should be looked at, and then determine if a tax increase would be appropriate at that time. In the meantime, he felt they were "grabbing in the dark" for answers, when in fact they were in front of them in black and white. He stated he did not want to get in an involved discussion as to what the Police Department meant to the City, but prior to the PSAs and Community Policing being integrated into the force, crime was higher. After their integration into the police force, there was a 54% decrease in crime in Colee Hammock, 50% decrease in crime in Coral Ridge, 61% decrease in crime in Coral Ridge Isles, and 52% decrease in crime in Croissant Park. He felt it was important to maintain police presence, especially in areas that required it, otherwise this City would regress and they would not be able to take on the challenges of being a wonderful city.

Commissioner Trantalis further stated that the Commission needed to decide tonight that they should institute a one-time Amnesty program for the payment of code enforcement liens in which they would tell the citizens that they would have an opportunity to pay 25% of their lien within a 30-day period. He explained that type of program had worked in other cities and had reaped millions of dollars of revenue. He added that these monies would help to keep the police and fire departments intact. He stated that he did not want to hear any more suggestions regarding the removal of emergency medical services from the beach. He stated he wanted to ask the Commission to agree this evening to institute such a program in the City for a period of 30-days that would be a one-time, non-recurring 30-day shot at paying the liens.

Commissioner Trantalis stated they did not need to talk in the years 2004/2005 as if they would be able to maintain those years without a tax increase. He felt that issue needed to be addressed now. He announced that the City Commission was not against the people in the City or its employees, but were here to work together towards a fiscally sound budget. Commissioner Trantalis felt that any stop gap measure that could be implemented should be considered. He suggested that possibly some of the CIP projects could be postponed until a later time so there could be money available for things that were needed immediately. He asked the Commission to consider this issue, and through such savings he felt they could find the monies necessary to keep the City intact and safe for its citizens.

Commissioner Moore stated that he appreciated everyone's opinions regarding what would be best for the City. He further stated that he would accept responsibility for the City being in the present situation. He stated over the years he had not been able to prevail in certain instances as to what the City's budget should be and if there should be an increase in taxes. He stated the taxpayers and employees were also responsible for the present situation because many times they objected to increases in their taxes and threatened not to vote for the policymakers. He added that individuals this evening predicted that if positions were eliminated crime would increase and no one would want to live in the City. He reiterated that they had asked department heads to provide suggestions how costs could be reduced, but services still supplied. He felt the Police Chief would not have suggested cutting positions and eliminating the Mounted Patrol, if it was not the most appropriate thing to do in order to balance the budget.

Commissioner Hutchinson left the meeting at approximately 9:17 p.m. and returned at 9:20 p.m.

Commissioner Moore continued stating that when the Fire Chief decided to retain the positions which generated revenue, it also was a decision made in order to help balance the budget so personnel could be retained for the engines. He stated it was a calculated risk as to whether to use a piece of equipment on a regular basis or discover its pattern of use, and then make a recommendation. He stated that he applauded Commissioner Hutchinson's suggestion regarding the Park Rangers and PSAs. He explained that was what the Commission was supposed to do. He stated it was frustrating to make such difficult decisions. He stated that earlier he had suggested that the unions and the City agree that no negotiations would be conducted regarding increases in benefits for this year, but no one was willing to accept that suggestion. Now, individuals would be laid off. He stated that he accepted the blame that certain things should have been done and were not done, but he wanted everyone to understand that a choice had been made by

a few that individuals would be laid off. He stated that he preferred helping individuals keep their jobs.

Commissioner Moore stated that he concluded he did not want to choose one group over another, but he wanted to offer his respect to the department heads and their suggestions as to how they would choose to deal with the budget issues. He stated that the Latimer Report contained many important things, and he did not want to just pick out one item. He explained that the report discussed the diversity of hiring and promotional practices within the City, and the opportunities to be given to men and women of color in the process. He felt if they were going to refer to the Latimer Report, then they should adopt the entire report. If they were going to consider the position of Deputy Manager, then it should not be done by an interim City Manager, but should be done through a discussion by the Commission as to how they wanted to run the government. Then, they could instruct the new City Manager in the matter. He felt that no position should be fielded by an interim manager. He believed the department heads who knew their staff should be the ones to make such recommendations. He reiterated that if discussions were to be held regarding promotions or a new position, then they should be held with only this policymaking board or the department heads. He stated that an opinion could be given by the Acting City Manager, but not have him render a decision.

Commissioner Moore reiterated that he was very concerned about next year's budget because he knew that something would have to be said this evening in order for them to get to next year's budget. He stated he was willing to deal with a tax increase done appropriately. He stated he was not willing to deal with an amnesty program for problems which caused the City to have police officers present in more areas. He stated the reason there were so many crack addicts and crack houses was because there were individuals who ignored the City's codes. He felt they should deal with public safety on the front end. He felt code officers should site derelict properties and not allow the individuals to go through quit-claim deeds or amnesty programs. He wanted them to pay the bills in full. He asked how many people were being proposed for layoff in the Public Works Department.

Greg Kisela, Assistant City Manager, stated they were proposing to lay off about 3-4 individuals, but were eliminating about 30 positions in total. Commissioner Hutchinson asked if they were talking about vacant positions. Mr. Kisela stated there were 3-4 filled positions and another 25-26 positions being moved to WaterWorks. He stated that a number of vacancies were also to be eliminated.

Mr. Burkeen stated that he had 22 vacant positions in Parks and Recreation which were to be eliminated, and that he had 17 people going out the door.

Faye Outlaw, Interim Director of Community and Economic Development, stated that they had 2 layoffs, and 6 vacancies that would be eliminated.

Otis Latin, Chief Fire-Rescue Department, stated they had no layoffs occurring, but had 21 vacant firefighter positions.

Commissioner Moore stated that he had asked this question because the individuals being eliminated were not present at tonight's meeting since they realized that public safety positions were going to be the issue. He stated that problems could be reduced in different ways, and every employee was essential and he did not want to see any of

them laid off or fired. He stated further if there was not going to be a way to address this budget in a different manner, it appeared that consensus had already been built and they were going to follow this manner of addressing the budget deficits with \$12 Million and \$15 Million that would be done miraculously in two years. He stated that the only way they decided that could be accomplished was by laying off individuals. He reiterated that he did not want to place one group against the other in order to save jobs.

Commissioner Moore strongly recommended that the dues to the National League of Cities, Florida League of Cities and Broward League of Cities be reduced by 25%, and that the Mayor and Acting City Manager write such correspondence to those organizations making the request. He felt they should understand that the City was having some budgetary concerns at this time. He felt there should be a one-year plan to save the positions, and not a two-year plan. He reiterated that he had received many e-mails stating that individuals would be willing to accept a tax increase in order to help out the City. He further stated that he did not want to follow staff's recommendation, and if they did not follow the department heads' recommendations, then they would be selecting favorites.

Commissioner Teel thanked everyone for coming this evening and offering their comments. She added that she wanted to set the record straight regarding the PSAs. She reiterated that she knew what their jobs entailed, and stated that they did terrific work. She further stated that her community was not gated and was opened, but they had erected a guardhouse and the residents of the community taxed themselves \$500 per household, per year, in order to pay for the security detail.

Commissioner Moore left the meeting at approximately 9:40 p.m.

Commissioner Teel stated that no one wanted to see anyone lose their job. She stated the dilemma was that they did not have the necessary money to fund the jobs at their current level. She stated that some good suggestions had been made this evening regarding the budget. She stated that over 30 years ago she had been in a similar situation and that was why they had moved to Florida, and knew how people felt in such positions. She announced that she had come to the Commission in March, 2003, and in looking over past documents she saw how monies were being spent that were not readily available. She felt she did not need to take the blame for the problem, but she had inherited it and it was her responsibility to see that the right things be done at this time so the City could be run in a fiscally sound way. She stated her responsibility was to see what was best for the City and make sure it was managed soundly with a long-term financial plan put in place. She also felt it was important to have accountability. She felt all this could be done and the City had many talented individuals at their disposal.

Commissioner Teel stated there appeared to be a great deal of effort being spent to keep Station 13 in service. She continued stating that it was her understanding that the furlough days were still available if the employees chose to take them, but the time was drawing near for when they would not be available.

Commissioner Moore returned to the meeting at approximately 9:52 p.m.

Commissioner Teel further stated that many individuals were willing to accept and support a tax increase as long as they knew everything was being done to run the City efficiently, and that there would be accountability. She stated that she was willing to

consider a tax increase. She agreed that the Park Ranger and PSA issues should be reviewed very thoroughly and that the PSAs should be saved where possible. She believed that should be dealt with between the involved department heads, but felt it was a doable situation. In regard to the horses, she stated that when it came to a horse versus a human, there was no question in her mind what position should be retained. She also stated that travel for the Commission should be cut way back and had made a similar suggestion previously. She added that she was willing to give back her allowance expenses. She continued stating that in regard to transferring individuals from the Fire Prevention Bureau, she felt that could be a stop gap which could help the situation. She further stated that she also wanted to see the Explorer Program be retained and suggested that possibly additional volunteers or a sponsor could be obtained to help run the program.

Commissioner Teel continued stating that she was not a big supporter for amnesty programs, but was a supporter for receiving 90% to 100% of the fines. She felt if they wanted to do a one-time amnesty, then she would agree but it should only be for 30 days. She stated that possibly additional revenue could be received, but afterwards she felt they should not settle for less than 75% and attempt to collect the full 100% unless extenuating circumstances were involved. She further stated that the NCIP projects should be put on a hiatus for possible 1-2 years.

Commissioner Teel stated that she wanted to applaud Commissioner Moore for his acceptance of responsibility for the budget mistakes that had been made. She felt if everyone could admit when mistakes were made, and make sure they did not reoccur was a step in the right direction. She further asked for the police and firefighters to be cautious in scaring the residents of the Galt regarding emergency equipment. She felt everyone needed to stay positive, and felt that next year would be better.

The Acting City Manager stated that the \$12 Million package had been arrived at after great consultation and input which had percolated up from the departments. After discovering the problems, they decided where the cuts should take place and looked at the larger departments to take their proportion of the cuts. He stated he could not have put together this document without departmental suggestions. He stated further that the best professional talent that the City had to offer had provided them with their recommendations. He stated that he agreed to the recommendations made because he believed in shared sacrifice, and that an integrated package had to be developed. He stated that he did not believe putting one employee up against another, nor did he believe in writing blank checks to certain departments. He believed everyone had to take their proportionate share of the cuts.

The Acting City Manager further stated that he would yield to the Commission as to their decision regarding the Park Rangers, but wanted to advise them against taking such action. He felt before such action was taken, they should hear more information from the Director, and find out what coverage would be supplied by the PSAs for the parks so everyone would be aware of the ground rules.

Mayor Naugle asked if staff had calculated the number of positions for the Park Rangers, and how many PSAs would be saved through such a recommendation. The Acting City Manager explained if they were looking at the cost of 10 Park Rangers, they were looking at a savings of about \$350,000. The savings that would have been represented by the PSAs would total \$550,000. He explained that by switching the

money from Parks and Recreation to the Police Department would save, depending on the time of termination, 19 positions.

Earnest Jones, Park Ranger Supervisor, stated that the Park Rangers were assigned on a patrol basis where the City was broken down into different zones. He explained that while they patrolled, they dealt with quality of life issues in the park facilities. He stated they also dealt with the homeless and vandalism. He stated while patrolling the Rangers dealt with maintenance, inspections, and safety situations. He stated they also dealt with ballfield lighting and permits. Reports were also written regarding deficiencies which were uncovered in the areas and suspicious individuals in the locations.

Mr. Burkeen stated that he realized on paper this appeared to be a good idea to use the PSAs in the Ranger positions, but he felt it would not work. He further stated that there were two different functions involved. He added that the Park Rangers interacted and engaged the public giving them a sense of safety, and dealt with confrontational issues. He stated there were 80 parks in Fort Lauderdale, and added they had about \$30,000 to \$35,000 in vandalism which was a low number because they had individuals dedicated to such areas. He felt if the defined presence was not visible, this would increase dramatically and he felt that had to be taken into consideration.

Commissioner Hutchinson stated that she would support the amnesty program for a one-time deal. She stated further that there should be a 30-day window and it had to be controlled, but after the 30 days the fines should be pursued aggressively. She stated it would be a one-time fix, but could add money to the City's budget. She also stated that when she had discussed eliminating the Assistant City Manager positions and creating the position of Deputy City Manager, it was to allow the new individual to fill such a position. She agreed that the Latimer Report should be adopted because there were good things in it and agreed it should be adopted in its entirety.

Commissioner Hutchinson continued stating that she still believed the Commission needed to give up their expense allowance and communication costs. She added that travel still should be discussed, and suggested that it be allowed only for Commissioners who sat on the board of the National League of Cities, Broward League of Cities, and the Florida League of Cities. She felt they should not be attending conferences or seminars at this time.

Mayor Naugle stated that it had been his understanding that funds were included in the budget for Commission travel. He agreed that travel should be stopped. Commissioner Hutchinson stated that she was trying to garner the same thing that a 3% rollback or furlough would provide from the employees.

Mayor Naugle further stated that if the Commission wanted to pursue the Park Ranger issue, it appeared that would only involve 19 PSA positions. He asked if the Commissioner wanted to try and find funds for the remaining 11 positions. Commissioner Hutchinson stated that she had received bogus information in the first place because she thought only 21 positions were involved, but stated that she was still in favor of this recommendation.

The Acting City Manager suggested that the Chief explain how they would patrol the parks using PSAs.

Chuck Drago, Assistant Police Chief –Operations Bureau, stated that depending on the number they would have, it would be hard to explain at this time. He stated the area of coverage would be extended and the zones the PSAs were assigned to would include the parks in those areas. The Acting City Manager asked what percentage of time would the PSAs spend in the parks. Chief Drago stated he could not answer that at this time and it would depend what the situation was in the park as to what time would be required. He acknowledged that the PSAs would be able to do the same functions and work, but he was not aware of what demand would be involved at this time.

Commissioner Moore asked what benefits would be accomplished in the PSAs versus the Park Rangers. He felt this was not the way this should be done. He stated if the department heads had reviewed their budgets and made certain recommendations, he felt those recommendations should be accepted. He urged if this recommendation was to be considered, that the department heads involved meet and discuss the matter and then make sound recommendations. Then, the matter could be brought back to the Commission. He felt the dialogue taking place at this time was very unprofessional.

Mayor Naugle stated that he supported the action the Commission had taken on December 3, 2003, but he wanted to receive a consensus from the Commission regarding the changes being proposed.

Motion made by Commissioner Moore that the adjusted budget changes be made as recommended.

Commissioner Hutchinson stated that if their meeting had gone better on December 3, 2003 all of these matters would have been worked out tonight. She stated further that had she been allowed to speak on the items she mentioned this evening at the workshop had it not been shut down, they would have had the answers to all their questions. She agreed that this should not be done from the dais, and it should have been done in the workshop. She stated she did not disagree with the \$12 Million, but she stated there needed to be some flexibility as to how they would get there.

Commissioner Moore stated if they did not adopt the adjusted changes as proposed, he felt they would be making another error. He felt if they were not going to follow such plan of action, then they should not continue to make mistakes. He stated there was no reason this evening for them to pit one group of employees against another, and not continue in a more professional manner. He suggested this be then done at the first meeting in January because the impact would not be felt until the end of January anyway.

Mayor Naugle stated that he was under the impression that the proposed amendments needed to be passed this evening. He stated he was willing to work as long as necessary to accomplish this. He felt other issues would arise, if this matter was not resolved at this time. He felt the longer the delay, the more painful it would be.

Commissioner Trantalis stated that if the matter regarding the Park Rangers was to be considered and a report brought back to the Commission, he would agree to that and they should proceed to the next item which pertained to the amnesty program.

Motion made by Commissioner Trantalis and seconded by Commissioner Teel that the City Commission institute the amnesty program and that it be opened for 30 days

beginning January 15, 2004 and continuing for 30 days thereafter. Also, that they offer to violators who had accrued fines for payment of 25% of such fines as long as they were paid within the 30-day window. Thereafter, that a commitment be made within the departments to aggressively pursue the collection of all other fines at 100%, and the monies collected be applied towards the budget for the maintenance of the PSAs.

Mayor Naugle asked what the cost of such a program, including mailing, would be involved, and how much revenue could they expect to receive. The Acting City Manager stated he could not provide such information at this time, and this was why he had a visceral reaction to such a one-time shot amnesty program. He stated there was no way to predict the revenue.

Commissioner Trantalis suggested that the program be instituted and see what monies could be collected. He felt they had nothing to lose in the matter.

MEETING RECESSED AT 10:25 P.M.

MEETING RECONVENED AT 10:33 P.M.

Commissioner Trantalis asked if the amnesty program was implemented logistically and legally, what would be the necessary time frame within which such a program could be implemented.

The City Attorney stated that it would only apply to properties which were presently in compliance, and not for properties against which fines were running. He stated that they knew where the properties were and who owned them, and that letters should be sent. He felt it would probably take them to mid-January to get the letters sent. He felt the window of opportunity could be the month of February. He stated that they would prepare a resolution for January which would authorize a 75% discount.

Mayor Naugle asked if staff had any idea of the dollar value of the liens for properties which were in compliance. The City Attorney stated they did not have such information available at this time.

Commissioner Trantalis stated he felt it would be important to have not only individuals who were in compliance aware of the program, but it could be used as an incentive for those who were not in compliance to know if they did so, they could obtain a 25% discount from the City. Mayor Naugle felt that could be hard to do because of the short window involved. Commissioner Trantalis felt that small items could be brought into compliance and the program could serve as an incentive.

Commissioner Trantalis stated that based on the information supplied by the City Attorney, he would change his motion to read as follows:

Motion made by Commissioner Trantalis and seconded by Commissioner Teel that the City Commission institute the amnesty program and that it be opened for 30 days beginning February 1, 2004 and continuing for 30 days thereafter. Also, that they offer to violators who had accrued fines for payment of 25% of such fines as long as they were paid within the 30-day window. Thereafter, that a commitment be made within the departments to aggressively pursue the collection of all other fines at 100%, and the monies collected be applied towards the budget for the maintenance of the PSAs.

Commissioner Moore stated that if this was just about revenue, he hoped it would apply for individuals only owning one property. He stated he did not want to provide amnesty to multiple property owners who disregarded the law and the quality of life for the neighborhoods involved.

Commissioner Teel felt that point was well taken, but suggested they also have a proviso included that the City Commission would consider offering the code settlements. She felt in certain circumstances, they should have the flexibility. She reiterated that it be for one time only, and when they stated 25% that they be held firm to that figure.

Commissioner Moore stated if the property was homesteaded, he was willing to go with 25%, but if it was an investment property he wanted it to be set at 50%. He felt some differential should be provided regarding the opportunities for amnesty.

Commissioner Trantalis once again restated his motion as follows:

Motion made by Commissioner Trantalis that the City Commission institute the amnesty program and that it be opened for 30 days beginning February 1, 2004 and continuing for 30 days. Also, that they offer to violators who had accrued fines for payment of 25% of such recorded fines as long as they were paid within the 30-day window, and that the properties had to be in compliance at the time of application for such reduction. Also, that the individual could not own more than 2 properties for which he was applying for such amnesty. Thereafter, that a commitment be made within the departments to aggressively pursue the collection of all other fines at 100%, and the monies collected be applied towards the budget for the maintenance of the PSAs.

Commissioner Trantalis stated that he did not feel they should make any difference between homesteaded and non-homesteaded properties. He stated the whole point of this was to collect revenue and have properties brought into compliance.

Commissioner Teel asked if the motion would include the provision that the City would consider offering to the individuals such amnesty. Commissioner Trantalis stated they could not have a "bait and switch." Mayor Naugle stated it would then not be an amnesty program in the true sense of the word. Commissioner Teel withdrew her second on those grounds.

Commissioner Hutchinson seconded the motion as made.

Commissioner Moore stated he would not support this motion because he did not want to award an individual who had no regard for the communities.

Roll call showed: YEAS: Commissioners Teel, Trantalis, and Hutchinson. NAYS: Commissioner Moore and Mayor Naugle.

Mayor Naugle stated they did not know how much money this program would raise, and therefore, they did not know if the other 11 positions would be saved at this time.

The Acting City Manager suggested that they estimate a certain figure, and if that figure did not pan out, they reduce that figure by what was collected, and then layoffs would be made at that time if necessary.

Commissioner Trantalis stated that they should agree to a certain number and if that number was not reached, then they could look to the CIP program because he had recently been informed that such carryovers from last year amounted to about \$500,000. The Acting City Manager stated that number actually totaled \$358,000. Mayor Naugle stated that he could not support such a recommendation. Commissioner Trantalis continued stating that he suggested that because the fund could then be replenished in the 2004/2005 budget, and it could be a backup in case they were not able to meet the savings amount they wanted to accomplish through the amnesty program.

Mayor Naugle stated that the monies could be replenished in the next year through a tax increase, but taxes had to be raised anyway because this would be a one-time income and would be non-recurring. Therefore, they were already locking themselves into an amount. He stated that the Acting City Manager had stated that these types of things were what had gotten the City into their present situation. He felt they would end up in a position where there would be pressure for not being able to pay for salary increases, capital improvement programs, and required reserves if they keep relying on one-time fixes. He stated that that recommendation made by the Acting City Manager that they assume an amount and if that amount was not achieved, then they would have to make further cuts, was a reasonable suggestion. He stated there had not been a City Manager in the past who had been willing to stop the Commission from suggesting one-time fixes. He felt they now needed to listen. He asked if there was a consensus from the Commission to proceed in accordance with the suggestion.

The Acting City Manager suggested that the full amount for the PSAs be their goal which was \$550,000. Commissioner Trantalis added that in the meantime, the Park Ranger issue should be further explored.

Commissioner Hutchinson asked when were the PSA layoffs supposed to have taken place.

Chief Roberts stated that they were to be done by March 31, 2004, and were to begin some time in January to March 31, 2004.

Commissioner Hutchinson stated that she agreed with the Acting City Manager's suggestion regarding the amnesty program.

Arlette Steinberger, Employment Manager, stated that with the time periods involved and the number of individuals involved and the two-weeks notice required by the unions, the layoff projection was for January 31, 2004 to have been their last day.

Commissioner Moore asked wasn't this sort of thing what the Acting City Manager had mentioned in his opening statement regarding one-time revenue projections. The Acting City Manager confirmed.

Mr. Kisela stated that since there were going to be additional layoffs in regard to the stadium, if they removed the PSAs from this layoff and enough money was not generated from the amnesty program, then they would have to consider other cuts for the third and final layoff. He felt that would be the least disruptive.

Commissioner Moore asked if information had been distributed regarding the closing of the Trash Transfer Station. Mr. Kisela stated he would have to check into the matter.

The Acting City Manager stated that when the amendment was put before the Commission, they would have to adjust the revenue amount to include the \$550,000.

Commissioner Hutchinson asked what had been decided regarding the Commission budget, the Explorer Program, Fire Prevention, and the Mounted Patrol. She reminded everyone that the positions from the Mounted Patrol were not changing and were only being moved. Mayor Naugle stated that the horses had to be used, not only maintained. He hoped they could maintain the patrol for one year and use it as a reserve unit, and that the officers would have the ability to use the horses for various details.

Commissioner Moore stated when the officers were removed from the horses, he assumed the Chief was putting more "feet on the street" in a larger boundary.

Chief Roberts confirmed that was the original recommendation, but based on what he was hearing this evening and the support being given for the operational costs of the unit, and based on some organizational changes that could be made from within the department, he felt the unit could be kept operational with 2-3 officers. He stated they had discussed the reserve idea previously. He added that they required \$68,000 for operational costs of the unit which included the salary of a Sergeant and 6 riders being assigned. He stated that amount could be cut way back in order to get through this year. He stated the start-up costs for such a unit would be prohibitive at this time which included training. He stated with the elimination of the unit, it would not free up the building and provide things that people felt it would do. He further stated that they could take the cuts elsewhere, and presently they had 4 officers assigned to the unit, with one of them due to retire in January.

Chief Roberts stated that he could keep the unit within the \$44,000 cost because they would be downsizing, and would come back and report to the Commission. He stated they would explore detailed operations also.

Commissioner Hutchinson stated if there was an opportunity to raise the donations to \$68,000, would it make things easier and possibly they could readjust the Mounted Patrol. Chief Roberts confirmed.

Commissioner Trantalis asked what amount would be cut from the budget if the Explorer Program was eliminated.

Chief Latin stated that they had funds to provide supplies and was already included in the budget, but their problem was the individuals who would lead the program. He stated further that the 8 inspectors had ran the program, and without them there would be no one to run the program.

Commissioner Hutchinson stated if they met only once a month and the inspectors were already scheduled for their shift, could the meetings be held when those inspectors were not scheduled.

Chief Latin replied that they could make things work, but the Commissioner's suggestion would involve overtime, unless they volunteered. Mayor Naugle stated that there should be a way to run this program with straight time instead of overtime. Commissioner Moore asked why was that not being done in that manner at the present time.

Commissioner Hutchinson stated if the program began as a volunteer program, why had it been turned into a viable program which paid overtime. She asked for a definition of flex time.

Chief Latin stated that overtime and flex time had been involved with the program. Chief Latin explained that flex time was where an employee would do work and be given that time back.

Commissioner Moore left the meeting at approximately 11:03 p.m. and returned at 11:07 p.m.

Chief Latin reiterated that they would make the Explorer Program work.

Motion made by Commissioner Trantalis and seconded by Commissioner Teel to approve the budget as amended.

Commissioner Moore asked if 80 individuals were still going to lose their jobs if the amendments to the budget were adopted. Mayor Naugle replied that probably 50 people would lose their jobs at this time, and the rest would retain their positions if the monies were received through the amnesty program.

The Acting City Manager stated that indications had been made that he had been meeting with the Sheriff of Broward County. He announced that he did not know the restaurant which had been mentioned and he did not golf.

Commissioner Moore asked if staff was prepared to provide the information which had been requested regarding the Trash Transfer Station.

Ed Udvardy, Public Services, stated that since the end of November flyers had been distributed to the patrons of the station, and they planned to do that until its closure which was scheduled for January 3, 2004.

Mayor Naugle stated that the City had received a petition to keep the recycling center opened and they would support the additional fees. He stated he was willing to do that on a break even basis, but the Commission had already voted to close it and the matter could not be raised again.

Commissioner Hutchinson stated that no resolution had been made regarding the Commission budget. Mayor Naugle stated he would contribute a comparable amount and he believed the other Commissioners would do likewise.

Roll call showed: YEAS: Commissioners Teel, Trantalis, and Mayor Naugle. NAYS: Commissioners Moore and Hutchinson.

Proposed Speed Humps – NE 26th Avenue – (from NE 51st Street To NE 55th Street) – North Golf Estates Neighborhood (M-28)

Motion made by Commissioner Moore and seconded by Commissioner Teel to approve the speed humps as recommended. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

Approve Settlement of Outstanding Code Liens and Orders Against the Properties located at 700 and 712 SW 2nd Court (M-29)

Deleted from tonight's agenda.

Lien Settlements for Special Master and Code Enforcement Board Cases (M-30)

1. 1155 NW 15 Street (CE9212462 & CE9515737) – Linval H. Ayton - \$51,857.00 and \$8,450.

Motion made by Commissioner Trantalis and seconded by Commissioner Hutchinson to approve the settlement as recommended. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson and Mayor Naugle. NAYS: None.

2. 1522 SW 30 Street (CE03031747) – Humberto Davila - \$3,575.

Motion made by Commissioner Hutchinson and seconded by Commissioner Trantalis to approve the settlement as recommended.

Commissioner Moore asked why this amount was being reduced by 50%.

John Simmons, Assistant Director Community Inspections, stated that he had based the recommendation on the history of the property, and the owner was doing a lot of work.

Commissioner Moore asked the maker of the motion to reconsider the motion for the full amount of settlement.

Commissioner Trantalis felt it was only fair to reduce the amount of the lien since the owner was working on the property.

Roll call showed: YEAS: Commissioner Trantalis. NAYS: Commissioners Teel, Moore, Hutchinson and Mayor Naugle.

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore to approve the settlement for 100% of the fine. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson and Mayor Naugle. NAYS: None.

3. 2209 NE 54 Street (CE03011545) – Rankila Nanayakkara Plantation Inc. - \$1,110.

Motion made by Commissioner Trantalis to approve the settlement as recommended. Motion died for lack of a second.

Mr. Nanayakkara, owner, stated that he objected to the unfair lien being put on his property. He stated they were fined for not having handicapped parking spaces. He stated the property was built in 1965 and they had installed one handicapped space on the west side of the property in 1990. Pictures were shown of the site. He stated that the inspector had neglected to see the provided parking space. He was under the impression that the matter involving the permits had been taken care of.

John Simmons, Assistant Director Community Inspections, stated that the parking space installed did not meet the ADA requirements in regard to its size and location. He stated that the Building official had determined that it had to be relocated and fall within the ADA requirements.

Mayor Naugle stated there appeared to be a dispute and suggested that some sort of relief be provided to the owner.

Motion made by Commissioner Trantalis to approve the settlement as recommended for \$1,110.

Commissioner Moore reiterated that there were 11 other violations on this site. Commissioner Trantalis remarked that they were not quality of life issues, and half of them pertained to an occupational license.

Mr. Simmons stated that staff had recommended the 15% based on what the Commission had recommended in the past. He felt there had been some misunderstanding between the owner and the building official in regard to the location of the handicapped space.

Commissioner Moore seconded the motion. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson and Mayor Naugle. NAYS: None.

4. 1729 NW 18 Street (CE03011005) – Stuart Pester and Sammy Brown - \$8,200.

Motion made by Commissioner Moore and seconded by Commissioner Trantalis to approve the settlement as recommended. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson and Mayor Naugle. NAYS: None.

5. 1317 NW 1 Avenue (CE01062013) – Belizaire and Oliane Prophete - \$2,700.

Mayor Naugle announced that the recommendation was for 50%.

Mr. Prophete, owner, stated that he rented the house and the renters did not have plates on their vehicle. He felt he should not be fined for the tenant's violation. He added that he lived on the other side of the duplex.

Motion made by Commissioner Moore and seconded by Commissioner Trantalis to approve the settlement as recommended at 50%. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson and Mayor Naugle. NAYS: None.

6. 1324 NW 5 Avenue (CE03021925) – Anthony Evans - \$7,875.

Mr. Evans, owner, stated that he had taken care of the violations when he had been cited, and had been told 3 months later to install parking bumpers which had not been included in his original violation.

Commissioner Moore stated that this property had 20 code violations on it, and since Mr. Evans owned the property there had been 7 code violations. Mr. Evans stated that his citation had only listed 3 violations, and advised that this was an investment property.

Motion made by Commissioner Moore and seconded by Commissioner Teel to approve the settlement as recommended. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson and Mayor Naugle. NAYS: None.

7. 1810 NW 9 Street (CE99081436) – RKH Investments, Inc. - \$71,200.

Commissioner Moore stated that this owner took 1167 days to comply and it was an investment property. He reiterated that the owner was ignoring the quality of life issues for his tenants and felt they should not consider any type of reduction.

John Simmons, Assistant Director Community Inspections, stated that the owner had purchased the property with the violations intact. He began to pull permits and make the repairs and that was why staff had suggested 50%.

Robert Hunter, President RKH Investments, Inc., stated he had bought the property through a foreclosure and was aware of the liens. He stated there were structural problems on the property and an engineer and surveyors were hired. He advised that since he owned the property the units were not rented out. He stated further he was not going to rent out the property until he knew the outcome of today's hearing. He stated that he had paid \$53,000 for the property and currently had invested \$50,000 into the property. He explained that the value of the property was about \$115,000.

Motion made by Commissioner Moore to approve the settlement at 50%. Motion died for lack of a second.

Mr. Hunter stated that he was upset because he had purchased this property thinking that he could invest in the City, but if he was going to be fined \$71,000 it would be impossible for him to pay that amount. He felt that by buying the property, he could bring it into compliance and have the fines reduced.

Motion made by Commissioner Moore to approve the settlement as recommended. Motion died for lack of a second.

Mr. Hunter added that he wanted to finish the parking lot and add some landscaping to the property which should cost him about an additional \$4,000.

Motion made by Commissioner Teel and seconded by Commissioner Moore to approve the settlement at 25%.

Commissioner Trantalis stated that since they viewed these properties on a case-by-case basis, he hoped they were not going to provide disincentives for individuals to rehabilitate their properties. He felt they were not providing this property owner with any incentive.

The City Attorney felt they needed to further discuss the amnesty program. Commissioner Moore stated they were offering a 25% reduction for this property and the owner was still not satisfied.

Mr. Hunter stated he was only asking for a break and was trying to make a dollar. Commissioner Moore stated he was getting a break.

Commissioner Hutchinson stated that she was in favor of the amnesty program in regard to properties in compliance, and this owner was attempting to fix the problem once he purchased the property. She asked wasn't this what they were trying to get individuals to do. She felt 25% was too much in this case, and suggested that possibly 10% be levied on the property.

Commissioner Teel stated that this went deeper and now they were actually "gutting" the amnesty program. She felt if they started making concessions, the program would not work. She stated he had taken a risk buying the property through a foreclosure and that was how business was done. She stated she was in support of the 25%.

Roll call showed: YEAS: Commissioners Teel, Moore and Mayor Naugle. NAYS: Commissioners Trantalis and Hutchinson.

South Side School Site

(OB)

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 03-197

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ACKNOWLEDGING THE INTENT OF THE SCHOOL BOARD OF BROWARD COUNTY TO SELL TO THE CITY OF FORT LAUDERDALE PROPERTY KNOWN AS THE "SOUTH SIDE SCHOOL SITE" SUBJECT TO CERTAIN CONDITIONS AND DECLARING THE CITY'S INTENT TO MEET THE SCHOOL BOARD'S CONDITIONS AND PRESENT A CONTRACT TO PURCHASE THE "SOUTH SIDE SCHOOL SITE" WHICH EMBODIES THE SCHOOL BOARD'S CONDITIONS, SUCH CONTRACT BEING SUBJECT TO FURTHER TERMS AND CONDITIONS.

Which resolution was read by title only.

Commissioner Hutchinson stated that she wanted to clarify how this property was being paid for. She explained they had \$2 Million which had been secured from the Broward County Land Preservation Board, \$2,250,000 from the Florida Trust, and \$350,000 from Commissioner John Rodstrom from his contingency fund for land preservation.

Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson and Mayor Naugle. NAYS: None.

Advisory Board/Committee Apointments

(OB)

The City Clerk announced the appointees/reappointees who were the subjects of this resolution:

Board of Trustees, General Employees
Retirement System

Ronald Cameron

Board of Trustees, Police and Firefighters
Retirement System

Malcolm Farrel

Citizen Review Board

Fenel Antoine
Linda Shallenberger
Steve Muffler
Arnold Cooper
J. Ted Fling
Captain Robert Lamberti
Captain Kevin Sheehan
Officer Thor Lockhart

Sunrise Intracoastal Neighborhood
Security District

Ernest Costantino, M.D.

Commissioner Hutchinson introduced a written resolution entitled:

RESOLUTION NO. 03-198

A RESOLUTION OF THE CITY COMMISSION OF THE CITY
OF FORT LAUDERDALE, FLORIDA, APPOINTING BOARD
MEMBERS AS SET FORTH IN THE EXHIBIT ATTACHED HERETO
AND MADE A PART HEREOF.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Teel, Trantalis, Moore, Hutchinson and Mayor Naugle. NAYS: None.

City Commission Reports

FPL Update

Commissioner Hutchinson stated that she had not received the update which she had requested at the last Commission meeting regarding the SE 17th Avenue FPL project.

Property on SR 84

Commissioner Hutchinson stated that she wanted an item moved forward to the Land Preservation Board and wanted the City to start on its due diligence. She explained there was a piece of property on SR 84 which had been the site of the Old Budget Inn. In the 1920's it had been a natural wetland, and she believed this was what the County wanted to purchase as it related to the Land Preservation Board. She felt this would be an opportunity to take the site back to its natural state by using developers who had to mitigate and could pay to take it back to what it was. At the same time, she stated they could use it for drainage for an area that was overloaded with water. She asked if Commission could direct staff to get a letter of intent from the owner to sell so they could be ready when the Land Preservation Board opened up for additional funding.

Mayor Naugle stated that staff would be directed to move forward.

JC Carter Park

Commissioner Moore stated that park was behind schedule and asked for an update to be provided at the January 6, 2004 Commission meeting.

There being no further business to come before the Commission, the meeting was adjourned at 11:47 p.m.

Jim Naugle
Mayor

ATTEST:

Lucy Kisela
City Clerk