

COMMISSION CONFERENCE**FEBRUARY 3, 2004**

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COMMISSION CONFERENCE

1:35 P.M.

FEBRUARY 3, 2004

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

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

I-A - Joint Meeting – Charter Revision Board

Mayor Naugle invited the Charter Revision Board to sit at the table with the City Commission. He explained that ex officio members of this Board were the Acting City Manager, Director of Finance, City Clerk, and the City Attorney.

Dan Lewis, Chairman of the Charter Revision Board, stated that the reason they had requested this meeting was because they were contemplating a comprehensive review of the City's Charter. Many of them believed such a review was well over due. Since this Board was essentially an advisory board to the City Commission, they did not want to embark on this massive task without some expression of support for the effort. He explained they were contemplating about 2 meetings a month, and a comprehensive review beginning with an outreach program to see what the community and the City wanted modified or kept the same. He stated they would then proceed with a policy discussion with recommendations brought back to the Commission for approval, and then a discussion could ensue regarding drafting. He stated they would have to decide whether they or the Commission would do the drafting of the recommended language. He asked if the Commission was desirous of them conducting such a comprehensive review. He stated that as past Chair of the Broward County Charter Review Commission, this committee was one of the most knowledgeable and experienced groups of individuals he had ever seen regarding such a task.

Chris Fertig stated that when each member reviewed the City Charter which was the document by which the City ran, they found many flaws and inconsistencies. The first item which came up was in regard to the parks matter, and simply there was no definition within the Charter of a park. He stated that it mentioned recreational parks, but no definition was given as to the different types of parks. He stated that led to the discussion of what were parks within the City, and how could they pass some kind of ordinance affecting parks if they did not know what they were talking about. He stated further that in his review of the Charter, he had found that certain areas had been annexed in Riverland which were not within the definition of the City Charter within its boundaries. Once one began reading the Charter further, there were all types of infrastructure problems they believed a City of this size should address. He stated the old Charter had been the adoption of a model Charter which had been circulated in the '60's, and he felt the City has had enough time operating under such model Charter that it now knew what it liked and what it wanted changed.

Ron Gunzburger stated that they found the Charter to be a framework of what had been a model charter and patches had been applied to it over time. He stated that some of those patches only added to the length of the Charter. He further stated that they had been told by the Acting City Manager that they could probably trim 20 or more pages off

the Charter. He reiterated that they wanted to hear from the Commission that there was an interest in having this work done before they proceeded forward.

Commissioner Hutchinson stated that she had the opportunity to attend the Charter Revision Board's meeting, and she felt the dialogue had been great. She stated her concern was that the minutes of that meeting had not been circulated to them. She advised they had dated back to 1996, and she asked whose responsibility it had been to have those minutes distributed. She further stated that she was in favor of reviewing the Charter and making some revisions. She continued stating that she felt the Charter was left open to interpretation, and she felt it was time they take the model charter and form their own. She felt that in some places things could be included in policies and procedures, and the public need not waste time voting on them. She stated that she supported this project, and felt it should be an open community process.

Commissioner Moore stated that he had also attended the meeting and agreed that the dialogue had been interesting, and he felt the recommendation and course the Board wanted to take was something the Commission should embark on. He stated his concern was only in regard to the timing because of the number of issues at hand especially in the Legal Department that he wanted to see moving forward. He stated that he wanted this project done, but felt they should do it in September.

Mayor Naugle asked about the distribution of the minutes from the last meeting of the Advisory Board.

The City Attorney stated that the minutes had not yet been approved. He stated his office had taken those minutes and presently were in draft form. He reiterated that the minutes would be included in the Charter Revision Board's package for their next scheduled meeting.

Mayor Naugle advised that when something was scheduled on the agenda and they were dealing with minutes that had not yet been approved, they were normally given a draft copy so they could have minutes of the conversation in order to base their discussion. He remarked it was not necessary that they be approved minutes as long as they were marked "draft." He stated that was how they normally operated.

Mayor Naugle further asked what time frame the Board thought would be involved for the task because the next election was scheduled for November, 2004, and he doubted they would have recommendations ready by that time. He reiterated that the following election was then scheduled for February or March, 2006.

Mr. Lewis stated he was not sure, but that this committee was different than many others. He stated most charter boards had the ability to put things directly on the ballot, and did that to establish some independence from the political infrastructure. He stated that this board was completely advisory. He felt they would not get into legal issues until the end. He felt there would be more policy issues involved. He stated that he did not see any point in drafting different languages if they were not in concurrence with the policy. He stated if the super majority was not in support of the policy, there would be no reason to draft. He stated the process for this charter review would be collecting public input, collecting input from the Commission, and taking as a committee a review of the issues raised, identifying and reviewing the issues to be explored, and then making recommendations to the Commission. Then, he stated the Commission would have

broad policy statements that they would either support or not. He felt they could have ballot questions ready by November, 2004. He explained such language would have to be ready for October. He reiterated that a City charter was not as complex as people thought, and he felt most of their job would be to simplify and be more succinct in the charter. He explained that the outreach process could be accomplished in quick order.

Mayor Naugle stated that staff by using the Internet could research other cities and what they were doing. Mr. Lewis remarked that there was a huge amount of research that currently existed, and they did not have to recreate things. He reiterated that this was not a complicated job, and the complications arose in an attempt to find out what the Commission wanted changed, simplified, or corrected, along with what the public felt should be reviewed.

Commissioner Moore stated he agreed that this appeared to be a simple task, but to state that it would not be time consuming for the Legal Department, he had not seen anything dealing with a charter that was not time consuming to a Legal Department. He stated that regarding the definition of a park, he felt when it was placed before legal counsel there would be many discussions on that alone. He felt that since their Charter had been one of a boilerplate nature and had existed well, this was something he wanted the community to concentrate on in the March election and not have it mixed in with a Presidential election when everyone would be attempting to throw all sorts of items on the ballot due to municipal entities looking at cost savings in an attempt to place their initiatives on the ballot. He agreed the matter should be looked into, but he did not think they should put a short "fuse" on this because it would not benefit them. He stated since they had caliber individuals on this Board, they would get good input. He felt if they began the process in September, and worked on this for a year, that by September, 2005 or December they would be able to have ballot questions prepared.

Commissioner Moore asked if the development agreement regarding the Sistrunk site had been done. The City Attorney stated those agreements were being negotiated. Commissioner Moore stated he was concerned about all the issues that were presently being worked on.

The City Attorney stated that he respectfully disagreed with Mr. Lewis regarding the simplicity of this job. He stated it was not a simple job and he had been involved in at least 5 different charter revision committees, had written several charters, and felt it was important to have all input up front.

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

The City Attorney suggested that it would cost some money and the Commission would have to budget funds from somewhere to hire someone to provide the counsel for this group. He reiterated that he did not have the resources to meet twice a month on this matter, and then do the work necessary. He felt such a budget would be in the neighborhood between \$2,000 and \$2,500 a month for 2 meetings per month, including the minutes which would cost between \$400 and \$600 for 2 meetings. Depending on public input, the number of meetings held, and how diligent the committee worked, they could possibly get something ready for the November or March ballot.

Mayor Naugle stated that he did not want to rush this matter, but he felt it could be possible to get something done before the November election. He stated that they could

decide further down the road that more time was needed. He stated that he disagreed with the City Attorney in regard to the use of an attorney for the policy discussions. He reiterated they would have to see if there was a consensus of the Commission to move forward on this matter. He stated that in 1996, he had been concerned about City Managers not carrying out City Commission policy and spending funds incorrectly, and he had proposed their having a Commission auditor to keep the City Manager intact. He stated the Commission at that time had rejected the recommendation, and obviously the problems facing the budget at this time might not have taken place.

Commissioner Trantalis stated that he wanted to understand the purpose of the Charter Review Commission. He felt that possibly they were not giving the Board the parameters of the mandate in which to operate. He asked if this was going to be where the Commission decided on the parameters and goals, go to the public for input, and then the Charter Review Board in concert with the Legal Department would work out the details, or were they going to take this to the public first asking them how they wanted the City to operate. He stated that the community wanted to participate in this project extensively. He reiterated that when the Continental Congress had met to change the trade laws, they came back 4 months later with a totally new Constitution. He asked what direction were they going in, and were they only attempting to correct certain inefficiencies that were recognized which existed in the present charter, or did they want to totally revamp it.

Mr. Lewis stated that he could not answer Commissioner Trantalis's question, but stated the answer was "both" and "neither." He stated that almost all of the decisions made on the Broward County Charter, after a two-year process, had been done during the last 60 days.

Commissioner Moore returned to the meeting at approximately 2:03 p.m.

Mr. Lewis stated further that the two-minute rule was true, and they could spend 5 years reviewing it, and yet all decisions were made at the end. He stated that one part of independence he felt this committee would want was that they would give whatever policy recommendations they felt would be appropriate. He explained the input would come from the Commission, the public, unsigned e-mails, and would be a process of public outreach. He stated the independence and recommendations would be some that the Commission might like and some they would not like, but the final decision would be made by the Commission. He stated that hopefully they would be in the position to advocate some changes that they felt were important. He felt it would be the board's job to crystallize such policies, along with recommendations, that could be reviewed and defended.

Commissioner Trantalis asked where they were going to start in collating such recommendations. Mr. Lewis replied they would start with community outreach.

Mr. Gunzburger stated that in regard to legal counsel, costs and time involved, he stated he had been approached by Gaylord Wood stating he was willing to volunteer his time. Therefore, they would not have to impose on the City Attorney's office.

Commissioner Teel stated that she felt there were good individuals serving on this committee, but the question still arose as to how they were going to pay for this. She stated in reality things always cost more than anticipated. She stated she would not want

the committee to have to stop in mid-stream due to lack of funds. Therefore, she wanted to know the Acting City Manager's opinion on the matter.

The Acting City Manager stated that if this was to be financed, it would have to come out of Contingencies. He stated that in order to start the process, they could probably take out about \$20,000. He advised there was about \$57,000 which had been taken out for the recruitment of the City Manager, and another \$32,000 for payment of actuarial studies. He reminded the Commission that there was \$1 Million in Contingencies, and they had spent about \$89,000 of that amount. He explained that contingencies were unforeseen and non-recurring activities that arose, and believed this item would fit such a description. He stated his concern was not necessarily in regard to the funding, but with staff time. He believed the Charter needed to be reviewed, and many things were overly detailed and were antiquated. He felt a comprehensive review was needed. He stated the Charter at present consisted of 75 pages, and it was probably about 40 pages too long. He stated the Charter was to represent the organizational structure of government, and not mini-manage everything they wanted to do, and great detail was not needed. He believed that people elected representatives to make decisions for them, and not necessarily tie their hands unless certain powers were to be reserved.

The Acting City Manager stated that if they were going to be asking staff and employees to give input at the same time that a budget process would be starting, along with a potential organizational process, he was concerned about overloading the circuits.

Mayor Naugle stated that it appeared monies had already been budgeted to prepare minutes for the Charter Board. He stated that they did not meet often, and therefore, not a lot of money had been budgeted.

The City Attorney explained that on tonight's agenda, there was an item regarding these costs. He explained that a two-hour meeting ran about \$300 in most cases.

Mayor Naugle stated that what they were talking about in regard to funding it for a year was about \$4,000 to \$5,000, which did not subtract the monies which had already been budgeted. He stated if they were not talking about drafting a new charter, but discussing concepts to be presented to the Commission, then they could decide at a later date what to place on the ballot. He stated he would support this project, but felt they should only meet once a month, and he felt that the first meeting should be a community-wide meeting. He asked if the board could meet independently without relying on staff. Mr. Lewis confirmed.

Commissioner Moore stated that this was not about the cost of the person supplying the minutes, but was about the cost of staff's time. He felt this review of the charter should be done, but he felt it was important that their house be in order. He stated that staff was being stretched to the limit and to add unnecessary work should not be done at this time.

Commissioner Hutchinson stated that this was part of putting their house together, and she felt it was a huge part of rebuilding the house. She stated that she differed with the City Attorney in regard to the \$2,500 per month for the minutes. She stated the agenda item this evening was \$125 per hour, totaling about \$500 per month. In going back to the parks definition, if they built \$7 Million parks and did not have a definition of what was being built, then they were in serious trouble. She stated that some areas she represented were not part of the Charter. She felt this was part of rebuilding their house,

and she personally believed they needed to move towards November. She further stated that everyone was under the gun to do a lot of work. She stated she was not asking staff to do anything she was not doing.

Commissioner Trantalis stated they needed to get things started. Commissioner Moore stated he was not in support of starting this project before September.

Commissioner Teel stated that one of the important things was not to have 2 meetings per month. She felt they should enter into this slower, and additional meetings could always be added. She felt they would be foolish to think that they should not allocate \$20,000 because additional costs always came into the picture. She stated that she did not see this as an emergency, but things tended to be put off so while the resources were available, they should proceed. She added that they should be careful added additional duties onto staff, and should possibly consider hiring consultants. She stated she would be in support of such a recommendation.

Mayor Naugle asked if they were going to get an outside law firm involved or just fund the records clerk, and work on the policy items at this time.

Commissioner Moore left the meeting at approximately 2:15 p.m.

Mr. Lewis asked for the Commission to give them a chance to see what could be done without bringing in the additional law firm. He stated he was convinced of the quality, experience and knowledge of this Board, and wanted to see what could be accomplished. He stated since they were an advisory board, they had to adhere to the Sunshine Laws. He stated they would have a recording of the meeting and verbatim minutes would not be required. He reiterated that the board did not think they could accomplish this project with only one meeting per month. He reiterated that an outside law firm was not needed.

Mayor Naugle asked if they could meet once a month and slow down the process with the meetings possibly lasting a little longer. He added that he was concerned about the time involved for the ex officio members. Mr. Lewis stated that his concern was in regard to the commitment of the committee and to make sure the members had their time available. He believed it would be a balancing act, but he was not sure of the answer to the question.

Commissioner Hutchinson stated that there was a lot of discussion at the board's meeting regarding the length of the meetings. She stated what was the difference if they had one longer meeting or 2 shorter ones. She reminded everyone that the members were volunteers and sometimes it was easier to give up shorter periods of time.

Mr. Gunzburger stated they were contemplated meetings from about 4:00 p.m. to 6:00 p.m. Mr. Lewis stated that the flexibility of recording the minutes on audio or video would give the ex officio members the input needed.

The Acting City Manager stated he would argue against having one monthly meeting because he felt it would break up their continuity of thought.

Action: Charter Revision Board to meet twice a month, and the first meeting held would be a public hearing.

Commissioner Moore returned to the meeting at approximately 2:24 p.m.

I-B – Florida Department of Transportation (FDOT) – Regional Commuter Assistance Program – South Florida Commuter Services

Jim Udvardy, Project Director for South Florida Commuter Services, introduced Georgena Bennett, Outreach Specialist. Mr. Udvardy stated that they dedicated their services in an attempt to reduce traffic congestion in the tri-county area, and attempt to get people out of driving alone to and from work by offering them choices and alternatives.

Georgena Bennett stated they were a regional commuter systems program which was fully funded by the FDOT. She explained their mission was to improve the quality of life in South Florida, and they wanted to get people to do that by switching from single operator vehicles to high occupancy vehicles. She explained they used programs to reduce traffic congestion. She stated there were approximately 13,450 people working within a half-mile radius of downtown Fort Lauderdale, and another 71,000 within a 2-mile radius. She stated there were about 84,000 commuters in the downtown who could share rides.

Ms. Bennett explained that a car pool was where 2 or more people shared a ride to and from work during peak hours. She stated they also had a van pool program which was where 5-15 people shared a ride, which was funded by the MPO and the FDOT with a subsidy of \$400 towards the formation of such a pool. She explained the remainder of the cost was then split among the riders.

Mr. Udvardy explained that they took down information from the riders, including work and home addresses, and put it into their ride-share matching software which basically produced the alternatives available to driving alone. He stated they could be contacted through their Call Center, applications could be submitted, or one could visit their website at 1-800-234-ride.com and register.

Mr. Udvardy further stated that people might be willing to share rides, but often asked what would happen if they received an emergency call during the day, or had to work overtime, how could such issues be addressed. He added that they offered the Emergency Ride Home Program which allowed an individual to use the service up to 6 times per year.

Commissioner Moore left the meeting at approximately 2:30 p.m.

Georgena Bennett stated they also had a Commuter Tax Benefit Program which offered up to \$100 in tax deductions. She explained this enabled employers to help subsidize or use pre-tax dollars to pay for their transportation costs. She stated they answered the phones at the Regional Call Center 24 hours per day. She stated they were in their offices from 8:00 a.m. to 6:00 p.m., Monday through Friday, to answer any questions. The phone number there was 1-800-234-ride.

Ms. Bennett stated that some of the other transportation options which they had outside of carpooling and van pooling were biking and walking. She stated they encouraged compressed workweeks and flex hours.

Commissioner Moore returned to the meeting at approximately 2:32 p.m.

Ms. Bennett stated that telecommuting was also another effective method they promoted whereby individuals could work from home. She stated that the benefits of their program to employers were reduced work site congestion, reduction in parking demand, employee recruitment and retention, and community relations and recognition.

Ms. Bennett continued stating that some TDM efforts in other cities were an ordinance in Boca Raton which encouraged such programs. She stated that in West Palm Beach they had implemented a pre-tax program.

Commissioner Hutchinson asked if Fort Lauderdale had any such programs, and if not, were there any ways they could encourage individuals to use different modes of transportation. She stated this sounded like a good program.

The Acting City Manager stated they should be encouraging such programs. He stated that one thing he wanted to pursue with the Commission during the budget workshop and in looking at the organizational structure was what they could do regarding mass transit. He further stated there was the whole question how the City could stay on top of the parking demand, how they could apply for grants, and reach out to individuals regarding such programs. He continued stating that if they were going to consider a compressed workweek or flex hours, there would be implications regarding the collective bargaining agreements. He reiterated that this was something he would like to pursue.

Commissioner Hutchinson stated that this could be a move towards getting mass transit into the Downtown, and she felt the City, as a big employer, could step up to the plate and be a leader. She suggested that staff research what other cities had done and how successful they had been in this regard.

Mr. Udvardy stated they would share such information with the Commission.

Commissioner Moore stated that if such programs were to be effective, they would require the major employers in the Downtown area to be on board. He stated that the City was only one employer in the area, and most of the employees were off site. He stated they would have to create the opportunity for the major employers in the Downtown area to be a part of such programs, and he felt the only way to do that would be to rethink the agreement they presently had with the TMA, and deal with a broader service providers, such as this entity.

Commissioner Hutchinson left the meeting at approximately 2:37 p.m

Commissioner Moore hoped there could be some discussion to coordinate their efforts. He stated that he hoped to bring TMA to the table along with the Broward County Mass Transit, plus a few major employers in the Downtown area. He felt with a complete package being presented, more individuals would participate in such a program.

Commissioner Hutchinson returned to the meeting at approximately 2:38 p.m.

Action: Discussions to be held to further explore the program.

I-C – Traffic Calming Plan – Coral Ridge Neighborhood – Bayview Drive and N.E. 26 Street

Peter Partington, Public Services Department, stated that the Coral Ridge neighborhood had been working on a plan. He stated that Alan Tinter was present and could give a presentation on this if the Commission desired.

Mr. Partington stated there was one issue related to this plan which was a request for speed humps on 26th Street.

Brian Leary, President of the Coral Ridge Association, stated that they were requesting speed humps for 26th Street, and the neighborhood would pay cash for them. He stated that they were told there could be 2 or 3 speed humps installed. He asked if the Commission would grant them permission to have the speed humps installed. He asked if they could fund them within 6 months, and if they could not raise the funds during that time, then the permission would lapse. He stated they were not going to ask for any City funding for the project.

Mayor Naugle stated that they had to notice this item and then have a public hearing.

Mr. Partington stated that normally they were placed on the Consent Agenda for the Commission meeting. He suggested that if the Commission agreed to this, then the Association wanted a confirmation so they could begin to raise the funds. He added that normally, they also surveyed the residents of the area, but in this case this matter was arising out of a bigger effort to look at Bayview Drive and 26th Street. He stated they would have to write letters to at least everyone on that length of 26th Street.

Commissioner Moore asked if it would be easier for the neighborhood to raise the money, if the Commission placed this item for a public hearing in order to see if there was a public consensus for the speed humps.

Mr. Leary stated he did not think they could raise the money without the Commission's permission to move ahead with the project.

Commissioner Teel stated that she had attended a number of meetings of the Coral Ridge Homeowners Association, and Mr. Tinter and the residents should be commended for their work. She stated they had amazingly received consensus. She stated they were realists and realized that the bigger picture was for the future. She added that this street had become hard to navigate because individuals were avoiding Oakland Park and US1. She stated she was confident the neighborhood would be able to raise the funds.

Commissioner Hutchinson stated that they needed to follow the process, and if they did survey the streets in the past, then this should be done for this matter.

Commissioner Trantalis asked if there were other alternatives to speed humps because he did not like them and felt they were the most archaic way of trying to slow down cars. He reiterated that if they listened to everyone in the neighborhoods, there would be speed humps everywhere. Mr. Partington stated there were other alternatives and they

were addressed in the plan. He stated further that one got the most for their money with speed humps because they were relatively inexpensive and obtained a certain outcome.

Mayor Naugle stated they had 4-way stops everywhere which the County had put a stop to, and then they began looking at speed humps and other alternatives.

Commissioner Hutchinson asked what the initial treatment had been for 26th Street. Commissioner Teel stated that sidewalks and landscaping had been suggested, along with other alternatives.

Alan Tinter, consultant, stated that the ultimate recommendation which they felt would be most effective would be to narrow the street, and eliminate some of the paved swales both on Bayview Drive and 26th Street. He stated they also had discussed table-topping some of the intersections, including Middle River Drive. They had hoped the speed humps would be a temporary solution. He added the speed humps were effective when installed close together.

Mr. Partington stated that Bayview Drive had been an issue for a long time, and Mr. Tinter, Mr. Coleman, and Mr. Kissinger had contributed a lot of their time to this effort.

Commissioner Trantalis stated this was a consequence of where they were going as a City. He continued stating that the County and the City both projected population growth numbers, but they did nothing to anticipate those numbers other than to continue building new condominiums and houses. He stated they did not discuss the streets and other infrastructure that would be affected. He reiterated that they needed to comprehensively look at how they were going to anticipate such population growths. He believed that the "band-aid" approach was not the answer.

Action: Approval subject to normal procedures followed.

I-D – Broward County Evaluation and Appraisal Report (EAR)

Bruce Chatterton, Planning and Zoning Services Manager, stated that the Commission had expressed concern at their last meeting relating to the County's Evaluation and Appraisal Report. He stated that all cities and counties in the State of Florida were required to have Comprehensive Plans, and this report was required every 7 years for every jurisdiction regarding those plans. He stated the City's EAR was due by June, 2005. Due to the requirement under the County's Charter that the City's Land Use Plan was to be consistent with the County's Plan, any changes they made to their Plan triggered changes to the City's Plan. He reiterated there were a complex set of issues involved.

Mr. Chatterton further stated that they wanted some policy direction because the two issues regarding the Barrier Island and the RAC had been continued to the Broward County Planning Council's Meeting for February 19, 2004. He continued stating that there was also a Coalition of Cities that were concerned about the EAR, and the City might have some similar concerns. He stated that representatives of the Coalition of Cities were present today and wanted to provide some comments.

Mr. Chatterton stated that the first item of concern they had regarding the County's EAR was the population projections. He stated that at the technical level they were attempting

to work through these issues. He stated they were required to adopt the County's population projections as their own, and the State of Florida, in turn, would take those projections and ask if they were accommodating that population in regard to schools, infrastructure, and other items. He further stated that the biggest concern was that the population projections showed a 60% increase for the City of Fort Lauderdale over a 25-year period. He stated if that was contrasted with the population projections they were showing for the entire County, there was only a 40% increase. Therefore, a good part of the increase was to be shouldered by the City of Fort Lauderdale. He stated that staff agreed that Fort Lauderdale and the County would continue to grow, but they did not feel that the City should take on such a disproportionate share of the growth.

Commissioner Hutchinson asked what staff thought was the City's share of the growth. Mr. Chatterton stated they needed to look at the County's methodology and attempt to work with them in order to see if such growth could be moderated. He stated that after reviewing the "nuts and bolts" of the County's projection, they found that they were showing way too much growth in certain areas, such as around the Executive Airport. He stated they felt there were some moderating factors that should bring down the figures. He added that the County's demographers were willing to work with the City.

Commissioner Trantalis stated that they were just acknowledging what was inevitable. Mr. Chatterton stated they were attempting to anticipate the growth and moderate some of the abuses of the past.

The Acting City Manager asked what was the County's methodology and how close previously had they projected where the City was today. Mr. Chatterton stated the projections were for a 25-year period, and therefore, the City had not reached that point in time. The Acting City Manager asked if they had been on target for the first 7-year period.

Sheryl Stolzenberg, Planning and Zoning, explained that last time the County had used the projections from the Bureau of Economic and Business Research from the University of Florida, but this time they had decided that was not what was needed, and therefore, came up with their own methodology, but the Department of Community Affairs of the State had to approve it. They had approved it and the question became how would the distribution go, and many other cities were saying the matter had to be reviewed again. She reiterated that they could not compare what they had done before to what was used before because a different methodology had been used.

Commissioner Hutchinson stated they should look at the non-logic as it related to high numbers of population around the Executive Airport. She stated that the City had recently sent them a letter regarding a change that they wanted in land use from industrial that was compatible to airport use to residential. She stated she was not convinced.

Mr. Chatterton stated another example was that they were showing a significant population growth within neighborhoods that were largely built out, especially in the historic district. He stated further they knew it would be difficult with historic compatibility which was necessary to do more. He stated he was not saying there would not be increases in persons per household because that did happen over time, but it seemed out of sync. They were not showing much growth in the Downtown, the northwest, or the south. He stated they did not need policy direction at this time, they just wanted to keep

the Commission informed and wanted to state that they were working through the various issues. He felt there was a very objective "give and take" on this issue.

Commissioner Trantalis stated that the real issue in regard to the Broward County Planning Council was the fact that the County was seeking to assume responsibility of issues in connection with the RAC. He felt that should be discussed.

Mr. Chatterton replied that was his next topic of discussion. He stated that the County was looking at the RAC designation of their plan which was mirrored in any City that had an RAC. He stated there were 8 RACs in the County, and Fort Lauderdale had 4 of those. He explained they had been created to allow intensive mixed-use development and allow redevelopment to occur in areas that were supposed to be of regional significance. He stated they wanted to impose standards for urban design, density, intensity, and the location of uses. He explained that the City actually had some of those in place at this time. He further stated that all new RACs would have to have interlocal agreements. He added that the City had one already. He stated the County wanted new criteria for how big they would be, where they would be located, and how the boundaries would be structured. In regard to existing RACs, the new requirements on urban design guidelines and transportation guidelines would come into effect if there was a change of use or a change of boundary. He stated it could be possible if they adjusted the boundaries of one of the RACs, they could be looking at new requirements and County review for an existing RAC. He further stated that it would be possible that a change of use could be an increase of use if units were added to an RAC. Mr. Chatterton continued stating that the Coalition had some thoughts regarding that matter.

Mr. Chatterton stated that the third major issue was in regard to the Barrier Island. He stated that it was possible to flex within Broward County. At this time, many areas were subject to a compatibility review at the County level. Now, the Barrier Island, since it was within the urban infill area, was exempt from such County review. The EAR proposed that they would put the Barrier Island back in and be subject to such review. He explained that sometimes staff complained about their own neighborhood compatibility criteria because of its vagueness, but the County's was very vague. He felt the City's was more codified and detailed. He stated there was open interpretation regarding compatibility at the County level.

Mr. Chatterton further stated that it was important to emphasize that this did not affect the Central Beach RAC at this time. He explained that in the Central Beach RAC, they were governed by an interlocal agreement and the action plan with the County which governed the number of units, but it would affect the beach areas to the north and south. He pointed out that the City of Weston objected to this change because they were concerned about perceived erosion of home rule when it came to land use. He stated that was the big issue. To be fair, he stated there were some things to like about it from staff's viewpoint. He stated they were talking about simplifying flex so they would take all the flex zones within the County and consolidate them within a City's jurisdiction, and allow the City the freedom to use the units as they saw fit and to allocate them in a flexible way. He reiterated that would not help the City out in regard to their problems with the RAC because RACs were not governed by the flex rules. He stated it would help administratively.

Mr. Chatterton explained that 6 cities were in the Coalition which were Hallandale Beach, Hollywood, Miramar, Pompano Beach, Weston and Davie. The policy of the EAR

coalition was distributed to the Commission. He explained the Coalition had been created to address such issues. He stated that he was going to let the representatives of the Coalition speak at this point, but reminded the Commission that staff wanted their direction regarding this issues.

David Orshefsky, EAR Coalition, stated that he had been working with the EAR process for some time. He continued stating that the Coalition was created in order to provide for coordinated municipal input into the County's EAR process. He felt the difficulty was that once the County went through their EAR process, the City and municipalities within the County would have to comply with those additional requirements, and that was why participation in the County's EAR process was important to municipalities. He further stated that the goals of the Coalition were fairly simple which was to allow the municipalities to pull their resources and expertise and voices in dealing with the County regarding its EAR process, and make municipally based recommendations regarding the EAR County's process. He further stated that the Coalition consisted of 6 jurisdictions within Broward County, and the population of those cities represented approximately 30% of the year 2000 population for Broward County. He stated that there were ongoing discussions taking place with the municipalities.

Mr. Orshefsky continued stating that to date the Coalition had produced a consensus of policy statements which had been distributed to the Commission. He stated that the concerns regarding the policy statements ranged from some of the population forecasting and allocation issues, as well as suggesting that the County develop additional flexible redevelopment tools for use. He stated that one of the strong points the Coalition was attempting to make was in respect to the RAC and mixed-use categories. He stated the Coalition believed that such categories were important and needed to be expanded, and the flexibility at the local level needed to be retained in order to make them an effective tool.

Mr. Orshefsky stated that the issue of the allocation of population growth, which had been estimated by the County, was an issue of the Coalition's as well. In addition, the Coalition had taken the position that a number of the cities had developed redevelopment plans, whether they were Downtown Hollywood or the Arts Park or other areas, and the County should discuss their plans with the municipalities and allocate population density where it had been planned for.

Mr. Orshefsky stated another important point the Coalition was attempting to make was that specific criteria at the County level would not fit, one size did not fit all. He stated each jurisdiction had a different vision of what they wanted to do and how they wanted to redevelop. He stated they were concerned that such flexibility be maintained for use by each jurisdiction.

Mr. Orshefsky stated that the Coalition was requesting that the City initiate the following actions in support of the Coalition. First, they asked the City of Fort Lauderdale to join the Coalition, and designate a member of the Commission as liaison. The second request was for the Commission to pass a resolution in support of the Coalition's policy statement. The third request was for the Commission to attend and vote for the Board's representative at a League of Cities Meeting currently scheduled for February 5, 2004. He stated the Coalition's policy statement would be presented at that meeting to the League of Cities. Finally, to have an elected representative of the City Commission to appear at two public hearings scheduled for February 19, 2004, before the Broward

County Planning Council, and the final presentation of the EAR report to the County Commission for adoption scheduled for February 24, 2004.

Commissioner Moore stated that he saw the benefit in joining the Coalition, but he also saw the benefit of the Commission endorsing the resolution providing the same impact, but at no cost to the City.

Mr. Orshefsky stated that he was sensitive to the City's issues, and they had discussed within the Coalition the City's financial position. He stated that the current cost sharing arrangement was pro-rata and was divided by the number of the members of the Coalition. He explained that the per City share of the cost was running about \$5,000 per month which was an estimate. Alternatively, he stated that they had discussed if such an arrangement was not acceptable to the City, they could join the Coalition with whatever contribution they felt was appropriate.

Commissioner Moore asked if the Coalition would be offended if the City only dealt with the resolution issue, as well as having the representatives attending the meetings. Mr. Orshefsky stated that if the City joined the Coalition sharing their expertise and point of view, he felt it would strengthen them significantly. He stated that the sharing of expertise went both ways. He stated the City had a particular perspective with their four RACs and other redevelopment issues, as did other jurisdictions. He stated they had been able to spread the burden around, and he felt by having the City joining them and helping to educate them would be an important element. He stated they would not be hurt if the City did not join, and only be present in the meetings and supporting the resolution. He urged the City to join the Coalition.

Commissioner Moore asked when staff viewed the efforts of the Coalition were there any items they differed on. Mr. Chatterton stated that in principle they were in agreement with the policy statement of the Coalition. He remarked that their concerns about population were somewhat different than the City's, but the viewpoints were consistent.

Commissioner Trantalis clarified the amount needed from the City would be \$5,000 for membership. Mr. Orshefsky confirmed.

Susan Trevarthen stated that the item was due by March 1, 2004, and the Coalition cities had authorized them to say that Fort Lauderdale could pay whatever they felt would be possible. She stated they were not here to give the "hard sell."

Commissioner Trantalis stated he felt it was important for the City to be part of this because half of the RACs were within Fort Lauderdale, and if the County was looking for a message to be received, it would make sense for the City to be part of this home rule movement, but not in step with what the County was seeking to do. He reiterated that he was not looking to spend \$5,000 of the City's money unnecessarily, but if they could still participate and make a contribution within the next 30 days, then he felt they should do something because of the psychological aspect involved.

Commissioner Hutchinson stated that the money bothered her, but she believed they needed to pass the resolution, and she felt they should also be part of this group. She stated it was started and supported by the League, and the Commission past and present had always supported items brought forward by the League. She stated it was

time that a coalition of cities made their case together at the County. She felt it was better in numbers. She suggested that the City contribute \$2,000.

Commissioner Moore stated that he would support that. Commissioner Hutchinson asked if these resolutions could be walked on at tonight's regular meeting. Commissioner Moore asked if the Coalition would accept the \$2,000 payment.

Ms. Trevarthen confirmed that the Coalition had authorized them to accept whatever the City felt was appropriate.

Mayor Naugle stated that no matter what amount, he felt their endorsement would have the same impact. Commissioner Moore agreed, but stated that he had sat on the committee for several months regarding this and noted the strategy involved, and he felt the City, with their discounted share, should show their support.

Commissioner Trantalis stated that he did not want to insult them with such a contribution either. Commissioner Teel agreed.

Steve Glassman pointed out that there was a group known as the Barrier Island Beach Coalition which was a representation of all the coastal communities along the beach in Broward County. He stated they were very much in favor of the County's position especially in regard to RACs on the Barrier Island. He reiterated that they would not be appropriate there, and urged the Commission to review the definition of the RACs.

Mayor Naugle stated that the overall concept of home rule was to let cities decide. He stated that he would like the City to ask the Commission for a consensus to move the units they had on the Barrier Island to other areas where they were short units. He agreed that there were too many units available on the Barrier Island, and some obscene developments had come forward against all planning concepts. He reiterated that there were areas in the Downtown along the FEC corridor where there were no units. He further stated that overall the group felt that the City should decide, but now they had to ask the County for their approval to move the units. He stated he was not sure it was in conflict with what they were saying.

Steve Glassman stated that he did not mean that it was necessarily in conflict, but he wanted to bring this up as a point of information.

Mayor Naugle stated that since Commissioner Trantalis was on the Planning Board, he would be designated as the representative. He also stated that staff would be available and any members of the Commission who wanted to attend should do so.

Commissioner Moore stated they needed to send some type of correspondence to the County and make a recommendation that they should speak to the municipal entities about new development, and the population growth they were projecting. He stated that their legislative items had moved forward, and one of the discussions they held were how they should deal with the flex units, and if the County should have the responsibility of allowing them to utilize the units. He hoped they would follow this issue on the legislative arm. He asked if the Planning Council was a necessity, and felt they needed to explore this.

Mr. Orshefsky stated that as he understood it, the Planning Council was intended at the time of the adoption of the Broward County Charter to be the municipal voice. He reiterated that was to be the balance, and if the Planning Council was to return to that role and be the municipal voice, then the answer to the Commissioner's question was "yes." If there was no move in that direction, then the question could continue to be raised.

Commissioner Moore stated that through the Coalition they needed to address the Charter's wording regarding the Planning Council, and if it was not operating in that manner, then it should be sunsetted. He stated it gave them their home rule, and if they were not playing by the rules, then the Coalition should determine that it should be dissolved.

Mr. Chatterton stated that he had worked as a Planner in other jurisdictions in Florida, and if Fort Lauderdale was in any other County except Pinellas, they would adopt their own Comprehensive Plan, deal with Tallahassee on that basis, and coordinate with the original Planning Council. He stated that under their current system, the Planning Council was necessary, but if there was a different system, then no it probably would not be necessary.

Commissioner Moore reiterated that it was based on the Broward County Charter, and that was why he felt they needed to deal with the technical aspect and he hoped they would focus on that matter.

Ms. Trevarthen reiterated that this was truly a coalition that worked by consensus. She stated they needed to have the City's representatives at the next meeting to see if the other cities would be amenable to adding a position of that type into the policy statement. She stated they were being careful to make sure that the statement had everyone on board. She further stated that in the immediate future, there was a deadline for the packet that backed up the Planning Council's consideration for the 19th. She stated if the Commission wanted to send a letter laying out their plan, it would be in the packet for the Planning Council for February 19, 2004.

Mayor Naugle stated that maybe the more appropriate body to take the position regarding the existence of the Planning Council should be the Broward League.

Commissioner Moore stressed that it should be the Coalition since they were a representative of the League, and it would go through the League. He reiterated that he was not attempting to usurp the League. He further asked if the vote was a weighted one.

Ms. Trevarthen replied it was not a weighted vote. She further stated that they could state that there was interest from the newest member of the Coalition to address this issue.

Action: A \$2,000 contribution to be made to the Coalition of Cities, and a walk-on resolution would be presented at the Commission Regular Meeting.

COMMISSION RECESSED AT 3:25 P.M.

COMMISSION RECONVENED AT 3:35 P.M.

I-E – Historic Surveys

James Cromar, Planning and Zoning, stated he was now the liaison to the Historic Preservation Board. He stated further that Michael Ciesielski had been the previous liaison.

Mr. Cromar stated they wanted to continue this item which had been on the Commission's December 2, 2003 Conference agenda. He stated they were going to present a report from the consultants who had performed the update of the historic surveys for the City. He advised that the consultants were Bob Carr and Greg Saldano of the Archaeological and Historical Conservancy. He added that the Commission had authorized the consultants to update the historic surveys throughout the City.

Mr. Cromar continued stating that one of the key issues was what they should now do with the information they had acquired.

Bob Carr stated that Greg Saldano was going to discuss the summary and actual results of the project based on the scope of work they had been given.

Greg Saldano stated that they had surveyed a total of 1,020 sites which had been updated from existing site files, and they had recorded 669 utilizing the Florida Master Site File Forms. He advised that 351 previously recorded sites had been demolished. He stated they had identified with the City a format and method referred to as fact sheets. He stated they had recorded 119 sites that warranted further survey within the City. He added that the total number of sites recorded, including fact sheets, totaled 1,139. He stated that the general character and use of those historic sites, in regard to their materials, were generally masonry and wood vernacular consisting of 1-2 story domestic lines. He stated there were generally a concentration of masonry buildings closer to the Atlantic shore, and more wooden structures to the west of the City.

Mr. Saldano explained that the general condition they had found was fair to good with few poor examples.

Mr. Carr asked Mr. Saldano to give a summary of the five sites that the Commission had requested.

Mr. Saldano stated that they had conducted a thorough research of historic records and photographs locally that were available. Each site, including the Floridian, McCrory's, Progresso Plaza, Schubert's, and the Yankee Clipper also included primary and secondary sources along with historic drawings, photographs and maps. He stated that those sites had been summarized and were included in the site files with distinction and were given more attention in regard to their significance. He stated further that they had found that local designation status was recommended. He added that the Yankee Clipper Hotel would be eligible for designation in the year 2005. He stated that the Floridian would meet local designation if it was properly restored due to its historic fabric having been significantly altered.

Mr. Saldano continued stating that they were now going to review the recommendations being made. He stated that in the process of organizing the site files, they had found that there were 150 sites beyond the project's scope of work that required updating and which should be recorded in the Florida Master Site File Format. He stated that

approximately 119 sites had been recorded in the fact sheet format which warranted further investigation, and they recommended that they also be surveyed.

Mr. Saldano further stated that the third recommendation was to expand the survey area. He stated it had not reached the limits of the City's boundaries. He advised that the fourth recommendation was to identify and document neighborhoods which would warrant historic conservation status. He further stated that in regard to the 5 sites, they recommended that they be designated. The sixth recommendation was in regard to the implementation of an archaeological conservation area. Mr. Saldano continued stating that they were aware that grant sources could be applied for to expand another survey, including the properties which were not previously surveyed and met the age criteria. He stated they should look at a more comprehensive history of the City, and engage City staff and officials, along with local university students, with educational opportunities.

Mr. Carr stated that the bottom line was that about 30% of the historic structures within the City's limits had already been demolished. He reiterated that they were not recommending that the 1,000 historic sites be subject to historic designation. He stated they needed to address the idea of neighborhood conservation areas. He stressed that they were talking about losing neighborhoods and community fabric, and not just individual buildings. He stated they strongly suggested that the idea of a conservation neighborhood ordinance be considered for protecting such sites. He stated this was different than a historic preservation designation which was more stringent and had specific guidelines which were codified with the State, along with the National Register, which in some cases with a City like Fort Lauderdale, did not provide the flexibility or reality for creating the balance between new growth and development and preserving the old fabric. He stated that Christopher Eck, Director of the Broward Historical Commission, would address the conservation district concept.

Christopher Eck stated that the conservation districts had been implemented in many urban areas across the County, and was the middle ground that a City could take providing some oversight and guidance as to how new construction could take place. He stated it also recognized that there could be significant alterations to a neighborhood, but yet there were still significant portions of the character of an area they were attempting to protect. He gave Atlanta as an example of a city who had created such a district which provided for rules and guidance of what they wanted to protect in a neighborhood, while still providing a greater oversight and determination regarding new construction. He reiterated it was not something to prevent new construction, but to have it happen in a more formal manner with less of an impact on the elements of the neighborhood they were trying to protect.

Mr. Carr proceeded to show a map and explained that the historic sites were indicated in yellow which had been officially designated by the City and were protected under the existing ordinance. He explained further that the areas in pink were archaeological zones and were areas of sensitivity, but were not areas of no growth, nor would they stop or diminish development, but would allow for the City to archaeologically document such sites before they could be destroyed through various developmental projects. He stated that it was the idea of finding the balance between development and preservation. He stated that staff had been implementing this map and requiring the surveys and documentation as part of the developmental process.

Mr. Carr stated that they wanted to see entire neighborhoods instead of individual buildings protected. He stated that the idea of the conservation neighborhood overlay could be used in Rio Vista, Victoria Park, and any other neighborhood seeking that level of protection. He stated that residents in those areas did not want to see the new growth of mega mansions next to what was part of the historic fabric of the neighborhood. He stated that individuals then could view that as their "lottery ticket." He emphasized that they had to strike a balance, and the way to do that was to set up guidelines for scale, mass, setbacks and style allowing everyone to be part of the same partnership. He explained that this was what happened in the suburban communities in western Broward County when people moved into the "cookie cutter" type communities which had such guidelines. He stated that everyone played by the same rules, and the value of the properties increased. He explained that the individuals in those neighborhoods who retained the character would see their values increase.

Commissioner Trantalis asked how they would implement zoning changes. The City Attorney explained that would be done by adopting zoning overlays in districts. Commissioner Trantalis stated this was presently occurring in Poinsettia Heights because big developers were coming in and building mega mansions, but yet they constantly heard "you can't take away my property rights, I own this land, and the zoning in place stated that I can build up to 35' and 5' away from the boundary." He asked what was the answer to such a question. The City Attorney replied there was no exact answer and there were some rules and regulations. He added that they had to deal with the takings issue, along with the Burt J. Harris Act in the State, and basically they stated they could not take away investment backed expectations. He stated that in a zoning district where they were building such mega mansions in a neighborhood, they could control that with an overlay district with setback regulations and FARs.

Commissioner Hutchinson asked if that would technically affect the zoning. The City Attorney stated that it would not affect the use, but it could limit some of the dimensions, size and scale. Commissioner Trantalis stated that it could affect the economic expectation of a particular investor. Mayor Naugle replied not unreasonably. The City Attorney agreed and stated that as long as they did not unreasonably interfere with investment backed expectations.

Commissioner Trantalis stated that the reality was that their hands were tied, and asked how such changes could be made. He asked what approach could be taken to seek out such answers.

Mayor Naugle stated that the first step was for the neighborhood to come forward and ask for it. He stated that in Rio Vista they could not develop a consensus regarding the restrictions. He reiterated that Casa Riviera had maximized the envelope, and they had built a box of maximum height and setbacks. As a result, he explained that they had restricted the maximum FAR in RS-4.4 City-wide. He stated it could be done in a neighborhood as an overlay to prevent the mega mansions. He reiterated that a neighborhood had to ask for it, and he did not feel it could be imposed by the City. He felt if the majority wanted it, it could be tried and he believed they could get by with it. He reiterated that anything could be challenged.

Mr. Carr stated that similar legal challenges had occurred across the Nation and had been met with the idea of whether they were depriving the property owner of the best possible use, but the answer was that they were not saying they could not build a large

house, but they were saying they could not build the biggest one. He felt it would be a reasonable return.

Commissioner Trantalis stated that this was a raging debate in their neighborhood.

Mr. Carr stated they were willing to provide, pro bono, the guidelines as to how one would work, and the City would have something for the communities to look at instead of making up ideas.

Commissioner Trantalis asked if they could attend the civic association meeting in his neighborhood on February 18, 2004 at 7:30 p.m. and provide some expertise to the dialogue so the residents could understand what tools were available to implement such changes.

Cecelia Hollar, Acting Public Services Director, stated that they had actually implemented something similar to that back in 1997, when they had worked with some areas in Victoria Park. She stated that the neighborhood had been very instrumental in doing the research. She reiterated that obviously there were limited resources in the City from a staff and financial level. She stated that they had helped to develop what would be non-conforming. She reiterated that everyone needed to understand the impacts when such changes were being made. She stated that she was sure some neighborhoods would want this, but they needed to rely on the residents to help get the work done.

Commissioner Trantalis stated that even if they did take a shot and legally allow the neighborhoods to make such changes, once it went to staff the City did not have the time to draft the law to implement what they were proposing. Therefore, he asked what was the point of the whole conversation.

Ms. Hollar explained that was the concern they had about bringing this back to the Commission because when this began things had been different. She stated that it would still benefit them to study, analyze, and come up with new and creative ways to do things, if not today, then tomorrow when the City would be in a better situation.

The Acting City Manager stated they were going to begin the budget workshop within the next few weeks, and due to the time and intensity of the workshop, it might be divided into two different sessions. He stated if there were going to be new initiatives, they needed to understand what the priorities were and what had to be done before getting to the new initiatives as far as financing went, and what such initiatives would mean in regard to dollars and cents. He reiterated that this would be one of the points of discussion. He stated that various things had been identified as things they should be having as new initiatives. One was the question of an economic development staff which the City did not have, and another question was one of mass transit. He stated another question was in regard to historic uses and staff, which the City did not also have at this time. He stated if they were going to have such things, they had to prioritize and see what the City was doing.

Commissioner Trantalis suggested that as part of their budget discussions, they should see how to integrate these initiatives into next year's budget. Therefore, the neighborhoods should still be encouraged to do the research and obtain the consensus

so that hopefully by the time a new budget was prepared, they would be able to implement any recommended plan.

Mayor Naugle asked what direction were they looking for today in regard to this matter.

Ms. Hollar stated they had the 5 sites which the Commission had asked them to focus on, and asked if the Commission wanted them to proceed with going through the formal process of designation. The second part was to see how many there were City-wide and announced that they had been working with the Historical Society in an attempt to come up with a plan for the future. She stated they had reviewed their contract to see what they could and could not do, and wanted to see if they could come up with a certain number of sites per month to go before the Historic Preservation Board. Now, she stated they wanted to focus on the 5 sites requested by the Commission.

Commissioner Trantalis stated that one of the concerns he had was that they were not building on the beach, but yet there was the large population growth being projected, and in reality it appeared that many people on the beach did not want population growth or over development in the area. He asked what was the City doing to provide incentives to dissuade developers and investors from going to the beach, but at the same time how could they tell the smaller property owners to hold onto their properties. He further asked why they had not carved out The Guest House and the Bed and Breakfast District in the Central Beach Area as a preservation area. He stated that possibly there could be County tax abatements for those people. He reiterated that due to the high taxes, those owners were being forced to sell to developers who were only building 10 and 12 story buildings in order to make it economically justifiable. He stated this concerned him that there was very little yellow in the beach area because that was the heart of the City. He felt if they had an identity which was different from South Beach and Palm Beach that was it, but yet they had not even targeted the area for preservation.

Ms. Hollar stated that was part of the comprehensive planning process, and it was the vehicle for them to look at in regard to where they wanted to change land use designations or shift future development. She stated that was part of the City's EAR analysis and was their opportunity to do this. She stated that area had been designed to be what it was on the map which was the RAC of the beach, and possibly that should be changed. She stated it would have to be changed similar to what they had done with the Downtown. She explained they had to decide what was the master plan for the beach, and if it was preservation for what existed, then they were going in a different direction than what had been developed in the '90's, and the land use plan would have to be changed first.

Mr. Cromar stated there was an initiative for residents to work with university students from FAU to begin an inventory of properties along the beach. He stated they realized certain areas in the City had not been addressed and they were looking at how that could be done. He reiterated that more resources were needed.

Commissioner Hutchinson stated that she was reluctant to add the Floridian as one of the 5 sites since it needed extensive renovation. She further stated that the Yankee Clipper was not eligible until 2005. She asked if anyone had approached the 3 owners of the sites. Ms. Hollar replied they had not yet spoken to the property owners.

Mr. Cromar stated that the owner of Progresso Plaza had approached the City. He stated they had done some renovations on their property and felt it would be valuable to get such designation. He explained that there were programs in place that offered incentives to property owners.

Commissioner Hutchinson stated that she felt it was important to offer the property owners some sort of incentive regarding designation. Mayor Naugle remarked that there were some tax incentives at this time, plus a property tax abatement through the City and the County. Commissioner Hutchinson asked if such information was in a packet that could be distributed to the owners. Mr. Cromar stated they were putting some information together.

Commissioner Moore stated that they add the Yankee Clipper and seek their input on the matter.

Mayor Naugle explained that normally they would be presented to the Historic Preservation Board first, and then they would make a recommendation to the Commission. Ms. Hollar confirmed.

Commissioner Hutchinson suggested that a phone call be made to the property owners.

Commissioner Trantalis stated that regarding the Schubert, an application had almost been presented and the owner had almost sold it to a developer who was going to demolish it to build a 10-story condominium. He stated the buyer had backed out and the owner was now looking for a reason to keep it that was economically feasible. He felt a packet of information was very important so the owners could be educated and not sell out to the developers.

Mayor Naugle stated that regarding Appendix 1 some of the properties were shaded and others were not and asked for a clarification.

Mr. Saldano explained that the shading distinguished the buildings which had been demolished from those still existing.

Ms. Hollar explained that individuals in their department had been shifted around. She stated that James Cromar had an extensive background in historic preservation, and Michael Ciesielski had more experience in other areas.

Mayor Naugle stated they would come forward with implementation and the remaining recommendations during the budget workshop

Steve Glassman stated that the beach area had been omitted from the surveys, and therefore, they would like to see the boundaries expanded to include the area, especially the Birch Waterfront Estates. He advised that a writer from the New York Times was devoting a whole chapter in his book to Fort Lauderdale and the Birch Waterfront Estates. He stated that the City was getting recognition around the Country for what they had, but yet the City itself was not recognizing their assets.

Mayor Naugle reiterated that most of the beach area had been included in the original surveys. The area to be expanded included other sections of the City. He added that the properties were not listed as historic properties, but had been surveyed.

Commissioner Hutchinson stated that she had met with Christopher Eck and explained that Broward County was interested in acquiring the Towers Apartment Building in Beverly Heights off of Las Olas. They were looking for encouragement from the City. She explained they wanted to house the Historic Commission in that building and use some of the top floors for office space. She stated they were requesting a resolution from the City as it related to them moving forward with the acquisition and possible renovation.

Christopher Eck, Broward County Historical Commission, stated that there had been many discussions during the last few years regarding the saving of historical properties within the City. He added they had worked with Commissioner Hutchinson in regard to the saving of the South Side School. He further stated that at one time the Historical Commission had asked the County Commission about acquiring the South Side School for office space. He stated that they needed Commission support. He explained that Commissioner Rodstrom had been presented with an idea knowing that the Downtown office space of most of the County employees was going to be diminished due to the plans for the new Governmental Center. He stated that the Historical Commission desired an appropriate space. Other sites were considered, but none had the same potential as the Towers Apartments. He explained that there were some caveats which went along with this. He further explained that the Towers Apartments consisted of more than 23,000 sq. ft. and had been designed by Francis Abreu, and was the largest of his properties still standing. He stated that if one looked at this from a feasibility standpoint, 23,000 sq. ft. would lease at about \$4 Million to \$6 Million, and there would be a great need in the area for office space. He continued stating that the thought was that this building could be acquired for less than what it would cost to rent space. Owning this building could be a bonus to the County and the City as a resource center and a place indicative of an area on which they put importance regarding historic preservation, while being close to the Las Olas business district. He reiterated they would be preserving something that encouraged individuals to use the area. He explained it was already zoned institutional, and there would not be a flow of traffic that would be inconsistent with what the neighborhood could maintain.

Mr. Eck explained that all this was contingent upon innumerable factors, but Commissioner Rodstrom had given them the go-ahead to at least pursue the idea with the owner. He explained that they had talked to Richard Mancuso and other individuals in the neighborhood to see if they would be amenable to having this in their area, and they had received a nod to perceive. He stated they were now looking to the City Commission for an affirmation of the nod to perceive which they had already been received from both the County Commission and the residents. He stated they did not want to interfere with the current owner who ran a business at the site, but wanted an affirmation to see if they were just "spinning their wheels."

Mr. Eck stated that Commissioner Trantalis had been talking about incentives for historic properties, and one of the things the Historical Commission did was to provide technical advice to property owners.

Commissioner Hutchinson reiterated they were looking to the City Commission for some sort of resolution. Mr. Eck reiterated that the money to purchase the building would come from the County. Commissioner Moore stated the idea was great, but he was concerned about the impact it would have on the area in regard to the additional office space that

would be available. Mr. Eck stated that eventually they were looking to make the facility self-funding and possibly rent out the additional space. Commissioner Moore asked what was the “nod” consenting to. He asked if it meant they agreed to it being a historical site or were they agreeing to have it further reviewed. He asked for some clarification. Commissioner Hutchinson replied they would be nodding in approval of the acquisition and renovation.

Mayor Naugle replied that conceptually the City would support the idea of the County acquiring and renovating the property.

Commissioner Moore suggested that this matter be placed on the Commission’s agenda for the February 17, 2004 meeting.

Commissioner Trantalis stated they wanted to have its historical integrity maintained. Mr. Eck replied that by virtue of what their office consisted of, its integrity would automatically be retained. Commissioner Trantalis reiterated that uses changed and he wanted a caveat included that the historical and architectural integrity of the building had to be maintained, and suggested they review the impact traffic and parking would have on the area.

The Acting City Manager reiterated that there was already a parking problem in the area. Commissioner Trantalis stated the County needed to come up with a plan regarding this project. He wanted the County to purchase the property because he felt otherwise the wrecking ball would come into play.

Mr. Eck further stated that historic preservation of the site would be an integral part of the project because they intended to seek out rehabilitation grant monies which were available from the State.

Action: Property owners of the 5 sites to be contacted, and this item to be placed on the Commission’s February 17, 2004 meeting agenda.

I-F – Request for In-Kind Support – Old Dillard Museum

Ernestine Ray, Curator Old Dillard Museum, stated the museum had been built in 1924 and was deemed a national historic landmark in 1991. She stated the Foundation had been created in 1995 and the facility served the area as a museum, cultural center and education center.

Ms. Ray stated that in 1999 they had a Comprehensive Cap Program Assessment which encompassed conservation and preservation planning for the museum. She stated they had evaluated the structure of the building and the artifacts. It had been determined at that time that a new roof, air conditioning system, carpeting, and other items were needed. She distributed a copy of that report to the Commission. She explained they were under the auspices of the School Board. She further stated that when the building was declared an historical site, there had been a tri-lateral agreement between the City, County and School Board. She explained that for 4 weeks they had no air conditioning which was not good for health reasons, along with the fact that it damaged some of the artifacts of the museum. She stated they were not a priority for the school system. She advised that the roof had been patched, but it needed to be replaced. She suggested that emergency measures be set up, and asked how such issues could be addressed.

Ms. Ray advised that they had over 2,000 artifacts at the museum, and many were paper documents which were difficult to save due to the problems at the building.

Mayor Naugle stated that one of the problems were the laws in effect. He explained they did not have the ability to send code inspectors on the site and force the School Board to maintain the property. The City Attorney replied that they were under the State Building Code. Mayor Naugle stated they did not have the ability to force the School Board into being a "good landlord." He stated that they could speak to the School Board, but the City did not have jurisdiction.

Ms. Ray advised that she had gone before the School Board on numerous occasions, and they had suggested that she encourage the City and County to join them in maintaining the facility. She stated that the School Board had done "band-aid" repairs, but the same issues dragged on year after year. He remarked that comments had been made to her that the School Board's budget had been cut also.

Commissioner Moore urged everyone to visit the museum and stated it was a beautiful facility.

Commissioner Hutchinson left the meeting at approximately 4:25 p.m.

Commissioner Moore stated that he was very frustrated because this was the School Board's facility and for them not to maintain it was inconceivable. He suggested they go back to the tri-lateral agreement and send correspondence urging there be some discussion as to how the team affect could be used for maintaining this facility. He suggested that the City's part could be to coordinate these meetings and looking at possible grants that could be requested. He felt they could possibly motivate the other members of the agreement into taking some action. He reiterated that the new streetscape along Sistrunk Boulevard would have a walk of fame consisting of pioneers of the community, and he felt this facility could offer economic opportunity for the area. He stated that he was not offering that the City would contribute any financial support because it was not available at this time, but he felt they could encourage dialogue between the other parties. He offered to coordinate such meetings with the permission of the Commission.

Commissioner Hutchinson returned to the meeting at approximately 4:28 p.m.

Commissioner Moore stated that he had been informed by Senator Dawson, as well as Representative Christopher Smith, that they would advocate this matter with the State. He stated that the School Board had cut the budget regarding summer programs, and he felt they did not do everything that they could. He reiterated that the building was not being utilized as they thought it would be when the project began.

Mayor Naugle reminded everyone that the School Board was going to receive \$4 Million from the sale of another historic building they had neglected, and possibly they could use some of those funds for the museum. Commissioner Moore stated that could possibly be part of the deliberation.

Ms. Ray stated that they had put in for a legislative appropriation request with Senator Dawson. Commissioner Moore added that the Senator had stated it would help her if the City Commission took a stand to assist in this matter.

Leola McCoy stated that she supported Ms. Ray and her requests. She remarked that the City had a lot of developers and contractors who could contribute to this project. She further stated that the problem was that the "black folk" had their historic artifacts and buildings ruined. She stated that the contractors had not put back anything into the neighborhoods and no minority workers had been hired. She reiterated that this was an opportunity for them to help the neighborhood preserve their history.

Commissioner Moore asked if they were a non-profit entity. Ms. Ray replied they were, and the Foundation had been chartered in 1995. Commissioner Moore stated that he would work with Ms. McCoy in contacting the private sector for contributions.

I-G – Swimming Hall of Fame – Proposed Pool Hours

Commissioner Hutchinson stated that she had received many e-mails about the proposed pool hours. She remarked that many individuals swam before going to work in the mornings, and were complaining they would no longer be able to do that due to the proposed hours. She added that many proposed raising the rates for the use of the pool, as long as the hours stayed the same.

Mayor Naugle stated he felt this was a symptom of how they thought they were saving money. He remarked that this proposal would eliminate part-time employees that they were not paying any benefits to, instead of getting rid of the higher-paid echelon. He felt this led to a bigger problem involving massive corruption in overtime in a department because there were serious management problems as shown by the Auditor's report. Commissioner Hutchinson stated it had been terrible. Mayor Naugle stated that people were taking funds they were not entitled to.

The Acting City Manager stated that the Auditor's report was a picture in time that ended last year and things had changed drastically since then. He stated that when they talked about the extent to which cutbacks had been made as part of the budget cycle, staff had been reduced overall by 8%. He stated that the percentage of management/confidential employees had been a higher percentage. He advised that across the board there had not been a disproportionate share of cutbacks. He stated there had been more reductions on the non-union side.

Mayor Naugle suggested that possibly an outside agency could provide services for the facility.

The Acting City Manager stated that one of the things they might consider during the budget workshop were suggestions for privatization. He remarked that he was withholding judgment one way or the other, and that they should have a healthy discussion of the subject. He felt Parks should be a part of that discussion.

Commissioner Moore stated that they had been talking about how to make the City function at its best. He further stated that if this was a privately run business and no one used the facility or individuals used it at a specific time, the facility should not be running at off hours. He stated they should run this like a business and obtain the highest return

possible. He suggested that they let the departments get through the interim period until they could hold a budget workshop and make some corrective actions.

Commissioner Hutchinson stated there were double the amount of swimmers in the morning hours. She suggested they close earlier in the evening instead of cutting back on the morning hours.

Stu Marvin, Parks and Recreation, stated that the biggest group of swimmers came in around 9:00 a.m. for the water aerobics program. He stated that group did not object to arriving at 10:00 a.m. He stated that any time a change was made from the normal routine, individuals were not pleased. He reiterated that most of the people were out of the pool by 7:30 p.m. and they would not affect many individuals closing a half-hour early. He stated they could not cut people because it took a finite number of individuals to run the pool so, therefore, they could only shrink the hours, and cut back on the part-time dollars.

The Acting City Manager asked if they were to increase the costs, what would be the amount. Mr. Marvin stated they had not really looked at that issue because they had been directed not to raise revenues or balance the budget on revenue projects, but told to cut costs. The Acting City Manager stated they were not to balance their budget on revenue projections that were not achievable during the year. He stated that other departments had increased their revenues. He asked if it was reasonable to assume that people would pay the increased rate. Mr. Marvin stated if they closed the pool during the hours proposed, the department would save about \$8,800 for 8 months.

Mayor Naugle stated they needed to remove the rule that they not consider revenue as a solution. The Acting City Manager stated he agreed they should consider revenue as a solution. Mr. Marvin stated there were many areas where he could consider increasing the revenue, such as parking, daily admission, and advanced pass admission. He stated that he might have misunderstood, but had thought they were to look at downsizing and reducing the amount of costs to run the facility.

Mayor Naugle stated that sometimes they could reduce the charge and still bring in more revenue.

Action: As discussed.

II-A – ArtSpace Housing Development Project

Faye Outlaw, Acting Director of Community and Economic Development, stated that this item had gone before the Commission in April, 2003, and at that time the developer had sought a resolution from the Commission to endorse a \$500,000 contribution towards the project from a block grant.

Mayor Naugle stated that they had negotiated down to \$110,000. Ms. Outlaw explained that the \$110,000 was a split between SHIP and CDBG funds. She stated they were recommending that it be proposed as a loan, as opposed to a grant which was what they had been seeking. She stated it would be structured in accordance with how the program operated as a 20-year deferred with 10 years deferred, and the principal kicking in the 11th year. Mayor Naugle asked if this was normal with this number of units. Ms.

Outlaw stated this was the standard and there was no deviation. She reiterated that it would be ArtSpace they would be dealing with, and not Lennar Homes.

Commissioner Moore asked if the 20-years had to deal with the rate of cost for that time period. Ms. Outlaw explained that the units had to be held before the 20-year period.

Action: Resolution at the March 2, 2004 Commission Regular Meeting.

II-B – Police Department – Proposed Action Plan for Street Solicitors

Commissioner Hutchinson asked for a list of the intersections.

Bob Pusins stated they were basically on Broward Boulevard, Federal Highway, and I-95. He stated further that he would e-mail the list to the Commissioners.

Mayor Naugle remarked that this was good for the safety of the people in the areas concerned.

Commissioner Moore left the meeting at approximately 4:50 p.m. and returned at 4:51 p.m.

Commissioner Teel stated that there was an individual selling newspapers in front of the Gateway Theater on the westbound lanes. She remarked that he was doing that in the late morning hours, but she felt he was creating a hazard.

Action: As proposed.

II-C – Audit Report – Parks and Recreation Overtime Practices

The Acting City Manager stated that he was impressed with the overtime reduction in Parks and Recreation. He added that he had asked for additional information regarding the individuals who had received more than \$5,000 in overtime last year, and he wanted to compare those numbers with this year's figures. He stated that he had not been able to do that on an individual basis, but wanted to do it from an overall standpoint.

Ernest Burkeen, Director Parks and Recreation, stated that the overtime in the department had been reduced considerably.

Commissioner Trantalis asked how that had impacted operations. Mr. Burkeen explained that it now took longer to get things done. Commissioner Trantalis stated that even before the "budget crisis" he had received many complaints about the medians not being taken care of. Commissioner Hutchinson stated that hopefully such services had not been done on overtime and were being done during the daytime hours.

Mayor Naugle replied that the audit report had shown that out of \$70,000 paid in overtime, \$55,000 had not been justified and there was no back-up documentation available.

Commissioner Trantalis assumed that overtime meant more "person hours" were engaged during the year, and asked what services were being performed that were not being done now.

Mr. Burkeen stated that two things had taken place. He felt they were doing a better job of scheduling employees, no overtime was being scheduled, and they looked at how to make better use of the employee's time. He remarked that things were not happening as quickly as they had in the past.

Commissioner Teel stated that she had heard from two different homeowner association presidents in regard to the work being done, and they had stated that they were very pleased. At Imperial Point, staff had taken the initiative of having some work done without the association having had to request it. She felt the employees were willing to "step up to the plate" and work harder and smarter.

Commissioner Hutchinson stated that she had been receiving complaints in regard to Riverwalk.

Commissioner Teel remarked that the complaints regarding Riverwalk had been around for a long time, even when all the overtime was being incurred which made it more distressing. Mayor Naugle remarked that there were 12 people assigned to the area. He further stated whatever they were learning from Parks and Recreation could be applied to other departments.

The Acting City Manager asked if the type of record keeping was similar throughout the departments.

Allyson Love, Internal Audit Director, stated that they were in the process of reviewing some of the other departments, and therefore, she could not explain what past practices had involved. She stated that there still needed to systems, policies, and procedures in place to ensure that overtime was well supported and documented.

Commissioner Hutchinson asked if one report could be brought to a Commission Conference meeting for discussion purposes.

The Acting City Manager stated they were sending the audits to the Commissioners as of October, 2003. He stated they wanted the Commission to review the reports, and if they had any concerns, he would schedule the items for the next conference meeting for discussion. He asked how often the reports were done. Ms. Love replied that they did about 23 a year. She further stated that every audit depended on the availability of staff to do it.

The Acting City Manager added that the Independent Audit Commission would also receive a copy of the reports, and during their review items could be flagged for the Commission's attention.

Action: As discussed.

III-B – Advisory Board and Committee Vacancies

Audit Advisory Board

Commissioner Moore stated that he wanted to appoint Kevin Blair to the Audit Advisory Board.

Action: Formal Action to be taken at the Regular Commission Meeting.

Beach Redevelopment Advisory Board

Commissioner Teel reappointed Brad Fitzgerald to the Beach Redevelopment Advisory Board. She also stated that she wanted to appoint Henry Sniezek to the Beach Redevelopment Advisory Board.

Commissioner Hutchinson reappointed her members Eileen Helfer and Al Miniaci to the Beach Redevelopment Advisory Board.

Mayor Naugle appointed Linda Gill and Judy Scher to the Beach Redevelopment Advisory Board.

Action: Formal Action to be taken at the Regular Commission Meeting.

Budget Advisory Board

Action: Deferred.

Cemeteries Board of Trustees

Commissioner Hutchinson reappointed Mark Van Rees to the Cemeteries Board of Trustees. She proceeded to suggest that Ann Platt be appointed to the Cemeteries Board of Trustees.

Mayor Naugle reappointed his members, Sharon Navarro and Sandy Casteel to the Cemeteries Board of Trustees.

Action: Formal Action to be taken at the Regular Commission Meeting.

Charter Revision Advisory Board

Commissioner Teel stated that she wanted to appoint John Milledge to the Charter Revision Advisory Board.

Action: Formal Action to be taken at the Regular Commission Meeting.

City Manager Recruitment Ad Hoc Committee

Commissioner Hutchinson appointed Richard Mancuso to the City Manager Recruitment Ad Hoc Committee.

Action: Formal Action to be taken at the Regular Commission Meeting.

Code Advisory Committee

Action: Deferred.

Code Enforcement Board

Commissioner Teel stated she wanted to offer the name of Myrna Roche for the Code Enforcement Board.

Action: Formal Action to be taken at the Regular Commission Meeting.

Community Appearance Board

Action: Deferred.

Community Services Board

Action: Deferred.

Economic Development Advisory Board

Action: Deferred.

Education Advisory Board

Action: Deferred.

Insurance Advisory Board

Action: Deferred.

Northwest-Progresso-Flagler Heights Redevelopment Advisory Board

Action: Deferred.

Unsafe Structures and Housing Appeals Board

Action: Deferred.

Utility Advisory Committee

Action: Deferred.

OB – South Side School

Bud Bentley, Assistant City Manager, stated that Robert Dunckel was in the process of negotiating the purchase with the School Board and the Florida Community Trust. He stated they had focused on the restrictions that the Florida Community Trust were placing on the property. He explained it was their recommendation that the portion of the property which included the building would be “pulled out” and their grant funds would be used for the remaining portion of the property. He explained the building would still be restricted in use because of the restrictions placed on it by the School Board and Broward County. Staff felt they would have more latitude in negotiating the language and restrictions of use with those two entities.

Commissioner Moore asked if this was going to cost the City any money.

Mr. Bentley replied that this would cost the City approximately \$326,970. He stated the recommendation was to pull this money from the CIP which was budgeted for exterior renovations of the property. The Acting City Manager went on to explain they had budgeted \$500,000 for this, and conceptually there would be more funds allocated next year. He stated further the idea was to take slightly more than 60% of the funds allocated for restoration, and use it towards the purchase.

Commissioner Moore asked if there were any estimates available as to the cost of the renovation of the interior of the building.

Commissioner Hutchinson stated they had toured the building and the same structural person that had worked on Dixie-Peele had gone along, and she believed the tentative amount was \$2.50 per square foot. Therefore, about \$2 Million was needed for the renovation of the building, including the interior and exterior.

Cecelia Hollar, Acting Public Services Director, stated that her understanding from Greg Kisela had been that about \$1 Million was needed for exterior repairs.

Commissioner Moore reminded everyone that the individual from Dixie-Peele had a 200% increase on his project. Commissioner Hutchinson stated it did not mean they were going to select him for this project.

Mayor Naugle stated that one concept was that possibly the user of the building could do the restoration.

Commissioner Hutchinson stated that she had spoken with Christopher Eck of the Broward County Historical Commission, along with Bill and Clare Crawford of the Fort Lauderdale Historical Society, and she felt these individuals were an asset in securing grant monies. She explained that in order to apply for the grant monies, they had to own the property because otherwise they would have nothing to match. Likewise, she stated the community was interested in putting together a not-for-profit foundation called "Friends of South Side," and she had found an attorney who was willing to work with them. She explained there was tremendous support for the renovation of this building. She felt they were fortunate that grant monies were available to purchase it. She remarked that no one had wanted it for over 20 years. She felt this was an opportunity to go after something and make this a priority.

Commissioner Trantalis stated that he agreed with the concept. Mayor Naugle remarked that they were obtaining a huge amount of land. Commissioner Hutchinson stated that Cathy Connor, Parks and Recreation, along with Tarpon River, had worked on a master plan for the park, and she felt there was an opportunity to go after in-kind services from contractors who did business in the City to help renovate the building, and make it a focal point south of the River.

Commissioner Moore suggested they move forward with this project.

Commissioner Trantalis asked why they were substituting the City's funds for other funds. The Acting City Manager explained that FTC had too many restrictions on what the building could be used for.

Commissioner Hutchinson further explained that FTC stated if the City used their money for the building purchase it could only be used as an historic museum or for environmental education. She stated they had previously discussed it being used as a community facility. She stated they would also be forced to renovate the floor plan exactly as the original, but they did not have a copy of the original floor plan.

Mr. Bentley stated that staff was hearing they wanted the educational option, along with other possible uses such as community use. Commissioner Moore stated he was not necessarily sold on the educational option, but if the community wanted that, he would go along with their desires. Commissioner Trantalis stated that it would make sense to grab this if it was to be used for something the City needed.

Mr. Bentley further stated they had to request the School Board and Broward County to revise their current restrictions which had been included in the contract. Commissioner Moore asked for some clarification in regard to such restrictions. Mr. Bentley stated that the School Board had stated it was to be used for public purposes associated with recreation, open spaces, historic, environmental, and educational endeavors.

The Acting City Manager stated that he thought their contract contained a misprint, but reiterated there were more restrictions on the County's part. Mr. Bentley stated that the County had stated: "The property shall be preserved as open space and for recreational use in perpetuity, but only buildings necessary for and in connection with the open space and recreational use shall be allowed."

Commissioner Hutchinson stated that when they had secured the money from the Land Preservation Board, the biggest discussion at the meeting had been centered around the preservation of the building, more so than its use.

Robert Dunckel, Assistant City Attorney, stated that in regard to the last restriction from the County which Mr. Bentley had just read, his conversation with them in the last 1-2 hours indicated that they were willing to put more flexibility into that text. He stated that previously they knew that the City had wanted to use the upper floor for Parks and Recreation offices, but they had asked him to draft some language for their review.

Mr. Bentley further stated that the last item in regard to this matter was a procedural option they wanted. He stated they had been traveling with a joint purchase concept, whereby the FCT would come to the table and purchase the contract. He explained that one of the options was for the City to purchase the property and then under the traditional grant, submit it for reimbursement to FCT. He stated that staff wanted the Commission's concurrence that this could be an option to use if necessary to make the deal easier and bring the matter to closure.

Commissioner Moore asked where the funds would come from within the City. Mr. Bentley explained they would internally borrow the money. Commissioner Moore asked about the timeline involved. Mr. Bentley stated that it would take less than one month. Commissioner Moore agreed. He further stated that when the final deal was brought to the Commission for approval, if they went with the reimbursement option, they would be specific as to where the monies were coming from and how the transaction would occur.

Commissioner Hutchinson asked when they were going to the School Board. Mr. Dunckel replied that he was meeting with them tomorrow at 10:30 a.m. in an attempt to resolve some issues.

IV - Commission Reports

Palazzo Trailer

Commissioner Trantalis asked what was the City's obligation in regard to the Lease Agreement regarding the Palazzo trailer.

The City Attorney stated that they had denied their site plan, and they have the option of returning with a revised site plan which met the requirements of the ULDR, but instead they had chosen to sue the City. Therefore, in regard to the lease the City's obligation was over when the project was terminated. He did not recommend any action while the litigation was pending.

Commissioner Trantalis asked if the City Attorney could review the lease and see whether or not Commission action against the site plan had been a trigger to terminate the lease. He stated they were being denied the use of the parking area because of the trailer at the location, and it was also unattractive.

Mayor Naugle stated that there should be an expiration date involved. The City Attorney stated he would check into the matter.

Las Olas Business Owners

Commissioner Trantalis stated that he had received many complaints in the last 2 weeks from business owners on Las Olas due to the 24-hour parking enforcement. He felt they needed to further discuss this item. He asked what was being accomplished by ticketing someone at 3:00 a.m.

Commissioner Hutchinson stated that from 3:00 a.m. to 7:00 a.m. one could not put money into the meters. The Acting City Manager stated that it depended on where the merchants were located that were opened 24 hours. Commissioner Trantalis stated that even daytime people were complaining. He believed this had to be user-friendly. He reiterated that Las Olas was a tourist magnet.

Mayor Naugle remarked that the rules had been changed without sufficient advance notice.

Commissioner Trantalis suggested they meet with the Parking Division and attempt to arrive at some resolution regarding this matter.

The Acting City Manager suggested that this item be scheduled for the Commission Conference Meeting on February 17, 2004.

Furlough Days

Commissioner Moore stated that he wanted some further clarification regarding the furlough days.

The City Attorney stated that he had sent a letter today to Anthony Livotti (Attorney for the FOPA) and informed him that they had granted a hearing for February 17, 2004, regarding their Motion for Clarification. He stated that the insulated period was now in effect.

Commissioner Moore stated he did not understand how something so simple could be misconstrued and suggested that the tape could have been reviewed of the meeting where the item had been discussed.

The City Attorney stated that the section of the tape pertaining to this matter was about 20 minutes long and copies could be made.

Commissioner Moore left the meeting at approximately 5:20 p.m.

Broward League of Cities Appointment for Land Preservation Board

Commissioner Hutchinson stated that she had been appointed by the Broward League of Cities to the Land Preservation Board.

Commissioner Moore returned to the meeting at approximately 5:21 p.m.

Pension Benefits/Widows of Retired Police and Firefighters

Commissioner Hutchinson stated that she had asked for another item to be placed on today's Conference Agenda, but apparently there had been some sort of glitch. Therefore, she wanted the matter scheduled for the next Commission Conference meeting in regard to the pension benefits for widows of retired police and firefighters. She stated that she wanted to reopen the discussion which had been held at the Conference Meeting. She stated that no vote had been taken. Therefore, she was requesting that the item be rescheduled for the February 17, 2004 Commission Conference Meeting.

Mayor Naugle stated that it had been his understanding that the Commission had reached a consensus regarding the matter. He stated no motion had been made, but two Commissioners had wanted this, but three had been against it. He explained that the normal procedure was that someone on the prevailing side would bring it up.

Commissioner Moore stated he had no objection to having it put on the agenda so the matter could be put to rest. He stated that he had been against this previously, and he was still against it.

Citizens Crime Alert

Mayor Naugle stated that he had attended the Citizens Crime Alert meeting last night and a great presentation had been made by the Police Department in regard to the efforts they were making and how they were meeting their new challenges. He proceeded to thank Commissioner Hutchinson for having the staffing chart distributed. He stated that after the personnel lost from the jail was subtracted, they had only reduced the police by two positions according to the chart. He added that the City of

Orlando had laid off 120 people. He reiterated that the City so far had only 19 reported layoffs, and many of those 19 were presently in temporary positions.

The Acting City Manager stated he thought that only 13 people had been affected in the City, and that reductions had been due to attrition because they were needed.

Mayor Naugle reported that comments had been made by the citizens that they appreciate how the employees were working harder and getting by with less.

V – City Manager Reports

Moody's Bond Rating

The Acting City Manager stated that they had a discussion with Moody's last Thursday. He stated that additional information had been provided to the firm and they were to respond shortly. He further stated that one of the items they had questioned him on was in regard to the City's reserve position, and their plans for re-establishing their reserves. He reiterated that no one-shot deals were going to be done next year, in particular with regard to capital outlays, CIPs, and preventative maintenance. He stated they had also asked about staff reductions, and to what extent were they permanent. Another item mentioned was whether they were going forward with a sustainable budget. He stated that he informed them the City had a sustainable budget, and there was a change in how the City was now doing business. He indicated to them that the City had cost savings now, fiscal restraints in place, a reduction in overtime, along with contingencies and their use. He felt this would not necessarily affect the City since they did not have any bond issues going out in the near future.

Commissioner Moore disagreed and stated the City would be affected. Commissioner Trantalis reiterated that the fire and police bond issues were scheduled for the near future. Mayor Naugle reiterated that of the top 10 cities in Florida, Fort Lauderdale had the highest credit rating.

There being no further business to come before the Commission, the meeting was recessed at 5:30 p.m.