

COMMISSION CONFERENCE**April 20, 2004**

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

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

OB – South Side School

Mayor Naugle stated that a report would be given regarding South Side School.

Commissioner Hutchinson stated that the contract had been approved for the purchase, and she proceeded to thank Bud Bentley and Bob Dunckel for their hard work.

I-B – Reorganization Plan

Commissioner Moore stated that he felt strongly about the Reorganization Plan once again appearing on the Commission Agenda because the Commission had asked for it to be placed for discussion at a workshop. He stated that today's meeting began late and they had wanted a different methodology for hearing the input. He felt this matter was being pushed on the Commission when a different direction had been given.

Mayor Naugle stated that the Commission needed to proceed in order of today's agenda. He remarked that it might be the consensus of the Commission not to discuss the item today.

Commissioner Moore remarked that he felt staff was going through a great deal of effort in order to make the mechanics work. Mayor Naugle reiterated that they needed to follow the order of the agenda as set up because some individuals who might want to speak on the matter might not yet be present. He stated if there were no objections, he would proceed with today's agenda.

Continued on page 3.

I-A – Sister Cities Relationship – Agogo, Ghana

Nuccia McCormick proceeded to introduce Marvin T. Chaney.

Marvin Chaney stated that it was with pride that they appeared today before the City Commission asking for support of their newest Sister City, Agogo, Ghana. He stated they had worked on this relationship with the cooperation of Citric Systems, US Department of State, and Sister Cities International. He stated that the Sister City organization had become a template for successful economic development for the United States. He stated that their economic development successes under the Sister City umbrella had been honored by the International Conference of Mayors, the Organization of American States, and Sister Cities International. He stated that a series of joint ventures had taken place between various entities.

Mr. Chaney advised that another of their successful projects was the Youth Scholarship Program, the Thomas McCormick Scholarship. He stated that all of their Sister Cities had an efficient County Chair where they were required to be actively involved in promoting their countries with the City of Fort Lauderdale.

Mr. Chaney proceeded to distribute invitations to the Mayor and Commissioners to the Golf Challenge, which was to be held during the first week of May, 2004.

Nuccia McCormick stated that today they wanted to introduce a new future Sister City Agogo, Ghana. She added this had become an important project for them because Citrix Systems was to be involved, and she was honored to be Chairman of this project.

Mr. Kennedy, Citrix Systems, stated that a brochure had been distributed concerning this company's community outreach. He stated that on the back of such brochure was a photograph of the Chief of Agogo, Ghana, who was the 32nd generation of his family to serve in the management of this city. He stated they had begun this relationship because they had done other projects in various cities and had learned that the technology built by their company was used by 50 million business people around the world. He stated that it could be very effective in improving the development of developing countries around the world. He stated they were asked to partner to proliferate their technology in such countries.

Mr. Kennedy further explained they wanted to create cyber sister cities where technology access centers were created. He stated they had built the first one in Collier City in northern Broward County, and were presently working on one at South Plantation High School. He also stated they were working on a third one in Downtown at the Institute for Community Empowerment (ICE). He advised they were building one of these centers in Agogo, Ghana, to create the first cyber sister cities in the world.

Mr. Kennedy continued stating they were not just embarking on another sister city relationship, but it would be about developing neighborhoods and helping to develop countries abroad. He explained this was about creating opportunity by using technology at both ends of the wire.

Commissioner Moore left the meeting at approximately 2:44 p.m.

Mayor Naugle stated that Citrix was one of the top companies in the United States and one of the best known local companies.

Commissioner Teel remarked that this was a wonderful opportunity.

Mayor Naugle further stated that the policy of the Commission was for them to approve after the Board of Directors of the Sister City organization put the City forward for approval.

Commissioner Moore returned to the meeting at approximately 2:46 p.m.

Ms. McCormick announced that the organization had already approved Agogo, Ghana, and they were waiting on the Commission's approval.

Action: Commission gave their consensus for approval of Agogo, Ghana as a Sister City.

I-B – Reorganization Plan

Continued from page 1.

Mayor Naugle stated that Commissioner Moore had raised the issue as to whether this matter should be discussed at today's meeting.

Commissioner Hutchinson stated that she understood Commissioner Moore's concerns, and announced that she had not been part of the majority at the last meeting who had wanted to hear the reorganization presentation. She stated there was a consensus that a special meeting was to be held regarding this issue, and she was still under the same mind set. She stated she did not object to hearing the plan, but she did not intend to support it. She stated that she still was standing by her comments from the last meeting, and stated they were on the heels to short-list their City Manager candidates. She added that there were things in the reorganization that peaked her curiosity, but this was not the time to do this. She asked why should the City Manager's office be restructured, when the Acting City Manager would be leaving. She believed they should offer the new leader the opportunity to structure the office in their way. She added that if the majority of the Commission still wanted the presentation to be made, she did not object to hearing it, but she would only be listening.

Commissioner Teel stated they needed to move forward and hear the presentation because she felt the more information available, the better informed everyone would be. She stated that she did not see any harm in hearing the information, but would reserve her comments as to whether she was interested in supporting the matter or not until after she heard such presentation. She felt there had been a good faith effort made towards having a special meeting, but for various reasons a consensus could not be reached. She felt if they did not hear the presentation, it was a disservice to the individuals who had worked on the document. She reiterated that she wanted to see some changes now instead of later.

Commissioner Moore stated that when the Commission decided to have an Acting City Manager that would not be someone presently on staff, it concerned him. He explained that it concerned him because of such issues as this one. He stated this person had offered his time in a valid manner and had addressed what the Commission had asked him to do, which was to allow the City to operate and function under a temporary manner until a new Manager would be selected. He reiterated that this person was the Acting City Manager, and they were looking for a full time Manager that would be hired and selected by the majority of the Commission to operate the City. Such individual would be chosen based upon their resumes, interviews, and whatever process they chose to use in such a selection. He reiterated that was the person who would be the steward of their government. He stated it would now be their turn as a full sitting Commission to select a person to carry out the agenda of this Commission. He stressed that it did not offer anything ill-advised in reference to the discussions placed on the table by their management team, but did state that the new person being hired would be getting 100% of their support for the mission of carrying out the Commission's vision for the City.

Commissioner Moore continued stating that dealing with anything pertaining to a reorganization in such a short window would be ill-advised. He stated that at the last Commission meeting, he had stressed the fact that one of his greatest concerns was that the more such issues were on the table and discussions held, the newspapers wrote certain comments which put the work force into a frenzy. He reiterated this was still his major concern. He stated that the Commission knew there was going to be a new Manager that all of them would select and have a chance to give input to and guide, as well as listen to that person's leadership and experience which they would bring to the table. He felt that would be the appropriate time to deal with a reorganization plan.

Commissioner Hutchinson stated that she had heard comments out in the community because this document had been discussed a lot, and people were stating that if they did not reorganize, they would not have a budget. She stressed there would be a budget. She stated that in reading this information, she stated it might make things more efficient in the City, but it would not save them any money in the budget. She stated that she was concerned in hearing from neighborhood leaders, that they would not have a budget if they did not do this reorganization. She reiterated there would be a budget. She stated that some departments would be adding positions, which did not save money. She felt at this time, if they were going to work more efficient, then they needed to work with less but do more. She stated if the majority wanted to have this presentation, she would sit back and listen to it.

Mayor Naugle stated that when the Commission held their workshop at the Airport, they had heard from staff that there needed to be changes made, and many employees were in favor of restructuring. He stated that he had asked the City Attorney, who had agreed with him, if about 90% of what was in this plan could be done without the City Manager asking the approval of the City Commission. He stated if it concerned moving monies between departments, then such approval would be needed.

Commissioner Moore reiterated that this person was the Acting City Manager.

The Acting City Manager had stated that he had been here at the City for over 6 months. Mayor Naugle stated there would be a new City Manager in 1-2 months, and it would be another 8 months before a new person would have the knowledge that the present Acting City Manager had gained during his tenure at the City. He reiterated that staff had stated that changes needed to be made. He felt they should not wait another year before putting some of those changes into place. He reiterated that he wanted to hear the reorganization plan, and if there were specific items that individuals were concerned about, such changes could be made. He remarked that he had heard comments from the development community about the Crass not reporting directly to the City Manager. He stated that he had heard one such complaint, and the matter could be discussed.

Commissioner Trantalis stated that somehow this issue had become personalized and he felt they needed to get away from that. He stated that Mr. Silva had done an excellent job in running the City during a difficult time, and he felt it was an ancillary matter to request him to make some suggestions regarding reorganization. He stated that he believed Commissioner Moore had referred to it as a "white paper." He felt it was to be a working document and over time it could be reviewed and discussed. He stated it needed to be given the time it deserved because they were referring to some fundamental changes within the government.

Commissioner Hutchinson left the meeting at approximately 2:58 p.m.

Commissioner Trantalis stated that in regard to the dialogue he was hearing among staff, the private sector, and the activists in the community, there was a lot of concern and he realized change was hard to sometimes accept. He stated further that he knew this was a big government that affected many lives, and he felt unless they gave it the opportunity to be heard in a manner that was appropriate, then they would be doing a disservice to the reorganization and to the people they represented. He stated that he had originally proposed a separate meeting for this discussion because it was not meant to be a primary focus of Mr. Silva's tenure as Acting City Manager. He remarked that it was an extracurricular activity that suddenly materialized, and he felt that Mr. Silva felt that through his time here he had seen some flaws in the system. He stated they were grateful that he was able to take the time and come up with such a plan that could be a road map for future change. He did not think anyone on the Commission was against the changes, but he felt they were talking about the process.

Commissioner Trantalis further stated that he was not in favor of hearing the plan today because he felt the process deserved more time for discussion than what could be allotted today. He felt it would do a disservice to the body of work that had been created. He remarked that he was not trying to be solicitous or flattering, but he was trying to be consistent with the comments he had made two weeks ago which were that if this plan was to be discussed seriously, then they had to give it the proper amount of attention. He stated that a lot of the suggested changes could be made, and believed that intra-departmentally they needed more change than interdepartmentally. He emphasized that they should assign this issue to a time where they could discuss it intelligently and give it the amount of time it deserved. He suggested that a special meeting be held with a majority being present.

Commissioner Moore stated that everyone's calendars were available at this time, and he suggested that staff meet and choose a time that would be convenient for all concerned.

Action: Special Meeting would be held regarding this issue, and a date would be provided later today.

I-C – City Manager Recruitment

Mark Kurfman, MGT of America, stated that as requested by the Commission at the March meeting, the Ad Hoc Committee had met and made their recommendations regarding the City Manager recruitment. He asked how the Commission wished to proceed with the matter and asked if they desired to discuss each candidate at this time.

Commissioner Trantalis stated that he wanted to see what measures had been taken in regard to the selection of the 11 candidates, and what additional information had been received concerning such individuals so they could proceed to the next step.

Commissioner Moore stated that it was his understanding that the Committee was to make some recommendations, which had been done, but he also thought that the Commission would have the opportunity to offer additional names. He stated that he wanted to stop the concept that it was only 11 names being submitted for consideration.

The Commission agreed. Mayor Naugle stated that the Commission reserved the right to add names to the list at their discretion.

Commissioner Moore further stated that he wanted a level playing field granted to all the candidates. He commented that he had received 2 resumes after the date, and suggested that such names be eliminated. Mr. Kurfman remarked that those resumes had been submitted after the process.

Commissioner Hutchinson stated that she had been under the impression that they would take the 11 names that the Committee had provided, and short-list those names to possibly 6-8 candidates. Then, MGT and City staff could do the background checks, testing, and continuing to gather whatever information necessary so the process could move forward. She reiterated that she was ready to submit at least 6 names today, but she did have one additional name, which had not made the list.

Commissioner Teel stated she was concerned about doing that because if they short-listed it now, and in those names some irregularities appeared, and possibly a name not included might have been a better candidate. She stated she had hoped for some sort of preliminary screening to be done.

Commissioner Moore further stated that he thought the process for today was that they submit 10-15 names, and of those MGT would do their further evaluations. He stated that he was in favor of staff's suggestion regarding the process to be used for the candidates. Then, the backgrounds could be reviewed, and if there were irregularities, then they could eliminate the list to 6-8 names.

Mayor Naugle stated that he was aware that a recommendation had been made that a subcommittee be appointed to do interviews, but he was not in favor of that suggestion. The Commission agreed.

Mr. Kurfman stated they had extended conversations with the 11 candidates, but no background checks had been done as of this date.

Commissioner Moore left the meeting at approximately 3:09 p.m.

Mr. Kurfman continued stating that he was comfortable in saying that the 11 candidates were good ones, and he did not think they were going to get any surprises.

Commissioner Teel stated that one candidate on the list was not presently working at the position he was in when making said application. She felt that was important to know, but she had found the information on the Internet. Mr. Kurfman remarked that he was aware of the circumstances for Mr. Hoover, and he did not think there was anything else that had not been uncovered regarding the candidates. He added that one week after submitting his application, Mr. Hoover had been terminated by his board.

Mayor Naugle stated there appeared to be a consensus to submit names and do the short list. Commissioner Trantalis stated that he was not prepared to do that today, but he would make up a list.

Commissioner Moore returned to the meeting at approximately 3:10 p.m.

Commissioner Trantalis stated that he had hoped that Mr. Kurfman might have listed some of their preferences out of the 11 candidates. Mayor Naugle explained that was what the citizen committee had done. Commissioner Hutchinson stated they had not interviewed any of them. Commissioner Trantalis stated that Committee was upset because they felt their participation had been truncated and had disbanded in protest since they felt they were no longer needed. He asked if Mr. Kurfman could provide more information regarding the candidates.

Commissioner Moore stated that he had hoped that Mr. Kurfman would meet individually with the Commission and provide such information. He did not feel such information should be made public at this point in time.

Commissioner Hutchinson stated that the Commission had provided valid instructions at their last meeting regarding the role of the ad hoc committee, and after the 11 names were submitted, the Committee was under the impression that the group was finished. She added that her appointments to the Committee had suggested to her that the Board be sunsetted since their services were no longer going to be utilized.

Commissioner Moore stated that if the Committee was disbanded, then the Commissioners could meet with their appointments and go over the information regarding the candidates.

Mayor Naugle stated that everyone should submit the names they wanted to go further in the process. He announced that the ad hoc committee was thereby sunsetted. He proceeded to thank the members for their hard work and efforts.

Commissioner Moore asked for a clear delineation from Mr. Kurfman as to how the Commission should proceed from this point on, and whether they should discuss staff's recommendation regarding a process.

Mr. Kurfman stated that he and staff had discussions and were in total agreement regarding the process to be used from this point on. He stated they felt they had a good group of candidates, and had discussions with each one. He felt they could proceed with staff's recommendations. He stated that it would be difficult to interview 11-15 individuals, and suggested that the list be reduced to about 6-8 names. He asked the Commission what process they wanted to use in order to reduce such list.

Mayor Naugle stated that was what the Commission was presently doing by listing the names they wanted to advance to the next level.

Commissioner Moore stated that if this professional firm was to be utilized to do the background research, he suggested they meet with Mr. Kurfman and listen to the information he had to provide regarding the candidates and then they could begin eliminating names. He did not feel it should be done just by reading the prospectus provided.

Commissioner Hutchinson stated that she was looking to personnel for assistance.

Action: Special Meeting to be held regarding further discussions of the candidates.

I-D—Status of Reef – Damage by Freighter off Fort Lauderdale Coast

Mayor Naugle stated that he had asked for this item to be placed on today's agenda. He stated that another freighter had been grounded and had done major damage to the reef, and believed some policy decision should be made in regard to requesting the State or County to be more restrictive towards these vessels. He stated that the vessels should be kept further off shore and more precautions taken.

Commissioner Moore left the meeting at approximately 3:19 p.m.

Commissioner Trantalis asked how far out the City boundaries went. The City Attorney replied that the State went out 3 miles, the County went out 12, and the City went out 3 miles also. He added that area was within the boundaries of the City. Commissioner Trantalis asked if the City had jurisdiction over that area. The City Attorney stated there were no regulations, but they had jurisdiction to put regulations in place. He added that maritime issues were also involved in this matter.

Mayor Naugle asked if they had the ability to state there were to be no anchors within 3 miles for certain types of vessels. The City Attorney stated they probably could not do that because 3 miles was close to 500'. He further stated they could place limits as long as there was no objection from the Coast Guard or the International Navigational Rules. He added that they could work with the Port and the Pilots Association.

Mayor Naugle remarked that there was no margin for error when storms kicked in

Bud Bentley, Assistant City Manager, stated that Hector Castro, City Engineer and renowned diver, had spoken with the County and the Coast Guard regarding this matter.

Hector Castro stated that Eric Meyers and his staff from the County's Biological Resource Division were also present at today's meeting. He stated that the County was taking the lead in this matter and overseeing the damage assessment, which would ultimately end up in concert with the Florida Department of Environmental Protection regarding any mitigation or restitution. He added that he had also spoken with the Captain of the Port, Jim Watson, and Bob Flynn, Director of Operations at Port Everglades regarding anchorage. He explained that the anchorage area was delineated on navigational charts by the Coast Guard. He stated they anchored in 60' to 70' somewhere in-between the second and third reef line north of the inlet. He further stated there had been numerous occasions where vessels had done damage to the reefs.

Mr. Castro stated that one thing the Commission might be able to do was to get involved with the committee that had been established, the Port Safety Committee that was looking to expand the area.

Commissioner Trantalis asked if everyone could contact their Congressmen to get involved and be the liaisons with the Coast Guard in trying to make such revisions.

Mayor Naugle stated that the Port had become a popular place with the cruise ships, and space was at a premium with high costs. He added that marginal shipping companies could not afford to pay the fees, and therefore, dropped anchor outside and loaded and unloaded. He added that due to future growth, the Port was going to become more of a challenge, and he felt they needed to draw a line regarding this issue. He did

not feel that participating with such committees would necessarily be beneficial because they would not have the City's perspective on the issue. He hoped that Mr. Castro could possibly make a recommendation due to his background.

Mr. Castro stated that he would do whatever he could to help work out a solution. He stated that they had 4 reef lines, and they needed to get out past 120'.

Eric Meyers stated that this concept came up in the late '80's and '90's when there was a working committee between the Coast Guard and the Port, along with the County and environmental groups. He stated that south of the Port there was a large cable field that the Navy Undersea Warfare facility was located, and that had been ruled out as an anchor area. Recently, he stated that some fiber optic cables had been installed to the south and the area was becoming quite cluttered to be considered for anchorage. He stated that what had dictated this was that an area approximate to the entrance to Port Everglades looking for a minimum depth between the 3rd and 4th reef to get to a cushion above the reefs, and the lines were drawn to provide some buffering thereby further reducing the area available for anchorage. He explained that once one was passed the 4th reef, the water depth dropped off rapidly, and they would be limited going east/west for an anchorage area.

Mr. Meyers stated there had been an acceleration of incidents over the last few years, and they would like to meet with the involved parties and see whether operations or footprints could be changed to provide for additional protection.

Mayor Naugle stated that in the last 10 years what had changed was the ability for a Captain to locate a proper spot with global positioning which had not been available in the past. He added that he believed pipelines were also being installed from the north and south.

Commissioner Teel asked what had been the success rate in the recovery of damages from previous incidents over the years.

Mr. Meyers stated there had been a general acceptance by the shipping companies that laws and terminations were in place at the State and Federal level, but generally they do what restoration activity was possible. He explained that only restored the framework, and in this case discarded the rubble.

Mayor Naugle stated that staff needed to make recommendations regarding future protection.

Bob _____ stated that he had gone on the web and had discovered that under beach erosion there were many things available. He provided information that he had obtained to the Commission, but stated that the company did not do dredging. He explained this company was located on the west coast of Florida. He added that their beaches that were the calling card to the world were eroding quickly.

Action: Staff to provide recommendations regarding future protection.

I-E – Employee Health Plan Update

Terry Sharp, Finance Director, stated that the Commission was being provided an update with positive information regarding their self-insured health program. He advised that during the last 3 ½ years many changes had been made.

Floyd Rhodes stated that since they had been hired in 2002, this report represented the most positive update they had been able to provide since the health plan's inception. He stated that many changes had been made, and the current deficit had been reduced to \$4,907,000 that was down from \$7,439,000 in 2002. He stated that based on all the changes, they felt there would be continued significant reduction of the deficit, and possibly elimination of such deficit during this calendar year. He explained that the original plan that had been set up with the actuary had called for a deficit elimination by the end of fiscal year 2006. He announced they were presently ahead of schedule. He added that a benefit coordinator had been added which had a positive impact on the day-to-day operations in management. He stated they met monthly with the vendors, as well as AvMed to make sure that all services were being provided in a timely fashion. He stated that based on his experience with the City's previous health plans, the plan in terms of service was better now than ever before. He advised that the number of employee complaints received were minimal at this time.

Mr. Rhodes further stated that the North Broward Hospital District continued to be one of the most significant PPO changes made, and the change in health plan administrators (BMC) became effective May 1, 2004, and continued to provide excellent service. He stated that the negotiations they were involved in with Dimensions, which was a sublease network of Holy Cross, had provided significant discounts. He explained that the PPO Plan benefit changes had been made to encourage utilization of the cost effective NBHD, and such outline was provided. He advised that pharmacy benefit changes had been significant, and they had eliminated over-utilization of life style drugs, and discouraged utilization of high cost brand drugs, in addition to implementing other quality assurance programs to mitigate pharmacy trends seen.

Mr. Rhodes continued stating that they would see a positive impact with the addition of AvMed's exclusive provider open-access option. He stated that they had been able to revise the specific reassurance coverage, and the previous plan that was utilized from inception had been a specific reassurance plan with \$100,000 aggregating deductible and that had been removed from the plan. There was now a flat specific reassurance that reduced the City's exposure, and in addition they included an advance funding procedure. Once the first claim is filed, the reassurance company would pay the claim and that would improve cash flow. He stated that this had not been without pain to the employees. He added that the removal of the dental benefits from the self-funded plan and putting them into a fully insured plan had proven to be cost effective.

Mr. Rhodes proceeded to explain a chart of the changes. He explained that the percentages had represented discounts off billed charges. Previously, with the network the plan had only provided a 22% discount, and the NBHD direct deal was estimated at 53% off charges. He added they did not charge an administrative fee. He stated this was a good thing for the PPO Plan. He stated that the PPO Next Plan continued to have discounts in the range of the previous plan, but they had made changes to this network in an attempt to encourage individuals to use the NBHD network. He explained that the most significant discounts they were seeing were with the AvMed Plan and in the

hospital district amounting to 70%. He stated they represented snapshot discounts that could vary month-to-month based on types of utilization. He remarked that they would not vary significantly.

Mr. Rhodes further stated that the fact the AvMed Plan had been done on an open access basis helped to minimize the complaints of moving to an exclusive provider plan. He stated that employees could take advantage of the facilities with less out-of-pocket expenses with such plan due to the benefit design. He stated that in regard to health plan enrollment in October, 2002 they had 1,669 employees in the plan, including retirees, and as of March, 2003 when the EPN Plan had been implemented, it dropped to 550, with 1,000 employees joining the EPN Plan. He stated that was better than what the RFP Evaluation Committee had estimated. In September there was also a rise in the EPO Plan due to a contribution increase from employees, along with another slight jump in January and February. He stated further they had minimized enrollment down to 193 as of February, 2004 and the EPN was presently at 1,263. Regarding total health plan enrollment, Mr. Rhodes stated they had seen some individuals drop out of the plan. He stated the changes in the employee monthly contributions had been significant, especially in August when major changes had been made, but from July, 2003 single coverage in the PPO went from \$34.67 to \$168.46. He stated that family coverage went from \$86.67 per month to \$406.49. He stated one could understand why there had been a shift to the EPN Plan.

Mr. Rhodes continued stating that there had been the same type of impacts in the management active area, and some changes in January due to collective bargaining issues in the general group. He stated more contributions had been made since the plan had been first implemented. He added that such contributions were in line with the marketplace. He stated that the City's contribution in 2002/2003 was \$10,614,000, and the projected amount for this year based on the enrollments in January and February would be \$11,730,000, which included an additional \$2 Million that had been budgeted by the City and deposited on a monthly basis. He added that the 11% increase in the City's contribution was under what was seen in the medical trends that were running about 12% to 15%.

Mr. Rhodes proceeded to explain some of the benefit changes made under the PPO and NBHD areas. He stated that under the PPO network they had added a calendar year deductible of \$250, and out-of-pocket maximum co-insurance had gone from \$500 per individual to \$1,000, and co-insurance for families went from \$1500 to \$2000. He reiterated that people were encouraged to use the NBHD network. He stated they had changed out-of-network prior to 1/1/04, which had been \$1500 per individual and \$4500 per family, and it went to \$2000 individual and \$4000 for family. He also stated that changes had been made to the EPN, and prior to January 1st in order to have the program implemented in March, the Plan selected through the process had been a richer one than most in the marketplace. The changes that took place on January 1, 2004, brought things more in line with the marketplace.

Commissioner Hutchinson left the meeting at approximately 3:50 p.m.

Mr. Rhodes also stated that they had added a low option plan and only 28 employees had chosen such plan, including some retirees. He stated that plan could hold promise for the future if they could make the revenue differential slightly different.

Commissioner Hutchinson returned at approximately 3:51 p.m.

Mr. Rhodes stated that in-patient admissions went from no charge on the EPN prior to 1/1/04 to \$250 per admission. He stated that the benefit levels that were now in place were more in line with the marketplace. He stated that prior to 1/1/04, prescription drug benefits were at \$10 and \$20, including mail order, but effective 1/1/04 the change was \$10, \$20 and \$35 for non-preferred brands, and went to a two-times retail co-pay for the mail order. He stated that was consistent with the marketplace. He stated they had also implemented other changes per industry recommendations, including limitations on supplies for certain types of medication. Higher authorization requirements were instituted for other medications beyond certain amounts, including sleeping pills. He stated they wanted to prevent over-utilization and abuse.

Mr. Rhodes proceeded to show and explain a chart regarding the EPN Plan.

Commissioner Moore asked if the benefits manager attempted to find a way to get an individual into a program had to take prescription drugs for a life-long illness. Mr. Rhodes stated that the current provider did not have a program in place at this time to encourage individuals on maintenance medication to utilize mail-order, but this could be considered at a later date. He stated they were recommending that an RFP be created for the EPN and such a program could then be considered. Commissioner Moore reiterated that such a plan was needed for those individuals. He further asked if such individuals were given materials and information through the website or in other ways to encourage them to change their patterns to improve their medical care. Mr. Rhodes stated that AvMed had an assertive disease management program, and PHCS did their utilization review and worked with benefit management on large claim cases. He further stated that they did not have anything for disease management programs at this time. Typically, he explained such programs were tied in to a plan such as AvMed, CIGNA, and Blue Cross/Blue Shield. He stated the population at this time on the PPO Plan was down to 198. He reiterated that the majority of the employees were in programs that offered such services. Commissioner Moore suggested that this be explored and discussed more in the future.

Mr. Rhodes stated that they needed to remember their health plan was a total health plan with two options. He explained there was a prima choice option (PPO) and a provider option. Of the 198 employees in the PPO plan, they remaining there because their providers were not in the EPN plan and may have a health condition and do not want to change their provider. In addition, he stated there were retirees who lived out-of-the area that AvMed could not service, and the PPO Next Network was a national network and helped to cover such individuals. He stated the good news was that there was enough money being paid on the EPN to offset the losses. He stated the other good news was that they had minimized their exposure in the PPO Plan in terms of enrollment, thereby affecting claims.

Mayor Naugle asked when they would again assess for contributions. The Acting City Manager stated that he had brought up that question also. He stated that he had attempted for the last 6 months to make sure the plans were actuarially sound, and that one would not subsidize the other and they could both stand alone. He reiterated that this made him worry because this was not an actuarially sound program. He stressed that if the two were combined, then it would be a sound program, but when combining them the subsidy of individuals in EPN were going towards the PPO. He asked if they

tried to have one subsidize the other in different plans or were they to be both actuarially sound.

Commissioner Moore stated they looked at the pool because it was a total plan. He explained it would be cost prohibitive to do what he had explained. He stated adjustments could be made. He remarked that he was impressed with the changes that had been made and how well the plan was shaping. At some given date, he felt they could have a good reserve. He stated they only needed an actuarially sound plan. He felt the PPO participants would end up being retirees due to a health condition or medical relationship with a doctor or hospital and were out of network.

Mayor Naugle stated that at some point the group would become too small and they would not be able to carry it. Commissioner Moore stated what would happen was that in adding contributions by the employees, they would jump into the lower EPO in order to maintain costs.

Mr. Rhodes reminded everyone that this was group insurance and that the risk had to be shared. If it was the City's intent to maintain a freedom of choice plan, then they could not look at this on a plan-by-plan basis, and they would have to look at the total.

Commissioner Moore stated that when the numbers in a PPO began to get low, recommendations would probably be made to change. Mr. Rhodes pointed out that these figures were based on paid cost and paid revenue, and therefore, as the shifts were occurring to the EPO, the PPO had been paying out the claims incurred but not yet reported, and not collecting any revenue to offset those individuals. He remarked there was no reserve to cover such claims. He felt they were going to start seeing a smoothing out of claim levels in comparison to revenue.

Commissioner Moore further stated that this was performing well and wanted everyone to remember that this was a projected number for the deficit, and based on how the plan was now working, it could possibly close itself out. Mr. Rhodes proceeded to show the numbers for this fiscal year through February. He stated the figures were shared with all involved parties and monthly reports were given. He stated the loss ratio of the PPO at 140% was inflated due to the incurred but not reported claims, and the EPN was slightly understated because it did not include claims incurred but not reported, but the overall loss ratio at 76% was good in comparison to how the plan had been run previously.

Mr. Rhodes stated that they also looked at what percentage of the total claims were prescription drugs. He explained they were not added together and prescription drugs were included in the net health plans at 88% of the total expense. He stated the net health plans were in the range of 74%. He stated that dental plan claims were under the same plan and proceeded to show a chart explaining the figures.

I-F – Code Advisory Committee

Mayor Naugle proceeded to recognize the members of the Code Advisory Committee, and stated that the Commission was being asked to vote upon their recommendations. He announced that items requesting ordinance changes would be brought back to the Commission, but other items that could be adopted as part of policy could move forward at the Commission's discretion.

Commissioner Hutchinson stated that she had spoken to some of the members of the Committee, along with Lori Milano, and her concern was that once the Amnesty Program was over, what happened on March 2, 2004. She stated that a list had been generated of outstanding violations, and asked how they could be pursued. She further stated that she did not want to hear lien settlements at the Commission meetings and to have the politics removed from such proceedings. She continued stating that she wanted to have the City Manager's office pull in the monies from the code liens. She suggested that a level could be set by the Commission giving the City Manager such authority.

Mayor Naugle stated that on tonight's agenda was the discussion regarding foreclosures and the hiring of two law firms to work with the cases that were non-homesteaded.

Commissioner Hutchinson stated there were still fines owed to the City and liens on properties, and they needed to get to the point where such documents did not exist.

Mayor Naugle stated that in some cases the liens were higher than the value of the property concerned, and such fines would be uncollectable. Therefore, the public should not go by the total figure shown on the list.

Commissioner Hutchinson reiterated that now they needed to pursue the rest of the liens, and asked once again what happened after March 2, 2004. Mayor Naugle asked if they had a breakdown of the properties and stated that they could pursue the violations on non-homesteaded properties. Commissioner Trantalis asked if a municipal lien was attached. The City Attorney replied it was not. Commissioner Trantalis stated that even if they sold the property, the City could not collect because they were proceeds from the sale of homesteaded property. The City Attorney explained there was some confusion in the law regarding that subject. He stated there was a Supreme Court case which stated that for homestead property liens did not exist, but then it looked like that if the property was sold and the monies not reinvested in another homesteaded property "within a reasonable time," whatever that might be, then the lien could attach but the money had to be tracked within the reasonable period of time and make sure the monies were not disbursed to attach the lien to.

Mayor Naugle stated that the only reason he mentioned this was to know what the percentage was of such properties.

Lori Milano, Director Community Inspections, stated that such a report had not been done, but she could have one prepared.

Margaret Haynie Birch, member of the Code Advisory Committee, stated that most of the properties on the list were residential homes, but were not homesteaded properties. She reiterated that they were investment properties.

Mayor Naugle clarified the definition of a homesteaded property. The City Attorney stated that in moving forward with the 2 law firms they were proposing to hire for this work, they would pre-review the cases before turning them over for collection.

Commissioner Hutchinson stated her issue was in regard to the fines they had presented at the Commission meetings, and she felt if the Manager's Office and the City Attorney's Office handled those issues, they could proceed at a faster rate. She felt there needed to be a different type of process because the present system was too

cumbersome. She stated she did not want to hear all the excuses, but wanted the fines paid.

Commissioner Moore stated that due to the amount of time put into these recommendations, he wanted to hear from the Committee. He further stated that staff was willing to proceed with some of the recommendations, and he was in agreement. He felt they might be persuaded regarding other issues that the Committee had yet to move forward on.

Commissioner Moore stated that the number one issue for him was a person derelict in their property ownership, and the City boarded up property, and then the building remained in the community because the City used tax dollars to make it a safe and sound building. He asked why a nuisance property should be maintained by tax dollars.

Mayor Naugle stated that Code was not required to do a board-up, and matters could still go before the Unsafe Structures Board. Commissioner Moore stressed it was important to have a procedure manual. The City Attorney stated that one of the problems was that if the building was not unsafe, it could not be torn down.

Commissioner Hutchinson referred to recommendation #7 which pertained to creating a neighborhood nuisance board. She stated there already was a Nuisance Abatement Board, and asked how the Code could be changed to allow that Board to address consistent problem properties. She added that she had already spoken to Ellyn Bogdanoff about the problem. The City Attorney stated that more empowerment was probably needed from the State to give the Nuisance Abatement Board more authority.

Mayor Naugle asked if staff could assist in making recommendations for legislative changes.

Commissioner Hutchinson stated that some of the properties were not unsafe but were continuous problems in regard to trash, derelict vehicles, and the like, and she felt there had to be an avenue to be able to shut down such properties.

Commissioner Moore stated that the Commission would take a risk for things they felt were important, but he did not feel they were taking a risk of satisfying the residents of Fort Lauderdale in regard to nuisance properties. He reiterated that was the purpose of this committee so as to hear the voices of the citizens because they were dissatisfied with the results of the City's existing ordinances. He stated that nothing had been done in 17 years, and reiterated that they kept arguing about the same properties and concerns in the same ways. He further stated that something creative had to be done and the people wanted to see results regarding such properties.

Commissioner Moore further stated that the issue regarding foreclosures was going nowhere. He felt the actions tonight would be far from making any type of impact. He stated if there was language in the ordinance, the matters could be resolved more efficiently.

Commissioner Moore proceeded to review the items on the list. Regarding #1 the Committee had recommended that "...such time period shall be no more than 30 days." He stated that the Legal Department on their draft had stated "...unless providing a longer time period is reasonable." Commissioner Hutchinson stated that was giving an

individual all the time in the world. Commissioner Moore stated if the ordinance was not codified with a definite date, then individuals would hedge around it. He emphasized that he did not understand why that caveat had been included. Mayor Naugle stated that it took 2-3 months to obtain a permit, and someone might want to correct a violation.

Commissioner Moore stated that he was frustrated with this government attempting to produce results for the citizens under the licensing of the apartment dwellings. He stated that the Committee members and activists would say that most of the properties were rental income single-family homes. He felt if the Commission wanted to address these recommendations, they needed to deal with the problem on the front end. He urged the Commission to find a way to encourage staff to create a method of crafting an ordinance in order to obtain results, rather than continuing and delaying the blight in the communities.

Mayor Naugle stated that the Commission agreed with the recommendations of the Committee. He asked if the Commission wanted to extend the Committee's term for another year. Commissioner Moore suggested that the Committee be extended for 6 months.

The City Attorney stated that regarding #1, an ordinance had been drafted. He stated that the State Statute pointed out that the "...time shall be reasonable." He reiterated that no specific amount of days had been listed. Commissioner Moore stated that in accordance with the ordinance, the City was saying reasonable was 30 days.

Lori Milano, Director Community Inspections, stated that the reasonable component, which had been discussed with the Committee, was intended to allow the individuals who had specific situations to work with the community. It was not intended to allow habitual violators to have more reasonable time. She stated that staff was very in-tune with that concept. Mayor Naugle stated that in various cases the time range would be different depending on the circumstances.

Commissioner Moore stated they were not getting results, and the system presently in place was not satisfactory. He stated that he kept hearing the same explanations over and over again, and the same problems still existed. He stated that he wanted them to be more aggressive on the front end, and find a way to stop these problems from reoccurring.

Action: Code Advisory Committee to be extended for 6 months. Resolution would be presented at the Regular Meeting.

Mayor Naugle stated they would continue discussing this item after the closed door session

CLOSED DOOR SESSION

MEETING RECESSED AT 4:28 P. M.

MEETING RECONVENED AT 4:50 P.M.

I – F – Code Advisory Committee

Commissioner Moore reiterated that he wanted staff to be creative and bring forth results regarding the issue.

Bunney Brenneman, Chair Code Advisory Committee, stated that due to a recent illness, she was not able to speak well at this time, and announced that the Vice-Chair of the Code Advisory Committee, Ginnee Hancock, was going to speak.

Ginnee Hancock stated that one of the things that the Committee wanted to address with the Commission was that they wanted them to get out of the lien review process. She further stated that another issue was that they wanted a positive team member from the Legal Department to work with the Committee regarding timely review and implementation. She reiterated that many times when the Committee was attempting to work on motions, they only would hear from Legal that something could not be done, instead of being informed how it could be done.

Commissioner Moore clarified that the Committee was asking Legal to show them how to resolve a problem. Ginnee Hancock reiterated that Legal needed to work with the Committee in order to implement motions that could be accomplished, instead of placing road blocks in front of their efforts.

Bunney Brenneman stated that recommendation #15 was that any property within the City limits have a maximum board-up time of 18 months, and after that time period the City was to demolish the structure. She also stated that in regard to item #17, a Motion had been made to have the Nuisance Abatement Board address the continuous boarded-up structures within the City. She stated the Committee felt between those two recommendations, they would be addressing the concerns raised by Commissioner Moore and attempt to make a positive difference in the neighborhoods who had such problems.

Commissioner Hutchinson reiterated that it was not just boarded-up structures that were nuisance properties, but also those that had laundry lists of continuous code violations. Commissioner Moore agreed.

Mayor Naugle stated that in mentioned the Nuisance Abatement Board in connection with boarded-up properties, it could also be “and/or unsafe structures.”

Ms. Brenneman stated that the City had not utilized the Nuisance Abatement Board for such problems, and the Committee felt their duties could be expanded to address such problems.

Ms. Hancock stated that the citation form had been eliminated from the Commission’s back-up material and proceeded to distribute copies. She explained that this was a process that the Committee had worked on for about one year that would allow the inspectors to issue a ticket on-the-spot. She stated the Committee felt this could speed up the process and provide more immediate results.

Tim Smith stated that he felt this was on the right track. He mentioned that he had been the Chair of the Code Ad Hoc Committee for the Code Amnesty Program, and he stated that he and many others had spent about one month calling the individuals on the list

which totaled the \$53 Million, and he reiterated that many of the individuals were serious slumlords. He stated when they spoke to those individuals, they were informed that the City would not do anything about their fines. He stated that they had explained to the people that serious steps would be taken by the City to collect the fines. He replied that the individuals stated that the City was not going to do anything. Mr. Smith stated the citizens were afraid the City was going to continue doing nothing. He further stated that some of the Commissioners did not want to adopt the Amnesty Program because they felt additional monies could be collected, but the citizens wanted to challenge the Commission to attempt to do that. They did not feel the Legal Department would do it, and it would be difficult because many of the properties were upside down, and the City might never collect even \$1.00 on them but they still had to attempt to collect. He reiterated that some of the properties had been abusing their neighborhoods for years. He stated that he wanted to challenge the Commission to look upon that list seriously that had been presented by Commissioner Hutchinson today.

Mayor Naugle stated that the reason for the foreclosure was that it could provide for a change of ownership. He stated they might not collect any monies and additional funds would be spent in the process, but possibly a new owner would maintain the property.

Tony Pinto, President South Middle River Civic Association, stated that he believed in what was being brought forward. He stated that their neighborhood struggled with such problems on a daily basis. He explained that the problem was large, but it also had sub-problems attached to the main issues. One of the sub-problems they found was the Legal Department because properties sat in such conditions forever, and nothing was ever done. He replied they were always informed that someone was working on the situation, but yet the problem never went away. He stated there were weaknesses in the ordinances that permitted these individuals to get away with such things.

Commissioner Moore stated that he felt nuisance abatement was a vehicle they kept attempting to use. He felt it should be used where possible, but he would prefer that something be created that would be significant to the specific problems being incurred. He felt something should be in the ordinance that stated if within a certain time period an individual was cited for the same violations, then the property should be shut down. He stated that these problems existed for too long a period of time.

Mayor Naugle asked if the Commission wanted a monthly update regarding the preparation of such an ordinance. The Commission confirmed.

Commissioner Hutchinson stated that doing the Code citation should not take months. The City Attorney stated that it might require an ordinance for implementation, and stated that he would review it.

Mayor Naugle stated that the Code people worked very hard, and he felt there had been some improvement in the City. He reiterated that the problems were being worked on, and he did not want all the negative comments being directed toward the Legal Department. He stated that the citizens of this City demanded that they keep doing better, which he felt was a good concept.

Ms. Milano stated that staff was committed to the neighborhoods and were working with the Committee. Committee Moore asked if any of the homeowners had been cited

regarding the hedges. Ms. Milano stated that she did not know, but would check on the matter and provide a written statement to the Commissioner.

I-G – Florida Department of Transportation (FDOT) – Proposed Improvement Project – SR 811/NE 4th Avenue from Sunrise Boulevard to the south fork of the Middle River

Commissioner Hutchinson asked if they had gone into some of the northwest neighborhoods that were to be impacted by the project. Commissioner Moore confirmed.

Peter Partington stated that a public meeting had been held in August, 2003.

Commissioner Moore left the meeting at approximately 5:05 p.m.

Tim Smith, President Middle River Terrace, stated they were satisfied with the recommendations being made, but there was a rumor in the area that with the improvements on 4th Avenue, there was a move afoot regarding the widening of Dixie Highway. He stated they were absolutely opposed to that and if DOT wanted to design Dixie Highway, they would continue to oppose the issue.

Tony Pinto, SMRCA, stated they also were satisfied with the recommendations proposed. He stated that they would be opposed to a reduction in lanes on 4th Avenue, and would prefer to leave it as it existed.

Commissioner Hutchinson stated that a presentation should be made to Middle River Terrace and South Middle River, and give them an opportunity to see the project. She advised that things came back “to bite them” regarding 17th Street and Federal Highway because a presentation had been first made to the Commission and not to the neighborhoods. She felt it was important for the neighborhoods to receive the information.

Commissioner Teel proceeded to quote from the back-up materials as follows: “We would not, however, be in a position to maintain landscaping or new medians.” She asked how much landscaping they were actually referring to. She added that she was very concerned about that comment.

Mr. Partington stated that in the current proposal there would only be two small medians in the vicinity of the school south of the City limits. He advised there were proposals for landscaping on either side of the road. He explained that two alternative treatments were being proposed. He explained one was for brick pavers with trees, and also a more elaborate treatment. He remarked that the City would have to maintain the brick pavers. He proceeded to show photographs of the landscaping that would be installed. He added that maintenance would be minimum. He advised that individuals would not be encouraged to park in the area and there would be raised curbs.

Commissioner Trantalis stated that he felt it was important to obtain feed-back from the neighborhoods. He asked if any changes were to be made to the road itself. He was informed that the work entailed resurfacing and restriping.

Commissioner Moore returned to the meeting at approximately 5:09 p.m.

Mayor Naugle stated that this needed to go back before the concerned neighborhoods. He was informed that a public workshop had been held and a mass mailing had gone out to the surrounding neighbors. He added that this was the next step for the project. Mayor Naugle suggested that the project go before the Association's next scheduled meeting.

Mr. Pinto advised that they had not received any mailings, but individuals had heard about the meeting and had passed on the information.

Mayor Naugle asked if a joint meeting could be held with the groups. There was no objection to a joint meeting.

Commissioner Teel asked what was happening in front of Home Depot. She was informed that it had been built by Home Depot, and originally their project had begun at Sunrise going to the Bridge. He explained that Home Depot built the first block, and therefore, the scope of their project had been reduced from 11th Street north.

Mr. Partington stated that he did not like the way the project had turned out, and it appeared that the median was misaligned.

Commissioner Teel stated that she was hearing complaints from individuals. It was stated that there was not enough right-of-way to shift the alignment.

Commissioner Hutchinson asked who had approved the plans for the median. Mr. Partington replied they had been approved by FDOT.

Mayor Naugle announced that the Commission would not take a position on this matter until the issue was presented to the neighborhoods.

Commissioner Trantalis stated that he would encourage them to use landscaping over concrete if possible. He was informed that FDOT was concerned about maintenance for landscaping requiring irrigation.

Commissioner Hutchinson stated that it appeared odd that DOT would permit a median that was not properly built. She asked if they could get them to go back and review the matter. She added that she wanted a report brought back on the item. She was also informed that the turning light had been installed incorrectly. They were on 11th Street and should be on 4th Street.

Action: None taken.

I-H -- Baltimore Orioles – Fort Lauderdale Stadium Spring Training Operations

Vince Gizzi, Parks and Recreation, stated that Alan Koslow was present today from the Orioles. He advised that the Stadium was due to be closed due to budgetary reasons on April 30, 2004. In an effort to keep it opened, they were attempting to negotiate with the Orioles to agree to a 2-year deal with a 1-year option, and have the Orioles pick up the deficit on the facility. He explained they had been unable to come to terms on a financial agreement with the Orioles, and therefore, they were looking at trying to keep the facility open for the next 5 months, but the cost would be approximately \$475,000 to the Orioles. He explained further that part of the agreement was that the Orioles would do

another arrangement for the next 2-3 years. He stated that at this point there was no agreement, and the bottom line was that the Stadium was to close on April 30, 2004.

Commissioner Hutchinson asked what was the status regarding the money in Tallahassee.

Mr. Gizzi stated that he had spoken with the lobbyists and was informed that it was still under consideration, and hopefully they would know by April 30, 2004. He reiterated that they felt they could do the deal for at least 5 months until they knew about the State money, and if received once it went into effect, they would have to do at least a 15-year deal which was part of the State's requirements.

Commissioner Trantalis asked if the State did not grant the money were the Orioles still interested in taking on the operation of the Stadium at a rate that would permit the City to break even.

The Acting City Manager stated that during negotiations one of the things he wanted to do was to have a type of event come to the City with the same benefits they would have received had they accepted the Fair proposal. He stated that was to not only cover the deficit, but to also deal with the ADA improvements in a timely fashion, while providing a \$100,000 per year benefit to the City over and above the deficit. He explained that on a pro-rata basis, it would total \$140,000 per year. He further stated that the concern raised on the part of the Orioles was in reference to the extra \$100,000. He explained that his concern was that he wanted to get the best deal possible for the City, and match what someone else had offered.

The Acting City Manager stated it was his understanding that they were also thinking in terms of taking over the operation, and for all intents and purposes the deficit would be zero because they would be assuming the entire burden. He stated that would not provide the \$100,000 per year that the other proposal had offered.

Alan Koslow, Oriole organization, explained they were trying not to renegotiate what the Commission had approved, but he was sure they were well aware that when they had received the Commission's nod of approval to obtain the State funding, the Fair's proposal had been rejected. The Orioles had been asked to work with staff regarding a short-term agreement with a view towards a long-term agreement and not go back to the \$100,000 item. He stated the Orioles had no objection if the City wanted to have the Fair at the site as a policy matter.

Mr. Koslow explained that the Orioles had offered to work with the City regarding the deficit, but more importantly the Orioles were the only ones who had the chance of getting significant capital money to either renovate the Stadium or build a new one. He reiterated that the Fair did not bring that to the table, but the Orioles did. He explained the State had the policy of giving spring training facilities money.

Commissioner Trantalis asked if the State did not grant the funding to the Orioles were they prepared to take over the operation of the Stadium at a level that would not cost the City money.

Mr. Koslow replied that they were prepared to negotiate for that, but they did not believe the way the facility was presently being managed was the most efficient. He stated that

the Orioles made money and knew how to run a business. He explained if the City wanted to have the budget deficit funded through the Orioles just writing them a check, it was not the way they did business.

Commissioner Trantalis once again asked if the Orioles did not receive State funding were they prepared to take over the operation of the Stadium so it would not cost the City any money.

Mr. Koslow replied they were prepared to take over it for spring training and maintenance of the fields, but were not prepared to take it over regarding other events that lost money. He explained they would manage the facility and control the revenues and the budget, not the way it was run at this time.

Mr. Gizzi explained that when the RFP was done, there had only been 1 response, and the Orioles had received the RFP, but had not responded to taking it over or managing the facility. He reiterated that ADA improvements also had to be made which was part of the existing RFP. In order to manage the Stadium properly and keep up with professional baseball standards, the grass had to be maintained year-round by a trained individual.

Commissioner Trantalis stated that Broward County Youth Organization had proposed to take over the operation of the Stadium year-round, and besides paying all expenses of the operation, they would add in another \$100,000 to the City. He asked if that offer was still on the table. The Acting City Manager stated that the bid had been rejected. Commissioner Trantalis stated that he had heard they were still willing to make such an offer. The Acting City Manager stated that he had not heard anything like that.

Mr. Gizzi further stated that once it was rejected nothing else had been said.

Commissioner Teel stated that she had been in Tallahassee and she and Linda Cox had visited many of the legislators and had received good feedback. She stated there was about 2 weeks left to see if the monies would be granted, and asked if the Orioles would be willing to agree to wait for 30 days in order to see what happened regarding the monies, and then further negotiations could take place. She felt that the monies would be granted.

Mr. Koslow stated that this was on the agenda because the City had made a policy to fund the Stadium until April 30, 2004. He stated that the Orioles were not a short-term item and were willing to commit to attempting to get the State monies next year, if they were not granted this year. He stated they wanted a long-term capital commitment from the State that the Orioles would then match. He stated it was in the City's best interest to let the Orioles try and get such monies, and there was a City Resolution confirming such. He felt if the City wanted to make this a priority legislatively, then they should make the State aware of that. He stated they could be leaving \$9 Million on the table. He stated there was non-recurring revenue in the budget, and he felt they should go after it and then such debates as this one would not be occurring.

Commissioner Moore stated that he had heard these comments for a few months now, and he felt the Fair's proposal was great but they did not have any experience in managing. He reiterated that they had promised the world, but he did not think they would be able to manage the Stadium. He stated that he had gone along with the

Orioles concept because staff had stated that they would have the opportunity to continue to maintain the field over the years so spring training could occur, but the Orioles would fund the operation. He felt they were banking only on the money from the State.

Mayor Naugle stated that they had also committed to trying to get the funds next year if not granted them this year.

Commissioner Moore stated they needed to say this evening to the City that they were willing to carry the expense for the operation of this facility, realizing that the operation and maintenance of the facility, including the ADA requirements, from this point through next year. He reiterated that the Marlins, who were World Series Champions, were also pushing for a stadium. He felt these were different issues of elevation in the State Legislature. He further stated that it might take next year to get the money and he did not have a problem waiting until then, but they needed to state that they would fund the necessary operations, make the ADA improvements, and retain the necessary staff. He stated that staff was recommending the date of May 4, 2004, and therefore, the Orioles needed to approach the City by that date as to whether they were proceeding to the next year or not. He felt there should be no further debate on this issue. He stated either this met the Orioles' desires or not. He stated if they chose not to continue the relationship, then the City had appreciated what they had done and another RFP could be put out in order to find someone who was interested in operating this venue since it was an asset.

Commissioner Moore stated that the only concern he felt which had been raised was the staff that would have to be eliminated if not at this site. In the interim, he asked if staff could see how they would utilize such staff and at what locations or would they have to be eliminated. He stated the City could no longer operate the Stadium on a "wish" or "maybe" of the taxpayers' backs.

Mr. Koslow replied that both teams were in first place at this time. He further stated that the Orioles were interested and loved Fort Lauderdale. He stated they would negotiate such an agreement, but he wanted to make it clear to the Commission that they believed the budget deficit could be better managed by the Orioles. In the context of negotiating, it was not fair to say to the Orioles they were deep-pocket and should pay the \$900,000 per year.

Commissioner Moore reiterated that the City was not making that statement. He stated if they could negotiate with staff and keep the Stadium operating with less money, he had no objection. Mr. Koslow stated that he believed an agreement could be reached, but wanted it understood that they wanted it for at least one year. Commissioner Moore further stated that they had paid their lobbyists to do their jobs, a resolution was sent stating they were in support, and he felt they had done what was necessary.

Commissioner Hutchinson asked if the Commission could be provided with the names of who was supportive of the bill. Mr. Koslow stated that he felt the key was Senator King.

Bud Bentley, Assistant City Manager, stated that he wanted to remind everyone that this was a complex issue beyond the normal lease/leaser because it involved Airport property and it was under lease from FAA for a pro-creational use, and any sublease would have to receive FAA approval.

Mr. Gizzi stated that his concern was the deficit and having to work through an agreement offsetting what the Orioles wanted to do in regard to the management of the facility. He felt it would take a little time to put such an agreement together.

Commissioner Trantalis stated that knowing there was a possibility of defeat this year in the Legislature, he asked if they could arrive at a contingent agreement for the next year if they were willing to commit next year's resources to the 2005 Legislature. Mr. Gizzi stated they had been discussing this for several months and had been unable to reach a consensus.

Commissioner Moore reiterated that if the State Legislature had not granted funding by April 30, 2004, then by May 4, 2004, the Orioles had to tell the City if they were going to fund through the year, and if not, then it should be put out for an RFP.

I-I – Street Naming

Commissioner Hutchinson stated that in reading the back-up which had been submitted from 1995, they were only adding a name and the number remained. She added that she had no objection to this.

Commissioner Trantalis stated that what concerned him was that they would be setting a policy, and asked if the attorney still had his office opened on the street. If he did, it would be unauthorized advertising, and then every attorney in town would make the same request.

Commissioner Hutchinson stated that the reason she brought this up was because there was no present policy. She stated if they did not want to do this, then a policy should be set up, but something should be done.

Mayor Naugle stated that he did not know if the individual was going to retire, and advised that the person was very deserving. He asked if the Commissioner really felt that this was advertising.

Commissioner Moore stated that he did not have a problem with this matter, but felt there should be a recommendation or ordinance within the next 30 days from the Legal Department, and then the Commission could vote on it.

Commissioner Hutchinson reiterated that staff was looking for direction and right now all they had was the memorandum dated 1995. Commissioner Trantalis suggested that they give the Committee more specific direction.

Commissioner Moore further stated that he had a street in his district named after a living person, along with a building named after a living person. He stated that on both occasions it was very trying to have individuals come in and discuss the validity of a name being given to a living person. Commissioner Teel felt it would be opening up a "can of worms." Commissioner Trantalis suggested that names be granted on streets or buildings after death.

The City Attorney stated that this policy did not necessarily address individuals and was a blanket policy. He explained that most jurisdictions had a policy that stated no designations be made except posthumously.

Action: Policy to be presented to the Commission in May, 2004.

I-J – Fire Assessment Fees

Action: Deferred until May, 2004.

II-A – Resource Recovery System – Distribution of Unrestricted Reserves

Action: Report accepted.

II-B – March 2004 Monthly Financial Report

Action: None taken.

III-B – Board Appointments

Aviation Advisory Board

Action: Deferred

Budget Advisory Board

Action: Deferred

Cemeteries Advisory Board

Commissioner Trantalis announced that he wanted to reappoint Ned Skiff to the Cemeteries Advisory Board.

Action: Deferred

Charter Revision Board

Commissioners Hutchinson, Moore, Teel, Trantalis and Mayor Naugle announced consensus reappointments of all Charter Revision Advisory Board members.

Action: Formal action to be taken at Regular Meeting.

Community Appearance Board

Action: Deferred.

Community Services Board

Action: Deferred.

Economic Development Advisory Board

Action: Deferred.

Education Advisory Board

Commissioner Hutchinson announced that she wanted to reappoint Brian Dassler and Beth Gillon.

Action: Formal action to be taken at Regular Meeting.

Historic Preservation Board

Action: Deferred.

Insurance Advisory Board

Action: Deferred.

Marine Advisory Board

Commissioner Teel announced that she would reappoint Eugene Zorovich and Dr. Geraldine Udell.

Mayor Naugle reappointed Rick Shultze and Barry Flanagan. Mayor Naugle also appointed John Terrell to the Marine Advisory Board.

Commissioner Moore reappointed Robert Sadowski and Norbert McLaughlin.

Commissioner Hutchinson reappointed Richard K. Duncan, Peter Zachary and Ted Peterson.

Commissioner Trantalis reappointed Ryan Campbell, Roger McKee and Joseph Hessman.

Action: Formal action to be taken at Regular Meeting.

Northwest-Progresso-Flagler Heights Redevelopment Advisory Board

Action: Deferred.

Nuisance Abatement Advisory Board

Action: Deferred.

Unsafe Structures and Housing Appeals Board

Action: Deferred.

Code Advisory Committee

Action: Deferred.

Utility Advisory Committee

Action: Deferred.

V – City Manager Reports

Legislative Alert/Fire and Police

The Acting City Manager stated that there was a Legislative Alert regarding Special Worker's Compensation for Fire and Police.

Commissioner Moore stated that he had asked Bud Bentley to distribute this to everyone because he felt it was important that they "follow the rule of the game" regarding this matter.

There being no further business to come before the Commission, the meeting was adjourned at 5:44 p.m.