

**INDEX OF A REGULAR MEETING
FORT LAUDERDALE CITY COMMISSION
SEPTEMBER 13, 2004**

<u>Agenda</u>	<u>Reso./Ord.</u>		<u>Page(s)</u>
<u>Item</u>	<u>No.</u>		
		<u>Presentations:</u>	
		1. Smoke Detector Demonstration	1
		2. Outstanding City Employees	1
		3. Expression of Sympathy	2
CA		Consent Agenda	2
M-1		Change Order – Change Order No. 1 – Florida Blacktop, Inc., - \$27,619.22 – 2004 Annual Speed Hump Installation – Project 10757	2
M-2		Change Order No. 1 – AGC Electric, Inc. - \$19,025.10 Fire Station No. 2 Dispatch System – Project 9957-A	2, 37
M-3		Lease Agreement – Ocean Bistro, Inc. - \$57,540 Birch Road/Alhambra Parking Lot	3
M-4		Las Olas Municipal Marina Dockage Use Agreement 2004 Fort Lauderdale International Boat Show	3
M-5		Task Order No. 03-07, Amendment No. 1 – Hazen & Sawyer, P.C. - \$44,010 Construction Phase Services During Electrical System Testing Fiveash Water Treatment Plant & G.T. Lohmeyer Wastewater Treatment Plant	3
M-6		Amendment No. 1 – Work Authorization 16724.70 - Keith & Schnars, P.A. \$373,885 – Imperial Point Large Water Main Design Services	3
M-7		Contract – Williams Paving Company, Inc. – \$58,089 Lake Aire Curbing, Landscaping & Irrigation – NCIP Project 10615	4
M-8		Contract Extension – F.R. Aleman & Associates, Inc. - \$251,000 – 2004/2005 Annual Point Excavation & Utility Designation Services	4
M-9		Removed from the Agenda	4
M-10		Fitness/Wellness/Healing Arts Classes Agreement – North Broward Hospital District	4
M-11		Change Order 1 – Affordable Sprinklers, Inc. - \$13,609.35 Riviera Isles Improvements – Project 10475	4
M-12		Speed Humps – Harbordale Neighborhood - \$27,619.22 South Miami Road from SE 17 Street Causeway to Spangler Boulevard	5
M-13		Grant Acceptance – Florida Department of Community Affairs Community Emergency Response Team – \$18,963	5
M-14		Grant Acceptance – Florida Drug Control Council - \$85,000	5
M-15		Grant Acceptance – Florida Department of Law Enforcement \$20,590 – 7 th Avenue Recovery, Inc. – Project New Start	5
M-16		Grant Acceptance – Florida Department of Law Enforcement \$40,000 – Broward Partnership for the Homeless, Inc.	6
M-17		Grant Acceptance – Florida Department of Law Enforcement \$59,400 – Club Drug Project ECSTASY	6
M-18		Grant Acceptance – U.S. Department of Justice – \$5,825.02 Bulletproof Vest Partnership	6

M-19		Grant Acceptance – Enhanced Marine Law Enforcement \$134,680 – Broward County Parks & Recreation Division	6
M-20		Grant Acceptance – Florida Department of Law Enforcement \$17,496 – Broward Chabad House Academic Institute Center, Inc. – Project PRIDE	7
M-21		Removed from agenda	7, 38
M-22		Disbursement of Funds – Investigation – O.R. No. 04-25235	7
M-23		Disbursement of Funds – Investigation – O.R. No. 04-25232	7
M-24		Disbursement of Funds – Investigation – O.R. No. 03-40467	7
M-25		Disbursement of Funds – Investigation – O.R. No. 03-135195	8
M-26		Task Order 16724-78 – Keith & Schnars, P.A. – \$55,350 Architectural Services for Replacement/Infill Housing Projects	8
M-27		Amendment 1, Task Order 9 – CH2M Hill, Inc. - \$13,200 Facility Security Planning, Emergency Response Plan Update	8, 38
M-28		Audit Services – Procedures for Resolution of Disputes - Ernst & Young	8, 38
Pur-1		Agreement – Purchase Emergency Medical Supplies	9
Pur-2		Proprietary – Management In-basket and Other Supervisory Examinations	9
Pur-3		Proprietary – Software License Renewal for GIS Software	9
Pur-4		542-8994 – Employees Benefits Consulting Services	10
Pur-5		proprietary – FERNO Stretcher Cots	10
Pur-6		Broward Co-Op – Unleaded Gasoline	10
Pur-7		Proprietary – Lighting Parts	11
Pur-8		442-9068 – Anhydrouse Ammonia	11
Pur-9		442-9066 – Press Belts	11
Pur-10		442-9065 – Lawn Sand	12
Pur-11		Proprietary – Chemical Reagents	12
PH-1	04-149, 04-150 & C-04-42	Fiscal year 2004/2005 Budget	12
PH-2	04-151, 04-152	Fiscal Year 2004/2005 Sunrise Key Neighborhood Improvement District	33
PH-3	04-153	Fiscal Year 2004/2005 Fire Rescue Special Assessment	34
PH-4	04-154	Fiscal Year 2004/2005 Lauderdale Isles Water Control District Special Assessment	36
OB		Recognition of Representative Jack Siler	37
PH-5	C-04-43	Rezoning; 1750 East Sunrise Boulevard – Case 2-ZR-04	39
PH-6	C-04-44	Rezoning; 737 North Andrews Avenue – Case 1-ZPUD-04	39
PH-7		Appeal of Planning & Zoning Board Decision – SW 14 Way, Kenilworth Place – Case 1-P-03	40
PH-8		Appeal of Planning & Zoning Board Decision Right-of-Way - Hendricks Isle – Case 10-P-03	41
PH-9		Appeal of Historic Preservation Board Decision - 1001-1009 SW 4 Street – Case 8-H-04	41
PH-10	04-155	Northwest Neighborhood Improvement District - Conveyance of Public property – 845 NW 3 Avenue Infill Housing Program	49
O-1	C-04-40	Alarm Ordinance Revisions	49
O-2	C-04-46	Amendment to Comprehensive Plan, Future Land Use Plan Map – 301 NW 66 Street – Employment Center to Office Park – Case 6-T-03	50
O-3	C-04-47	2004/2005 Water & Sewer & Stormwater Rate Increase	50
O-4	C-04-48	Parking Meters – Update	50
O-5	C-04-36	Charter Amendment for Placement on November 2, 2004 Ballot - Sale, Transfer or Lease of City Park Property	51
R-1	04-156	Citizen Presentations Charges for Boarding & Securing Buildings	52, 53 52

COMMISSION REGULAR AGENDA

11/5/02 - 3

R-2	04-157	Sale or Surplus Property at Southeast Corner of Cortez and Seabreeze Boulevard - \$117,345.12	52
R-3	04-158	Water Bus Services – Joint Public/Private Partnership With Water Taxi Inc.	53
R-4	04-159	Water Bus Services – Joint Participation Agreement Florida Department of Transportation	53
R-5	04-160	Lot Clearing & Cleaning Charges	54
R-6	04-161	Donation from Keith and Schnars, P.A. – \$2,500 2004 Florida State Neighborhood Conference	54
R-7	04-162	Amendment to Broward County Comprehensive Plan, Land Use Plan 13,000 Residential Units – Downtown Regional Activity Center – Case 10-T-04 South of Sunrise Boulevard, North of Davie Boulevard, Between U.S. 1 & NW 7 Avenue	55
R-8	04-163	Landscaping Improvements Maintenance Memorandum Of Agreement Florida Department of Transportation Commercial Boulevard from NW 31 Avenue to NW 9 Avenue	57
R-9	04-164	Street Name Addition – Mary Brickell Avenue NW 1 Avenue (Broward Boulevard to Sistrunk Boulevard	58
R-10	04-165	Grant Application – Fort Lauderdale Historical Society - Philemon Bryan House, Old Fort Lauderdale Village	58
OB	04-166	Advisory Board Appointments	59

**MINUTES OF A SPECIAL REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
SEPTEMBER 13, 2004**

Meeting is called to order at 6:01 p.m. by Mayor Naugle on the above date, City Commission Meeting Room.

Roll call showed:

Present: Commissioner Christine Teel
Vice-Mayor Dean J. Trantalis
Commissioner Cindi Hutchinson
Commissioner Carlton Moore (arrived at 6:03 p.m.)
Mayor Jim Naugle

Absent: None

Also Present: City Manager George Gretsas
City Attorney Harry A. Stewart
City Clerk Jonda K. Joseph
Sergeant At Arms Sergeant Harvey Jacques

Invocation is offered by the City Clerk followed by the recitation of the Pledge of Allegiance.

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

Motion made by Commissioner Hutchinson and seconded by Vice-Mayor Trantalis that the agenda and minutes for the July 20, 2004 and July 26, 2004 meetings be approved. Roll call showed: YEAS: Commissioner Teel, Vice-Mayor Trantalis, Commissioners Moore and Hutchinson, and Mayor Naugle. NAYS: None.

Presentations

OB

1. Smoke Detector

Commissioner Moore proceeded to demonstrate the proper way to test a smoke detector.

2. Outstanding Employees

Bruce Roberts, Chief of Police, stated that he wanted to recognize Detective Edgar Cruz as Officer of the Month in connection with his apprehending a car jacking suspect while off duty.

Chief Roberts stated that Marilyn Diaz and Peggy Sue Martin were being recognized for their work regarding schedules for the Air & Sea Show.

3. Expression of Sympathy

Commissioner Hutchinson and the City Commission presented an Expression of Sympathy to the family of Brownie L. Robinson who is the original owner of Brownie's Bar. She proceeded to recognize Mr. Robinson's daughter, son-in-law and new granddaughter, Carla, in the audience.

Mr. Robinson's daughter thanked the Commission and stated that her father is honored to be a citizen of this fine City, and he honored the police and firefighters.

Consent Agenda

(CA)

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

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

**Change Order No. 1 – Florida Blacktop, Inc. -
\$27,619.22 – 2004 Annual Speed Hump Installation –
Project 10757**

(M-1)

A motion authorizing the proper City Officials to execute Change Order No. 1 with Florida Blacktop, Inc. in the amount of \$27,619.22 for the additional cost associated with asphalt and increasing the quantity of speed humps to be installed under the 2004 Annual Speed Hump Installation project.

Recommend: Motion to approve.
Exhibit: Memo No. 04-1167 from City Manager.

**Change Order No. 1 – AGC Electric, Inc. - \$19,025.10
Fire Station No. 2 Dispatch System – Project 9957-A**

(M-2)

A motion authorizing the proper City Officials to execute Change Order No. 1 with AGC Electric, Inc. in the amount of \$19,025.10 for additional work related to the Fire Station No. 2 Dispatch System project and 15 additional days on the contract.

Recommend: Motion to approve.
Exhibit: Memo No. 04-1165 from City Manager.

Lease Agreement – Ocean Bistro, Inc. - \$57,540 (M-3)
Birch Road/Alhambra Parking Lot

A motion authorizing the proper City Officials to execute a one-year agreement with Ocean Bistro, Inc. for use of the Birch Road/Alhambra Parking Lot at a cost of \$57,540.

Recommend: Motion to approve.
Exhibit: Memo No. 04-1149 from City Manager.

Las Olas Municipal Marina Dockage Use Agreement (M-4)
2004 Fort Lauderdale International Boat Show

A motion authorizing the proper City Officials to execute a dockage use agreement with Marine Industries Association of South Florida, Inc. and Yachting Promotions, Inc. for use of the Las Olas Municipal Marina in connection with the 2004 Fort Lauderdale International Boat Show to be held October 28, 2004 to November 1, 2004.

Recommend: Motion to approve.
Exhibit: Memo No. 04-1142 from City Manager.

Task Order No. 03-07, Amendment No. 1 – Hazen & Sawyer, P.C. - (M-5)
\$44,010 Construction Phase Services during Electrical System Testing
Fiveash Water Treatment Plant & G.T. Lohmeyer Istewater Treatment Plant

A motion authorizing the proper City Officials to execute Task Order No. 03-07, Amendment No. 1 with Hazen & Sawyer, P.C. for additional engineering services and contract management during the electrical system testing at Fiveash Water Treatment Plant and G.T. Lohmeyer Istewater Treatment Plant in an amount not to exceed \$44,010.

Recommend: Motion to approve.
Exhibit: Memo No. 04-1157 from City Manager.

Amendment No. 1, Work Authorization 16724.70 – Keith (M-6)
And Schnars, P.A. \$373,885 – Imperial Point Large Water
Main Design Services

A motion authorizing the proper City Officials to execute Amendment No. 1 to Work Authorization 16724.70 with Keith and Schnars, P.A. for design services associated with the Imperial Point Large Water Main Project in the amount of \$373,885.

Recommend: Motion to approve.
Exhibit: Memo No. 04-1159 from City Manager.

Contract – Williams Paving Company, Inc. - \$58,089 (M-7)
Lake Aire Curbing, Landscaping & Irrigation – NCIP
Project 10615

A motion authorizing the proper City Officials to execute an agreement with Williams Paving Company, Inc. in the amount of \$58,089 for curbing, landscaping and irrigation in the Lake Aire community.

Recommend: Motion to approve.
Exhibit: Memo No. 04-1077 from City Manager.

Contract Extension – F.R. Aleman & Associates, Inc. - (M-8)
\$251,000 – 2004/2005 Annual Point Excavation & Utility
Designation Services

A motion authorizing the proper City Officials to execute a one-year contract extension with F. R. Aleman & Associates, Inc. in the amount of \$251,000 for the Annual Point Excavation and Utility Designation Services project.

Recommend: Motion to approve.
Exhibit: Memo No. 04-1161 from City Manager.

Removed from the agenda (M-9)

Fitness/Wellness/Healing Arts Classes (M-10)
Agreement – North Broward Hospital District

A motion authorizing and approving the execution of an agreement with the North Broward Hospital District to conduct fitness/wellness/healing arts classes at the Beach Community Center July 1, 2004 through June 30, 2005.

Recommend: Motion to approve.
Exhibit: Memo No. 04-1055 from City Manager.

Change Order 1 – Affordable Sprinklers, Inc. - \$13,609.35 (M-11)
Riviera Isles Improvements – Project 10475

A motion authorizing the proper City Officials to execute Change Order No. 1 with Affordable Sprinklers, Inc. in the amount of \$13,609.35 for installation of an irrigation system on Solar Drive, Riviera Isles Improvements, and 20 additional days on the contract.

Recommend: Motion to approve.
Exhibit: Memo No. 04-1229 from City Manager.

Speed Humps – Harbordale Neighborhood - \$27,619.22 (M-12)
South Miami Road from SE 17 Street Causeway to Spangler Boulevard

A motion approving the installation of speed humps on South Miami Road from SE 17 Street Causeway to Spangler Boulevard in the Harbordale neighborhood at an estimated cost of \$27,619.22.

Recommend: Motion to approve.
Exhibit: Memo No. 04-1166 from City Manager

Grant Acceptance – Florida Department of Community Affairs Community Emergency Response Team - \$18,963 (M-13)
Affairs Community Emergency Response Team - \$18,963

A motion approving acceptance of the Florida Department of Community Affairs Community Emergency Response Team grant in the amount of \$18,963; and authorizing proper City Officials to execute all necessary documents to receive and expend the grant funds.

Recommend: Motion to approve.
Exhibit: Memo No. 04-948 from City Manager.

Grant Acceptance – Florida Drug Control Council - \$85,000 (M-14)
Grant Acceptance – Florida Drug Control Council - \$85,000

A motion approving acceptance of the Florida Drug Control Council grant in the amount of \$85,000; and authorizing proper City Officials to execute all necessary documents to receive and expend the grant funds.

Recommend: Motion to approve.
Exhibit: Memo No. 04-942 from City Manager.

Grant Acceptance – Florida Department of Law Enforcement - \$20,590 – 7th Avenue Recovery, Inc. – Project New Start (M-15)
Grant Acceptance – Florida Department of Law Enforcement - \$20,590 – 7th Avenue Recovery, Inc. – Project New Start

A motion approving acceptance of the Florida Department of Law Enforcement grant in the amount of \$20,590; authorizing transfer of \$5,000 from LETF 107 to Fund 129 Miscellaneous as cash match; and authorizing proper City Officials to execute all necessary documents to receive and expend the grant funds, including an agreement with 7th Avenue Recovery, Inc.

Recommend: Motion to approve.
Exhibit: Memo No. 04-939 from City Manager.

Grant Acceptance – Florida Department of Law Enforcement - (M-16)
\$40,000 – Broward Partnership for the Homeless, Inc.

A motion approving acceptance of the Florida Department of Law Enforcement grant in the amount of \$40,000; and authorizing proper City Officials to execute all necessary documents to receive and disperse grant funds to include in program agreement with Broward Partnership for the Homeless, Inc.

Recommend: Motion to approve.
Exhibit: Memo No. 04-941 from City Manager.

Grant Acceptance – Florida Department of Law Enforcement - (M-17)
\$59,400 – Club Drug Project ECSTASY

A motion approving acceptance of the Florida Department of Law Enforcement grant in the amount of \$59,400; authorizing transfer of \$43,700 from LETF 107 to Fund 129 Miscellaneous as cash match; and authorizing proper City Officials to execute all necessary documents to receive and expend the grant funds for Club Drug Project ECSTASY.

Recommend: Motion to approve.
Exhibit: Memo No. 04-940 from City Manager.

Grant Acceptance – U.S. Department of Justice - \$5,825.02 (M-18)
Bulletproof Vest Partnership

A motion approving acceptance of the U.S. Department of Justice Bulletproof Vest partnership grant in the amount of \$5,825.02; authorizing transfer of \$94 from Police Department's General Fund to Fund 129 Miscellaneous as cash match; and authorizing proper City Officials to execute all necessary documents to receive and expend the grant funds.

Recommend: Motion to approve.
Exhibit: Memo No. 04-943 from City Manager.

Grant Acceptance – Enhanced Marine Law Enforcement - \$134,680 (M-19)
Broward County Parks & Recreation Division

A motion approving acceptance of the Enhanced Marine Law Enforcement grant in the amount of \$134,680; authorizing proper City Officials to execute all necessary documents to receive and expend the grant funds.

Recommend: Motion to approve.
Exhibit: Memo No. 04-944 from City Manager.

Grant Acceptance – Florida Department of Law Enforcement - \$17,496 (M-20)
Broward Chabad House Academic Institute Center, Inc. –
Project PRIDE

A motion approving acceptance of the Florida Department of Law Enforcement grant in the amount of \$17,496; authorizing transfer of \$3,000 from LETF 107 to Fund 129 Miscellaneous as cash match and authorizing proper City Officials to execute all necessary documents to receive and expend the grant funds for Project PRIDE.

Recommend: Motion to approve.
Exhibit: Memo No. 04-938 from City Manager.

Item Removed from Agenda (M-21)

Disbursement of Funds – Investigation - (M-22)
O.R. No. 04-25235

A motion authorizing the equitable disbursement of funds in the amount of \$8,629.87, with each of the participating law enforcement agencies to receive \$719.15.

Recommend: Motion to approve.
Exhibit: Memo No. 04/08/04 from Police Legal Advisor.

Disbursement of Funds – Investigation - (M-23)
O.R. No. 04-25232

A motion authorizing the equitable disbursement of funds in the amount of \$1,509.83, with each of the participating law enforcement agencies to receive \$125.81

Recommend: Motion to approve.
Exhibit: Memo No. 04/08/03 from Police Legal Advisor.

Disbursement of Funds – Investigation - (M-24)
O.R. No. 03-40467

A motion authorizing the equitable disbursement of funds in the amount of \$4,415.37, with each of the participating law enforcement agencies to receive \$367.94

Recommend: Motion to approve.
Exhibit: Memo No. 04/08/01 from Police Legal Advisor.

Disbursement of Funds – Investigation
O.R. No. 03-135195**(M-25)**

A motion authorizing the equitable disbursement of funds in the amount of \$479,081.89, with each of the participating law enforcement agencies to receive \$39,923.49.

Recommend: Motion to approve.

Exhibit: Memo No. 04/08/02 from Police Legal Advisor.

Task Order 16724-78 – Keith & Schnars, P.A. - \$55,350
Architectural Services for Replacement/Infill Housing Projects**(M-26)**

A motion authorizing the proper City Officials to execute Task Order 16724-78 to Keith & Schnars, P.A. in the amount of \$55,350, for provision of professional architectural/engineering services associated with replacement/infill housing services.

Recommend: Motion to approve.

Exhibit: Memo No. 04-1081 from City Manager.

Amendment 1, Task Order 9 – CH2M Hill, Inc. - \$13,200
Facility Security Planning, Emergency Response Plan Update**(M-27)**

A motion authorizing the proper City Officials to execute Amendment 1 to Task Order 9 with CH2M Hill, Inc., Project 10653, in the amount of \$13,200, for professional engineering services associated with review and update of the Emergency Response Plan update and training exercise.

Recommend: Motion to approve.

Exhibit: Memo No. 04-1155 from City Manager.

Audit Services – Procedures for Resolution of
Disputes - Ernst & Young**(M-28)**

A motion authorizing the Director of Finance to sign engagement letters for audit services that provide for the annual audit timetable for Fiscal Year 2004/2005 and dispute resolution procedures.

Recommend: Motion to approve.

Exhibit: Memo No. 04-1204 from City Manager.

PURCHASING AGENDA

Agreement – Purchase Emergency Medical Supplies (Pur-1)

Five-year agreement to purchase emergency medical supplies is being presented for approval by the Fire-Rescue Department

Vendor: Broward County Logistics
Fort Lauderdale, FL
Amount: \$ 300,000.00 (estimated annual)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 04-1190 from City Manager

The Procurement and Materials Management Division reviewed this item and recommends approving the agreement with Broward County Logistics.

Proprietary – Management In-basket and Other Supervisory Examinations (Pur-2)

An agreement to purchase general management in-basket and other supervisory examinations is being presented for approval by the Human Resources Department.

Vendor: Management & Personnel Systems, Inc.
Walnut Creek, CA
Amount: \$ 7,293.00
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 04-1200 from City Manager

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

Proprietary – Software License Renewal for GIS Software (Pur-3)

Annual software license renewal for GIS software is being presented for approval by the Administrative Services, Information Technology Division.

Vendor: Environment Systems Research
Institute, Inc. (ESRI)
Redlands, CA
Amount: \$ 23,537.54
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 04-1198 from City Manager

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

542-8994 – Employees Benefits Consulting Services**(Pur-4)**

Three-year contract for employee benefits consulting services is being presented for approval by the Finance, Risk Management Division.

Vendor: The Rhodes Insurance Group, Inc.
Fort Lauderdale, FL
Amount: \$ 15,000.00 (estimated annual)
Bids Solicited/Rec'd: 32/3 with 2 late bids
Exhibits: Memorandum No. 04-1202 from City Manager

The Procurement and Materials Management Division reviewed this item and recommends awarding to the first-ranked proposer.

Proprietary – FERNO Stretcher Cots**(Pur-5)**

An agreement to purchase 25 FERNO stretcher cots is being presented for approval by the Fire-Rescue Department.

Vendor: FERNO Ishington, Inc.
Wilmington, OH
Amount: \$ 69,869.50
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 04-809 from City Manager

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

Broward Co-Op – Unleaded Gasoline**(Pur-6)**

Three-year contract for unleaded gasoline is being presented for approval by the various departments.

Vendor: Petroleum Traders Corp.
Fort Wayne, IN
Amount: \$ 1,500,000.00 (estimated annual)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 04-1143 from City Manager

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

Proprietary – Lighting Parts**(Pur-7)**

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

Vendor: Rexel, Inc.
d/b/a Rexel Consolidated
Dallas, TX
Amount: \$ 14,292.50
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 04-1224 from City Manager

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

442-9068 – Anhydrous Ammonia**(Pur-8)**

One-year contract for anhydrous ammonia is being presented for approval by the Public Services Department.

Vendor: Tanner Industries, Inc.
Southampton, PA
Amount: \$ 70,500.00 (estimated)
Bids Solicited/Rec'd: 147/2 with 1 no bid
Exhibits: Memorandum No. 04-1112 from City Manager

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

442-9066 – Press Belts**(Pur-9)**

One-year contract to purchase press belts is being presented for approval by the Public Services Department.

Vendor: Komline-Sanderson Engineering Corp.
Peapack, NJ
Amount: \$ 47,420.00 (estimated)
Bids Solicited/Rec'd: 43/4 with 1 no bid
Exhibits: Memorandum No. 04-1114 from City Manager

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

442-9065 – Lawn Sand**(Pur-10)**

One-year contract for the purchase of lawn sand is being presented for approval by the Public Services Department.

Vendor: Austin Tupler Trucking, Inc.
Davie, FL
Amount: \$ 35,235.00 (estimated)
Bids Solicited/Rec'd: 30/3
Exhibits: Memorandum No. 04-1218 from City Manager

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

Proprietary – Chemical Reagents**(Pur-11)**

An agreement to purchase chemical reagents is being presented for approval by the Public Services Department.

Vendor: Indexx Laboratories, Inc.
Westbrook, ME
Amount: \$ 22,764.00 (estimated)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 04-1187 from City Manager

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

Fiscal Year 2004/2005 Budget**(PH-1)**

The first public hearing on the proposed millage rate and tentative budget of the City of Fort Lauderdale for the fiscal year beginning October 1, 2004 and ending September 30, 2005. Notice of proposed ordinance is published August 27 and September 3, 2004.

Steve Chapman stated that this is the first public hearing on the recommended fiscal year 2005 budget in accordance with State law. He stated that he is going to explain the purpose of the meeting. He explained that this is one of two required meetings. He added that he is going to briefly discuss the tax bill and the jurisdictions in those bills, along with the amounts. He stated they would also discuss the recommended millage, the All Funds budget, revenue sources, property taxes, other revenue sources, recommended budget increases along with some explanations, City fees, and balancing the budget.

Mr. Chapman stated that public input is necessary to this process since it is tax dollars which were funding the government. He explained that he would summarize the reasons as to why they needed the property tax millage. He stated that support is needed from the Commission for final approval of the budget.

Mr. Chapman explained that the tax bill showed taxes County-wide. He referred everyone to the chart shown and explained that the School Board is 35.3% of the tax bill, County taxes were 28.7%, and the City taxes comprised 21% of the tax bill. He added that other districts, such as the Hospital District and Children Services, amounted to another 13%.

Mr. Chapman further stated that the recommended millage rate is driven off the property tax value. He explained that a homeowner who is homesteaded had a property tax value which could only increase by a maximum of 3% based on a Save Our Homes calculation. He stated that this year such calculation amounted to 1.9%. He further explained that the mill is the rate per \$1,000 of value of your house. He proceeded to show an example stating that an average value home with the Save Our Homes calculation is \$200,000.00, the proposed operating rate is 5.8466 mills, the debt service rate is .3632 mills for a total proposed rate of 6.2098 mills. He stated that would give them a property tax of \$1,086.22 for the City portion of the tax bill.

Mr. Chapman continued stating that the City had various funds, such as a General Fund, Sanitation Fund, and Water and Sewer Fund which accounted for the City doing business and providing services. He explained that this year the proposed General Fund Budget is \$257.3 Million. He stated that all the Enterprise Funds would total \$147.9 Million, Debt Service \$15 Million, and Special Revenue Funds \$6 Million. He explained that property taxes were only one piece of what funded the government. He stated that a property tax bill for Fort Lauderdale is actually only 46% of the total funding of the budget. Other taxes such as franchise fees, utility taxes, licenses and permits accounted for another 20% of the budget, and miscellaneous items were another 15%. He stated that taxes were a big part of the chart, but there were other significant revenue sources.

Mr. Chapman stated that the big question this year is what would be the budget increase. He stated that in fiscal 2004 the General Fund Budget is \$215 Million, and tonight they were proposing \$257.3 Million which would be a 20% increase. The All Funds Budget is \$377 Million increasing to \$426.7 Million which is a 13% overall increase. He explained that some of the reasons for such an increase were pension costs which totaled \$5 Million, along with a deficit in the General Liability Account. He explained that the City Manager had proposed to reduce such deficit by \$6 Million. He stated that Reserves were \$12 Million, Capital Outlay at \$7 Million, and termination payouts due to the DROP Program accounting for an additional \$1.5 Million. He explained that there were general insurance increases at a cost of \$1.6 Million.

Mr. Chapman stated that the Commission had set priorities with the Acting City Manager for about \$5.4 Million, annexation, management analysis, and public safety increases totaled \$2.5 Million which comprised about a \$41 Million increase.

Mr. Chapman further stated that City fees were not property taxes, but everyone paid them. He explained there would be a 6% increase in water and sewer rates, a 6% increase in storm water rates, a proposed \$62 increase in the fire assessment fee, and a "0" increase in the sanitation fee.

In summary, Mr. Chapman stated that this evening they had gone over the tax bill and recommended millage, the All Funds Budget, the different revenue sources, recommended budget, the various increases, and City fees.

Mr. Chapman stated that additional information regarding the budget could be obtained from the Finance Department or City Clerk's Office, public libraries, and the City's web site at www.fortlauderdale.gov. He noted that the next public hearing would be held on September 21, 2004 at 6:00 p.m., which would be the second of the two required public hearings.

The City Manager stated that this budget is one of the items he had inherited, and in reviewing it he had tried to accommodate the concerns of the Commissioners, such as the proposed millage rate being too high and the fire assessment fee, and what the appropriate level would be. He explained that he had tried to arrive at a plan that would address both of those issues. He stated that the first slide is an overview of the budget.

The City Manager stated further that he is proposing to take the trim notice proposal from 6.2098 to 5.7559. He explained that the 6.2098 represented a 19.5% increase from mill rate to mill rate, and he is proposing a 10.7% or a 45% reduction in the trim notice proposal. He stated that he is also recommending a fire assessment fee of \$94.

Commissioner Moore asked if the trim notices which had been sent out had showed a 6.2098 amount or did it show the 5.8 amount. Mr. Chapman explained that it had shown the 6.2098 amount.

The City Manager stated that the objective is to get those two rates down, and the question is how to do it and make everyone happy. He further stated that in order to get those rates down, they would not be able to make everyone happy, but they were trying to build a consensus and have a budget that is palatable as possible. He stated that everyone needed to remember that the City's financial problems did not occur overnight, and he felt it is unfair for people to expect that the problems would be solved overnight. He explained that this budget kept such a philosophy in mind. He stated that the line items which would be discussed were more about evolution versus revolution. He stated that the previous Acting City Manager had done a tremendous job in trying to restore fiscal integrity to this City. He further stated that if he had a choice, the question is what is the best solution. He stated if they adopted what is in the trim notice, there would be sufficient cash to go around and he would probably sleep better at night, but the problem is if it is realistic to ask the taxpayers to foot that type of bill at this time. He believed the answer is to find a more moderate approach.

The City Manager further stated that the second slide consisted of his proposal. Basically, he stated he had gone through a variety of proposed positions which had been added to the budget. He stated that he considered these positions non-essential positions. He stated they were important and it would be nice to have them, but at this time he felt they were non-essential, and they could get through next year without them. He stated some of those positions were Economic Development Director and Economic Development Representative. He felt they needed to look more carefully at the housing study and the \$300,000 would come from the General Fund, and if the Commission wanted to move forward with such study, alternative funding sources could be found. He stated that he would use the Bike Coordinator position as an example. He stated they needed to ask if they could afford a \$17,000 bike coordinator in a \$260 Million budget. He stated the answer is yes, but he wanted to put this down and highlight the fact that this is what he considered a non-essential position. He stated that part of this position would be funded by grant monies, but the question is whether it is essential or not. He believed it is not essential.

The City Manager continued stating that one major item on the list is the insurance bail-out plan. He stated that the philosophy here is very important which is whether they should solve the problem all at once overnight, or should they spread it out over time, and then everyone could bear the burden in a more smoothed out effect. He stated there is a \$20 Million deficit and someone could argue that they should budget all of it in one year, and therefore, pay it off. He stated that in speaking with many insurance professionals in order to find out the most reasonable way to fund the deficit, he is proposing to go from 2 to 3 years which would reduce the proposal by \$1.8 Million.

The City Manager stated that the next item is the Emergency Reserve Fund, and he felt the previous City Manager had made a strong point in that the City's Fund balances had been extremely depleted over the years, and they needed to make a concerted effort to build up those reserves. He stated the question is how much to do in one particular year. He explained he is proposing that in the Emergency Reserve category instead of budgeting \$2 Million that they budget \$1 Million. He stated that whatever budget is adopted by the Commission, there should be a commitment yearly to continue building up such reserves so they would have a "rainy day" fund and would continue to build up the City's bond rating with the agencies. He felt this should not be done all in one year.

The City Manager further stated that in regard to Capital Improvement and Capital Outlay, he asked for a \$1.25 Million reduction. He stated that he also asked for some other positions, such as the Technical Report Writer and Planner. He stated that represented about \$6.5 Million in spending cuts.

The City Manager explained that on the "add" side, he had discussed with the Commission the need to build up the Police Department. Over the last year and a half, 30 positions had been deleted purely for financial reasons. He stated that might be a financial rationale, but it is not an organizational rationale. He stated further the big question is how much staff is needed. He stated in his opinion the Police Department currently is understaffed. He stated there were 28 vacancies which existed, plus the 30 deleted positions. He felt the understaffing is noticeable on the street, and quality of life issues should be addressed. He reiterated that things would not be done overnight, but the idea is to slowly inch their way upward to get to a reasonable point. He explained that the 6 positions would be a good start, and coupled with those positions, an independent consultant would come in and review the Department and figure out the appropriate staffing levels for this Department. He felt someone with an outside look could review such issues.

The City Manager stated that in addition, he had asked Chief Roberts what the taxpayers would get in return for the additional positions. He asked for him to put together a plan to address the quality of life issues, such as homelessness, prostitution, vandalism and panhandling. He stated these issues were part of a first-class city, and he stated this City had a quality of life to offer its citizens, and if it is on a downslide, people would be unhappy with the product.

The City Manager further stated that as part of the Emergency Reserve, he had taken the \$1 Million and put it in what he called collective bargaining. He explained that did not mean they would spend those funds, but they would be available if necessary. He stated that about 2-3 line items had changed during discussions with the Commission. One item is the Park Manager which they originally had proposed to eliminate. He continued

stating that regarding annexation, they thought they could get by with \$1 Million due to the North Andrews Garden issue, but even though police officers would not be needed in Rock Island until September 15, 2005, there would be a six-month gap that had to be funded. He stated they would need roughly about \$350,000 minus the \$85,000. He stated this would change his numbers slightly, and he would provide the new figures.

The City Manager explained that is the spending reduction and in taking all those numbers together, one arrived at \$4.7 Million in total reductions.

The City Manager further stated that they had discussed \$125 versus \$63 for the fire assessment. He stated that he is proposing somewhere in the middle and he is hoping for a new era of compromise and consensus building. He stated in this way everyone would feel some of the pain, but Rome is not built in a day. Therefore, he is proposing a \$94 increase which would generate roughly about \$4 Million in revenue costs. Therefore, there is \$8.7 Million that could be used to address the mill rate.

The City Manager explained that in his final slide, he wanted to show a comparison of what they had for clarification purposes. He stated that the proposed mill rate is 6.2098 which is a 32.57% increase over the rollback rate, and a 19.49% increase over the mill rate, and the \$125 fire assessment fee from \$63. He stated that the Acting City Manager's budget known as the "Silva Proposal" had a mill rate of 5.7951 which is a 23.7% increase over the rollback rate, and an 11.5% increase over the mill rate, and a \$125 fire fee. He stated that the third proposal is his recommendation which is a 5.75% increase, along with a 22% and 10% increase, with a \$94 fire assessment fee. He stated they had made progress regarding the mill rate increase and the fire assessment, but he felt they could be proud of this budget.

The City Manager stated that he felt the City Commission had hired him to try and make some positive changes in the City. He continued stating that positive change is to change the atmosphere and culture, as well as a variety of other things. He stated that this is a wonderful city which had a lot to offer. He stated that the citizens appeared to be happy with the services being provided, but they wanted a little more. He stated they needed to make progress in that area, and this would be a building year both financially and in regard to services being offered, along with the efficiency, effectiveness and quality of such services. He felt this budget would get them there in an equitable way, and he felt it is responsible. He reiterated that he is comfortable that it is one they could be proud of. He hoped there would be support for this budget.

Mayor Naugle proceeded to open the public hearing.

Mary Meyers Kershoff stated that she wanted to speak about the possible elimination of the Park Manager at Snyder Park. She stated that she is the founder and president of the Friends at Bark Park which she realized is the 2-acre tail wagging the 91 additional acres at Snyder Park. She stated they generated a good amount of revenue on a consistent basis, and she felt it is a wonderful public/private partnership. She explained that Bark Park had been around for about 4 years and had been in the making for 2 years before that, and the City had provided the space. She stated they had raised the funds to outfit the park with its resources. She stated there had been some "growl" about running the park which could not be done without leadership at the site. She stated that the parks were one of the few public services that citizens continued to tax themselves for due to the benefits they brought to the neighborhoods. She stated that she had

written information to the Commission and thanked the Mayor for his response. She believed the park had some uncapped potential for revenue. She stated that she corresponded with other dog organizations around the Country, and many used their Bark Parks to generate revenue back to their city. She stated that this park had received tremendous national publicity due to the Park Manager working diligently with national organizations and publications.

Ms. Kershoff explained that the Manager's position had been created based on the City's personnel policy as far as what level of supervision is needed at the park, which had been before the establishment of the Bark Park at Snyder. Since that development, there is increased activity, and their position is that such level of supervision needed to be continued. She stated their concern regarding this recommendation is that they had not seen any data which had been used in arriving at such conclusion. She stated they believed that all good business decisions should be made based on data. She added that there had been no input requested from staff, the Parks and Recreation Advisory Board, or Friends of Bark Park. She stated they were out there attempting to do the best they could to support the park, while creating revenue for the City. She stated they were concerned about the lack of consensus building as to how this recommendation had been developed. She stated that they hoped the Commission would support their recommendation to reinstate the Manager's position in the budget.

Bob Hoysgaard stated that he is a member of the Parks, Recreation and Beaches Advisory Board, and reiterated that they had not been part of this decision. He stated further that they were not dealing with a passive park in this instance, but were dealing with Snyder Park which is a huge facility providing trails, picnic benches, and the Bark Park.

Commissioner Moore left the meeting at approximately 6:36 p.m.

Mr. Hoysgaard stated this park needed a full-time Manager, and asked the Commission to delete the recommendation regarding termination of such position. He added that in the July issue of "*National Recreation of Park Association Magazine*," there is an article on dynamic dog parks, and Snyder Park is mentioned, along with the Manager Ronnie Lacatose. He stated this type of park did not need a part-time manager.

Adam Sanders stated that he represented the Realtors Association of Greater Fort Lauderdale. He stated further that they were the largest local realtor association in the entire State, and the 9th largest in the Nation. He explained that their Board of Directors, acting on the recommendation of their Government Affairs Committee, is opposed to any significant tax increase. He stated that what is said this evening is a step in the right direction. He stated there is not going to be a tax cut, but a tax increase. He explained that for every \$100 they raise property taxes, they were losing possible homeowners. In Florida, he stated that thousands of people were left out from the dream of owning their own home. Mr. Sanders further stated that in regard to quality of life issues, homeowners were more likely to maintain their property and be involved in the community, and they could not afford to price people out of homes. He admitted there is also a business interest involved, but this is an interest that business and homeowners agreed upon. He reiterated that a tax increase of this magnitude hurt everyone, and while it is a step in the right direction, they felt the City needed to hold the line on spending and make homeownership and business in this City the way it should be.

Carol Isserman stated that she is representing Family Central which is the largest child welfare agency in the State. She stated that since 1971, they had been receiving State and Federal dollars for subsidized child care. She stated they had been partners with Fort Lauderdale who had been supportive throughout the years, and she wanted to thank them for their ongoing support. She stated that they anticipated that over 3,000 children in this City would need subsidized child care, and their commitment allowed them to draw down Federal and State maximums. She explained that for every dollar contributed, they received \$44.45 in Federal and State draw downs. She stated they appreciated the City's ongoing support and thanked them.

George Weaver stated that he wanted to make some comments in regard to commercial property. He stated that tonight's presentation of the budget is very good, and as they continued to raise the millage and taxes on commercial properties, they continued to squeeze the owners and the tenants. He stated they needed to find another source of money besides commercial properties. He reiterated they had capped on residential properties and he felt the tax is disproportionate.

Martin DeBoysik stated that he lived in the Lakeridge area and remarked that he had received the trim notice. He explained that last year his tax bill had been \$1,947.00 and this year it is \$4,050. He stated that he is miffed. He added that Brittany Wallman of the Sun Sentinel had written a great article, and he proceeded to read as follows:

“As the City's finances crumbled last year exposing mismanagement of taxpayers' monies, the City Commissioners cast out a City Manager showering him with blame and taking little of it themselves.”

Mr. DeBoysik continued stating that there appeared to be a lot of blame to go around a lot of people here. He stated that he is not saying that everyone voted to have projects in which is why they were in this present crisis, but he recalled certain individuals in particular. He stated that Cindi Hutchinson had opposed the closing of a swimming pool about 2 years ago in her district. He reiterated that if they were to solve this budget crisis, they needed to sharpen their pencils. He stated that a comment is made that the City did not want to reduce services, but frankly, he did not know of any business which could “soak up” this type of tax increase. He stated that many of his clients would have to use their line of credit in order to pay their tax bill. He remarked that they were increasing the millage, but what happened with the increase already inherited as a result of the increase in the appraised value of the property. He reiterated that it is already in the system. He asked what is happening to all that money.

Mayor Naugle remarked that further discussions would be held after the public speakers provided their input.

Vice-Mayor Trantalis asked how long Mr. DeBoysik had lived in Lakeridge. Mr. DeBoysik replied he had lived there since 1997. He reiterated that his taxes had doubled in one-year.

Commissioner Moore returned to the meeting at approximately 6:43 p.m.

Mr. DeBoysik reiterated that the assessed value had risen to \$207,000. Vice-Mayor Trantalis asked how much his house is worth on today's market. Mr. DeBoysik stated that he lived in a multi-family unit which is a business property, and is probably worth

more than the \$207,000. Vice-Mayor Trantalis stated that his property is actually undervalued. Mr. DeBoysik stated that is possible, but his point is that he is not receiving twice the amount of services that he had received last year. He further stated that if assessed values would increase across the board, and everyone experienced the same increases, then the money coming in should double, as well.

Mayor Naugle stated that overall, the assessments had gone up city-wide 12%, plus there had been additional revenue from new construction of about \$3.5 Million. He reminded everyone of the breakdown of the tax bill and how monies went to other areas.

Mr. DeBoysik stated if they were going to solve a budget problem, then they needed to look at "zero-based" budgeting. He offered his help to the City since he is a CPA. He added that he also taught seminars at the SPA on Business Planning and would be happy to help the City along those lines. Mayor Naugle thanked him for his offer of help.

Robert Kinard asked what is property. Is it a money making machine or something only thought in value for profit. He stated that for he and his wife, it is a roof over their heads. He added that they fought to protect that, and stated that the proposed increase in property taxes would place a serious and unrealistic burden on elderly people. He stated that this increase would take money away from other charities and businesses. He asked the Commission not to increase the taxes. He felt this is a drain on citizens and the local economy, along with the employment rates.

Carolyn Kinard stated that she had been a citizen of Fort Lauderdale since 1964. She stated that her father's property which he had purchased for \$63,000 years ago had increased 480% in value. She stated that last year their property tax is \$1,898.00 and this year's proposed tax is \$3,059.00 which is a 65% increase. She added that her brother's taxes had increased by 85%. She stated that some of her neighbors were very upset and had figured out that this increase would also cause an increase in insurance amounting to about \$500 per month. She added that many individuals were thinking of moving even though they had been born and raised in this City. She stated that they had planned to demolish their old house and build a new one, but with the proposed increase in value if they put up a new one-family dwelling, the property would be valued at \$1.2 Million, and they could not afford that. She felt the middle class is being run out of the City. She asked the Commission to consider a gradual increase which would be handled by most individuals.

Fred Carlson stated that he had lived here in the Central Beach area for about 10 years. He explained that he owned a couple of co-op apartments. He advised that he had sold one about one month ago for about \$75,000, and the trim notice had valued this apartment at \$100,000 which is above the \$44,000 value of last year. He felt these were shocking increases and stated there were about 200 co-op apartments in the area. He stated that he had called the Tax Assessor's Office to see if this could be unraveled and he had been told that Tallahassee had dictated that co-ops would be valued the same as condominiums which is bizarre. He explained that co-ops did not have ownership of the underlying land or the building, and they only had occupancy rights. Whereas a condominium owner, owned it in perpetuity.

Mr. Carlson stated that Vice-Mayor Trantalis and the Mayor had contacts in Tallahassee, and he felt these inequities should be addressed. He stated that people came to him in droves and about half of the apartments were occupied by "snowbirds" who came and

spent a lot of money during their visit, yet they were being asked to pay over a 100% increase in taxes without any representation. He remarked that such individuals were helpless. He stated that people were asking if the City is corrupt and were the City officials doing anything about this situation. He begged the Commission, who he felt were admirable individuals, to try and do something to straighten the situation out. He stated that the City officials were to help the "little people," and they were begging for some type of action to be taken addressing such inequities. He stated that this not only hurt the residents, but it also hurt tourism which is the City's main industry. He felt this made the City look corrupt.

Mayor Naugle stated that they should file an appeal with the Property Appraisal Adjustment Board, and if they did not the assessment would be locked in. He stated that maybe they could find a way to help, and he believed the deadline had been extended for such appeals to the 20th due to the hurricane. Mr. Carlson agreed. Mayor Naugle stated that the appeal should be filed, and then they could look into requesting assistance from the State Representative. Mr. Carlson stated that many people were filing appeals, and reiterated that he is not here just on his own behalf, but is representing the owners of the 135 apartments that he is aware of that had received such high increases. He felt a personal complaint made by himself could be easily dismissed, whereas a group complaint could be more effective in having some sort of action taken.

Mayor Naugle reiterated that if such appeals were filed, then they could arrange a meeting with the State elected representatives, and possibly they could get the Department of Revenue or whoever made the ruling, to change their opinion. He added that Ellyn Bogdanoff is the area's representative.

Commissioner Teel stated that she had been helping some people in her district that had a similar situation and is a multi-unit co-op. She continued stating that they could file a multi-appeal, and then the Value Adjustment Board would review those apartments as one entity. She stated that this is going on throughout the City and is quite unfair. She added that some cases were being reviewed before they went through the appeal process. She suggested that someone go to that office and speak with one of the Deputies. Mr. Carlson stated that he had spoken to people in that office today and had been informed that they were not aware of the situation. Commissioner Teel stated that one of the individuals they could speak with is Bob Wolf.

Mr. Carlson stated that there had been discussion regarding ad valorem assessments and various hearings had been advertised, and he felt it is crazy to suggest that a co-op owner should attend 6 or 7 different meetings in order to address these issues.

Dave Marshall stated that he lived in Riverside Park and he asked the Commission to minimize the increase in their property taxes, and not to be "penny wise and pound foolish," and to involve the public. He stated that 21% is a large increase in the budget and he realized there had been some adjustments made in the last few days, but he is concerned about individuals on fixed incomes in this City. He reiterated that even with the Save Our Homes Amendment, they were still looking at a large increase in their taxes which would unbalance personal budgets. He stated that he is distressed because there had been another \$8 Million increase in the General Fund Budget since the initial budget is proposed by the outgoing interim Manager. He reiterated that he is still trying to digest all the changes.

Mr. Marshall reiterated that he is concerned about the quality of life issues and they should not turn down grant monies or professional management of parks in order to save a small amount of money. He stated that the Bike Coordinator position is an example where they would turn down \$3 of State funding in order to save \$1, and that would be a decrease in their quality of life. He stated that he also felt that it is questionable to state that a full-time Park Manager is not needed at Snyder Park, but yet have a full-time Assistant Park Manager who presumably is less qualified, and ending up as a de-facto Park Manager. He stated that the Park Manager at Snyder Park is a real professional and had done a lot for the Bark Park and other special events.

Mr. Marshall further stated that he felt it is a shame that they were looking at such a large increase, and this is the first substantive public meeting which had been held. He added that he realized the weather situation had prevented them from holding various scheduled meetings, but he recommended that they involve the public more either through special hearings, Budget Advisory Board meetings, or even through publications. He stated that his neighborhood had just put together a 4-page summary of the 70-page budget message, and he encouraged the City to get the word out so public input could be given, and the citizens would get the services they wanted at a price they could afford.

The City Manager stated that a comment had been made regarding an \$8 Million increase in the General Fund since the proposal of the interim City Manager. He stated that is not an accurate statement. He clarified that tonight he is proposing a \$4.7 Million reduction to the General Fund spending. He added that there had been a miscommunication.

Alan Satsky stated that he represented the Fort Lauderdale Apartment Owners Association which consisted of approximately 5,000 apartment units in the City. He stated that he wanted to put in perspective the scope and magnitude of the proposed increases. He continued stating that there is an increase in the valuations, a City increase, a Fire-Rescue Fee increase, a Firehouse Assessment increase, a water sewer increase, a storm water increase, and others that he had not been aware of until this evening. He stated they were attempting to supply affordable housing for this City, and they could not look at just the homes and should look separately at the apartments, along with the commercial properties. He stated that such increases would probably raise the rental unit rate to about an additional \$20 to \$40 per month. He pleaded with the Commission to reduce the spending and not increase the taxes. If this increase is adopted, he stated that all workers would live outside of this City.

Vickie Newman stated that she felt Snyder Park needed a full-time Manager. She stated that she had worked for quite a while with the Park's Manager, and added that she went above and beyond her duties. She stated that a part-time worker would not give the dedication to the job.

Vice-Mayor Trantalis asked if a figure is available regarding the savings from a full-time to a part-time Park Manager. Mayor Naugle asked where the recommendation had come from. Mr. Chapman stated they did not have that figure readily available, but he would obtain it later this evening. Commissioner Hutchinson stated that she believed the recommendation had been included in the "Silva proposal.

John Rodstrom, County Commissioner, stated that he is speaking as an individual. He remarked that he had been in and out of government for the last 20 years, and he did not know of any time when he had spoken regarding the budget or tax increases before a public body. He reiterated that this is a first. He explained that what had dictated his comments is the opening of his tax bill and found out that his taxes were being raised 25% in one year. He reiterated that did not count the rental property that he owned which had its taxes raised consistently due to the valuation. He stated that the 25% increase is directly attributed to the City's tax increase and nothing else. He added that the increase for his rental property is about 30% to 35%, plus the other add-ons. He stated that he felt 25% is too much, and if this Commission wanted to be remembered as the one who raised the property taxes more than any other Commission in history, then so be it. He recognized they had a tough job. He reiterated that with all the new growth coming on the tax rolls, they should not have to pay such increases even though they had extraordinary circumstances at this time. He felt they needed to find a way not to raise the taxes so much in one given year. He stated it would not reflect well on the Commission as leaders.

Mr. Chapman explained that in answer to Vice-Mayor Trantalis' question regarding Snyder Park, currently the park had a Manager and an Assistant Manager. He stated that the salary of the Assistant Manager is about \$50,000 to \$60,000 per year. He continued stating that there had never been a request for a part-time Manager. He explained to put in such a position would cost about \$35,000 per year.

Vice-Mayor Trantalis clarified that the request is to eliminate the Park Manager in order to save money. Mr. Chapman confirmed and stated that this item had been included by the Acting City Manager, and he believed the new City Manager is reviewing the item. He reiterated that this is a controversial item and he believed the City Manager is looking for direction from the Commission regarding this matter. Vice-Mayor Trantalis asked how this would impact the park. He stated that the citizens wanted to see less money being spent, but asked if they would suffer more than the savings due to the impacts that would be felt on the quality of the park, and the ability for them to manage it appropriately.

Vince Gizzi, Parks and Recreation, stated that presently the park is a 7-day per week operation and is opened from 7:00 a.m. to 8:00 p.m. He stated there is a dog park, a beach and swimming, kayaking, bicycling, and a full array of recreational programs. He stated that there is a Park Manager and an Assistant Park Manager who is an extension of the Manager, and the other workers were part-time. He stated that Parks and Recreation felt there is a need for a full-time Manager.

Vice-Mayor Trantalis asked if the park would be eliminated or have reduced activities, if they were to eliminate this position. Mr. Gizzi stated this is a 7-day per week operation at about 13 hours per day. Vice-Mayor Trantalis asked if the park's hours would be reduced if this position is eliminated. Mr. Gizzi stated they did not want to do that and reiterated that the dog park opened at 7:00 a.m. and closed at 8:00 p.m. With only one supervisory position, it would be hard.

Commissioner Hutchinson clarified that this is not a recommendation from the Parks and Recreation Department. Mr. Gizzi confirmed.

Diane Smith, Executive Director of the Broward Homebound Program, stated that this program provided in-home services to elderly and disabled adults throughout the County. She proceeded to distribute information regarding where their clients resided. She explained that the majority of the people they served resided in the City of Fort Lauderdale which were 164 out of 1,054 clients served last year. She stated they had previously been funded by the City and they realized the economic constraints presently on the City, but there were 8 other municipalities in the County that funded their group. She reiterated that they served more people in this City, than in any other municipality, and therefore, it is imperative that she request the City to continue funding their organization.

Ms. Smith explained that the services they provided enabled the elderly to remain living independently in the community and could continue to pay their taxes. She stated they wanted to remain in their own homes that they were accustomed to. She stated further that by providing minimal amounts of services to these people enabled them to stay in their homes. She urged the Commission to remember individuals who had lived here for many years and only needed a small amount of help to live out their final years in homes and communities that they loved.

William Johnson stated that he lived in Orlando and stated he served on the Board for the Broward Homebound Program. He stated this group dealt with the severely disabled and elderly who were in great need. He continued that some of these people were hanging on by their fingernails, but they were proud and needed the help. He stated this is a 501C but it is a ministry. He reiterated that this group had lost over 30% of their funding. He stated that they helped people and they needed the City's help. He felt that is the greatest compliment anyone could give.

Alan Silva stated that he had provided copies of the budget analysis which he had done since he left the employ of the City. He continued stating that when the budget had first been presented on the 20th, one of the things he had tried to do is give the incoming City Manager and the Commission the maximum amount of flexibility that is needed in order to make an informative decision. He stated that when the trim notices went out since there had been a double counting of the fire assessment fee, many people had sticker shock because there is in excess \$8 Million more than what would probably be appropriated. He further stated that there is an amount for the fully financed fire assessment fee at \$125, plus an increase in the mill of 6.2098. He stated that the anticipation is that through this process at least \$8 Million would come from the budget. He stated that it is said that the budget is increased by \$8 Million and the reason for that and why the Reserves were at \$12 Million rather than at \$4 Million is because there is no place to put the other \$8 Million. He stated it had to go into Reserves because all departments were fully financed.

Mr. Silva continued stating that as a point of departure there is \$8 Million in the trim notices that should not be there by the time a decision is made. He stated that since he left, many people had asked him where cuts could be made in order to reduce the taxes to a more reasonable figure. He stated that he had reviewed both the revenue side of the budget and the expenses, and he felt there is a problem on the revenue side, but there is more of a problem on the expenditure side. He believed there is approximately \$1.1 Million over estimates in the budget on the revenue side which had to be made up. He explained that he had given more detailed information on the documents which he had distributed. He felt there could also be a reduction of \$2.9 Million in the budget

which he also indicated in his analysis. He stated that many were things that had been reviewed with the new City Manager, and many were ones they had agreed upon. He stated further that he had arrived at the figure of \$2.9 Million without touching Reserves or the insurance payback. He stated that he had done that for 2 reasons which were fiscal responsibility that had been his montra from day 1. He explained they had a \$21 Million insurance deficit that had developed over 3 years. He stated he is also facing that such amount would have risen over \$3 Million this year unless action had been taken. He stated action had been taken, and they had noted with the Audit Advisory Board and the auditor's recommendation that this action would be done over a 3-year period beginning this fiscal year. He explained a plan had been put in place, and he felt it is necessary to keep the faith from that point of view.

Mr. Silva stated that he felt the budget could be cut by \$12.6 Million and the new mill rate should be 5.595, and the fire assessment fee should be maintained at \$125. He stated this would result in a tax increase over the current millage rate of about 6.7% instead of the amount being shown. He stated to go further than that, they would be cutting into the narrow.

The City Manager referred the Commission to page A-3 of Mr. Silva's budget message dated July 15, 2004, and remarked that this is prior to him recommending an additional \$2.9 Million worth of reductions. He read as follows:

"The work force base has been dramatically reduced and further reductions will impact service quality and/or the existence of certain services and programs."

The City Manager continued stating that it is easy to say cut, cut, cut, as long as everyone understood what they wanted to be, and where they wanted to be as a City. He stated they could cut as many positions as they wanted, as long as they understood there would be impacts on services.

Mr. Silva explained that many of the cuts were cutting additional positions that would have been put back.

Bill Cianni stated that he wanted to address the commercial properties regarding the tax increase. He felt they were hit unfairly considering the mistakes and overflows of the money being misspent, and now those monies had to come from the taxpayers.

Commissioner Moore left the meeting at approximately 7:23 p.m.

Mr. Cianni further stated that the increase for these properties is a phenomenon. He stated the renters were not having their salaries increased and could not afford an increase in rent, and then he would be impacted by their moving out. He explained that he had worked 40 years to accumulate the properties, and now he had a big outlay and is not making any money. He stated he wanted to make some suggestions as to how the Commission could improve their budget. He further stated that he understood that the fire dispatch services alone could be taken over by the County and save the City about \$700,000 to \$800,000. He further stated that he had a lot of friends working for the City, and when he heard them say they were getting 8% on their pension funds, while he is getting 1%, and it is being paid over 5 years, he is astounded. He stated this would escalate and more people would be retiring. He felt the City could not afford to keep up

the DROP Program. He said these were mistakes on the City's part, and now they were asking the taxpayers to pay for it. He reiterated that they were getting sucked dry.

Chief Fallah Alaiheem and stated that he is present on behalf of Snyder Park. He stated that he supported this park over the last 20 years more than anyone in the area. He explained that he did his shows at that park because he liked it and so did his Polynesian Association. He stated that people were coming from all over the world. He continued stating that he referred to the park as an International Park and he thought that is beautiful. He stated the park is run with professional management and reiterated that it is very clean. He reiterated that he promoted the park.

Bill Nielson, Chair of the Budget Advisory Board, stated that they had not yet had their meeting due to the hurricane. He stated they came close to a catastrophe twice in the past few weeks due to the weather, and the one thing their Board had supported is to make sure they had proper reserves. Now, they were extremely depleted and they wanted the reserves kept in this year's budget.

Mary Bathowitch stated that she wanted to talk about the Manager at Snyder Park and what had been done for special education.

Commissioner Moore returned to the meeting at approximately 7:28 p.m.

Ms. Bathowitch further stated that she had become a partner with their school, and as a reward after a certain number of hours of work, they could earn a bicycle and helmet. In the 6 years that she had worked on this program with the park Manager, she had seen the park grow in various ways. She did not think that anyone could do a better job. She further stated that activities had increased, along with the patronage of the park. She did not feel that the person who created everything should lose their job.

Mark Goldman stated that all of his neighbors were flabbergasted when they saw the proposed tax increase. He stated that this is the wrong time for such an increase, and asked the Commission to sharpen their pencils and revisit this matter. He further stated that they should revisit the park issue and possibly reduce the hours, and not burden elderly people from these huge tax increases and possibly having them leave their homes that they had lived in for over 30 years of their lives filled with memories. He felt these were the types of decisions that the Commission needed to be making.

Linda Davie stated that they owned a home in Victoria Park and they did not want to move or sell their home. She stated further that this year they took a double hit because they had lost 50% of their homestead protection due to a small cottage they had in the back of their property. She explained they were subject now to more increases. She stated that she had a \$700 increase for the City's municipal tax. She thanked the City Manager for helping the citizens and realizing that a 32% increase is a huge hit for anyone to take. She asked if stretching it over 3 years and getting a 10% increase, that they should look at stretching it over 4 years and maybe reducing it to 15% or 17%. She reiterated that every little bit helped.

Mayor Naugle clarified that Mrs. Davie had lost part of their homestead due to the rental property, but he had been that it is computed on the size of the unit compared to the main home. He asked if they had gone to the Value Adjustment Board or file an appeal.

Mrs. Davie confirmed and stated they came out and measured the cottage, but it had only taken off 2% to 3%.

Commissioner Hutchinson left the meeting at approximately 7:33 p.m.

Ken Stran stated that he had attended the Commission Conference Meeting today and there had been a discussion regarding 33rd Avenue, and whether or not the taxpayers should pay a certain amount of the storm sewer improvements. He stated the original cost is to be about \$300,000 and the Homeowners Association is to be assessed for \$150,000, but now the cost had risen to \$600,000.

Commissioner Hutchinson returned to the meeting at approximately 7:34 p.m.

Mr. Stran further stated that the 33rd Avenue people wanted the City to pay the entire cost, but the City is offering a compromise suggesting the difference be split between the Association and the City. He explained that splitting the difference amounted to about \$220,000 to over \$300,000. He felt this is an example where the present Commission had decided to use tax dollars for something against the policy of the City. He felt what is needed in City government and all other governments is the 3% cap on tax increases.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to close the public hearing. Roll call showed: YEAS: Commissioner Teel, Vice-Mayor Trantalis, Commissioners Moore and Hutchinson, and Mayor Naugle. NAYS: None.

Commissioner Moore stated that he wanted to compliment The Riverside Park Civic Association for their publishing of a newsletter which he felt is great communication, and further stated that such leadership is what this City needed. He explained that such communication is a form of educating the public regarding what is taking place in the community.

Commissioner Moore stated that he agreed with the City Manager regarding the comments made pertaining to Mr. Silva's statements. He advised that on July 15, 2004 a document is presented to the Commission stating that nothing else could be done to reduce the budget that would allow the City to operate and function in an appropriate manner without the proposed budget. He stated he is surprised to hear the recommendations being made by Mr. Silva, and is concerned because on the 15th they were told nothing else could be done, but now other suggestions were being made.

Commissioner Hutchinson left the meeting at approximately 7:37 p.m.

Commissioner Moore thanked the City Manager for his proposal regarding a compromise. He further stated that he did not like the fire assessment fee. He explained that he probably represented the poorest taxpayers in this City, and he believed that any fee would be regressive towards that particular populace that he represented. He stated that he believed the fee should not be increased to the proposed amount. He reiterated that he had never been supportive of the fire fee, and he did not think there is appropriate methodology in which to do this, but he did understand why they were utilizing a fee where possible in comparison to using the ad valorem. He stated that the ad valorem only allowed a 10 mill rate, and the people in government had found various ways to make the budget balance by offering fees, and when given the opportunity to utilize fees many municipal entities had chosen to assess the taxpayers. He explained

that the fire fee had been operating at \$63 and is proposed in this budget for \$125. He felt it is inappropriate to increase the fee to that amount, and he reiterated that he is consistent with such opposition.

Commissioner Hutchinson returned to the meeting at approximately 7:49 p.m.

Commissioner Moore stated that regarding property adjustment and the appraisals of value, many of the individuals who owned multiple rental properties and were benefiting from those properties, it is an advantage to them when they flipped and sold such properties. When it came to the fact of offering the necessary services, then they felt they were being robbed and stated it is inappropriate action of the policy making board. He further stated that during the last five years had chosen in many cases to roll back the millage rate when it is not a necessity to increase the ad valorem costs. He explained they were attempting to run a responsible government, but in October, 2003, the City Manager is fired. He further stated they could not have a budget that is increasing daily, but not increasing the necessary revenue to address such budget. He further stated that they had labor negotiations and offered their employees automatic salary increases, but it finally caught up with them last year. Then, there were a few catastrophes and one thing the revenues forecasted by the sales tax received from the State had not met the revenue projection. Then, there had been State and Federal mandates which stated that taxes were not going to be increased in the State, and they were going to be reduced. Yet, services were still to be implemented to the citizens of the cities.

Commissioner Moore further stated that the Property Appraiser had done value adjustments, but they were supposed to be based on factual information that showed there is an error on how the adjustment had been made. He stated there is a certain time line that is ordered by law for such adjustments to be made. The Property Appraiser over the last two years had not met such deadlines, and in the middle of the budget year the City had to pay extra money. Therefore, the City's reserves were attacked and dwindled.

Commissioner Moore continued stating that regarding the insurance deficit, it had to be addressed because they were not fiscally responsible as policymakers if they did not find a necessary dollar amount to keep this balanced. He stated that he did not want to go down in history as the Commission that made the largest tax increase for the City of Fort Lauderdale. He stated that also he did not want to go down in history as being the Commissioner who saw the sink shipping and did nothing to bail it out. He stated further that during the last 5 years, he had spoken against the reduction of the millage rate. He added that he is being called the "tax and spend Commissioner," but he is attempting to deal with what he is hearing from the citizens regarding the quality of services they wanted. He stated that the past Commission had differences of opinion as to what is in the best interest of the City, such as whether there should be a jail and have the citizens double-taxed for incarcerations. The Commission in the past kept retaining the jail, but each year it cost the City money, and yet the taxpayers were paying the County to deliver the same service.

Commissioner Moore stated that now people were advocating for a park employee, and he reiterated that there is no greater fan than he for parks and recreation. He stated that this recommendation is about the position and not the person. He reiterated that employees were leaving the City because they did not see fiscal responsibility by

policymakers that made them feel they were on a "safe ship," and therefore, jumped off. He stated that he admired the comments made about such person, but he did not want it to be a situation where a decision is being made about a person. He stated this is about making the Fort Lauderdale family whole. He stated that they needed to look at the individuals employed by the City, and state that it is sometimes necessary to eliminate automatic salary increases.

Commissioner Moore continued stating that it is time to say to one another that it is time to make the ship float, and it would require everyone to take some portion of the water that is causing the ship to sink. He stated he is not agreeable to the \$125 fire fee. He further stated that he is in favor of a tax increase because there is a necessity for it. He stated that individuals 65 years or older could apply for an additional homestead exemption, and he suggested that citizens who were qualified apply for such an exemption in an attempt to help combat the increase of the proposed tax. He added that individuals who made less than \$24,000 per year could apply for the additional homestead exemption. He asked for the Commission to notify the Presidents of the Civic Associations to have the Property Appraiser attend those meetings and give presentations regarding such programs.

Commissioner Moore further stated that he had made recommendations to individuals about the tax consequences of a fee in comparison to an ad valorem tax.

Commissioner Moore stated that there is a commitment made several years ago regarding \$550 Million improvements to the City's sewer system. By doing that, there had to be an automatic increase each year to address those improvements. He stated that this is being done for the good of the City and they were going to deal with issues at the wastewater treatment plant, install sewers in areas that did not have them, and allow them to pay for such improvements over time, and one of the ways to do that is through this increase in cost on a gradual or annual basis of 2.5%.

Commissioner Moore further stated that a bond rating company saw the City at a low 5 mill rate of ad valorem tax, along with headlines in the paper announcing that the City had budgetary problems, and asked if they had the opportunity to go to 10 mills, why is that not being done. He stated that the City only had a certain number of ways to raise money such as ad valorem taxes, fees or Enterprise Funds which were being utilized. He stated that Enterprise Funds could only be spent for things under such funds. He explained that the ad valorem taxes and fees operated the City, and 70% of the budget were for employees and their benefits. He stated if they continued to cut services, the quality of life would continue to decrease for the citizens. He further stated that the parks were not being maintained like they were 3 years ago, and it is due to the fact of cutting staff and the capital programs. He stated they needed to address the issues of operating the City with fiscally responsible revenues. He stated he wanted the type of government for his staff that showed data as to what positions and services were necessary in order to retain the quality of life for its citizens.

Commissioner Moore stated he is not happy about a \$94 fire assessment, but he would offer it as a compromise so they could obtain a balanced budget to operate the City properly.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to approve the amended budget as proposed by the City Manager.

The City Manager clarified that the document distributed had not included the \$350,000 minus the \$85,000. He stated if the Commission is comfortable with those changes, then staff would adjust the figures to reflect the correct amounts.

Commissioner Hutchinson stated that in regard to the Bicycle Coordinator, she realized it is a minimal amount of money, but they had sought grant funding for it. She stated that such things had to be put in perspective. She stated that the City's transportation mode is going to change and the Commission had applied for the grant, and bike lanes were part of the new highways, and she felt it is time for the City to move in that direction.

Commissioner Hutchinson further stated that she wanted to discuss taking the person out of the position in the park, but she wanted to go back to the departments for their recommendations as to what they did and did not need. She stated she is concerned when she heard from management that such recommendation is not their suggestion. She asked how could there be an assistant, if there is no manager. She stated she wanted to open up this issue for some further discussion.

Mayor Naugle clarified that the Parks Department is in conflict with the City Manager's recommendation.

Phil Thornburg, Parks and Recreation, stated they were not involved in the process and they could work with the recommendation. Mayor Naugle asked if the department agreed with the recommendation. Commissioner Moore stated that many people did not want various recommendations, but they did what is necessary. He stated that he did not want to go through this budget handpicking who should be displaced.

Commissioner Hutchinson reiterated that the topic is offered for discussion and it would be approved or not. She further supported the motion made by Commissioner Moore.

Vice-Mayor Trantalis stated that people were caused great distress in knowing they had to pay more money next year in taxes. He continued stating that 70% of the budget went towards police and fire protection. Mayor Naugle clarified that 70% of the budget went towards salary compensation for employees.

Commissioner Moore left the meeting at approximately 8:01 p.m.

Alan Silva stated that 75% of the budget went towards compensation of all City employees. Mr. Chapman reiterated that between 50% and 60% of the budget went towards police and fire salaries.

Vice-Mayor Trantalis asked what percent is factored into the budget for parks and recreation. Mr. Chapman stated that amounted to about 30%. Vice-Mayor Trantalis stated that between 80% to 90% of the budget dealt with police protection, fire protection and parks and recreation. Mr. Chapman confirmed.

Vice-Mayor Trantalis stated that the taxes could be lowered, but services would suffer along with the quality of life for the City's residents. He stated they had to decide what is best for the City. He reiterated that when the hurricane is approaching, everyone asked for protection and services. He stated there is a cost for such services and everyone paid for it.

Vice-Mayor Trantalis commended the individuals who had worked on the budget process in trying to work out the best compromise. He stated he had to support the motion because it is the only sensible approach to keep the City running and services provided. He stated if they could not agree together this evening, then they would not be able to agree on a budget.

Commissioner Moore returned to the meeting at approximately 8:04 p.m.

Commissioner Teel stated that it appeared the consensus is that no one wanted to pay more taxes. Last year comments were to the effect "shame on the Commission," and she felt that is an appropriate one to make. She stated it is maybe shame on the citizens who were not paying closer attention to what is going on. She stated that this year the assessed values were hitting everyone very hard. She reiterated that people were being forced to stay in their houses because they could not afford to move. She stated the right thing is not to raise taxes, but to decrease spending. She stated she is responsible for what happened during her 18 months tenure and what would happen until the end of her term. In looking back at the article written in the newspaper last December, she found it to be enlightening. She reiterated that the chronology had been listed, along with all the problems that had developed over the years. She stated the spending of the reserves and the constant hitting at the Contingency Fund until no cushion is left is very frightening. She stated that most citizens were unaware of such things taking place. She stated those types of things were the responsibility of the leaders of the City to make sure such things did not happen again.

Commissioner Teel stated she is distressed to see that the minimal amount of reserves suggested by the Acting City Manager of \$2 Million had been reduced to \$1 Million. She felt that is ill-advised and is a minimal amount of money. She reiterated that they were paying twice for fire dispatch services because they were paying the County and the City. She felt additional monies could be saved in that regard, and then those monies could be put in the reserves. She further stated that in talking about cutting, it became difficult because everyone had their favorites. She felt there is more room to look at this budget.

Commissioner Teel stated that a few years ago a study had been done regarding fire fees to see if there is a way to have everyone pay their fair share based on services used. She continued stating that it had been determined that \$125 per residential unit would fully fund the operation of the Fire Department, in addition to the other types of properties based on usage and the amount of equipment that would be needed. She stated if people had the ability to request an additional exemption, then they should do so if it is needed. She added that services also had to be rendered to such households without receiving anything in return. She suggested that the \$125 fire fee be assessed to all properties, and that it should be the minimum paid to the City for such services. She stated it would totally fund the Fire Department and she felt that is the wise way to go. At this time, she felt they could do better in regard to the millage rate. She reiterated that they needed to "sharpen their pencils," and she believed there were still revenue sources that had been over estimated. She stated the Property Appraiser is going to be very busy with all the Value Adjustment Board appeals. She stated that she is not going to support the proposed millage rate because she felt they could do better. She reiterated that the \$125 fire assessment fee is a fair way to get money to the Fire Department.

Mayor Naugle stated that he is more comfortable with the \$125 fire fee, and he felt this fee could help reduce the millage rate. He felt other things could be cut from the budget. He stated that Mr. Silva had been some recommendations regarding further reductions, and he felt they needed to revisit such items as travel, cell phone usage, car allowances, along with other things. He stated they were asking taxpayers to tighten their belts and get by with less.

Mayor Naugle continued stating that he wanted to correct some statement that had been made previously. He stated that it had been represented that this City Commission had not been raising property taxes for the last 5-6 years. He advised that he had the facts and figures which show that they had consistently raised property taxes for the last 5 years 3 times more than the rate of inflation. He stated that last year the increase had been 11%. He stated further that the millage rate had not always gone up which is a meaningless figure because it did not take into account how much property values went up. He announced that this year property values in this City had gone up 12% overall. He stated there is not a big increase to homesteaded properties. He advised that in some cases there had been a 100% increase on commercial properties. He stated that individuals renting could not always afford such increases. He reiterated that the doubling of taxes in any given year is too much and property maintenance would suffer. He stated that the values the Property Appraiser is assessing to commercial properties did not support the income on the property. He stated further that the property owner would not be able to recover the money in rent, maintenance would suffer, and more foreclosures would take place. He added that people would be forced to sell their properties. He stated that eventually he believed the Property Appraiser would catch up and there would be some reductions on commercial properties. He stated there is a great disparity in what people had to pay in property taxes and what they could afford. He reiterated that many people were being forced out of the community because of the constant increase in property taxes. Mayor Naugle stated it is important for them to limit the increase in property taxes, and that had not been done in the past. This year the budget would represent a 24% increase, and he would be more comfortable with the fire assessment, along with an additional reduction in the millage rate, and possibly over the next week other cuts could be considered.

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

Mayor Naugle announced there is a proposed millage rate for general City purposes exclusive of debt service would be 5.4066 which represented a 24.22% increase in the millage rate over the rollback rate of 4.3523 mills, which by State Statute is characterized as a 24.22% increase in the property taxes. He announced that the proposed millage rate for debt service for the combined 1987, 1992, 1998 General Obligation Refunding Bonds is .2082 which represents a 5.3% increase in the millage rate over the rollback rate of .1977. He stated that the proposed millage rate for debt service for the 1997/2002 General Obligation Bonds is .1550 which represents a 15.59% increase in the millage rate over the rollback rate of .1341.

Commissioner Moore introduced the following resolution adopting the tentative millage rate:

RESOLUTION NO. 04-149

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ADOPTING THE TENTATIVE MILLAGE RATE PROPOSED TO BE LEVIED BY THE CITY OF FORT LAUDERDALE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2004 AND ENDING SEPTEMBER 30, 2005.

Which resolution is read by title only.

Vice-Mayor Trantalis stated that he is confused by what the Mayor had read. He stated that the numbers read did not match the numbers given to them by the City Manager. Therefore, he asked for some further explanation.

Mr. Chapman explained that this is an amended number by removing the Park Manager and including money for the police officers for the Rock Island annexation.

Vice-Mayor Trantalis asked if the position of Park Manager had originally been included in the so-called alternative proposal. Mr. Chapman confirmed. Vice-Mayor Trantalis asked when had that occurred. Mr. Chapman stated that had just been done this evening. He reiterated that there had been a conversation when the Mayor asked for a recalculation of the millage rate. He explained that the elimination of the Park Manager had been included in the budget message which had been proposed by the Acting City Manager, and he assumed that they were reacting to such message. He explained further that the current City Manager had wanted to put that position back into the budget.

Vice-Mayor Trantalis reiterated that Mr. Silva no longer worked for the City and that is why he had been confused. He stated that he is relying on staff's budget proposal which spoke of a combined millage rate of 5.7559, and he had thought that included the Park Manager.

The City Manager stated that when he had made his presentation, he had referenced the fact that there had been some discussion regarding the inclusion of that position. He then discussed the \$350,000 that is needed for the police officers, and that is to be offset with the \$85,000 for the Park Manager.

Vice-Mayor Trantalis asked if the alternate proposal had been changed. The City Manager reiterated that the new calculations had just been done. Mr. Chapman confirmed and stated that the final combined millage would be 5.7698 from the original 5.775. He explained it would be increased by .0123. He stated that included a fire assessment of \$94.

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

Commissioner Moore introduced the following resolution adopting the tentative budget for fiscal year 2004/2005:

RESOLUTION NO. 04-150

A RESOLUTION ADOPTING THE TENTATIVE BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2004, AND ENDING SEPTEMBER 30, 2005.

Which resolution is read by title only. YEAS: Vice-Mayor Trantalis, Commissioners Moore and Hutchinson. NAYS: Commissioner Teel and Mayor Naugle.

Commissioner Moore introduced the following ordinance on 1st reading adopting the approved budget for fiscal year 2004/2005:

ORDINANCE NO. C-04-42

AN ORDINANCE ADOPTING THE FINAL BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2004, AND ENDING SEPTEMBER 30, 2005.

Which ordinance is read by title only. YEAS: Vice-Mayor Trantalis, Commissioners Moore and Hutchinson. NAYS: Commissioner Teel and Mayor Naugle.

Mayor Naugle announced that the public hearing to finally adopt the millage rate and the budget would be held at 6:00 p.m. on September 21, 2004. YEAS: Vice-Mayor Trantalis, Commissioners Moore and Hutchinson. NAYS: Commissioner Teel and Mayor Naugle.

Mayor Naugle announced that the public hearing to finally adopt the millage rate and the budget would be held at 6:00 p.m. on September 21, 2004 at the City Commission Meeting Room at City Hall, 100 N. Andrews Avenue, Fort Lauderdale, Florida.

Fiscal Year 2004/2005 Sunrise Key Neighborhood Improvement District (PH-2)

The first public hearing on the tentative budget of the Sunrise Key Neighborhood Improvement District for the fiscal year beginning October 1, 2004 and ending September 30, 2005.

Steve Chapman, Assistant Director of Finance, explained that the Sunrise Key millage would go to 1 mill, and the budget would consist of \$5,000 for insurance, \$3,000 for accounting and audit, \$4,200 for vehicle expenses, \$6,000 for repair and maintenance, \$35,000 for security, \$5,000 for landscaping and pest control, and \$3,000 for contingencies. He explained the total budget would be \$61,200.

Commissioner Moore left the meeting at approximately 8:20 p.m.

Mayor Naugle proceeded to open the public hearing.

Motion made by Commissioner Hutchinson and seconded by Commissioner Teel to close the public hearing. Roll call showed: YEAS: Commissioner Teel, Vice-Mayor Trantalis, Commissioner Hutchinson, and Mayor Naugle. NAYS: None.

Mayor Naugle announced that the proposed millage rate for all Sunrise Key Neighborhood Improvement District purposes would be 1 mill which represented an increase in 37.5% over the rollback rate of .7275 mills, which by State Statute is characterized as a 37.5% increase in property taxes.

Commissioner Hutchinson introduced the following resolution adopting the tentative millage rate for the Sunrise Key Neighborhood Improvement District for fiscal year 2004/2005:

RESOLUTION NO. 04-151

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ADOPTING THE TENTATIVE MILLAGE RATE PROPOSED TO BE LEVIED BY THE CITY OF FORT LAUDERDALE FOR THE SUNRISE KEY NEIGHBORHOOD IMPROVEMENT DISTRICT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2004 AND ENDING SEPTEMBER 30, 2005.

Which resolution is read by title only. Roll call showed: YEAS: Commissioner Teel, Vice-Mayor Trantalis, Commissioner Hutchinson, and Mayor Naugle. NAYS: None.

Vice-Mayor Trantalis introduced the following resolution adopting the tentative budget for the Sunrise Key Neighborhood Improvement District for fiscal year 2004/2005:

RESOLUTION NO. 04-152

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ADOPTING THE TENTATIVE BUDGET FOR THE SUNRISE KEY NEIGHBORHOOD IMPROVEMENT DISTRICT FOR FISCAL YEAR BEGINNING OCTOBER 1, 2004 AND ENDING SEPTEMBER 30, 2005.

Which resolution is read by title only. Roll call showed: YEAS: Commissioner Teel, Vice-Mayor Trantalis, Commissioner Hutchinson and Mayor Naugle. NAYS: None.

Mayor Naugle announced that the public hearing to finally adopt the millage rate and budget would be held at 6:00 p.m. on September 21, 2004 in the City Commission Meeting Room at City hall, 100 N. Andrews Avenue, Fort Lauderdale, Florida.

Fiscal Year 2004/2005 Fire Rescue Special Assessment

(PH-3)

A public hearing to consider a resolution relating to the provision of fire rescue services, facilities and programs in the City; reimposing fire rescue assessments against assessed property located within the City for the fiscal year beginning October 1, 2004; approving the rate of assessment; approving the assessment roll; and providing an effective date. Notice of public hearing is published August 8, 2004.

Steve Chapman, Assistant Finance Director, stated that the Fire Rescue Special Assessment is currently proposed at a 75% level of fire fees which did not include EMS, but would only include fire support and fire suppression. He advised the cost would be \$94 per residential unit.

Mayor Naugle proceeded to open the public hearing.

Motion made by Commissioner Hutchinson and seconded by Vice-Mayor Trantalis to close the public hearing. Roll call showed: YEAS: Vice-Mayor Trantalis, Commissioner Hutchinson and Mayor Naugle. NAYS: Commissioner Teel.

Mayor Naugle stated that the proposed Fire Rescue Special Assessment would be \$94 annually for each residential property and proposed Fire Rescue Special Assessment rate for non-residential property shall be shown in the detail rate schedule provided in the resolution approving the Fire Rescue Special Assessment.

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 04-153

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, FACILITIES AND PROGRAMS IN THE CITY; ESTABLISHING THE RATE OF ASSESSMENT; IMPOSING A FIRE RESCUE ASSESSMENT FEE ON PROPERTIES THAT MAY NOT HAVE BEEN INCLUDED ON THE ASSESSMENT ROLL APPROVED FOR THE PRIOR FISCAL YEAR, AND REIMPOSING FIRE RESCUE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED IN THE CITY OF FORT LAUDERDALE, FLORIDA; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

Which resolution is read by title only.

Mayor Naugle asked if this resolution only required one reading. Mr. Chapman confirmed. Mayor Naugle stated that they might have to readvertise if they wanted to change this, and he felt it would make more sense to have a final vote on the Fire Assessment Fee after the second reading of the budget.

The City Manager stated there is an issue regarding the deadline of the 15th.

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

**Fiscal Year 2004/2005 Lauderdale Isles Water Control District
Special Assessment**

(PH-4)

A public hearing to consider a resolution relating to the Fiscal Year 2004/2004 Lauderdale Isles Water Control District; reimposing assessments against assessed property located within the Lauderdale Isles Water Control District for the fiscal year

beginning October 1, 2004; approving the rate of assessment; approving the assessment roll; and providing an effective date.

Steve Chapman, Assistant Finance Director, stated that the Lauderdale Isles Special Assessment currently is comprised to fit 549 properties, and the assessment would be \$15, which would bring in a proposed budget of \$8,235 used for aquatic weed control.

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore to close the public hearing. Roll call showed: YEAS: Commissioners Teel, Vice-Mayor Trantalis, Commissioners Moore and Hutchinson, and Mayor Naugle. NAYS: None.

Commissioner Hutchinson introduced the following resolution:

RESOLUTION NO. 04-154

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, LEVYING A PROPERTY ASSESSMENT FOR FISCAL YEAR 2004/2005 ON BEHALF OF THE LAUDERDALE ISLES WATER MANAGEMENT DISTRICT.

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

Mayor Naugle announced that both parties regarding Item M-29 were interested in having this item discussed on September 21, 2004.

Bill Shear, representing one of the adjoining property owners, Eckerd Drug, stated that they agree to defer this item until September 21, 2004.

Romney Rogers, representing the Church, stated that they would prefer this item to be discussed on September 21, 2004.

Commissioner Hutchinson stated that she had originally requested that this item be moved for Commission discussion, but is withdrawing her request. She apologized for the lateness of her request for withdrawal.

Commissioner Moore stated that based on staff's comments regarding a DRC issue, he would like to have this item called up, and requested that it be on the agenda for September 21, 2004.

Motion made by Commissioner Moore and seconded by Vice-Mayor Trantalis to table this item until September 21, 2004 at 6:00 p.m. Roll call showed: YEAS: Commissioner Teel, Vice-Mayor Trantalis, and Commissioner Moore. NAYS: Commissioner Moore and Mayor Naugle.

The following items were removed from the Consent Agenda as recommended:

Motion made by Vice-Mayor Trantalis and seconded by Commissioner Hutchinson that Consent Agenda Item Nos. M-2, M-21, M-27, M-28 be deleted from the Consent Agenda and considered separately, and that all remaining Consent agenda items be approved as recommended.

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

Change Order No. 1 – AGC ELECTRIC, Inc. - \$19,025.10 (M-2)
Fire Station No. 2 Dispatch System – Project 9957-A

Commissioner Hutchinson stated that she had pulled this item, and asked why this had not been planned for in the original specifications. She asked if there had been an oversight in Engineering, but reiterated that it had never been in any of the budgets to place a person there permanently.

Otis Latin, Chief Fire-Rescue, stated that as far as they were concerned, this should have been included in the original plans. He explained it is their intent to have the buttons and the remote as part of the entire process, but they had not been included. He reiterated that they were needed.

Motion made by Commissioner Hutchinson and seconded by Vice-Mayor Trantalis to approve the proper City Officials to execute Change Order No. 1 with AGC Electric, Inc. in the amount of \$19,025.10 for additional work related to the Fire Station No. 2 Dispatch System project and 15 additional days on the contract.

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

Recognition of Representative Jack Siler (OB)

Mayor Naugle proceeded to recognize Representative Jack Siler who is present this evening. He stated that the Commission wanted to express their appreciation for the assistance he had given them during the hurricane recovery process. He stated that Representative Siler had assisted them in obtaining needed materials for the City along the CSX Railway. He explained that shipments of lime were delivered for the water supply.

Representative Jack Siler stated that he is glad he could help out. He stated that he wanted to make a few comments regarding the issue of unfunded mandates. He continued stating that this Commission needed to be vigilant and needed to stay on top of the State Representatives to make sure that every single unfunded mandate that is passed into a law or slipped into a bill be brought to their attention. He stated it is very critical that they not pass unfunded mandates down onto the municipalities, who then had to pass them on to their citizens.

Commissioner Hutchinson left the meeting at approximately 8:34 p.m.

Representative Jack Siler stated there were unfunded mandates in various areas that everyone needed to be careful about.

Representative Jack Siler further stated that if any Commissioner had any issues in their districts regarding utility problems, they should contact his office for assistance.

Commissioner Hutchinson returned to the meeting at approximately 8:35 p.m.

M-21

Mayor Naugle announced that this item had been deleted from tonight's agenda.

Amendment 1, Task Order 9 – CH2M Hill, Inc. – \$13,200 (M-27)
Facility Security Planning, Emergency Response Plan Update

Commissioner Moore stated that he had pulled this item, and he felt this could be done in-house.

Paul Bohlander, Assistant Utilities Services Director, Engineering, stated that CH2M Hill had conducted the original study, and had special expertise in this area. Therefore, they felt it made sense to have them follow up with this matter, which included training that the City did not have in-house resources to conduct. He explained this is the conclusion of a task order which they had started in April, 2003.

Commissioner Moore reiterated that he is not convinced, and still felt the work could be done in-house. He stated that he would not support this item.

Motion made by Commissioner Hutchinson and seconded by Commissioner Teel to authorize the proper City Officials to execute Amendment 1 to Task Order 9 with CH2M Hill, Inc., Project 10653, in the amount of \$13,200, for professional engineering services associated with review and update of the Emergency Response Plan update and training exercise.

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

Audit Services – Procedures for Resolution of Disputes (M-28)
Ernst & Young

Commissioner Moore stated that he had pulled this item, and explained that in the second paragraph it stated that the City had never had a dispute with an outside auditor, and definitely not with Ernst & Young. He asked why this service is needed.

Terry Sharp, Finance Director, stated that the Charter required that the City have an independent audit, and this is the basis upon which Ernst & Young wanted to conduct the business. He added that they felt it is remote that any dispute resolution process would ever take place.

Motion made by Commissioner Hutchinson and seconded by Vice-Mayor Trantalis to authorize the Director of Finance to sign engagement letters for audit services that provide for the annual audit timetable for Fiscal Year 2004/2005 and dispute resolution procedures.

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

Rezoning; 1750 East Sunrise Boulevard – Case 2-ZR-04**(PH-5)**

At the Planning and Zoning Board regular meeting of June 16, 2004, the Board recommended by a 8 to 0 vote that the following application be approved. Notice of public hearing is published on August 27 and September 3, 2004.

Applicant: Bank Atlantic
Request: Rezone from RMM-25 to CB with allocation of Commercial Flexibility and Site Plan Approval
Location: 1750 East Sunrise Boulevard

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to close the public hearing. Roll call showed: YEAS: Commissioner Teel, Vice-Mayor Trantalis, Commissioners Moore and Hutchinson and Mayor Naugle. NAYS: None.

Commissioner Hutchinson introduced the following ordinance:

ORDINANCE NO. C-04-43

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM "RMM-25" TO "CB", INCLUDING THE ALLOCATION OF FLEXIBILITY UNITS AND SITE PLAN APPROVAL, LOT 4 AND THE NORTH 28 FEET OF LOT 5, LOT 21 AND THE NORTH 28 FEET OF LOT 20, BLOCK 232, "PROGRESSO," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 18 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, WITH COMMERCIAL FLEXIBILITY BEING ALLOCATED TO SAID LOT 4 AND THE NORTH 28 FEET OF SAID LOT 5, LOCATED BETWEEN NORTHEAST 17TH WAY AND VICTORIA PARK ROAD, 135 FEET MORE OR LESS SOUTH OF SUNRISE BOULEVARD, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH REZONED LANDS.

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

Rezoning; 737 North Andrews Avenue – Case 1-ZPUD-04**(PH-6)**

At the Planning and Zoning Board regular meeting on July 21, 2004, the Board recommended by a 7 to 0 vote that the following application be approved. Notice of public hearing is published on August 27 and September 3, 2004.

Applicant: Progresso Lofts, LLC and Maison Saint-Antoine, LLC
Request: Rezone from B-2 and RMM-25 to PUD
Location: 737 North Andrews Avenue

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to close the public hearing. Roll call showed: YEAS: Commissioner Teel, Vice-Mayor Trantalis, Commissioners Moore and Hutchinson, and Mayor Naugle. NAYS: None.

Commissioner Moore introduced the following ordinance:

ORDINANCE NO. C-04-44

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM "B-2" AND "RMM-25" TO PLANNED UNIT DEVELOPMENT ("PUD"), LOTS 1 THROUGH 10, TOGETHER WITH LOTS 39 THROUGH 48, BLOCK 286, "PROGRESSO," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 18, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LOCATED SOUTH OF NORTHWEST 8TH STREET, BETWEEN ANDREWS AVENUE AND NORTHWEST 1ST AVENUE, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA; APPROVING A DEVELOPMENT PLAN; ESTABLISHING THE DEVELOPMENT STANDARDS FOR THE PROPERTY INCLUDING BUT NOT LIMITED TO USES, DENSITY, LOT SIZE, HEIGHT, YARD, SETBACK, PARKING, OPEN SPACE AND LANDSCAPING; AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH REZONED LANDS.

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

Appeal of Planning & Zoning Board Decision
SW 14 Way, Kenilworth Place – Case 1-P-03

(PH-7)

At the June 16, 2004 Planning & Zoning Board meeting, the application was denied by a vote of 4 to 4. The applicant has appealed the Planning and Zoning Board decision.

Commissioner Hutchinson stated that she is not prepared to uphold the Planning and Zoning Board decision because previously the City had applied to Broward County Land Preservation Board to purchase property. It was agreed that the cul-de-sac needed to be. She is not sure if there were any other issues regarding this matter, but explained that this is tied in to the Wilkins property that is being purchased with Land Preservation and Conservation monies.

Motion made by Commissioner Hutchinson to close the public hearing.

Mayor Naugle passed the gavel to Vice-Mayor Trantalis and proceeded to then second the motion.

Vice-Mayor Trantalis passed the gavel back to Mayor Naugle.

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

Motion made by Commissioner Hutchinson and seconded by Commissioner Teel to pass on first reading the following ordinance to vacate the right-of-way.

ORDINANCE NO. C-04-45

AN ORDINANCE VACATING, ABANDONING, AND CLOSING THAT PORTION OF S.W. 14TH WAY, KENILWORTH PLACE AS SHOWN ON THE PLAT OF RIVER HIGHLANDS, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 10, PAGE 2 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING NORTHWESTERLY OF A LINE PERPENDICULAR TO THE NORTHEASTERLY LINE OF LOT 2, BLOCK 2, OF SAID RIVER HIGHLANDS, SAID LINE RUNNING FROM THE EASTERNMOST CORNER OF SAID LOT TO AND RUNNING NORTHEASTERLY TO INTERSECT THE SOUTHWESTERLY LINE OF BLOCK 3 OF SAID RIVER HIGHLANDS, LOCATED NORTHWESTERLY OF THE INTERSECTION S.W. 2ND COURT, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioner Teel, Vice-Mayor Trantalis, Commissioner Hutchinson and Mayor Naugle. NAYS: Commissioner Moore.

**Appeal of Planning & Zoning Board Decision
Right-of-Way – Hendricks Isle – Case 10-P-03**

(PH-8)

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore to defer this item until October 5, 2004, at 6:00 p.m. Roll call showed: YEAS: Commissioner Teel, Vice-Mayor Trantalis, Commissioners Moore and Hutchinson, and Mayor Naugle. NAYS: None.

**Appeal of Historic Preservation Board Decision -
1001-1009 SW 4 Street – Case 8-H-04**

(PH-9)

Pursuant to Section 47-26.B.1, the City Commission voted to hold a de novo hearing based on the applicant's appeal of the Historic Preservation Board decision at its May 3, 2004 meeting to deny (2-6) the request for certificates of appropriateness for demolition of one structure, relocation of two structures and new construction of a total of nine townhouses.

ALL INDIVIDUALS WISHING TO SPEAK ON THIS ITEM WERE SWORN IN.

Commissioner Moore left the meeting at approximately 8:46 p.m. Robert Lochrie, attorney for the applicant, stated that the property which is the subject of the appeal this evening is located at the northwest corner of SW 4th Street and 10th Avenue in the Sailboat Bend neighborhood. He proceeded to show a map of the subject site.

Mr. Lochrie stated that the site is located within the City's medium-high land use category and is zoned RML-25, which is a multi-family zoning district permitting up to 25 units per acre. He stated that this project had originally been submitted to the City's DRC process. He explained the intent has always been to do a townhouse project, rather than an apartment building or other type of multi-family project. As a townhouse project, the site would yield 11 units. There are 3 existing structures on the site, two of which are considered to be historic. He stated the initial plan is to save one of the historic structures and keeping it in its place, but surrounding it with other properties. He proceeded to show photographs of the existing structures. One of the structures has been significantly modified from its original appearance by enclosing the porch with permanent materials, as well as screening. The second structure on the site has a habitable area on the 2nd story, and the first floor head room is only about 6 feet. He stated the other structure on the site has been determined not to be historically significant. The real historic significance of the two properties is the date during which they were constructed.

Mr. Lochrie continued stating that in going through the DRC process, staff returned with concerns sending them back to the drawing board. He stated they had then also gone back to the Sailboat Bend Neighborhood Civic Association in order to get a feel as to what they wanted to see in this project. The applicant also submitted the project to the Historic Preservation Board for their review and comment before they finished submitting the plans. He stated they had received a lot of input from the Association and had incorporated those suggestions into the project. He explained they had not made a full presentation before the Historic Preservation Board because they determined it is not timely and expected the applicant to return once the project had been completed and the plans submitted.

Mr. Lochrie explained that they ended up with a 9-unit project, consisting of 7 new buildings, and preserving the two historic structures. He explained further what is being saved is the single-family house located in the middle of the site which is being relocated to the southeast corner, so it would be exposed on 3 sides and set in a primary location. They are relocating the other structure to the northeast corner of the site. He proceeded to show the general layout of the site plan. They kept within the Design Guidelines established by the Sailboat Bend Civic Association and removed all driveways and garages from 4th Street. He added that there is one central driveway, but not along the back alley or along 10th. There is a central courtyard with separate garages having significant architectural features, such as bay windows and landscaping. All vehicular traffic is being removed from the street fronts. There are porches on the front and rear, thereby treating the alleyway as though it is a regular street. The porches encroach into the yards, as permitted in this district, and are the only areas they are asking for special review. He stated that where they are entitled to a 25' yard on 4th where the driveway would be, they removed it and replaced it with landscaping and brought a porch to the front leaving 15' on the façade. At the rear they would be required to have a 20' yard, and porches along that side also.

Mr. Lochrie stated that the surrounding property and swale areas have a significant number of mature trees which would be saved. He proceeded to show a photograph of the single-family house, along with 3 townhouse units. He then showed various views of the project. He continued stating that they are attaching the existing homes to portions of the project which is required by Code. He stated that the property to the rear has been

removed from the cement pedestal. Significant elements are being added, such as window treatments that are more typical of the era. They are removing the existing roof and replacing it with a tin roof. He added they are using a different color and style of siding on the two homes so as to further emphasize the differentiation between them and the remaining project.

Mr. Lochrie further stated that at the Historic Preservation Board meeting, they heard concerns regarding the nature of the neighborhood, that it is not single-family. He reiterated that they believe this project would only enhance the area.

Mayor Naugle proceeded to open the public hearing.

Charles Traynor stated that he is representing Veronica Zerra at tonight's meeting. He has a video tape with her remarks regarding the project. He explained that she is very upset about the project.

Mayor Naugle asked if Mr. Lochrie objected to the playing of Ms. Zerra's tape. Mr. Lochrie stated he does not object, but indicated that it could not be considered sworn testimony.

Ms. Zerra's video tape was played conveying her objections to this project.

William Saunders stated that he lives in the Sailboat Bend District and is also the Vice-Chair of the Historic Preservation Board. He added that he is the Vice-President of the Civic Association. He explained that he reviewed the minutes of the Historic Preservation Board meetings of March 1, 2004 and May 3, 2004. This project had been reviewed and commented upon. He explained that the historic consultant suggested that "...an attached exterior addition to the historic building would expand its outer limits to create a new profile, and such expansion has the capability to radically change the historic appearance. An exterior addition should be considered only after it has been determined that the new use could not be successfully met by altering non-character, defining, interior spaces."

Mr. Saunders stated that he discovered an anomaly in the Code which suggests that if there are two buildings on a regular lot that they have to be attached. Historically, in the Sailboat Bend District, there were multiple buildings on properties without being attached. It is suggested that the historic district be exempted from this part of the Code given its history. He stated that the Board had suggested to the applicant that they needed to have the two historic buildings stand out and be separate from the new construction, but then the Code anomaly had been discovered.

Mr. Saunders further stated that at the May 3, 2004 meeting, the historic consultant had stated: "...that the non-complying first story of the apartment house at 1009 SW 2nd Street would be demolished and the second story would be moved to a newly built foundation and first floor at the western end of the northern most building of the project. This restored building would be visible from SW 10th Avenue, the 3rd story belvederes of the new townhomes, and the reduced side of their street side elevations were narrower and not noticeable from the street level. Such changes were compatible with Section 47-24.11 of the ULDR and the Secretary of the Interior Standards."

Mr. Saunders stated that he is in favor of the project.

John McDonald stated that he lives across the alley to the north of the subject site. A reason to have this district designated historic is to preserve the older buildings, have a design criteria for building materials in the neighborhood, and relax the footprints to encourage development. He stated this development looks nice and has a good roof line with the vehicles inside the property. It will be an improvement to the neighborhood. He stated that Veronica, at the Historic Preservation Board meeting, kept discussing single-family neighborhoods. He explained that he lives in a single-family home in a multiple zoned area. He stated that he drove through the area between 10th Avenue and 11th Avenue, along the river to Broward Boulevard, and he explained there are two single-family homes on the river, but listed the other types of structures on the remaining portion of the area; for example, fifteen single-family homes, twenty-five duplexes, ten two-story apartment houses, a fire station, a market and the Broward Alcoholic Rehabilitation Center. Therefore, he stated it is not a single-family neighborhood. He reiterated that he is in favor of this project.

John Kleinedler wanted to state what had occurred at the Civic Association regarding this project. He explained that about one year ago the developer and owner of the property began attending the Sailboat Bend Civic Association meetings on a regular basis in order to get an idea as to what would be an acceptable development for the area. The meetings were informative for both sides, and plans had been presented. He stated further that plans were presented on three separate occasions, and at least 20 members had been present at each meeting. There had been a unanimous vote in favor of the project. He stated that he had forwarded a letter on behalf of the Civic Association to the Historic Preservation Board.

Julian Siegal stated that he lives on the New River in Sailboat Bend, and added that he is also a developer and is in support of the project. He also supports the preservation of historic structures, and is glad the applicant did not reach out for maximum capacity for the project. He is in support of the preservation of the trees and felt the project would be an asset to the neighborhood for years to come.

William Nielson stated that he is in favor of the project. He stated that the architect and developer spent a lot of time with the Civic Association, and the results had been reported in their newsletter over the course of time. Members unanimously voted in favor of the project. He stated that Mrs. Zerra's protest mainly deals with the theory of "not in my backyard," and explained that she lives about three doors away from this project. He felt if the goal is to preserve, then possibly they need to consider freezing taxes on historic structures, and reimbursing the owners for the development rights. He realized the City could not afford that at this time, and he advised that even the Environmental Protection Agency looked at this as an in-fill project.

Commissioner Moore returned to the meeting at approximately 9:16 p.m.

Mayor Naugle stated that in order to freeze taxes, it would take a state-wide constitutional amendment.

Mark Filman stated that he lives in Sailboat Bend about 50' west of the proposed project. He further stated that when first visiting the area, he had been envious of the neighborly atmosphere. He felt this district promises a slower-paced community where neighbors know each other. He bought property in the area and restored an 80-year old house. He

stated they are now saying it is not worth saving the district. He stated the City has to stop the "carpetbaggers" from tearing down the historic neighborhood and over developing every piece of available green space.

Nolan Haan stated that he owns three historic buildings in Sailboat Bend. He stated that in his opinion, the decision tonight has nothing to do with the design of the project, the setbacks, the driveways, or the rear parking. The issue revolves around the fate of the two historic structures. The premise of a historic neighborhood is to maintain the complexion of the neighborhood, and the dignity of the historic buildings. He explained that when one proposes to move historic buildings, the integrity of such buildings has to be maintained. This project is proposing to take two very historic buildings, one of which is to be one of the oldest houses in the city, and attach it as part of a row townhouse development, which he felt is totally unacceptable. He reiterated that it had also been unacceptable to the Historic Preservation Board, and he hoped the Commission would uphold their decision.

Mr. Haan further stated that he is concerned this would start a precedent. He continued stating that the people in Sailboat Bend welcome the new development, and he felt that any of the duplexes being demolished are welcomed. There are a lot of non-conforming buildings in the area, and a lot of space for enough development to satisfy the need, but he felt when historic structures are involved, they need to draw the line. He felt the architect should have known better than to present this project.

Mr. Haan stated that in regard to the meeting referred to as giving unanimous approval for the project, he explained that twenty individuals had attended, and he had been one of them. He originally voted in favor of the project and had been seduced by the appealing design, but no one at the meeting had stopped to consider the fate of the historic houses. He stated that when Mrs. Zerra sounded the alarm, many of the residents woke up and realized this project would not take place. He did not want to see his house hooked up like a trailer to a group of row houses. If there is a law that made the developer attach the buildings, then that law needs to be changed. He wanted to applaud the Historic Preservation Board for having the courage to deny this application, and he hoped the Commission would agree.

Marty Canavan stated that she had been involved in this project from the beginning because Patricia Moss is a personal friend of hers. She stated they had all attended the meetings in an attempt to obtain as much input as possible to meet the needs of the community, and she felt that is well represented in this project. She stated when the Historic Preservation Board met, they had not received the letter giving full approval by the Homeowners Association for the project. She felt that is critical, and the developer had taken the recommendation of that Board in regard to the preservation of the units, and had made them visible from the streets. All of the trees are being maintained. and She felt it is a great project and would enhance the neighborhood and increase property values.

Patricia Moss, owner, stated that she has been the owner of the site for about ten years. When she purchased the land, the taxes and insurance had been less. It was to be a rental property to augment her retirement. She explained that when the interest rates dropped, her quality tenants went out and purchased homes of their own. She stated that the rents became less, while the taxes increased. She explained that this year her taxes increased from \$5,800 to \$10,000. She stated the total income from the property

in 2003 had been \$20,000, while her expenses, not including mortgage and depreciation, had totaled \$26,000. She stated the property could not support itself. She stated the house at 1001 is a nice house which could be renovated to resemble the original "Cracker House" it had been. She stated that the other house is a problem; it floods in bad weather. It is not a well built home.

Ms. Moss felt this builder would do a wonderful job in preserving these homes. She stated it would be a great project; the applicant has been very sensitive the entire time to the needs and feelings of the neighborhood. The City is changing and growing, and individuals no longer want to live in old wooden buildings. She stated if she had the resources, she would convert the area into a park, and then the entire neighborhood could enjoy it. She stressed that this property is costing her money and it has to be sold. She felt they were fortunate to have such a great developer who is constructing such a great project.

Mr. Lochrie wanted to point out that it is important to note that the developer has voluntarily down zoned the site. It is important for everyone to realize that this project meets all criteria of the City's Code, and no evidence has been presented to suggest otherwise. He reiterated that it is a better project than what could be built pursuant to the Code.

Charles Traynor stated that a reference was made in regard to Mrs. Zerra about "not in my backyard," and he reiterated if everyone took care of their property as she did, the neighborhood would be an incredible place.

Julia Jones, resident of Sailboat Bend since 1945 and a resident of the City since 1920, stated that she is under the impression that when the Historic Preservation Board adopted regulations for the area, there were not to be any buildings more than two stories in height, which is not the case at this time. She stated that just because a project is attractive does not mean it fits in with the criteria of this community. She emphasized that she is totally opposed to so much density in the area. She stated if she had her way, there would only be single-family homes in the area.

Motion made by Vice-Mayor Trantalis and seconded by Commissioner Hutchinson to close the public hearing. Roll call showed: YEAS: Commissioner Teel, Vice-Mayor Trantalis, Commissioners Moore and Hutchinson, and Mayor Naugle. NAYS: None.

Vice-Mayor Trantalis stated that reference had been made a couple of times about a historic tree, and asked if he could receive some further clarification on the matter. Mr. Lochrie explained they are saving all the trees around the perimeter of the site. There is one tree which is to be relocated to the park across the street. He showed on the graphic, the tree which is to be removed, and its new location.

Vice-Mayor Trantalis clarified that they are looking at three building lots as the site for this project, and asked if the historic structures are on each lot. Mr. Lochrie explained that even though it is three platted lots, it is basically one parcel and the houses are laid out in a random pattern. He explained if the structures are damaged by a hurricane, they could not be rebuilt in their present configuration. Vice-Mayor Trantalis clarified that the individuals who are against this project suggested that each of the homes be rehabilitated because they could not be demolished, and if damaged could not be rebuilt. He asked if this project is not approved this evening, what are the alternatives. Mr.

Lochrie reiterated that they are not requesting that the three structures be rehabilitated. Vice-Mayor Trantalis asked if the alternative is for them to remain as they exist. Mr. Lochrie felt there is a concern in the general neighborhood, and throughout the City, regarding continued development and its impact. He further stated that he had not been involved in this project originally, and never became involved in a project at such a late date. However, the individuals involved had done everything right and had gone the extra mile, but more importantly, this project is better than what would be done under the zoning category.

Vice-Mayor Trantalis stated that it is clear that the plan is in line with the concepts of new urbanism, but he felt the objection is that they are adding to the density of the block, and taking three homes and turning the site into eleven units. Mr. Lochrie corrected the information and stated there would be nine units. Vice-Mayor Trantalis stated that they are interfering with the flow of light and air, along with open space, and that appears to be the objection. Ordinarily, he would agree, but he has to look at the alternatives. There are three dilapidated properties causing a deterrence to future value of the community. He asked what financial incentive is being suggested if they are going to let them stay as is and hope someone would attempt to rehabilitate each structure. A compromise then needs to be made. He felt they have done so by rehabilitating two of the buildings. They are losing quality of life in regard to openness and density.

Vice-Mayor Trantalis asked if they are violating the historic nature of the neighborhood by adding density, and he did not feel that is the case because historic is not about density, but about the preservation of structures. He stated if someone disagrees with that concept, then he wanted to hear what they have to say. He emphasized that he is a strong advocate of historic integrity, and he felt preservation is maintaining the architectural significance or historical integrity of a particular building. He asked if it also pertains to density. He had not heard such an argument. He is concerned they would pass up an opportunity to help change the neighborhood for the better because they were stuck in a definition that is in their imagination, rather than a codified one.

Mr. Lochrie stated that before he got into this business, he remembered watching the City Commission discuss the Shepherd Estate. He remarked it is a very similar discussion, and obviously it had been more historically significant. He stated the question had been whether to allow ten townhouse units to be built around the structure, and a strong argument had been made as to why it would be a better result for everyone involved. He stated that the structure still exists and without the development project it might not have been preserved. He felt this is a similar situation. This project is more friendly to the street than that project, but the Shepherd project is a beautiful one, and there is no reason other projects could not be as nice. He felt this is better than tearing down historic structures.

Mayor Naugle stated that when someone bought property with historic zoning in a community with such an ordinance, they know that Certificates of Appropriateness have to be received in order to conduct a demolition or redevelopment. It is not as if they have a blank slate to develop a project in accordance with the Zoning Code. An alternative for such a development is to relocate the houses to the rear of one of the 50' lots, and maybe build something similar on the other two lots that would be in keeping with what had been in the neighborhood and throughout the city previously. He felt it would be a more historic pattern and not be cram the townhouses onto the site. He believed that other alternatives are available, and the pattern of development on the street is that the

area would benefit with a lower density. He stated the units might be larger and less affordable, but there are alternatives to such a dense development. He continued stating that he supported the Historic Preservation Board's decision, and hoped the Commission would vote to uphold such decision.

Vice-Mayor Trantalis stated that the decision made tonight would set a precedent for the future. He asked when this district is created had the intent been to preserve structures or maintain the level of density that existed at that time. Mayor Naugle explained it had been an overlay and the density had not changed. If this was a vacant lot, this conversation would not be taking place. He stated that when the owner purchased this lot, there came a responsibility attached to it regarding the ordinance.

Vice-Mayor Trantalis reiterated that the two houses are being preserved in a way, and only changing the density in the configuration of where they were located on the lot. He asked if the location and the density were a sacrosanct aspect. Mayor Naugle stated that Mr. Haan stated that he did not want to see his home hooked up like a trailer to other row houses. He further stated that in his opinion that is what this looks like.

Commissioner Hutchinson stated that this is a hard decision for her due to her understanding of the plight of the neighborhood in regard to development. At the same time, she respected Mr. Haan's comments and agreed with him. She stated that she had read all the information and intended to uphold the decision made by the Historic Preservation Board because she felt the property could be developed in other ways that would be more in tune with the existing historic structures. If they could keep the structures separate from the development, it would not look like a tag-a-long. She did not know if such an opportunity existed, and depending on the vote this evening, it might not have to be done. She stated it is ironic because individuals thought they lived in a single-family home area, which is zoned multi-family. She felt there are a lot of issues in that district that need to be resolved. By creating this Historic Preservation Board ordinance, it would not do what she felt the people thought it would accomplish. She stated she intended to uphold the Historic Preservation Board's decision.

Motion made by Commissioner Hutchinson and seconded by Commissioner Teel to uphold the decision made by the Historic Preservation Board in connection with the Patricia Moss property located at 1001-1009 SW 4th Street.

Commissioner Teel stated that at one time she had different thoughts about this project, but in reviewing it further, she felt one of the most glaring concerns is in regard to the lack of air flow. She stated it had been a great effort on the part of the developer, but it is becoming a bulky project and she felt there are ways to obtain more air flow through it. She liked the design, but believed it is taking away from needed openness.

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

**Northwest Neighborhood Improvement District -
Conveyance of Public Property – 845 NW 3 Avenue
Infill Housing Program**

(PH-10)

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore to close the public hearing. Roll call showed: YEAS: Commissioner Teel, Vice-Mayor Trantalis, Commissioners Moore and Hutchinson, and Mayor Naugle. NAYS: None.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 04-155

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, CONFIRMING RESOLUTION NO. 04-142, WHICH DETERMINED AND DECLARED THE INTENTION TO CONVEY CERTAIN PUBLIC PROPERTY TO THE NORTHWEST NEIGHBORHOOD IMPROVEMENT DISTRICT FOR DEVELOPMENT OF NEW AFFORDABLE HOUSING, AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DEED OF CONVEYANCE TO THE NORTHWEST NEIGHBORHOOD IMPROVEMENT DISTRICT FOR SUCH PROPERTY.

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

ORDINANCES

Alarm Ordinance Revisions

(O-1)

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-04-40

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, DELETING THE ANNUAL ALARM SYSTEM REGISTRATION RENEWAL FEE, RESTRUCTURING THE SERVICE FEE FOR ALARM RESPONSES, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

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

**Amendment to Comprehensive Plan, Future Land Use Plan
Map- 301 NW 66 Street – Employment Center to Office Park –
Case 6-T-03**

(O-2)

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-04-46

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE 1989 FORT LAUDERDALE COMPREHENSIVE PLAN TO CHANGE THE LAND USE DESIGNATION FROM “EMPLOYMENT CENTER” LAND USE TO “OFFICE PARK” LAND USE OF PARCEL A, “PALMDALE PLAT,” AS RECORDED IN PLAT BOOK 112, PAGE 9 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED SOUTH OF MCNAB ROAD, NORTH OF N.W. 55TH STREET AND EAST OF INTERSTATE 95 IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND REQUESTING THE BROWARD COUNTY PLANNING COUNCIL TO RECERTIFY THE AMENDMENT.

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

2004/2005 Water & Sewer & Stormwater Rate Increase

(O-3)

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-04-47

AN ORDINANCE AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, ENTITLED “WATER, ISTEWATER, AND STORMWATER,” BY AMENDING SECTIONS 28-76, 28-141, 28-143, 28-144, 28-145 AND 28-197 THEREOF, TO INCREASE WASTEWATER USER RATES, TAPPING CHARGES, WATER RATES, SPRINKLING METER CHARGES, PRIVATE FIRE SERVICE PROTECTION CHARGES AND STORMWATER MANAGEMENT PROGRAM RATES.

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

Parking Meters – Update

(O-4)

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-04-48

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, RELATING TO PARKING; AMENDING SECTION 26-111 "NOTICE ON ILLEGALLY PARKED VEHICLE," SECTION 26-112 "FAILURE TO COMPLY WITH NOTICE ATTACHED TO PARKED VEHICLES," SECTION 26-127 "PARKING NOT TO OBSTRUCT TRAFFIC," SECTION 26-134 "PARKING FOR CERTAIN PURPOSES PROHIBITED", AND SECTION 26-161 "RATES AND HOURS FOR ON AND OFF-STREET PARKING."

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

Charter Amendment for Placement on November 2, 2004 (O-5)
Ballot Sale, Transfer or Lease of City Park Property

This item was deferred form July 26, 2004 City Commission meeting.

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-04-36

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE CHARTER OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO REQUIRE THE APPROVAL BY A UNANIMOUS VOTE OF THE ENTIRE CITY COMMISSION TO SELL, TRANSFER, OR LEASE FOR MORE THAN ONE YEAR, CITY PARK PROPERTY; PROVIDING FOR APPROVAL BY THE ELECTORS; AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCE PROVISIONS, AND AN EFFECTIVE DATE.

Which ordinance was read by title only.

Commissioner Teel stated that on the right-of-way list, she did not see the lineal park in Lake East along NE 27th Avenue between 56th Court and 59th Street. She asked if that is not one to be maintained by the City and designated as a lineal park previously.

Kathy Connors, Parks and Recreation, stated that it is right-of-way, not a park and not to be included on the list.

Commissioner Teel asked if it should not have been listed with the right-of-way items. Ms. Connors stated that it had been overlooked and would be added.

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

CITIZEN PRESENTATIONS

Jacqueline Myrick and Suzanne Weiss – Community Housing Development Organization Funding.

Mayor Naugle stated that this matter had been resolved, and there would be no presentation this evening.

Latrinsha Greaves – Utility Policy and Procedure

Ms. Greaves was not present.

RESOLUTIONS

Charges for Boarding & Securing Buildings (R-1)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 04-156

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, CHARGING AND ASSESSING AGAINST THE PROPERTIES DESCRIBED IN THE SCHEDULE ATTACHED HERETO THE COST AND EXPENSE OF SECURING AND BOARDING UP BUILDINGS LOCATED THEREON WHICH WERE FOUND UNSAFE UNDER SECTION 111 OF THE FLORIDA BUILDING CODE AND IMPOSING LIENS AGAINST SUCH PROPERTIES; AUTHORIZING AND DIRECTING THE PROPER CITY OFFICIALS TO RECORD CLAIMS OF LIEN AGAINST THE PROPERTIES IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

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

Sale or Surplus Property at Southeast Corner of Cortez & Seabreeze Boulevard - \$117,345.12 – Gloria Smith (R-2)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 04-157

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PURSUANT TO SECTION 8.04 OF THE CITY CHARTER, ACCEPTING AN OFFER OF ONE HUNDRED SEVENTEEN THOUSAND THREE HUNDRED FORTY-FIVE AND 12/100 DOLLARS (\$117,345.12) BY GLORIA NELL SMITH FOR THE PURCHASE AND DEVELOPMENT OF LANDS DECLARED SURPLUS PURSUANT TO RESOLUTION NO. 04-10, AMENDED BY RESOLUTION NO. 04-68 AND FURTHER AMENDED BY RESOLUTION NO. 04-121; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTRACT FOR THE SALE AND DEVELOPMENT OF THE PROPERTY; AND EXECUTION AND DELIVERY OF THE DEED OF CONVEYANCE AND OTHER DOCUMENTS IN ACCORDANCE WITH THE SALES CONTRACT.

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

Water Bus Services – Joint Public/Private Partnership with Water Taxi Inc. (R-3)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 04-158

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING EXECUTION BY THE PROPER CITY OFFICIALS OF AN AGREEMENT FOR WATER BUS SERVICES WITH WATER TAXI, INC. AND FOR ADMINISTRATION OF A JOINT PARTICIPATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR REFUNDING OF A PROJECT TO PROVIDE CAPITAL COSTS FOR CONTRACTING FOR WATER BUS SERVICES.

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

Water Bus Services – Joint Participation Agreement Florida Department of Transportation (R-4)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 04-159

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING EXECUTION BY THE PROPER CITY OFFICIALS OF A JOINT PARTICIPATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR FUNDING OF A PROJECT TO PROVIDE CAPITAL COSTS FOR CONTRACTING FOR WATER BUS SERVICES.

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

Lot Clearing & Cleaning Charges

(R-5)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 04-160

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ASSESSING AGAINST THE PROPERTIES DESCRIBED IN THE SCHEDULE ATTACHED HERETO THE COST AND EXPENSE OF CLEARING LOTS FOUND TO HAVE AN UNLAWFUL OR EXCESSIVE ACCUMULATION OF RUBBISH, DEBRIS OR TRASH UNDER CHAPTER 18 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA AND IMPOSING SPECIAL ASSESSMENT LIENS AGAINST SUCH PROPERTIES FOR THE COST AND EXPENSE INCURRED IN CLEANING AND CLEARING SAME; AUTHORIZING AND DIRECTING THE PROPER CITY OFFICIALS TO RECORD A NOTICE OF SPECIAL ASSESSMENT LIEN IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

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

Donation from Keith and Schnars, P.A. - \$2,500
2004 Florida State Neighborhood Conference

(R-6)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 04-161

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ACCEPTING A DONATION TOWARDS THE 2004 FLORIDA STATE NEIGHBORHOOD CONFERENCE FROM KEITH AND SCHNARS, P.A. IN THE AMOUNT OF TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00).

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

**Amendment to Broward County Comprehensive Plan, (R-7)
Land Use Plan 13,000 Residential Units – Downtown
Regional Activity Center – Case 10-T-04
South of Sunrise Boulevard, North of Davie Boulevard,
Between U.S. 1 & NW 7 Avenue**

Mayor Naugle announced to the public that a form called the Comprehensive Plan Citizen Courtesy Information List is available at the rear of the Commission Chambers with the Assistant City Clerk. He advised that this form is provided for any citizen who wanted to receive a personal notice from the Department of Community Affairs of the State's attention to find these amendments in compliance or non-compliance with State law. Individuals would not have to testify at the hearing or submit written testimony in order to sign the form. He stated that the form would be submitted to the State, along with the amendments.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 04-162

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE TRANSMITTAL OF THE TEXT AMENDMENT TO THE CITY OF FORT LAUDERDALE'S COMPREHENSIVE PLAN TO AMEND THE LAND USE ELEMENT TO ADD AN ADDITIONAL 13,000 DWELLING UNITS TO THE DOWNTOWN REGIONAL ACTIVITY CENTER DESIGNATED AREA TO BROWARD COUNTY, REQUESTING BROWARD COUNTY TO APPROVE THE AMENDMENT OF BROWARD COUNTY'S COMPREHENSIVE PLAN TO INCLUDE THE ADDITIONAL DWELLING UNITS AND AUTHORIZING BROWARD COUNTY TO CONCURRENTLY TRANSMIT THE CITY AMENDMENT AND COUNTY AMENDMENT TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS.

Which resolution was read by title only.

Vice-Mayor Trantalis stated that this item is misunderstood and possibly misrepresented. He wanted to explain at least why he voted in favor of this item at the beginning. He felt

it is a compromised number. He stated that the original number he had wanted to vote for was significantly less. He felt what is misunderstood is the purpose of this amendment. He did not think that this Commission intended that they should see 13,000 new residential units built within any of their lifetimes. This is a strategic decision made to encourage development not with utter abandonment, but to allow the City to be able to take over control of its development plan as to how the units would be allocated, and not controlled by other agencies. As a result of the Commission taking over control of the situation, it would dictate how the units would be built in regard to density and design criteria, which had not yet been established. This would include concurrency requirements for traffic, parks, and open space regulations, all of which have not yet been identified. He felt the sole purpose of this measure was to simply move onto first base and get the units approved, and then the rest would fall into place.

Vice-Mayor Trantalis continued stating that there is a black market for residential units because there is now a cap on the amount of residential units that could be built within the area specified. He further stated that one developer is selling to another developer development rights because there is such a limit to those which had been approved so far. By allowing the new residential units to be approved in this fashion, they would eliminate the black market so the costs would not be passed onto the consumer, but would allow them to offer such units at a reduced rate to the marketplace, making them more affordable. He announced that he would vote in favor of this resolution.

Mayor Naugle stated that he does not support the additional units at this time. They could be applied for in the future. He did not feel that a year is a long time when one considers how many units have been recently built, and how the 3,000 units had been recently approved. In order for them to be able to accept this much growth without a degradation of their quality of life, they need to make a significant effort to be able to introduce mass transit into the area. The most important project for all of Florida or South Florida is the FEC project which would bring passengers back to the railroad. He stated that this Commission has endorsed such a project. This would be the biggest one item they would see that would help the quality of life in this city. By withholding the additional units and having the powerful land developers and landowners in the Downtown pushing for the FEC project before getting such units would bring this project forward quicker. He stated that he is certain that they were going to see passengers back on the FEC, and the sooner the better, cheaper, and more feasible it would be. He stated that by telling the development community that they were not going to process the 13,000 units until significant efforts were made in getting such project approved, things would get approved quicker. He added that he did not support the additional units at this time.

Commissioner Moore asked how many stops does the Tri-Rail make within Fort Lauderdale city limits. He stated that is why he does not support the issue of holding this up for the FEC. In looking at the number of impact stops that it made within the City's jurisdiction, it certainly would not correlate with any kind of mass transit. With continued effort in the area of mass transit efforts and what is to be done within the Regional Activity Center, they must determine how to move individuals from such units into the employment centers. He respected the Mayor's concerns, but he did not feel it validates a rational point for mass transit. Mass transit which the City truly needs is how to get such residential units into place where people can move from such locations to the business and employment centers, and back home without needing their vehicles. He added that the Mayor might be thinking of how individuals who live outside of the City

might be coming into the employment center. He hoped the Commission would support this because he felt it is the right thing to do.

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

Landscaping Improvements Maintenance Memorandum of Agreement Florida Department of Transportation Commercial Boulevard from NW 31 Avenue to NW 9 Avenue (R-8)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 04-163

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A MAINTENANCE MEMORANDUM OF AGREEMENT (MOA) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR LANDSCAPING IMPROVEMENTS TO STATE ROAD 870 (COMMERCIAL BOULEVARD) FROM NORTHWEST 31ST AVENUE TO NORTHWEST 9TH AVENUE (POWERLINE ROAD).

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

Landscaping Improvements Maintenance Memorandum of Agreement Florida Department of Transportation Commercial Boulevard from NW 31 Avenue to NW 9 Avenue (R-8)

A resolution authorizing the proper City Officials to execute a Maintenance Memorandum of Agreement with Florida Department of Transportation for landscaping improvements to State Road 870 (Commercial Boulevard) from NW 31 Avenue to NW 9 Avenue (Powerline Road).

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 04-163

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A MAINTENANCE MEMORANDUM OF AGREEMENT (MOA) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR LANDSCAPING IMPROVEMENTS TO STATE ROAD 870 (COMMERCIAL BOULEVARD) FROM NORTHWEST 31ST AVENUE TO NORTHWEST 9TH AVENUE (POWERLINE ROAD).

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

Street Name Addition – Mary Brickell Avenue (R-9)
NW 1 Avenue (Broward Boulevard to Sistrunk Boulevard)

A resolution authorizing the street name addition of Mary Brickell Avenue to NW 1 Avenue between Broward Boulevard and Sistrunk Boulevard to NW 1 Avenue.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 04-164

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, TOI PROVIDE THAT THE LENGTH OF N.W. 1ST AVENUE FROM BROWARD BOULEVARD TO SISTRUNK BOULEVARD SHALL ALSO BE KNOWN AS MARY BRICKELL AVENUE.

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

Grant Application – Fort Lauderdale Historical Society - (R-10)
Philemon Bryan House, Old Fort Lauderdale Village

A resolution supporting Broward County awarding grant funds in the amount of \$25,000 to the Fort Lauderdale Historical Society for the Philemon Bryan House in Old Fort Lauderdale Village.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 04-165

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, SUPPORTING A REQUEST TO THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY TO APPROVE THE APPROPRIATION OF \$25,000 TO THE FORT LAUDERDALE HISTORICAL SOCIETY, INC. FOR IMPROVEMENTS TO THE HISTORIC PHILEMON BRYAN HOUSE.

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

Advisory Board/Committee Appointments

(OB)

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

Aviation Advisory Board	John Milledge Joseph Scerbo William Wilson
Cemeteries Board of Trustees	Walter Boyd
Community Services Board	Robert H. Smith
Economic Development Advisory Board	Robert Boyd Jerry Ishington
Education Advisory Board	Olivia Vargas
Historic Preservation Board	Daryl Jolly

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 04-166

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

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

There being no other matters to come before the Commission, the meeting is adjourned at 10:07 PM.

Jim Naugle
Mayor

ATTEST:

Jonda K. Joseph
City Clerk