

**COMMISSION CONFERENCE MEETING AGENDA
MARCH 15, 2005**

<u>Agenda Item</u>	<u>Page</u>
OB County Commission Meeting Update	1,5, 12
I-A Southside School Restoration	4
I-B Organization of American States Event	5
I-C Draft Ordinances – Recommendations of Code Advisory Committee	10
I-V Water Customer Hardship Cases	12
III-B Advisory Board and Committee Vacancies	13
1. Audit Advisory Board	(Deferred)
2. Aviation Advisory Board	(Deferred)
3. Board of Adjustment Advisory Board	13
4. Community Appearance Board	13
5. Community Services Board	13
6. Economic Development Advisory Board	(Deferred)
7. Education Advisory Board	13
8. Insurance Advisory Board	(Deferred)
9. Marine Advisory Board	14
10. Nuisance Abatement Advisory Board	(Deferred)
11. Unsafe Structures and Housing Appeals Board	(Deferred)
12. Utility Advisory Committee	(Deferred)
IV City Commission Reports	15
1. Design Institute and South Water Regional Planning Council Reports	14
2. Broward League of Cities	15
3. Marshall Point FPL Transformer Update	15
4. Purchase of Park Land	15
5. CVC Projects	17
6. Community Services Advisory Board	17, 21
7. 2005 Budget	18
8. Citizen Recognition Board 2005	18
9. Proposed Legislation	18
10. National League of Cities	19
11. Joseph C. Carter Park	19
12. Motorcycles/A-1-A	19
13. Abaco Process	20
14. Transporting Individuals to Restaurants	20
15. Annexation of Twin Lakes North	21
16. Slot Machines	21
17. 7 th Avenue and Sistrunk Commercial Development	22
V City Manager Reports	23
None Given	

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

Absent: None

Also Present: City Manager – George Gretsas
City Attorney - Harry A. Stewart
City Clerk - Jonda K. Joseph
Sergeant At Arms – Sergeant Ken Kelley

OB – Proposed Broward County Land Use Plan amendment for City's Downtown Regional Activity Center – 13,000 Units

Commissioner Moore said the City Commission took the position that they wanted an additional 13,000 flex units. It is his understanding that they went to the meeting today to ask the County Commission to support this request, but that did not happen.

Mayor Naugle said he appeared at staff's request regarding the Manatee plan. He did not attend regarding the flex units. If he would have been asked, he would have stated the Commission's position, however, he did not want to reveal how he voted on it and unnecessarily weaken the case and be subject to criticism.

Commissioner Moore said it is his understanding that whether the Mayor supports the Commission's decision or not, he is the official spokesperson. Mayor Naugle said he has the policy of speaking the truth and did not want to be put in that position which could have weakened the case. Commissioner Moore said that someone should have attended the meeting representing the Commission. He said he respected the Mayor's position, but if he is unable to make such presentations, then someone else should speak on the Commission's behalf. He further said it is important to him that the Commission arrive at a consensus, and personal feelings be put aside. He said several profound things are decided by the Commission, and those are that: (1) they wanted the flex units, (2) 15% would be attainable and affordable, and (3) if impacted, student stations be added to the development site. He had not attended the meeting to speak, but to support the issue. He are not prepared to speak on the matter, and felt they did everyone an injustice regarding this issue. One of the arguments during their discussion are that the price for land is astronomical due to the limited number of units, and those having the units are asking outrageous prices for them. By getting the 13,000 additional units, they thought it would flatten the market and they would have a better chance of getting development out of the ground, obtaining the tax base, and making it a regional hub so everyone could live, work and play in the Downtown area.

Commissioner Moore continued to state they are dealing with issues that are phantoms today. In regard to the water tower, one exists and they are just discussing its redesign. There is a half-billion dollars in the 2011 WaterWorks Plan, and when they said the City is not addressing the sewer and water infrastructure, that is a misnomer. The City did address the traffic issue and supports the Downtown Development Authority's plan. At the last Commission meeting, they approved \$80,000 for a lobbyist to secure Federal dollars for such matters. He are concerned because all these matters could have been placed on the table and framed in a manner to have the County Commission understand

it all. This is a transmittal and not a final decision, and two governmental entities are attempting to make the Regional Activity Center work, and resources are being pooled to do that. He felt they should have had a better game face today. Transmittal of 13,000 units passing today gave the County Commission the chance that if they did not feel the issues are articulated and researched by June, they could have reduced the amount to 3,000. He asked how sensible it is for the City to plan for 13,000 units, when the number could be reduced to 3,000 and vice versa. He wished they had known up front about there not being a spokesperson prepared for today's meeting, so that a better presentation could have been made to the County.

Mayor Naugle said that he had informed staff about his position, and he felt Marc LaFerrier had done an excellent job presenting the City's case at the meeting. Commissioner Moore said that Marc LaFerrier is not an elected official. Mayor Naugle said Marc LaFerrier pointed out the issues regarding water, traffic and power, and represented the City better than anyone else could have done.

Commissioner Hutchinson said she watched some of the meeting. All of the information had been provided to the County. To make such last minute accusations and raise the questions are uncalled for in her opinion. She said that Marc LaFerrier, along with the representatives of the DDA, is doing a great job in presenting the issue.

Commissioner Moore said staff are doing a good job selling this and that is their job, but it is the Mayor's job also to present the Commission's position.

Commissioner Teel said that from her observation, it showed that in the future if the City had issues going before the County, all of the Commissioners should attend the meeting and be available to answer questions, and at least they would be attending in support. She said it is disheartening to hear the misinformation being circulated, and it is obvious the County representatives had not thoroughly read all the information supplied to them.

Commissioner Moore suggested that this Commission extend an invitation to the County District Commissioner Rodstrom to attend a Commission workshop regarding the matter. The Commission agreed.

Vice Mayor Trantalis said that it did not appear the information supplied to the County had any bearing on their decisions or opinions. He said further that Commissioner Rodstrom and the others against the transmittal made their decisions prior to the meeting. Their attempt are to defeat the measure. He agreed the Commission should invite representatives who are against the transmittal so that they both could get a better understanding of each other's concerns. He are concerned about the process because they met with the County Commission regarding the governmental center, and already the City is being "shot in the foot."

Commissioner Moore said the governmental center consisted of 1,000 units, and yet they are putting a hold on the 13,000 units to be developed in the Downtown over a 15-20 year period.

Vice Mayor Trantalis said that today's discussion showed some dissension towards the City, and implied that the Commission does not know how to run the City. He felt instead of talking around one another, they should be talking to one another. If this is the

process that would be used regarding the governmental center, then the City will not get to first base.

Mayor Naugle said the suggestion to invite Commissioner Rodstrom is a good idea.

Vice Mayor Trantalis said that Commissioner Graber is the County's representative on the Broward County Planning Council, and spoke in favor of the 13,000 units. He did make the motion for 5,000 in an attempt to compromise. He said that possibly other Commissioners should be invited because he did not feel that Commissioner Rodstrom controls the opinion of the Commission. Mayor Naugle felt the City should start with Commissioner Rodstrom and see how much could be accomplished, and then go from there.

Commissioner Moore suggested that a letter be sent to the County Mayor requesting Commissioner Rodstrom to attend since he is the representative of the Downtown area, and appears to have the most concerns.

Mayor Naugle asked what answer had been given regarding the parks, and asked if it is 3 acres per 1,000 residents. Commissioner Teel confirmed that is correct. The City Attorney said that he is not sure where the number had come from, but if they had applied the County-wide standard for parks to the City, along with the expenditure of the park bond money, then there would have been more parks.

Mayor Naugle asked if anyone from staff could provide some further detail.

Commissioner Moore commented about the Wingate site for a future golf course. He said that would be open green space and consist of 62 acres.

Commissioner Moore wanted to understand, and have the entire Commission understand, that if the Mayor does not support a Commission decision on a matter, how would the situation be handled. Mayor Naugle said that he would present the City's position. Commissioner Moore said that are not done at the meeting this morning and it are very important. Mayor Naugle said he could be relied upon to always tell the truth.

Commissioner Hutchinson said they need to confirm who would be present at these meetings. Commissioner Moore asked what process would be followed. Mayor Naugle said the City Manager is charged to implement the Commission's policy and would make sure the appropriate staff is present at the meetings.

The City Manager said that another report had been received from Marc LaFerrier in regard to this matter. Mr. LaFerrier conveyed that the City Commission could ask for a motion to reconsider.

The City Attorney explained that in accordance with the County's policy, they do not automatically schedule an item for the next meeting. He believed it has to be reconsidered at the same meeting.

Commissioner Moore suggested that the City call the County at this time to make such a request. Mayor Naugle asked the Commission if they wanted to take a vote to reconsider.

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

Mayor Naugle asked if someone wanted to introduce a resolution requesting the County Commission to reconsider the 13,000 flex units.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to request the County Commission to reconsider their decision regarding the 13,000 flex units, including all stipulations placed in the resolution adopted by the City Commission, along with all stipulations included by the Broward County Planning Council. Roll call showed: YEAS: Commissioners Teel, Moore, Hutchinson, and Vice Mayor Trantalis. NAYS: Mayor Naugle.

Mayor Naugle asked who would go over and make the request to the County. Commissioner Moore suggested that the City Manager or his appointee take the request to the County. Mayor Naugle suggested that possibly something should be put in writing to deliver to the County Commission. Commissioner Moore believed the City Manager is equipped to handle the matter.

Action: There are consensus to invite County Commissioner Rodstrom to a conference meeting for further clarification and to write to the County Mayor as well to welcome any other members of the County Commission who would like to attend. Also see motion above.

I-A – Southside School Restoration

Albert Carbon, Public Works Director, said that some of the Friends of Southside School are present, including Michael Madfis, John Wilkes, Mary Fertig, Eugenia Ellis, Lou Deaner and Dave Rose. The school are built in 1922, and in July, 2002 the City Parks and Recreation Department received a grant from Florida Communities Trust and Broward County to purchase the 3.7 acre site. Staff is working with the Friends of the Southside School to develop plans for the facility. He went on to explain the first step in the process is the demolition of non-historic buildings. He proceeded to show a plan for the site. Mr. Carbon further said the City is going to work with the Friends of the Southside School to develop the plans. The exterior of the site has been cleaned up. Alan Hooper, Charlie Ladd, and Danny O'Shea are coordinating the clean up and demolition.

Mr. Carbon said that some of the programs they want to implement at the school are teaching kitchen, garden club, and art exhibits. He said that all ideas and suggestions are welcome.

Commissioner Hutchinson said that they have been held hostage by the community to purchase the building, and are now moving forward with the creation of the Friends of the Southside School. She attends their meetings. The community came up with the funding to assist in the demolition. The building is to be taken back to its original state so all renovations could be done properly. Tours will be held so additional funds could be raised. There is a time line. If the City's RFP process is not used, the matter would be a lot simpler. She said it is important to get the building back to its original floor plan. She said that Michael Madfis and John Bianco, on their own time, digitized the old floor plan and measured to see what buildings had been added by the School Board, and the type

of plumbing and other materials that were used. The building will be secure during the demolition. No windows will be touched at this time. She hoped the Commission would approve the matter so they could move forward.

Commissioner Moore commended Commissioner Hutchinson on her hard work in retaining individuals to work on this project showing her devotion to it. He said he would support the project.

Mayor Naugle thanked all concerned individuals for their hard work and efforts.

John Wilkes, Chair of Friends for Southside School, said they would return before the Commission with an update regarding uses for the school, which is why the preliminary demolition needed to be done so they could then assess the capability of the structure, and what renovations are necessary.

Action: Approved as recommended.

OB – Proposed Broward County Land Use Plan amendment for City’s Downtown Regional Activity Center – 13,000 Units

(Continued from Page 1)

The City Manager stated that the Law Department is drafting something, and then staff will check to see if there is time for the City to go and make their request.

I-B – Organization of American States Event

The City Manager said that the Broward County Convention and Visitors Bureau has arranged for the Organization of American States to hold their conference at the Convention Center from June 3 to June 9, 2005. The OAS membership consists of 35 nations spanning from Canada through South America. This is the first time in 30 years that they will meet in the United States. Free Trade Area of America (an affiliate of the OAS) held their conference two years ago in Miami, and at that time more than 10,000 protestors demonstrated against that meeting. 3,000 law enforcement officers are needed to ensure order costing over \$20 Million. Of those costs the City is only reimbursed by Federal Authorities for about 40%. A consortium of law enforcement officials at the state, federal, and local level are meeting regularly to prepare for this event, and have preliminarily determined the direct cost to ensure public safety could run as high as \$5.3 Million. The figure is based on worst case scenarios and could be lower depending on circumstances.

The City Manager further said that the City is working with the County to seek Federal funding for reimbursement of a portion of such costs, but even if they are successful there could be a multi-million dollar shortfall. It is his understanding that the City has a clear and long-standing expectation that sponsors of events are responsible for covering any and all costs to the City associated with any event, and that is why the City did not budget for events sponsored by outside organizations. He said that such expectation remains consistent with this event, and therefore, no money was budgeted for this event. In case Federal reimbursement monies are not received, he is requesting the Commission for their support that if any shortfall is retained by the City, that it be covered by the County for this event.

Commissioner Moore said this is world-wide exposure for the City of Fort Lauderdale, and it is his understanding that the event is being promoted by the Convention and Visitors Bureau. He asked if there is a way for the City to request that the Bureau front the \$3.3 Million, and when the is reimbursed from the Federal Government, the City would return the \$3.3 Million to the Bureau. Mayor Naugle said the \$5.3 Million involves all agencies.

The City Manager said that is the problem because in asking for mutual aid, the City could not expect to get a 100% reimbursement because other communities will be helping and should also be reimbursed. The \$5.3 Million includes all agencies.

Mayor Naugle said that the County budget is around \$2 Billion and the Convention and Visitors Bureau is approximately \$24 Million, and he felt the City would be more successful in demanding the County to cover the costs. He did not think the Bureau could afford to take a 15% hit.

Commissioner Moore said he thought it would be more appropriate to go to the Convention and Visitors Bureau because they are sponsoring the event. They would go to the County for the funds. The City is taking a risk with \$2 Million because the cost is \$5.3 Million.

Commissioner Hutchinson said that the City did not promote or ask for this event, and therefore, she did not want to pay any amount of money. The things they are asking for are almost impossible. Commissioner Moore said the City cannot stop it, and therefore, all monies should be presented up front. Commissioner Hutchinson said it is their "baby" and not hers. She said further that the City is not being asked for their opinion regarding the event. She said it will hit the City at budget time, and she did not want people to lose their jobs over this.

Commissioner Teel said that various issues are involved, but she did not know how the City could say they are not going to pay for it when City police are going to be utilized. She said this will impact the budget and it is not being planned for, and this should not happen again. A policy needs to be established that if large crowds are being brought in and special requirements are needed, then the organization sponsoring the event should be responsible. Mayor Naugle said this is the City's policy. Commissioner Teel said they need to reinforce the policy and make their statements stronger.

If \$3.3 Million is given to the City to run the event, Commissioner Moore felt the City could wiggle through without a negative budget impact. He said that it is his understanding that Miami received 40% due to how records had been kept. He said there would be a real problem if such amounts are not given upfront to the City.

Mayor Naugle felt it would be better to ask for the entire amount.

Vice Mayor Trantalis said that it is his understanding that the City Manager already had approached the Convention and Visitors Bureau and spoke with Nickie Grossman who said the City is not going to receive any funds.

The City Manager said that Nickie Grossman had informed him that it is not her problem, and that they are relying on Federal reimbursement. He further said that the

representative from the State Department who attended the meeting last week, stated that cities and counties bid on such events, and therefore, they have to accept some of the burden. Departments that contribute would not get dollar for dollar, and there is not enough money to go around. Miami is the model and in Miami there was not enough money to receive 100% reimbursement.

Vice Mayor Trantalis said that the City Manager and the Police Chief of this City have the responsibility to protect everyone in it. The City has an unfunded mandate imposed on it, and he agrees with Commissioner Hutchinson that the City should not pay one nickel out of its pocket. He asked if a lawsuit should be filed afterwards against the Convention and Visitors Bureau for violating the City's rules.

Mayor Naugle said that the Convention and Visitors Bureau did not have the money necessary in their budget for the event. Commissioner Hutchinson said that they should not request such events to be held here if funds are not available.

Vice Mayor Trantalis said if another organization imposed such a burden on the City as this one, how would the City respond. Commissioner Hutchinson said that the permit would not be granted. Vice Mayor Trantalis agreed and suggested that there needs to be some legal means to bring this to a head, while a potential \$5 Million burden is being imposed on the City's residents. He refused to accept it.

Commissioner Hutchinson asked if the City would be required to issue any permits for the event.

The City Attorney said no permits would be necessary. He said the City has an outdoor event permit, but the event would be held indoors. They might be able to disburse any groups consisting of more than 3 people who do not have a permit. It would be up to the City. He felt the City's only course of action is to have its law enforcement people tell their law enforcement people that they are not going to provide the support.

Commissioner Hutchinson asked who would authorize bridge closings. The City Attorney said it probably would be Florida Department of Law Enforcement. Commissioner Hutchinson asked who would maintain traffic. The City Attorney said there would be no traffic to maintain. Commissioner Hutchinson disagreed.

Mayor Naugle said that traffic control people would be needed in various areas. He reminded everyone that the County is hosting the event and realized it is important for everyone. He felt the County Commission would recognize this as an expense that should fall on the backs of all residents of the County. He felt it would be up to the City Commission to convince the County to assume the responsibility.

Commissioner Moore said this is a world meeting where the federal government would play a major role. This City should not reject such an event. Vice Mayor Trantalis reminded everyone of the cost involved. Commissioner Moore said he agreed about the comments regarding cost, but the City would be featured during this event and they need to find a happy medium. It is all about money, but should be up to the sponsor to obtain the necessary funding. He believed with the \$3.3 Million fronted, the event could be run and the City could then receive their reimbursement. If it is done in any other fashion, the City would appear as the spoiler and he did not want the City portrayed in that fashion. He said the Commission, as policymakers, need to make a resolution now

stating they discussed the item, they welcome the event, and realize it would be problematic, but the biggest problem is the money. Therefore, the City is requesting that the sponsor adhere to the City's policy, as do other sponsors of events. In this case, the City would meet them halfway. He arrived at 60% because it has already been indicated that 40% is reimbursable.

The City Manager said the problem is that the funding application goes through the County, and therefore, the City does not know how much they would get in the end.

Mayor Naugle said the feds are reimbursed for the direct expense of where the event is held, but the other expenses are not covered. He said the event is to be held in the Convention Center and the County agreed to control the Center. Therefore, they would receive the reimbursement.

Commissioner Moore said it is his understanding that the federal government has said they would pay for any direct expense, including man hours providing security, but special purchases would only be partially reimbursed.

Bruce Roberts, Chief of Police, said that is correct regarding equipment purchases. If a vehicle is purchased, reimbursement will only be made for the number of days such vehicle is to be used for the event. He said that wherever the diplomats would be on official business and where they are staying would be the State Department's responsibility.

The City Manager said that does not include "alpha bravoship." He said the Police Department is put on 12-hour shifts. He compared it to a hurricane. Staff would be covering the rest of the City, but not reimbursed. Chief Roberts confirmed that as correct.

Commissioner Moore said he did not think the City should utilize all of their resources, but go to other municipal entities for assistance. Chief Roberts said they are going to use outside agencies to supplement and support the City. The City Manager noted that is part of the \$5 Million.

The City Manager reminded everyone that all those outside agencies would have to be reimbursed by the federal government, and therefore, the City would not necessarily receive 100% reimbursement.

Commissioner Moore felt that his suggestion in obtaining the \$3.3 Million upfront would help and the \$2 Million at the end of the event. Mayor Naugle said that he did not think the City would receive the other \$2 Million.

Chief Roberts further said they have asked the County to do the grant process, but they have also agreed with FDOT and BSO that before the monies are disbursed, command entities sit at the table to decide how such monies would be divided in an attempt to prevent inequities. BSO is also seeking funds in regard to covering the Port because they also have other responsibilities.

Commissioner Moore said the City's resolution should state that other agencies are also financially impacted.

Commissioner Hutchinson wanted all of the City's costs to be paid upfront.

Commissioner Moore said if the City is not given the \$5.3 Million, then what would happen.

Vice Mayor Trantalis said it is not like they are asking for a check, but a promise regarding reimbursement, and standards would be established regarding reimbursement of expenses.

Commissioner Hutchinson said that the resolution should be copied to all County Commissioners.

The City Manager said it would come down to whether the County Commissioners would agree with the resolution, and therefore, it would take lobbying efforts on the part of the City Commission to obtain the five votes.

Commissioner Moore suggested that the Police Chief and the Sheriff converse so there would be jurisdiction over their manpower to ensure everyone's safety. If the monies are not received, is the City saying they would not provide such services.

The City Manager said the dilemma is if 10,000 protestors show up and there is disorder, the police would be involved and sufficient staff numbers need to be available. They need to prevent chaos such as what occurred in Seattle. No one knows what is going to occur.

Mayor Naugle did not want to threaten at this point in time, but to make the request because it is a wonderful event for the City. He felt they could make the appeal to the County, and possibly look to the state and federal governments for assistance. He said everyone should work together in order to make the event work. If help does not come, it does not rest with the City.

Commissioner Moore said that dialogue should begin between the police enforcement agencies.

Vice Mayor Trantalis asked what the City is going to do to showcase the City. He asked if any major social events are going to be planned.

The City Manager read from the County press release: "Greater Fort Lauderdale to Host the Organization of American States. It took the complete cooperation of many entities to make this a reality. Florida Governor Jeb Bush, Broward County Sheriff Ken Jennings, Broward County Commissioners, and County Administrator Roger Dejarlais, the Greater Fort Lauderdale Convention and Visitors Bureau, the Broward County Center, and the local hotel community all worked in harmony states Nickie Grossman, President of the Greater Fort Lauderdale Convention and Visitors Bureau. A meeting of this stature demonstrates that Greater Fort Lauderdale is an important player in the global community."

Commissioner Moore said they are just asking the City to provide a service and not be a sponsor, and therefore, how could they look negatively upon the City for requesting their money. Commissioner Hutchinson said they would charge for the City's services just like they charge everyone else.

Action: The City Attorney will prepare a resolution for consideration at the regular meeting, urging the Broward County Board of County Commissioners and the Greater Fort Lauderdale Convention and Visitors Bureau to bear the cost of security and police protection associated with the upcoming thirty-fifth regular session of the general assembly of the Organization of American states scheduled to take place at the Greater Fort Lauderdale Broward County Convention Center.

I-C – Draft Ordinances – Recommendations of Code Advisory Committee (1) commercial vehicles; (2) boarded-up buildings; (3) maintenance of fences & walls; & (4) portable storage units

Vice Mayor Trantalis did not receive any back-up material regarding this matter. Mayor Naugle asked if the matter should be postponed until the next Commission meeting. Vice Mayor Trantalis confirmed yes. Mayor Naugle said it was distributed on March 3, 2005, but should have been included in the packet of materials.

Commissioner Moore said volunteers on the Code Advisory Committee requested an extension of time due to the fact that they felt the issues they were discussing are not being brought before the Commission for approval. Time was extended, and he felt this is important and the Committee should be permitted to make their presentation.

Bunney Brenneman, Chair of the Code Advisory Committee, said they are working under the auspices of the City Manager and Counsel who drafted language for the ordinances. She said the items were voted on by the Committee and submitted to the Commission for their consideration.

Commissioner Moore said he is in support of the Committee's recommendations. He suggested that such recommendations be placed on the Commission's agenda for adoption.

Ms. Brenneman said that the recommendations were previously approved by the Commission.

Vice Mayor Trantalis said that individuals who are members of this Committee are upset that their recommendations go through the City's Legal Department and are sanitized, which results in a totally different version. Then, the matter is sent back to the Committee for their review and forwarded back to the Commission for approval. He said that this is the first time he has seen the material and wanted the opportunity to review it.

Commissioner Moore felt the recommendations should be brought to the Commission for an official vote, and he reminded everyone that there would be two readings. He did not want the Committee to feel they are being snubbed.

The City Manager said that this matter is on the agenda in case any of the Commissioners have questions.

In regard to commercial vehicles, Commissioner Hutchinson referred to the second pagewhere it states: "...which bears any sign or marking that advertises or identifies the

business entity of the vehicle's owner or his employee," and asked if someone sells Avon and has a magnetic sign on their car, could it be parked in their driveway.

The City Attorney said that magnetic signs would have to be removed. Vice Mayor Trantalis used realtors as an example. Commissioner Hutchinson said that she is going to have a hard time with this matter.

Commissioner Moore realized this item is a bone of contention, but with two readings he believed the issue could be resolved.

Mayor Naugle said that in the past individuals with pick-up trucks have been permitted to bring such vehicles to their homes which had lettering on them, but they had limited the number of wheels on such vehicles.

Commissioner Moore said that such discussions could take place on these issues at the public hearing.

Mayor Naugle asked if a dual pick-up is permitted. Commissioner Hutchinson asked if a City of Fort Lauderdale Construction Services vehicle would be permitted to park in someone's driveway over night.

Lori Milano, Community Inspections Director, said the biggest difference regarding the commercial vehicle ordinance is the fact that the definition is being changed. She said that now the vehicle would have to have more than four tires to fall into the commercial vehicle category. The Committee is suggesting that such parameters be removed. The issue is the number of tires on the vehicle.

Commissioner Hutchinson said that her issue is in regard to whether a City vehicle would be considered commercial.

The City Attorney said that such vehicles are not business cars but government cars.

Mayor Naugle was uncomfortable with permitting vehicles with lettering. He said they are considering a City-wide ordinance, and in some areas certain individuals would have to bring those vehicles home. Possibly certain communities could place such restrictions in their areas, but not have them adopted City-wide. He said that possibly an overlay district could be created.

The City Attorney said there are overlay districts, but for Code issues it is more difficult. Commissioner Moore felt such items could be discussed during the public hearing. He agreed that sometimes individuals have to bring home their vehicles and he is concerned for those individuals.

Commissioner Teel said that these issues need to go through the public process because there are ways to deal with such matters.

Commissioner Moore said that the people who are annoyed are referring to tractor-trailers or lawn cleaning vehicles with debris.

Ms. Milano said that many concerns have been discussed in detail and center on the working class.

Mayor Naugle said that he is glad the Committee is addressing the pods.

Commissioner Hutchinson asked approximately when this matter would be placed on the Commission's agenda.

The City Attorney said that it would probably be placed on the Commission's agenda for the last meeting in April.

In response to Mayor Naugle, the City Attorney indicated that with respect to public notice, legal advertising is anticipated, but press releases could be issued as well. It is important to get the word out regarding the public hearing so all responses could be received.

Action: The ordinances will be considered for the April 19, 2005 meeting.

OB – Proposed Broward County Land Use Plan amendment for City's Downtown Regional Activity Center – 13,000 Units

(Continued from Page 5)

The City Attorney said that the County has a similar rule to the City that allows for a reconsideration at their next meeting. He said that tonight a resolution would be presented regarding the matter.

Mayor Naugle said that after the City left today's County Commission meeting, a motion had been made to reconsider that was defeated 5-4.

The City Attorney said that someone on the prevailing side could make the motion to reconsider. There were 3 motions today, and the first failed 8-1. Discussion ensued about procedural matters at the County level.

Commissioner Moore said it appears that if the consensus is for 3,000 units and the vote was unanimous, then every member of the Commission is on the prevailing side. Therefore, anyone could make the motion to reconsider.

Mayor Naugle said a motion to reconsider the motion to approve the 13,000 units failed. The City Attorney said that the purpose of the motion was that Commissioner Eggelletion wanted to change his vote. Discussion ensued about procedural matters at the County level.

Commissioner Moore said it would be a different motion because the City is asking for a reconsideration of the 13,000 units.

The City Attorney said that a resolution would be presented tonight and then a request would be passed onto the County Commission. He said that the County's rules would be reviewed.

I-V – Water Customer Hardship Cases

Mayor Naugle said that it did not appear to be worth pursuing.

Action: None Taken. Commissioner Moore not present.

III-B – Advisory Board and Committee Vacancies

Audit Advisory Board

Action: Deferred.

Aviation Advisory Board

Action: Deferred.

Board of Adjustment

Commissioner Hutchinson wanted to appoint Gerald Jordan to the Board of Adjustment as an alternate. Mayor Naugle said this is a consensus appointment and felt he is a good choice.

Action: Formal Action To Be Taken at Regular Meeting.

Community Appearance Board

Commissioner Hutchinson wanted to appoint Adam Sanders to the Community Appearance Board.

Action: Formal Action To Be Taken at Regular Meeting.

Community Services Board

Commissioner Moore said that William Dandy should be removed from this Board since he would be unable to meet on the scheduled night.

Action: Formal Action to be Taken at Regular Meeting.

Economic Development Advisory Board

Action: Deferred.

Education Advisory Board

Mayor Naugle reappointed Olivia Vargas, Elaine Schulze and Nancy K. Thomas to the Education Advisory Board.

Commissioner Hutchinson reappointed Lincoln Pasteur, Beth Gillon, and Brian Dassler to the Education Advisory Board.

Vice Mayor Trantalis reappointed Leanore N. Deaner and Jack Law to the Education Advisory Board.

Commissioner Moore reappointed Frances Payne, Pearl Maloney, and Pamela M. Brown to the Education Advisory Board.

Commissioner Teel reappointed Betty Shelley, Chris W. Carney, and Alice Hendrickson to the Education Advisory Board.

Action: Formal Action To Be Taken at Regular Meeting.

Insurance Advisory Board

Action: Deferred.

Marine Advisory Board

Mayor Naugle reappointed John A. Terrill and Rick Schulze to the Marine Advisory Board.

Commissioner Hutchinson reappointed Richard Duncan, Randolph Adams and John Baker to the Marine Advisory Board.

Vice Mayor Trantalis reappointed Joseph Hessmann, Ryan Campbell, and Roger McKee to the Marine Advisory Board.

Commissioner Teel reappointed Eugene Zorovich and Geraldine Udell to the Marine Advisory Board.

Action: Formal Action To Be Taken at Regular Meeting.

Nuisance Abatement Advisory Board

Action: Deferred.

Unsafe Structures and Housing Appeals Board

Action: Deferred.

Utility Advisory Committee

Action: Deferred.

IV – City Commission Reports

Florida Public Officials Design Institute and South Florida Regional Planning Council Reports

Commissioner Hutchinson said that in December she brought forward an item regarding the Design Institute in Abaco and Jupiter. The report is finished. A report from the South Florida Regional Planning Council spawned from it also. Commissioner Moore said the latter report had been the better of the two. She distributed copies to the Commission.

Communication Services

Commissioner Hutchinson received information from the Broward League of Cities regarding a bill proposed by Senator Bennett pertaining to communication services supplied by governmental authorities. Copies were distributed to the Commission.

Marshall's Point FPL Transformer

Commissioner Hutchinson requested an update regarding the Marshall Point FPL Transformer.

Mayor Naugle said that the Housing Authority officials want it done also, and suggested that a condemnation should be done, which is a way to address the HUD issues.

Mayor Naugle further said that a 10' x 10' pad is needed for a transformer and it is on HUD property.

Commissioner Hutchinson said the issue is how to complete the project. She said nothing is open, and she wanted a solution found so the matter could move forward.

The City Attorney said the City offered space in a right-of-way, but FPL did not want to place the transformer there because if there would ever be a roadway, then they could be asked to move it at their cost. He said the City has offered to move the transformer at the City's cost and indemnify them for it, but FPL refused.

Commissioner Hutchinson asked what is the next solution. Commissioner Moore asked if a public taking is being suggested due to the fact that a public entity does not want to provide a site. He was concerned about dealing with a HUD site for a public use.

Mayor Naugle said FPL will not place it on City property and HUD does not allow the Housing Authority to give it to the City. Commissioner Moore said the City should tell FPL where they want it. Commissioner Hutchinson said the Commission needs to take a stand because it is floundering. She further suggested that the matter be placed on the Commission's agenda and have FPL attend the meeting.

The City Attorney said the last he heard was that the City's offered to place it in the right-of-way and indemnify them, but FPL refused.

Albert Carbon, Director of Public Works, said he spoke with FPL yesterday and they are working with Marshall's Point Esplanade regarding a property on the Esplanade that Esplanade has offered. They are surveying it today. An answer would be provided within the next couple of days.

Mayor Naugle asked if that private property site is not acceptable to them, could FPL be invited to the Commission's next meeting to sign an agreement with the City, saying the City would pay to relocate the transformer if and when necessary.

Purchase of Land at southeast corner of intersection of State Road 7 & Riverland Road for park purposes under the Safe Parks & Land Preservation Program

Commissioner Hutchinson said that in June, 2001 the City Commission passed a resolution regarding a piece of property along State Road 7 and Riverland Road before the annexation had taken place. The community worked hard to have the Land Preservation Board acquire the site. Since then Development has been looking at it but backed off, and it is her understanding that the County is now making an offer of \$2 Million, but \$3 Million is the asking price. She asked the Commission what they want to do. She said the community wants the park, and the Commission supported it before the annexation.

Mayor Naugle asked what is the amount of the County appraisal for the site.

Phil Thornburg, Parks and Recreation, said the County would not announce the amount of the appraisal because they use the figure in their negotiations, but did say that \$3 Million is close to the appraised value.

Commissioner Moore said the County's position is that they will pay up to 10% over the appraised value. Commissioner Hutchinson said it is under a different phase of funding. The County will only maximize \$2 Million. Commissioner Moore said it is his understanding that the City agreed to the purchase, through the Land Preservation, of the waterfront property going into the development, not the commercial property. Commissioner Hutchinson said this is on the north side of the storage area, and the south side is a Broward County project. Commissioner Moore asked how many acres is the property. Commissioner Hutchinson said it is about 6 acres.

Commissioner Moore said a roadway is still going through the site. He said it is his understanding that a developer has a contract on the site. Commissioner Hutchinson said that contract expired on March 7, 2005, according to Brian Rosen of the Land Preservation Board. The Land Preservation Board is now offering this and someone has to pick up the additional \$1 Million.

Mayor Naugle asked where the funding would come from. Mr. Thornburg replied there is no funding source available.

Commissioner Teel said there are two other parks in the vicinity, but now they want a third park which is to be bigger.

Commissioner Hutchinson said that unfortunately this has been on the contingency list and when the County started the new funding phase, they dumped that list. Therefore, this is something that has been out there.

Commissioner Teel said that some areas of the City do not have any parks near their neighborhoods. She realized one of the parks is a County park, but it is still green space and it is a waterfront park. She was uncomfortable supporting three parks for one area under the current financial restraints.

Commissioner Moore said if the Land Preservation is willing to pay for everything, the Commission should support this. He did not see where the City could get an additional \$1 Million. He would be in favor of providing a resolution to the Land Preservation Board in support of the issue if the developer is no longer interested, it meets the 10% above the appraised value criteria, and they could acquire it.

Commissioner Teel reminded everyone they need to consider ongoing maintenance for the site once it becomes a park. Commissioner Moore said if they buy it, he would look at that later.

Mayor Naugle said the City could not move forward without an unidentifiable funding source. He asked if grant funds could be used.

Mr. Thornburg said that staff has reviewed the possibility of applying to the Florida Community's Trust, but the applications have to go in late May.

Commissioner Teel asked what about the improvements. Mr. Thornburg said that all of the properties the City acquired through the County bond are up to the City to improve and develop.

Commissioner Hutchinson asked for the resolution to be presented this evening because the next meeting of the Land Preservation Board is Thursday.

Commissioner Moore noted it should be clear the City has no funding source.

Action: A resolution will be presented for consideration at the regular meeting, supporting the Land Preservation Board's efforts to acquire property located at the southeast corner of the intersection of State Road 7 and Riverland Road for park purposes under the safe parks & land preservation program.

Citizen Volunteer Corps' Funds

Commissioner Hutchinson said that since this began with Commissioner Smith, they have always gone to the community for promotional monies. Now, there is a snag because they cannot get the money. People write the checks to the City, but there is a problem with accessing it. Originally, Finance took the checks and put them in a separate account and no Commission approval was necessary. Now, there is a big "to do" and there is \$1,600 in the fund, but no system. A system is needed.

Commissioner Moore suggested that the City Manager meet with the Finance Director and work out a system.

Vice Mayor Trantalis agreed there should be a simple process to follow.

Community Services Advisory Board

Commissioner Hutchinson said that in reading the agenda for the next meeting of the Community Services Advisory Board, she saw they are going to discuss taking on the WaterWorks 2011 Project, along with other water issues. She asked what is the scope of the Board because she felt the Board is "going out there."

The City Attorney said that his office is also reading their minutes and he is sending an attorney to their meetings. The attorney was questioned at length as to who sent her to the Board to "spank them." It was pointed out that they might be possibly straying from their mission.

Mayor Naugle asked who is their staff liaison. Commissioner Teel said it is Margarete Hayes. Commissioner Hutchinson said that this issue had nothing to do with Margarete Hayes, but with the Board. Some appointees to the Board have had difficulty getting some of their issues through, and there is a lot of off-point discussion taking place regarding Commissioners and who is running against whom. It is not the entire Board, but she did not want to pinpoint the problem individuals.

The City Attorney said that an attorney from his office would attend the Board meetings for a while.

Commissioner Moore said that the water issue got on the Board's agenda due to an individual who came to his office, saying that someone should deal with the water issues. He did not want the creation of another advisory board due to costs, and suggested the Community Services Advisory Board. He disagreed with the City Attorney as to the Board's mission. When he served on that Board, they dealt with all community services, and not just community block grant dollars. He suggested that the individual meet with the Chair of that Board and discuss the recommendation. According to the minutes, such discussion was held and consideration is being given to the issue. If the Commission does not want this Board to address such issues, then they could pull it in. However he did not want to create another advisory board.

Commissioner Hutchinson said she would not tolerate degrading comments being made about some of the Commissioners.

Commission Budget

Commissioner Hutchinson wanted to have placed on the Commission's agenda discussion regarding the Commission budget. There was consensus.

Citizen Recognition Board 2005 Founder Nominee

Commissioner Hutchinson said that the Commission received a letter from former Commissioner Latona, and she is very concerned about it as it relates to the gentleman named. She said she did not know the individual, but is concerned about the comments that are being made, along with other comments that people are afraid to put in writing. Before the award becomes final, she suggested they possibly send the item back to the Board who suggested the individual, and make sure they are comfortable with moving ahead with the award, and that all homework is done regarding the person. She added that this is in regard to the Founder Nominee.

Commissioner Moore agreed to have the matter sent back to the Board.

Commissioner Hutchinson hoped it would be referred back before the 19th of April.

Action: The 2005 founder nominee recommendation was referred back to the Citizen Recognition Board. A response from the Board was anticipated before April 19th.

Proposed Legislation

Commissioner Moore said that he hoped the Commission would follow the legislation, and not that this municipal entity would offer such a service, but he did not want someone telling the City they could not offer it.

CDBG Funding

Commissioner Moore said he was in Arlington, D.C. as a member of the Advisory Council of the National League of Cities. They are working diligently to keep important matters on the table. One such matter is Community Development Block Grant Funds, and how the present administration is considering reducing its funding and changing which department handles those funds. It is being assumed that Economic Development would handle this function instead of Housing. These dollars are essential to the development of communities, such as the ones he represents. He said the funds have a great impact on those communities. He said the direction the particular legislation is going would be harmful because the funds would be reduced and the manner in which the monies are to be spent will be changed. They are also concerned about staff understanding the methodology of how such funds are used.

Commissioner Moore suggested that the Commission have the Community Development Director review the changes regarding funds received last year, and if such legislation was implemented, its impact. Afterwards, he wanted the issue to come before the Commission so they could take a position on the issue. He said that CDBG funds, at one time, were major dollars spent in northwest Fort Lauderdale, which is not the case at this time.

Commissioner Moore said that he met an individual at the meeting who talked about a book entitled, *The Creative Class*. He encouraged the Commission to obtain a copy and read it. It is written by Mr. Florida and discusses how the nation needs to change the paradigm of how cities induce businesses into municipalities. It should be used as a guide for planning future growth. The theme centers around attracting high wage earners.

Commissioner Moore said that he also will distribute copies of the back-up material from the League of Cities meeting to the Commission.

Commissioner Teel said that copies of the book should be given to the Broward Alliance and the Chamber of Commerce. Commissioner Moore agreed.

Commissioner Moore said that he was also given a lobbying guidebook and wanted the Commission to see the information regarding communications with Congressional members.

Joseph C. Carter Park

Commissioner Moore said that tomorrow night at Joseph C. Carter Park they would be conducting the State of the District III, at 6:00 p.m. He complimented staff and the contractor in getting the park completed and doing an excellent job.

Motorcycles; removal of mufflers

Commissioner Teel said that a group of individuals approached her last night, requesting that a meeting be held in regard to the issue of motorcycles on A-1-A. She suggested that such a meeting be held with the Police Department in early April.

Vice Mayor Trantalis said that he held such a meeting last year on this issue and nothing changed. The motorcycle clubs are eager to participate in such meetings. They feel that individuals who abuse the use of motorcycles are few in number.

Mayor Naugle noted that the Commission has repeatedly taken the position that people should be cited with respect to noise.

Commissioner Teel said the concerns are in regard to individuals who remove their mufflers. She appreciated if such a meeting could once again be held. Vice Mayor Trantalis commented that it is not appropriate to remove the muffler. Commissioner Hutchinson said that enforcement of the law needs to take place.

The City Manager agreed that such a meeting would be scheduled, and that discussion would also center around enforcement.

Abaco Process; Uptown Development Improvement Group

Commissioner Teel said that she appreciated Commissioner Hutchinson's enthusiasm and help with the Abaco Process, along with the South Florida Regional Planning Council.

Public Transportation; Wilton Manors & Oakland Park

Commissioner Teel said she had received a call from Scott Newton, Mayor of Wilton Manors, saying that their City has joined with Oakland Park in regard to doing a collaborative effort in providing public transportation to take individuals from one restaurant to another. He wanted to know if the City of Fort Lauderdale wanted to join in this effort. She referred this to the City Manager.

Vice Mayor Trantalis said that these types of issues all relate back to local transportation that is not being provided.

Mayor Naugle asked about the status of the trolley purchase.

Commissioner Teel said that the matter is still in discussion. They are considering a loop going up to Las Olas, but now they are discussing the types of vehicles to be purchased. Eventually, they plan on service to Sunrise Boulevard and the Galleria. She thought that Mayor Newton was talking about something more on an immediate time frame.

Vice Mayor Trantalis said that for all the tourists staying in the Central Beach area, these trolleys or inter-city buses are needed to help transport them from place to place. The City should not encourage the rental of cars and add to congestion.

Mayor Naugle said in the State of Florida, counties are the recipients of the gas tax and are responsible for transportation. Municipalities could take on an unfunded program and responsibility, or discuss it with the County, which was his preference.

Commissioner Teel said there are three municipalities asking for the service. Possibly the County would look favorably on the request. She said she is not suggesting this be added to the TMA or that the City get involved in this.

Annexation of Twin Lakes North

Commissioner Teel said that Twin Lakes North is to be annexed in September. The Association President called her and asked about what is being planned. She said that she met with the Director of Public Works and they discussed getting possible assistance from the County for sewer hookups. She said they are listed on the 2011 WaterWorks Plan, but they are speaking about costs for sewer hookups. She said the area has felt neglected by the County for a long time. A position statement will be developed before approaching the County.

Community Services Board

Commissioner Teel agreed with Commissioner Hutchinson's comments regarding the Community Services Board. She also has been reading the minutes and they are very troubling. She said the individual previously mentioned who had a concern about water issues spoke with her also and wanted the formation of a new advisory board. In fact, she directed her to initiate such a board. What troubles her is not only the negative comments being made which are inappropriate, but the Chair states that the Board can do whatever they want. She felt the Board is totally out of control.

In regard to advisory boards, traditionally concerns would be taken to the City Manager who would bring it to the attention of the liaison and then bring the matter before the Commission.

Commissioner Teel thanked the City Attorney for sending one of their attorneys to the Board's meeting in an attempt to explain how they should conduct themselves more professionally and within their scope.

Commissioner Moore suggested that possibly there is a need to speak to the Board. Mayor Naugle suggested that possibly each Commissioner should speak with their appointees.

Slot Machines

Mayor Naugle thanked everyone for their efforts regarding gambling/slot machines which went down 55-45 in the City, and in some neighborhoods defeated 3-1. Overall in the County it passed. The City notified their lobbyist that if the issue moves forward, the City should be reimbursed for their expenses. He asked if the City's lobbyist had made any progress. The City Manager said that he would update the Mayor as soon as he hears from the City's lobbyist.

Northwest Commercial Redevelopment (Milton Jones)

Commissioner Moore understood that there was consensus to wait for HUD to rule as to whether the housing units could be built, and whether they had to reach 51% of low to moderate income.

Vice Mayor Trantalis said also that they were to see if they would be market based.

Commissioner Hutchinson indicated that a response had not yet been issued.

Commissioner Moore understood the consensus was to request HUD's findings, not for City staff to lobby for a position. Commissioner Hutchinson confirmed that as correct. Commissioner Moore said communications with HUD should be only to request their findings, not to lobby for or against anything.

Mayor Naugle thought the Commission decided to build a mixed-use facility. Commissioner Hutchinson disagreed and said they wanted HUD's determination before anything would be done. Mayor Naugle said that indication was made at a previous meeting. It was his understanding that the Commission decided to move forward with the Jones development because they were the successful bidder. Commissioner Hutchinson said that it was about building a grocery store.

Commissioner Moore said he respects the process, but it is becoming challenging. He said at the last Commission meeting when this site was discussed specific direction was given to staff to find out what HUD's ruling would be on the development of the site, and if affordable units are going to be offered or not as it relates to residential units.

Mayor Naugle said that at a previous meeting, the Commission decided they wanted to move forward with the mixed-use proposal. He asked the City Clerk to provide the minutes.

Commissioner Moore said he is not disagreeing that did not take place. Mayor Naugle said that has not been rescinded. Commissioner Moore said when direction was given regarding contacting HUD, it was very specific. If no one else is confused, then possibly the Mayor is confused.

Commissioner Hutchinson said it is her understanding that if the developer did not receive the desired finding from HUD, then everything would be moot. Meantime, everyone is waiting to hear HUD's determination before moving forward.

Commissioner Moore did not want any misinterpretation. He has given a lot of time to this issue.

Vice Mayor Trantalis thought that Commissioner Moore's assumptions are correct.

Mayor Naugle said that from the beginning Commissioner Moore has tried to destroy this project. Commissioner Moore disagreed and said that his point is that the Commission had given specific direction. He said that since the Mayor did not state a position to the County recently that the Commission directed him to take, he did not want the Mayor going to HUD and stating a wrong position. Mayor Naugle said that the Commission did not direct him to attend the County Commission meeting, nor did staff request him to attend. He did not want to hurt the cause by stating his truthful feelings on the matter.

Commissioner Moore wanted this done according to the consensus of the Commission. Mayor Naugle agreed. Commissioner Moore said if the Mayor is going to communicate with HUD in regard to this redevelopment project, just as he thought he would give his opinion to the County regarding his personal vote, he had no problem with that, but he is

to state the Commission's position if he speaks to HUD. Mayor Naugle agreed. Commissioner Moore said he did not want staff doing anything different.

The City Manager said that staff's intention at the meeting is to give the facts and receive HUD's determination. Mayor Naugle said they would follow the direction given in all of the Commission meeting minutes. Vice Mayor Trantalis and Commissioner Hutchinson said that would not be the directive of the last meeting. Mayor Naugle asked if the Commission wanted to amend their instructions. Vice Mayor Trantalis said the instructions should be clarified.

Commissioner Moore said it is his understanding that they requested of HUD to provide their findings if any housing was permitted, how would it have to qualify to meet HUD's guidelines. Vice Mayor Trantalis and Commissioner Hutchinson indicated they could come back with the information and the Commission would reassess the situation. Mayor Naugle asked what if they brought up something the Commission had previously decided upon, such as moving forward with the commercial mixed-use development, should he not respond to the issue. Commissioner Hutchinson explained she might rescind her vote if she did not know what the outcome would be on the housing. Commissioner Moore believed the discussion is about housing and meeting HUD's requirement; mixed-use is not on the table.

Mayor Naugle said that if something else is brought up, he would have to take the position of the Commission as outlined in the minutes. Commissioner Hutchinson said there are a lot of minutes on the project. Commissioner Moore said there are 13 years of minutes regarding this issue. He said the issue being discussed with HUD pertains only to housing units and whether or not they have to be affordable and for low to moderate income.

Mayor Naugle agreed but if other items are raised he would have to respond.

Vice Mayor Trantalis said that if other matters are raised, he suggested that no response be given and the issue be brought back before the Commission. Mayor Naugle said that would be a modification of the Commission's position. Vice Mayor Trantalis said that a lot of time has passed and circumstances have changed, and it would only be fair that the issues be revisited and their position be re-evaluated for clarity purposes.

Commissioner Moore said that is clearly the consensus of the Commission. Mayor Naugle said he would make sure copies of the minutes are provided to Commissioner Moore.

V – City Manager Reports

None given.

There being no further business to come before the Commission, the meeting adjourned at 5:02 p.m.