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COMMISSION CONFERENCE MEETING 1:41 P.M. JUNE 21, 2005

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

Absent: None

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

I-A – Broward Community College Education Master Plan

Dr. Larry A. Calderon said they have been assessing the needs of the community, and then making a comparison between what the needs are in terms of education and training, and what BCC has been offering and should be offering for the future. Today he will explain to the City Commission what discoveries have been made along those lines, and what steps they will be taking in moving forward with their Master Plan.

Dr. Calderon said that from the master planning process, they want to see what the future will hold, describe how to get there, assess who they are, look at the environment and where the community is today, and what choices have to be made to attain their goals. He said they would provide some of the findings the scanning process produced during their review of Broward County.

Ted Wright, Special Assistant to President Calderon, said they examined data regarding the community to see what has been taking place, and what changes need to be made. They also reviewed internal operations as to what types of students have been attending their classes, along with changes in the demographics of the students. He further said there have been enormous changes in the growth of Broward County; immigration was examined closely. One-half of such immigrants are coming from the Caribbean and Central America and one-quarter from South America, which have implications in regard to language issues for the Institution. About 2/3 of residents in the County speak English only, and 40% of Broward households speak languages other than English. He showed slides regarding the demographic changes in the County. It is projected that the black non-Hispanics, along with the Hispanic population, would double over the next 20-25 years. This puts them in the position of having a tri-ethnic community.

Dr. Eileen Holden said the education master plan resulted in nine goals which are to be focused on over the next few years. When decisions are to be made at the College, the students must be considered. They are not the same students the Institution had previously. Some students require remedial classes, and almost 90% of first-time students test into one of the college prep areas in reading, English and math. A curriculum, along with support services, needs to be provided to meet the changing demographic and student population. Entrepreneurial activities need to be increased. They are grateful to the Broward Delegation working in Tallahassee but in order to accomplish the visions of the master plan, they need to seek grants. This year BCC was designated as a Hispanic serving institution with over 25% of the students being

Hispanic, and that opened an opportunity for the school to apply for funds. She said they also need to strengthen their relationship with the Broward County public schools since they are a huge feeder to the Institution, and so there is not a disconnect with the students struggling with the FCAT and those coming to BCC. She said that more faculty-to-faculty articulation efforts are being set up.

Dr. Holden further said they will re-examine their course delivery format and offer more alternatives. She said their strategic instructional programming would also be reviewed. They are now strengthening their medical assisting program which is a 10-month certificate. There are over 1,200 openings each year in the County at \$13 per hour. An automotive section is opening in January, 2006 since there are over 2,000 vacancies for qualified automotive technicians in the County. They recognize a need to work with Mason-Jackson and Work Force One and develop the necessary curriculum.

Dr. Holden said their 9th goal is to communicate what is being done to the residents of the county. She said that Norm Seavers would now discuss the 4th goal which is for BCC to be the first choice for training.

Norm Seavers said they work closely with the City and other business organizations. He said that to be competitive they need to train and re-train the work force. As the community moves from a development to a redevelopment mode, it is important that local businesses have all necessary resources to keep them competitive. He said that organizations at times need to know their training issues. BCC can help identify training issues supporting business goals. Team building is also available, and larger organizations review employee surveys and cultural climates.

Mr. Seavers continued, stating that work force development is done through Work Force One. They need to merge the entry level work force in order to move forward. Training is available on a customized basis, along with an on-the-job training delivery method that works well. Corporate training is done to upgrade skills of the work force. Continuing education is done to help organizations meet their needs because entrepreneurial work is a huge part of the economy. Language training, information technology, and a wide variety of professional development courses are offered.

Dr. Calderon said all master plan information is available on their web site. They want to make everyone aware that they are on target and on schedule, and will be proceeding forward.

In regard to the Criminal Justice Institute, Firefighter Training, and Police Training, Mayor Naugle asked if there could possibly be a way through scheduling to decrease some amount of time on such training since there are a lot of individuals in the pipeline and often there are comments about delays. The City Manager said the matter would be looked into.

Mayor Naugle asked how many course offerings are in Downtown at this time. Dr. Calderon said they have been reduced since they are presently in transition with some remodeling. Dr. Holden said there are General Education courses that are pre-major courses for students. The architectural program is presently housed at the Downtown campus. Mayor Naugle said that with an increase taking place in housing for the Downtown area, possibly the institution could consider an increase in courses for the future.

Action: No action taken.

I-B – Fiscal Year 2005-2006 Budget Workshop

Allyson Love, Management and Budget Director, said this is a new department in the City organization. She said the preface of the workshop is to discuss the budget for 2005-2006, and the impacts of it.

Ms. Love said the first item is the budget calendar, along with the budget reforms and controls put in place and their impacts. They received the preliminary estimate of taxable value that was due June 1st, and they are currently working on budget balancing as departments provide their service and program requirements for 2006. On July 1st, they are due to receive the certified value from the Property Appraiser's Office, and on July 19th the 2006 budget would be presented. The other two key dates are the public hearings scheduled for September 7th, and 20th.

Ms. Love said that in order to enhance their ability to monitor the budget to ensure that all departments are in line with the budget that was approved; a departmental monthly trend analysis was developed. This enables them to check how revenues are coming in, along with the expenditures associated with each department and to monitor trends. They meet with the City Manager on a weekly basis. Positions are reviewed and vacancies monitored, along with funding for such positions. She said this is in concert with Human Resources and the Office of Management and Budget, along with capital needs. Each department identifies their needs. They need to ensure that the capital requests are in line with what has been approved. If salaries are saved in a department, spreadsheets are done to evidence the savings so monies would not be expended multiple times.

Ms. Love further said that due to vacancies occurring in this organization, temporary staff is utilized to ensure continuity of operations and such uses are reviewed with temporary agencies. She said the City Manager has emphasized that all department heads are accountable for their budgets regarding appropriations.

Ms. Love said that a Comprehensive Revenue Manual would be placed on the web site for review.

Shonda Singleton-Taylor said in looking at the current year's General Fund overview based on the May Monthly Financial Report, the Property Tax Revenue is coming in ahead of last year. Communication taxes are lower due to technology changes in the industry, which include customers switching from land line use to cell phone use, along with a decrease in long distance costs, and a switch to voice over the Internet. Fines and Forfeiture Revenue is also down from last year due to the number of vacancies in the patrol area and Code Enforcement.

Mayor Naugle asked if the utility charges and franchise fees are in line. Ms. Love confirmed that they are in line.

In regard to the comments made about reduction in costs and the usage of cell phones, Commissioner Moore felt the City needed to be more forceful regarding legislation for this matter. He said many individuals are utilizing different methods of voice over the

Internet which reduces revenue. A trend has been shown over the last seven years. He asked if numbers could be supplied to the National League of Cities to be used in their trend forecast. In regard to the Property Tax Revenue, he asked why it is ahead of schedule.

Ms. Love said the information is simply an indicator that revenues are coming in as prescribed and taxes are being paid on time.

Even though Fines and Forfeitures have decreased, Commissioner Moore asked what percentage of fines for code violations and liens have been collected. Ms. Love said they are talking about traffic citations, and those are down in number.

Mayor Naugle said the explanation he received regarding revenue was that during contract negotiations, the ticket revenue fell off, and after approval of the contract, the numbers rose. He said there was less activity during that time.

Commissioner Moore felt the new revenue manual will be beneficial to the City and its residents.

Ms. Love said in terms of the Summary of the 2006 General Fund outlook, revenue growth appears to be 5%, and based on the estimated taxable value, the tax base growth, ad valorem revenues equal about 46% of the General Fund Budget. There is a 12% growth over projected final roll for the '05 budget.

Commissioner Trantalis asked, if they are projecting an income growth of 5% and an expense growth of 7%, how could they anticipate covering the gap. Ms. Love said that based on the numbers they have, and they are waiting on final certification, if the revenues are not as high as they should be, then they would have to deal with the expenditures.

Ms. Love said the property tax growth in terms of revenue since 2001-2006 is based on estimated numbers. The taxable value for 2005 is \$22 Billion. There is about \$12 Million in new revenue, but she reminded everyone that it is an estimate.

Ms. Love further said that assuming current service levels stay the same; there are inflationary factors that will affect the budget, such as fuel and electricity. In regard to budgetary impacts for 2006, the actuary report shows pension costs will increase to the tune of \$3.8 Million for police, fire and general employees. She further said they are still repaying the insurance deficit, contract negotiations will continue, and also expenses regarding annexation for Rock Island and Twin Lakes.

Commissioner Moore asked about the take-home cars for police officers, whether only those officers within a specified radius are participating in the program and the appropriate percentage is being paid by the employee toward fuel expense. He also asked about employee cell phone program. What revenues have been derived from these programs established for cost-sharing?

Commissioner Moore asked what amount is being targeted in the upcoming budget regarding the insurance deficit.

The City Manager said there is a three-year plan, and they are targeting \$4 Million per year. They are still in that range, but recently the Actuary has stated there has been some growth in those numbers. The issue is still being reviewed.

Bernard Wray, Director of Finance, said it costs \$3,790,000 to reduce the deficit by the end of '07, but they are presently on track.

Commissioner Trantalis said it was his understanding that the insurance deficit is \$22 Million. Commissioner Moore said this is a plan design change, and the cost of that plan brought down the deficit, along with the pharmaceutical product and methodology being used. The agreements from the Hospital District regarding the plan changes, also contributed to a reduction in cost.

The City Manager said that more accurate numbers could be provided as they finalize the budget. He said they are also reviewing some of the projections, potential exposures and further discussion with the Actuary.

Commissioner Trantalis asked if further detail would be provided regarding the monies set aside for positions in the City that are vacant.

Ms. Love said they are spending monies in offsetting those positions with temporary personnel. Every department could respond as to usage of those monies. The City Manager said monies would be left over when the books are closed. He said they projected to the bond rating agencies that the fund balance would grow based on the trending of expenditures at the time. He said they would probably be in a better position than what had been projected. He hoped to have a "fairly decent number" by next month. Part of such fund balance strategy was to continue building it up, and getting in the 7% range which was felt to be safe. If all goes well, they should be in that zone relatively soon and ahead of schedule from last year.

The City Manager said the budget and finance staff has been incredible in hard work and long hours.

Action: None taken.

I-C – Water Bus Relocation

Bruce Larkin, Director of Business Enterprises, said that staff was asked to identify alternate locations for the Water Bus to store their 16 vehicles due to their lease expiring with Bahia Mar. The Las Olas Marina has been identified as the best location. The location for such storage would be at the south end of the Marina at Pier #6, keeping the buses away from other public vessels. A bulk rate agreement has been reached for the leasing of Pier #6. The terms agreed upon are that the Water Bus would guarantee payment for the storage of 16 vessels at Pier #6 totaling 672 linear feet generating \$9,600 per month at \$600 per vessel. In addition, there is a 6% submerged land fee, along with a 6% tax. He said is proposing a 6-month lease on an annualized basis generating \$115,200 in revenue. Also, the Water Bus agreed to provide the City up to \$18,000 per year in in-kind services. Therefore, including the in-kind services, a total of \$133,200 would be received in revenue.

Mr. Larkin further said that there would be no fueling of vessels permitted, along with no repair activities at the site, or loading or unloading of passengers. He said they would comply with all rules and regulations in connection with usage of the marina. He further said the Submerged Land Lease and Permit from the State need to be modified because they presently are for public recreational vessels only. He said this would take about 90 days to accomplish. In order to get the clock moving, a letter was submitted on June 14, 2005 to the Department of Environmental Protection, asking them to entertain such a modification. In the meantime, the City negotiated a 90-day continuance with Bahia Mar for the Water Bus while such arrangements are being made.

The City Manager said staff is prepared to move forward if the Commission approves of this approach. Otherwise, Mr. Bekoff would have to find an alternate location.

Commissioner Moore asked why this site is more appropriate than the original site chosen under the bridge. Yachts from all over the world presently dock at the subject site.

Mr. Larkin said he could not address the bridge site. He believed the Commission had raised certain issues regarding that location. The Marina is like a hotel, and not all rooms are rented at all times. He reviewed the historical occupancy data and what revenue would come into the City. Commissioner Moore said they are willing to pay money for the site under the bridge, and asked why the subject site is better for such an operation than the original site. He thought the site under the bridge would be better for a temporary use.

The City Manager said operationally the subject site is more difficult, but due to the community's concerns in relation to the bridge site, the Commission directed staff to review alternate sites. In doing so, this site appeared to be the most feasible. If the 17th Street site is not available due to there being no Commission support for it, then the comparison internally would not produce a solution to the Water Bus problems.

Commissioner Moore said it was his understanding that they would receive a comparison of the two sites, but there is nothing here letting them make such a comparison.

Commissioner Trantalis said it was his understanding that the majority of the Commission did not approve of the 17th Street site due to some neighborhood concerns. Therefore, staff was directed to look for alternate locations. He did not believe that 17th Street was an option. He said comparisons could be done.

Vice Mayor Teel agreed with Commissioner Moore. Other opportunities have been studied by staff up the River at Colee's Landing. She said that is still a possibility, but 17th Street is no longer viable. Due to the recent newspaper article, it appeared that the Port site is still being considered.

Mr. Larkin said that he spoke to the Deputy Port Director about the issue, and she indicated such a proposal is being considered and would be presented to Mr. Bekoff. So far, he has not been contacted. He said the site would involve an RFP process, along with securing certain permits. The option is still being considered, but there is a June 30th deadline involved.

The City Manager said logistically, they need to move forward and if another option is presented, then the process could be stopped.

Vice Mayor Teel said the aerial is showing a small T-dock at Pier #6. She asked if all vessels could be accommodated. Mr. Larkin said Jamie Hart and Mr. Bekoff surveyed the site, and determined the slips are 45' and that 16 vessels could be accommodated.

Jamie Hart, Marine Facilities, said they could double on the interior slips, and 16 vessels could be accommodated. The configuration of the dock would not be changed. The State will permit this.

Vice Mayor Teel asked if the residents at the Venetian have been contacted regarding this proposal. Mr. Hart said they had not been contacted. Commissioner Trantalis said he raised the issue at his neighborhood meeting, and a question was raised as to what would be located at the site during the day. He said it appeared the residents do not have a problem with this proposal.

The City Manager said if the decision is to move forward with this proposal, there is enough time that an outreach effort could be made. He said if they do not move forward with this plan, time could run out.

Vice Mayor Teel did not agree and believed additional time is available. She did not want to rush into this. It is her understanding that the lease with the State for the Las Olas Marina is for recreational boats, but a change could be made for commercial vessels. Therefore, she questioned the judgment to make such a voluntary change because recreational dockage appears to be disappearing throughout the City. She said the Water Bus is a good idea, but she did not think they should sacrifice recreational boat dockage. She also asked if this proposal has been presented to the Marine Advisory Board.

Mr. Hart said it was one of the options presented to the Board last month.

Mr. Larkin said due to time constraints, this proposal has not specifically been presented to the Board. He has been in communication with the Chairman. Updates have been communicated unofficially.

Vice Mayor Teel felt the Marine Advisory Board needs to review this proposal in detail.

The City Manager reminded everyone that they are not seeking final approval of this proposal at this time. Vice Mayor Teel said she still believes the Board needs to review the proposal. She felt this temporary lease might be more appropriate up the River, although perhaps not all clustered together and not as appealing to Mr. Bekoff. She said representations have been made that such a decision could benefit the City. She felt it could be a win-win situation for everyone involved. She reminded everyone about the sea grass issue and asked how many boats are permitted at the site. Mr. Larkin said they are maxed out at 40 vessels.

Vice Mayor Teel was concerned about loss of recreational boat dockage and loss of repeat business.

John Terrell, Chair of Marine Advisory Board, said the issue has not been presented to the Board. Although this is an urgent issue, it did not occur over night. He said the General Manager of Bahia Mar informed him that the Water Taxi had a 10-year lease which expired six months ago. The issue should have been in the works before that time. He further said Bahia Mar does not feel the Water Taxi fits into the marine operation they are attempting to do at the site. They did offer another lease at prevailing rates of \$850 per slip. The City's slips off season cost is \$800 per a 42' slip per month, including a 20% long-term discount. The issue of changing the land lease should be considered. Otherwise, during the sea grass growing season, 24 boats would be limited to the area. He said there would be less than 24 boats, if the Water Taxi expanded beyond their 16 vessels. As a private citizen he believed the Las Olas Marina is a good temporary site. He said the Port is an ideal location for the vessels and work is being done regarding the matter. He said that prevailing rates could be charged and he would encourage the site at the Port to be considered.

The City Manager said the negotiations took place last week regarding the new concept, and he felt it was more important for the City Commission to review the proposal before the Marine Advisory Board. There is the 90-day period involved, so enough time is available for the Board to review the proposal.

Mayor Naugle believed the issue should move forward and be presented to the Marine Advisory Board for their review. This might only be a temporary site. The vessels could be moved to the Port in the future. The Port still has issues regarding traffic, and the County Commission is attempting to revive the Convention Hotel in the area and is running into problems. Many obstacles are being presented, but hopefully the issues will be resolved.

Vice Mayor Teel asked why the New River site is not being considered as a temporary solution since docks are available, and special approval is not needed. Mr. Hart said the sites under construction have been reviewed, but will be reopened by September. He said there is a restriction that no more than 16 powerboats are permitted at the site. He said that eight could fit comfortably, but they want to keep all 16 vessels at one location.

Mr. Larkin said that there are advantages and disadvantages with all the sites. He said they are trying to accommodate the operator as well and keep the fleet together, and being able to mobilize the vessels from the site. He crunched figures regarding this site, and the tentative agreement would make the City whole plus some from the revenue that would be received and any potential lost revenue.

Vice Mayor Teel said there appears to be a large gap from the \$600 proposed figure compared to the going rate of \$800. Mr. Hart said the City is making about \$25,000 more than they ever have made. The rate could be raised, as well. He said this is guaranteed revenue, and in looking at the analysis of how they normally calculate such rates, this would be fair.

Commissioner Hutchinson asked if the extension with Bahia Mar is contingent on this proposal. Mr. Larkin said he is not sure if it is contingent on this proposal, but they had offered 90 days. Mr. Hart said Bahia Mar would double the rate after the 6-month extension period, which would be a lot of money for the operation. It would not be affordable for them to stay beyond the 6-month period.

Commissioner Hutchinson asked if staff is comfortable with the 6-month extension, and that the matter would come back to the Commission after that time. Mr. Larkin confirmed that is correct. Commissioner Hutchinson understood Mr. Bekoff's plight and was sorry he lost his lease, but said this is not her business. She wanted to keep the Water Taxi in the City, but it appears the City is the "bad guy" according to newspaper articles because he lost his lease. She did not want her back against the wall, accepting something that the City is not comfortable with in regard to revenue. Mr. Larkin said he is comfortable from the financial perspective.

Vice Mayor Teel asked if Mr. Bekoff actually lost his lease, or did he choose not to renew it due to the new rate structure.

Bob Bekoff, Water Taxi, said he was not offered a new lease. The building was rented for triple the amount he was paying, including the 11 slips. He said they have been working on a replacement for over two years, and have appeared before the Marine Advisory Board numerous times. The situation did not occur over night and he did not want the City to feel they are in the middle of a situation. There is not only a lack of dock space for recreational vessels, but a lack of all kinds of dock space. Everyone says they love the Water Taxi, but don't want it in their backyards.

Commissioner Trantalis said he wants to give the City Manager approval to move forward, even though the State has not given their approval. He said they are only agreeing to move forward at this time and no final approval is being given.

Commissioner Moore said he differs with the idea of using this site, but understood the strategy. Mayor Naugle said it is his understanding that Mr. Bekoff would deal with the issues regarding the State. Mr. Larkin said the City made the request, but efforts to expedite the process would be appreciated from the City's or Mr. Bekoff's perspective.

Commissioner Moore said it was his impression that they had received a 30-day extension previously from Bahia Mar, and now another 90 days is being granted. The concern involves a six-month period. Mr. Bekoff said the operation had until the end of February on the DOT permit. Commissioner Moore said in meeting with the Chair of the Marine Advisory Board, he was informed that progress was being made regarding a site at the Port. He asked if that is still being considered. Mr. Bekoff said he has been meeting with the Port since September 26th of last year, and the last time he spoke with the Assistant County Administrator, he said they would get back with him soon. Commissioner Moore suggested they do what could be done regarding the lease agreement with the State, but that a Port location should truly be pursued. He also felt a remedy could be offered in regard to the RFP process. He said the County is playing the role in getting money to make this work, and it appears to him that it would be appropriate for them to secure a location. He said a recommendation should be made to the County that they consider making this a proprietary use, and the Port location be pursued. He asked if there is another Water Taxi operating in the City. Mr. Hart indicated there are other boats.

The City Manager said they will return before the Commission and report back after meeting with the Marine Advisory Board, along with the adjacent community.

Action: The City Manager said they will report back to the Commission after meeting with the Marine Advisory Board, along with the adjacent community, and when they have

more information. There was consensus to move forward with the Las Olas Marina site as a temporary solution.

I-D – Code Amendments – Garden Centers and Residential Rental Real Estate Signs – Code Advisory Committee Recommendations

Commissioner Trantalis asked why they want to eliminate garden-related merchandise.

Valerie Bohlander, Director of Building, said it is because outdoor furniture and other items began appearing that should not be displayed outside.

Commissioner Trantalis said a store in his district has related garden merchandise displayed. He asked if the law would restrict them. Ms. Bohlander confirmed that as correct and said other related stores would also be affected. Commissioner Trantalis asked if such displays are offensive because garden stores display their merchandise. Ms. Bohlander said that this does not involve just one business; the problem is throughout the City. Commissioner Trantalis felt garden-related merchandise is not that offensive in comparison to other landscaping operations which give a more blighted appearance.

The City Manager said this is a policy decision and that the Code Advisory Committee discussed the issue and various concerns were raised.

Vice Mayor Teel believed this goes to a larger issue. It opens the door with merchants expanding outdoor displays. Garden-related items mean different things to different people in various parts of the country. She felt the problem is more global than people realize; displays appear more on weekends. This is a good way to clarify the situation. The intent has always been not to have outdoor displays. Some businesses do not have enough space to house their inventories.

Commissioner Trantalis said it is a matter of taste, because he does not object to businesses displaying their products outdoors. He believes it adds color and vitality to the City streetscape which is presently not colorful or vital. He did not think this law is appropriate at this time.

Vice Mayor Teel asked if many complaints had been received regarding such outdoor displays. Ms. Bohlander said complaints were received from residents in Victoria Park. Vice Mayor Teel said complaints were brought forward from her district as well.

Mayor Naugle asked for comments regarding the real estate signs.

Commissioner Trantalis asked if real estate signs of 12 square feet are going to be permitted on the side of a house.

John Simmons, Director of Community Inspections, said this would limit the number of signs at a property. Secondly, Inspectors do not always know who the owner of a property is, and therefore, the signs would list the owner along with other contact information.

Commissioner Trantalis asked he is correct that a single-family house could have a 12 square foot sign on it. Mr. Simmons said it would be temporary while the property is for sale. Commissioner Trantalis felt the size is excessive.

Commissioner Moore said some lots could have 3 or 4 signs, and this would limit the signs to only one on a piece of property, which would make more sense.

Commissioner Hutchinson suggested that the same size signs be permitted, but the number be restricted to one sign per property. Commissioner Trantalis concurred.

Mayor Naugle believed they now are permitted 360 square inches and one per street sign. Ms. Bohlander said the intent of the amendment is for buildings and not single-family residences. Commissioner Trantalis felt the Commission should not act on this until the necessary correction is made. Ms. Bohlander said that this is for discussion purposes. Commissioner Trantalis felt there should definitely be a change with respect to one story. Mayor Naugle believed there is a certain size for a building under four units. The larger sign could be used for buildings of four units or more.

The City Manager said staff could return to the Commission with a tiered sign system.

Mayor Naugle suggested that management companies simply list their telephone number. Mr. Simmons said signs with an address would help the Inspectors to provide service. Both Vice Mayor Teel and Commissioner Moore agreed the address is necessary.

Vice Mayor Teel said many questions arise regarding commercial rental signs on office buildings. The sign stays due to constant vacancies in a large building, for example. She asked if that is permitted. Mayor Naugle believed it is permitted. Mr. Simmons was not 100% certain. Mayor Naugle wanted to stay with the 16 square feet.

In general Commissioner Trantalis wanted to re-work this.

Action: There was consensus concerning the proposed Code amendment relating to garden centers. The change will be presented to the Planning & Zoning Board for review and suggestions. The Code amendment relating to residential rental real estate signs will be revisited and brought back to the Commission.

I-E – Charter Revision Board Recommendations of 2004

Commissioner Hutchinson said she requested that this item be placed on today's agenda. The Board spent a lot of time and hard work on reviewing the Charter and making recommendations. Other than Items 1, 5, and 17, the recommendations were not studied; therefore she wanted them scheduled for future discussion.

Mayor Naugle said that normally Charter items are done during the November election. Therefore, such matters would have to be discussed during the summer which would be under the purview of the next Commission. Different districts have different influences, which is why it was not done this way. Also, sometimes the March turnout is very low.

Commissioner Hutchinson said that these items mostly involve clean-up language. She did not think it is necessary to wait.

Commissioner Trantalis said that there are advantages and disadvantages regarding the placing of these items on either the March or November ballot.

Commissioner Moore asked why Item #2 should be considered. He said discussion could move forward regarding residency. He said the Auditor position has been created. Some of the items are repetitive.

Commissioner Hutchinson said that if everyone did not feel the need to discuss these items, then possibly the Charter Review Board should be disbanded because they believed such discussion is necessary. Commissioner Moore said the City has many advisory boards that they do not agree with.

Commissioner Hutchinson said that at the present time airport land could be sold without competitive bidding. Vice Mayor Teel said that is not possible because it would go back to the government that gave the land to the City. The City Attorney said the Charter permits airport land to be sold without competitive bidding, but there are restrictions on the deeds. It would have to be reviewed on a case-by-case basis. FAA approval would be necessary.

Mayor Naugle said the City has standards regarding the sale of lands created by ordinance, and not just the Charter. The City Attorney agreed. He stated that in regard to Item #6 – Competitive Leasing of Real Estate Owned by the City in excess of one year, sometimes one might want to select the type of vendor for a site so there is diversity of vendors and based on their product, for example. The highest bidder is not necessarily accepted.

Mayor Naugle noted that three items had been addressed which were very important.

Commissioner Hutchinson said it appears that the majority of the Commission is not interested.

Action: None Taken.

I-F – Proposed Lease Agreement with Martin Zisholtz – 327 SW 2 Street – Historic District

Commissioner Moore asked for some further clarification of this matter.

Albert Carbon, Director of Public Works, said this is in regard to a sidewalk constructed by the City in 1989, and after-the-fact discovered it is on private property. Since that time, the property was leased for \$1,270, but the lease has expired. The City negotiated to rent, and next year the City would either come up with a permanent easement or arrange to purchase the property.

Commissioner Moore thought the sidewalk helps the owner's business, and if the owner does not want it, then he did not see any reason to acquire it.

Commissioner Hutchinson said the area has to be maintained even if the City takes back the property.

Mr. Carbon said that part of the property is road and part is sidewalk.

The City Attorney said that part of the intrusion is a roadway.

Commissioner Trantalis suggested that the property be given to the owner.

Mr. Carbon showed the subject area on the map.

Mayor Naugle said that children might be forced into the roadway, if the sidewalk is not there.

Mr. Carbon said the owner needs to provide a purchase price to the City so the issue could be resolved.

Commissioner Moore said he would not support this item.

Peter Partington, City Engineer, said it is his understanding that the private land takes up the entire sidewalk. If the City does not have any public rights across it, then it could be blocked off and children would be forced into the roadway.

Commissioner Moore said this street has been narrowed down to two lanes by the County. Mayor Naugle said there is no parking in the area during rush hour. Commissioner Moore said individuals would be pushed into a parking area for one-quarter of a block, not a roadway.

Commissioner Trantalis said he did not know if having a lease in perpetuity is the answer to this problem. Mayor Naugle said it is his understanding that the lease has expired, but an extension is being provided so the property owner could provide a purchase price to the City.

Commissioner Moore said payment should be stopped and the owner negotiate with the City.

Mr. Partington said there are designated parking spaces in the area, but none at this location because it is too close to the intersection. Also, utilities may be located in the area, and a problem could arise if the City does not acquire rights to the site. He said if a deal is not worked out, then the area could be blocked off.

Commissioner Trantalis suggested a short-term lease of up to one year be given to the owner, while a buy-out is negotiated. Mr. Zisholtz is proposing a five-year lease, and therefore, there is no option for a one-year lease.

The City Manager said it is the City's intention not to go beyond the term of a one-year lease.

Commissioner Trantalis asked what would happen if the property owner does not agree to a lesser period of time for a lease. The City Manager said if the property owner did not agree to a one-year lease, the matter would come back before the City Commission.

Action: Staff's recommendation was accepted. (Staff was authorized to negotiate with Mr. Zisholtz for the easement rights and paying Mr. Zisholtz \$2,500 for this year's rent,

January 1, 2005 – December 31, 2005. If the purchase amount cannot be agreed, the City will need to consider other alternatives and would report back to the Commission.)

I-G – Future of Fire Station 8 (Previously No. 3) – 1022 West Las Olas Boulevard

Commissioner Hutchinson said she requested that this item be placed on today's agenda. She said a proposal is being made to lease the site as a fire station with the Benevolent Association. She wanted to see a business plan complete with goals and time frames. There was a meeting last week between the Benevolent Association and the Sailboat Bend neighborhood association and everyone appears to be in agreement with what is being offered. Sailboat Bend is also being offered space to house their historic documents.

John Aurelius, on behalf of the Fort Lauderdale Firefighters Benevolent Association, said a group of firefighters, along with citizens of the community, have worked on this issue for a long time. He said a resolution would be presented to the Commission for their approval. Prior to that, a lease would have to be worked out. He said this would be a first-class Firefighters Museum, including a refurbished 1942 City Engine and a 1927 Engine out of Chicago. He said donations are being made from various individuals.

Robert Dunckel, Assistant City Attorney, said the first resolution would be scheduled for the second meeting in July, and the second at the first meeting in September.

Action: The proposal was approved.

I-H – Northwest Commercial Redevelopment Project

Commissioner Moore asked for this item to be placed on today's agenda. He has concerns regarding the change of the development, and that there is no percentage of affordable units being offered for low to moderate income, which was required for purchase of the property with community development block grant funding. A letter from HUD has been received. Most of the Commission was not present at the time of the first development agreement. He asked that this be placed on the Commission's agenda for a public hearing.

Commissioner Trantalis asked if an update could be provided regarding federal guidelines as to whether market rate housing can be offered at this site.

Marc LaFerrier, Director of Planning and Zoning, said the City met with HUD regarding the income range to be provided regarding housing at the site. The property was purchased with HUD Block Grant money, and HUD's objective is to provide housing for low to moderate income individuals. For rental housing, the standard would be 51% meaning a three-bedroom is \$1,300 per month, and for homeownership, 100% meaning a sale price of about \$198,000.

Commissioner Trantalis said anything over that amount would be considered more market rate. Mr. LaFerrier confirmed. In response to Commissioner Trantalis, Mr. LaFerrier said HUD is requesting an official position by the City Commission as to how they want the property developed, recognizing the original intent was for commercial development, meaning job creation, but now housing is to be added.

The City Manager said the project does not meet the guidelines, but the City could ask for an exception to the rules. HUD is not willing to provide any guidance until the Commission adopts a position on the project.

Commissioner Moore said input is necessary from everyone if an exception is to be considered. This was done years ago. Now the developer wants to change the RFP without comment from anyone other than the Commission. HUD is attempting to side-step the issue. He said this project has been going on for a long time, and therefore, he believed the public needs to provide their input regarding the project.

Commissioner Trantalis asked for clarification of what Commissioner Moore was saying.

Commissioner Moore said the rules have not changed, but the developer is requesting that the Commission change the rules. The RFP was for commercial use. The community has always wanted commercial development. It would be fair to hear from everyone at a public hearing.

Sean Jones, Milton Jones Development Corporation, wanted to clarify the issue that they would conform to HUD's regulations. He said it is not their understanding that the HUD regulations require that 100% of the units be at affordable rates. Whatever the rate, they will conform. In 2001, this came before the Commission and the aspect of housing was discussed and contemplated. It was part of the proposal. Mr. Milton Jones said delays have occurred because they cannot arrive at a developer's agreement. He said they met with association after association. An Association is present today and they want the project to move forward. Projects in the northwest appear to always get delayed. He felt the newspaper is giving wrong information concerning HUD. HUD has indicated that they do not have a problem as long it is part of the national objective and housing has always been a part of that objective. Housing is necessary to make the retail work. He said they need to move forward.

Commissioner Moore suggested that a public hearing be held either at the second meeting in July, or the first meeting in September.

Commissioner Hutchinson asked what the delay with the grocery store is. She said that she is in support of the public hearing.

Mr. Sean Jones said the grocery store is willing to come into the project, but there is no way to put them there without an agreement. In response to Mayor Naugle, Mr. Jones indicated that they have a letter of intent from Neighbors.

Commissioner Moore urged that a public hearing be held.

Mayor Naugle felt there have been many hearings. This is another filibuster preventing the project from going forward. Commissioner Moore disagreed.

Evelyn Lewis said she lived close to the subject site. The area has been under discussion for more than 25 years, and now the issue is again being delayed. She said the neighborhood wants this to move forward. She agreed with Commissioner Moore that the chicken shack needs to go. Housing is needed in the area. She did not understand why there is a delay. The demographics in the area have changed a lot, and a grocery store is needed. She said she is pushing for decent housing and some

convenient commercial for the area. She wondered why the Sistrunk improvements are starting on Federal Highway and not in her area. The residents voted for improvements on Sistrunk from Andrews Avenue to 24th. She believed they should get down to business and look at the entire City, and not just certain areas. She wanted her neighborhood improved.

Commissioner Moore said the streetscape improvement along Sistrunk is not being delayed due to any fault of the City. The County is causing the delay. Projects that move fast are for people that pay for their land. This land was purchased with Community Development Block Grant funds. There was no risk by the developer. There have been a number of reasons for the delays. He asked the Commission to schedule a public hearing. The HUD letter shows that they want the community to drive this project. The site plan might be changed; there might be alternatives that are more appropriate.

Commissioner Hutchinson said if there is a public hearing, it should not be scheduled at the same time as the budget. Commissioner Moore was agreeable to July 19th at 6 p.m. She asked why they could not move forward with the grocery store. Commissioner Moore said it is because they do not have a development agreement. The Letter of Intent has been received from the grocery store. Commissioner Hutchinson suggested that a public hearing be scheduled for July 19, 2005 at 6:00 p.m. regarding this matter.

Action: There was consensus to hold a public hearing on July 19, 2005 at 6:00 p.m.

II-A – Contractual Compliance Report – Large User Wastewater Agreements for Year Ended September 30, 2004

Action: None Taken.

II-B – Fiscal Year 2004 Single Audit – Grant Funds and Findings

Action: None Taken.

III-B – Advisory Board and Committee Vacancies

Audit Advisory Board

Action: Deferred.

Aviation Advisory Board

Commissioner Moore appointed Cynthia Turner McDonald to the Aviation Advisory Board.

Vice Mayor Teel reappointed John Milledge and Joseph Scerbo to the Aviation Advisory Board.

Action: Formal Action to be Taken at Regular Meeting.

Board of Adjustment

Vice Mayor Teel appointed Joseph P. Welsch to the Budget Advisory Board.

Action: Formal Action to be Taken at Regular Meeting.

Charter Revision Board

Action: Deferred.

Community Appearance Board

Mayor Naugle appointed Tom O’Laughlin to the Community Appearance Board.

Vice Mayor Teel appointed Ron Fairchild to the Community Appearance Board.

Action: Formal Action to be Taken at Regular Meeting.

Community Services Board

Action: Deferred.

Fire-Rescue Facilities Bond Issue Blue Ribbon

Action: Deferred.

Insurance Advisory Board

Action: Deferred.

Marine Advisory Board

Mayor Naugle appointed Heather Keith to the Marine Advisory Board.

Action: Formal Action to be Taken at Regular Meeting.

Northwest-Progresso-Flagler Heights Redevelopment Board

Action: Deferred.

Nuisance Abatement Advisory Board

Action: Deferred.

Unsafe Structures Board

Action: Deferred.

Utility Advisory Committee

Action: Deferred.

IV – City Commission Reports

Old One Stop Shop

Commissioner Hutchinson felt the Commission needs to have a discussion regarding the site of the old One Stop Shop. This is an opportunity to put their “best foot forward;” a park could be placed at that site in the downtown area. The County has indicated that a needs assessment needs to be conducted. This is part of the CRA. The survey crew is housing some materials at the site.

Commissioner Trantalis asked if the building is needed, and if not, possibly it could be demolished and a green space created.

The City Manager said the building is not needed, but the City needs to look at all parcels they own and if everyone agrees on a park, they need to decide if this is the site for one. If the building is demolished, and it becomes a defacto park, it will stay a park.

Commissioner Trantalis disagreed. It could become a parcel for leverage in regard to a master plan for the future. He said they should use the open space to the best advantage possible. The purpose of moving the One Stop Shop was to create a better facility.

Mayor Naugle felt the building needs to be demolished. Commissioner Moore suggested offering senior programs in the building. Both Vice Mayor Teel and Commissioner Hutchinson were not in favor of such an idea as the building is in horrible condition. Commissioner Moore said if the building is demolished, then they need to decide on a use for the land. During discussions by the CRA advisory board, the parcel was discussed as a potential redevelopment site. If the building is demolished, then it needs to be understood that the use could go either way, meaning park or redevelopment.

Vice Mayor Teel felt that it could go either way as a vacant lot with beautiful trees on it. Many times old buildings are left to deteriorate and become a blight to the neighborhoods. She felt vacant land is better, and then a use can be decided for the site.

Commissioner Moore said that possibly the site is historic.

Action: There was consensus for the City Manager to provide information for demolition of the building.

National League of Cities

Commissioner Moore said he attended the National League conference. They are attempting to deal with the national policy, and how to be inclusive in citizenship with involvement in programming, housing and development. He said it is a lofty goal, and another meeting is to be scheduled in the near future.

Fireworks Update

Commissioner Trantalis asked if an update has been provided about the fireworks, and if the funding issue has been resolved.

Phil Thornburg, Parks and Recreation Director, said they are set to go. Kathleen Gunn, Assistant City Manager, said that they spoke with Mike Kelleher and a contribution of \$26,000 is being made above what has been budgeted. They are working on PR for the event.

Commissioner Moore asked what amount was budgeted for the fireworks. Ms. Gunn indicated that \$40,000 was budgeted for the event. It was confirmed the entire cost is \$66,000.

Kirk Buffington, Procurement Services Director, said the barge has been secured and the insurance certificates have been reviewed for both the barge and the general liability on the fireworks company. Both were approved. The purchase order has been issued, and the contract submitted for execution by the vendor.

Palazzo Trailer; Las Olas Parking Lot

Commissioner Trantalis asked about the removal of the Palazzo development trailer in the area of the Las Olas parking lot on the south side of the bridge.

The City Attorney said the City filed to evict them from the premises requiring the removal of the trailer. The developer filed a motion to dismiss and a motion to consolidate the case, if the motion to dismiss fails, with the larger case because they feel they are tied together. The City argued that they signed a lease agreement that only lasted a year. Mayor Naugle said it was not contingent on anything being improved. The City Attorney said a hearing is scheduled for July 25, 2005.

Regional Activity Center; 13,000 units; Broward County Planning Council

Commissioner Trantalis said he needs some direction from the Commission because the Broward County Planning Council is scheduled to meet again on Thursday, and the issue regarding the RAC and the 13,000 units will be revisited. The City Commission made a recommendation that was to be sent to the Department of Community Affairs. Before going there, it went before the County Commission who modified the request down to 3,000 units. The Department of Community Affairs said, based on population projections submitted by the County, the 3,000 units would not meet the needs of the community, and that it makes more sense to permit the 13,000 units. He asked if the City Commission wants him to raise the issue of the 13,000 units.

Commissioner Trantalis said the Planning Council's staff transmittal letter states: "As it has not been demonstrated that the proposed 13,000 additional dwelling units will be served by adequate regional transportation facilities..." but he believed that regional is not the City's problem. Mayor Naugle said it is the City's problem, but not their responsibility. In the meantime, Commissioner Trantalis said there has been so much focus on Sistrunk, and it is being burdened with the regional transportation issue. He asked what direction the City Commission wants to give him regarding this matter. The May 24th transmittal from the Department of Community Affairs says that the 3,000 units will not meet the expectations, based on the EAR report by the County and the County's projections.

Mayor Naugle asked how many units being awarded this evening are from the 3,000 unit pool. Mr. LaFerrier said none. If everything was approved this evening, there will be 200-300 units remaining from the old flex, not the original 1,500. Last week the County Commission decided what they would advertise for their public hearing to be held on June 28, 2005. He said they advertised an amendment that would be limited to 3,000 dwelling units for this City, which might limit their approval independent on what the Planning Council may do tomorrow.

Mayor Naugle asked if the County could overturn the Planning Council's decision. Commissioner Moore said they could. Commissioner Trantalis felt there is sentiment on the County Commission's part to reconsider. Commissioner Moore noted also that the vote was 5-4. He asked if he should raise the issue again at the Council meeting and hope a different dialogue would take place with the County Commission.

Commissioner Hutchinson asked if the Planning Council would not want to discuss the comments being made. Commissioner Trantalis said the Planning Council supported the 13,000 units. Commissioner Moore said that Commissioner Trantalis needs to advocate the position taken by this Commission which is a desire to have the 13,000 units.

Commissioner Hutchinson left the meeting.

Sunset Cemetery

Commissioner Moore asked for an update regarding Sunset Cemetery.

Bruce Larkin, Director of Business Enterprises, said a meeting is scheduled with Commissioner Moore on Thursday regarding Sunset Cemetery. The building came in at twice the estimated cost. The Cemetery Board agreed to have Engineering redesign the building, and re-issue the bid by July 1, 2005. If the redesign cannot be accomplished in time, the bid with the original design would be re-issued.

Commissioner Moore asked when was the agreement made to construct the building. Mr. Larkin said the building is about 2-3 years behind schedule.

Julius Delisio, Business Enterprises, said the agreement was signed in 1999.

Commissioner Moore said the same discussions keep occurring, and projects keep getting delayed in District III. He wanted this building constructed because the public has been waiting a long time. The task needs to be completed.

Mr. Larkin said the bid will be out by July 1st either with the original plans or with modified plans. The draft modified plans show changes to the roof design.

Commissioner Moore said if the project would have been done when originally approved, the building would not be affected by the current construction costs. The community is losing. Mr. Larkin said the changes are aesthetic ones; the building is unchanged.

Mayor Naugle asked if Carriage was involved in any way. Mr. Larkin said they made a donation, but it is a City project.

The City Manager said they are on track at this time, and the building will be erected, but he could not account for the past six years.

Regional Activity Center; 13,000 units; Broward County Planning Council
Continued from page 19

Vice Mayor Teel said it was clear that there was a lot of discussion and disagreement at the County Commission meeting. She said the County already wants 1,000 units, and none of this makes sense. The tenor of the meeting was that 13,000 units were out of the question. She did not feel their decision would change. A suggestion was made during the meeting for the County to consider 6,000 units. She suggested that strategically the City might be better off seeking the 6,000 units because they could always go back and request the additional 7,000 units.

Mayor Naugle said this is not a once-in-a-lifetime deal. Vice Mayor Teel said the EAR is saying that more units are needed. The 3,000 units are inadequate. The City is "beating their heads against the wall" in an attempt to get mass transit funding, but if the numbers are not correct such funding will not be approved. She was not in favor of bringing up 13,000 units again.

Commissioner Moore said there should be a compromise on their part and not the City. The City's position should be to request the 13,000 units because it relates to regional transportation. If it is pursued at the Planning Council level, there may be a consensus to double the number of units.

Commissioner Trantalis asked what number would be acceptable to the Commission. Mayor Naugle said, for the purpose of compromise, the acceptable number would be 4,500 units. Commissioner Moore said the City needs to request the 13,000 units. Vice Mayor Teel said a number other than 13,000 should be requested. She felt that 6,000 is a good number. But, she would support 4,500 units.

Commissioner Moore said the government cannot be run based on the vote, it should be done based on a planning perspective and using the vision of what they want the City to be. If it is not in the City's hands, it should be what they feel is right for the City and allow the County to compromise. Mayor Naugle said if the development community wants more than 3,000 units, they need to support some of the plans in progress to solve the City's traffic problems. An example is the FEC project. If that was the case, it would be expedited.

Commissioner Moore said the traffic problems are from east to west into the downtown. But Mayor Naugle is talking about north to south. He said there needs to be mass transit coming into the downtown area. It is a regional issue. Commissioner Trantalis agreed it is a regional issue.

Commissioner Moore favored Commissioner Trantalis pursuing 13,000 units.

Plane Crash/Coral Ridge Isles

Vice Mayor Teel complimented the Police and Fire departments, along with the Red Cross, in handling the airplane crash that occurred last week in Coral Ridge Isles. They are having discussions dealing with the crash and no information is available at this time from the FAA. The neighborhood has concerns about the matter, and what could be done to prevent such incidents in the future. She said the meeting is to be held at 1:30 p.m. on June 23rd, at the airport during the Aviation Advisory Board meeting. The meeting is to be open for public comment. She announced various elected officials and staff that will be present.

George English Park

Vice Mayor Teel asked for an update regarding the RFP for the Community Center at George English Park.

Albert Carbon, Director of Public Works, believed it has been put out to bid, but he would have to confirm that for her.

CVC

Vice Mayor Teel said another project was completed on June 11, 2005 at Palm Aire Village. She said another opportunity is scheduled for June 25, 2005. They will be spreading mulch around City Hall at 8:00 a.m. Breakfast will be served.

Voting Delegate; National League of Cities

Mayor Naugle said he is normally the voting delegate for the National League of Cities' conference, and Commissioner Moore is the alternate.

There was consensus as indicated by Mayor Naugle.

There being no further business to come before the Commission, the meeting was adjourned at 4:03 p.m.