

**COMMISSION CONFERENCE MEETING AGENDA
OCTOBER 18, 2005**

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COMMISSION CONFERENCE MEETING 1:30 P.M. OCTOBER 18, 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 – David Wheeler

I-A – Bonnet House Museum and Gardens – Hurricane Katrina Damage

Scott Strawbridge, President of Bonnet House Museum and Gardens, said that their Executive Director, Karen Beard, was also present at today's meeting. The Bonnet House suffered approximately \$185,000 in hurricane damage. They lost 130 trees, and there was quite a bit of damage to their buildings. FEMA has been involved, but this year no private FEMA claims are permitted. The Museum's underlying property owner has agreed to move forward with the loan application, but they do not have the capacity to service the loan.

Mr. Strawbridge further said that 67% of their visitors are tourists. They also operate a number of school programs, which he detailed, along with other activities that take place at the Museum. He said that they also lost about \$40,000 in last year's hurricane which was not reimbursed. They operate at a deficit. They have reached out to everyone in their database and so far they have received about \$20,000 in assistance. They estimate that FEMA will deem \$57,000 of damages as not reimbursable. They are asking the City to help in the way of a contribution.

Mr. Strawbridge said that the City Manager and staff have assisted them in getting in touch with the right people.

Mayor Naugle said that the recommendation is that \$45,000 be contributed by the City, with monies to be paid back if FEMA reimburses.

Mr. Strawbridge said that this originally was a request for a grant type of funding. They are willing to accept any help that is offered, and if they make such an agreement with the City, the matter would have to be taken before the Board of Trust for Historic Preservation for their approval. They were surprised about the type of agreement being offered by the City.

Vice Mayor Teel said that at her pre-agenda meeting, a suggestion was made that instead of contributing \$45,000 that there be a combination of \$25,000 in cash and services in-kind. Possibly the City could donate trees and the planting of them. The City has to be careful about giving out money. There are always worthy causes. There could be more damage each year with the way hurricanes are moving.

Commissioner Moore asked about insurance coverage. Mr. Strawbridge said that Bonnet House has insurance which will cover some portion of the building damage. Two buildings lay over water; they are not insurable. The bulk of the damage is to the landscaping which is not insurable.

Mayor Naugle said the monies requested from the City are to be used for debris removal, cutting and disposal of trees. There is \$112,000 in expense for this. He understood the arrangement being if FEMA reimburses, the \$45,000 would come back to the City.

Karen Biers, Executive Director of Bonnet House, said that FEMA has informed them that they would only reimburse a maximum of two-thirds of that expense.

Mr. Strawbridge said they are going to have out-of-pocket expenses totaling about \$57,000 for debris removal only. The discussion has only been about the cost for removal of lost trees, not replacement cost.

Mayor Naugle further said that some of the trees may not be in the City's inventory due to the types that have been damaged. Mr. Strawbridge commented that the City's FEMA contractor assisted with saving two trees at no charge. They have been very helpful.

Commissioner Hutchinson asked if the City conditions the monies on the reimbursement by FEMA, and it has to go back to the Trust, is that going to be a problem.

Mr. Strawbridge said that he would want to confer with them and he would suppose part of the issue would be how the monies are encumbered. If it is a simple contract, there may not be a problem. They are technically a management company for the property owner.

Commissioner Moore said that since they provide services to the School Board, have they contacted them for assistance. Mr. Strawbridge said no, but they approached the County Commission for funds in the amount of \$45,000.

In response to Commissioner Moore, Mr. Strawbridge indicated that the weddings are mostly performed outdoors; the buildings damaged are not the focal points. Ms. Biers said that the Island Theatre, which was damaged, is used for many of the children's educational classes and it is not covered by insurance.

Commissioner Hutchinson asked when Bonnet House made their request to the County. Mr. Strawbridge said that they have been told it would be on the County's agenda in late October or early November.

Commissioner Trantalis wanted the City to find a way to help, but he felt \$45,000 is too much, especially since the City has not been able to fund relief for cities in the Gulf area, where people are homeless. He reiterated his request that monies be donated to the cities in the Gulf to help in their relief efforts. He asked about an in-kind approach.

Mayor Naugle said the City does not have extra crews available unless they are taken from their normal duties. Trees in the City's inventory could be given if they are available and the appropriate specie.

Commissioner Trantalis asked if the City could assist with removal of trees and debris as they have done in residential areas.

Commissioner Moore suggested the City do all of the things that are being discussed, but there should also be a tri-party agreement including the School Board and Broward County. Commissioner Trantalis said that they have not had much luck in obtaining assistance. He suggested that the City make an initial contribution to assist in the debris removal to get things started. Commissioner Hutchinson said that the debris has already been removed. Mr. Strawbridge said they originally came to the City for such help, but issues arose through the City Attorney's Office which prevented such crews coming onto the site. Therefore, it was suggested by the City Manager that they use their emergency funds and solicit help in removing the debris. Crowder-Gulf came in as the low bid. Now they need assistance in reimbursing those funds. In-kind help regarding tree replacement would be appreciated. The cleanup and removal is done.

Commissioner Moore asked if Bonnet House is requesting monies to be put back into their reserve account. Mr. Strawbridge confirmed. Commissioner Moore was not as enthusiastic to do such a thing.

The City Manager said the issue of having City crews go on private property was a concern due to liability issues, and they did not have Commission approval. In the long term, they would be opening a door that possibly should not be opened. Tree planting falls in the same category. This is a policy decision. The cleanest way to do this is a contribution to be made should the Commission decide to proceed.

Commissioner Moore said the City has just increased taxes to replenish the City's reserve. He cannot support replenishing the Bonnet House's reserve. He suggested that the Broward County League of Cities, in a joint effort with the Broward County government, has a tree planting program. A tri-party agreement could assist. He felt City staff should be asked to assist in coordinating with the School Board and Broward County. This is a fund raising effort; it is no longer an emergency. They are waiting for the insurance company to take care of the structural concerns.

Commissioner Trantalis asked what would happen if the other groups do not step up to the plate. Commissioner Moore said the issue could be discussed again by the Commission. He did not want only the City to be helping.

Commissioner Trantalis asked if trees could be donated by the City, and other individuals plant them. The City Manager said that this organization has a certain amount of economic development efforts on the beach. The contribution would be made to the overall health of the organization so they can continue on their mission. It should not be looked at as a replenishment of their reserves or an emergency situation. A decision should be made as to whether the City wants to make a contribution.

Commissioner Trantalis asked if the City could donate trees without concerning themselves with how they are planted. The City Manager did not see any reason why that could not be done. Mayor Naugle said that the City has tree programs and people plant them on private property. The City Manager said that might not be the solution to their problem.

Vice Mayor Teel said that their need at this moment involves cash, trees will come later.

Commissioner Hutchinson said that \$45,000 is a big hit for the City, especially when no one else appears to be stepping up to the plate. She will support a donation of \$25,000 and any in-kind services that can be provided if there is an opportunity. It is replenishing their coffers, but it will be spent on the outlying buildings that need to be repaired and the difference that the insurance company will not pay.

Vice Mayor Teel said that it could be couched in the shape of a challenge grant, but that would put strings on the donation which could encourage other groups to participate also. Commissioner Moore noted a tri-party agreement would mean the Bonnet House would be asking for assistance from the other parties, not the City. He indicated that he would be agreeable to a challenge grant arrangement.

In response to Mayor Naugle's question of a challenge grant or not, Commissioner Trantalis preferred to proceed without the challenge grant. Vice Mayor Teel indicated it may have a better chance of securing funding from the County.

Mr. Strawbridge felt if support comes from their other partners, it would buttress their ability to make other requests. Someone has to start the ball rolling.

Commissioner Trantalis suggested that the City donate \$25,000 with the challenge which means that the funds are to be matched by the County and, or the School Board. Mayor Naugle said that there should be a larger request of the County.

Commissioner Hutchinson said that she would support the donation with or without the challenge. Commissioner Trantalis said that the challenge could stimulate interest from the other entities. Commissioner Hutchinson said that no matter what, the Bonnet House can still approach the County.

Mr. Strawbridge said that this would supply a tone of leadership. They did pull money out of their reserve account because the decision was whether they would become operational and provide their services to the community. The alternative was to stay closed until appeals were made to the School Board and all of the entities.

Commissioner Hutchinson said that deposits have already been accepted regarding weddings and if they are closed, then the deposits would have to be refunded.

Mayor Naugle said this is a unique situation.

Mr. Strawbridge said that this is the only property called out in the City's Comprehensive Plan as a conservation area.

Mayor Naugle said that Bonnet House should also contact the School Board for assistance.

Commissioner Moore asked if the funds are reimbursed by FEMA, will the City be compensated. Mr. Strawbridge said they are not looking to end up with a surplus. Commissioner Moore said that there should be a way to have the dollars returned if possible since it is taxpayer money.

Mayor Naugle asked for such a caveat in the agreement. Commissioner Hutchinson said that the Bonnet House should still get the money even if it is not reimbursed by FEMA because they should not be held hostage. Commissioner Trantalis understood, for example, if they are reimbursed 25%, they would return 25%. Commissioner Moore concurred.

Commissioner Moore said that the State should be assisting in working with FEMA regarding reimbursement. Ms. Biers said that the State has been assisting, but she reminded everyone that the State does not own the property. Commissioner Moore believed with an effort, there may be a greater success with FEMA.

Mayor Naugle said that the refund should be if the amount is exceeded for the removal and not on a percentage basis. Commissioner Trantalis understood if the damage was \$111,000 and they received \$100,000, they would return 90%.

In response to the Mayor's question, Mr. Strawbridge indicated that they will approach the School Board. Commissioner Hutchinson understood they will also go to the County.

Action: Consensus to contribute \$25,000 to the Bonnet House, along with whatever appropriate trees are available. If the Bonnet House receives reimbursement from FEMA, a pro rata reimbursement to the City should be forthcoming.

The City Attorney understood there is no match requirement. Commissioner Hutchinson concurred.

The City Attorney said that an agreement will be drafted and brought back to the Commission at their next regular meeting.

I-B – Medical Village Hospital at NOVA Southeastern University – Request by North Broward Hospital District for Letter of Support to Florida Agency for Health Care Administration

Commissioner Moore asked if the Certificate of Need had to be first denied by the State before proceeding.

Charlotte Mather, North Broward Hospital District Vice President of Government Relations and Public Affairs, said that the certificate of need is something all hospitals have to go through to transfer beds or start new programs. A decision was made on the original Certificate in June. They were denied. There is an appeal process. A second application will also be submitted. Often times people are denied. In the last process, five hospitals applied and four were denied. She said that beds are not being added, only transferring and reallocating them from other hospitals. According to the State's rules and regulations, a certificate of need is necessary. In the first application, there was a concern that the application indicate no additional beds are being added and that some programs were experimental in nature, and therefore, they are showing that such programs are being offered in other hospitals in other states.

Mayor Naugle asked how this would benefit hospitals in the area. Ms. Mather indicated that some hospitals have teaching slots, but this would be the first academic teaching

hospital in Broward County and enable them to work toward obtaining more research grants and expand the academic teaching program. It would be similar to the relationship between Jackson Memorial and the University of Miami. In addition, there is a shortage of professionals in the nursing industry, and this would open 1,000 slots in the hospital so training could take place.

Mayor Naugle said that normally the City would not take a position on such a matter, but there has been a desire by many to have a teaching hospital in the area. If it would strengthen the relationship, he felt it could be something to consider.

Vice Mayor Teel felt it is an excellent idea. It is forward thinking that is long over due. There has been tremendous growth. There is a nursing shortage. She agreed that certificates of need are not granted on the first requests.

Ms. Mather announced that the grand opening of the Broward General Hospital Expansion would take place on November 5, 2005. She invited the Commission.

Action: Consensus to provide a letter of support as requested to the Florida Agency for Health Care Administration.

II-A – Notice of Emergency Purchase – Police Department Alternate Light Source – Rofin, Inc., Armor Forensics

Commissioner Moore questioned single source and asked if there are any other options available.

James Hemphill, Procurement Department, said this is a unique item. Bruce Roberts, Chief of Police, confirmed that this is the only way they can accommodate this matter.

III-B – Advisory Board and Committee Vacancies – Board of Adjustment Interviews

Don Zimmer had submitted his resume to the Commission. He indicated that he served on this board for eleven years, and two years as Chairman. He said that he is a practicing architect. He indicated that he also serves on the County Board of Rules and Appeals as the alternate architect.

David Goldman said he is a planner in the City of Miramar and has been with Miramar for about eight years. He discussed his experience during the recent growth period. He was the chief production planner for a number of years and the Development Review Committee Chair for two of those years. He estimated having reviewed some 12,500 dwelling units and five or six million square feet of non-residential. He wanted to serve on this board and give something back to the community. He lives in Victoria Park.

Commissioner Hutchinson said that appointments are made at the evening Commission meeting.

Board of Adjustment

Mayor Naugle said that Gerald Jordan would be appointed as a full member on the Board of Adjustment. Donald Zimmer and David Goldman would be appointed as alternates.

Action: Formal action to be taken at regular meeting.

Budget Advisory Board

Commissioner Moore appointed Desorae Giles-Smith to the Budget Advisory Board.

Action: Formal action to be taken at regular meeting.

Charter Revision Board

Action: Deferred.

Citizen Board of Recognition

Action: Deferred

Community Appearance Board

Action: Deferred.

Community Services Board

Commissioner Moore appointed Margaret Birch to the Community Services Board.

Action: Formal action to be taken at regular meeting.

Education Advisory Board

Commissioner Hutchinson appointed Judy Zinn to the Education Advisory Board.

Action: Formal action to be taken at regular meeting.

Fire-Rescue Facilities Bond Issue Blue Ribbon

Action: Deferred.

Historic Preservation Board

Action: Deferred.

Insurance Advisory Board

Action: Deferred.

Northwest Progresso Flagler Heights Redevelopment

Action: Deferred.

Unsafe Structure and Housing Appeals

Action: Deferred.

Utilities Advisory Committee

Action: Deferred.

IV – Commission ReportsCitizen of the Year, Florida League of Cities' Florida Cities of Excellence Award

Commissioner Hutchinson noted that the Commission nominated Eugenia Ellis as Citizen of the Year, and her application was then forwarded to the Florida League of Cities for the City Citizen of the Year for the Florida Cities of Excellence Award. Ms. Ellis is one of five finalists. The winner will be announced at the November League of Cities Conference. She believed it is the first time that the City submitted a name for recognition.

Transfer of Development Rights; Dwelling Units

Commissioner Hutchinson referred to news coverage recently regarding transfer of development rights and the City Attorney's memorandum on the subject that she had requested. She asked for this to be scheduled on a conference agenda.

Action: Consensus

Citizen Volunteer Corps Project

Vice Mayor Teel said that the CVC Project went well even though it rained; the police did a great job. Anti-theft devices for vehicles were distributed to help deter burglaries.

V. City Manager ReportsPolice Cases

Bruce Roberts, Chief of Police, said that a homicide has occurred at SW 13th Street recently; the culprits have been arrested. Soon he will have additional positive information to provide to the Commission on other police matters.

The City Manager thanked the Commission for attending Officer Diaz's funeral.

Boat Show

Mayor Naugle reminded everyone that the boat show, the largest economic event for Florida, is scheduled at the end of this month.

EXECUTIVE CLOSED DOOR SESSION AT 2:17 P.M.

CONFERENCE MEETING RESUMED AT 3:20 P.M.

There being no further business to come before the Commission, the meeting adjourned at approximately 3:20 p.m.