

**COMMISSION CONFERENCE MEETING AGENDA
APRIL 18, 2006**

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COMMISSION CONFERENCE MEETING 1:30 P.M. APRIL 18, 2006

Present: Mayor Naugle
Vice Mayor Hutchinson, Commissioners Rodstrom, and Teel
Commissioner Moore joined the meeting at approximately 2:04 p.m.

Absent: None

Also Present: City Manager – George Gretsas
City Attorney - Harry Stewart
City Clerk - Jonda K. Joseph
Sergeant At Arms – Sergeant T. J. White

I-A – Workforce Housing Draft Ordinance

Marc LaFerrier said that he wanted to follow-up on some updates and details in the ordinance which was framed in policy considerations.

Mr. LaFerrier said that the first item was to draw a distinction between projects that require additional approvals or conditions of approval by the City Commission versus projects that were as of right, and what the workforce housing requirement would be regarding those two different types of projects. The projects that require additional approvals were ones that required an allocation of flex units, rezoning, land use plan, map amendments, and allocation of units in the RAC. He said that such projects would participate at a 15% level which was the condition of approval for the plan amendment for the Downtown RAC. Projects currently zoned for residential development at a certain density would participate at a 10% level for projects above 25 units.

Mr. LaFerrier further said that where a developer would pay in lieu of fee, and therefore, not be required to provide workforce housing in the project, would pay into a trust fund managed by the Community Development Division. A maximum fee would be \$97,500. There had been some discussion by the Commission and direction was given to staff to investigate the idea of having a graduated fee with the concept being that if a developer is building a market-rate unit or one not in the workforce range but close, there would be such fees in place. He said that an example was provided in Exhibit 2 of the back-up materials.

Mr. LaFerrier said that the Commission needs to decide whether they want to proceed with an approach having a maximum allowable fee, or look at reducing the fee by a certain percentage. Exhibit 1 showed a table of fees that could be used when not charging the maximum allowable amount.

Mr. LaFerrier further said they want to make the Commission aware of certain other provisions. One was the fund recapture provision whereby the City would assist first-time homebuyers with the construction or rehabilitation of a house, and monies would then be reimbursed to the City depending on the level of participation for the first 10 years. He said that staff would like to continue that aspect for workforce housing. Another provision being proposed in Exhibit 4 was a shared depreciation plan whereby the unit would appreciate in value for the first 10 years, and then the 10th year the City would be reimbursed 16.7% of the appreciation. This was using a constant scale, but another way

of doing it was to use a declining scale. The longer someone lived in the unit, the less shared-appreciation would be paid back to the City. The City would always receive the 100% participation from the trust fund for the first 10 years.

Commissioner Teel asked for clarification regarding the 16%. Mr. LaFerrier said that it was for each year. The City Attorney said that it was 16% plus the investment, and the 16% was the City's percentage of the investment thereby making them a joint venturer with the homebuyer. The maximum capital contribution was 16%.

The Consultant said that the 16.7% is hypothetical and is based on a \$300,000 unit of which the City contributes \$50,000. The purpose behind this is that by doing an equity contribution tied to the value, the initial investment would stay the same for the future.

Vice Mayor Hutchinson said in looking at what they wanted to do with the workforce housing trust fund, it appears they would be more in the business of doing first and second mortgages on current inventory, and would not be building new workforce units. She said she has a problem with this, and would like to see how they could offer grants or better incentive packages to developers willing to build the housing. She asked why the CRA could not be exempt since it was put into place for a redevelopment area. She feels the burden is being put on that area. Better incentives could be offered to developers in the CRA that would come out-of-the-box regarding workforce housing.

Mr. LaFerrier said Exhibit 3 described some workforce housing programs and are examples to be reviewed. He said they intend to return before the Commission with an action plan such as is done with the block grant programs, and the plan would describe how the funds would be extended from the trust fund.

Vice Mayor Hutchinson said that they need to find a way to build new inventory because in most cases existing housing is not affordable today.

Mr. LaFerrier said there had been discussions regarding the exemption of the CRA, but no recommendations were made. Housing in the CRA is helping with the new development and rehabilitation of a community, while providing necessary housing.

Vice Mayor Hutchinson asked how the two RACs would benefit from the trust fund, and would there be an option for new developments to participate.

Mayor Naugle said purchasers would be able to obtain a second mortgage in order to buy something in the RAC. Mr. LaFerrier said it would deal with the eligibility of the homebuyer, and there could be ways to structure the trust fund so it could be used as part of the overall project.

Vice Mayor Hutchinson said that in lieu of the money had they thought about what would happen when the market takes a downward swing. Mr. LaFerrier said the draft ordinance has a provision whereby staff would provide an update to the Commission on an annual basis. Formulas are used to derive the in lieu of fees which would have to be updated each year.

Commissioner Moore entered the meeting at approximately 2:04 p.m.

Vice Mayor Hutchinson asked how lengthy is the process to change the ordinance. She asked if there is the ability to do something now so there is a scale whether the market is good or takes a downward slope.

The City Attorney said if everything is perfect and a simple amendment is involved, it would take about two months, but if it involves amending the ULDR it would take about three months because it would have to go before the Planning and Zoning Board. He said the Commission could send their ideas along with this ordinance to the P&Z Board, and incorporate whatever recommendations come back into the ordinance when it is advertised for first reading.

Commissioner Moore left the meeting at approximately 2:05 p.m., but returned at approximately 2:06 p.m.

Mr. LaFerrier said their intention is to return on an annual basis and update the Commission, and at that time fees could be changed as long as the requirements of the ordinance are met.

Commissioner Rodstrom said she is concerned about the price of workforce housing and asked how that amount had been arrived at.

The Consultant said that the price is based on a \$58,100 annual median income, and is predicated on other assumptions such as a cost burden of 35%. 6.5% interest, along with closing costs. These were HUD's last years figures which would change annually, and the Commission would dictate the changes to be made.

Don Hall, attorney, said it is his understanding that the proposal is to create a trust fund which would be administered to create new housing stock or assist with mortgages for existing units.

Mr. La Ferrier said that a developer could also participate by building workforce units, but options are being provided.

Mr. Hall asked if there would be any other funds contributing to the trust fund or would the funds strictly come from new construction.

Mr. LaFerrier said that there has been some discussion regarding the State providing some funds. The Consultant said there could be other contributions made in the future due to legislation being discussed. HUD presently stops at 80%, but the wording goes to 120%. Mr. LaFerrier said that the County's affordable housing is going to 120% also.

Mr. Hall asked if an impact study had been done to identify new construction as creating the impact being mitigated.

James Carras, President Broward Housing Partnership, said he is concerned that the City would be in the business of lending first mortgages, and practice states that is the last thing the City should be doing. He said there is significant private sector representation in the County who are offering first-time homebuyer programs with discounts, and he feels the City should assist in such activity instead of using the funds for first-time mortgage loans. He said their organization conducted a study which indicated that the greatest need in this City and County is for rental development. He

said that 22,000 rental units were lost in the County due to condominium conversions and Hurricane Wilma. They anticipate another 20,000 units to be converted in the next 12-18 months. He said no examples were shown in the models on how to create new rental units.

Mr. Carras further said that no modeling had been shown and no projection of the number of units in the workforce range, nor had any price ranges been provided. He said he wants to know how many families would be able to move into new affordable units during the next 10 years. He said the final issue is that after 10 years the unit would no longer be affordable, and the City would receive a bump of 16.7% in the shared appreciation. The unit would be put back in the market and in the next 10 years there would not be a net gain of affordable units. He said that he still did not see a Comprehensive Plan or Housing Plan. The Builder's Association has made some very specific recommendations in terms of fast-track permitting, new land trusts, and other possible solutions, which he feels should be inter-weaved with any ordinance created. He feels such a plan is needed before the Commission decides on which mechanism is the best.

Alan Hooper, Chair of the DDA and builder, said he takes the proposed ordinance at face value which appears to have holes in it and will affect his way of life and occupation. He said some of his concerns are in regard to various issues. He thought there was an inventory gap of workforce housing, and that was supposed to be a need they were trying to fill. The proposed ordinance appears to be a way to lend money for rehabilitation, and people wanting to buy units which fit in the \$250,000 range. In the marketplace, such a range might not be functional for what individuals want to purchase. Therefore, new construction should possibly be supplied. He asked if the City went into the banking business, how would it fill the inventory gap, and if they went into such a business would they also have a foreclosure division, as well, along with an insurance division to provide coverage for the loans. If the City is going into the profit-sharing business at 16.7% would they have exposure as an owner. He said if there is a down side, then would they take a loss of 16.7%. The profit-sharing is to be done with a joint venture agreement and could that be provided within 60 days.

Mr. Hooper said if they are trying to achieve an inventory gap in workforce housing, then the trust fund should be created so the developers or builders could apply for grants for this type of housing. He said the CRA was created to promote redevelopment, and even with the financial incentives provided over the last 8-9 years, only two major developments have occurred in Flagler Village, which are JPI and Avenue Lofts. He said he put a lot at stake regarding the Avenue Lofts project, and he has only made \$23,000 per unit, and that is if the last six units sell. Now, he is going to be "hit" with a \$97,000 fee per unit at 15%. He said the area is still blighted and redevelopment has only begun. He said this would cost him \$350 sq. ft. to build a 1,000 sq. ft. unit selling for \$375 per square foot. The units on the beach are getting \$1200 per sq. ft., and he feels there should be an ordinance exempting the CRA. Designated areas, such as the South Andrews Merchants, should award grants to builders for that area. He further said that he feels the graduated in-lieu-of scale is arbitrary and the \$1 Million ceiling appears to have been plucked "out of the air." He said many \$2 Million to \$3 Million beach condos are being built and those should be at the 100% maximum, and not the \$1 Million ones. He said if a new development in the Downtown area is to be treated as a planned urban development, then they should be able to rebuild workforce housing in the Downtown RAC and Near Downtown RAC, and utilize the trust fund being provided by the

developing industry. He asked if they are going to help the Building Department who works very hard, but yet nothing in the ordinance appears to address that Department. He said if the City is going to be in the lending money business, then they should lend it to the Building Department.

Brandon Biederman, Director of Government Affairs for the Builders Association of South Florida, said they represent builders, plumbers, electricians, and architects. He said this County is going to be the first in the State to run out of open space. Materials costs are rising, along with interest rates and labor costs. At the same time, funds from the State and Federal Governments are shrinking. He said recently they were in Tallahassee lobbying for the cap on the Sadowski funds to be lifted. It is offensive that 2/3 of those dollars are being taken for General Revenue. Hopefully, there will be some sort of resolution on that matter by May 4, 2006. There is an affordable housing problem and 50% of the households in this County make less than \$25,000 per year. He said there needs to be a community-wide solution to address a community-wide problem. The proposal submitted today is not a comprehensive solution to the housing process. He said that bankers, realtors and large employers should be participating in such process. When the report first came out regarding workforce housing, bonus densities, waiving or reducing impact fees, but yet none of those are part of the proposed ordinance. Today, there is a mandatory inclusionary zoning ordinance being proposed.

Mr. Biederman further said that mandatory inclusionary zoning would only increase the prices of other market-rate units, while pricing others out of housing. He proceeded to provide an example to the Commission of such zoning. There has not been enough time to digest this issue. The permitting process and plan review has not been addressed by the proposed ordinance, and better solutions exist such as the one going before the Broward County Planning Council on May 4, 2006 which includes a true bonus density program, along with a rental piece. Funding should be established for affordable housing such as floating bonds, and further the public did not feel that mandatory inclusionary zoning was a solution based on the hearing held at the Broward Center. He proceeded to distribute copies of the comments provided to County staff.

Chris Wren, DDA, asked if the DDA comments submitted had been incorporated into the proposed ordinance. Mr. LaFerrier said all comments had been considered. One in particular regarding the graduated fee schedule was included as an exhibit, along with comments regarding the Certificate of Occupancy. The other 4-5 comments did not appear to be relevant to the ordinance. Mr. Wren asked if a response in writing could be provided regarding all comments made as to what was incorporated and what was omitted.

Randy Temple, resident, said he went through inclusionary zoning in California, and prices went up and the homebuyer was priced out. The City should think carefully about going into competition with local banks, and he feels it would be more preferable for the City to acquire property through eminent domain or another procedure. The City could then put up the properties for development in cooperation with the local banks and builders, and provide rental housing that is needed.

Mayor Naugle said when this effort began the economy was booming and housing prices were rising, but now things have changed and prices are falling. He said that recently he read the realty section of the newspaper and there were 228 properties in the Greater Fort Lauderdale area priced under \$200,000. Many were multi-family

homes, patio homes, townhouses and garden apartments. The figure used by affordable housing advocates is the price of a single-family home which has now fallen but is in the \$350,000 range. The medium price of a condominium unit, which is the predominant form of housing, is around \$220,000. Many condo conversions are occurring and rental properties are disappearing. This City has always had a disproportionate share of rental properties, and it has been the goal of the City to have 75% of the citizens owning property, and they are at about 55% ownership. People criticize condo conversions because they limit the availability of rental properties. The good thing is that the owners buying such converted property are locking in housing costs so they can receive a benefit on their property taxes and homestead exemptions are available as well.

Mayor Naugle further said that he feels this is not the time to add a requirement on property owners in this City to what amounts to be a luxury housing tax. He feels the market is softening, and the units that ran out in the Downtown would be returned to the City. The marketplace is trying to work things out and the additional units being built will provide some rentals, while others will remain on the market and prices will come down because owners will not want to pay property taxes without having the income. He feels that the real estate "bubble" is deflating and this is not the time for such a requirement.

Vice Mayor Hutchinson said that in some respects the proposed ordinance does some good things, but does not create the incentives they want to give to the building community to build affordable housing. This does not allow for them to get an expedited plan, and the Building Department is presently overtaxed, and they need to find a way to fix that so the ordinance could include an expedited plan review, along with incentives. They need to encourage new affordable housing stock. This ordinance does not accomplish that and taxes developers with more money. She said with hurricane season approaching, costs to develop will rise, and to add another \$98,000 to \$100,000 to the unit will not achieve what they are trying to do. She said there is going to be an ordinance in place, but nothing to show for it with people still scrambling to be a first-time homebuyer. She thinks more rental stock is needed for people who cannot even afford a condo conversion. They need to find a way to incorporate such discussion back into the ordinance or at least bring it to the Planning and Zoning Board's attention. She agrees with Mr. Carras that they had a lot of rental stock, but she is embarrassed as to what units are being converted into condo conversions.

Commissioner Teel said she does not think the ordinance is ready yet, and the City should not be in the banking business. She likes the idea of encouraging affordable development in the CRAs, and more incentives should be available. She further said that the number of listings on the MLS is frightening compared to last year at this time.

Commissioner Rodstrom agreed the ordinance needs more work, and even if housing prices deteriorate people in the workforce are still not going to be able to afford \$250,000 or thereabouts for a home. She said that she does not like the 10-year idea and she feels it should either be graduated or extended 15 to 20 years. She asked if they had contacted the Broward County Housing Finance Authority for information. The consultant confirmed. Commissioner Rodstrom said she would like to see an increase in homeownership.

Commissioner Moore said people working for the City cannot buy a home here. He said the Greater Fort Lauderdale area is not Fort Lauderdale and consists of a number of unincorporated pockets around the City permitting low-cost housing. Teachers, nurses

and other people do not consider homes in this City due to their cost. He said inclusionary is that the builder include such housing in their development or provide the impact fee. Nothing in the ordinance would disqualify giving money to non-profits to buy rental properties. He said this City does not pay a livable wage to more than 30% of its employees. Individuals should have the opportunity to have their properties increase in value, and the government should open the door to help people purchase property. He said they should be beating up on the legislature regarding the Sadowski funds and releasing the caps. He said the Board of Realtors have a very shallow thought process regarding the Sadowski cap and the additional tax being proposed for commercial property in the County. This Commission appears to dwell on the dialogue of first mortgages, and that was never the object of such an ordinance even though it should be provided as an opportunity. The emphasis of this ordinance is to create attainable units as a down payment assistance, a possible grant, or incentive.

Commissioner Moore said the items highlighted in the public hearing by the Builders Association are not the items that residents stated should be done by the industry, but were comments such as the City needs to have a developer-friendly environment, impact fees are too high, developers should be courted regarding workforce housing and more incentives should be offered to developers, and utilize City-owned land for such housing and increase density. He said then the City looks at the development community to do certain things. At the beginning of the dialogue regarding attainable housing, it was said that everyone needs to be in the game. He agrees with the builders that the City needs to do some fast-tracking, but he also feels that the industry, developers and purchasers of high-end homes also should make things available because they are creating the need.

Commissioner Moore said that in reviewing what is being proposed by the County and their Planning Council, it is the weakest watered-down plan he has seen. Palm Beach County's inclusionary housing is a masterpiece of opportunity being created. He said permits should be fast-tracked regarding attainable units because time is money, but to say that the market has changed and sales are slow, and therefore, this ordinance is not necessary is ridiculous. This is one of the fastest growing counties in the nation and where is the City going to get the workforce to fill the jobs if such housing is not created. It would be a big mistake not to do this. He said the public feels this is an important issue, and they should not be discussing the moment, but the opportunity for the future. There should be some tweaking to make this work. He did not see where the goal of 75% of homes owned by residents as mentioned by the Mayor was, but something needs to be done to attain that goal. The only way to do this is to regulate it as the City does with everything else. He said that he does not want to be part of a City that does not look out for everyone's welfare. The proposed ordinance is designed to deal with affluent individuals, as well as the developer who is least-likely to make it inclusive in their projects. If a developer does not want to be inclusionary in their development, then they should pay for it.

Commissioner Moore said further that he had met with the Pension Board, and he believes that is an alternative to obtain a pool of money. There is no reason why some of the dollars received in the new appreciated tax value in the General Fund could not be dedicated to acquire properties making units attainable. He said it should not all be on the backs of the developers, but it should not only be on the back of the City. There should be lending institutions participating and being provided incentives to make loans. There need not be a close-knit method to reach this goal. The first step is to realize that

this is needed, and then have the courage to pass the necessary legislation. Finally, they should always negotiate with all parties involved in order to make this work. He suggested that this item be placed back on the Commission's Conference agenda for 30 days from now, and then all the players meet and review the issues. He believes that this could be made more compatible for everyone, rather than just say no.

Mayor Naugle said that this Commission had adopted the goal to increase home ownership in the City, and it was part of the Comprehensive Plan. Discussions were held, Legal Trace was developed, and recent discussions have taken place regarding the JPI development which originally was a rental project, but now has become ownership units.

Commissioner Moore said that is a great goal, but something has to be done to help attain that goal, and therefore, an ordinance is needed.

Mayor Naugle said the goal of homeownership is being reached through the conversion of apartments.

Vice Mayor Hutchinson said she wants to forward this to the Planning and Zoning Board, and incorporate all the comments that have been made, and possibly look at exempting the CRA because the whole point of the \$40 Million investment was for redevelopment to occur, and be able to add programs and grants to the housing trust fund. She said that she would like to hear that Board's comments instead of bringing the issue back to the Commission because it would eventually come back before them. Commissioner Moore agreed.

Mayor Naugle said he prefers that this matter not go before the Planning and Zoning Board at this time because he did not feel the economy was right to add such a burden to it unless there is the possibility of adopting this ordinance. He asked the Commission's preference on the matter.

Commissioner Teel said she did not feel the ordinance is ready to be presented to the Planning and Zoning Board.

Commissioner Moore said the reason for the CRA is because it met the 163 blight, and if they are going to say this area should not have attainable units, then they would not be sending the right message. He said they would be removing the community from the opportunity of having a life.

Commissioner Teel further said that the CRA should be exempt from paying impact fees, but they should encourage attainable housing in the area.

Commissioner Moore asked if they are saying it is mandatory inclusionary within the CRA because if that is not done and the buy-out not provided, then they would be making the housing more expensive. He prefers to take the position that if a builder is developing within the CRA and they are not planning to have an inclusionary, then dollars have to be spent within the CRA in order to increase attainable housing within those boundaries instead of totally waiving it.

Commissioner Moore said if this is brought back before the Commission within 30 days, then he wanted the builders, attorneys representing the developers, Mr. Hooper and

Christopher Wren included, and a design method be discussed in a workshop so they would have facts to present. He said the ordinance has been discussed for two years.

Mr. Hooper said the ordinance only included first and second loans, and did not include building anything along or other recommendations that had been made.

Commissioner Moore said he has no objection to including such things in the ordinance because he wants to see a "give and take" situation.

The consultant said that there is a study that addressed every issue being raised and tools were chosen, along with a number of units being included, and the ordinance was to implement one of the chosen tools.

Mayor Naugle asked Commissioner Moore if he would like there to be a community meeting with staff and stakeholders to discuss this issue. Commissioner Moore said he wants to meet in this room and work out the issues.

Mayor Naugle said there would be an evening workshop meeting held and all parties would be invited. He asked if a community meeting could be held and then come back to the Commission in a month.

The City Manager said if the City Commission is not going to attend the meeting, what should staff do with the information that was going to be obtained.

Commissioner Moore said he wants to listen to the rationale of the builders, and then he wants to look at the other side. He believes there can be a balance once discussions begin. He said he does not understand why the top 5 or 10 top employers in the County are not present at the table regarding this discussion. He asked that those 10 top employers send a representative to that meeting to discuss this issue, along with representatives from the banks.

Mayor Naugle said the community workshop would supply input and then they could review the Commission's input, and see what could be worked out. Other strategies besides inclusionary zoning might be provided.

Vice Mayor Hutchinson said that she has attended workshops regarding this issue, and also has heard from the building community, and today they said what they wanted to participate in, and none of that is included in the ordinance.

The City Manager further said if they come up with a "laundry list" of items which already exists, the question is that nothing would be included in the ordinance unless three people on the Commission choose to vote in favor of those items. Unless policy decisions are made, they are not going to progress in this matter.

Commissioner Moore said policy decisions can be made, and individuals understand that there is different want to the process, but due to the development community's comments they desire various things in the ordinance to safeguard concessions that would be made. Therefore, he feels they should let them see that the Commission agrees about an expedited permitting process, and that consideration for extra density and bonuses for development would be provided if attainable units are furnished. Density bonuses are not bad in some areas.

Mayor Naugle said that many neighborhoods do not want density increased but lowered.

The City Manager clarified that the intention of the public workshop is for staff to inventory the issues, return before the Commission and review the issues, and then decide what should be included in the ordinance. Commissioner Moore confirmed.

Commissioner Teel said that one of the things that must be understood is that the workshop is not where everyone puts in their bid for what they want in the homes.

Action: There was consensus for staff to hold a community meeting at City Hall including representation from all of the stakeholders. Staff will inventory the issues for presentation to the Commission at a conference meeting within thirty days. Commissioner Moore requested that the ten largest employers as well as the banking industry be invited. Chris Wren of the Downtown Development Authority requested a written response to their written comments on this matter as to what suggestions were incorporated and for those, if any, that were not incorporated, the reasoning behind not including them.

I-B – Discussion of Mayor Naugle’s Letter to Broward County Regarding Sistrunk Boulevard

Mayor Naugle said that he and Commissioner Moore appeared before the Broward County Commission. They were presented with a three-lane plan and asked for the City to schedule some resolution of this matter at the May 2, 2006 meeting.

Commissioner Moore understood that the County wanted the City to discuss both plans, the two-lane and three-lane proposals. He hoped the City will do it at the May 2, 2006 Commission meeting so the County could address the issue at their May 9th meeting. He asked about the methodology in which it would be shared. Over \$70,000 has been spent on a consultant, yet the Commission has not heard from the consultant as to concerns with the County’s review of the City’s plan. The consultant also needs to evaluate the County’s new proposed plan, which the City just received. The plan gives the City fifteen dedicated parking spaces. He wanted the consultant’s comments. The key to this resolution is to know the issue. Eighteen months ago they were told it was impact of the neighborhood, and the level of service on Sunrise and Broward Boulevards was not the issue.

Commissioner Moore was concerned that it appears the County Commission is of the opinion that the City would consider lessening their CRA boundary for a contribution that they may give the City. It seems they are thinking of a monetary contribution for reducing the CRA boundary from Andrews to Federal Highway. These comments have come from three County Commissioners individually, not as a commission. A \$15 million contribution was mentioned, along with a \$10 million contribution, to jump-start redevelopment on the 6th Street corridor instead of the yearly \$3 million increment. He did not know what such discussion is about.

Commissioner Rodstrom felt the County Commissioner comment today was about helping jump-start the redevelopment with \$15 million, but not that the City had to give something back. She offered to look into it and report back.

Mayor Naugle said that a request was made of the City to provide the County staff with time to make a presentation, and City staff would be provided the same consideration. He asked if Commissioner Moore would be able to meet with County Commissioner Rodstrom to see if a compromise is possible.

Commissioner Moore said that he has worked on this for over seventeen years. Before the City recommended the two-lane plan, they had reviewed various alternatives. It is now being indicated that the City has not realistically evaluated the situation. There have been over a hundred community meetings. He would not be the right person if he would be told walking into the meeting to compromise.

Mayor Naugle said that in compromising and negotiating it takes good listening skills, and it appears that Commissioner Moore is shutting down on the matter.

Commissioner Moore said he is not shutting down, but if there is no longer the issue of traffic on Sunrise and Broward and all the City is to do is address the mitigation. Then when the City comes back with the mitigation report for the residential area, the issue is no longer the mitigation, it is the traffic counts. When they went to the drawing board, the County reported to the City that they were no longer concerned about traffic on Sunrise and Broward, it was at a level F, and there would be no negative, but their concern was mitigation of cut-through traffic through the residential community.

Al Battle, Director of Community Redevelopment Agency, confirmed that is the question the City attempted to answer based on the letter from the County Administrator.

Commissioner Moore said that mitigation response was supplied, including speed humps, roundabouts, chokers. He said that when he met with the County on the Wednesday after the City Commission discussion, the first thing they said was that the model they asked the City to use was incorrect. Yet at the City Commission meeting they indicated it would be detrimental. In June, 2004, the City requested that the road be transferred to the City's jurisdiction. In August the County approved such transfer. In December the Sistrunk traffic study was submitted. In February it was rejected by the County. A community meeting was held and there was a unanimous vote. In August a traffic consultant was hired by the City to address the County's concerns and all plans and information were reviewed. A meeting was held with County staff to identify and address all concerns. The Broward County traffic model was utilized to analyze the effect of Sistrunk Boulevard lane reduction, and necessary mitigations were proposed. In June 2005, a resolution by the County was to transfer the jurisdiction of the roadway to the City. In November, the Mayor Naugle wrote to Mayor Graber requesting a new study which was done. In December the County responded by passing the Sistrunk project to a newly established select committee. This was all about mitigation of neighboring communities. When the City gave its response about mitigation, it was not in the dialogue the other night. The County was talking about delivery trucks, buses and curb cuts and reduction of the number of bus and trolleys. The problems could easily be addressed.

Commissioner Rodstrom asked if there is a mitigation plan, then there is the assumption that traffic would be mitigated through the neighborhoods. She questioned why Commissioner Moore would want such a thing from the get-go.

Commissioner Moore said the model used is the one used by the MPO for all traffic modeling. What they saw when the road was barricaded was that a number of residents began using a different route, they used 4th Street. The County Engineering Department felt the sky was falling because cars were going past schools, and the increase of traffic was about 100%, when it only involved about 16 cars. Therefore, the City simply said they would provide a mitigation plan. The modeling showed that 7,000 cars disappeared and they did not know where they went. The model showed that when the CSX Railroad was closed, people changed their driving pattern and went outside of the traffic count. In response to Vice Mayor Hutchinson, Commissioner Moore indicated that the City modeling was done on projections. The State sent a letter, explaining that during the time the railroad was closed, there was no significant impact on Sunrise or Broward Boulevards. Mayor Naugle noted it did not change the road classification as to traffic load because it is already at the worst level.

Commissioner Moore said it was pointed out to the County that the County handles mass transit, along with light rail. The City is dealing with the 7th and 9th Avenue Connector. These measures would mitigate the need for four lanes on this corridor. In December the County Mayor asked the City to take the project to a newly established select committee known as the Downtown Government Campus. The City agreed to go before the committee, but no date was ever provided for the meeting. The City was told at that time to compromise or the meeting would not be held. He felt the County should have looked at the data and the impact before telling the City they have to compromise.

Commissioner Teel understood Commissioner Moore's feelings. She suggested that the City give this a try because it appears that Commissioner Moore has allies on the County Commission who are trying to resolve this issue. It was her impression that there is a willingness to move this issue forward. Nothing in life is 100% on either side, and she felt they are getting close to the goal of the residents. She felt it would be unfortunate if Commissioner Moore did not attend.

Commissioner Moore said he is only asking that they deal with facts.

Mayor Naugle said he is a good listener. He felt there may be a problem with the City's traffic consultant getting along with the County. He felt that maybe another person might be helpful. He has little confidence in the City's traffic consultant. He said that he has heard from Commissioner Moore and the County that the traffic individuals are clashing.

Commissioner Moore said the County instructed the City to mitigate the impact for the residents. Methods were presented, and the City was then told that was no longer the issue. The three-lane proposal by the County now expands the requirement for the bus curb cut-out. There are 17 bus stops on the west side. If the curb cuts are expanded, there would be no room for cars to park. He questioned if the objective is really to move people and traffic, is it necessary to have 17 bus stops in that area. As an alternative, could they be reduced to 8, or 4 with the other 4 moved to the next street at different hours of the day. This would be a compromise. Dictating how to do it a way is not a compromise.

Commissioner Teel said it was her impression that the County is open to discussion. It is important for Commissioner Moore to be at the meeting and to forget the past and start on a new day. She felt this is a good opportunity.

Commissioner Moore said he is willing to go back and discuss the matter with the County, but he wants a fair opportunity to compromise. There needs to be the understanding that they are attempting to resolve the issues, and not just be told it is this way or there will be no debate.

With respect to the traffic consultant, Commissioner Moore noted they are nationally renown engineers who have done much of the traffic modeling for projects throughout Broward County. The County has only brought their engineers to the table. However, this is a redevelopment project and it is not just about cars. If they are going to include Miss Chambers as well as their Planning Division and show this is a redevelopment, then he could start with a clean slate. He wanted it clearly defined that it is an open dialogue and if the City gives them resolve, then they accept it.

Mayor Naugle asked if there could be less combativeness between the consultants. In response to Commissioner Moore, Mr. Battle said that the consultant has not charged for some of his time in an effort to reach a compromise, and has been well received by the County. In response to the Mayor's concern, Mr. Battle felt this has been a hard issue and staff will address it with the consultant. Vice Mayor Hutchinson noted that the County as well as the City needs to give people the appropriate time for presentations.

Commissioner Rodstrom said that involving the planners will help.

Mayor Naugle asked if Commissioner Moore could bring something forward to the Commission on May 2nd. Commissioner Moore agreed.

The City Manager said that at some point there will be a request for City staff to get involved. He wanted to be sure it is acceptable for staff to give their opinions when asked. There was no objection.

Commissioner Moore left the meeting at approximately 3:33 p.m. and returned at approximately 3:34 p.m.

Mayor Naugle said that a presentation would be made on May 2nd at 6 p.m. and the public will be in attendance, and hopefully there would be a list of issues that Commissioner Moore and County Commissioner Rodstrom have agreed upon, or, if not, a list of those items the Commission will need to decide upon. Commissioner Moore agreed.

Commissioner Rodstrom asked if a suggestion could be made regarding trolleys instead of buses being used. Commissioner Moore believed the residents would prefer trolleys because it gives forth a sense of destination.

The City Attorney said that the trolleys could pose some ADA challenges.

Action: Commissioner Moore will meet with Broward County Commissioner Rodstrom. On May 2, 2006, Commissioner Moore will present information as to items of agreement and those where agreement could not be reached. Commissioner Rodstrom asked that Commissioner Moore pursue the trolley concept.

MEETING RECESSED AT 3:44 P.M.

MEETING RECONVENED AT 4:06 P.M.

II-A—Debris Management Plan Update – Hurricane Aftermath

No discussion.

III – B – Advisory Board and Committee Vacancies

Audit Committee

Action: Deferred.

Beach Redevelopment Advisory Board

Commissioner Moore recommended Carlos Molinet for appointment to the Beach Redevelopment Advisory Board.

Action: Formal Action To Be Taken At Regular Meeting.

Board of Adjustment

Action: Deferred

Cemeteries Advisory Board

Commissioner Moore recommended Richard Kurtz for appointment to the Cemeteries Advisory Board.

Action: Formal Action To Be Taken At Regular Meeting.

Charter Revision Board

Commissioner Moore recommended Dan Lewis for reappointment to the Charter Revision Board. Mayor Naugle requested this appointment be considered as a separate vote.

Action: Formal Action To Be Taken At Regular Meeting.

Community Appearance Advisory Board

Action: Deferred.

Community Services Board

Commissioner Moore recommended Duane C. Ingram for appointment to the Community Services Board.

Action: Formal Action To Be Taken At Regular Meeting.

Education Advisory Board

Mayor Naugle recommended Elaine Schulze for reappointment to the Education Advisory Board. He also recommended Aaron Bass for appointment to the Education Advisory Board to replace Nancy Thomas.

Action: Formal Action To Be Taken At Regular Meeting.

Fire-Rescue Facilities Bond Issue Blue Ribbon

Action: Deferred

Board of Commissioners, City of Fort Lauderdale Housing Authority

Mayor Naugle recommended reappointment of Robert P. Kelley to the Board of Commissioners, City of Fort Lauderdale Housing Authority Board.

Action: Formal Action To Be Taken At Regular Meeting.

Historic Preservation Advisory Board

Commissioner Teel recommended reappointment of Mary Jane Graff to the Historic Preservation Advisory Board.

Action: Formal Action To Be Taken At Regular Meeting.

International Swimming Hall of Fame

Action: Commissioner Rodstrom was recommended for appointment to the International Swimming Hall of Fame Board.

Marine Advisory Board

Vice Mayor Teel recommended reappointment of Eugene Zorovich to the Marine Advisory Board.

Mayor Naugle recommended reappointment of John Terrill, and Rick Schulze to the Marine Advisory Board. He also recommended Barry Flanigan for appointment to the Marine Advisory Board.

Action: Formal Action To Be Taken At Regular Meeting.

Northwest-Progresso-Flagler Heights Redevelopment Board

Vice Mayor Hutchinson recommended reappointment of Jerry Carter to the Northwest-Progresso-Flagler Heights Redevelopment Advisory Board.

Mayor Naugle recommended reappointment of Laura Mutti to the Northwest-Progresso-Flagler Heights Redevelopment Board. He also recommended Mickey Hinton for appointment to the Northwest-Progresso-Flagler Heights Redevelopment Board.

Action: Formal Action To Be Taken At Regular Meeting.

Planning and Zoning Board

Commissioner Moore recommended Pamela Adams for appointment to the Planning and Zoning Board when the vacancy exists replacing James McCulla.

Action: Formal Action To Be Taken At Regular Meeting.

Vice Mayor Hutchinson left the meeting at approximately 4:07 p.m.

IV-A – Proposed Lien Settlements – Special Magistrate and Code Enforcement Board Cases

Commissioner Moore said it appears that the liens are bouncing around. He was very concerned. In the future he wanted to be informed before there are negotiations. In some cases, he may have a history.

IV -- Commission Reports

Commissioner Teel said that Broward County Commissioner Scott put one of the properties in Coral Ridge on the parks bond for \$1 million. It was approved.

V – City Manager's Report

The City Manager announced that the City Attorney had a huge win recently that saved the City \$40 million. This was on the heels of the Aquatania deal which was also a major decision.

There being no further business to come before the Commission, the meeting was adjourned at approximately 4:14 p.m.