FORT LAUDERDALE CITY COMMISSION REGULAR MEETING SEPTEMBER 6, 2006

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MINUTES OF A REGULAR MEETING CITY COMMISSION FORT LAUDERDALE, FLORIDA SEPTEMBER 6, 2006

Meeting was called to order at 6:00 p.m. by Mayor Naugle on the above date, City Commission Meeting Room.

Roll call showed:

Present: Commissioner Christine Teel

Commissioner Charlotte E. Rodstrom

Commissioner Carlton B. Moore (arrived at 6:06 p.m.)

Vice Mayor Cindi Hutchinson

Mayor Jim Naugle

Absent: None

Also Present: City Manager George Gretsas

City Auditor John Herbst
City Clerk Jonda K. Joseph
City Attorney Harry A. Stewart
Sergeant At Arms Sergeant Bill Johnston

Invocation was offered by Father Michael "Happy" Hoyer of Our Lady Queen of Martyrs Church, followed by the recitation of the Pledge of Allegiance.

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

Motion made by Vice Mayor Hutchinson and seconded by Commissioner Teel that the minutes of the July 18, 2006 Conference and Regular Meetings and agenda be approved. Roll call showed: YEAS: Vice Mayor Hutchinson, Commissioners Teel and Rodstrom, and Mayor Naugle. NAYS: None.

<u>Presentations</u> OB

1. <u>Cinema Paradiso – September 11th Commemoration Day</u>

Vice Mayor Hutchinson and the City Commission issued a proclamation declaring September 11, 2006 as Cinema Paradiso – September 11th Commemoration Day in the City of Fort Lauderdale.

Howe Axler, Operations Manager of the Fort Lauderdale International Film Festival Association, accepted the proclamation. He said the objective of this organization is to entertain, enrich, educate, and inform the community through cinematic arts. The featured film on September 11th is entitled "The Guys" which is a heartwarming story about a Fire Chief who lost all his men in the World Trade Towers, and a journalist who

assisted with the eulogies for those men. Afterwards there will be a panel discussion centering on how lives have changed in the past five years, and Fort Lauderdale's City Manager will be part of such panel. Also, there will be a sneak preview presentation of "The Saint and 9/11," which is a documentary tribute in honor of Fr. Judge, Fire Department Chaplain.

2. International Association of Firefighters Week

Commissioner Rodstrom and the City Commission issued a proclamation declaring the week of September 1, 2006 as International Firefighters Week. The firefighters collected over \$100,000 for MDA this year.

Commissioner Moore arrived at approximately 6:06 p.m.

Vice Mayor Hutchinson thanked Kim Van Zant and the President of the Association for their work in organizing the fundraiser for MDA this year.

3. Community Appearance Board – WOW Award – District 1

Commissioner Teel and the City Commission recognized Judi Wade's residence located at 36 Castle Harbor Isle in Bermuda Riviera as the recipient of the WOW Award.

4. <u>2006 Florida Recreation and Park Association Excellence Award – Director</u> of Parks and Recreation

The City Manager and City Commission recognized Phil Thornburg, Director of Parks and Recreation for being awarded the 2006 Excellence Award from the Florida Recreation and Park Associations. Mr. Thornburg thanked the City Manager and City Commission for the award and said that they have a great department. He urged individuals to visit the parks and participate in all the programs available.

5. Outstanding City Employees

Albert Carbon, Director of Public Works, honored Bob Rose Utilities Mechanic II for his creation of a metal hook that keeps pipes from rolling off trailers while repairs and replacements are taking place in the well fields.

Mr. Carbon also honored Alison Canizares for her work in assisting a citizen in setting up an account with BellSouth, and her demonstration of compassion for humankind.

Bruce Roberts, Chief of the Police, honored PSA James Carter as Civilian Employee of the Month for July, 2006, for his assistance in apprehending two burglary suspects in the Performing Arts Center Parking Garage.

Chief Roberts honored Officers David Cortes and Dustin Miller as Officers of the Month for August, 2006, for responding to an armed robbery of a business and after a brief pursuit the suspects were apprehended and the stolen property returned.

Chief Roberts honored Detectives Marc Breen and Jack DiCristofalo as Officers of the Month for September, 2006 for their work in locating and arresting a suspect who had fled to Ohio in connection with the disappearance and death of a citizen.

Chief Roberts honored Sergeant Hector Martinez, Officers Anthony Agular, Zachary Baro, Joseph Hannold, and Robert Mauro and presented them with a Life Saving Award for the month of August, 2006 in connection with their response to a suicide scene and prevention of the individual taking their life.

Chief Roberts honored Officers Robert Smiley and Henry Cubillas with Life Saving Awards for the month of August, 2006, in connection with assisting a victim who had been injured badly in a fight to receive medical treatment.

Chief McInerny, Fire Rescue Department, honored Lifeguards Kelley Helt and Allen Reed as Employees of the month for September, 2006, in connection with their involvement in the Junior Lifeguard Program.

PUBLIC HEARINGS BUDGET

Fiscal Year 2006-2007 Tentative Millage Rate & Budget

(PH-1)

Public hearing to consider adopting tentative millage rate and budget of the City of Fort Lauderdale for fiscal year beginning October 1, 2006 and ending September 30, 2007.

Mayor Naugle said that the purpose of this hearing is to receive requests and comments regarding the City's budget, tax levies, and to explain the budget and any amendments thereto. Mayor Naugle announced that the Director of the Office of Management and Budget would present the millage rates previously certified to the Property Appraiser on which the proposed taxes are based and appear on the notices received by owners of property in the City, and reasons for any increase in the proposed millage rate.

Allyson Love, Director of Management and Budget, said the purpose of this public hearing is to present the tentatively approved budget, the tentatively approved property tax millage rate, provide for public comment regarding the property taxes, as well as the tentatively approved budget, and to obtain approval of the millage rate and the 2007 budget. A copy of the slide presentation provided to the Commission and reviewed by Ms. Love is attached to these minutes.

James Curry, 536 NE 12 Avenue, urged the Commission not to vote for the property tax or budget increases, and to rethink their approach to the overall concept of tax revenue. It is possible, by increasing taxes, the City could decrease tax revenue. City taxes are not an isolated variable but part of the macro economics of Broward County. The decision tonight is about the aggregate economic health of the community. Yield is a concept of volume and pricing, and when the price of goods is increased there is an eventual decrease in sales. This applies in this case. He referred to the concept of the perfect storm and economic migration. The perfect storm is a combination of property taxes, property insurance, utilities, and gas prices which can have a severe effect on constituents. People will leave and others will not come if taxes and other prices are too high. For example, the federal government cut taxes and saw a record increase in tax revenue. He asked the Commission to consider the long-term health of the City.

Richard Scrindy, Citrus Isles, said he owns properties in Citrus Isles. He said that people who have invested in real estate cannot get out if they need to get out. Real estate is the golden goose that feeds everyone, and tax increases are asking for a double golden omelet but the goose is dying. Homeowners were hit with doubled insurance. Appraisals were up 20% and 30% but after Hurricane Wilma, it died. He talked about the market before and after Wilma. Also he mentioned inequities in appraised values. People cannot support the present circumstances. He felt they would leave, but there are no buyers. He pointed out that a \$380,000 duplex has a tax bill of \$12,000.

Louis Leveque, 1413 SW 32 Court, said taxes are killing him on his un-homesteaded property. He mentioned the tax increases. He asked how long these increases will continue. He felt that if people begin to leave, the quality of the neighborhoods will deteriorate. He questioned if there is any relief for un-homesteaded property.

Jerry Jordan, 1109 SE 4 Street, urged that taxes not be increased. Taxes on his rental properties have risen 41% this year. He referred to City employee salaries. He questioned employee salaries in the higher echelon. He mentioned the Building Department and City Attorney's Office. He was concerned about the building inspection efficiency. He felt the budget needs help.

Dave Marshall, 1223 SW 5th Court, asked the Commission not to approve the proposed millage rate. People are not able to retire here any longer because they cannot afford the taxes. This is a sign that the City needs to review their course. He was opposed to increasing the budget. He asked if the spending overrun analysis could be provided to the public because the budget message released indicated that there were significant overruns in many departments due to the hurricanes. He noted that the City Manager indicated that the 83% increase in the City Manager's budget is not new spending, and requested an analysis that would justify such an increase. Because of the Save Our Homes Program this budget has the unfortunate consequence of raising taxes on renters, especially those with low incomes, while keeping the budget the same or provides reductions on homesteaded properties. This is ironic since the Commission is supposedly concerned about affordable housing. He requested the analysis, showing what percentage increase is being provided to a resident with a modest one-bedroom home while reducing taxes for homesteaded properties. He asked the Commission to consider a new millage rate closer to the rollback rate, possibly within 3% to 5%.

Bill Graves, Rio Vista, said something has to be done about the amount of taxes being collected. It appears the budget will increase about 13%. He felt they need to examine where the funds are going and how those funds would be applied to the financial health of the City. Some are spending 20% to 30% more. He asked why the City Manager is receiving a salary increase well over his contract. He asked why is the City purchasing land at high prices for parks, specifically ¼ acre in Sailboat Bend. He referred to court costs which citizens paying for through their taxes. If this is what the 13% is for, he was opposed. He referred to unfunded employee benefits and if 13% is for that group of people, he felt there is something wrong. He felt there is money chasing grants. The majority of homeowners in the City are faced with taxes and price increases, while the City is requesting 13% more to spend as they wish. He felt it would be neglectful to move forward.

Kevin Harris, 2307 NE 33 Avenue, said he is a small business owner in the City. There are some five other taxing authorities holding public hearings. He urged the Commission to work with other taxing authorities to make it easier for the public to attend. As the owner of a small inn, has to pay 18% more than last year. The small businesses in this country are the backbone of the gross domestic product and add value to the community. If the millage rates are not adjusted, the small businesses will be driven away. If the tourists have to pay higher rates, they will not come back. He asked the Commission to do something to save the businesses.

Steve Cooke, 708 SW 16th Court, noted that the property value in the City has doubled in the last five years. An average of \$11 is being returned this year. Only in government can revenue be doubled and that be a tax decrease. He said he cannot afford to pay his taxes this year. As a real estate agent for the past 18 years, he has never seen things so bad. The City is going to drive down their own tax base. On a \$240,000 mortgage, 40% of the payment is taxes and insurance. He talked about the lack of business in the real estate profession. He felt the 15% increase in revenues should be given back to the residents. The payment with 20% down payment on an assessed value of \$418,000 today the payment would be \$4,228. It understood that half the workforce in Broward County makes less than \$25,000. The City does not have an affordable house problem, but rather a tax and insurance problem. If the rates are not lowered or kept the same, the City will run down its tax base. If the values decrease to what they were five years ago, which he expected would happen in about three years, he questioned if the City could operate on that budget.

Marc Patterson, Harbor Inlet, said this City is becoming a place where few can afford to live. He talked about the increase in taxes when he moved and lost the Save Our Homes cap. The principal and interest is becoming a smaller part of the check. It is increasingly becoming a tax issue. It is becoming very expensive to live here. Taxes are unconscionable. Even though, property values have increased 20%, the City advertises a 3% millage decreases, yet it is receiving an operating tax dollar increase of nearly 17%. He did not see the justification. He wanted to see something closer to the rollback rate plus the CPI.

Arthur Boerma, 720 Orton Avenue, said the value of his property rose \$8,400 which is a 45% increase with taxes rising from \$1,600 to \$5,300 for 900 square feet. He asked the Commission to lower taxes.

Bruce Peek, 1217 Avocado Isle, said that in 2000-2001 the City collected \$61 million in property taxes, and this year the City will collect \$115 million. This is a 100% increase in five years. The City did not double, so where did the money go. Now, the City is asking for another 14% increase. He said enough is enough. Priorities have to be established and provide some understanding to the taxpayers. The Commission needs to decide who they are representing, City employees or the taxpayers.

Kevin Songer, 4250 Galt Ocean Drive, said a few years ago the bond issue (rating) was in bad shape. The City Manager deserves some credit because it has now risen. He talked about people close to him who want to be in a position to buy a home and having to help his aunt with her rent. Rent increases that have to be passed along are unbelievable. He mentioned an increase from \$1,600 to \$2,200 in order to break even. He was not sure whether people will pay this level of rent. He mentioned insurance cost increases. He suggested looking at the homesteaded people instead.

Susan Lombardi, 2240 NE 53 Street, said she was compelled to come tonight because she can no longer afford to live in this City due to increased taxes and windstorm insurance. She cannot get a 14% increase in her wages every year. She must live within her means. She talked about her efforts just to pay her bills. There are lots of for sale signs, but no one is buying. She urged the Commission to keep taxes down and help people with rental properties. She urged no increase in the budget.

Laronda Ware, Dorsey Riverbend Civic Association, said they want to make sure that dollars are allocated for mini-parks in Dorsey Riverbend to help their youth.

Rich Hoffman, 517 Isle of Palms, hoped the Commission will properly represent its citizens, and not approve an increase this year.

Evelyn VanderMarc, 1728 NE 16 Terrace, talked about the increases with respect to homeownership and her home in Poinsettia Heights. She quoted various news articles about cost of living. It is time to give homeowners a break and not just those with homestead. She asked the Commission to run the government efficiently. She believed this City is headed for deep trouble.

Scott Katzer, 1216 SE 1 Street, said he and his future wife are considering moving away due to increases, but he would like to remain in Fort Lauderdale. He hoped he could trust the judgment of the policymakers.

Robert McCulloch, 2818 NE 28 Street, said he has lived in Fort Lauderdale for 50 years and seen many changes. The quality of life has improved. The pool of money for the City has increased astronomically in the last few years, and it appears the budget line items are also astronomical. It appears the City needs to be using tax dollars more effectively. Belts should be tightened. The City needs to be responsible to the citizens. He urged the Commission to reject the increase and consider how to more effectively use the tax dollars.

Michael Sweeney, Coral Ridge, said it appears the State has changed how assessments are done for income. The cap rate now goes to 7.5%; previously it was 13.5%. Therefore, not only has the market value risen, but purchase prices have risen. He discussed his 13 unit rental property, with a cash flow of under \$18,000. The taxes will be \$25,000 on \$145,000 income. Some of the problem has to do with the way the State is doing the assessments for income because the year before, he had \$7,000 taxable. He mentioned having to replace the roof because of the hurricane. There are a lot of things not counted when doing the assessment on income. He noted that the South Florida cost of living index is around 5.8%. He asked the City to stay close to that number.

Hazel Russell, 837 West Dayton Circle, said that taxes and insurance have risen greatly. Last year her insurance doubled. She quoted the amounts for taxes and insurance. People cannot afford to retire here anymore. She asked the Commission for help in regard to the taxes.

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

Vice Mayor Hutchinson left the meeting at approximately 7:28 p.m.

The City Manager said the issue of taxes is always difficult. Many comments have been made this evening that are reasonable and fair. He has only been in this City for two years. When he arrived, the City was in a significant financial crisis. Reserve funds were dangerously low and national standards at that time required the City to have a fund balance between \$10 million to \$30 million, while the City only had \$875,000. Such shortfall required all City employees to take six unpaid furlough days so the City could pay their bills.

Vice Mayor Hutchinson returned to the meeting at approximately 7:29 p.m.

The City Manager said the insurance deficit had reached \$21 million and guestions were raised regarding payment of the insurance bills. The City's bond rating was plummeting. There was significant turmoil, including labor disputes, controversies, service delivery problems, inability to fill vacant positions. Over the last couple of years, he has attempted to restore greatness to this City. The fund balance is presently at \$31 million. the insurance deficit will be eliminated by the end of this year, the City's bond rating has increased, morale has improved, City services are being improved, and controversies have settled down. Employees made sacrifices and no salary increases for two years, so the City could get through the tough times. Taxpayers and people relying on service also sacrificed. The City is presently at a crossroads, and the question is do they move forward or go backward. If rates are rolled too far back, then there would not be enough money for the City to pay their bills and the fund balance would again be drawn upon. Assessments will not be increasing the way they have in the past. As assessments start dropping or increases are not as much as they were, expenses will continue to increase. There are significant non-discretionary expenses fixed into the budget over which the elected officials have little control. The City has to achieve stability in taxes and services, and expectations of the taxpayers and employees. The proposed budget provides for that stability. It decreases the tax rate. Last year there was the largest decrease in the City's millage rate for the last ten years. Another tax decrease is being proposed this year, while other communities are either remaining flat or slightly increasing their rates. Fort Lauderdale has been decreasing taxes for the last few years. This budget is a reflection of the priorities that the City has been hearing from the community. He mentioned the crime reduction and that desire to continue working on crime. He also mentioned deferred maintenance in the Fire Department and the need to address it. He questioned when the City should address these priorities. Planning for development must be considered. He felt the proposed budget represents moderation and stabilization. He urged the Commission to think about some of the points made this evening. He mentioned items over which he wished he had control: insurance cost, property assessment methodology, gas prices, tax structure and disparity between homestead and non-homestead, real estate market, and the State, County and School District, and the weather. He talked about how everyone pulled together last year during the devastation. This City is dealing with those costs today and will continue to deal with them. There is a new hurricane cycle upcoming. There was between \$8 million to \$10 million last year of unreimbursed costs for hurricanes. It was absorbed through sound financial planning and commitments made by the Commission. If the City had faced such expenses three years ago with an \$875,000 fund balance, the City would be talking about further lay offs, cuts in services, furlough days and people dissatisfied with the government. This is a great city with tremendous potential. He hoped to continue to move the City forward for the betterment of everyone.

Mayor Naugle said they have control over City spending. He did not vote for the tentative millage rate because he felt this year was the year to hold the line as much as possible due to increased expenditures that individuals are facing due to hurricane damage, the fact that the Property Assessor continued to raise property values in a time when they have gone down or at least stayed the same. He felt the increase is too high. There is some new spending in service enhancements. He felt they could do without some of it. He said there is a great disparity in how funds are raised for government services through property taxes. There is no relationship in the amount paid in property taxes as to the individual's ability to pay them. Some people brought property many years ago that has a high value and now they are paying a tremendous amount, while others are receiving the same amount of services and paying very little. This is why he is not supporting the sales tax increase for transportation even though they are needed. He felt the extra penny should be used state-wide for property tax relief.

Mayor Naugle wanted to hear recommendations from the City Manager regarding new spending and reduce the millage rate.

Mayor Naugle further said that one reason the City's expenses are so high is due to pension costs. He outlined some details about the benefit, and noted that it is not the same for the private sector. More than 50% of the City's residents have no pension funds and rely on social security. Society is therefore setting up two classes of individuals, those who work for the government and those that do not. People will have to work the rest of their lives to support the other half. It is not fair. He felt it will change. He mentioned that defined pension plans have put airlines out of business. The same pension plans are putting companies like Ford Motor and General Motors out of business. It is not easy for this City to make such changes alone. If the pension was changed and other cities did not make those changes, then Fort Lauderdale would not be able to hire qualified individuals. It takes all of the elected officials in the country to realize it is not sustainable. They could probably have a two-tiered system, with one plan for existing employees and another for those hired after a certain date. Both pension funds that were heavily invested in the stock market lost around \$100 million each. It happened to all of the pension funds. The pension law is written for the taxpayers to make up that loss. Employees had been contributing about 6% of their wages and the City was matching it. The situation changed to where the taxpayers had to contribute 20% to 30% to make up the deficit.

Commissioner Moore left the meeting at approximately 7:44 p.m. and returned at approximately 7:45 p.m.

Commissioner Moore wanted to take a picture of tonight's audience to remember them. He wanted the individuals who spoke this evening to be provided with the times and locations of the other taxing entities that are impacting the ad valorem. He asked the City Clerk to do this.

Commissioner Moore said the Budget Director began her presentation this evening with the fact that the City taxes are 25% of the tax bill. He referred to each Commission Agenda that has the City's values represented on the first page, including respect, integrity, courage, teamwork, service, creativity, and accountability. All of those points

need to be addressed in the proposed budget. He referred to comments about the high cost of insurance, gas, and electricity. The City also has such increases in order to function. Those who are leaving Florida because of ad valorem tax will find in other states, six brackets of income taxes. In some cases, retired income may not be taxed the same as an earned income. He referred to his involvement with elected officials throughout the state. He questioned if municipal officials are representing the people or the tax base without the consciousness of the individuals they are representing. He felt they are more interested in building a tax base than in delivering services in a cost efficient manner. For years he has urged a defined contribution plan that would limit the cost of operating the pension benefits, but it has never been accepted. He was happy to hear that this may be a time when the Mayor would support this. He believes this is critical. It is sometimes difficult to lead the other municipalities in Broward County when it comes to a defined contribution plan. They must do it because it is unaffordable to continue. When he started on the Commission the concept was the 70 percentile of pay ranges to generate the best workforce. It appears to have increased to 85% and higher.

Commissioner Moore referred to recent discussion about office space to curtail expenditure of funds for leasing space. No action was taken. There is no effort to reduce spending quickly. Studies are done and information is analyzed, but the costs continue to rise. He wanted the City to be more expedient in their endeavors.

In preparing for this evening, Commissioner Moore had requested that the Latimer report (November, 2001) be available to the Commission. It stated that there were too many assistant managers. It recommended management growth be curtailed and departments be redesigned to curtail costs, as well as to deliver services with greater supervisory ability from a lower paid person. In this budget, it appears that the management budget is increasing drastically. He did not approve of it. He requested the City Manager to lower such costs.

Commissioner Moore referred to the July 29, 2003 minutes. There was a decision for take-home police cars which he believed has gotten out of hand. The idea of take-home cars was more visibility in the community. He questioned the visibility if the officer lived outside of Fort Lauderdale. He asked that the City look at a methodology to reduce such costs. He explained the recommendation made by staff at the time, and noted it was done by the City of Miami, but it was never implemented. At that time the recommendation would have a \$150,000 impact on the City.

Commissioner Moore referred to the Latimer report recommendation to create a position of deputy manager and eliminate the position of assistant manager. This budget process is increasing management at a level that they felt was inappropriate three years ago.

Commissioner Moore indicated there are certain things the City cannot control; for example, gasoline, FPL. The Southern Bell bill, which is on this evening's agenda, can be greatly negotiated. He felt some of that expense is out of line.

Commissioner Moore felt the Police Department should increase its technology. He criticized the freedom over cell telephone usage. He asked if that cost could be curtailed in some way.

Commissioner Moore supported the City Manager in many areas of the proposed budget. Citizens are concerned about the reduction of police officers, the lack of code enforcement, and wanted more open green space and parks. He supported the proposed employees. Instead of removing employees, he preferred to find a way to save. He wanted to consider officers with take-home cars who live outside of a defined area to contribute. He wanted to consider cell phone cost and a way to negotiate a better fee with Southern Bell. He suggested waiting for some of the positions proposed in the Manager's budget.

In response to Commissioner Moore, Ms. Love said for a \$1 million budget reduction, the millage rate would go from 4.9566 to 4.91.

Commissioner Moore discussed the City Manager's leadership in making recommendations concerning a proper reserve. He believed the budget could be reduced by \$1.5 million based on his recommendations without impacting services such as code enforcement and policing. He asked the Manager to review outside leasing of properties and moving employees into present buildings.

Vice Mayor Hutchinson referred to the July 29, 2003 Commission meeting. It was a bad budget. They have come a long way in a short period of time. She does not disagree that possibly some "lean fat" could be trimmed by the City Manager in the proposed budget. She wanted to allow him the ability to do the trimming. She believed that the third Assistant City Manager has brought accountability to the Police and Fire Department and to the Emergency Management Department. She was not willing to give it up in a City that values such services, especially since they could experience a hurricane.

Commissioner Rodstrom said in speaking about quality of life, it is also money left in one's pocket after the tax season. Because of increases in gas prices, taxes, housing, utilities, and food, this is the year that spending needs to be cut. Relief needs to be offered. She noted that overtime has a direct correlation to the pension. She felt overtime should be examined. The new budget proposes the hiring of 44 new individuals, employees are being given salary increases, and more consulting work is being contracted.

Commissioner Moore left the meeting at approximately 8:12 p.m.

Commissioner Rodstrom asked for the City Manager to bring back a budget she would be more comfortable in approving. She is not in support of the proposed budget.

Commissioner Teel thanked everyone for attending tonight. It is gratifying to see that people have read their trim notices. It is frustrating when people look at the bottom line, but do not know about all of the different entities and those meetings. The City has the same costs as a household but on a larger scale, and they do not have control over some things.

Commissioner Moore returned to the meeting at approximately 8:14 p.m.

Commissioner Teel said they can send their legislative wishes to Tallahassee. The City has no control over the Save Our Homes Amendment in the State Constitution. It has created a disparity between the people who purchased a modest rental property, but

now cannot break even. It has created havoc. People were not complaining so much about homestead property as their investment or commercial properties. The City does not have the ability or power to do anything about this issue. It will take massive restructuring of the tax system which will not occur in the near future.

Commissioner Teel noted that most states have state income taxes. The 6% sales tax is low in comparison with other areas. She relayed how New Jersey handles property taxes for individuals 65 years of age, and that there is never enough money to pay for the refunds that that group of people are eligible to receive. No one has received a full refund.

Vice Mayor Hutchinson left the meeting at approximately 8:18 p.m. and returned to the meeting at approximately 8:19 p.m.

Commissioner Teel believed the City Manager needs to review the budget and see where cuts could be made. She felt the Commission should review their City Commission budget because some items could be trimmed. The Commission should lead by example.

Commissioner Teel referred to the Orioles presentation this afternoon. Originally the City's contribution involved giving them the land, but now they want a cash contribution in addition to providing the land. She was not in favor of it because they need to review the benefit versus cost. Many non-profits and entities ask for funds from the City. There may be a time when the City will have to say no. The Galt Ocean Mile assessed themselves about \$1,800 per unit for a beautification program. The City was to be responsible for maintenance. Hurricane Wilma destroyed most of the improvements. The City is now faced with restoration. She mentioned the requests for parks and the cost of property. Until the structures are put in place to provide the relief that people are looking for, it is just treading water each year. She has a problem with hiring new employees under the current pension program because it is taking the City down the road of unsustainability. Changing pension plans will change how the City can recruit. All these things have to be put in place before changes occur. They all take time and effort.

Commissioner Teel believed the City Manager can reduce the budget more than \$1.5 million. She mentioned the Neighborhood Capital Improvement Program. Homeowners receive matching funds, but it costs money. Trash could be picked up once a week instead of twice a week, but no one wants to do that. She wanted to get enough value out of the cuts. She believes that a leaner budget would be presented at the next meeting. She reiterated that the Commission should address their own budget.

Mayor Naugle said it is not the City's job to fund every request and only what is needed and affordable. He wanted to see the City Manager return with a spending plan for the next hearing. He wanted to see services maintained, some new spending eliminated, including the City Commission budget. He believed there could be a reduction of around \$4 million without going into reserves. In response to Mayor Naugle, the City Manager indicated he felt such reductions could be made.

Commissioner Moore agreed it is best for the City Manager to review the budget and see where he might be able to make cuts. He was concerned about the increase in management, the take-home car and cell phone policies, and leasing of space.

In response to Commissioner Moore, Ms. Love indicated a \$1.5 million reduction would be 4.9010. Commissioner Moore noted that more could be cut by the Manager, but this would be a starting point. Mayor Naugle did not feel he could support that recommendation; he preferred a greater reduction.

The City Manager said the question was asked whether they could handle a \$4 million reduction. This would be on the high end, but they will do everything possible in order to achieve that recommendation. The danger in picking a number now without seeing what is involved would put everyone in a bad position. The safer way would be to either have a discussion this evening as to what it would involve, or wait until the next meeting so everyone would be able to understand the implications of a \$1.5 million reduction. Some of Commissioner Moore's recommendations are long-term issues that cannot be addressed this evening. Take-home cars are negotiated items through collective bargaining. Outside leasing is another long-term issue. With respect to the Latimer report and the Manager's budget, aside from the two positions discussed with the Commission mid-last year, relating to the Assistant City Manager for Public Safety and an Emergency Manager, were a priority that the Commission believed important in order to address crime and emergency management issues. Some of the other positions in the budget are merely transfers in the Grants operation. It made more sense to centralize the operation. All departments could work collectively to seek outside funding sources. The dollar amount would not change whether they are left in a department or brought under the City Manager's Office. It is not a matter of increasing positions in the Manager's budget.

Commissioner Rodstrom felt they are moving in the right direction. She asked if the Commission would entertain a workshop environment. Mayor Naugle said that they could have a workshop, but decisions have to be made at advertised public hearings. Tonight, they have to take some form of action. They cannot increase whatever amount is acted upon tonight, but it could be decreased.

Ms. Love said that the City Auditor was not onboard at the time the budget was prepared. He is requesting three additional positions, increasing his budget by \$73,000.

Vice Mayor Hutchinson said that the Commission had workshop opportunities when the goal setting workshop and conference item were held on the budget. She was not comfortable with \$1.5 million this evening. She wanted to provide the City Manager the opportunity to return on September 19th with a budget that the City can live with, not just the Commissioners, but the City as a whole, including staff. She was not comfortable dictating a number this evening because she does not know what that number should be.

Vice Mayor Hutchinson said the millage rate set tonight could be lowered on the 19th. The City Attorney confirmed that as correct. The budget adopted this evening is tentative, but it restricts the Commission in that they cannot go over that amount at the next meeting.

Motion made by Vice Mayor Hutchinson and seconded by Commissioner Teel to adopt the proposed millage rate this evening with the understanding that the City Manager has two weeks to return before the Commission with a budget that the Commission and he can both live with.

Commissioner Teel said one of the important parts of this process is to realize that good recommendations have been made; some are long-term. They need to start thinking further out than year to year. She agreed with Commissioner Moore's suggestions, but they will not provide immediate relief. The City Manager heard the Commission's sentiments; he needs the flexibility in order to provide a revised budget.

Mayor Naugle said the proposed millage rate for all general City purposes exclusive of debt would be 4.9566 which represents a 14% increase in the millage rate over the rollback rate of 4.3489 mills which by State Statute is characterized as a 14% increase in property taxes. The proposed millage rate for debt service for the combined 1987, 1992, 1998 general obligation refunding bond is .1295 which represents an 8.4% decrease in the millage rate over the rollback rate of .1421. The proposed millage rate for debt service for the 1997-2002 general obligation bonds is .1025 which represents a .85% increase in the millage rate over the rollback rate of .1016. The proposed millage rate for the debt service for the 2005 general obligation bond is .0440 which represents a 3.68% decrease in the millage rate over the rollback rate of .0457.

Vice Mayor Hutchinson introduced the following resolution:

RESOLUTION NO. 06-135

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ADOPTING THE TENTATIVE MILLAGE RATE PROPOSED TO BE LEVIED BY THE CITY OF FORT LAUDERDALE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2006 AND ENDING SEPTEMBER 30, 2007

Which resolution was read by title only. Roll call showed: YEAS: Vice Mayor Hutchinson and Commissioner Teel. NAYS: Commissioners Moore and Rodstrom, and Mayor Naugle.

Motion made by Commissioner Moore to offer the millage rate at 4.9010 which is a reduction of \$1.5 million with the suggestion that there be additional reductions presented in the proposed budget.

Mayor Naugle said the proposed millage rate for all general City purposes, exclusive of debt service, will be 4.9010 which represents a 12.73% increase in the millage rate over the rollback rate of 4.3489 mills which by State Statute is characterized as a 12.73% increase in property taxes. The proposed millage rates for debt services will be the same as previously read.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 06-135

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ADOPTING THE TENTATIVE MILLAGE RATE PROPOSED TO BE LEVIED BY THE CITY OF FORT

LAUDERDALE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2006 AND ENDING SEPTEMBER 30, 2007

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

Vice Mayor Hutchinson introduced the following resolution:

RESOLUTION NO. 06-136

A RESOLUTION ADOPTING THE TENTATIVE BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2006, AND ENDING SEPTEMBER 30, 2007.

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

Commissioner Moore introduced the budget ordinance on first reading:

ORDINANCE NO. C-06-26

AN ORDINANCE ADOPTING THE FINAL BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2006, AND ENDING SEPTEMBER 30, 2007.

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

Mayor Naugle said the public hearing to finally adopt the millage rates and the budget will be held at 6:00 p.m. on September 19, 2006 in the City Commission Meeting Room at City Hall, 100 North Andrews Avenue.

Sunrise Key Neighborhood Improvement District Tentative Millage Rate and Budget – Fiscal Year 2006-2007

(PH-2)

Public hearing to consider adopting tentative millage rate and budget for Sunrise Key Neighborhood Improvement District for Fiscal Year 2006-2007.

Mayor Naugle said that the Director of the Office of Management and Budget will now present the millage rate previously certified to the Property Appraiser on which the proposed taxes are based and appear on the notices received by owners of property in the Sunrise Key Neighborhood Improvement District and the reasons for any increase in the proposed millage rate.

Commissioner Moore left the meeting at approximately 8:49 p.m.

The City Attorney left the meeting at approximately 8:49 p.m.

Allyson Love, Director of Management and Budget, said this district provides security to the neighborhood. The District voted to increase their millage to 1.500 mills to generate revenue to provide the following services: Insurance, \$12,000; accounting audit and administration, \$3,000; vehicle expense, \$4,200; repair and maintenance, \$9,000; security, \$35,000; landscaping and pest control, \$5,000; contingencies, \$6,000; security camera, \$23,800. The total budget comes to \$98,000.

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

Mayor Naugle said the proposed millage rate for all Sunrise Key Neighborhood Improvement District purposes will be 1.5000 mills which represents an increase of 63.20% over the rollback rate of .9191 mills, which by State Statute is characterized as a 63.20% increase in property taxes.

Commissioner Moore returned to the meeting at approximately 8:51 p.m.

Vice Mayor Hutchinson introduced the resolution adopting tentative millage:

RESOLUTION NO. 06-137

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ADOPTING THE TENTATIVE MILLAGE RATE PROPOSED TO BE LEVIED BY THE CITY OF FORT LAUDERDALE FOR THE SUNRISE KEY NEIGHBORHOOD IMPROVEMENT DISTRICT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2006 AND ENDING SEPTEMBER 30, 2007.

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

Commissioner Moore introduced the resolution adopting the tentative budget:

RESOLUTION NO. 06-138

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ADOPTING THE TENTATIVE BUDGET FOR THE SUNRISE KEY NEIGHBORHOOD IMPROVEMENT DISTRICT FOR FISCAL YEAR BEGINNING OCTOBER 1, 2006 AND ENDING SEPTEMBER 30, 2007.

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

Lauderdale Isles Water Management District Property Assessment Rate and Budget – Fiscal Year 2006-2007

(PH-3)

Public hearing approving the Lauderdale Isles Water Management District's property assessment rate and budget for Fiscal Year 2006-2007.

Mayor Naugle said this is a public hearing to be held on the Lauderdale Isles Water Management District tax assessment and budget. The purpose of the hearing is to receive requests and comments regarding the Lauderdale Isles Water Management District tax assessment and budget.

The City Attorney returned to the meeting at approximately 8:52 p.m.

Allyson Love, Director of Management and Budget, said the District adopted their fiscal year 2007 budget at their May 10, 2006 meeting. The assessment remains the same at \$15.00 per property with 549 parcels for a total budget of \$8,235.

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

Mayor Naugle said the proposed Lauderdale Isles Water Management tax assessment rate would be \$15.00 annually for each property within the district.

Commissioner Moore introduced the resolution:

RESOLUTION NO. 06-139

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, LEVYING A PROPERTY TAX ASSESSMENT FOR FISCAL YEAR 2006/2007 ON BEHALF OF THE LAUDERDALE ISLES WATER MANAGEMENT DISTRICT AND APPROVING THE BUDGET FOR THE DISTRICT.

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

Fire-Rescue Special Assessment – Fiscal Year 2006-2007

(PH-4)

Public hearing to consider a resolution relating to provision of fire rescue services, facilities and program in the City reimposing fire rescue assessments against assessed property located within the City for fiscal year beginning October 1, 2006 and ending September 30, 2007; approving rate of assessment and assessment roll.

Mayor Naugle said this is a public hearing to be held on the fire-rescue special assessment. The purpose of this hearing is to receive requests and comments regarding the City's fire-rescue special assessment.

Allyson Love, Director of Management and Budget, said the proposed fire-rescue special assessment is \$94 per single-family residential unit and will generate 37% of the eligible fire-rescue costs.

Motion made by Commissioner Moore and seconded by Vice Mayor Hutchinson that the public hearing be closed. Roll call showed: YEAS: Commissioner Moore, Vice Mayor Hutchinson, Commissioners Teel and Rodstrom, and Mayor Naugle. NAYS: None.

Mayor Naugle said that the proposed fire-rescue special assessment rate will be \$94 annually for each residential property and the proposed fire-rescue special assessment rate for non-residential properties shall be as shown on the detailed rate schedule provided in the resolution approving the fire-rescue special assessment.

Vice Mayor Hutchinson introduced the following resolution:

RESOLUTION NO. 06-140

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVIES, FACILITIES AND PROGRAMS IN THE CITY; ESTABLISHING THE RATE OF ASSESSMENT; REIMPOSING FIRE RESCUE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED IN THE CITY OF FORT LAUDERDALE, FLORIDA; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

Which resolution was read by title only. Roll call showed: YEAS: Vice Mayor Hutchinson, Commissioners Teel and Rodstrom, and Mayor Naugle. NAYS: Commissioner Moore.

Consent Agenda (CA)

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

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

Grant Application – City Hall Wind Retrofit Project - \$1,512,715 – FEMA Hazard Mitigation Grant Program (M-1)

A motion authorizing submittal of grant application in the amount of \$1,512,715, with cash match of \$226,907 from Public Works Capital Improvement Projects Budget – City Hall Wind Retrofit Project – 2006-2007 FEMA Hazard Mitigation Grant Program.

Recommend: Motion to approve.

Grant Application – City Hall Switch Gear Project -\$1,760,150 – FEMA Hazard Mitigation Grant Program

(M-2)

A motion authorizing submittal of grant application in the amount of \$1,760,150, with cash match of \$264,023 from Public Works Capital Improvement Projects Budget – City Hall Switch Gear Project – 2006-2007 FEMA Hazard Mitigation Grant Program.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-1212

Student Station Fees – South Regional Activity Center – Tri-Party Agreement – Broward County and School Board

(M-3)

A motion authorizing proper City Officials to execute a Tri-Party Agreement with Broward County and the School Board of Broward County – Student Station Fees for 475 additional South Regional Activity Center dwelling units added to area by Local Comprehensive Plan Amendment.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-1154

Grant Acceptance - \$77,000 - Florida Law Enforcement Violent Crime and Drug Control Council

(M-4)

A motion authorizing acceptance of grant in the amount of \$77,000 from the Florida Department of Law Enforcement Violent Crime and Drug Control Council.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-1181

Grant Acceptance – Enhanced Marine Law Enforcement - \$130,832 – Broward County

(M-5)

A motion authorizing acceptance of a grant in the amount of \$130,832 from Broward County – 2006-2007 Enhanced Marine Law Enforcement Grant.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-1170

Grant Application – Police Headquarters Wind Retrofit Project - \$1,282,348 – FEMA Hazard Mitigation Grant Program

(M-6)

A motion authorizing submittal of grant application in the amount of \$1,282,348, - Police Headquarters Wind Retrofit Project - 2006-2007 FEMA Hazard Mitigation Grant Program.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-1213

The Starting Place – Referral Outreach Program Transfer of Funds - \$10,000

(M-7)

A motion authorizing transfer of \$10,000 for The Starting Place – Referral Outreach Program.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-1192

Disbursement of Funds/Joint Investigation/O.R. No. 05-53418 <u>Law Enforcement Trust Fund</u>

(M-8)

A motion authorizing the equitable disbursement of funds in the amount of \$2,306.88 with each of the thirteen participating law enforcement agencies to receive \$177.45.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-1118

Disbursement of Funds/Joint Investigation/O.R. No. 05-162224 (M-9) Law Enforcement Trust Fund

A motion authorizing the equitable disbursement of funds in the amount of \$17,539.86 with each of the thirteen participating law enforcement agencies to receive \$1,349.22.

Recommend: Motion to approve.

Disbursement of Funds/Joint Investigation/O.R. No. 05-127239 Law Enforcement Trust Fund

(M-10)

A motion authorizing the equitable disbursement of funds in the amount of \$6,339.86 with each of the thirteen participating law enforcement agencies to receive \$528.32.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-1120

Disbursement of Funds/Joint Investigation/O.R. No. 02-156772 Law Enforcement Trust Fund

(M-11)

A motion authorizing the equitable disbursement of funds in the amount of \$12,252.34 with each of the twelve participating law enforcement agencies to receive \$1,021.02.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-1121

Contract Award – General Asphalt Co., Inc. - \$2,180,311 Executive Airport Runway 13-31 – Pavement Rehabilitation

(M-12)

A motion authorizing the proper City Officials to award and execute contract with General Asphalt Co., Inc., in the amount of \$2,180,311 – Executive Airport Runway 13-31 – Pavement Rehabilitation and Construction of Blast Pads – Project P10632.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-1053

<u>Settlement Agreement – ARZ Builders, Inc. - \$85,300</u>

(M-13)

A motion authorizing the proper City Officials to execute a settlement agreement in the amount of \$85,300, relating to ARZ Builders, Inc. v. City of Fort Lauderdale – Broward Case No. 04-13461(05) – Raw Water Main on Peters Road and SW 45 Avenue – Project 10032.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-1201

Contract Award – Environmental & Analytical Management, Inc. -\$62,710 – 2006-2007 Annual Mobile Laboratory Services

A motion authorizing the proper City Officials to award and execute 2006-2007 contract with Environmental & Analytical Management, Inc., in the amount of \$62,710 – Mobile Laboratory Services – Project 10629-C.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-1156

Change Order 1 – Foster Marine Contractors, Inc. - \$244,838.62 – Sanitary Sewers – Lauderdale Manors Phase III – Basin C

(M-15)

(M-14)

A motion authorizing Change Order 1 with Foster Marine Contractors, Inc. in the amount of \$244,838.62, for increases in unit prices for asphalt items and limerock – Sanitary Sewers – Lauderdale Manors Phase III – Basin C – Project 10517C.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-1144

Change Order 1 – Foster Marine Contractors, Inc. - \$224,123.18 (M-16) <u>Lauderdale West & Sunset Areas – Sewer 3 Basin B</u>

A motion authorizing Change Order 1 with Foster Marine Contractors, Inc. in the amount of \$224,123.18, for increases in unit price of asphalt items and limerock – Lauderdale West and Sunset Areas – Sewer Area 3 Basin B – Porject 10506B.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-1143

Change Order 1 – Danella Companies, Inc. - \$104,114.70 Sanitary Sewer & Water Main Improvements – Sailboat Bend Basin B

(M-17)

A motion authorizing Change Order 1 with Danella Companies, Inc. in the amount of \$104,114.70, for increases in unit price of asphalt items and limerock – Sanitary Sewer and Water Main Improvements – Sailboat Bend Basin B – Project 10542B.

Recommend: Motion to approve.

Change Order 1 – Danella Companies, Inc. - \$93,223.55 Sanitary Sewer & Water Main Improvements – Sewer Areas 12 & 17

(M-18)

A motion authorizing Change Order 1 with Danella Companies, Inc. in the amount of \$93,223.55, for increases in unit price of asphalt items and limerock – Sanitary Sewer and Water Main Improvements – Sewer Areas 12 & 17 – Project 10678.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-1140

Change Order 2 – Danella Companies, Inc. - \$578,250 River Run, Flamingo Park, Oak River – Area 4 Basin D

(M-19)

A motion authorizing Change Order 2 with Danella Companies, Inc. in the amount of \$578,250, for quality increases – Sanitary Sewer and Water Main Improvements – Area 4 Basin D – Project 10507D.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-1159

Change Order 1 – Intercounty Engineering, Inc. - \$11,971.28 <u>Group II – Pump Station Rehabilitation & Add 5 Days</u>

(M-20)

A motion authorizing Change Order 1 with Intercounty Engineering Inc. in the amount of \$11,971.28 – additional work, credit adjustments and the addition of 5 non-compensable calendar days – Group II – Pump Station Rehabilitation – Pump Station Nos. A-9, B-6, B-5 and B-13 – Project 10545.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-1117

Change Order 1 – Man-Con, Incorporated - \$91,470.78 Dixie Wellfield Improvements & Add 61 Days

(M-21)

A motion authorizing Change Order 1 with Man-Con, Incorporated in the amount of \$91,470.78 – additional work and the addition of 61 non-compensable calendar days – Dixie Wellfield Improvements – Project 10824.

Recommend: Motion to approve.

Change Order 1 – Conquest Engineering Group Company - \$49,220.29 – Sunrise Key & Sunrise Intracoastal & Add 85 Days

(M-22)

A motion authorizing Change Order 1 with Conquest Engineering Group Company in the amount of \$49,220.29 for quality increases, additional material and the addition of 85 non-compensable calendar days — Sunrise Key & Sunrise Intracoastal Infrastructure Improvements — Project 10698.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-1136

Change Order 4 – The Poole and Kent Company - \$205,596.71 Peele-Dixie Membrane Plant Bid Package B & Add 113 Days

(M-23)

A motion authorizing Change Order 4 with The Poole and Kent Company in the amount of \$205,596.71, for additional work and the addition of 113 non-compensable calendar days – Peele-Dixie Membrane Plant Bid Package B – Project 10454B.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0783

Change Order 1 – Poole and Kent Company of Florida - \$578,158 – Fiveash Water Treatment Plant Filter Rehabilitation

(M-24)

A motion authorizing Change Order 1 with Poole and Kent Company of Florida in the amount of \$578,158, for filter underdrain improvements and media replacement – Fiveash Water Treatment Plant Filter Rehabilitation – Project 10387A.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-0956

Task Order 24 – CMTS Florida, LLC - \$291,757.65 Utility Construction Inspection Services – Shady Banks Basin A

(M-25)

A motion authorizing the proper City Officials to execute Task Order 24 with CMTS Florida, LLC, in the amount of \$291,757.65 – utility construction inspection services – Shady Banks Basin A – Project 10543A.

Recommend: Motion to approve.

Task Order 18 – CMTS Florida, LLC - \$291,757.65 Utility Construction Inspection Services – Sewer Area 4 Basin E

(M-26)

A motion authorizing the proper City Officials to execute Task Order 18 with CMTS Florida, LLC, in the amount of \$291,757.65 – utility construction inspection services – Sewer Area 4 Basin E – Project 10507E.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-1124

Transfer of Funds – Public Works Maintenance Operational Budget – Emergency Generators - \$385,000 & City Hall Security Improvements - \$75,000

(M-27)

A motion authorizing the proper City Officials to transfer funds from Public Works Maintenance Operational Budget for Portable Emergency Generators (\$385,000) and City Hall Security Improvements (\$75,000).

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-1208

Dorsey Riverbend Neighborhood Enhancements Engineering and Architectural Services – McMahon & Associates, Inc.

(M-28)

A motion accepting the Consultants' Competitive Negotiation Act Selection Committee's recommendation of ranking firms for engineering and architectural services for Dorsey Riverbend Neighborhood Enhancement Project and authorizing proper City Officials to commence negotiations with top ranked firm, McMahon & Associates, Inc.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-1138

Task Order 21 – Kimley-Horn and Associates, Inc. - \$156,311 – Executive Airport Runway 13-31 – Construction Support Services

(M-29)

A motion authorizing the proper City Officials to execute Task Order 21 with Kimley-Horn and Associates, Inc., in the amount of \$156,311 – construction support services related to Executive Airport Runway 13-31 Pavement Rehabilitation and Construct Blast Pads – Project 10632.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-1049

Task Order – R.J. Heisenbottle Architects, P.A. Southside School – Additional Design Services

(M-30)

A motion authorizing the proper City Officials to execute a task order with R. J. Heisenbottle Architects, P.A., in the amount of \$42,985 – for additional design services – Southside School – Project 10777.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-1197

Public Safety Radio Communication Resources Interlocal Agreements – Palm Beach County & City of Miami

(M-31)

A motion authorizing the proper City Officials to execute Interlocal Agreements with Palm Beach County and City of Miami for Radio Communication Resources.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-1161

First Amendment To Parking Lot Agreement - First <u>Presbyterian Church - 401 SE 15 Avenue</u>

(M-32)

A motion authorizing the proper City Officials to execute First Amendment to Agreement with First Presbyterian Church of Fort Lauderdale, effective October 1, 2006, relating to revenue from their metered parking lot at 401 SE 15 Avenue.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-1078

Naming Park – Esterre Davis Wright Park - 1700 SW 24 Street

(CR-01)

A resolution naming newly acquired park land at 1700 SW 24 Street adjacent to the Georgian Oaks Planned Unit Development in honor of Esterre Davis Wright.

Recommend: Adopt resolution.

Grant Acceptance – Boundless Playgrounds, Inc. - \$100,000 Boundless Playground at Florence C. Hardy Park

(CR-02)

A resolution authorizing the proper City Officials to execute agreement with Boundless Playgrounds, Inc. to accept grant funding in the amount of \$85,000 and technical services valued at \$15,000, to assist in building a boundless playground at Florence C. Hardy Park.

Recommend: Adopt resolution.

Exhibit: Commission Agenda Report 06-1195

Sunrise Boulevard & I-95 Interchange Landscaping Joint Participation Agreement – Florida Department of Transportation

(CR-03)

A resolution authorizing the proper City Officials to execute a Joint Participation Agreement with Florida Department of Transportation to accept \$20,000 for landscaping at I-95 and Sunrise Boulevard with a City match of \$20,000.

Recommend: Motion to approve.

Exhibit: Commission Agenda Report 06-1216

PURCHASING AGENDA

562-9377 - Janitorial Services

(PUR-01)

A one-year contract to provide janitorial services is being presented for approval by the Parks and Recreation Department.

Recommend: Motion to approve.

Vendor: Bright Maintenance, Inc.

Boca Raton, FL

Amount: \$107,000.00 (estimated)

Bids Solicited/Rec'd: 331/11

Exhibit: Commission Agenda Report 06-1155

The Procurement Services Department has reviewed this item and recommends awarding to the low responsive and responsible bidder.

<u>562-9553 – Soccer Uniforms</u>

(PUR-02)

One-yar contract for purchase of soccer uniforms is being presented for approval by the Parks and Recreation Department.

Recommend: Motion to approve.

Vendor: Sport Sphere, Inc.

Jupiter, FL

Amount: \$28,484.00 (estimated)

Bids Solicited/Rec'd: 442/6

Exhibit: Commission Agenda Report 06-1169

The Procurement Services Department has reviewed this item and recommends awarding to the low responsive and responsible bidder.

562-9509 – Scoreboards, Baseball and Football

(PUR-03)

Approval to purchase scoreboards, both baseball and football is being presented for approval by the Parks and Recreation Department.

Recommend: Motion to approve.

Vendor: Scoreboard Solutions, LLC

Lakeland, FL

Amount: \$38,884.00

Bids Solicited/Rec'd: 388/8

Exhibit: Commission Agenda Report 06-1146

The Procurement Services Department has reviewed this item and recommends awarding to the low responsive and responsible bidder.

562-9543 – Softball Officiating Services

(PUR-04)

A two-year contract for officiating services for softball leagues at Mills Pond Park is being presented for approval by the Parks and Recreation Department.

Recommend: Motion to approve.

Vendor: Mills Pond Umpires Association, Inc.

Fort Lauderdale, FL

Amount: \$108,500.00 (estimated annual total)

Bids Solicited/Rec'd: 245/1

The Procurement Services Department has reviewed this item and recommends awarding to the single responsive and responsible bidder.

562-9558 – Golf Course Re-Sod Project Osswald Park

(PUR-05)

Approval to re-sod Osswald Park golf course is being presented for approval by the Parks and Recreation Department.

Recommend: Motion to approve

Vendor: Detailed Sports Turf Construction, Inc.

Hobe Sound, FL

Amount: \$51,641.10

Bids Solicited/Rec'd: 374/1

Exhibit: Commission Agenda Report 06-1130

The Procurement Services Department has reviewed this item and recommends award to the single responsive and responsible bidder.

162-9560 – Medical Grade Oxygen and Introus Oxide

(PUR-06)

A one-year contract for purchase of medical grade oxygen and nitrous oxide is being presented for approval by the Fire Rescue Department.

Recommend: Motion to approve.

Vendor: Sun Coast Medical Services of Fort Lauderdale, Inc.

Margate, FL

Amount: \$27,100.00 (estimated)

Bids Solicited/Rec'd: 269/1

Exhibit: Commission Agenda Report 06-1177

The Procurement Services Department has reviewed this item and recommends awarding to the single responsive and responsible bidder.

<u>162-9503 – EMS Ambulance Billing Services</u>

(PUR-07)

Three-year contract for EMS Ambulance Billing Services is being presented for approval by the Fire Rescue Department.

Recommend: Motion to approve.

Vendor: Advanced Data Processing, Inc.

Miami. FL

Amount: \$230,182.50 (estimated annual total)

Bids Solicited/Rec'd: 360/10

The Procurement Services Department has reviewed this item and recommends awarding to the first ranked proposer.

382-7894/392-8190 – Telephone System Maintenance Contract Assignments

(PUR-08)

Assignment of contracts for telephone system maintenance is being presented for approval by the Information Technology Services Department.

Recommend: Motion to approve.

Vendor: Black Box Network Services, Inc. – Government Solutions

Murfreesboro, TN

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 06-1158

The Procurement Services Department recommends approving the contract assignment.

512-8493 – Help Desk Software Contract Assignment

(PUR-09)

Assignment of contract for Help Desk Software Support is being presented for approval by the Information Technology Services Department.

Recommend: Motion to approve.

Vendor: SumTotal Systems, Inc.

Mountain View, CA

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 06-1160

The Procurement Services Department recommends approving the contract assignment.

Proprietary – Veritas Software Annual Support Renewal Storage Management Software

(PUR-10)

Approval to purchase renewal of annual software support for Veritas is being presented for approval by the Information Technology Services Department.

Recommend: Motion to approve.

Vendor: Veritas Software Global LLC

Mountain View, CA

Amount: \$15,937.00 (not to exceed)

Bids Solicited/Rec'd: N/A

The Procurement Services Department has reviewed this item and recommends awarding the proprietary purchase.

<u>442-9066 – Contract Extension For Press Belts (Screens)</u>

(PUR-11)

One-year contract extension for purchase of press belts (screens) is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Komline-Sanderson Engineering Corp.

Peapack, NJ

Amount: \$48,000.00 (estimated)

Bids Solicited/Rec'd: 43/5

Exhibit: Commission Agenda Report 06-1131

The Procurement Services Department has reviewed this item and agrees with the oneyear contract.

2006 Municipal Election Services

(PUR-12)

Approval to purchase election services from the Broward County Supervisor of Elections for the February 14 and March 14, 2006 Municipal Elections is being presented for approval by the City Clerk.

Recommend: Motion to approve.

Vendor: Supervisor of Elections/Broward County

Fort Lauderdale, FL

Amount: \$600,000.00 (estimated)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 06-1167

Approve purchases from Supervisor of Elections for the 2/14/06 and 3/14/06 elections.

State - High-Speed Wireless Data Services

(PUR-13)

Approval to purchase high-speed wireless data services is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Verizon Wireless Personal Communications, LP

Bedminster, NJ

Amount: \$12,000.00 (estimated)

Bids Solicited/Rec'd: N/A

The Procurement Services Department has reviewed this item and recommends awarding from the State of Florida contract.

462-9264 – Janitorial Services City-Wide

(PUR-14)

Approval of a one-year contract for janitorial services city-wide is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: OneSource Facility Services, Inc.

Atlanta, GA

Amount: \$175,642.00 (estimated)

Bids Solicited/Rec'd: 99/13

Exhibit: Commission Agenda Report 06-1168

The Procurement Services Department has reviewed this item and recommends awarding to the first ranked proposer.

Proprietary – Scoreboard Parts

(PUR-15)

Approval to purchase scoreboard parts is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Eversan, Inc.

Whitesboro, NY

Amount: \$12,423.50 (estimated)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 06-1171

The Procurement Services Department has reviewed this item and recommends awarding the proprietary purchase.

262-9506 – Stormwater Pollution Control Device

(PUR-16)

Approval to purchase a stormwater pollution control device is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: CDS Technologies, Inc.

Winter Park, FL

Amount: \$60,000.00

Bids Solicited/Rec'd: 43/2

The Procurement Services Department has reviewed this item and recommends awarding to the low responsive and responsible bidder.

Proprietary – Van Conversions – Storm Drain & Sanitary Sewer Video Inspection System

(PUR-17)

Approval to purchase van conversions for storm drain and sanitary sewer video inspection system is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Pearpoint, Inc.

Thousand Palms, CA

Amount: \$129,417.70 (estimated)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 06-1178

The Procurement Services Department has reviewed this item and recommends awarding the proprietary purchase.

Proprietary – Kronos Automated Time Accounting System & Maintenance

(PUR-18)

Approval to purchase proprietary software and time clocks for Kronos Automated Time Accounting System and the retroactive approval of annual maintenance is being presented by the Public Works Department.

Recommend: Motion to approve.

Vendor: Kronos Systems Incorporated

Chelmsford, MA

Amount: \$33,717.21 (estimated)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 06-1185

The Procurement Services Department has reviewed this item and recommends approving the proprietary purchase.

<u>462-9552 – Cancellation & Award of Emergency Catering Contract</u> (PUR-19)

Approval to cancel previously approved contract and award annual contract for emergency catering services is being presented for approval by the Public Works Department.

Recommend: Motion to approve.

Vendor: Jerk Machine, Inc.

Fort Lauderdale, FL

Amount: Per Unit Prices

Bids Solicited/Rec'd: 94/5

Exhibit: Commission Agenda Report 06-1187

The Procurement Services Department has reviewed this item and recommends cancellation and re-award.

562-9437 – Planning Services – Zoning Regulations and Rezonings For The Riverland Road and Melrose Park Areas

(PUR-20)

Approval to purchase planning services for development of zoning regulations for Greater Riverland Road and Melrose Park annexed areas is being presented for approval by the Planning and Zoning Department.

Recommend: Motion to approve.

Vendor: Dickey Consulting Services, Inc. (M/WBE)

Fort Lauderdale, FL

Amount: \$74,244.38 Bids Solicited/Rec'd: 452/3

Exhibit: Commission Agenda Report 06-1134

The Procurement Services Department has reviewed this item and recommends awarding to the first ranked proposer.

762-9517 – Downtown New River Master Plan

(PUR-21)

Purchase of planning services for development of the Downtown New River Master Plan is being presented for approval by the Planning and Zoning Department.

Recommend: Motion to approve.

Vendor: Beyer Blinder Belle, Architects and Planners, LLP

New York, NY

Amount: \$239,865.66

Bids Solicited/Rec'd: 213/6

Exhibit: Commission Agenda Report 06-1165

The Procurement Services Department has reviewed this item and recommends awarding to the first ranked propser.

Purchase of 20 Police Radios

(PUR-22)

Approval to purchase replacement radios is being presented for approval by the Police Department.

Recommend: Motion to approve.

Vendor: Motorola, Inc.

Schaumburg, IL

Amount: \$51,001.40

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 06-1188

The Procurement Services Department has reviewed this item and recommends awarding the additional radio purchases from the BSO Contract.

State - Cellular Service and Equipment

(PUR-23)

Approval to purchase cellular services and equipment is being presented for approval by the Police Department.

Recommend: Motion to approve.

Vendor: Verizon Wireless Personal Communications, LP

Benminister, NJ

Amount: \$23,000.00 (estimated)

Bids Solicited/Rec'd: N/A

Exhibit: Commission Agenda Report 06-1193

The Procurement Services Department reviewed this item and recommends awarding from the State of Florida contract.

352-9282 – Supplemental DNA Testing and Analysis Services

(PUR-24)

One-year contracts for supplemental DNA testing and analysis services is being presented for approval by the Police Department.

Recommend: Motion to approve.

Vendor: Serological Research Institute

Richmond, CA

Amount: Per unit prices

Bids Solicited/Rec'd: 271/3

Exhibit: Commission Agenda Report 06-1194

The Procurement Services Department has reviewed this item and recommends awarding to the low responsive and responsible bidder.

262-9544 – Garage Elevator Repairs and Modifications Arts and Science District Garage

(PUR-25)

Approval of repair and modification of two elevators inside the Arts and Science District Garage is being presented for approval by the Parking and Fleet Services Department.

Recommend: Motion to approve.

Vendor: Florida Coast Elevator, Inc.

Fort Lauderdale, FL

Amount: \$70,000.00

Bids Solicited/Rec'd: 82/1

Exhibit: Commission Agenda Report 06-1132

The Procurement Services Department has reviewed this item and recommends awarding to single responsive and responsible bidder.

262-9544 – Garage Elevator Repairs and Modifications Arts and Science District Garage

(PUR-25)

Mayor Naugle announced that this item was removed from tonight's agenda.

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

Motion made by Commissioner Moore and seconded by Vice Mayor Hutchinson that Consent Agenda Item Nos. M-15, M-16, M-17, M-18, M-19, M-20, M-21, M-22, M-23, M-24, M-25, Pur-1, Pur-14, Pur-20, Pur-21, and Pur-23 be deleted from the Consent Agenda and considered separately, and that all remaining Consent agenda items be approved as recommended.

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

Change Order 1 – Foster Marine Contractors, Inc. - \$244,838.62 (M-15)
Sanitary Sewers – Lauderdale Manors Phsae III – Basin C

Change Order 1 – Foster Marine Contractors, Inc. - \$244,123.18 (M-16)
<u>Lauderdale West & Sunset Areas – Sewer 3 Basin B</u>

Change Order 1 – Danella Companies, Inc. - \$104,114.70 (M-17)

<u>Sanitary Sewer & Water Main Improvements – Sailboat Bend Basin B</u>

Change Order 1 – Danella Companies, Inc \$93,223.55 Sanitary Sewer & Water Main Improvements – Sewer Areas 12 & 17	(M-18)
Change Order 2 - Danella Companies, Inc \$578,250 River Run, Flamingo Park, Oak River – Area 4 Basin D	(M-19)
Change Order 1 – Intercounty Engineering Inc \$11,971.28 <u>Group II – Pump Station Rehabilitation & Add 5 Days</u>	(M-20)
Change Order 1 – Man-Con, Incorporated - \$91,470.78 <u>Dixie Wellfield Improvements & Add 61 Days</u>	(M-21)
Change Order 1 – Conquest Engineering Group Company - \$49,220.29 – Sunrise Key & Sunrise Intracoastal & Add 85 Days	(M-22)
Change Order 4 – The Poole and Kent Company - \$205,596.71 Peele-Dixie Membrane Plant Bid Package B & Add 113 Days	(M-23)
Change Order 1 – Poole and Kent Company of Florida - \$578,158 <u>Fiveash Water Treatment Plant Filter Rehabilitation</u>	(M-24)
Task Order 24 – CMTS Florida, LLC - \$291,757.65 <u>Utility Construction Inspection Services – Shady Banks Basin A</u>	(M-25)

Vice Mayor Hutchinson left the meeting at approximately 8:57 p.m.

Commissioner Rodstrom said in July there was over \$2 million in change orders, and these items total \$2.764 million. She would like the City Auditor to attend the negotiation meetings and look into why all of these change orders are occurring.

Motion made by Commissioner Moore to approve Items M-15 through M-25 as presented.

Motion died for lack of a second.

Motion made by Commissioner Moore and seconded by Commissioner Teel to approve Item M-15 as presented. Roll call showed: YEAS: Commissioners Moore and Teel. NAYS: Commissioner Rodstrom and Mayor Naugle.

Mayor Naugle asked if the above-mentioned items could be delayed until the Commission's next meeting so the Auditor could have the opportunity to look at them. Albert Carbon, Director of Public Services, stated that there would be a significant scheduling impact .

Commissioner Moore did not believe that this is the appropriate use the Auditor. Practice has been that the back-up information provides the justification for change orders. If the majority of the Commission felt the material substantiated the change order, then it would be approved. Otherwise, it would not be approved. He felt the

Auditor should review findings as to how such things could take place or issues that may impact the budget. He was not negating Commissioner Rodstrom's request.

Motion made by Commissioner Moore and seconded by Commissioner Teel to approve Items M-15 through M-25.

Mayor Naugle said that he would support the motion because he did not want delays to occur on the projects. Some of the items are new and not cost overruns.

Vice Mayor Hutchinson returned to the meeting at approximately 9:01 p.m.

Commissioner Rodstrom did not want to delay any of the projects, but she wanted everyone to be aware that during the last three months there have been change orders totaling over \$4 million.

In response to Vice Mayor Hutchinson, Commissioner Rodstrom said that in July there were over \$2 million of change orders and \$2.7 million this month and she was requesting that the City Auditor review the situation. Vice Mayor Hutchinson felt that the City could not afford to delay these projects. The largest percentage of the work is in her district.

Mayor Naugle noted some a very large contracts and represent a 1% change. Mr. Carbon indicated the amount of contracts is in excess of \$50 million. Mayor Naugle noted that in construction projects, if there are no changes, one may not be doing it right or are overlooking things. He would be concerned if it was a large percentage.

In response to Commissioner Rodstrom, Mr. Carbon indicated that the City is within their contingency, and about 3% in change orders for the WaterWorks 2011 program. Six percent was estimated.

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

562-9377 – Janitorial Services

(PUR-1)

462-9264 - Janitorial Services City-Wide

(PUR-14)

In response to Commissioner Rodstrom, Kirk Buffington, Procurement Services, said there were two different types of solicitations involved. In Pur-1 it was a straight invitation to bid. The quality of service for restrooms was not as critical an issue as the quality of service for City Hall and some of the other public buildings. Through the invitation to bid, they were looking for a qualified bidder with lowest price. In the RFP solicitation process for Pur-14, other issues were considered such as the type of service to be provided. The other company could not provide those services within the same range through the qualification process.

Motion made by Commissioner Moore and seconded by Vice Mayor Hutchinson to approve Pur-1 as presented. Roll call showed: YEAS: Commissioner Moore, Vice Mayor Hutchinson, Commissioners Teel and Rodstrom, and Mayor Naugle. NAYS: None.

Motion made by Commissioner Moore and seconded by Vice Mayor Hutchinson to approve Pur-14 as presented. Roll call showed: YEAS: Commissioner Moore, Vice Mayor Hutchinson, Commissioners Teel and Rodstrom, and Mayor Naugle. NAYS: None.

562-9437 – Planning Services – Zoning Regulations and Rezonings for the Riverland Road and Melrose Park Areas

(PUR-20)

In response to Commissioner Rodstrom, Commissioner Moore indicated that any money not spent this year rolls over to the next year.

Commissioner Rodstrom questioned whether this is something that could be done inhouse. Marc LaFerrier, Director of Planning and Zoning, said this item needs to be consulted out due to the effort and time needed particularly for public participation. The City staff will be involved with the technical aspect. The properties were annexed 3-4 years ago. It was just land used last year. Staff would like to complete the rezoning, so these areas would have regulations that are consistent and customized to their neighborhoods.

Motion made by Vice Mayor Hutchinson and seconded by Commissioner Moore to approve this item as presented. Roll call showed: YEAS: Commissioner Moore, Vice Mayor Hutchinson, and Commissioner Teel. NAYS: Commissioner Rodstrom and Mayor Naugle.

762-9517 – Downtown New River Master Plan

(PUR-21)

Commissioner Rodstrom asked if this is a must have. She was looking for ways to roll over money and save it for the next budget.

Marc LaFerrier, Director of Planning and Zoning, said this is a priority planning study identified in the Downtown Master Plan. Potentially, the greatest development pressures might be along the river. The study does not just look at what land development could occur along the river and how it should be formed, but also how public improvements and public spaces could be better utilized and improved. This is in preparation of development that would occur and refinement of the Downtown Master Plan.

(PUR-20) Vice Mayor Hutchinson said this study is very vital for the annexed areas. Property owners are in limbo and cannot develop their properties because they do not adhere to the Zoning Code. Pur-21 is very vital because the area adjacent to the river is the last spot for development and guidelines must be in place. Both studies as well as the beach master plan are vital.

Motion made by Vice Mayor Hutchinson and seconded by Commissioner Moore to approve the item as presented.

Due to construction costs and the rise in property values, Commissioner Rodstrom believed there would be a slow down in the real estate market, and therefore, she was trying to offset something in the budget that might not have to be done this or next year.

Commissioner Teel said if the City does not have the correct guidelines in place, unwanted development will occur. If the market slows down, it will provide the necessary time to put such guidelines in place. If the City waits another year to do the study, the study cost will rise. She believed they need to move forward on these.

Mayor Naugle referred to the comment that such planning exercises need to be in place to prevent inappropriate development. In the past there have been plans in place, but the Planning staff and the Commission majority did not follow them. The Commission has to follow through with the plans and be willing to stand up to the developers. He mentioned the Capri development as an example. Mayor Naugle was not comfortable with this firm or the firm for the previous item.

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

State - Cellular Service and Equipment

(PUR-23)

Commissioner Rodstrom asked if the City uses the same cellular service throughout the departments. Kirk Buffington, Procurement Services, said that about 2-3 years ago the City changed the way they handle cellular phone bills. Previously, the City paid the bills directly. Now, most of the cellular phones are paid by the employees who then receive a stipend from the City. The employee chooses the service provider. There is a maximum allowance. Emergency public safety phones are still paid by the City. The State contracted last year to select Verizon as the sole communications provider for both cellular and data, and the City participated. This item moves some of the police phones that were previous Nextel were moved to Verizon under the State contract. There were problems with Nextel during the recent hurricanes. Previously there were some 550 phone bills that had to be reviewed monthly. There was an incredible amount of administrative time and associated cost.

Motion made by Vice Mayor Hutchinson and seconded by Commissioner Moore to approve this item as presented. Roll call showed: YEAS: Commissioner Moore, Vice Mayor Hutchinson, Commissioners Teel and Rodstrom, and Mayor Naugle. NAYS: None.

Millage & Budget Public Hearing

(PH-1)

Mayor Naugle said it has come to his attention that an individual misunderstood the procedure and wanted to make some comments. Another public hearing will be held on September 19, 2007. The Commission consented.

Edith Lederburg, Executive Director, Aging and Disability Resource Center, Area Agency on Aging of Broward County, said they are the main funding and coordinating body for services benefiting seniors in Broward County. They are one of only two agencies that have a mandated local match. They provide over \$3.5 million of services to residents of

Fort Lauderdale. They are mandated to raise the local match, which is based on the amount mandated by the state and federal governments. Each city is requested to give a certain amount predicated on the number of seniors. She is requesting \$95,000 from the City of Fort Lauderdale. For the last seven years, Fort Lauderdale has contributed around \$37,000. The Agency nevertheless funds the Northwest Federated Woman's Club and a new senior daycare center in the City. She asked the City to consider increasing the contribution. For each dollar, they will receive \$9 in federal and state matching funds.

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

RESOLUTIONS

Vacation of Drainage Easement – 2764 NE 14 Street Sherborn Development, LLC – Case 7-M-06 (R-1)

Applicant: Sherborn Development, LLC

Location: East 8' of Lot 4, Beach Way Heights

Vice Mayor Hutchinson introduced the following resolution:

RESOLUTION NO. 06-141

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THE 8 FOOT WIDE DRAINAGE OUTFALL EASEMENT LYING OVER AND ACROSS THE EAST 8 FEET OF LOT 4, "BEACHWAY HEIGHTS – UNIT B," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 25, PAGE 27, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED ON THE SOUTH SIDE OF NORTHEAST 14TH STREET BETWEEN BAYVIEW DRIVE AND THE INTRACOASTAL WATERWAY, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

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

2006 Water & Sewer Revenue Bonds Waterworks 2011 – Bonds Not To Exceed \$100,000,000

(R-2)

Vice Mayor Hutchinson introduced the following resolution:

RESOLUTION NO. 06-142

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE ISSUANCE AND SALE OF WATER AND SEWER REVENUE BONDS, SERIES 2006, IN THE

AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$100,000,000 FOR THE PURPOSE OF (i) PAYING A PORTION OF THE COST OF IMPROVEMENTS TO THE CITY'S WATER AND SEWER SYSTEM, (ii) DEPOSITING FUNDS TO THE CREDIT OF THE RESERVE ACCOUNT OR. IF IN THE BEST INTERESTS OF THE CITY. PAYING THE COST OF A RESERVE ACCOUNT INSURANCE POLICY OR A RESERVE ACCOUNT LETTER OF CREDIT AND (iii) PAYING THE COST OF ISSUANCE OF THE SERIES 2006 BONDS: FIXING THE FORM AND DENOMINATIONS OF SAID SERIES 2006 BONDS LAND PROVIDING FOR THE FIXING OF THE PRINCIPAL AMOUNTS. DATES. RATES OF INTEREST. MATURITY DATES AND REDEMPTION PROVISIONS OF SAID SERIES 2006 BONDS BY THE CITY MANAGER WITHIN THE PARAMETERS SET FORTH HEREIN; AUTHORIZING THE EXECUTION AND DIRECTING THE AUTHENTICATION AND DELIVERY OF SAID SERIES 2006 BONDS; AUTHORIZING THE PUBLIC SALE BY COMPETITIVE BID OF SUCH SERIES 2006 BONDS: APPROVING THE FORM OF OFFICIAL NOTICE OF BOND SALE; AUTHORIZING THE CITY MANAGER TO AWARD THE SERIES 2006 BONDS WITHIN THE PARAMETERS SET FORTH HEREIN: AUTHORIZING THE USE OF A PRELIMINARY OFFICIAL STATEMENT AND THE EXECUTION AND DELIVERY OF AN OFFICIAL STATEMENT WITH RESPECT TO SAID SERIES 2006 BONDS; APPROVING UNCERTIFICATED, BOOK-ENTRY ONLY REGISTRATION OF SAID SERIES 2006 BONDS WITH THE DEPOSITORY TRUST COMPANY: AUTHORIZING MUNICIPAL BOND INSURANCE AND/OR A RESERVE ACCOUNT INSURANCE POLICY FOR SAID SERIES 2006 BONDS, IF IN THE BEST INTERESTS OF THE CITY; PROVIDING FOR THE APPLICATION OF THE PROCEEDS OF SAID SERIES 2006 BONDS: APPOINTING THE CITY AS PAYING AGENT AND BOND REGISTRAR FOR SAID SERIES 2006 BONDS; COVENANTING TO PROVIDE CONTINUING DISCLOSURE IN CONNECTION WITH SUCH SERIES 2006 BONDS IN ACCORDANCE WITH RULE 15c2-12 AND AUTHORIZING THE EXECUTION OF A COMMITMENT WITH RESPECT THERETO; AUTHORIZING OTHER REQUIRED ACTIONS; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Moore returned to the meeting at approximately 9:20 p.m.

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

Disposition of Surplus Property – 746 NW 11th Avenue Linden Development Corporation

(R-3)

Vice Mayor Hutchinson introduced the following resolution:

RESOLUTION NO. 06-143

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PURSUANT TO SECTION 8.04 OF THE CITY CHARTER, ACCEPTING AN OFFER OF THREE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$3,500.00) DOLLARS BY LINDEN DEVELOPMENT CORPORATION, A FLORIDA CORPORATION FOR THE PURCHASE AND SALE OF PROPERTY DECLARED SURPLUS PURSUANT TO RESOLUTION NO. 06-84 AND MORE PARTICULARLY DESCRIBED BELOW; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTRACT FOR THE SALE AND CONVEYANCE OF THE PROPERTY; AND EXECUTION AND DELIVERY OF THE DEED OF CONVEYANCE AND OTHER DOCUMENTS IN ACCORDANCE WITH THE SALES CONTRACT.

Which resolution was read by title only.

In response to Commissioner Moore, Victor Volpe, Real Estate Officer, said the parcel is proposed to be used as a green area. The City Attorney said that language could be included to ensure it continue to be used as open green space.

Commissioner Moore wanted to add that condition.

Virginia Orosz, representing Linden Development, said the 20' of property could certainly always be green space. She did not object.

Motion made by Commissioner Moore and seconded by Vice Mayor Hutchinson to adopt the resolution with the condition that the area be designated for green space.

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

Offer For Lease – City-Owned Property Behind 5700-6000 Blocks of NW 31 Avenue

(R-4)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 06-144

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DECLARING THAT CERTAIN LANDS, WITH AN APPROXIMATE STREET ADDRESS OF 5700-6000 N.W. 31ST AVENUE, FORT LAUDERDALE, FLORIDA, BEING MORE PARTICULARLY DESCRIBED BELOW, ARE NOT PRESENTLY NEEDED BY THE CITY FOR GOIVERNMENTAL PURPOSES OTHER THAN AS SPECIFIED.

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

Funding for Improvements To Plat Fire Station 47 Site

(R-5)

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 06-145

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO DESIGNATE FUNDING FOR SITE IMPROVEMENTS REQUIRED BY BROWARD COUNTY TO PLAT THE FIRE STATION 47 SITE LOCATED AT 1000 S.W. 27TH AVENUE AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE SUCH DOCUMENTS NECESSARY TO COMPLETE PLATTING OF THE PROPERTY.

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

CITIZEN PRESENTATIONS

Mark Schweizer – Building Code Violations and Blocking of Driveway (CIT-01)

Not Present

Not Present

Margi Alexander – Crime Issues (CIT-02)

Cathy Curry – Drugs on the Street (CIT-03)

Not Present

Joan Hinton – Crime and Drug Issues

(CIT-04)

Micki Hinton spoke on Joan Hinton's behalf. Mr. Hinton wanted to thank the Raiders and the Fort Lauderdale Police Department for their excellent work with the homeowners association. There is a big difference in the neighborhood. An officer attends the monthly association meetings.

Ella Phillips – Crime (CIT-05)

Not Present

PUBLIC HEARINGS

Rezoning to Boulevard Business – Case 11-ZR-05 (PH-5)

<u>Robert Williamson – CVS Pharmacy – 1720 South Federal Highway</u>

Applicant: Robert Williamson – CVS Pharmacy

Location: 1720 S. Federal Highway

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

Commissioner Moore introduced the following ordinance for first reading:

RESOLUTION NO. C-06-27

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM RMM-25 TO B-1, LOTS 13 AND 14, BLOCK 18, "CORRECTED PLAT OF EVERGLADE LAND SALES COMPANY'S FIRST ADDITION TO LAUDERDALE, FLORIDA," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 15, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LOCATED BETWEEN SOUTH FEDERAL HIGHWAY AND MIAMI ROAD, BETWEEN SOUTHEAST 17TH STREET AND SOUTHEAST 18TH STREET, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

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

Vacation of Alley – 1720 South Federal Highway – Case 27-P-05 (PH-6) Robert Williamson – CVS Pharmacy

Applicant: Robert Williamson

Location: Portion of east/west alley east of South Federal Highway

between SE 17 Street & SE 18 Street

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

Commissioner Moore introduced the ordinance on first reading with the condition that planting material be provided on the opposite side of the wall:

ORDINANCE NO. C-06-28

AN ORDINANCE VACATING, ABANDONING AND CLOSING THAT PORTION OF THE 15 FOOT ALLEY IN BLOCK 18, "CORRECTED PLAT OF EVERGLADE LAND SALES COMPANY'S FIRST ADDITION TO LAUDERDALE, FLORIDA," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 15, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BOUNDED ON THE EAST BY THE NORTHERLY EXTENSION OF THE EAST LINE OF LOT 13 OF SAID BLOCK 18 AND BOUNDED ON THE WEST BY THE NORTHERLY EXTENSION OF THE WEST LINE OF THE EAST 15.00 FEET OF LOT 17 IN SAID BLOCK 18, LOCATED EAST OF FEDERAL HIGHWAY BETWEEN SOUTHEAST 17TH STREET AND SOUTHEAST 18TH STREET, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which ordinance was read by title only.

Commissioner Moore asked if the Code requires planting material on the opposite side of the wall being constructed to help the visual impact to the residential property. Greg Brewton, Planning and Zoning, said the ordinance requires a buffer yard.

Commissioner Moore requested that planting material be required for the opposite side of the wall. Vice Mayor Hutchinson suggested it be a condition. Commissioner Rodstrom also concurred.

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

ORDINANCES

Water, Sewer and Stormwater Rate Increase Fiscal Year 2006-2007

(0-1)

Commissioner Moore introduced the ordinance on first reading:

ORDINANCE NO. C-06-29

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

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

Water Conservation Surcharges New Section of City Code – Chapter 28

(O-2)

Commissioner Moore introduced the ordinance on first reading:

ORDINANCE NO. C-06-30

AN ORDINANCE AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, ENTITLED "WATER, WASTEWATER AND STORMWATER," BY AMENDING SECTION 28-1 TO CREATE SECTION 28-1(c) TO IMPLEMENT A SURCHARGE ON THE WATER, WASTEWATER, AND WATER SPRINKLING METER COMMODITY CHARGES ESTABLISHED IN SECTIONS 28-76, 28-143 AND 28-144 AND ON THE USER AGREEMENTS AND INDUSTRIAL USER CHARGES ESTABLISHED IN SECTIONS 28-77 AND 28-78 OF THE CODE OF ORDINANCES UPON DECLARATION OF A WATER SHORTAGE BY THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT.

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

Amendment to Pay Plan - Schedule I

(O-3)

Commissioner Moore introduced the ordinance on first reading:

ORDINANCE NO. C-06-

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SCHEDULE I OF THE PAY PLAN OF THE CITY OF FORT LAUDERDALE, FLORIDA, BY CREATING AND ADDING A NEW CLASS, CHANGING THE PAY RANGE OF A CLASS, CHANGING THE PAY RANGE AND MANAGEMENT CATEGORY OF A CLASS, CHANGING THE TITLE OF A CLASS, AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCES, AND AN EFFECTIVE DATE.

Commissioner Rodstrom asked if this matter could be split. She was concerned about creating the one new class. Averill Dorsett, Director of Human Resources, said this is not requiring the addition of a position because another position would be allocated in order to accommodate this. There would not be any budgetary impact this year because there are salary savings.

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

Parking & Loading Zone Requirements – Fire Rescue Facilities <u>Amending Code – Section 47-20.2</u>

(0-4)

Commissioner Moore introduced the ordinance on the second reading:

ORDINANCE NO. C-06-24

AN ORDINANCE AMENDING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 47-20.2, PARKING AND LOADING ZONE REQUIREMENTS TO REVISE THE NUMBER OF REQUIRED PARKING SPACES FOR FIRE-RESCUE STATIONS.

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

Advisory Board /Committee Appointments

(OB)

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

Aviation Advisory Board Lloyd J. Evanson

Community Appearance Board Annette Ross

Jane Sweeney

Community Services Board Fenel Antoine

Emmett Kater Marie Conroy Alfred T. Imgrund William F. Goetz Diane L. Schuster Margaret Birch Duane C. Ingram

Performing Arts John Milledge

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 06-146

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING BOARD

MEMBERS AS SET FORTH IN THE EXHIBIT ATTACHED HERETO AND MADE A PART HEREOF.

Which resolution was read by title only. Roll call show Vice Mayor Hutchinson, Commissioners Teel and Rods None.	
Mayor Naugle reminded everyone to pray for the in September 11th.	dividuals who lost their lives on
There being no other matters to come before the adjourned at 9:37 P.M.	Commission, the meeting was
Jim Ma <u>y</u>	Naugle yor
ATTEST:	
Jonda K. Joseph City Clerk	