

**COMMISSION CONFERENCE MEETING AGENDA  
SEPTEMBER 19, 2006**

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**COMMISSION CONFERENCE MEETING      1:30 P.M.      September 19, 2006**

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

Absent: None

Also Present: City Manager – George Gretsas  
City Auditor - John Herbst  
City Clerk - Jonda K. Joseph  
City Attorney - Harry Stewart

Sergeant At Arms – J. Pinto Gonzalez

**I-A – Florida League of Cities – City Representation on Legislative Councils**

Mayor Naugle encouraged everyone to get involved.

Commissioner Moore agreed and said this is important. Under the new president, she has suggested a more formidable body of membership. He suggested each commissioner be on a separate council. To some degree they are new, although they are issues the League has been dealing with. The Fiscal Stewardship Council is a different title.

Vice Mayor Hutchinson volunteered for the Home Rule. Commissioner Moore volunteered for Municipal Service Delivery. Commissioner Teel volunteered for the Fiscal Stewardship. Commissioner Rodstrom volunteered for Urban Planning.

**Action:** Vice Mayor Hutchinson - Home Rule Administration  
Commissioner Teel - Fiscal Stewardship  
Commissioner Rodstrom - Urban Planning  
Commissioner Moore - Municipal Service Delivery

**I-B – City Commission Office Budget – Possible Budget Reductions – Fiscal Year 2006-2007**

Maxine Singh, City Commission Office, thanked the Budget Department for their assistance. She was asked to review the administration portion of the Commission's budget. Area where reductions could be made is ad marketing, clerical services for temporary help, and the p-card, a credit card used for Office Depot, lunches for various organizations, and other miscellaneous items not delineated in the budget. The Receptionist will be going on maternity leave for a minimum of nine weeks. Regarding the State of the City, the Mayor offered a \$2,500 reduction. The total savings would be \$14,900.

Ms. Singh further said that another area of the budget are the individual Commissioner budgets. Suggestions have been included.

Vice Mayor Hutchinson noted their net total budget is \$986,842, and out of that, salaries and benefits for staff and the Commission total \$758,161 which leaves an operating budget of \$228,681, and out of that, \$50,000 is set aside for membership dues paid to the League of Cities. Therefore, that leaves \$178,681 to run the office. She was concerned about some of the cuts being considered. The receptionist will be off temporarily for about nine weeks or more, and if they take a reduction in clerical services, they would not be able to hire a temp. Even though the remaining staff could assist, answering phones would take away from everyone's job. She looked at some of the cuts offered by other Commissioners, and one concern is travel. She pointed out that Commissioner Moore travels to represent the City at the state and national levels. She was concerned about cutting a budget that he spends. If it is cut to \$4,600 where everyone is equal, he will be \$10,000 over budget. Another cut being suggested involves contingency monies. She was very concerned where the funds would come from that he will spend. She does not want to see a news article later in the year about the Commission office being over budget because the right cuts were not made at this time.

Mayor Naugle said if there is a lesser amount in the budget, one would choose what events are more important than others. A lot of state travel is reimburseable by the League. He said that about 50% of his travel costs are paid personally. The Commissioners also receive expense accounts.

Vice Mayor Hutchinson said that the expense account totals \$217.24 a month after taxes. She preferred to remove the Mission Fund, but her concern is that they would take from areas where funds are normally spent. She felt, if travel is to be cut, all five should be the same at \$4,600. Mayor Naugle agreed. Vice Mayor Hutchinson felt that a \$50,000 reduction, the Mission Fund, is not a bad reduction from a budget of \$178,681.

Commissioner Rodstrom noted this is a budget for only one year. She agreed with Ms. Singh's recommendations. There are more people on staff than there were in October, 2005, and so she felt it would be possible to function while the receptionist is on maternity leave. She asked about overtime in the budget. Ms. Singh said that is for weekend and evening events over the staff's 40 hours. Commissioner Rodstrom referred to the Mission Fund and conference accounts, and wanted to tweak it a little more.

Commissioner Moore said that if conference costs are going to be cut, they should cut the membership fees. There is no need to be a member if the City is not going to participate. With respect to the Mayor's comment about state reimburseables, there is only one conference, the Executive Board, that is reimbursable which is held in Key West. If an individual participates in a standing committee, such as the ones the Commission just agreed to be involved in, additional travel will be required. Fort Lauderdale is one of the most respected in regard to lobbying issues because they have two capable lobbyists.

Mayor Naugle indicated he will continue to participate whether or not the City pays for it, which he does at this time. Vice Mayor Hutchinson said she cannot afford travel on her own.

Commissioner Teel asked if the allocated funds for conferences are not used, what happens to it. Ms. Singh said that the money goes back to the General Fund. Commissioner Teel asked if a surplus from one Commissioner could be transferred to another Commissioner. Shonda Singleton-Taylor, Deputy Director of Management and Budget, stated that such surplus could be transferred. Commissioner Teel noted that she has never included meals on her travel reimbursements. She felt at \$4,600 there could be savings for some, but agreed with Vice Mayor Hutchinson that some have other needs that have to be dealt with first. She wanted to eliminate the Mission Fund this year.

Mayor Naugle concluded it appears there is a consensus that the \$50,000 Mission Fund could be eliminated.

Mayor Naugle asked if the Commission wanted to reduce conferences to \$4,600 each, and if there is any surplus, it could be transferred to another Commissioner needing the funds. Commissioner Teel agreed. Vice Mayor Hutchinson and Commissioner Moore disagreed. Commissioner Moore preferred to look at membership fees if the City is not going to participate.

Mayor Naugle indicated he will still attend even if it must be charged to the expense account.

Commissioner Rodstrom pointed out it is for one year.

Commissioner Moore felt that a \$50,000 cut out of this budget, after personnel costs are considered, is a lot of money. He did not think it makes sense to go further.

Mayor Naugle asked if there is consensus to cut the travel budget and the Mission Fund. Commissioner Moore recommended the Mission Fund be eliminated, and the \$14,000 cut recommended by staff.

In response to Commissioner Moore, Ms. Singh indicated the \$14,000 includes \$3,000 for advertising, \$4,500 for clerical services, \$4,900 from the p-card and \$2,500 from the State of the City.

Commissioner Rodstrom asked about the overtime. Ms. Singh noted that this year \$1,300 was spent in overtime. Commissioner Teel referred to use of comp time. Ms. Singh said there is a cap on comp time of 40 hours, and some have reached that maximum. Anything over that amount, they would need overtime. Commissioner Teel suggested that staff could adjust their hours and avoid overtime.

Commissioner Teel agreed with Ms. Singh's recommendations. She was willing to take less travel money than others and suggested transferring \$1,000 to another Commissioner. Commissioner Rodstrom agreed to do the same.

The City Manager said that a Contingency Fund could be created with travel savings. Commissioners Teel and Rodstrom agreed.

Mayor Naugle said it appears there is a consensus to set a \$4,600 travel budget for the Mayor and each Commissioner, and a Travel Contingency Fund.

Vice Mayor Hutchinson wanted a detail of what was actually cut from the Commissioner budget before the meeting is concluded.

Commissioner Rodstrom asked about a reduction in overtime, however, there was not consensus on it.

In response to the City Manager, both Commissioners Teel and Rodstrom agreed to reduce their travel accounts by \$1,000 each effective October 1.

**Action:** There was consensus for the following reductions: \$50,000 mission fund; a travel contingency fund will be created - All travel accounts will be \$4,600 each; Commission Administration: Ad/Marketing \$3,000; Clerical Services \$4,500; Mission Fund - State of City \$2,500; Procurement Card \$4,900. Additionally, Commissioners Teel and Rodstrom agreed to contribute \$1,000 each from their district travel account effective October 1, 2006, reducing their travel accounts to \$3,600. Total: \$75,700

#### **I-D – Baltimore Orioles - Fort Lauderdale Stadium Spring Training – Application For Certification Term Sheet**

John Angelos, representing the Baltimore Orioles, said the benefits are: \$25 million in annual economic tourism impact, 35-40 additional acres in parks and recreational space for citizens, and a multi-million dollar promotional and marketing package of opportunity for the City and the County (information on the promotional and marketing package was distributed). In addition the \$40 million renovation project is money spent locally in the community. The property will be beautified, hurricane staging at the site and in general revitalizing this asset. The cost is contribution of the land which has been favored for several years by this Commission and for use as a sports park and recreational complex which has been the use for almost half a century. There is a \$350,000 contribution for construction cost, and the Orioles will contribute that amount back to the City. There is some support of the repair and maintenance associated strictly with the parks and recreational uses that the residents would have on a year-round basis. This would be a new park for the City and they believe there should be some support of it. It is in the term sheet. These are the only costs. One other term has been left open, and that is with regard to the repair and maintenance fund. It is a fund used to maintain this asset. What has been identified is land; no contribution toward construction costs, and some support of parks and recreational maintenance use from which residents would directly benefit. These would be non-general revenue funds that the Orioles would work with City staff to identify. None of those fees would be disbursed until the project is completed.

Commissioner Rodstrom noted there will be a 30-year bond. The Orioles are taking a 15-year lease with three, five-year extension options. One extension at the sole option of the team, and two to be mutually agreed upon. She asked what happens to the 15-year gap and who would be paying for what.

The City Attorney said if they do not renew the lease, the final agreement would have a provision where there would be a buy-out at the end and their share of the capital costs would be paid basically upfront or as a termination fee by the Orioles. The bonds could be paid off in advance. The Orioles have agreed to these terms, but their fair share has not yet been determined. If the Commission approves the terms, it will be included in the final document, which will be done so by December.

Alan Koslow, representing the Baltimore Orioles, said they have also been working with the County, who has the same concern. They are prepared to add language to provide that there will be language in the lease agreement that if the team does not renew for any period of time that the bonds are still outstanding, there will be penalties that would appease the debt service, along with the City's portion as well. There may also be provisions or covenants that the team would not leave unless a replacement team stepped forward. Therefore, the City and County would be made whole. This will be in the final agreement.

Commissioner Rodstrom asked if the replacement team would be of the same caliber. Mr. Koslow confirmed that is correct and it would be subject to City and County approval.

Commissioner Moore said the issue of the Auditor reviewing this language is a must. There was Commission consensus.

The City Attorney said the negotiations have taken place over a very short period of time. The City has not yet checked with their financial advisors. A host of issues have to be addressed before returning with the final agreement.

Commissioners Rodstrom and Moore asked about the tax liability. Mr. Koslow said the property taxes are exempt. The City Attorney pointed to the sentence ending with, assessed by the City. The Property Appraiser is not covered by that clause. This language was discussed at great length and changed for the exact reasons raised. It is the City's intent that it be tax exempt. If the Property Appraiser changes her mind and litigation is involved, then it would be up to the Orioles to defend. The City only holds them harmless for any fees that the City would levy. If the property becomes taxable under another taxing entity, the Orioles would have that responsibility.

Commissioner Rodstrom asked about the City's responsibility regarding capital repairs, and refurbishment, and hoped the City would not be responsible for all of it. Mr. Koslow said this has not yet been determined; the Orioles will be coming back to the City with the agreement.

Commissioner Moore questioned if the ball fields given to the Parks and Recreation Department are to be maintained by the City at what cost and exactly

what will be at the City's discretion to use without necessity for approval by the Orioles.

Jeff Modarelli, Director of Business Enterprises, said the annual cost for thirty years would be \$150,000.

Phil Thornburg, Director of Parks and Recreation, said they do not yet have all the specifics. Discussions have centered around portions of the field being available at various times of the year. The Orioles will provide fields in various areas of the complex at certain times of the year. This will have to be finalized.

Commissioner Moore was concerned because \$150,000 is being put on the table for an unknown maintenance. It appears they are trying to balance the budget. He would not support it.

The City Attorney said the contract has been negotiated in a short period of time. They looked at what they knew the costs were to the City before the Orioles took over portions of the facility, and that cost was close to \$450,000 per year. They looked at what amount of the area was left, and applied a scientific wild guess. They know it will be in the \$100,000 - \$200,000 range. Therefore, \$150,000 was included, and the Orioles have agreed to limit the City's contribution to that amount.

Commissioner Moore did not want to include a dollar amount when the specifics are unknown.

In response to Mayor Naugle, Mr. Thornburg said the fields will be used and the cost would depend on the amount of use, but it needs to be decided what will be available.

Mayor Naugle said he is receiving complaints that there are not sufficient soccer fields, and pickup games. Mr. Thornburg said use of this facility would relieve some of that pressure. Mayor Naugle thought it is feasible although the specifics are not yet available.

Commissioner Moore said it does not sound feasible to him because again he does not know any specifics. He pointed out this subject arose because the City was trying to cut \$440,000 for maintenance, and a way of not operating this facility. This would be worth reviewing, if the City obtains some recreational properties. He was not comfortable with just throwing a number out.

Commissioner Rodstrom asked about cost of insurance. Betty Burrell, Director of Finance, said the City does not have an exact amount at this time.

The City Manager said there are significant unanswered questions. The idea was to meet the deadline. He was not certain whether \$240,000 is the net cost.

The Orioles are looking to get a decision from the County, so that more is known where the numbers vary. There are significant questions with the fields as well. This is not the final deal.

Commissioner Teel said it is unfortunate that the City was rushed into this. Insurance costs keep rising. This is a great concern.

She understood that the soccer fields to be available to the City will also be used for parking at times. Consequently they will not be in pristine condition. She asked about field lighting.

The City Attorney said that the soccer fields are located in the flight path, and therefore, they would not be able to have lights. Commissioner Teel understood that lights are important in using a soccer field. Mr. Thornburg indicated that for utmost use, the answer is yes. Soccer fields on the south end would help on the weekends during the day, but during the winter when it gets dark earlier, they would not be of use without lights. He understood the City would have use of these field year round except for spring training game dates.

Commissioner Teel questioned how team events could be scheduled since the City does not have full usage of the fields. Mayor Naugle thought the fields would be used for pick-up games. Mr. Thornburg confirmed that as correct. They could be used all day on the weekends, but not winter time evenings. Commissioner Teel pointed out that adults wanting space for pickup games have to be willing to use that location.

Commissioner Teel said the land is valuable in connection with aviation, and therefore, should be an economic consideration. She was concerned about the real estate taxes, and the possibility in the future this facility would not qualify.

In response to Mayor Naugle and Commissioner Teel, the City Attorney said that it is anticipated a hold harmless agreement if the land becomes taxable would be included in the final agreement.

Commissioner Teel pointed out there is only so much that can be anticipated. Teams are sold, etc. There are a lot of unanswered questions. According to emails, people supporting this concept are from out of the City. Therefore, this appears to be more of a County and regional responsibility. The entity benefiting the most in the past has not contributed any money. She was curious what support will come from other sources.

Vice Mayor Hutchinson supported moving the project to the next level. She felt that staff has done a good job in a short amount of time. She asked what happens when the final agreement comes forward in December and there are things the Commission does not support. The City Attorney said that many things have to be addressed in the agreement between now and December because in



early January the State will make an allocation of the monies applied for. Up to and including that time, the City can walk away from the deal and refuse the monies from the State. A final agreement has to be in place before the monies are forthcoming. He wanted the agreement finalized by November.

The City Manager noted that by that time, the City will be able to advise on the exact exposure.

Commissioner Moore emphasized that the \$240,000 amount should be removed until specifics are provided and justified.

Commissioner Moore asked if staff intends to utilize the City's financial contract services to evaluate the bond issue. The City Attorney said they would attempt to issue tax-free bonds to the extent permitted. Otherwise, they will be taxable bonds or a combination of taxable and nontaxable. The City will use its financial advisor with respect to the bonds. Commissioner Moore also wanted the Auditor to review the City's financial impact.

In response to Commissioner Moore's desire to remove the \$150,000 recreational maintenance cost, Mr. Angelos said that he does not share the pessimism expressed by Parks and Recreation regarding specificity. The Orioles brought forward the concept of a sports complex for the community and they brought it forward because they believe in it. They have requested to meet with the Parks and Recreation Department. They never said soccer fields, but rather athletic fields. They have said that the southern portion of the property can be used by the residents year-round. The baseball diamonds and the central portion would be for the Orioles' exclusive use for 3-4 months and the remainder of the year they could be used for soccer, baseball, etc. This creates 40 acres of additional park space being built for the City through the described economic mechanism. The \$150,000 is not a number plucked from the air. It is specifically identifiable.

In response to Mayor Naugle, Mr. Angelos indicated this will all be clarified by December. Mr. Angelos explained this is why they do not think the \$150,000 should be taken off the table.

Commissioner Moore said the Orioles have not clarified to the Parks and Recreation Department what is being placed on the table, therefore he would not agree to the \$150,000.

Commissioner Rodstrom was comfortable with leaving in the \$150,000, but would like further information regarding the repair fund, taxes and insurance.

Commissioner Moore referred to the taxes and said these are the types of properties that the property appraisers are challenging. It is due to the fact that there is a long lease agreement with a for-profit entity.

Commissioner Teel did not object to looking at this in more detail, but time is limited and there are many unanswered questions. She would like to see substantial support and money coming from other entities, otherwise this is not something the City's taxpayers should be subsidizing especially since the land could have a higher use regarding income. She said that philosophically one has to think about how many fields the City should have. It is not capital cost, but operating costs for years to come. People come from other cities to use Fort Lauderdale parks. She felt there are an adequate number of parks for Fort Lauderdale citizens.

Mayor Naugle said if this Commission approves the matter, it would be forwarded to the County.

The City Attorney said this matter is on the Commission's agenda for this evening as a resolution basically supporting the term sheet, which becomes the terms the City is telling the State in their application that the Commission, by resolution, has supported this deal. A final agreement is necessary before any funds could be received.

Mayor Naugle said conditions could be added to the resolution.

Vice Mayor Hutchinson asked if they should be part of the resolution or the agreement. The City Attorney said it would be part of the agreement. For example, regarding the repair fund, they have agreed to come to an agreement at a later date. Regarding the taxes, he has been steadfast, that the agreement clearly provide a contingency that the Orioles would be responsible in the event the land becomes taxable. Regarding insurance, it is the City's facility, and therefore, the City would provide casualty insurance for the structure, while the Orioles would provide liability insurance. The City is doing this now.

Commissioner Moore asked if the cost of insurance was included in the calculations, when it was determined the City was operating at a \$500,000 deficit. He emphasized the issue was trying to get this elephant off the City.

The City Attorney said the insurance was not in that deficit number. When monies were collected from FEMA, the City had turned over the responsibility of repairs to the Orioles. The insurance monies were to be returned to the Orioles once the City collected for the casualty. The Orioles fixed it with their money upfront and the City reimbursed them from the proceeds.

Commissioner Moore felt it would make sense for the City to have the insurance on it if they are going to claim it is a non-taxable property.

Mayor Naugle said that dollar figure would be provided at tonight's meeting.

Commissioner Teel asked if any dollar amount was assigned to the reserve fund, and when does the City begin funding it. The City Attorney said that it is a capital replacement fund which is normal for any owner of a building. The exact amount has not been determined, but will be in the final agreement. The City would be funding it.

Commissioner Moore pointed out because the facility will be improved, that cost will be more.

The City Manager once again said that the exact figures have not yet been decided. All of the numbers will be provided with the final agreement. The idea was to see if the County is supportive.

Commissioner Teel asked if tonight's resolution is binding the City to specific terms. The City Attorney said the City is basically telling the State they will live by these terms, but they do not cover all the issues; some issues are left open-ended to be determined and addressed in the final agreement. For instance on the repair fund, it does not say who is going to pay and the amount has not been determined. As tight of a term sheet as possible was put together in order to meet the deadline for application for State funds. With respect to the \$150,000, the City is pretty sure about, but the \$90,000 is an absolute number.

**Action:** An estimate on the insurance will be provided at the regular meeting. Commissioner Moore asked that the City Auditor be involved in addition to the City's Financial Advisor.

**EXECUTIVE CLOSED DOOR SESSION 2:37 P.M.  
MEETING RECONVENED AT 3:03 P.M.**

Commissioner Moore asked when the discussion regarding Commission appointments is going to be held. The City Clerk said that item would be on the October 3rd agenda.

**III – B – Advisory Board and Committee Vacancies**

Audit Committee

**Action:** Deferred.

Board of Adjustment

Mayor Naugle recommended appointing Ken Strand as an alternate to the Board of Adjustment.

Vice Mayor Hutchinson recommended appointing William Nielsen as an alternate to the Board of Adjustment.

**Action:** Formal Action To Be Taken at Regular Meeting.

Budget Advisory Board

Vice Mayor Hutchinson wanted to decide upon the status of the Budget Advisory Board.

Commissioner Teel said that she spoke with one of her appointees who felt he does not accomplish much on this board, and he did not see a problem with eliminating the board.

Commissioner Moore said his appointees feel they are gathering information and finding methods to impact the budget.

Vice Mayor Hutchinson said one of her appointees feels that he is needed.

Mayor Naugle said one of his appointees is not in favor of eliminating the Board. Another one would like it to continue, but is willing to serve on the Board of Adjustment if it does not continue.

Commissioner Rodstrom agreed to disbanding it.

**Action:** There was consensus to disband the Budget Advisory Board.

Cemeteries Advisory Board

**Action:** Deferred.

Charter Revision Board

**Action:** Deferred.

Citizens Committee of Recognition

**Action:** Deferred.

Community Appearance Advisory Board

Mayor Naugle recommended that John Hurley be reappointed to the Community Appearance Advisory Board.

**Action:** Formal Action To Be Taken at Regular Meeting.

Community Services Board

**Action:** Deferred.

Education Advisory Board

Vice Mayor Hutchinson recommended reappointing Elizabeth Hayes to the Education Advisory Board.

**Action:** Formal Action To Be Taken At Regular Meeting.

Fire-Rescue Facilities Bond Issue Blue Ribbon

**Action:** Deferred

Historic Preservation Board

**Action:** Deferred.

Housing Authority

**Action:** Deferred.

Local Law Enforcement Grant 5

**Action:** Deferred.

Northwest Progresso-Flagler Heights CRA

**Action:** Deferred.

Nuisance Abatement Board

There was a consensus appointment for Pat Mayers to serve on the Nuisance Abatement Board.

**Action:** Formal Action To Be Taken at Regular Meeting.

Parks and Recreation Advisory Board

Vice Mayor Hutchinson recommended appointing Rudy Herman and Michael Natale to the Parks and Recreation Advisory Board.

Mayor Naugle recommended reappointing Victoria Pristo-Revier and John Rude to the Parks and Recreation Advisory Board.

Commissioner Teel recommended appointing Betty Shelly and James B. LaBate to the Parks and Recreation Advisory Board.

**Action:** Formal Action To Be Taken

**IV – Commission Reports**

Pavers - Streets

Commissioner Teel referred to many complaints regarding the street paver material. She understood that stamped concrete wears better.

The City Manager said that staff is in the process of looking at this on A-1-A. A report will be provided to the Commission at their next meeting. There is an aesthetic aspect.

Albert Carbon, Director of Public Works, said that there is a significant cost difference between pavers and stamped concrete.

Commissioner Moore some problems have to do with the way it is installed. He wanted the material to be the same color as brick.

### 3+2 Seabreeze Boulevard Project

Commissioner Rodstrom said at the last Conference meeting, September 6, 2006, a discussion was held regarding the "3 + 2" Program. There is a group of individuals who have been working on that plan since the late 1980's. They were insulted that the Commission thought they were only worried about the 22 seconds for the \$14 Million. That was not the case. She referred to a letter from the Florida Department of Transportation and pointed out that the City is going to be losing the grant.

Commissioner Moore and Vice Mayor Hutchinson said they were aware that grant was going to be lost.

Commissioner Rodstrom said her constituents were not happy with the process and felt it was mismanaged. She asked if anything could be done to save some of the \$14 Million.

Vice Mayor Huthinson said it would have cost an additional \$17 Million in order to acquire the grant, and that always had been a stipulation, that is, if there was a funding gap, the City would have to pick it up.

Commissioner Rodstrom said they never looked at other ideas. There was a presentation that could have been made at the last Conference meeting about other options. She tried to make way for the presentation to be made. The issue is that it is going to expire on September 29<sup>th</sup>. The City had a year to do something and nothing was done. She wants to know why nothing was done and why discussion was held right before the expiration date.

The City Manager said that staff has been negotiating with DOT in hopes to find some alternatives or save the money for something else. The State informed the City they would consider it, but at some point decided against it. The City was hoping until the last conference meeting to convince them otherwise. After the most recent letter was available they spoke to DOT once again because the letter was not in sync with what the City was being told on the phone. The letter says the funding has been canceled, but another letter says the funding is not canceled and if the City wants to do the project as is, the City could have the \$15 Million. The City was informed that if the 3 + 2 was done in another way, they would have to reapply. They were also informed that if the 3 + 2 was not done at all, they could only retain \$500,000 for another use. If the City reapplies for another project, the money goes back into a pot and the City would go into a queue for requested projects. This project has been ongoing for many years.

Vice Mayor Hutchinson noted the money could only be spent for that particular plan. The City Manager concurred.

Commissioner Moore said this project has been going on for 15 years. The City did not apply for these funds. Tom Gustafson applied for the money.

Mayor Naugle said it was not for a 3 + 2 program, but to relocate A-1-A, known as 4 + 2.

Commissioner Moore said that several times the City asked for the funds to be used elsewhere because they knew there was not enough for such a project, but they were told that was not possible. They tried to use it, for example, for the 7/9<sup>th</sup> Avenue Connector. The Commission made every effort to spend the money. When there was a \$17 million match, he did not think it was worth discussing.

Vice Mayor Hutchinson pointed out that it sounds that even if the City wanted to change the plan, the DOT is insisting the money go back into the pot and reapply with a new plan.

Commissioner Rodstrom pointed out that there is \$500,000.

Mayor Naugle suggested perhaps working on the local delegation to get a portion of it back for another project.

Commissioner Rodstrom referred to the letter indicating that there was continued lack of progress and inability to maintain a reasonable schedule, the grant was being voided. She did not think it would be likely another grant of this like would be issued again. She felt it was irresponsible. There were people at the conference meeting who had serious concerns and wanted to talk about it. She felt if DOT had been given some other plan that included some widening and other funding sources, they might have listened and extended the grant.

Commissioner Moore explained there simply was not the will to move forward because of the gap and the cost to assemble the right of way property.

The City Manager said the Commission approved the consultant to check into the cost to acquire the property. Once the cost was tabulated, the City began negotiating options with DOT. Then, DOT said the City had to determine if the project would move forward. At some point, someone called DOT. For some reason, a letter came out and then a second letter that said that the first letter was not accurate; the funding was not canceled and the City had until the 29<sup>th</sup>.

Vice Mayor Hutchinson referred to the letter indicating that DOT is willing to give the City \$500,000, and asked about using it for the streetscape project being done if it is in conjunction with the original project limits.

Mayor Naugle wanted to try to increase it to \$2.5 million.

Commissioner Rodstrom indicated it is upon approval of the new project scope. There has to be another scope for the \$500,000.

Vice Mayor Hutchinson said the City has a scope.

Commissioner Moore referred to the business plan that was just approved. He pointed out that the City could not find a way to make the \$15 million fit any project. He wanted to make sure the City gets what is left on the table, which is the \$500,000 and put it towards the business plan along the beach. The City should also develop a new concept and reapply to the State for a feasible project.

Vice Mayor Hutchinson thought the first plan would be simple because it has been approved; to go after at least \$500,000.

The City Manager said the second letter indicates if the City decides not to proceed with the project, the Department is willing to contribute a maximum amount of \$500,000 towards improving tree scape and landscaping within the original project limits and that it would require a new joint project agreement.

Vice Mayor Hutchinson and Commissioner Moore noted that does not preclude the City from going after the pot of money.

Commissioner Teel believed the problem came about due to the number of years. The value of the land went up so high. The consultant pointed out there would be an additional cost of \$15 or \$17 million for right of way acquisition.

Commissioner Rodstrom indicated when she spoke with Assistant City Manager Gunn she was assured that the grant was not expiring which was not correct. No one looked at other choices to mitigate the matching funds and still have some kind of widening.

Commissioner Moore pointed out that over the years, the Commission has discussed several ways of spending the \$15 million for the 3 + 2, which is the only place where it could be spent.

Mayor Naugle indicated there were conversations at the Commission conference table year after year.

Commissioner Moore pointed out that every way they tried to use the money required acquisition of land and Commissioner Teel's point about the cost was a factor.

Commissioner Rodstrom noted that almost a million dollars was spent on studies. She referred to a letter, dated January 21, 2005, detailing a tentative schedule.

In response to Commissioner Moore's question about land acquisition in the schedule, Commissioner Rodstrom indicated there is a task order for right of way acquisition, dated March 1, 2005.

Commissioner Moore reiterated that the cost of the land was too much. In such case, Commissioner Rodstrom wanted to know why the City did not renegotiate to save the grant.

Mayor Naugle and Vice Mayor Hutchinson noted that all of the plans required right of way.

Ina Lee, Chair, Beach Redevelopment Advisory Board, said yesterday there was a unanimous decision by the board to see if the deadline could be extended. Setting aside the money for a moment, the reason this was created was to alleviate traffic on the beach. The last approval from the board was in 1980. The board's concern is still traffic on the beach. Obviously the land cost has risen. They want to look at alternatives. Maybe it is possible to find money elsewhere for the shortfall. The consultant's report was never presented to the board.



The City Manager said that staff has requested an extension many times, but the State refuses to do so. He offered to ask once more.

If it is not 3 + 2, Ms. Lee indicated there needs to be focus on some way to relieve traffic on the beach and that is the position of the board.

Commissioner Moore commented that 6-8 years ago traffic was a topic at every Commission meeting, but it is no longer. The traffic issue has lessened. The height of the beach will return with the new projects occurring. Those projects have increased the value of the beach and the developers have been unwilling to give the City an easement so they could deal with the traffic at a reasonable cost. It is not possible to get a lane for \$35 million.

Commissioner Moore suggested the Manager ask again for an extension. Commissioner Rodstrom agreed. She wanted to be copied on the letter or be part of the negotiations.

Mayor Naugle believed it does not matter how many lanes in relation to the traffic. The question is whether the beach is a destination or something to just drive through. The things being done with public transportation and having a beach as a destination is the way the quality of life on the beach for the residents will be improved.

Mayor Naugle wanted a presentation made to the Beach Redevelopment Advisory Board by the Consultant.

Commissioner Rodstrom said it gives an alternate way for getting around the beach. With the 3 + 2 plan the City could close a portion of the beach for a festival for example.

Mayor Naugle said when the money dropped out of the sky, it was because of the ULI's study that indicated the beach would not be redeveloped without vacating A-1-A. It was to pay for four lanes inland and allow the development to back up to the beach without a road, but rather a sidewalk instead. It was put on the ballot and the voters overwhelmingly said no. He elaborated upon the history of this issue. Both Mayor Naugle and Commissioner Moore noted that the City did not ask for the money.

**Action:** There was consensus for the City Manager to again request an extension from the State and for the Consultant to make a presentation to the Beach Redevelopment Advisory Board. Commissioner Rodstrom asked to be copied on the extension request or be part of any negotiations. Commissioner Moore and Vice Mayor Hutchinson wanted the request to seek approval to use the \$500,000 for the beach streetscape plan recently approved.

#### Citizen Volunteer Corps (CVC) Project

Vice Mayor Hutchinson announced that there will be a CVC Project this Saturday at the Hall of Fame, beginning at 8 a.m. The Local 765 Firefighter's Union will provide breakfast.

December 5, 2006 City Commission Meeting

There was consensus for the December 5, 2006 Commission meetings to be changed December 12<sup>th</sup>.

**V – City Manager’s Report**Broward County Boat Siting Plan

The City Manager said the Broward County Boat Facility Siting Plan will be heard at the September 26<sup>th</sup> County Commission meeting.

Jeff Modarelli, Director of Business Enterprises, indicated it will be discussed at the regular meeting and offered to provide further details regarding the time.

Building Department Status Report

Assistant City Manager Stephen Scott said complaints are down significantly and improvements have been made regarding the time needed to complete plan reviews, and the wait for inspections is down from two weeks to two days. There is still a lot of work that needs to be done. They have put into place expedited plan review, private plan review services, private building inspection services, architect and engineer letters, and the department is open on Saturdays for certain transactions. They are aggressively recruiting inspectors and plan reviewers. They have implemented some internal controls, and are working on some customer service initiatives. Records are being digitized and laptops are being placed in the vehicles which will allow for real time election inspection results and keep inspectors in the field longer. This is work in progress and things take time. They want to look further at the plan review process and work on customer service more.

The City Manager thanked the Building Department for their hard work .

There being no further business to come before the Commission, the meeting was adjourned at approximately 3:44 p.m.