

COMMISSION CONFERENCE MEETING AGENDA JANUARY 17, 2007

Agenda Item

Page

III-B	Advisory Board/Committee Appointments	1
	1. Audit Committee	Deferred
	2. Beach Redevelopment Advisory Board	1
	3. Cemeteries Advisory Board	1
	4. Code Enforcement Advisory Board	Deferred
	5. Community Appearance Advisory Board	2
	6. Community Services Advisory Board	Deferred
	7. Economic Development Advisory Board	Deferred
	8. Education Advisory Board	Deferred
	9. Fire Rescue Facilities Blue Ribbon Committee	Deferred
	10. Historic Preservation Advisory Board	2
	11. Insurance Advisory Board	Deferred
	12. Northwest Progresso Advisory Board	Deferred
	13. Nuisance Abatement Advisory Board	2
	14. Parks, Recreation and Beaches Advisory Board	Deferred
	15. Unsafe Structures Advisory Board	Deferred
	16. Utility Advisory Committee	Deferred
V-A	Proposed Lien Settlements – Special Magistrate and Code Enforcement Board Cases	3
IV	Commission Reports	3
	1. CVC Project	3
	2. Tasers; Use by Police Officers	3
	3. Bullet Proof Vests; Use by Police Officers	4
	4. Police Detail Policy	4
	5. Police Cell Phone Policy	4
	6. Special Events; Sponsorship	5
	7. Former One Stop Shop; Roof Repair	5
	8. Visioning Workshop; Economic Development Advisory Board	6
	9. Street Closures	6
	10. Water Supply; South Florida Water Management District	6
	11. Office of Professional Standards; Investigations	6
	12. Commission District I Tour	6
	13. Budget Advisory Board	6
	14. Martin Luther King Jr. Event	9
	15. Correspondence from Charles Smith, Citizen	9
V	Manager's Report	10
	None.	

COMMISSION CONFERENCE MEETING 1:30 P.M. January 17, 2007

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 A. Stewart
 Sergeant At Arms – None

III-B – Advisory Board/Committee Appointments

Audit Committee

Action: Deferred.

Beach Redevelopment Advisory Board

Vice Mayor Hutchinson recommended the reappointment of Eileen Helfer to the Beach Redevelopment Advisory Board.

Commissioner Teel recommended the reappointment of Henry Sniezek to the Beach Redevelopment Advisory Board.

Commissioner Rodstrom recommended the reappointment of Eunice Miranda Lopez and Shirley Smith to the Beach Redevelopment Advisory Board.

Mayor Naugle recommended the reappointment of Amaury J. Piedra and Judith Scher to the Beach Redevelopment Advisory Board.

Action: Formal Action To Be Taken At Regular Meeting.

Cemeteries Advisory Board

Vice Mayor Hutchinson recommended the reappointment of Anne Platt and Mark Van Rees to the Cemeteries Advisory Board.

Commissioner Teel recommended the reappointment of Larry W. Sherman and Jose Manuel Portela to the Cemeteries Advisory Board.

Mayor Naugle recommended the appointment of Alfred C. Calloway to the Cemeteries Advisory Board.

Action: Formal Action To Be Taken At Regular Meeting.

Code Enforcement Advisory Board

Action: Deferred.

Community Appearance Advisory Board

Vice Mayor Hutchinson recommended appointment John Castelli to the Community Appearance Board.

Action: Formal Action To Be Taken At Regular Meeting.

Community Services Advisory Board

Action: Deferred

Economic Development Advisory Board

Action: Deferred

Education Advisory Board

Action: Deferred

Fire-Rescue Facilities Blue Ribbon Committee

Action: Deferred.

Historic Preservation Advisory Board

Mayor Naugle recommended that Jay Adams be appointed to the Historic Preservation Advisory Board.

Action: Formal Action To Be Taken At Regular Meeting.

Insurance Advisory Board

Action:

Northwest Progresso Advisory Board

Action: Deferred.

Nuisance Abatement Advisory Board

Caldwell Cooper, Harry MacGrotty, Pat Mayers, Douglas Reynolds, David Sketlick and Laurie A. Watkins were recommended, by consensus, for reappointment to the Nuisance Abatement Advisory Board.

Action: Formal Action To Be Taken At Regular Meeting.

Parks, Recreation and Beaches Advisory Board

Action: Deferred

Unsafe Structures Board

Action: Deferred

Utility Advisory Committee

Action: Deferred

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

Commissioner Moore was very concerned about repeat offenders. He asked for staff to do a thorough investigation as to whether fine reductions were granted to an individual on a prior case. He asked that they look for a pattern and be tough on those.

Action: Consensus approval.

IV – Commission ReportsCVC Project

Vice Mayor Hutchinson announced that they have scheduled the Citizens Volunteer project at Snyder Park this Saturday. Local 765 (Firefighter's Union) will supply breakfast. She urged everyone to attend beginning at 8 a.m.

Tasers; Use by Police Officers

In response to Commissioner Moore, Bruce Roberts, Chief of Police, said they developed a policy and procedures which was approved by the Legal Advisor. It is based on policy and procedure used by other agencies, including IACP. A presentation will be made at the February 6, 2007 Commission meeting.

Commissioner Moore asked if this is being presented to the Citizens' Police Advisory Board first. The City Attorney said that is outside the scope of the board, although the Commission could send a specific item to them for their review. The Board can only make a decision on complaints; they have five options.

Vice Mayor Hutchinson suggested inviting the Board to the next meeting to see the presentation made to the Commission.

Commissioner Moore wanted the policy or process presented to the Board. The community committee should also receive a copy.

Action: At Commissioner Moore's request, there was consensus to invite the Citizens Police Review Board to the February 6, 2007 conference meeting when a presentation will be made concerning use of tasers.

Bulletproof Vests; Use by Police Officers

Commissioner Moore was concerned that the bulletproof vest policy is not mandatory. Betty Burrell, Finance Director, said they have received conflicting advice. The Rutherford representative indicated they would be assuming risks if mandated and something happens to an officer who is not wearing a vest. She also spoke with the attorney representing the City on worker compensation cases, and they believe it is in the City's best interest to have the vests. A final determination has not yet been made. Rutherford recommended that the City require the vests to be with the officers at all times, and allow the officer to determine whether it is appropriate to wear the vest. One concern is the heat.

Commissioner Moore asked if this item could be brought to the Commission. It is expensive and if the City is going to provide them, the officers should be required to wear them.

Chief Roberts said the materials today are less cumbersome and not as restrictive, but there is still the heat issue. The City's policy is that the officer have the vest with them at all times, and then determine when it is appropriate to wear them. There could be problems wearing it during the Air and Sea Show when directing traffic.

Discussion ensued about uniforms being made of polyester. Commissioner Moore felt that all police personnel carrying a gun should have the vests.

Mayor Naugle was comfortable with the existing policy.

Action: The City Manager offered to provide the City's bulletproof vest policy. A presentation will be made on February 6, 2007.

Police Detail Policy

Commissioner Moore wanted to change the process concerning police detail work. In response to Mayor Naugle, Commissioner Moore indicated that some individuals are getting detail work and others are not. Individuals should not be over-worked from detail when they report for regular duty.

Mayor Naugle asked if detail work would also require bullet proof vests. Commissioner Moore said if the individual is carrying a gun, then they need to wear the vest.

The City Manager said staff has been working on the detail issue for the last 12-18 months. He enumerated various points. The process does not currently allow for management oversight. Staff believes there should be management control.

Police Cell Phone Policy

In response to Commissioner Moore, Chief Roberts said the Police Department follows the City-wide policy regarding cell phones. The City Manager offered to provide a copy.

Special Events; Sponsorships

Commissioner Moore referred to a recent news article regarding Hollywood's special events and how they choose which to sponsor. He wanted the matter scheduled on the Commission's agenda. He raised questions about the amount being spent, and who decides what event. He wanted a way to recognize the dollar amount to be used, where the money is going and who will set the tone as to where the money goes. The City Manager said there is a Special Events Account. Phil Thornburg, Director of Parks and Recreation, said the special events budget totals \$500,000. There is also revenue coming in, and therefore, the out-of-pocket amount probably totals about \$200,000. For every event the City looks for sponsors. There is a sponsor packet distributed to individuals, which could be provided to the Commission.

Commissioner Moore did not object to the concept. When people are drawn to a particular location, businesses in those areas benefit.

Commissioner Teel requested a copy of the special events sponsored by the City.

Mayor Naugle noted that the advisory board appreciation event held in conjunction with the state of the city is budgeted. Mr. Thornburg said many events are included in the same line item of the budget. The larger events are generally on the beach or downtown. The Air & Sea Show is handled differently, which he explained.

Commissioner Moore said some of the events could be held in other parts of the City and those areas could also benefit economically. Perhaps events should be rotated,

Mayor Naugle said he has attempted to rotate the location of the Advisory Board Appreciation event.

In response to Commissioner Moore, the City Manager said the policy involving City employees pertains to taking something personally from someone doing business with the City, and does not preclude someone from asking for something for the City. Currently, the policy would not prohibit an employee for asking FPL, for example, to contribute to a City-sponsored event. Commissioner Moore wanted to discuss this matter at a conference meeting.

Mayor Naugle noted at present no elected official may accept funds from FPL for campaign contributions. Commissioner Moore indicated that he is not speaking about campaigns.

Former One Stop Shop; Roof Repair

Commissioner Moore referred to the One-Stop Shop which he thought was going to be demolished and could not be used temporarily, yet it appears the roof is being repaired. He wanted more detail about use of funds for Hurricane Wilma. Albert Carbon, Director of Public Services, said there is a list for total and partial repairs to be done. It was decided to repair part of that building which could be used temporarily during remodeling of City Hall. The current estimate from FEMA is \$131,000 for that building.

Commissioner Moore questioned this expenditure. Mr. Carbon said FEMA reimburses 87.5%. Commissioner Moore did not approve. Mr. Carbon clarified that the \$131,000 is specifically earmarked and would go back if not used for that building.

In response to Commissioner Rodstrom, Mr. Carbon indicated that Advanced Roofing will be doing these roof repairs.

Commissioner Moore said that possibly they need to look at whether the contracts being given to these companies are simply because there is FEMA funds available. Mayor Naugle felt a detailed analysis would be useful in this case.

Visioning Workshop; Economic Development Advisory Board

Commissioner Moore felt it is time to do a forecast as to completion dates for economic development. He would like to hold a workshop regarding economic development to showcase the impact of the City's past strategies. The business community would be able to see that the City is ready to promote the City as a business destination. He referred this to the Economic Development Advisory Board for their feedback. Mayor Naugle said if it requires an expenditure, it could be included in next year's budget or the budget could be amended.

Street Closures

In response to Commissioner Rodstrom's question concerning street closures due to construction, the City Attorney said that a fee may be charged as long as it is tied to a service. A nuisance fee would probably be considered a tax, which the City does not have authority to levy.

Water Supply; South Florida Water Management District

In response to Commissioner Rodstrom, the City Manager offered to invite the South Florida Water Management District to make a presentation at a conference meeting.

Office of Professional Standards; Investigations

In response to Commissioner Rodstrom, the City Manager indicated that the Office of Professional Standards is accountable to the City Manager. There has not been any litigation. The Office has been in existence for about 4 1/2 years. Commissioner Rodstrom requested the number of investigations conducted and their final outcome.

Commission District I Tour

Commissioner Teel said that February 28th is tentatively scheduled for the district tour. She discussed the details and asked for everyone to check their calendars regarding availability.

Budget Advisory Board

Commissioner Teel referred to the motion to abolish the Budget Advisory Board being defeated. She was concerned what should be done with that group that would make sense. Members get information after the Commission has seen it and they feel it is a done deal. At her request, the City Auditor provided a memorandum dated January 12. One member of the board indicated that he felt it is a waste of time. She was concerned about the perception that it is just busy time. He raised questions about the Auditor's suggestion of a public forum as to who would run the meetings and so forth. Two

members called homeowner associations in their districts to get public input, but did not receive anything. The member also indicated no one from the public has come to a board meeting to offer input. With such a format, it would have to be well publicized. Also, possibly the board does not need to exist for 12 months. She supported dissolving the board because she did not think they know their role.

Mayor Naugle said it is his opinion that the public is represented by the elected officials and their ability to be in touch with the constituents year-round in all aspects. The Commission's goal setting session gives the City Manager input as to priorities. The description is very similar to that of the Community Services Board.

Commissioner Teel commented that the focus of the board is not the budget per se, but the input of planning for the upcoming year's budget. For example no money is shown in the capital improvement program for speed humps, but people are still crying out for them. She felt different parameters and goals should be set for the board. At this time she is reluctant to appoint anyone. They should be productive. She received feedback from another long-time board member of another board who did not want to be reappointed because he felt the board was not productive.

Commissioner Moore said that the Auditor's recommendation is what the Community Services Board should be doing. In the past that board was making the same comments as those coming from the Budget Advisory Board.

Commissioner Teel asked if possibly those two boards should be combined. Commissioner Moore said that could be a possibility because they would be viable in either board. If they do not perform those tasks, then the Budget Advisory Board should possibly only meet for six months and address the things like Commissioner Teel mentioned. He questioned whether the City has offered these individuals the appropriate use of their time.

Commissioner Teel felt that the boards should be evaluated periodically to make sure they are functioning properly, and maybe some should be combined and new ones created. Costs for advisory board support from the City Clerk's Office is about \$75,000, but Commissioner Teel thought it might be even more. Most importantly, there is people's time involved and the City should take care not to waste it.

Commissioner Rodstrom did not favor combining the Budget Advisory Board and the Community Services Board. She was concerned about next year's budget because she believed the property values are not going to remain the same. Therefore, this year would be the time to make sure the Budget Advisory Board is respected and provides input to the budget. If members of the board are disenchanted, she believed it is the Commission's fault. She felt that \$75,000 is well spent. The Commission should look for people who really want to provide input to the budget.

Commissioner Teel believed the people are not the problem; the goals should be examined.

Commissioner Moore agreed with Commissioner Rodstrom. He suggested that the tasks recommended by the Auditor should be performed by the Community Services Board. The State Legislature is about to mess up their entire tax structure and the method of what is received from ad valorem taxes. Therefore, the Budget Advisory

Board will be needed, but he believed they need to have a time of usefulness. He suggested 6 months prior to the time the Manager prepares the budget. Commissioner Teel concurred. Commissioner Rodstrom felt more than six months might be needed. Commissioner Moore explained that after the public input is provided, management needs time to structure how they meet it. He felt the board should offer input, step out of the way and the elected officials need to make sure it is implemented in the budget.

Mayor Naugle said whatever budget is brought before the Commission should be based on the Commission's input and not the advisory board. Commissioner Moore agreed.

The City Manager said he does not meet monthly with the Budget Advisory Board. Individuals on the board make suggestions to add or remove from the budget. This Commission is his boss and not the board. He urged the Commission to set a workable structure because many boards believe they direct staff. Commissioner Teel said that was not the intention. The boards are advisors to the Commission and that needs to be made clear.

Mayor Naugle said the Commission's goal setting session occurs in the Spring and the Manager presents the budget in July. He did not see how a board could be formatted and they provide input before that time. Commissioner Teel said that information could be gathered before the Commission's goal session.

The City Manager said the problem is that the boards want to have the information before it goes to the Commission. Commissioner Rodstrom wanted as many eyes as possible on the upcoming budget. This is a viable board that needs to stay in place.

The City Manager left the meeting at approximately 2:36 p.m.

Mayor Naugle asked if the City Auditor should attend the meetings.

John Herbst, City Auditor, said there are two trains of thought. First how does the Commission get the most value out of this board. The question is should their focus be narrowed or broadened. The other thing is the value of a formalized process for the stakeholders in the community to impact what the budget becomes. The budget is the articulation of policy. It is the goals expressed in dollar terms. It gives the community an opportunity to have a formal participation in that process. People objected in September on one specific budget component, the millage rate, and there was no opportunity to impact the budget in a meaningful way at that point in time. The people asking for more and those who believe it is not affordable should be in the same room. It is an opportunity for that dialogue in a public and formal way. The consensus, if there is one, can be communicated to the Commission. It is an opportunity to get a broad range of opinion on what the community wants. This could be such a venue.

Mayor Naugle said the law requires at the end of the year that notices be sent out with the tax bills showing the proposed millage rate, and the lawful budget hearing is in September.

Commissioner Moore asked for this item to be placed on the February 6th conference agenda. He believed a six month period could work, and that the members could feel they are dedicating their time to something of substance. However, it is January now. He felt it is fairer to have the City Manager present when it is discussed, and to also

invite the members of the Budget Advisory Board. He wanted the City Manager's input, but not necessarily a recommendation. Both Commissioners Teel and Rodstrom thought it would be helpful to have the Budget Advisory Board members attend the conference meeting.

In order to give more credibility to the board, Commissioner Rodstrom thought that perhaps the Auditor should attend the first couple meetings and the City Manager should be part of the meeting discussions.

Assistant City Manager Kathleen Gunn asked if the Commission would like staff to develop a work plan for the board. There was consensus for this direction.

Commissioners Teel and Moore saw no problem with invited individuals who previously served on the Budget Advisory Board, but have since been appointed elsewhere.

Action: At Commissioner Teel's initiative, there was consensus to invite the Budget Advisory Board membership along with those who recently moved to other boards and committees to the February 6, 2007 Conference meeting, at which time a work plan could be discussed with the City Manager's input.

Martin Luther King, Jr. Event - Mayor Naugle complimented staff involved in the Martin Luther King, Jr. event.

Correspondence from Charles Smith, Citizen

Mayor Naugle read a letter he received from an individual serving in Iraq, dated January 5, 2007, concerning Commissioner Moore and a recent incident at Himmarshee Village. A copy of the letter is attached to these minutes.

Commissioner Rodstrom said that she has a problem that the City Manager went to scene, and that is why she earlier raised the issue of the Office of Professional Standards. If someone is logging a complaint against someone in the Manager's Office, how would one know it is fair in that the Office of Professional Standards is accountable to the Manager. Mayor Naugle said that an outside agency would have to be involved. The City Attorney said that the Office of Professional Standards would handle whatever complaints come to them. If they feel there is a conflict, then it would be forwarded to another appropriate agency.

Commissioner Rodstrom said this is directed at the point of authority in the City. When individuals do something that comes under public scrutiny, it is a reflection on the entire City.

Commissioner Moore appreciated the correspondence. Everyone has beliefs and a right to them. People categorize people, for example, politicians, basketball players, women, and so forth. He believed if ever there is an issue, an investigation should always be done. He applauded the process and hoped it continues.

In response to Commissioner Rodstrom, Mayor Naugle was not sure a policy is in place, but one could be established to cover such situations. It has happened often. He recalled one incident when an employee was threatened, the City asked the Sheriff's Office to do a threat assessment on the incident and the employee was disciplined. It

worked better that an outside agency did it. Perhaps the policy should indicate that it be brought to the Commission's attention. The City Attorney said that a policy is not in place regarding such a conflict, but in the past, it was to another agency, the State Attorney or the Broward Sheriff's Office. Commissioner Moore noted that one would first have to show there was a conflict. At this point, it is all beliefs and opinions. It has not yet come to a conclusion.

Vice Mayor Hutchinson said that the City Manager works for the Commission and he would not refuse a request from anyone of the commissioners. The Commission would have to decide whether they want to prohibit him from responding to such calls and the City Manager should be part of that discussion.

Commissioner Moore said the Commission has only heard the accounts of this incident from one side; there are always two sides.

V – Manager's Report

None given.

There being no further business to come before the Commission, the meeting was adjourned at approximately 2:57 p.m.