

**MINUTES OF A SPECIAL MEETING
CITY COMMISSION
FORT LAUDERDALE
September 23, 2009**

Meeting was called to order at 7:02 p.m. by Mayor Seiler on the above date, City Commission Meeting Room.

Roll call showed:

Present: Vice Mayor Bruce G. Roberts
Commissioner Charlotte E. Rodstrom
Commissioner Bobby B. DuBose
Commissioner Romney Rogers
Mayor John P. "Jack" Seiler

Absent: None

Also Present: City Manager George Gretsas
City Auditor John Herbst
Assistant City Clerk Rose Picchio
City Attorney Harry A. Stewart
Sergeant At Arms None

Invocation was offered by Reverend Robert Tywoniak, Saint George Roman Catholic Church, followed by the pledge of allegiance led by Joshua Gibbons.

NOTE: All items were presented by Mayor Seiler 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).

PUBLIC HEARINGS

Fiscal Year 2009-2010 Tentative Millage Rate and Budget

(PH-01)

No Current Year Budgetary Impact.

Mayor Seiler announced that this is the second of two public hearings held as required by law on the millage rate and budget for fiscal year 2009-2010. He opened the hearing and noted the purpose.

Shonda Singleton-Taylor, Acting Director of Management and Budget, presented slides on the proposed Fiscal Year 2009-2010 millage and budget. A copy of the slides is attached to these minutes.

Ms. Singleton-Taylor indicated that since the backup material was provided to the Commission, an additional 8.67 position was frozen for a total savings (in frozen vacant positions) of about \$500,000.

Mayor Seiler opened the public hearing.

John Casbarro, representing Kids and the Power of Work (KAPOW), outlined the KAPOW program. Funding in the amount of \$15,000 is requested to assist with expanding the existing program from North Side Elementary School to include Lauderdale Manors Elementary. This program exposes students to the world of work. He showed photographs of a field trip to City Hall where students were exposed to real world jobs as well as volunteers who assisted with in-school lessons. Volunteers have pledged participation, but the funding is needed.

Ken Walters, representing Hospice By The Sea, indicated they serve families in Broward and Palm Beach counties. In the past year there has been a six-fold increase in the number of charity patients and 141 were Fort Lauderdale residents. Donations have decreased 35%. A funding request of \$10,000 was submitted.

Bell Jackson, 1517 NE 5 Terrace, requested the City's assistance in maintaining existing programs at Warfield Park. Joshua Gibbons of South Middle River elaborated upon the fighting in his neighborhood. Ms. Jackson elaborated upon the character-building programs at Warfield Park. Mayor Seiler noted that the City is not cutting any youth programs.

Matt Walters, Chair of Dorsey Riverbend Revitalization Council representing the Front Porch initiative in District III. He listed activities the Council sponsors. Funding in the amount of \$10,000 is requested to further existing grants. He provided information regarding their organization.

Robert Walsh, 401 East Las Olas Boulevard, supported the proposed budget.

Robert Alcock, President of South Middle River Civic Association, appreciated the City maintaining the parks and recreation programs as they make a difference with the youth. He thanked the Commission for their support and particularly Commissioner Rodstrom for her leadership.

Andre Kent, 1244 NW 3 Avenue, discussed how their neighborhood (South Middle River) works together and has progressed over time. He thanked Commissioner Rodstrom and looked forward to working with all of the districts for the good of the whole. He asked that the chambers sound system be improved.

Carmen Smith, 1209 NW 3 Avenue, discussed the activism of the South Middle River Civic Association. She thanked the Commission for their support.

Earl Rynerson, 438 NE 8 Avenue, offered how he would define public service. He elaborated upon service to the common man and the impact of taxes, utility rates and management salary levels. He believed the budget could be reduced by \$50 million if the Reserve Fund Balance was reduced an additional \$15 million, carry forwards for departments such as Parking and Sanitation for \$10 million, stop longevity pay for \$6 million and other cuts that would not reduce services.

Bud Bentley, 1240 SE 13 Terrace, noted his experience as a former City employee and current member of the Budget Advisory Board. He indicated his comments this evening are as a resident. He urged the Commission to approve the proposed budget. He

wanted to focus attention on the next budget year. He felt the City is in a financial crisis. He referred to a recent news article indicating the City's reserves are overflowing and elaborated as to why he disagrees. If the City continues its current spending rate and budget policies, he believed there would be a negative Fund Balance by the end fiscal year 2011. He strongly recommended the Commission focus on their budget policies, recognizing that change has to occur. The management should be given as much time as possible to make these changes. Zero-based budgeting cannot be implemented all at once. He suggested starting with Parks and Recreation and a public safety department.

Commissioner Rodstrom asked about Mr. Bentley comment concerning the Reserve. Mr. Bentley clarified his comment is based upon current policy of not increasing the tax rate and will continue the current spending rate. He mentioned the Property Appraiser's prediction of another large decrease in property assessments next year and the possibility of an impact to the City of \$20-\$30 million. If the policy is not changed, all reserves would be spent in fiscal year 2011. The question is at what point should policies be revised to provide flexibility.

Dennis Ulmer, 1007 NW 11 Place, thanked the City for the special events that help businesses, encourage interaction among families and help revitalize the tax base. He pointed out that Fort Lauderdale will be able to bounce back from the downtown in the economy because the beach and weather is a desired commodity. He commended the Commission for not deciding upon massive pay cuts or furloughs. He believed that continued pension reform will be necessary in the City, Florida and probably the nation. He emphasized the need and the importance of people working together. He commended the administration for the proposed budget that addresses some of the present economic challenges and for a process without chaos.

There being no other individuals wishing to speak on this matter, a **motion** was made by Vice Mayor Roberts and seconded by Commissioner DuBose to close the public hearing. Roll call showed: YEAS: Commissioner Rogers, Vice Mayor Roberts, Commissioners Rodstrom and DuBose, and Mayor Seiler. NAYS: None.

Mayor Seiler announced the proposed millage rate for all general City purposes, exclusive of debt service will be 4.1193 which represents a 10.46% decrease in the millage rate under the rolled-back rate of 4.5995 mills. The proposed millage rate for debt service for the 1997/2002 General Obligation Refunding Bonds is .0902. The proposed millage rate for debt service for the 2005 General Obligation Bonds is .0441.

Commissioner DuBose introduced the following resolution:

RESOLUTION NO. 09-224

A RESOLUTON OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, ADOPTING THE MILLAGE RATE TO BE LEVIED BY THE CITY OF FORT LAUDERDALE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010.

Which resolution was read by title only. Roll call showed: YEAS: Commissioner Rogers, Vice Mayor Roberts, Commissioner DuBose, and Mayor Seiler. NAYS: Commissioner Rodstrom.

Commissioner Rogers was pleased there is no tax increase. He advocated a goal of not spending the \$10 million reserve and felt this could be done. The largest part of the savings is the unfunded vacant positions. He wanted discussion to continue on this topic. He questioned classifying a position as vital when it has not been filled in fifty-three months, for example. Hiring should be when needed only. He wanted to engage the Budget Advisory Board and hold workshops with that board with respect to saving the \$10 million. He wanted to find what it takes to provide services at an affordable tax rate.

Commissioner DuBose thanked staff, the Budget Advisory Board and the residents for their efforts. It is agreed that next year will be harder. If everyone works together, he felt the challenges can be met. He supported the budget as presented. He was pleased to see that people are not losing jobs, taxes are not being raised and essential services are not being cut.

Vice Mayor Roberts thanked staff and looked forward to working with the Budget Advisory Board and their recommendations. He believed that Fort Lauderdale is different than other cities. There needs to be focus on what is best for Fort Lauderdale residents and not be so concerned with what is happening with surrounding communities. He spoke of his experience as the former police chief and that cuts were made without thought to the ramifications. He would not support public safety or recreation program cuts. Recreation programs as to the youth and crime prevention go hand in hand. Department heads need flexibility in making service choices and to plan for the future. The Commission needs to be better stewards of the public financing. Pension reform, for example, is needed, but thought has to be given to recruiting and retaining people. He planned to be very careful about making cuts.

Commissioner Rodstrom felt staff has done the best job possible given the direction received. She could not support this budget. In looking two to three years into the future, she believed there will be problems next year and therefore wanted to save more this year. Money has been put into the reserve instead of addressing the pension and OPED liability. She was concerned about the pension liability. She believed the budget is being balanced with non-recurring funds, for example, \$1.8 million for the red light camera program. She did not think there is any assurance of this revenue. Another example is the \$900,000 of fleet auction revenue. She noted that \$10 million is being taken from the reserve and there is no explanation of where it is going. Fifteen million was taken from the reserve last year and none was replenished. There are sixty-seven funded vacancies for \$2.7 million, plus money for merit and COLA for those positions. She had not approved of the 5% COLA and 5% merit for the general employees, which is contained in the budget.

Motion made by Commissioner Rodstrom and seconded by Vice Mayor Roberts to not include \$1.8 million (revenue) in the budget to be derived from the red light camera program was defeated as noted below.

Commissioner Rodstrom clarified she does not oppose the program, but opposes relying on the revenue at this point. The City Manager stated the City's budget of approximately

\$500 million contains projections. Every year some projections end being over and some under. For the last five years, at the end of the year there is more money left over which means the City is doing a pretty good job of projecting and saving and accumulating reserves. There can be no guarantees. It is a delicate balance. Staff will do everything possible to save as much as possible. He understood the goal is \$10 million.

The City Auditor agreed that some projections will be higher and others lower. He did not believe this is a balanced budget when a revenue source has been budgeted that has not been legally decided is available. He suggested until the lawsuits are resolved, the money be placed in an escrow account in case it has to be repaid.

In response to Mayor Seiler, the City Attorney advised there is only one pending case (Aventura) out of the host of cities that have adopted the red light camera ordinance. A decision is expected in November which will coincide closely with the time staff anticipates putting the cameras in place. He believed there is a better than even chance that Aventura will prevail.

Commissioner Rogers expected the Auditor to be conservative. He pointed out that the cameras have not been found to be illegal by the Florida courts. The company retained by the City has never lost a lawsuit across the country. He felt it is more likely to be a good revenue stream. He felt it has been estimated conservatively. He was comfortable with it.

In response to Commissioner Rodstrom, Kirk Buffington, Director of Procurement Services, indicated contract award for this program is anticipated for October 6, 2009 but he was not aware of the schedule for the associated ordinances. There will be need for a couple of weeks to negotiate the final agreement. Installation would be less than twenty days from issuance of the permit.

Vote on motion to not include \$1.8 million (revenue) in the budget to be derived from the red light camera program was as follows: Roll call showed: YEAS: Commissioner Rodstrom. NAYS: Commissioner Rogers, Vice Mayor Roberts, Commissioner DuBose, and Mayor Seiler.

Commissioner Rodstrom referred to the City Auditor's executive summary of August 28, 2009, concerning zero-based budgeting. She thanked staff for their work on the organizational chart. She went on to comment that If the City is over-budget at the end of the day, taxes have been too high, and if under-budget, taxes have not been enough. She believed the millage rate should be lower than proposed. She wanted to get started early on next year.

In response to Vice Mayor Roberts, the City Manager advised the additional savings from cuts has been incorporated in the budget. Ms. Singleton-Taylor indicated based on the position savings, less reserves will be used.

The City Manager thanked the Commission for their leadership with respect to no reduction in services and no layoffs. It has strengthened morale. He thanked staff. During times of crisis people rely on government the most. This is really the government's mission, caring for people.

Mayor Seiler thanked staff. He agreed that the \$10 million in reserves should not be used because next year will be worse. He agreed with Bud Bentley concerning zero-based budgeting. He wanted to apply the approach next year. He thanked the City Auditor and Budget Advisory Board. He emphasized the need to constantly look for cost efficiencies and savings. He was impressed by staff's approach of serving the public. The budget will be the first priority in the coming year and will drive policy. The second issue is the local economy which he elaborated upon. Broward County has had the least downturn in the state in terms of tourism and Fort Lauderdale the least of any city in Broward. He wanted to continue to focus on attracting people to spend their dollars. As elected officials, the Commission is the public's trustees. He thanked the Commission. He was optimistic because of their leadership. Commissioner Rogers thanked the Mayor for his leadership as well.

Vice Mayor Roberts introduced the following resolution:

RESOLUTION NO. 09-225

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA ADOPTING THE FINAL BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009, AND ENDING SEPTEMBER 30, 2010.

Which resolution was read by title only.

Commissioner Rogers stated the Commissioners appreciated Mayor Seiler's leadership.

Roll call showed: YEAS: Commissioner Rogers, Vice Mayor Roberts, Commissioner DuBose, and Mayor Seiler. NAYS: Commissioner Rodstrom.

**Sunrise Key Neighborhood Improvement District -
Millage Rate and Budget – Fiscal Year 2009-2010**

(PH-02)

No Current Year Budgetary Impact.

Mayor Seiler announced that this was the second of two public hearings held as required by law on the millage rate and fiscal year 2009-2010 budget for Sunrise Key Neighborhood Improvement District. He opened the public hearing and noted its purpose.

Shonda Singleton-Taylor, Acting Director of Management and Budget, announced the proposed millage rate of 0.7500 mills will generate revenue of \$77,700.

There being no individuals wishing to speak on this matter, a **motion** was made by Commissioner Rodstrom and seconded by Vice Mayor Roberts to close the public hearing. Roll call showed: YEAS: Commissioner Rogers, Vice Mayor Roberts, Commissioners Rodstrom and DuBose, and Mayor Seiler. NAYS: None.

Commissioner DuBose introduced the following resolution:

RESOLUTION NO. 09-226

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, ADOPTING THE MILLAGE RATE TO BE LEVIED BY THE CITY OF FORT LAUDERDALE FOR THE SUNRISE KEY NEIGHBORHOOD IMPROVEMENT DISTRICT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010.

Which resolution was read by title only. Roll call showed: YEAS: Commissioner Rogers, Vice Mayor Roberts, Commissioners Rodstrom and DuBose, and Mayor Seiler. NAYS: None.

Commissioner DuBose introduced the following resolution:

RESOLUTION NO. 09-227

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, ADOPTING THE FINAL BUDGET FOR THE SUNRISE KEY NEIGHBORHOOD IMPROVEMENT DISTRICT FOR FISCAL YEAR BEGINNING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010.

Which resolution was read by title only. Roll call showed: YEAS: Commissioner Rogers, Vice Mayor Roberts, Commissioners Rodstrom and DuBose, and Mayor Seiler. NAYS: None.

There being no other matters to come before the Commission, the meeting was adjourned at 8:41 P.M.

John P. "Jack" Seiler
Mayor

ATTEST:

Jonda K. Joseph
City Clerk