

**MEETING OF THE CITY COUNCIL
PLANTATION, FLORIDA**

January 19, 2011

The meeting was called to order by Councilman Fadgen, President of the City Council.

1. Roll Call by City Clerk:

Councilmember:	Diane Veltri Bendekovic Jerry Fadgen Robert A. Levy Peter S. Tingom Sharon Moody Uria
Mayor:	Rae Carole Armstrong
City Attorney:	Donald Lunny

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2. The invocation was offered by Councilman Tingom.

The Pledge of Allegiance followed.

3. Approval of Minutes of Meeting – July 21, 2010
4. Approval of Minutes of Meeting – July 28, 2010
5. Approval of Minutes of Meeting – August 11, 2010

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ITEMS SUBMITTED BY THE MAYOR

Mayor Armstrong recognized Merit Scholars from American Heritage. She also recognized Bill Laurie, the owner of American Heritage, which was founded in 1965 and came to Plantation in 1973.

Mr. Laurie's son, Dr. Doug Laurie, was also recognized, who initiated a pre-law/pre-med program, which has taken most of the curriculum at the school to a different level. Pat Butts, principal, was recognized for being with the school for 37 years.

Dr. Laurie advised that the National Merit designation is one of the most prestigious honors a high school student may obtain and it recognizes them as the top 1% academically of nearly two-million seniors across the United States. This year American Heritage School is the number one private or public school in the State of Florida in National Merit Scholars. He introduced Ray Dos (sic), who is nationally recognized as one of the top

SAT instructors and teachers. Mr. Dos commented that when such a great achievement happens a lot of times it is attributed to talent. He has worked with all of these students personally and noted that they are extremely talented. Beyond the talent is a tremendous amount of hard work. He introduced Aton Chapsis (sic), to speak on behalf of the students. Mr. Chapsis thanked everyone for recognizing the students. He also thanked Mr. Dos, who personally taught him and all of the students.

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Pat Hinds, with the Plantation Woman's Club, presented checks for the following programs:

- \$3,000 to Mr. Phipps for the South Plantation High School Solar Program for the solar car project.
- \$3,000 to the Plantation High School Rocket Program.
- \$10,000 to Jim Romano for the Nature Explorer Program.

Mayor Armstrong acknowledged Ms. Hinds and the Plantation Woman's Club for their contribution to the Nature Explorer Program, which is an educational component for young children in the age group of 3 to 13 in order to introduce them to the environment and some elements of nature that are not always common in the lifestyle of children.

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Mayor Armstrong made the following announcements:

- There is one more day to pick up Christmas trees; January 24, 2011.
- February 7, 2011 is the last day to register to vote in the March election.

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6. WATER SHORTAGE OUTREACH PRESENTATION BY SFWMD.

Mayor Armstrong advised that October through December 2010 produced the lowest rainfall since recordkeeping began in 1931. Water conservation efforts are imperative, as the monitoring wells are nearing critical levels and Lake Okeechobee is over a foot lower than it was this time last year.

Carole Morris, Jose Lopez, Project Manager for the Broward Service Center, and Albert Waters, Director of the Broward Service Center, were present. Ms. Morris provided a brief Power Point presentation on the dry season and the following points were made:

- We have had almost one of the driest Octobers on record and November followed with 60% less rainfall than normal.
- The Broward Leaders Water Academy starts today. Hank Breitenkam, Utilities Director, was one of the presenters and represented the City very well.

Mr. Breitenkam stated that Plantation does a great job in conserving. When this first began about five years ago our per capita consumption was about 157 or 158 and today we are at 110 to 125. During the heaviest restrictions we were as low as 104; however, that was when people were reporting people for watering.

- The District is charged with protecting the State's water resources, encouraging conservation and planning for existing and future water use.
- Service level waters, underground aquifer levels, chloride levels, actual versus predicted rainfall, actual versus predicted water use and water withdrawals are regularly monitored.
- On average we receive about 52 inches of rainfall per year, mostly in the summer months. A great deal is lost due to evaporation.
- Even though we receive about 52 inches of rainfall per average year we very seldom have an average year. In Florida ours is a climate of drought and flood.
- Lake Okeechobee is managed by the Army Corp of Engineers. The District has some input into the decision making but it is ultimately the Corps decision as to what level they want to retain the lake at.
- Our normal dry season operations is to hold our canal levels a little higher; this facilitates additional water for irrigation as well as ground water recharge that may help in peaks of salt water intrusion.
- Currently we are experiencing La Nina. We have had the driest October on record since 1932.
- Lake Okeechobee is more than two feet below its historical average for this time of year; it was 12.41 earlier today.
- There is an emergency operations mode; there are water shortage teams on alert and monitoring has been increased. Warnings have been issued in certain areas and that is the reason we are calling on people to conserve water now.
- They are meeting with local governments and enlist their support in the conservation cause.
- If conditions do not improve it is likely that we may find ourselves in emergency water shortage restrictions again. If we do go into an emergency water shortage situation municipalities do have a statutory direction to assist the District with enforcement. The Focus for us is residential and the focus for the District is the larger consumptive use withholders.
- If we do go into water shortage please check the medians and athletic fields, and the irrigation systems. Residents will call if watering is done at an inappropriate time.
- They are working to implement a culture of water conservation. This includes year around landscape irrigation measures, Florida friendly landscaping, retrofitting of water guzzling appliances and fixtures.
- The District's rule provides that Counties south of the lake may adopt more stringent rules than the District has. Broward is one of the Counties that have; we are currently under a two-day a week outdoor irrigation rule.
- Recall from previous water shortages that up to 50% of potable water usage is for outdoor irrigation. If that is constrained we can help save the resource. If we go into water shortage the restrictions will likely be more significant.
- Florida friendly landscaping talks about the right plants in the right place and watering them effectively. It focuses on native plants that survive our drought flood extreme much better than the exotics.
- Every leaky faucet needs attention. Replace old toilets, old fixtures and appliances, old showerheads, aerators for faucets, use more efficient dishwashers and washing machines and use them more efficiently.
- The City's web page links directly to the District's water shortage watch web page, which provides information as to the current drought conditions, the current rainfall, current water restrictions in your area, conservation tips and additional information as how to save water.

Councilwoman Bendekovic constantly reads that the Army Corp lowers the water in Lake Okeechobee when we think there is enough water.

Ms. Morris indicated that there were a couple factors going on with Lake Okeechobee, one of which relates to the Herbert Hoover dike which surrounds the lake. There are some questions as to the dike's integrity and for that reason the regulation schedule, the amount of water that can actually be held in the lake, is lower than it was in prior years. There is a delicate balance because you want to keep as much water in the lake as possible but at the same time you do not want to risk the structural stability. The cold weather we have had in the past weeks has caused the agriculture industry to use a tremendous amount of water, much of which comes from the lake, to irrigate to try to avoid crop loss.

Councilman Tingom questioned whether the Water District purchased an area of land to retain more water.

Ms. Morris advised that the Broward County Water Preserve Area Projects are a SERP project; it is a Comprehensive Everglades Restoration Project and there are a number of parcels that have been purchased in West Broward. There will be two above ground impoundments constructed in West Broward, one near the C9 canal in the Miramar/Pembroke Pines area and the other near the C11 canal that is adjacent to Weston. When the structures are built they will be used to hold rain water and rain water runoff so that water is not pumped into the Everglades, which is extremely poor for Everglades water quality.

In response to Councilman Tingom, Ms. Morris indicated that it will not allow us to be less dependent on the lake level; that is a stormwater project. The lake is a backup water supply for Broward County. While we have become accustomed to looking at it as a barometer of our water conservation status, more times than not, that has not been used for water supply delivery to Broward County. Our water primarily comes from the Biscayne Aquifer, which is in large part recharged by the water in our water conservation areas to our west. Long term, the District's answers to water concerns in Broward County do lay with construction of SERP, which will provide more water to the Everglades. It will enhance/recharge of the Biscayne Aquifer as well as water conservation reuse alternative water supply projects into the Florida Aquifer.

Councilwoman Uria referenced discussions with some neighborhoods regarding construction on I-595 and the canal. She questioned whether the Water District monitors that in any way with any damage or saltwater.

Mr. Lopez advised they have been talking with Plantation Isle residents for the last six months. He does not feel the construction of I-595 has anything to do with the problems they are having even though they started seeing vegetation at the time the project started. There was a very wet/dry season last year and that coupled with the temperature in the canals being higher by a few degrees might have been a factor. Other canals are having the same issues. Currently the canals are very clear. At this time he does not think there is any proof that the construction of I-595 had anything to do with the vegetation issues. The project is monitored every day. If any turbidity is seen they are supposed to stop work immediately.

In response to Councilwoman Uria, Mr. Lopez stated that at one time there was a leak. One of the turbidity barriers broke loose and it was fixed. The District has been working with the local residents.

Councilman Levy questioned if residents should contact Mr. Lopez if they took pictures, observed equipment working or felt there is a direct cause in effect.

Mr. Lopez indicated that the residents can call him or anyone in this field at the Broward Service Center. They will not get the run around. Their response time is very quick.

In response to Councilman Levy, Mr. Lopez advised that if there were any saltwater intrusion in the canal by I-595 the District would be the ones to work on that solution. There are other canals that are not their responsibility. It depends on which canal is involved.

Ms. Morris commented that the canals all sort of feed into one another and the quickest way to spot a District canal is to look for their sign, as there are always signs.

Mayor Armstrong stated that the representatives of the South Florida Water Management District have been very responsive and open to the City and to the residents regarding any items surrounding this topic. She noted that perimeter drainage is being done in the canal in order to create the depth and width needed to maintain the water flow in the canal. There was some confusion as to whether there was to be any dredging at all in the section along the I-595 canal.

Mr. Lopez indicated that the perimeter dredging is part of the construction. They have to meet water quality and have a turbidity area. He believes that the vegetation in the canals is a situation that happened everywhere in Broward County and as soon as the temperatures are lowered the canals cleared. He feels the construction and the vegetation issue are two separate situations.

In response to Mayor Armstrong, Ms. Morris advised that the reservoir program will not have any affect on the levels.

In response to Councilwoman Bendekovic, Mr. Lopez clarified that the condition in the canals exists in all of South Florida.

William Hanes, resident, mentioned that there are three golf courses in the area that have been paid millions of dollars to be used as drainage retention areas for the runoff to improve water quality. He has not heard how that will affect the canals and the water conservation.

Mr. Lopez stated that is correct. When FDOT built I-595 they took a lot of drainage and used one golf course as a retention area to get the runoff and improve the water quality before it could be discharged; they did not use all three golf courses. As a stormwater improvement that is a very good approach and they commend FDOT for that.

In response to Councilwoman Uria, Mr. Lopez believes this year was an abnormal year for the vegetation growth. The runoff coming from Heritage Park and north of Peters Road goes into those canals. There was a very wet/dry season and the runoff had nutrients from fertilizer and pesticides. That coupled with the fact that the water temperature was a couple of degrees higher made the right conditions for this to happen.

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CONSENT AGENDA

As a Commissioner of the CRA, Mayor Armstrong has a voting privilege on Item No.'s 14 and 17.

Mr. Lunny read the Consent Agenda by title.

7. Request for authorization to continue purchasing polymer from Fort Bend Services, Inc. at the price of \$0.16/lb delivered through February 27, 2012. (Budgeted – Utilities)

8. Request for authorization to approve Change Order #1 to Broward County for the addition of two sanitary sewer manholes on the Peters Road sewer installation project. (Budgeted – Utilities)

Resolution No. 11156

9. **RESOLUTION** of the City of Plantation pertaining to the subject of a municipal special assessment; reinstating a delinquent Westgate Lake Manors Special Assessment as evidenced by and levied pursuant to prior Resolution No.s 9321, 9322, 9382 and 10090 (the “Assessment Resolutions”) on property legally described in this resolution and having an ad valorem folio number of 5041 01 02 1340; changing the terms of the municipal special assessment’s repayment (for such described property only) as part of such reinstatement; making other findings and provisions appropriate for such reinstatement; providing a savings clause; and providing an effective date therefor. (Green)

Resolution No. 11157

10. **RESOLUTION** for the appointment of a Police Legal Advisor for the City of Plantation’s Police Department fixing the initial annual compensation to be paid for said administrative position; and the appointment of an individual to said administrative position. (Presser)

Resolution No. 11158

11. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period December 30, 2010 – January 5, 2011 for the Plantation Gateway Development District.

Resolution No. 11159

12. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period December 30, 2010 – January 5, 2011 for the Plantation Midtown Development District.

Resolution No. 11160

13. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period December 30, 2010 – January 5, 2011.

Resolution No. 11161

14. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period December 30, 2010 – January 5, 2011 for the City of Plantation’s Community Redevelopment Agency.

Resolution No. 11162

15. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period January 6 – January 12, 2011 for the Plantation Gateway District.

Resolution No. 11163

16. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period January 6 – January 12, 2011.

Resolution No. 11164

17. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period January 6 – January 12, 2011 for the City of Plantation’s Community Redevelopment Agency.

Motion by Councilwoman Uria, seconded by Councilwoman Bendekovic, to approve tonight’s Consent Agenda. Motion carried on the following roll call vote:

Ayes: Bendekovic, Uria, Tingom, Levy, Fadgen

Nays: None

NOTE: Mayor Armstrong voted affirmatively on Item No.’s 14 and 17.

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ADMINISTRATIVE ITEMS - None.

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LEGISLATIVE ITEMS - None.

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QUASI-JUDICIAL CONSENT AGENDA - None

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QUASI-JUDICIAL ITEMS - None.

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COUNCILMEMBERS’ COMMENTS

Mayor Armstrong advised that there will be a City Council meeting next week on January 26, 2011. There will be information on the water topics put on by Broward County and the South Florida Water Management District is putting on a Water Academy that will cycle periodically. The purpose is to generate and provide information to the general public and elected officials. Their next meeting will be on February 11, 2011.

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In response to Councilman Levy, Mayor Armstrong indicated that a lot of things are in progress regarding the Jacaranda Country Club. They are currently looking at the topic of restructuring the traffic situation so that they can maintain connectivity but eliminate the conflict in the rear of the golf course property, which was one of the concerns to the Country Club and to the residents. Some information is anticipated, which will be shared with the Homeowner’s Association within the next couple of weeks. They are consistently moving forward and responding to the landscape concerns. The drainage issues relative to the trellises and the other one are in the process of being addressed. Hopefully those two conditions related to drainage will be implemented within the

next few weeks. The Country Club sent letters of invitation and an outreach to the community to be part of their utilizing the facility and it is her understanding that they received a good response from the residents. There is still conversation regarding the encroachment issues.

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Councilman Levy commented that his faith was renewed in this City to see representatives from three local schools involved in the community. This was an amazing tribute to the community and to the future. He urged everyone to attend the candidate forums and requested that the City publicize the candidate forums.

Councilwoman Bendekovic questioned whether the candidate forums can be put on the website since there is an election area.

Mr. Lunny questioned whether the Associations have indicated that they are open to public invitation opposed to limited members.

Councilman Levy does not believe they can close it.

Councilwoman Bendekovic commented that it is on City property.

Mr. Lunny advised if it is on public property and open to the public it can be put on the website. If it is on private property where you are invited as a guest to speak, it probably should not be put on the website.

Councilman Levy stated that the website could say whether the forum is open to the public or not.

Mr. Lunny indicated that no one can be endorsed but the website can say that this is a public service along with the time and place.

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Councilman Fadgen commented on the community service hours the aforementioned students volunteered and noted that it is a significant accomplishment.

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Councilwoman Uria enjoyed the South Florida Water Management District presentation and was happy to hear that they did not believe the construction on I-595 is causing the problems in Plantation Isles.

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Councilman Tingom stated that the Water Academy is very informative. He concurred with Councilman Levy regarding the students and believed it was very important to recognize these students for their accomplishments.

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Councilwoman Bendekovic thanked the Plantation Historical Society for their event. She also thanked the Methodist Church for the Multi Cultural service, which was well received.

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PUBLIC REQUESTS OF THE COUNCIL CONCERNING MUNICIPAL AFFAIRS

Warren Meddoff, resident, thanked Mayor Armstrong, Mr. Keefe, Councilwoman Uria, Councilwoman Bendekovic and Police Chief Harrison regarding a marine shipping container used as a permanent storage facility and a quality of life issue in Plantation Acres. He was pleased at how the City immediately moved forward to help this property owner. He requested an update on this issue.

Kimberly Rivers, resident, thanked the City and wants to be sure that everyone is aware of the situation as well as the environmental issues.

Mayor Armstrong assured that they are in the process; the permit has been revoked.

Councilman Levy stated that all of Council was aware of what was happening; it would have been redundant for everyone to call. The network did work and we knew that action was being taken.

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Dennis Conklin, resident, distributed information. Last year around National Election time he started receiving email spam from the SEIU. This week his mailbox was spammed and has since discovered that the SEIU is apparently trying to organize at least one of our City hospitals; Westside Regional Hospital. He does not know whether they are attempting to organize Plantation General Hospital. He knows the importance of these two hospitals to the economic and health welling being of Plantation. The SEIU were in support of what has come to be known as Obama Care. Today Congress voted to appeal that in the House. Right after the National Health Care was passed in the Stimulus Act, the FTU healthcare workers and 222 other companies and Unions immediately filed for exemptions from Obama Care. He wants to warn employees because apparently they have forced a vote; he has not opened the mail. These are not people you want to get involved with.

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Meeting adjourned at 9:16 p.m.

Jerry Fadgen, President
City Council

ATTEST:

Susan Slattery
City Clerk

RECORD ENTRY:

I HEREBY CERTIFY that the Original of the foregoing signed Minutes was received by the Office of the City Clerk and entered into the Public Record this _____ day of _____, 2011.

Susan Slattery, City Clerk