

**CITY COUNCIL WORKSHOP  
PLANTATION, FLORIDA**

**April 20, 2011**

The meeting was called to order by Councilwoman Uria, President of the City Council.

1. Roll Call by City Clerk:

Councilmember:	Ron Jacobs
	Robert A. Levy
	Lynn Stoner
	Peter S. Tingom
	Sharon Moody Uria
Mayor:	Diane Veltri Bendekovic
City Attorney:	Donald Lunny, Jr.

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2. The invocation was offered by Councilwoman Uria.

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**ITEMS SUBMITTED BY THE MAYOR**

Mayor Bendekovic made the following announcements:

- Westfield Mall's Federated Road will be closed Easter Sunday; the closing will commence on Sunday, April 24, 2011 at 12:01 a.m. and open on Monday, April 25, 2011 at 12:01 a.m. Road barricades will be in place and the road will be available for emergency vehicles only. The reason for this is they have to maintain private property rights so it has to close one day a year.
- A smoke test will be conducted at the City sanitary sewer system in the area of Omega on Tuesday, April 26, between 9:00 a.m. and 4:00 p.m.

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**CONSENT AGENDA**

Mr. Lunny read the Consent Agenda by title.

**Resolution No. 11235**

- 3. **RESOLUTION** approving a State of Florida Department of Transportation Local Agency Agreement to facilitate the construction of a multi use trail within a City parcel of land located along the east side of the Florida Turnpike in the Country Club Estates residential neighborhood.

*Motion by Councilman Tingom, seconded by Councilwoman Stoner, to approve tonight’s Consent Agenda as printed. Motion carried on the following roll call vote:*

Ayes: Stoner, Tingom, Jacobs, Uria  
Nays: None

NOTE: Councilman Levy was not present at this time.

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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 Bendekovic wished everyone a Happy Passover and a Happy Easter.

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Councilman Tingom congratulated the Human Resources Department and thanked the City for the Health Fair.

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Councilwoman Uria wished everyone a Happy Passover and a Happy Easter.

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**PUBLIC REQUESTS OF THE COUNCIL CONCERNING MUNICIPAL AFFAIRS – None.**

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The Regular Meeting adjourned at 7:09 a.m.

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**WORKSHOPS**

4. Discussion concerning Advisory Boards/Committees.

A memorandum dated April 14, 2011 to Mayor Bendekovic and City Council Members from Susan Slattery, City Clerk, follows:

Attached for your review are a brief synopsis of each board and committee, a listing of the current 2010/2011 Board and Committee members and copies of the attendance records for each Board/Committee.

The only Board that is currently statutorily required is the Planning & Zoning Board, which serves as our Local Planning Agency.

I have also included sections of the Code Book associated with the three Pension Boards and their composition.

This item will be discussed at the Workshop meeting. If you have any questions please contact me at 954-797-2719.

Thank you.

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In response to Councilwoman Uria, Mr. Lunny advised that we do not have to have any of the Advisory Boards; however, in order to function as we are accustomed, meaning if we still want to have our two safe neighborhood districts, we need the Gateway and Midtown Boards. Retirement Boards are necessary if we are going to accept State money. The Council should decide how much of a change is desired. Some Boards are not required; however, they are convenient and necessary, such as the Unsafe Structures Board. Mr. Lunny did not have the costs savings available for review. With regard to the Advisory Board for the Disabled, Mr. Lunny indicated that it is not a required Board for the function of City government; it is a convenience and a sounding place for ADA issues. Expediting this Board will expedite the process and save costs of staff.

Councilman Jacobs commented that costs are difficult to quantify; there is staff time, preparation time, recordkeeping time and the cost to applicants. His thought process is that in a time when we want to save costs and make the City more business friendly there are some changes that can be made. The ADA was made part of the Building Code in 2004 and it is not necessary anymore. Eliminating this Board would streamline projects and reduce any associated costs.

There was a consensus to do away with the Advisory Board for the Disabled.

Mr. Lunny stated that as a general matter of governance, the City should want to have a Board of Adjustment as a safety belt for variances and in order to review legal interpretations by staff as to the meaning of the City's Growth Management Regulation so the Council does not have to do so. He recommended that the Board of Adjustment be kept independent of the Council; it is not required, but most municipalities have an independent Board of Adjustment.

Mayor Bendekovic suggested canceling the meetings in July and August.

Councilman Jacobs advised that if some of the Boards met less frequently it would save a lot of money.

Councilman Tingom believed the Board should be kept in place with the meeting schedule deemed as necessary.

The consensus was for the Board of Adjustment to meet as needed.

Mayor Bendekovic provided an overview of the Code Enforcement Board and noted that the cost factor from May 2009 to February 2011 was \$20,153.50 and the Code Enforcement overtime was \$13,523.97, which totals \$33,600 +/- . The City has a Special Magistrate and their cost over the same period of time was \$7,465. The Special Magistrate meetings are held the third Thursday of each month at 1:00 p.m. There would be a considerable amount of savings by using only the Special Magistrate.

Councilwoman Uria noted if Code Enforcement were eliminated the Special Magistrate costs will go up.

Mayor Bendekovic indicated that the attorney fees for Code Enforcement are \$170 per hour and the Special Magistrate is \$100 per hour. She noted that this is a recommendation from former Chief Massey and is also recommended by Chief Harrison.

Councilman Jacobs supported eliminating the Code Enforcement Board.

Mr. Lunny advised that the concept of the Code Enforcement Board was authorized by the Legislature as a cost effective way of dealing with violations. Prior to the time of Chapter 162's authorization, if there was a violation the violators had to be taken to County Court each and every time and there were filing fees, litigation fees and a penalty imposed by a Judge. The Code Enforcement laws allowed Cities to set up a Board and then later allowed the use of Special Magistrates. The Code Enforcement liens and fines do not attach to Homestead property and when the City went to Special Magistrates, the concept was that in commercial cases or in cases that were technical, staff wanted an option where if they desired a more formal prosecution assistance from the law firm, the case could be taken to the Special Magistrate and have the law firm prosecute the case. An additional cost saving measure was taken by trying to use the Police Legal Advisor if that became necessary and over time we have had the Special Magistrate it has been determined that the need for that support is not there, meaning it is not necessary to have an attorney or the Legal Advisor present. Currently there are citizen volunteers who handle the community appearance violations principally for Homestead and the Special Magistrates doing to the commercial cases. The entire flavor is different. The Code Enforcement Board meets at night when citizens are off work, whereas the Special Magistrate meets during the day when businesses might be more prone to handle matters. The Council can do whatever they wish. He requested that the City at least save one because it is a cost saver rather than taking people to court; there is always the option of taking someone to court and not utilizing the Code Enforcement Board.

In response to Councilwoman Uria, Mr. Lunny stated that over time more cases were shifted to the Special Magistrate and the reason for that is because they are a little more formal and slightly less forgiving because it is

not a citizen type Board. The Code Enforcement Board has been kept because of the softer function. Staff is frustrated and his response is always, "Either change the Board members or have more Board members that are less apt to have a forgiving attitude", but the system is not broke. The Code Enforcement Board does cost money and is more expensive than the Special Magistrate.

In response to Councilman Tingom, Mr. Lunny indicated that the preference is that if someone starts at the Special Magistrate they must end there and if they start with the Code Enforcement Board they must end there. Additional cases could be sent to the Special Magistrate, because the Mayor has the duty to enforce all of the City's ordinances. As a matter of policy the Mayor could say, "I want to send an additional class of cases to the Special Magistrate", thus, reducing the load on the Code Enforcement Board. The past Administration's feeling was that the Code Enforcement Board would continue to hear the neighborhood nuisance type cases because there was a recognition that the liens probably were not going to be effective and it was more of an inconvenience for someone to come to a Board and admit that they were in violation. He did not know the compliance rate but did not feel it was worse than other Cities. If it is believed that there is an issue of quorums or that certain members of the Board have an approach different than what is preferred, his suggestion would be to change those members.

NOTE: Councilman Levy entered the meeting.

Councilman Jacobs commented that several of the Special Magistrates are Plantation residents.

In response to Councilman Tingom, Chief Harrison believes the City would be better off with one Board because the consistency of the Special Magistrate is more of a judicial process and is more professional. The time can always be fluctuated; although people that go before the Special Magistrate seem to show up at 1:00 p.m. The cost savings would be tremendous. With regard to a Notice of Violation, applicants usually have a month to come into compliance. If the applicant is not in compliance within 30 days the violation goes before the Code Enforcement Board and the Board can rule to give another 30 days. If not in compliance after the 30 days the Board can give another 30 days and this can go on and on until the time the Board finally finds the violation in violation and then a fine is set until the violation is corrected and if it is not corrected the costs accrue.

Councilwoman Stoner noted that the Special Magistrate is more intimidating and that is her concern.

In response to Councilman Tingom, Mr. Lunny advised that the Special Magistrate does not have the force of attaching a lien to a Homesteaded property. That is a function of Chapter 162. The question is whether Council wants to make this change and if there is a possibility of going back to the Code Enforcement Board, perhaps all of the cases could go to the Special Magistrate for a year and not sending any to the Code Enforcement Board, that way all of the Code Enforcement law is not being repealed. To repeal that part of Chapter 6 and repeal the Code Enforcement Board is not necessary; the Mayor can be requested to make the adjustment and start sending cases to the Special Magistrate.

Councilwoman Uria expressed concern that some residents would not be able to attend the meetings in the afternoon. If the meetings run into the evening hours there will be an overtime issue again.

Chief Harrison assured Councilwoman Uria that the goal is compliance. Residents are always given a certain amount of time to come into compliance prior to receiving a Notice of Violation.

Councilman Tingom suggested moving the meetings to later in the day and transferring all of the cases to the Special Magistrate for one year.

In response to Councilwoman Uria, Mayor Bendekovic indicated that from the time the change is started they will keep track of attendance and the cost factor and bring it back at budget time next year.

Councilwoman Uria also requested to review the Resolution of the issues; the percentage to the Special Magistrate.

In response to Mr. Lunny, the consensus was to phase out the existing Code Enforcement docket.

Councilman Tingom suggested that May be the final meeting of the Code Enforcement Board.

Mayor Bendekovic stated that the Board members should be notified that this is a temporary suspension.

The consensus was to move the Special Magistrate meetings to later in the day for one year; to be reviewed at budget time.

Mr. Lunny stated that the Educational Advisory Board is important for the interfacing with the School Board. It is believed that we should keep this Board intact.

Mayor Bendekovic advised that there are seven members on the Board. She suggested that this Board be kept intact, as they are a voice for the community when boundary issues come up. She also suggested matching their schedule with the school schedule; going from September to May. A special meeting could always be called if necessary.

In response to Councilwoman Uria, Mayor Bendekovic stated that the only costs are the minutes. This meeting is held on the first Monday of the month at 3:30 p.m.

Councilman Tingom believed the September to May schedule was a good recommendation.

Councilman Jacobs suggested having quarterly meetings.

The consensus was to have quarterly meetings and not meet during the summer, with the right to call special meetings.

Mayor Bendekovic indicated that the Landscape Board does not schedule meetings for July, August and December. From what she understands, the meetings provide a lot of information.

Diana Berchielli, Landscape Director, feels that the Landscape Planning and Review Board is very important to the City; they have good input. In addition, this Board is an important component to our Tree City USA status as well as some of the grants that were received from the State. Having the Landscape meetings allows us additional points when applying for grants; it gives up a preference to some of the grants.

In response to Councilwoman Uria, Ms. Berchielli stated that daytime meetings could cause a problem, as all of the Board members have full time jobs with the exception of a few.

Councilman Tingom concurred with Ms. Berchielli.

Councilman Jacobs questioned whether this Board could meet quarterly with the ability to meet in between if necessary.

Ms. Berchielli advised that the Board meets for several reasons such as if any plans are coming into the City and they are tied into the Review Committee process. The Board did not meet a lot in the past year because there was not a lot of activity; they are only scheduled when an applicant comes forward with a project.

In response to Councilwoman Stoner, Ms. Berchielli stated that the average length of the meeting is an hour. If they doubled up and missed a month a client could be delayed.

Councilman Tingom was in favor of retaining the status quo. He has attended several meetings and they do have good input.

Councilwoman Uria disagreed.

In response to Councilman Jacobs, Mr. Lunny indicated that the jurisdiction of the Board can be changed at any time. They can formally be taken out of the Development Review process and retained for appeals of staff's denial of tree removal permits or for improvements to City property or for whatever is needed for grant functions.

Mayor Bendekovic advised that we need the Tree City certification.

Councilman Jacobs commented that an additional analysis would be needed prior to making any changes.

The consensus was to leave the Landscape Board status quo.

Monica Knapp, Library Director, indicated that originally the Library Board spent money paying bills and writing checks; however, they do not do that anymore. They are advocates in the community and are the ones who speak directly to a public complaint if a book is contested. They do not meet in the summer and they do not meet in November or December. The meetings are at 3:30 p.m. and she types the minutes. She believes it would be all right to go to quarterly meetings and if there is a problem the members can be called in.

The consensus was to move the Library meetings to quarterly.

Mayor Bendekovic suggested keeping the Nuisance Abatement Board law in place but letting it go inactive. Meetings can be designated as needed.

The consensus was for the Nuisance Abatement Board was to meet on an as needed basis.

Mayor Bendekovic suggested reducing the Parks and Recreation Board to seven members, having one regular member and one alternate. They do not meet in July or August and she suggested that the meetings go quarterly. The Board meets in the evening and they do have minutes taken by staff; therefore, there is a cost.

Jim Romano, Parks and Recreation Director, advised that going with seven members with alternates would be fine. Currently they do not meet in July, August or November. He did not see quarterly meetings as a problem. If something comes up they can always call a special meeting.

In response to Councilman Tingom, Mr. Romano stated that meeting quarterly would not affect awarding scholarships.

The consensus was for the Parks and Recreation Board to have seven members with seven alternates and to meet on a quarterly basis.

Mr. Lunny advised that this Board was created by a Resolution; therefore, the change can be made temporarily. Some Boards are created by ordinances and if a permanent change is made the law must be changed.

Councilwoman Stoner believed that quarterly should be more than sufficient to cover relevant issues that come before the Board.

Councilman Jacobs noted that there is a cost involved in changing ordinances; everything is temporary.

Mr. Lunny advised that the jurisdiction of the Plan Adjustment Committee is being expanded through a Growth Management law change. He believes it is important to keep the rotation; however, if an elected official cannot attend, the Mayor will be able to sit in for them or designate someone else out of rotation. The desire is to allow more issues to be handled by staff and more things to go to PAC; that change will be coming some time in late May. Previously PAC could not change a City Council requirement and there has always been a question of that meaning. This has been clarified to say that the Plan Adjustment Committee cannot change an express condition of the Council's motion.

Mayor Bendekovic suggested that the Planning and Zoning Board remain, keeping the regular and alternate members. She cautioned not to take too many meetings away.

Councilman Jacobs noted that back in 2000 the City consolidated the Comprehensive Planning Board and the Zoning Board into one Board; the Planning and Zoning Board. It is his understanding that the Planning Board portion meets the City's requirement of having a Local Planning Agency but that the Local Planning Agency does not have to be a Board or a Local Planning Board. He questioned whether the Planning Board function would be redundant if the Local Planning Agency function were brought to the Council and the Council served that function. He also questioned whether a Zoning Board is necessary or whether it can be brought to the Council.

Mr. Lunny indicated that under the Growth Management Act, the City is required to have a Local Planning Agency whose function is to formulate comprehensive plan changes initiated by the City that are done by staff and presented to the Board and to formulate the initial comprehensive plan, which has already been done. Those are the only statutory functions. In Plantation the strategy for having a Planning and Zoning Advisory Board is because projects can be controversial community intensive discussions when a land use plan is changed or flex units are awarded. Sometimes it is important, from a legal point of view, to require a full airing out in an Advisory meeting so that Council can better prepare a defensive strategy for the City Council meeting as opposed to doing it all here without any kind of formal Advisory review. Rezoning can be very controversial and in the City's history, we have also utilized the Advisory function defensively. It could be determined that with overall Growth Management topics, only certain kinds of projects go to the Zoning Board so it is important enough to have a meeting and perhaps still valuable from a defensive standpoint. The last concept might be to look at the members and see if you want to encourage a more professional cross section in terms of an architect, a planner, three citizen types, etc. so there is a different kind of cross section in terms of membership. Mr. Lunny would not recommend that Council take all comprehensive functions and take over the Local Planning Agency because it would affect our ability to fair out issues or develop something of a record for a no hear. Something to consider when appointing Board members is that you want them to say no and perhaps more often than Council would so that the City is protected later.

Councilman Jacobs commented that this Board can add two months or more to the process and there is a large expense to the City as well as to the applicants. Mr. Lunny's comments make sense and what was presented is possibly a middle ground, a way to get some projects through quicker at lower costs to applicants but still retain some of the value with regard to defenses and acting as a buffer.

Mr. Lunny advised that is not part of the Growth Management direction at this time. He requested direction to review the Board with Mayor Bendekovic and Mr. Leeds to determine their important services. He believes that their jurisdiction can be pared down to things that truly warrant the Board's attention.

Councilwoman Uria thought that certain size projects could be handled by Mr. Leeds. She knows that the Planning and Zoning Board has not met a lot lately but when they have met they have encountered projects that take two to three hours of discussion. She believes their discussion is very helpful by the time the projects get to Council. She can understand the larger projects going to the Planning and Zoning Board; however, Mr. Leeds could have more leeway on doing the smaller projects.

Councilman Jacobs stated that if the Council were the Local Planning Agency they would be much better educated in all of the projects.

Councilwoman Stoner concurred with Councilman Jacobs and believes that Council would be better informed if they were the Local Planning Agency. She was in favor of Mayor Bendekovic, Mr. Lunny and Mr. Leeds conducting a review in order to come up with the best balance of the projects.

Councilman Levy believes the Planning and Zoning Board is working fine and is very valuable. When they need to, they spend the time necessary to review all major developments and projects and he would hate to undermine that in any way. He feels it is the Council's job to appoint the type of people that we would listen to and read their reports to come up with our own opinions, but use them in the best Advisory way possible as we do with Gateway and Midtown. We might want to look at the make up of the Board. Councilman Levy thinks that the Planning and Zoning Board is one of the most important in the community and they need to have the authority to review many things. This body should always be the one that reviews the work, the principles, etc., so Council does not have to do the initial reviews.

Councilwoman Uria indicated that Council does get to know a lot about the projects. She understands what Councilman Jacobs is saying as far as adding two months to the development process and finding a way to expedite the process would be good. She reiterated that Mr. Leeds could handle the smaller projects.

Councilman Levy agreed with Councilman Jacobs' comment with regard to adding a two month delay in the process. The Planning and Zoning Board performs a major function and he does not want to diminish that.

Mayor Bendekovic was concerned with Councilman Jacobs' comment regarding the timeline; it is an expensive process and we need to remain cognizant of that. Reducing the work load would allow applicants to get on the agenda much faster.

Councilwoman Uria questioned whether Mr. Leeds, Mr. Lunny and Mayor Bendekovic could work together and come up with something.

Mr. Lunny advised that they would do their best and noted that it would not be next month. He suggested that this be Workshopped on May 25, 2011.

The consensus was to have Mr. Lunny, Mayor Bendekovic and Mr. Leeds meet and come back on May 25, 2011.

Councilwoman Uria stated that Plantation Gateway and Plantation Midtown meet every other month.

Councilman Jacobs suggested they meet quarterly.

Mr. Leeds believed that quarterly meetings would be fine. Plantation Midtown is busier and has a larger budget; their scope of review goes beyond and is involved in major planning issues. Plantation Gateway is basically a maintenance Board. He felt that Plantation Gateway would be sufficient quarterly and Plantation Midtown could go either way. He suggested making both Boards quarterly with the possibility that Plantation Midtown may be changed; however, he would like to discuss this with Mr. Lunny and Mayor Bendekovic.

Councilwoman Uria advised that the next meeting for Plantation Gateway is in June and the next meeting for Plantation Midtown is in May; then we would start quarterly.

There was a consensus to have quarterly meetings for Plantation Gateway and Plantation Midtown.

Ms. Slattery indicated that a time certain was needed as to when quarterly meetings will begin, as the Board members need to be notified. She noted that meetings are already scheduled for May.

Councilwoman Uria commented that the Board members could be told during the next meeting.

Mayor Bendekovic stated that the reason we are having this discussion is because appointments start in June.

Mr. Lunny advised that the Developmental Review Committee is also being changed in the Growth Management Law. He suggested that membership be decreased, completeness of plans be emphasized and noted that collaboration and staff cannot hold anyone up for qualitative issues. The focus of the Boards and Committees is to change and question whether there are life-safety or inter-department discipline conflicts that need to be worked out. He indicated that the draft is going to the Planning and Zoning Board in May.

Councilman Tingom noted that this is a key element in moving forward with smaller projects. He questioned whether we are meeting more frequently than once a month in the new Resolution or Ordinance.

Mr. Lunny indicated that the meetings have been changed so that Mr. Leeds will be able to approve without Developmental Review Committee approval. Only the Development Department Heads, Advisory and other things will go through the formal process. There has been a strong effort to make the process more efficient and hopefully not lose the qualitative aspects of the City's approach.

In response to Councilman Tingom, Mr. Lunny commented that the end product might move more quickly. His view is that some plans are relatively incomplete and a very quick presentation is done to get through the Developmental Review Committee and start through the process. What happens is that there are bad results and once Council has approved the applicants come in for permitting and cannot build what they want because it never received the professional review again. In the beginning the projects will be held up a little more so they will at least get through the Developmental Review Committee and then hopefully they will proceed more quickly.

Mr. Leeds advised that the Developmental Review Committee has changed; the meetings used to be held in Council Chambers and they were over in 15 or 20 minutes. That did not provide a service to the applicant because some of the staff reports are several pages. Currently they meet in the first floor conference room of the Building Department and the meeting will take as long as needed to go through the comments in the report. Some people see this as time consuming; however, the applicants love it because if there is a conflict it can be dealt with at that time. Previously, the meeting would adjourn and the applicant would make his way from department to department and from building to building, which does not work. He believes this process will speed things up.

Councilwoman Uria commented that the Unsafe Structures Board does not meet often.

Councilman Levy noted that Pembroke Park uses the County as the Unsafe Structures Board. We could be part of the Interlocal Agreement with the County and do away with the Board.

Councilman Jacobs suggested that Administration review that.

In response to Councilwoman Uria, Councilman Levy indicated that there is never an issue of getting on the agenda.

Mr. Sabouri stated that the Unsafe Structures Board is a part of Building Code; we can delegate that portion to a third party. There is a provision in the Code that says we can have the County address that. He tries not to bring too many structures before the Unsafe Structures Board because attempts are made to get the contractor or the owner to make the necessary repairs and usually by the time they get to that level months have passed. There is a factor that even though they do not meet as often as other Boards, once they meet action is taken right away. The other factor is that if an appeal is made, they have to appear at Circuit Court.

In response to Councilwoman Uria, Mr. Sabouri indicated that the meetings are usually in the Council Chambers at 7:00 p.m.

Mr. Lunny indicated that the meetings are infrequent; however, this particular Board has been extremely useful to the City. He does not have any experience with the County so he did not have a comparison, but noted that this Board works very efficiently.

Councilman Tingom preferred to retain control and keep the Board within our jurisdiction.

Councilman Jacobs commented that he could go either way. He did not have a problem with Administration reviewing the costs involved with the County and the time factor.

Mr. Lunny stated that by the time Mr. Sabouri is ready to get a demolition order he is quite confident that everyone will know about the case. It might be a little more costly but when Mr. Sabouri says the Board is not afraid to exercise its duties he is correct.

Councilman Levy commented that the County motion usually gives the party 15 to 30 days to affect a correction and if not, the County goes in and demolishes the property at the owner's expense and a lien is placed on the property for that expense if it has become a nuisance and beyond that. The County has picked up the tab for all of the different requirements necessary to make it legal; there is always a court reporter, an attorney, an assistant County attorney and the City has to pay for all of that on their own.

In response to Councilwoman Uria, Mr. Lunny would be happy to do whatever is requested; however, he would rather Mr. Keefe, Mayor Bendekovic and Mr. Sabouri review this.

Mr. Sabouri advised that there is currently a legislation going through the Florida Building Commission that may allow the make up of Unsafe Structure Boards to change and go to a less formal way.

The consensus was to keep the Unsafe Structures Board as is. Administration and Mr. Sabouri will look at using the County as far as costs and bring the information back to Council on May 25, 2011.

Mayor Bendekovic referenced the Pension Boards and discussed whether elected officials should serve on them or not. Some of the feedback she has received from the public is that they would like Council members to remain on the Board. One suggestion was that the Mayor should not serve on any Boards. She noted that the Police and Fire are appointed and approved by Council members and the General Employee Board is appointed by the Mayor. Mayor Bendekovic wants Council members to remain on the Boards; however, she did not feel that the Mayor should serve on any of the Boards.

Councilwoman Uria questioned whether the Council members want to serve on the Pension Boards.

Councilman Tingom believes that serving on the Pension Boards is part of the Council's function and judiciary responsibility. Because retirement costs are so critical and there is so much in the news, it is important to listen to what the active and inactive members so we can make prudent decisions. He was in favor of Council members remaining on the Boards.

Councilman Jacobs commented that it is unusual for elected officials to be on Boards.

Councilwoman Uria stated that when she goes to the FPPTA School there are very few elected officials because there is a fiduciary relationship as a trustee as well as to the taxpayers. She noted that anything that the Board does comes to the Council. She would prefer not to serve on the Pension Boards but does feel that there should be a quarterly Workshop or review of all of the Boards.

Councilman Jacobs concurred and would rather not serve on the Pension Boards.

Mayor Bendekovic stated that if Council members do not serve on the Boards qualified citizens will be needed to sit on the Boards. This was researched and she has a set of qualifications. Not just anyone can serve on the Pension Boards; they have to have certain qualifications, backgrounds and certifications.

Councilwoman Uria agreed that anyone sitting on the Boards should be educated and trained.

Mr. Lunny indicated that the City governing body defines and changes the plan. The Board's principle role is to determine claims to the fund and to administer the investments in accordance with each Board's investment policy and those two types of issues never get reviewed by the City Council; those are Board functions. Historically, both the Armstrong and Veltri Administrations, wanted the elected officials present for those issues. He cautioned Council to be extremely careful of who gets appointed to the Boards.

In response to Councilman Levy, Mr. Lunny explained there are two appointments to the Board by the Council and they need to be residents. Those four members then decide on the fifth person, who might or might not be a resident. Under the law, the non-resident must be approved; however, the Board can be requested to reconsider whether they could find someone who was a resident and should the Board want to keep the non-resident, they have the legal right to make that decision. The fifth person, under State Law, does not have to be a resident. There is no case that says this is a legal conflict of interest; it is one groups' view that it is a conflict of interest. If Council is not on the Boards the only thing they will see is the budgetary consequence one time per year and changes to the plan because those have to come to you; however, there are other things that happen on those Boards that have significant financial impacts.

In response to Councilman Levy, Mr. Lunny reiterated there is no legal conflict; it is practical problem. It is all right for Council members to serve on the Boards and if they choose not to, be sure there is a strong person who understands the financial consequences of that position.

Mayor Bendekovic commented that Council would be appointing two members on the Fire and Police Boards and she would appoint the one on the General Employee Board.

Councilwoman Uria believes Council members serving on the Boards is an internal conflict. She feels there is a fiduciary responsibility and you could be personally liable for your decisions. This is something that needs to be looked at very long and hard.

Councilman Levy stated that if you vote for something on the Pension Board you almost become a proponent for that because you are looking for a way to make that happen by the time it comes before Council. He questioned whether that is an ethical question. The education he has received from being on the Pension Board is a quantum leap and he believes that every elected official should be a part of the education of what happens because pension is a major area that we need to be cognizant and aware of and constantly refining. Perhaps we should rotate on the Boards.

Councilwoman Uria reiterated that Council should have a quarterly update with regard to the Pension Boards whether elected officials are on the Board or not.

Mayor Bendekovic commented that if there were a rotation basis everyone would know what is going on with all of the Boards. She mentioned the Police Board disability cases and noted that once the disability is done they no longer contribute to the fund. If there were a presentation on a quarterly basis you would get a true sense of what is happening on that Board; the minutes do not reflect a true sense.

Councilman Levy stated that he has been able to use his medical background quite a bit on the disability cases as far as understanding terms and discussing things. There has to be qualities and qualifications or take the time to become qualified; you cannot just throw anyone on the Board.

Councilman Tingom believes you get much more from people actively involved when attending these meetings. He reiterated that it is part of Council's responsibility to serve on the Boards. He noted that a rotation basis may work. If not, he believes everyone should become certified so they know what is going on. Finding quality people to serve on these Boards might be more difficult than thought.

Councilman Jacobs would prefer to think about serving on the Pension Boards.

Councilwoman Uria indicated that this should be a collective decision that we all share the responsibilities of making the decisions and learning the Pension Plans.

Councilman Levy commented that if a member of the City Council says they do not feel comfortable sitting on the Board then for whatever reason that should be honored.

Mayor Bendekovic questioned whether Mayor Armstrong and Councilman Fadgen should remain on the General Employee's Pension Board until a decision is made.

Councilwoman Uria stated that if we are going to continue serving Councilman Jacobs and Councilwoman Stoner should begin right away.

Councilwoman Stoner has already inquired about certification and indicated that she would like former Councilman Fadgen's position on the General Employee's Pension Board.

Mayor Bendekovic advised that she will not be serving on the General Employee's Pension Board; there is a conflict. She will move to the Firefighter's Pension Board and Councilwoman Uria will serve on the Police Pension Board. Councilman Tingom and Councilwoman Stoner were appointed to the General Employee's Pension Board and Councilman Jacobs was appointed to the Firefighters' Pension Board.

In response to Councilwoman Uria, Ms. Slattery indicated that the Police Pension Board meets every other month at 12:00 p.m.; the meetings usually run three to four hours. The General Pension Board meets at 9:00 a.m. on a quarterly basis and the Firefighters' Pension Board meets at 12:00 p.m. on a quarterly basis.

It was the consensus that Councilwoman Stoner and Councilman Tingom will serve on the General Employee's Retirement Board; Mayor Bendekovic and Councilman Jacobs will serve on the Firefighter's Retirement Board and Councilman Levy and Councilwoman Uria will serve on the Police Retirement Board.

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5. Budget goal setting discussion.

Mayor Bendekovic provided a Power Point presentation on the budget and noted that the purpose is to provide direction to Administration and Department Directors for budget. She stated that we do not have the numbers as of yet. If the roll back millage rate is not used, revenues will be reduced by approximately \$1.5 million. Currently our millage rate is 4.5% and in speaking with a representative from the Broward County Property Appraiser's Office, they have indicated that property values will not be in the double digits; the best guesstimate is that it will decrease between 5% and 7%. If the 5% decrease were used the millage rate would be approximately 4.7%. Mayor Bendekovic questioned whether Council would consider the roll back rate under certain conditions.

Councilwoman Uria commented that a roll back of 4.7% is an increase.

Mayor Bendekovic indicated it would be an increase in millage but not necessarily on the individual residential taxes. She questioned whether Council would consider any of the following:

- Capital improvements with Utilities and a 2013 bond; Fire Station #1; Pine Island Park; and Communication hardware within the Police Department.

- There was a presentation on the stormwater management fee and the importance of that can be discussed and when it is going to be mandated.
- The progress on red light traffic cameras has been very slow due to some issues that need clarification.
- Is Council satisfied with the current level of service that we have. If so we will have to fund it appropriately; if not, that will also require funding.
- Fiscal integrity means being fiscally responsible.
- Mayor Bendekovic would prefer to maintain current staffing; the policy has always been to do so with attrition. If the funding is not there this will have to be reviewed. Every time there is a vacancy within a department she has been meeting one on one because she needs to understand why the vacancy needs to be filled. Once justification is provided some of the vacancies have been approved and others have been placed on hold.
- If there is a consensus not to consider any roll back, we are already \$1.5 million down in the budget prior to getting started. We have not gotten the resource recovery because 51% did not go with Wheelabrator; therefore, we did not get the \$620,000 bonus.
- Even though the red light traffic signals were going to be for safety purposes, we were looking for some generation of revenue which we did not get.
- Former Mayor Armstrong budgeted \$288,000; however, the stormwater management was put on hold. When all of these are added on the revenue side it comes out to approximately \$1.2 million.

Councilman Tingom questioned what type of bond rating capacity we have in the utility department. He believes that maintaining fiscal integrity should be one of the primary goals and we should determine what level of service can be maintained with the current finances.

In response to Councilman Tingom, Mayor Bendekovic stated that the bond rating is a Triple A.

Mr. Lunny advised that all of the issues are insured and once insurance is obtained to cover payments in the event the revenue bonds are not covered the rating defaults to a Double A. There is not a naked bond rating in terms of a Wall Street issuance. Generally the credit rating is good.

In response to Councilwoman Uria, Mayor Bendekovic indicated that the 2002 bond was paid off in January and those funds came out of utilities. The 2003 bond will not be paid off until 2024.

In response to Councilwoman Uria, Mr. Herriman indicated that the debt is \$22,490,000 and the annual payment is about \$1.3 million.

Councilman Jacobs believes that we need to tighten belts and fight not to raise the millage rates. He does not like the red light cameras and noted that that revenue should be left out of the budget. The stormwater utility is absolutely needed and the only way it should be done in the near future is if we can zero summit. If a resident has to pay \$3 per month towards the utility then we need to be able to give it back somehow; perhaps by lowering the millage by .0001 or something like that. We want to maintain levels of service but as we start losing employees through attrition the levels of service will eventually be affected.

In response to Councilwoman Uria, Councilman Jacobs stated that there was not information to consider a bond; however, that is something that can be reviewed. He noted that the bond would be tied to the revenue from the utilities.

Mr. Lunny commented that the historic interest rates are still low. A couple of months ago he would have said do not do anything because the revenue bond market for municipalities is very uncertain; however, he does not believe that all of the defaults have materialized as of yet. In addition to that, speculative rates will have to be paid the longer you wait. This might want to be put on a work list to at least start the process because waiting another three or four years may cost a lot more.

Councilwoman Stoner concurred with Councilman Jacobs. She is in favor of the Police software; however, she has concerns with the red light cameras and feels that revenue should not be counted on. There is not enough information as to what type of capital improvements would be done under a bond program; she would be more concerned about paying down some of the existing bond balances. The question is, "Where are the tradeoffs?"

In response to Mayor Bendekovic, Councilwoman Stoner does not support a roll back rate. She believes the stormwater fee should be a dedicated fund.

Councilman Levy commented that this is all preliminary. He is not in favor of a roll back. As far as limited capital improvement items, things would have to be considered on an individual basis.

Mr. Breitenkam spoke regarding the utility revenue bond issue. As far as scheduling, Phase 1, which is \$15 million, needs to come online in 2015 and Phase 2, which is \$10 million, needs to come online in 2016. Construction needs to begin prior to that in order to come online in 2015 and 2016. He expressed concern and noted that we have significant needs as far as infrastructure and rehabilitation in addition to the alternative water supply. Pledging utility revenues to pay off any bonds for General City projects is something that is a concern.

Councilman Levy commented that the utility bond would go towards the expansion of the clean water, fresh water and polished water recycling.

Councilman Tingom commented that it is an Enterprise fund.

Mr. Lunny stated that people are used to buying utility bonds because they are sellable. If you start using solid waste revenue to support a particular type of project, that particular bond will cost more because it is not something that is generally done. Mr. Breitenkam's concern is that other government projects will be thrown in as part of the utility bond issue. Historically, the City has done that and we have also used a covenant not to budget and appropriate, which is not an identified pledge, because the utility revenue is the most marketable revenue.

Councilman Levy advised that if we are going to go to a utility revenue bond to make sure that it covers the needs that are going to be required because we are very proud of our water supply and of being on the cusp of water issues. He wants Plantation to continue being the forefront of water issues because it is going to become much more important as the years go on and South Florida continues to grow. He wants to be sure that the Utilities Department has the amount of funds necessary to continue the process. This is a major priority for this community over the next ten years. Councilman Levy has mixed feelings regarding stormwater because there are areas of the community where nothing is going to be done and yet the money will be used to improve other areas; there is a very mixed reaction there and he thinks that the Focus Group did not really get that in what they did. Requesting people to attend a meeting is not the same as interviewing people at their home regarding their stormwater. Every area of the City will have to be mapped with improvements underground that will be paid for. As far as red light cameras, he voted for it and believes it is important and should be reviewed. Councilman Levy believes maintaining a current level of service with less staff is the goal.

Councilman Tingom concurred with Mr. Lunny that the bond market is very favorable at this time; it should remain an option as it is very beneficial to use bonds.

Councilman Levy questioned whether this type of bond needs a referendum of the City or would it be a vote of the Council.

Mr. Lunny advised that Revenue Bonds do not require a referendum. In the past, the Utilities list has fluctuated somewhere between \$30 million and \$50 million in terms of their needs. The General Obligation Bond, which is referendum approved, is less costly in terms of rate because they are backed with the full faith and credit of the City; they are less flexible in terms of how they are structured during the debt service period. Both have pluses and minuses. The other problem is that many Cities like the General Revenue Bonds because the decisions are made more quickly; the decisions can be timed with the market more easily than a General Obligation, which requires a vote and implementation. As long as you are not close minded on anything and give staff the ability to examine the issues, we have always preferred using the Revenue Bond approach to do a negotiated sale.

The consensus was not to raise the millage, not go for the roll back, research bond improvements, and the stormwater fee may be something that cannot be done this year. We may want to wait on the red light cameras. Everyone wants to maintain fiscal integrity and the current level of service; hopefully we can maintain current staffing levels with attrition.

Mr. Butler explained that nothing has changed since the December discussion regarding stormwater. EPA is implementing total maximum daily load regulations and it is in the State Legislature and in the Courts. There is some uncertainty but his personal and professional opinion is that at some point South Florida will have some established total maximum daily load regulations and that is when we will understand the reality of the implications fiscally and otherwise. It is a real issue and is going to be here. It would be better served for the community that we be a bit proactive and fiscal. We need to look at this very carefully, staff is tracking this as hard as they can in order to understand it and report back as things develop. This is something that cannot be ignored on a fiscal basis. With regard to capital improvements, they are needed desperately. The Focus Group made its own decision based upon information shared and decided that we have an unacceptable level of service and we should have a better level of service. They decided how much funding they believed the City should afford a program; today we have nothing. We have aging infrastructure and Mr. Butler emphasized that we cannot afford to neglect our infrastructure a day longer. We are riding on the notion that this tropical storm season will not be a wet season; however, there is no certainty. He would hate to see that a business decision is made, as difficult as it may be, and then regret it. It is not a matter of if, it is a matter of when; it is going to happen and we have zero dollars to work with. This is a genuinely serious issue; stormwater is equally important as water and waste water.

In response to Councilman Jacobs, Mr. Butler indicated that the figure suggested by the Focus Group was a capital improvement funding at a level of \$500,000 per year. Staff suggested that we have more eminent needs, which is not a whole lot of money and is a start.

In response to Councilwoman Uria, Mr. Butler stated that going to Level A would cost about \$1.5 million.

In response to Councilman Levy, Mr. Butler advised that two sets of figures were done based upon looking at the reality of what services should be delivered to certain parts of the City. A fee will be implemented only for services received; residents will not be asked to pay for anything other than what they are receiving. The amount is approximately \$3 per month, per resident.

Mayor Bendekovic commented that she would provide Council with copies of the Power Point presentation and then a Workshop can be held.

Mr. Keefe commented that last year the millage rate was not increased and non-recurring funds were used to balance the budget. In looking at the current revenues we are somewhere north of \$5 million.

Mayor Bendekovic continued as follows:

- It is believed that we all want to sustain and maintain.
- The City of Plantation is going on Face Book as a free marketing tool; a meeting is scheduled in May.
- She will visit one business per week, starting with Gateway going west and then back to Gateway.
- In speaking with Mr. Leeds and Mr. Castro, there will be a registrar in the City website through the Business Licenses, which is no expense.
- The millage rate is one of the lowest in the County and it has been maintained through the years.
- There has been an internal audit of all of the departments; this is a work in progress and recommendations have been made and completed.

Mr. Keefe advised that internal audits on each department began about two years ago.

In response to Councilwoman Stoner, Mr. Keefe indicated that this was all of the employees. In smaller departments every employee was interviewed and in larger departments samplings were done of every staffing level. A summary can be provided.

In response to Councilman Jacobs, Mr. Keefe believed that several things were implemented that will save money.

Mayor Bendekovic stated that one department that really stood out in her mind was the Building Department. Everyone has been cross trained and can do everyone else's job. She believes this audit was very thorough; however, she can research to see what an external would cost.

Councilman Tingom would like to see the summary.

Councilwoman Uria commented that we can visit an audit; every department does not have to be done at one time. Sometimes companies will guarantee that if they do not save a certain amount of money their fee is decreased.

Mayor Bendekovic continued as follows:

- Public safety needs to be funded appropriately.
- Public/private partnerships.

In response to Mayor Bendekovic, Councilman Jacobs stated that he was not talking about privatization but noted that it is a gray area and they can overlap.

Mr. Keefe referenced private companies such as Guidant who manages our golf course and Marathon Health who does our wellness. We have to change the way we think and the way things are done.

Mr. Lunny questioned what the savings would be if trash were picked up once a week and bulk pickup was done quarterly.

Councilwoman Uria prefers garbage pick up twice per week. She noted that lawn companies trim trees and put it out; if they cut it they should haul it away.

Councilman Jacobs questioned why single use containers are used when reusable containers should be used. The bags are a user based fee.

Councilwoman Uria stated if something can be brought to Council that makes sense and is cost saving they will listen to it.

Mayor Bendekovic continued as follows:

- Review Executive Directors retirement package.
- General employees' retirement of defined benefits; they are funded almost 81%.

Councilwoman Uria indicated that she has always said she would like to give the General Employees a different option and would like to see us go to a Defined Contribution.

Mayor Bendekovic advised that we would still have to fund the Defined Benefits and the monetary responsibility can be provided that we would still have. Everyone cannot be changed; new employees can be changed. The last time she looked the Defined Benefits would have to be funded \$1 million per year for the next 20 years. The rate would also have to be determined.

Councilwoman Uria felt that any new employees should go to the Defined Contribution Plan.

Mr. Keefe stated that a few years ago Mr. Palmquist indicated that there were some significant costs involved if a Defined Benefit Plan were closed. That is why the recommendation to go to the Tier 2 was made. The Tier 2 was recently implemented and the Police and General Employees actuarial costs went up slightly; one was \$30,000 and the other was \$50,000 or \$60,000. It is believed that the Tier 2 program will provide some relief over time.

Councilman Jacobs commented that once the law is changed we will not be able to get the 185 and 187 money. He questioned whether it still requires that the unpaid liabilities be paid off first.

Mayor Bendekovic questioned whether the Chapter 185 and 175 money could be only used one time.

Mr. Keefe understood there was still different language in the House and Senate. One was that you would have to be sure to be funded to the State statutory requirements and up to 50% could be used for unfunded liabilities; the other 50% would have to be used for new benefits. Chapter money has nothing to do with the General Employees.

Councilwoman Uria clarified that she was only talking about General Employees.

Mayor Bendekovic understood from Mr. Palmquist that we would have to fund \$1 million for the next 20 years.

Mr. Keefe advised that there is an up front cost in closing out a plan and switching employees to a Defined Contribution; that can be reviewed again, but that is the reason we decided to stay with the Defined Benefit, lower the benefits and go with a Tier 2.

In response to Councilman Jacobs, Mayor Bendekovic indicated that last time this was discussed the payback was going to take 20 years.

Councilman Tingom stated that there is disagreement with the Governor's recommendation and with what the Florida House has done. There is talk of relaxing some of the requirements of the Chapter monies but at this point nothing is happening. He believes that we have to put out more money over the next 5 to 15 years in excess of \$1 million in order to balance the fund and it was not worthwhile to move to a totally Defined Contribution Plan. He originally thought it was a good idea for a Defined Contribution; however, the actuary advised that there are up front costs which will not be recovered for a long period of time. The Tier 2 plan was more financially feasible to the City over a long period of time.

Councilman Jacobs suggested getting a new actuary.

Mayor Bendekovic continued as follows:

- Take home cars; a list was provided with both the police and employee take home vehicles.

Councilwoman Stoner commented that based on 52 five-day weeks, an extra 111,000 miles are accrued on a yearly basis. The City gets its own fuel for a cost of \$3.56 for regular unleaded; therefore, there is an additional cost of \$20,000 in fuel just for the employees to take the cars home. She expressed concern that a 2011 Ford Fusion was purchased and given to someone who drives 60 miles one way. Clearly someone that lives 60 miles away cannot be the first person to respond to an emergency situation.

In response to Mayor Bendekovic, Councilwoman Stoner would consider eliminating non-emergency personnel for take home cars. Even in the worst events there is enough notice for people who need to get a vehicle to conduct City business during working hours. There are 32 vehicles that are used by non-emergency personnel.

Mayor Bendekovic commented that she is not using a City vehicle; it was put in the pool.

Councilwoman Uria does not have a problem with the Police officers taking home cars; she has seen many officers interact with incidents on the way to and from work. Her concern is that some of them live 100 miles away one way.

Mayor Bendekovic indicated that any new officer that does not live within the County will not be eligible for a take home car.

Councilwoman Stoner commented that 100 miles one way is way beyond generous for a position.

In response to Mayor Bendekovic, Mr. Keefe advised that about three years ago the FOP recommended a stipend based on different mileage categories and the Council did not accept it.

Councilwoman Stoner emphasized that the safety issue is extremely important and on top of the list. She was not as concerned with the Police Department as much as basic general employees. When people live outside of the County it is extremely noticeable. She will leave this issue to the discretion of Administration.

Councilwoman Uria suggested saying that police cars have to remain in Broward County, which is everyone except for ten officers.

Mayor Bendekovic continued as follows:

- Review all monies given to non-profit agencies.

Councilwoman Stoner commented that typically non-profit annual reports reflect how much go towards services versus Administration. She appreciates that non-profits are in desperate need of funds like everyone else; however, she believes that we need to see how they are utilizing funds that are contributed by the City.

Councilwoman Uria indicated that we should receive an annual audit from every non-profit that we give money to. She specifically referenced ICLEI and noted that we do not need to contribute to some of these organizations. To her knowledge, most non-profits have to have an audit in order to receive grant funds.

Mayor Bendekovic continued with the Power Point presentation as follows:

- Review our purchasing procedures for cost saving regarding centralization.

Mayor Bendekovic explained that there are three types of purchasing; decentralization purchasing, which is department by department; centralized purchasing or hybrid. The City has hybrid central purchasing; anything that is common to every department is centralized. Utilities and the Police Department are specialties and those purchases are made from within those departments because of the knowledge base that those individuals have and the specifications that are required.

Councilwoman Stoner requested that this discussion be deferred at this time.

Mayor Bendekovic continued as follows:

- Put all utility billing online and allow people to pay online and go paperless.

Mayor Bendekovic advised that we are currently implementing Hanson Software.

Mr. Breitenkam indicated that they should be online with Hanson within three months.

- Review all General Employee benefit packages including City Management.

Mayor Bendekovic requested that anyone with a specific question or concern regarding those packages meet with Mr. Keefe or Human Resources.

- Continuing education.

Mayor Bendekovic advised that all continuing education should be obtained online or within Broward County. A response was received that said certain certifications could be obtained online but others cannot be done online.

Councilwoman Uria indicated that many organizations are going to webinars in order to keep employees in the office.

Councilman Levy suggested saying, “Whenever possible, all continuing education should be obtained either online or within Broward County.”

Councilwoman Stoner advised that was too much leeway for her. She requested a few things regarding travel and mentioned a particular person going out of town for two separate events for the same continuing education classes. If a person has to go out of the County they should show why it is not offered locally.

- Review price of infrastructure and services.

Councilman Tingom mentioned fees charged for rental facilities and for fire and building inspections and noted that we should be in line with what other Cities pay.

Councilwoman Uria commented that this defeats the purpose; money will be taken out of other peoples’ pockets by raising revenues on City facilities.

Mayor Bendekovic stated that fire fees were recently raised and some of the fees were changed for Parks and Recreation services.

Mr. Romano advised that their fees were set based on what is going on in and around the County. The non-resident fee was raised substantially over the typical fee charged and the resident rental rate was adjusted.

- Mechanisms to leverage General Revenue Funds/Grants

Councilman Jacobs indicated that while doing research he found where a university paid for the purchase and installation of the street lights and then the City paid to maintain them and paid the electricity going into the future. In a sense it was a partnership.

- Step up enforcement of business licenses using combination of data, collection agencies, law enforcement, and courts to identify businesses operating in the City without a license.

Mayor Bendekovic stated that every time the Fire Department goes on an inspection they are requesting the businesses to show their business tax license.

Councilman Jacobs mentioned an example when a City partnered with the Police and a collection agency and several businesses were identified as operating without a license by using data and collection techniques.

- Library can offer services for fees such as proctor, exams and notary services.

Mayor Bendekovic advised that the Library is receptive to proctoring tests and can do so on Friday mornings because the library is closed from 8:00 a.m. until 12:00 p.m. As far as notaries, they did not want the liability and responsibility because of the fraud that is going on.

Councilman Jacobs commented that the liability would lie on the individual who is the notary.

Councilman Tingom referenced a line item on the budget at last week’s meeting, which was an amount for City services. He questioned whether this is a revenue idea or whether it will be expanded to all of the agencies we service, charging a fee for costs the City incurs.

Mayor Bendekovic stated that the allocated cost was for \$18,000. She noted that Plantation Midtown also has a line item of allocated costs of \$37,000. Allocated costs are with engineering and staff working on projects that are going on in the Midtown or Gateway areas. There are many different view points on charging fees. Mayor Bendekovic's view point is that when staff is working on an item on either Gateway or Midtown that is part of the job description and she feels that it is double dipping. A tax is already being paid on the services and those services should be provided.

Mr. Herriman explained that we are looking at cost allocations based on central services and allocating those central services such as Human Resources, IT, Finance, Budgeting, etc. About five years ago an independent study was done to determine the indirect costs for a department or fund. There are direct costs being charged to a fund and those indirect costs are a part of doing business. The direct costs are within a department and the indirect costs are associated with those departments that could be charged to those departments; it is not an uncommon practice.

Councilwoman Stoner commented that it is uncommon in municipalities; typically that is found in private businesses that have to have a multiplier. She questioned whether those departments have a higher multiplier.

Mr. Herriman stated that Plantation Gateway may be opposed because it is an added burden but we do provide added services to that department or fund because of the extra effort that is put in by Planning and Zoning, Economic Development as well as the financial aspects.

Councilwoman Uria noted that is their job.

Mr. Herriman concurred that it is their job in the City; however, it is an added effort.

Mr. Lunny indicated that the theory is since these three areas have special benefits and there is a cost savings to not having their own totally independent staff, why should the taxpayers in general pay the cost of staff time that is allocated. Without the cost allocation theory you would not be able to charge off the expenses that get charged off to those revenue items and the shortfall for the General Operating Fund of the City would be even more dramatic than it is. It was necessary accounting in order to run the City given the fiscal constraints that were imposed over the last recent period. Without the cost accounting we either have to stop providing the service, terminate the staff or find another way to pay the staff providing those services.

In response to Councilwoman Uria, Mr. Lunny advised that we are not taking money from a District. If you elect to make Plantation Gateway and Plantation Midtown truly independent, there will be direct and indirect costs to them and either they are not going to get done what we want in terms of their mission or the staff are not going to be able to service as we have requested because they do not have the money to do so.

Councilwoman Uria disagreed. In her opinion, that is what we are here to do.

In response to Mr. Lunny, Mr. Herriman stated that \$279,500 over five different organizations is the amount that is charged off. This is a revenue item in the General Fund but if we do not have that it cannot be spent.

Mr. Lunny commented that if we do not have the money we cannot support the function anymore. If we are here to do that, that means that the costs to the Districts come down because they will not be charged the \$279,000 and the general government operation costs went up and has to be funded.

Mr. Herriman used the golf course as an example. They operate independently as a business and have direct costs but are under management by another organization; however, we provide support services, not only in Finance but in Parks and Recreation, Administration, etc. In that case we are not charging the golf course but these are added costs that could be charged to the golf course.

In response to Mayor Bendekovic, Mr. Herriman stated it is an Enterprise Fund, it is a business.

Councilwoman Uria questioned whether we want to run like a business or not. We are taking money, saying we are providing these services and charging ourselves. We are charging the taxpayer whether it comes out of Gateway or Midtown.

Mr. Lunny concurred that generally a taxpayer is being charged, but the businesses in Midtown are paying the added indirect costs of the General Operation that are attributed to that. If you do not want to do the cost allocation that means that the General City Government cost of \$279,000 does not have a funding source anymore. In some respect there is an accounting theory and it is a made up number. It is like a user fee; certain parts of the City are using more resources than others. It was a tool because it is necessary.

Mr. Keefe indicated that it is very common in local government to have cost allocation to supplement or augment the General Fund.

Councilwoman Uria believes we need to consider whether to continue doing the cost allocation.

Mayor Bendekovic advised that she could provide a breakdown of the allocations.

Councilwoman Stoner commented that general employees do not do timesheets and questioned who determines exactly how much time is expended.

Mr. Herriman stated that costs are determined by an independent company called Maximus, who does this throughout the Nation. They came into our City five years ago and are currently preparing a report, which costs about \$10,000. This report bases their allocation on different criteria and there is a variety of assumptions used. This is also done for the purpose of receiving reimbursements on grants that can be applied for that are eligible to get reimbursed for reimbursed costs and they would defend it by the criteria.

In response to Councilwoman Stoner, Mr. Herriman indicated that we are not charging the full funding determined by the allocation cost because it is a little overboard. The argument is that there is resistance but it is an eligible and justifiable cost.

Mayor Bendekovic continued as follows:

- Self service plus equipment on Ebay.

Mayor Bendekovic stated that we do this; we have two companies.

Councilwoman Uria questioned whether we have any heavy equipment that is used two or three times a year that we would be better off selling and then renting on a project by project basis if needed.

Councilwoman Bendekovic advised that she would get that answer from Public Works.

Mr. Keefe indicated that rental equipment is used with field light replacement; we do not have a utility truck that reaches the 90-footers. He believes that the equipment that Utilities and Public Works has is used on a constant basis.

- Use online billing services to reduce postage expenses.

Mayor Bendekovic indicated that electronic payments can be reviewed.

- No pay increases.

Mayor Bendekovic stated this is except for the FOP contract, which has to be negotiated.

- Give Department Heads and employee incentives to save money.

Councilwoman Uria commented that we have some top notch Department Heads and employees. She believes bonuses can be given. If someone comes up with an idea to save perhaps they could be given a percentage.

Councilman Levy advised there are all kinds of ramifications and we would need to check legally. Bonuses are not allowed.

Councilman Tingom indicated that one method of rewarding Department Heads and employees would be to give half back to the department to use to purchase capital equipment, infrastructure and those types of things, that way the department receives a benefit and we get 50%. Bonuses cannot be given of that nature.

Mr. Keefe stated if there is any fund balance it already goes into the capital improvement fund.

Councilman Jacobs mentioned the attitude in a budget when departments think they need to use it or lose it. He questioned how to approach the issue when departments have money at the end of the year and use it because they know it will not be available next year. He also questioned whether there is an incentive to come in under budget or whether that would be counter productive to the budgeting process.

Mr. Keefe advised that the budgets are closely monitored by Finance, Administration and the Department Directors. If you look at the financial report at this time most everyone is around 50%. We always look for the Directors to come in under budget and during the process we look at where they are currently so if those funds are not being spent whether it is a seasonal thing or if there was not a need. The budget would then be adjusted the following year.

Councilman Jacobs commented that adjusting the budget the following year penalizes departments for coming in under budget.

Mr. Lunny mentioned that Mr. Keefe and Mayor Bendekovic approve all the large purchases. He believes there is control in Administration.

Mayor Bendekovic stated that the departments will have to come in under budget this year.

Councilman Tingom referenced companies that went to rebate purchase cards several years ago and there was a rebate back to the company who did the purchasing. He questioned whether we have explored that opportunity.

Mr. Keefe advised that we have a limited use of purchase cards; however, he was not aware of any points back.

Councilman Levy believed the rebate purchase cards might be something to explore.

- Pass ordinance that imposes duties and penalties upon lenders during foreclosures including residential properties.

Mr. Lunny indicated that this ordinance is a municipal regulation that makes a bank a responsible party for purposes of Code violations during the pendency of a foreclosure after a lis pendens is filed and the essential theory is that by making them a responsible party you might have the ability to collect fines from them during the Code Enforcement case. Currently the main issue in our State is whether super priority ordinances will continue to be approved by the Judiciary. A super priority ordinance is where a Code Enforcement lien is superior to a mortgage that is recorded prior to the date of the Code Enforcement lien. There is a Miami issue that we have chosen not to follow; it would be better to see how the larger issue gets resolved.

Councilwoman Stoner stated that the ordinance requires the lender to register the house once a lis pendens is filed, which is not happening. Other municipalities do have this registration of foreclosed homes as a requirement; this City does not. There is a registration fee and possibly a penalty if they fail to register the home. The ordinance provides little additional revenue and also helps with Code Enforcement issues; it puts the lender on notice that they have to advise the City that they have a foreclosed home within the municipality. As a City, she feels that we have a responsibility to understand that foreclosed homes in this City are not going to go away any time soon and it may be something we need to think more seriously about, as far as being able to keep track of those homes.

Mr. Lunny commented that everything we have chosen to do and not to do these last few years has been a cost in benefit. We have looked at changing our Code Enforcement citation process to do a title exam and cite the mortgagee up front. On Homesteaded properties where the Homestead has not been abandoned, those dollars are being thrown away and adding extra expense, time and effort to the process. A registry is a good idea for that reason, but you have to think about but would be the benefit in terms of financial benefit to the extra soft costs incurred in having that kind of a program.

Councilwoman Stoner indicated if the house is in foreclosure the lender will take it back and resell it; therefore, they have to give clear title, which means our lien has to be paid off before a clear title policy can be issued.

Mayor Bendekovic thanked everyone for their contributions. Copies of the audit will be provided.

\* \* \* \* \*

Mayor Bendekovic made the following announcements and comments:

- She has a meeting with Jacaranda Golf Course scheduled for April 26, 2011 at 9:30 a.m.
- A quarterly Meet the Mayor will be on May 4, 2011 at 7:00 p.m. at which time a few of the departments will be highlighted. This time the Police Department and Public Works will be highlighted. Another meeting will be in August highlighting Parks and Recreation, Fire and other departments.

\* \* \* \* \*

Mr. Lunny questioned whether Council wants the Legal Department to look at the Miami Dade ordinance and bring it back.

The consensus was to review this and bring it back for review.

\* \* \* \* \*

Mayor Bendekovic advised that a report will be coming back with regard to the Code Amnesty Program.

\* \* \* \* \*

Councilwoman Uria thanked everyone for attending the meeting. She commented that no one on Council is anti anything, they are doing their job and it is getting tougher.

\* \* \* \* \*

Meeting adjourned at 11:15 p.m.

\_\_\_\_\_  
Sharon Uria, 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