

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

January 27, 2010

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

1. Roll call by City Clerk:

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

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2. The invocation was offered by Councilman Fadgen.

The Pledge of Allegiance followed.

3. The minutes of the City Council meeting for October 28, 2009 were approved as presented.

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ITEMS SUBMITTED BY THE MAYOR

Mayor Armstrong presented Service Awards to the following employees:

Linda Fatout	Police	25 years
Captain Patrick McGowan	Police	25 years
Officer Joe Messina	Police	25 years
Florent Blanc	Parks and Recreation	15 years
Officer Kendrick Gomez	Police	15 years
Sergeant Steven Huskisson	Police	15 years
Cindy Iglesias	Finance	15 years
Officer Brian Boos	Police	10 years
Officer Seymour Council	Police	10 years
Officer Ernesto Gonzalez	Police	10 years
Ruth Gordon	Police	10 years
Christine Guifarro	City Clerk	10 years

Carol Robb	Police	10 years
Officer Sorada Toman	Police	10 years
Fitzgerald Vaillou	City Clerk	10 years
Jeffrey Cannon	Parks and Recreation	5 years
Joyania Elouidor	Parks and Recreation	5 years
Karamchand (Jack) Persuad	Central Service	5 years

Congratulations were offered.

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Mayor Armstrong made the following announcements:

- The National Arbor Day Foundation will be hosting a Nature Explorer Workshop will be held on February 12, 2010 between 9:00 a.m. and 4:00 p.m. at Volunteer Park.
- The Hazardous Waste and Electronic Collection will be held on Sunday, February 21, 2010 at the Public Works Compound located at 750 NW 91st Avenue, Plantation, Florida.
- Information providing 2010 Census will be coming out. There will be someone at City Hall to answer questions and assist in providing information relative to the Census. Their website is www.census.gov.

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Councilman Fadgen introduced Jim and Julie Pinkston, residents. Mr. Pinkston read a letter to Frank DeCelles and Larry Sumpter regarding replacement of the lines on the flag pole at the entrance to Plantation Isles. He commended them for a job well done.

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CONSENT AGENDA

As a Commissioner of the CRA, Mayor Armstrong had a voting privilege on Items #11 and #14.

Items #4 and #8 were removed and voted on separately.

Mr. Lunny read the Consent Agenda by title.

Resolution No. 10808

5. **RESOLUTION** pertaining to the subject of public finance; designating certain City Officers as having the authority to withdraw checks; drafts, advices of debits, notes, or other orders for the payment of monies on behalf of the City of Plantation in connection with a deposit account and authorization to SunTrust Bank, NA; providing a savings clause; and providing an effective date therefor.

6. **Resolution No. 10809**
RESOLUTION pertaining to the subject of public finance; designating certain City Officials, Officers and employees as having the general authority to sign account agreements, checks, authorize deposits or withdrawals, or effect other orders or directives for or concerning the payment or investment of monies or funds for or on behalf of the City of Plantation; providing findings, providing a savings clause; and providing an effective date therefor.

7. **Resolution No. 10810**
RESOLUTION providing for the appointment of an Assistant City Clerk and designating persons who may perform some of the functions of the City Clerk; in the absence of the City Clerk or Assistant City Clerk; providing an effective date therefor.

9. **Resolution No. 10811**
RESOLUTION approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period January 7 – January 13, 2010 for the Plantation Gateway Development District.

10. **Resolution No. 10812**
RESOLUTION approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period January 7 – January 13, 2010.

11. **Resolution No. 10813**
RESOLUTION approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period January 7 – January 13, 2010 for the City of Plantation's Community Redevelopment Agency.

12. **Resolution No. 10814**
RESOLUTION approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period January 14 – January 20, 2010 for the Plantation Gateway Development District.

13. **Resolution No. 10815**
RESOLUTION approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period January 14 – January 20, 2010.

14. **Resolution No. 10816**
RESOLUTION approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period January 14 – January 20, 2010 for the City of Plantation's Redevelopment Agency.

Motion by Councilwoman Uria, seconded by Councilman Tingom, to approve tonight's Consent Agenda as presented. Motion carried on the following roll call vote:

Ayes: Levy, Tingom, Uria, Fadgen
Nays: None

NOTE: Mayor Armstrong voted affirmatively on Items #11 and #14.

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Mr. Lunny read Consent Agenda Item #4.

4. Award RFP for Summer Camp Program to Sunshine After School Child Care.

A memorandum dated January 21, 2010, to Mayor Rae Carole Armstrong and City Council Members from James S. Romano, Parks and Recreation Director, follows:

In accordance with our 2009/2010 approved Parks and Recreation Department budget, the Parks and Recreation Department eliminated the summer camp program from our budget to meet the approved budgeted targets. In light of this, the Parks and Recreation Department sent out RFP 160-10 to lease out our facilities to a qualified child care provider in order to offer summer camp services to the community. The Request For Proposal was sent out on November 9 with a bid opening date of December 15. The Request For Proposal was sent to 16 child care providers, which are located in the City of Plantation, as well as being advertised on the DemandStar.com system. Six vendors picked up the RFP for review purposes.

Only one vendor, Sunshine After School Child Care, whose corporate office is located in Plantation, responded to the RFP. In checking their references, the City of Hollywood, the Town of Davie and the City of Miramar provided excellent reviews of the services they received from Sunshine After School Child Care.

This year's summer camp program, as in previous years, will operate the following locations with the maximum amount of attendance per day:

Plantation Central Park	180 children
Jim Ward Community Center	60 children
Community Center	120 children
Volunteer Park	<u>120 children</u>
Total:	480 children

Councilman Tingom supports the contract but requested a couple of caveats. If possible, he would like to hire people who worked in our program in the past. He would also like some type of survey to be done at the end of the camp so that people who participated in the City program last year could compare it to the program running this year.

In response to Councilman Fadgen, Mr. Romano advised that the numbers last year were slightly higher than this year due to the fact that Deicke Auditorium is not in this mix.

Motion by Councilman Tingom, seconded by Councilman Fadgen, to award the RFP for Summer Camp Program to Sunshine After School Child Care. Motion carried on the following roll call vote:

Ayes: Levy, Tingom, Uria, Fadgen
Nays: None

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Mr. Lunny read Consent Agenda Item #8.

Resolution No. 10817

8. **RESOLUTION** supporting Senate Bill 376, amending Florida Statutes to authorize local governmental entities to use their publicly accessible websites for legally required public notices and advertisement; providing for conflicts; providing for severability; and providing an effective date.

Councilman Fadgen questioned whether this is the right time to do this; many people have computers but perhaps not enough. If all the cities were to implement this and discontinued advertising in the newspapers there would be more than 30 governmental agencies who have to post public notices.

Councilman Levy commented that this would be a cost saving measure and a very positive step. He believed this should be an alternative.

Councilman Tingom stated that we live in an electronic age and need to move forward. He supported this Resolution.

Councilwoman Uria concurred. This Resolution says that we should take advantage of technology. She also believed this Resolution should be supported.

Mayor Armstrong advised that there are pros and cons on both sides; however, we need to recognize that things are moving in the direction of technology. If someone requests that a notice be individually mailed it must be done by the City Clerk's office. This Resolution would allow larger newspapers not to monopolize all of the advertising. She recommended supporting the Resolution.

Councilman Fadgen would like to save the money but send the message that this was not unanimous.

Motion by Councilman Tingom, seconded by Councilwoman Uria, to approve Resolution No. 10817. Motion carried on the following roll call vote:

Ayes: Levy, Tingom, Uria
Nays: Fadgen

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ADMINISTRATIVE ITEMS

Resolution No. 10818

15. **RESOLUTION** APPROVING AN AGREEMENT BETWEEN THE CITY OF PLANTATION AS EMPLOYER AND THE FLORIDA STATE LODGE FRATERNAL ORDER OF POLICE BARGAINING AGENT FOR PLANTATION POLICE DEPARTMENT FOR FISCAL YEARS 2009/2010, 2010/2011 AND 2011/2012.

A memorandum dated January 27, 2010 to Mayor Armstrong and Members of City Council from Daniel Keefe, Assistant to the Mayor and Margie Moale, Human Resources Director, follows:

The Collective Bargaining Agreement reflects the efforts of the City's Bargaining Team represented by Assistant to the Mayor Dan Keefe and Human Resources Director Margie Moale, and the Fraternal Order of Police (FOP

Lodge 42 Executive Board). Language may be refined by the City's Labor Attorney Jim Crosland and the FOP's attorney Eugene Gibbons, however, the essence of the CBA's negotiated agreements shall not be substantively changed. The CBA was ratified by the FOP members with 115 Yes and 37 No votes taken in January.

It is recommended that Council ratify the negotiated contract with the understanding that minor language revisions may be completed by the attorneys, and that Council authorize the subsequent Ordinances or Resolutions necessary for the Police Pension Plan amendments as bargained for within the CBA.

Mayor Armstrong acknowledged Margie Moale and Dan Keefe who worked approximately 20 meetings in order to establish a line of communication on some very complex and complicated issues. She feels that a very constructive line of communication has been created as well as an opportunity to work together in recognizing that there is a real reason for a very strong partnership with our FOP and our employees in the City. She also thanked the labor attorneys and Council members who were very instrumental in being able to get this agreement to the point it is.

Joe Mercogliano from the FOP was present. He thanked the City's negotiating team, Chief Harrison, Cassie Bucci, Human Resources personnel and the labor board. The most important thing about this contract is that this was probably the most difficult contract ever faced between the City and the FOP for the obvious reasons of the economy. There were a lot of factors to include, such as the City's new health care plan and the establishment of a second tier pension. Their efforts not to reduce any of their benefits and to secure a raise for employees and keep their step paid plan going. The City was ready to poise and reward current and future employees, not this year, but in the upcoming years throughout this contract. Both sides were able to come to an agreement where 75% of their membership, 176 officers, ratified this and said that this was a good deal. This contract is also historic for the City because it is signaling pension reform. This is a step in the right direction for the City to start pension reform. It also continues to reward the hard working men and women of the Police Department who go out each day and night to protect the citizens of this City. On behalf of the members of Lodge 42 he thanked the City for the support of this contract, their members, the Lodge and the Police Department.

Motion by Councilman Tingom, seconded by Councilman Levy, to approve Resolution No. 10818. Motion carried on the following roll call vote:

Ayes: Levy, Tingom, Uria, Fadgen
Nays: None

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Resolution No.10819

16. **RESOLUTION** APPROVING THE FORM AND CONTENT OF THE THIRD AMENDMENT TO THE CITY OF PLANTATION POLICE OFFICERS' DEFERRED RETIREMENT OPTION PLAN (DROP); PROVIDING A SAVINGS CLAUSE; AND OTHERWISE PROVIDING AN EFFECTIVE DATE THEREFOR.

Motion by Councilman Tingom, seconded by Councilman Fadgen, to approve Resolution No. 10819. Motion carried on the following roll call vote:

Ayes: Levy, Tingom, Uria, Fadgen
Nays: None

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17. UPDATE ON NEIGHBORHOOD STABILIZATION PROGRAM. (NSP)

Mr. Leeds provided a brief overview of the Neighborhood Stabilization Program, which is a federally funded program. He also presented a Power Point presentation.

This program was designed with two main objectives:

- To purchase foreclosed and abandoned homes, rehabilitate them and sell them to qualified buyers.
- To maintain the quality of the neighborhoods, including housing and reducing the Code Enforcement violations.

Patricia Stephenson, with BAND, was present. She provided a brief overview of the rehabilitation process and noted the following:

- So far nine foreclosures have been purchased, one being a townhouse. Of the nine houses, rehabilitation has begun on two of them.
- The average cost for rehab is about \$53,000.
- Their estimated highest resale cost will be approximately \$227,000 and the lowest resale cost will be just under \$100,000. The other seven homes will average \$178,000.
- To date there has been 477 families who have attended NFP workshops and 192 families have attended the eight hour face to face home buyer education courses, 126 who have met with housing counselors and 61 mortgage ready buyers. There are 69 buyers at the 80% to 120% of the median income, 181 in the 50% to 80%, and 168 in the pipeline. In order to qualify a family must have less than 120% of the median.
- Some of the houses may become rentals in Plantation. The rental properties will be managed by the Urban League of Broward County.
- Their intention is to rent to people who have attended the NFP workshop so that they can meet with the counselors and prepare for home ownership in the future.

In response to Councilwoman Uria, Ms. Stephenson advised that the rental money will go to the Urban League of Broward County. The families renting are working towards home ownership of any home in the future.

Councilwoman Uria requested that Ms. Richards e-mail her a copy of the presentation.

Councilman Levy thought this was wonderful and questioned whether there was room to negotiate if someone makes an offer.

Ms. Stephenson indicated that they cannot negotiate; NFP requires the houses to be sold for their cost of development or the appraised value. They can also discount the house by offering down payment assistance to the borrower's needs but then they secure the NFP money left in the project with a note mortgage for 30 years.

In response to Councilman Fadgen, Ms. Stephenson stated if the program is managed well and the NFP money is brought back in the program will continue to revolve under the same terms for up to four more years. With regard to the mortgage note, NFP secures the mortgage and Urban Development will have their own note in the

mortgage. The program will end in September 2014, at which time any money that was not used at that point and time would have to be returned to the government.

Mayor Armstrong commented that a great job has been done. We are extremely hopeful that the money will be successfully utilized, as this is a unique opportunity.

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LEGISLATIVE ITEMS

- 18. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE OF THE CITY OF PLANTATION, FLORIDA, CREATING SECTION 18-63.2 TO ALLOW FOR THE PURCHASE OF CREDITED SERVICE FOR TIME SERVED IN THE MILITARY; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Motion by Councilman Tingom, seconded by Councilwoman Uria, to approve the First Reading of an ordinance to allow the purchase of credited service for time served in the military. Motion carried on the following roll call vote:

Ayes: Levy, Tingom, Uria, Fadgen
Nays: None

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- 19. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE OF THE CITY OF PLANTATION, FLORIDA, AMENDING SECTION 18-64 OF THE CITY CODE TO DELETE THE REQUIREMENT THAT DISABILITY RETIRANTS CONVERT THEIR BENEFIT TO A NORMAL RETIREMENT BENEFIT UPON NORMAL RETIREMENT ELIGIBILITY; AMENDING SECTION 18-64.2 OF THE CITY CODE TO DELETE THE PROVISION RELATING TO REHEARING OF CLAIMS MADE TO THE POLICE PENSION FUND; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Motion by Councilman Tingom, seconded by Councilman Levy, to approve the First Reading of an ordinance amending Section 18-64 of the City Code to delete the requirement that disability retirants convert their benefits to a normal retirement benefit upon normal retirement eligibility; amending Section 18-64.2 of the City Code to delete the provision relating to rehearing of claims made to the Police Pension Fund. Motion carried on the following roll call vote:

Ayes: Levy, Tingom, Uria, Fadgen
Nays: None

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20. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE AMENDING THE POLICE OFFICERS' RETIREMENT FUND BASED ON THE NEGOTIATED COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND THE FOP, LODGE 42; AMENDING SECTION 18-17 OF THE CITY CODE TO TREAT UP TO 300 HOURS OF OVERTIME AS PENSIONABLE ALONG WITH TOTAL CASH RENUMERATION, BUT EXCLUDING SPECIAL DETAIL PAY; AMENDING SECTION 18-17 TO CREATE DEFINITIONS FOR THE TIER ONE AND TIER TWO POLICE PLANS; AMENDING SECTION 18-61 TO PROVIDE FOR AN 8% MEMBER CONTRIBUTION FOR THE TIER TWO PLAN, AMENDING SECTION 18-63 TO PROVIDE A 3% MULTIPLIER FOR THE TIER TWO PLAN; AMENDING SECTION 18-63.1 TO PROVIDE FOR A SEVEN YEAR POLICE DROP AND PERMITTING CURRENT DROP PARTICIPANTS TO MAKE AN IRREVOCABLE ELECTION TO PARTICIPATE IN THE SEVEN YEAR DROP; AMENDING SECTION 18-64 TO REDUCE THE NON-DUTY DISABILITY FOR THE TIER ONE PLAN TO 40% OF A MEMBER'S MONTHLY RATE OF BASIC PAY; AMENDING SECTION 18-69 TO DELAY COLA PAYMENT UNTIL OCTOBER 1, 2015; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

A memorandum dated January 27, 2010, to Joe Mercogliano, Sergeant James Dourvetakis, Daniel Keefe and Susan Slattery, from Margie Moale, Human Resources Director, follows:

Jimmy,

As per your discussion, the old Section 5 of the previous CBA had been deleted when we had agreed to pay holiday OT the same as general employees. When we negotiated the court standby, the FOP decided to maintain status quo for holiday OT. Section 5 was overlooked so it's now back in this revised CBA. Thanks for the catch.

Margie.

In response to Councilwoman Uria, Mr. Lunny advised that the City is working on the Tier Two with the State; however, he was not aware of the status at this time.

Mr. Keefe stated that there has been initial verbal approval but they are awaiting approval in writing. In the contract we have 90 days to get the approval.

Motion by Councilman Tingom, seconded by Councilman Fadgen, to approve the First Reading of an ordinance amending the Police Officers' Retirement Fund based on the negotiated Collective Bargaining Agreement. Motion carried on the following roll call vote:

Ayes: Levy, Tingom, Uria, Fadgen
Nays: None

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QUASI-JUDICIAL CONSENT AGENDA - None.

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QUASI-JUDICIAL ITEMS - None.

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COUNCILMEMBERS' COMMENTS – None.

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PUBLIC REQUESTS OF THE COUNCIL CONCERNING MUNICIPAL AFFAIRS

Dennis Conklin, resident, commended Councilman Fadgen on his invocation. He noted that Plantation has lost some residents in Afghanistan and recognized Lance Corporal Zachary Smith, who was killed on Saturday.

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WORKSHOP: None.

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Meeting adjourned at 8:48 p.m.

Diane Veltri Bendekovic, 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 _____, 2010.

Susan Slattery, City Clerk