

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

**April 24, 2013**

The meeting was called to order by Councilman Robert A. Levy, President of the City Council.

1. Roll Call by City Clerk:

Councilmember:	Jerry Fadgen Ron Jacobs Robert A. Levy Lynn Stoner Chris P. Zimmerman
Mayor:	Diane Veltri Bendekovic
City Attorney:	Donald J. Lunny, Jr.

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2. The invocation was offered by Mayor Bendekovic.

The Pledge of Allegiance followed.

3. Approval of Minutes of Meeting held February 13, 2013.

4. Approval of Minutes of Meeting held February 27, 2013.

5. Approval of Minutes of meeting held March 13, 2013.

The minutes of the City Council Meetings held on February 13, February 27, and March 13, 2013 were approved as printed.

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**ITEMS SUBMITTED BY THE MAYOR**

Mayor Bendekovic introduced Stephanie Pollard, who will give a short presentation about 211.

Ms. Pollard thanked the City of Plantation for the support that has been given to 211 Broward. They are a 24-hour crisis line and they handle anything that residents need in the area of social services. Unlike 911 and 411, there is no public tax to help fund their agency; therefore, they are reaching out to various municipalities and asking for that support and thanking those who have already helped. At the end of the last fiscal year they received approximately 1,800 phone calls from the City of Plantation and made a little over 2,100 referrals. City

callers are identified from zip code as a self report and their database helps in identifying specific needs that are reported with those calls.

Councilperson Stoner questioned where the City of Plantation tends to fall in call volume.

Ms. Pollard stated that Fort Lauderdale is their highest call volume; Hollywood is the second and Plantation is probably somewhere ninth to tenth on a call volume in terms of number of calls received. They respond to all 31 Cities; they even get calls from Boca Raton and those are referred to the Palm Beach Treasure Coast 211. There is also a Miami Dade Switchboard of Miami where calls focused on the Miami area are referred. 211 covers about 90% of the country; the initiative was started in the late 1990's under Hillary Clinton and Elizabeth Dole. It is a public utility and they are trying to work with some of the emergency responders. They are talking about doing some emergency operations with the City of Sunrise. They are basically a call center and can provide services for all Cities.

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Mayor Bendekovic read the Resolution.

**Resolution No. 11676**

6. **RESOLUTION** of appreciation to Michael E. Stanton for 24 years of dedicated service to the City of Plantation.

***Motion by Councilman Fadgen, seconded by Councilman Jacobs, to approve Resolution No. 11676.  
Motion carried on the following roll call vote:***

Ayes: Stoner, Zimmerman, Fadgen, Jacobs, Levy  
Nays: None

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Mayor Bendekovic presented Service Awards to the following Employees:

*Officer Anthony Adragna	Police	30 years
*Office Glen Cook	Police	30 years
*Officer William Pleasants, Jr.	Police	30 years
*Officer Sander Entus	Police	20 years
*Officer Richard Walcott	Police	20 years
*Officer James Walters	Police	20 years
Ramiro Echazarreta	Utilities	15 years
*Mitchell Free	Utilities	15 years
Jon Hatch	Fire/Rescue	10 years
*Officer Biing Yuan	Police	10 years
Howard Bilger	Parks & Recreation	5 years
*Trinesia Smith	Police	5 years

Fire Chief Stearns presented Services Awards to the following Firefighters:

*Firefighter Brenda Simpkins	30 years
Battalion Chief Joseph Namm	20 years
*Firefighter Eric Seeley	20 years
Firefighter Joseph Gennaro	15 years
Firefighter Jesse Bogle	10 years
Firefighter Steven Cicione, Sr.	10 years
*Firefighter Jim Clark	10 years
Lieutenant Steven Merritt	10 years
Lieutenant Alex Poitevien	10 years
Firefighter Murat Saglam	10 years
*Firefighter Brian Sullivan	10 years
Firefighter Stephen Balogh	5 years
Firefighter Andres Colon	5 years
Acting Captain Tommy Demopoulos	5 years
*Firefighter Jonathon Hershey	5 years
Firefighter Michael Madraymootoo	5 years
Firefighter Richard Montalvo	5 years
Firefighter Jesse Penate	5 years
Lieutenant Elson Soto, Jr.	5 years
Lieutenant John Telucien	5 years
*Firefighter Christian Wooley	5 years

\*Unable to attend.

Congratulations were offered.

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7. Presentation of Plantation's History by Shirley Schuler.

This item was deferred to a later date.

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Jim Romano, Director of Parks and Recreation, made the following announcements:

- Relay for Life is Friday and Saturday, April 26 and 27, 2013 at Plantation Central Park on Soccer Field/Football Field #3.
- Plantation Athletic League Registration for basketball, cheerleading, flag football and tackle football is on Saturday, April 27, 2013 from 9:00 a.m. to 2:00 p.m. at the Plantation Central Park Gymnasium.
- All Summer Camp applications need to be submitted by Saturday, April 27, 2013 and the lottery will begin on Monday, April 29, 2013.
- The Summer Camp program will begin on June 10, 2013 and run through August 2, 2013. There is Summer Tennis Camp and Pool at the Frank Veltri Tennis Center; there is Share A Pony Summer Camp at the Equestrian Center; Golf Academy at the Plantation Preserve; Music and Drama Theater Camp at Jim Ward Community Center; and Camp Elite at Volunteer Park.

- After contacting the manufacturer regarding the walkway lights around Country Club Circle it was learned that the lights were discontinued. The caps have been manufactured and will be delivered on April 29, 2013 and they hope to have them installed by May 7, 2013.

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Mayor Bendekovic read a Proclamation designating the week of May 5 – 11, 2013, as *Municipal Clerk's Week* in the City of Plantation.

Susan Slattery, City Clerk, accepted the proclamation.

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Mayor Bendekovic advised that our Representative U.S. Congresswoman Lois Frankel presented the City with a certificate in honor of the City of Plantation's 60<sup>th</sup> birthday on the floor of Congress.

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Mayor Bendekovic made the following announcements:

- Plantation Police Department Prescription Drug Take Back event is Saturday, April 27, 2013 between 10:00 a.m. and 2:00 p.m.
- The Mayor's Interfaith Breakfast is on Thursday, May 2, 2013 at 8:00 a.m. at the Renaissance Hotel.
- Representatives will be available at the Broward County Property Appraiser's Community Outreach Events every Wednesday in May between 12:00 p.m. and 2:00 p.m.
- Teddy Bear Picnic will be on Saturday, May 4, 2013 from 11:30 a.m. to 12:30 p.m. at the Helen B. Hoffman Library.
- Tinsel Town Cabaret will be at Volunteer Park on Friday, May 10, 2013 at 7:30 p.m.
- The Plantation Farmer's Market is at Volunteer Park every Saturday.

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## **CONSENT AGENDA**

As a Commissioner of the CRA, Mayor Bendekovic has a voting privilege on Item No. 19.

Item No. 10 has been removed from the agenda as per the applicant's request.

Item No.'s 11, 14, and 15 were removed to be discussed separately.

Mr. Lunny read the Consent Agenda by title.

8. Permission for McDonald's located at 1351 South University Drive to have a Grand Opening Event on Saturday, June 1, 2013 from 9:00 a.m. to 4:00 p.m.
9. Permission to reschedule the date of the Renaissance Charter School at Plantation Car Wash and Yard Sale to Saturday, April 27, 2013.

12. Request for approval to purchase two Barnes submersible pumps from Southeastern Pump in the amount of \$22,120 for lift station #51 rehabilitation. (Budgeted – Utilities)
13. Approve purchase of Safety Surface Playground grass for Country Club Park funded by the Broward County Parks for People grant.

**Resolution No. 11677**

16. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period April 4 – April 17, 2013 for the Plantation Gateway Development District.

**Resolution No. 11678**

17. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period April 4 – April 17, 2013 for the Plantation Midtown Development District.

**Resolution No. 11679**

18. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period April 4 – April 17, 2013.

**Resolution No. 11680**

19. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period April 4 – April 17, 2013 for the City of Plantation’s Community Redevelopment Agency.

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

Ayes: Stoner, Zimmerman, Fadgen, Jacobs, Levy  
Nays: None

**NOTE:** Mayor Bendekovic voted affirmatively on Item No. 19.

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Mr. Lunny read Item No. 11.

11. Request for approval for Hazen & Sawyer, our consulting engineering firm, in the amount of \$49,700 to design, permit and oversee air-gap bypass pump station at the CWTP, in accordance with Broward County Health Department regulatory standard. (Budgeted – Utilities)

Councilman Fadgen mentioned the design permitting and overseeing of the project for this air-gap improvement. He questioned the total cost of the project.

Chuck Flynn, Utilities Director, advised that the cost has been reduced because we are negotiating with someone that is already mobilized on site. The cost of the original design was also reduced from 20%; from \$61,000 to \$49,700. A hard figure is not available at this time but he can get an estimate.

Councilman Fadgen mentioned that someone else is mobilized and questioned whether they are in the City or whether they are doing a similar project in another City.

Mr. Flynn stated that they are working in this City at that site. We have spoken to a contractor and are going to negotiate with them to do the work. If we are satisfied we will proceed and if not, we will withdraw and go out to bid.

Councilman Fadgen questioned how we know the \$49,700 is a reasonable cost. He pulled this because there is a lot of reaction to the water bills going out with notice of the public hearings for infrastructure improvements and the rate change. He senses that we may have to figure out a different approach and maybe defer the infrastructure improvement. Perhaps we could somehow fund internally by cutting overall costs.

Mr. Flynn indicated that we have a contract with our consultant, Hazen and Sawyer. All of those costs associated with the design and construction activities are outlined in the contract. We negotiate with them for every project. This scope was discussed and reduced from \$61,000 to \$49,700 for engineering activities. The construction was reduced because we are planning on using the on site contractor that is currently doing work at the Central Water Treatment Plant. He advised that he would be happy to meet and discuss this at any time.

Councilperson Stoner questioned the present cost of the construction aspect of this project.

Mr. Flynn stated that they do not know because they have to negotiate it with the contractor on site who is doing a separate project. The contractor is already mobilized doing another job on the Central Water Treatment Plant site; therefore, we will save the mobilization cost by negotiating.

In response to Councilperson Stoner, Mr. Flynn reiterated that the contract has not yet been negotiated. He indicated that he has a basic estimate but he does not have the hard numbers because they have not met with the contractor. He noted that he can get that information requested.

Councilperson Stoner questioned whether Purchasing says that a certain dollar goes out to bid.

Mr. Flynn advised that it is not above the threshold to go out to bid and we can do so if needed.

Councilperson Stoner stated that we see the same contractors and vendors being paid all the time. She understands that some things are going out to bid on occasion but the construction people working at the City have been working at the City for many years and she is not seeing an open market.

Mr. Flynn indicated that the previous job was advertised for bid and the contractor was selected with an open bid. They are doing work at two of our sites and they are a reputable company. If we feel that it is not appropriate we will go back out to bid.

Councilperson Stoner advised that pre-written estimates can be requested.

Mr. Flynn stated that there is a timeline from the Health Department; this is a permanent driven situation and that is the reason we were required to do this work.

Councilperson Stoner mentioned that the memo says, "This is a regulatory standard" so it should not be a surprise.

Mr. Flynn indicated that it is a change; the Health Department changed the regulation. We have already done the East Plant; this is the Central Plant. We put it out to bid last time and did the job there, which was a different design than this one.

***Motion by Councilperson Stoner, seconded by Councilman Fadgen, to approve Item No. 11. Motion carried on the following roll call vote:***

Ayes: Stoner, Zimmerman, Fadgen, Jacobs, Levy  
Nays: None

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Mr. Lunny read Item No. 14.

**Ordinance No. 2479**

14. **ORDINANCE** Second and Final Reading pertaining to the subject of management of the City's municipal rights-of-way declaring a temporary moratorium on the receipt or processing of applications, permits, or pending approvals pertaining to the installation of or siting of any "Wireless Personal Telecommunications Services Antenna Tower" as defined by Chapter 5.5 of the Plantation City Code or "Tower" as defined under Section 365.172, Florida Statutes, or any other communications distribution facilities wholly contained or mounted on a single, stand alone tower as may be contemplated by Section 337.401, Florida Statutes, in any municipal public rights-of-way within the City of Plantation, Florida; providing recitals; providing a savings clause; and providing an immediate effective date therefor.

Councilperson Stoner commented that this ordinance has to do with a moratorium on cell towers in the City right-of-way. She mentioned the website antennasearch.com that shows City Hall and 527 antennas within a four-mile radius. Her observation is that there are a lot of towers around and should we consider exploring it or doing a moratorium on antennas and towers, not just rights-of-way, and address them on a case by case basis.

Councilman Levy thought that was a good point.

Mr. Lunny explained that an ordinance title has to be read twice in order to become effective. That would be a new piece of Legislation and he suggested that if Council wishes to explore that it would be a separate topic from this ordinance. If it were added to this ordinance we would have to start over and pay for the re-advertising in order to get this step. The first is just a procedural issue. As to the substance of the issue, State law has largely preempted municipal control over non-residential property and we may have some ability to regulate residential types of property with some cooperative effort with the industry and that has been the strategy that we have adopted in the past but we have limited it to public sites. If the Council wishes to explore this he would like an opportunity to go back and read the operative provisions of the Statute and try to give some guidance on that topic. There is quite a bit of litigation in this area. If that is something that Council wants to look at his suggestion would be that at an appropriate time it is Workshopped. He thinks that the Administration's desire is that Council adopt this ordinance at this moment.

Councilman Jacobs mentioned moratoriums and questioned whether they can be permanent.

Mr. Lunny advised that this one does not regulate any right-of-way that the City does not own. It does not apply to Broward County rights-of-way or State rights-of-way. The Council, in this ordinance, reserved the prerogative of approving a typical installation and the carrier has requested an opportunity to meet with staff and try to come up with one.

Councilperson Stoner questioned whether there is feasibly a consensus that we would like to pursue the next level.

Councilman Levy stated that it needs to be brought up to date with our information and the laws that are changing every year. He would like to have as much information as possible.

Councilman Jacobs commented that these microcells serve a purpose and they serve a public safety purpose as well because with the microcells we will be able to better locate a caller.

Councilperson Stoner believed that Councilman Jacobs was talking about a public safety issue versus 570 other miscellaneous other towers for different things. As we pursue it we can define them as two different things.

Councilman Jacobs stated that he was not so sure that 570 towers are so horrible; however, he was surprised that so many came up. City Hall has a 400-foot tower, which is probably the biggest in the City. He is not sure that this is a problem and before spending a lot of money he would like the City Attorney to conduct research so we know where we want to go with this. He understands that we are trying to deal with a problem until we can figure out how to move forward and the problem is a proliferation of microcell towers.

Councilman Fadgen indicated that he has not seen any of the towers around the City.

Mr. Lunny advised that the problem is an applicant's desire to install three microcells. We want the opportunity to show the Council this new technology, which Mr. Butler did; an opportunity to require that the cabinets be ground mounted always; that the antenna be camouflaged; and that co-location can be facilitated. That is the direction we got and that is where we are going to go for rights-of-way. For public property, our desire in the short term was to make the procedural aspects of our ordinance consistent with the State Act, which he would be happy to email to all of the Council members. As to the areas where there is some room, a further effort can be explored but he thinks it has to be a cooperative scheme. As he understands the Statute, we have Communications Counsel that he can confer with, but he thinks the State Regulatory Scheme is very preemptive and the industry has done a very good job anticipating potential outcomes. It is not to say it cannot be done, it is a question of trying to take it in steps. He believes that the Administration has directed him to try to get this moratorium and keep it soft in terms of providing avenues for relief. Let's get the procedural mechanisms that we are complying with anyway, under State law, written into our code so people understand them. In terms of where you want to go in the future, those are policy decisions and can be Workshopped at any time.

Councilman Jacobs suggested doing step one as planned and once we finish that we can discuss whether we want to go further.

Councilman Fadgen would like to have more information to see if there really is a problem.

Councilperson Stoner stated that the consensus is to go forward.

Councilman Levy clarified that the consensus is to move forward with step 1 and that we would like to have more information.

Mr. Lunny recommended that Council modify their existing cell tower rules for private property to be consistent with the procedural parts of Section 365.172 Florida Statutes. The planning thing he is talking about is a step 3 and there is maybe ten hours of staff time to figure out whether they want to make any recommendations to that procedural issue and maybe five hours of legal time to finish step 2 and then you will be ready to do whatever you want going forward. He does not view step 2 as a large project.

***Motion by Councilperson Stoner, seconded by Councilman Fadgen, to move forward with step 1. Motion carried on the following roll call vote:***

Ayes: Stoner, Zimmerman, Fadgen, Jacobs, Levy  
Nays: None

Councilman Levy questioned if he is the only one concerned about radiation.

Mr. Lunny stated that both in Federal law and in State law, they have indicated that it is not an issue and the most that the City can do is ask the FCC for evidence that this particular technology meets their standard, which they have.

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Mr. Lunny read Item No. 15.

**Ordinance No. 2480**

15. **ORDINANCE** Second and Final Reading pertaining to the subject of the City's General Elections; calling for and ordering a binding referendum to be held in the City of Plantation on November 4, 2014 to determine whether a majority of the electors voting in such referendum are in favor of certain proposed charter amendments designed to implement a move of the City's General Elections from March of odd numbered years to November of even number years, commencing in November 2016, so as to coincide with Federal, State and County General Elections; shortening the terms of certain of the City's elected seats by four (4) months, but only as appropriate to implement the change should the referendum pass; requesting that the Broward County Supervisor of Elections conduct the referendum election in accordance with applicable law and regulation; providing ballot language; providing directions to the City Clerk; providing findings; providing for severability; and providing an effective date therefor.

Mr. Lunny commented that seat members and re-election information has been corrected. The other portion that was reviewed was the calendars for years 2016 and 2015 and he made sure that the date of service in those years was accurate. To implement this change, elected seats whose term commences March 15, 2013 would serve until noon November 14, 2016 and elected seats whose term commences March 13, 2015 would serve until noon November 9, 2018. The ordinance with those two changes is now ready for consideration.

Councilman Fadgen indicated that he opposed this going forward at the last meeting; however, he expects that it will be passed without his support. He speaks in favor of a friendly amendment to the ordinance changing the referendum date from November 4, 2014 to March 10, 2015, which is our normal general election day for the City of Plantation. The November 4, 2014 election is going to be a busy election; the Governor and the Cabinet, as well as Judges, School Board, a number of other Congressional, State, House and Senate races will be conducted; it will be a very long ballot. This is important to the residents of Plantation. A March election to consider this item, if it is really important they will come out and vote for it, and he will work very vigorously to oppose it being passed in March. It will give it a lot better exposure in March 2015 than it will in November and it will also probably get a higher percentage of votes.

***Motion by Councilman Fadgen, seconded by Councilman Levy, to place the referendum on the March 10, 2015 Municipal General Election ballot.***

Councilman Jacobs stated that he needs to understand the implications; he is sure there are reasons why the others date was selected.

Mr. Lunny explained that as indicated before, if that is changed then we would have to start over in terms of advertising because the date had to be in the title. That is one procedural issue. The special act indicates that there is 18 months that has to occur after the effective date of the referendum and when it would come into effect. Right now the earliest date is the 14<sup>th</sup> and that is why all those dates change. We would have to map out whether we had it in March and add the 18 months if we would have another Municipal Election.

Ms. Slattery advised that there would not be another Municipal Election but the 18-month rule would take it into June 2016 and qualifying has to be in June for the November election. There might be a problem with the qualifying.

Mr. Lunny believed that was one of the considerations where the Supervisor asked us not to do March.

Ms. Slattery stated that we wanted to make sure that we were not too close to the qualifying period for a November 2016 election. Since there was a General Election the cost would be minimal to the City to put a referendum question in November 2014.

Mr. Lunny noted there is one small procedural issue but there is some consequence to moving that and we probably would like an opportunity to say this is what it is for sure as opposed to talking about it tonight.

Councilman Fadgen commented that a November election is not going to be free for this referendum item. He tried to determine from the Supervisor of Election's Office how much the cost would be and had a very difficult time figuring out what it was going to be; perhaps a third of our normal election or 25% of our normal election. It is not free and if we are going to change it we should give the most access; everyone has access to March. They may not choose to vote but they have access to March and we already have an election taking place in March 2015.

Mr. Lunny indicated that if we do it in March and add 18 months, it brings it to September of the following year, which is past the June qualifying date.

Ms. Slattery clarified that September would be past the qualifying period in June and we cannot move the qualifying period. We would miss a whole election cycle. This could not be put into effect, at the earliest, until 2018.

Councilman Fadgen stated that would be fine with him.

Councilman Jacobs commented that a three-month change in the election date would put it off by five years.

Mr. Lunny noted that there are all kinds of coordination issues.

Mayor Bendekovic believes that Councilman Fadgen is indicating that it would be more exposure but it seems to her that it is a given fact that November elections bring a lot more people than the Mayor's race. In the last Mayor's race we barely had 9,500 people come out. She feels that giving a voice to the people and letting them have say will result in having more people voting in the November election than in the March election. As Mr. Conklin explained last week, when the elections are held they do not go to the bottom of a ballot, they are in the

middle or at the top of the ballot. She is advocating to give the people a voice and to change the election to save some money.

Councilman Levy stated that he did not think any of the Council members were advocating not giving the people a voice. Councilman Fadgen's motion has to do with changing when that voice occurs.

Councilman Jacobs questioned whether a motion would be counted improper in the sense that we cannot pass that ordinance tonight because it was not advertised with that date. He commented that procedurally someone should make a motion to approve the current ordinance as presented and see what happens.

Mr. Lunny advised that we would have to start over.

Dennis Conklin, resident, was present. He indicated that he received information online from the Sun Sentinel that Davie passed its referendum to move their Municipal Elections from March of odd number years to November of the Congressional years. That makes one less participant in Plantation's round. The other round for the even years has dropped to six. He believes there are only eight municipalities participating in the odd number years, which increases the cost. From what he read online, the single municipality of Davie doing this election without paying for poll workers because there were no precincts; this is strictly a postal mail ballot and it was \$177,000. As more and more of the 31 municipalities in Broward are shifting to the Congressional November election it would become a one-man show if Plantation is going to withstand. Davie has more voters than Plantation so it would cost them a little more but Plantation is going to be similar as we approach singularity. He has encouraged this for years. The current motion is to postpone for five years and he encouraged Council not to pass the motion before them.

Pete Tingom, resident, was present. He believes the City should allow Plantation voters to voice their opinion in moving the March elections to November. The voters would decide in the November 2014 general election as stated in the proposed ordinance. Voter participation and cost are the two factors driving this change from March to November. The current election procedure has served Plantation well for 60 years; why change it? If the voters prefer to move the City elections to November other changes might be appropriate. Have all six elected positions stand for election in November 2016; this would lengthen and shorten current terms. Elect a Mayor and five Council members at the same time; remove the group number and have all Council positions run citywide. Groups are very confusing and all Council members represent the entire City. The top five vote recipients would be elected to the five Council positions and there would be competition and no free pass for any Council race. Competition is a positive outcome of this process. Voters would vote for the Mayor and five Council members. They would vote in Presidential years ensuring higher voter participation; having a City election once every four years would reduce the cost of elections to the City; increase voter participation and reduce costs. The inherent incumbent benefit would be reduced by five open Council seats every election providing equal opportunity to all candidates. If increased voter participation and reduced costs are truly your goals as stated, these comments will be embraced and the City Attorney will be asked to rewrite this ordinance and encompass these suggestions so the voters can decide on this issue.

Councilman Fadgen commented that Mr. Tingom has some good ideas that we should discuss. Having the top five vote getters is an excellent idea as well as consolidating with Presidential years.

***Motion by Councilman Fadgen, seconded by Councilman Levy, to withdraw the previous motion.***

***Motion by Councilman Fadgen that we go back to the drawing board and consider some of the comments that Mr. Tingom suggested. There was no second to the motion.***

Rico Petrocelli, resident, was present. He believes that Council wants the 55,000 people in November to have more of an opportunity to say yes or no and he disagrees with Mr. Tingom; the last thing he wants is six new people who do not know what they are doing. That would be a very uncomfortable situation to have a whole new group on the Council without any experience. He feels that staggering is what keeps the consistency where there is someone who knows what is going on with the help of the City Attorney and the City Manager. He suggested leaving the motion as is; let the people vote and no matter how many come out in November decide if they want to do it again in November as opposed to March.

***Motion by Councilman Jacobs, seconded by Councilman Zimmerman, to approve Item No. 15. Motion carried on the following roll call vote:***

Ayes: Stoner, Zimmerman, Jacobs, Levy

Nays: Fadgen

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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**

Mr. Lunny read Item No. 20.

20. CONSIDERATION OF A DELEGATION REQUEST TO AMEND THE PLAT NOTE – AMERICAN HERITAGE SCHOOL LOCATED AT 12200 WEST BROWARD BOULEVARD.

A Staff Report dated April 24, 2013, to the City Council from Planning, Zoning and Economic Development Department, follows:

**REQUEST:** Consideration of a delegation request to amend the plat note.

**EXHIBITS TO BE INCLUDED:** Planning and Zoning Division report, subject site map and development review application.

**REVIEW COMMITTEE RECOMMENDATION:** NO OBJECTIONS to the project moving forward for further review (3/26/13).

From: “This plat is restricted to 4,200 square feet of pre-kindergarten use (existing), 78,009 square feet of elementary school use (57,974 square feet existing and 20,035 square feet proposed), 6,664 square feet

of ancillary bus maintenance use (existing), and 168,224 square feet of secondary school (142,175 square feet existing and 26,069 square feet proposed).”

To: “This plat is restricted to 4,200 square feet of pre-kindergarten use (existing), 112,618 square feet of elementary school use (103,061 square feet existing and 9,557 square feet proposed), 6,664 square feet of ancillary bus maintenance use (existing), and 168,236 square feet of secondary school (113,239 square feet existing and 54,997 square feet proposed).”

**ANALYSIS:**

Broward County requires a plat note amendment to increase or change the approved level of development. Plat note amendments often exceed existing development levels in order to allow for future growth without amending the plat at Broward County for each subsequent City approval. Regardless of the development level approved by Broward County, the applicant must obtain City approval for new construction prior to the issuance of a building permit.

According to the development spreadsheet provided by the applicant, future development on the site will include a kitchen and dining room, swimming pool, tennis courts, gymnasium, and parking garage. No site plans have been submitted for review at this time.

**STAFF COMMENTS:**

**PLANNING AND ZONING:**

Planning:

1. The proposed request is consistent with the Community Facilities land use designation on the adopted Land Use Map.

Zoning: No objection.

**TRAFFIC CONSULTANT:**

1. No objection; however, a traffic study may be required at time of permitting for any additional school buildings.

**ENGINEERING DEPARTMENT:** No objection.

**DESIGN, LANDSCAPE & CONSTRUCTION MANAGEMENT:** No objections.

**BULDING DEPARTMENT:** No objection.

**FIRE DEPARTMENT:** No objection.

**POLICE DEPARTMENT:** This request will have little or no impact on police services.

**UTILITIES:**

1. No objection; however, if student count increases additional capacities will be required.

**O.P.W.C.D.:** No comments.

**WASTE MANAGEMENT:** No comments.

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***Motion by Councilperson Stoner, seconded by Councilman Jacobs, to approve Item No. 20. Motion carried on the following roll call vote:***

Ayes: Stoner, Zimmerman, Fadgen, Jacobs, Levy

Nays: None

Attorney Emerson Allsworth, Fred Nagler, Architect, and Bill Laurie, President of the school, were present.

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21. APPROVE SIGN SPECIAL EXCEPTION FOR WENDY'S RESTAURANT LOCATED AT 3801 WEST BROWARD BOULEVARD.

***Motion by Councilman Jacobs, seconded by Councilman Fadgen, to continue Item No. 21 to May 8, 2013. Motion carried on the following roll call vote:***

Ayes: Stoner, Zimmerman, Fadgen, Jacobs, Levy

Nays: None

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**COUNCILMEMBERS' COMMENTS**

Councilperson Stoner mentioned the Kennedy Community Center. Presently there was an RFQ for a so called two-step process design build. It did not exactly qualify and is being amended. She suggested that the entire solicitation be tabled. We are in the middle of trying to figure out how to save money and watch a budget. She questioned why we would want to put out a solicitation and have professionals put in time and effort if we are not sure we want or cannot financially move forward at this particular time.

***Motion by Councilperson Stoner, seconded by Councilman Fadgen, to table the Kennedy Community Center and that the solicitation be withdrawn. There was no vote on this motion.***

Councilman Jacobs questioned whether the discussion on the Kennedy Community Center is scheduled for any particular date.

Mr. Lunny stated that it is not on the board but any award of the contract would have to come to Council, which would be too late to address the Council members. It is his understanding in reading an email this week that it is a design build performance and he is quite confident that once the various design proposals are presented they will come to Council. None of that would address the practical issue that Councilperson Stoner is raising, which is that the private sector will be expending some resources in responding to this and that topic was addressed a little with a different Council. He believed that the Mayor indicated that there was some funding left.

Mayor Bendekovic advised that it is in the 2003 bond and it is \$1.89 million.

Councilperson Stoner commented that we still have to pay that money back. Her issue is that we are still spending the money and we could pay it back without paying a bigger dollar.

Councilman Jacobs indicated that the money has to be spent. He agreed that we should delay rebuilding the Center but there was some consensus that the community would like to see the Community Center rebuilt.

Councilman Levy mentioned that we made a promise to a number of members of that community that this would be up as quickly as possible. There are a number of organizations ranging from the Scouts to all kinds of organizations waiting to use the new Center and are temporarily housed in other facilities and are not happy. This body, whether it be the same people who are here or not, made a promise to the community and with all the information financially we had many discussions. The promise was made and he cannot see us going back on that promise at this time. He thinks we need it and if we do not do it now he does not think it will ever get built because we will never have that money in the foreseeable future to build it again. We will have an empty hole and a piece of grass and it will not serve the community at all. He believes that it is time to stand up and say, "The money is there; it was set aside in 2003" we need to build what we promised the people in that area. After years of discussion we finally came to what we felt was a solution that everybody agreed to; some people were not happy; some people were happier; but we did something. He feels that it is wrong to think about revisiting it and saying maybe we are not going to rebuild at all.

Councilperson Stoner indicated that the vote passed three to two; it may have passed as a majority but not everybody was happy with the decision to tear it down.

Councilman Levy commented that some people wanted to eliminate it and never rebuild and in his opinion, he felt that Councilperson Stoner would be one of those people who would have preferred nothing be built.

Councilperson Stoner clarified that she wanted to repair it.

Councilman Levy advised that he also wanted to repair it and questioned why it did not happen.

Councilperson Stoner stated that subsequent to the decision to tear the building down we were then faced with a \$5 million new deficit coming into the new budget year. Actually for the year before, we had been faced with the same thing and ended up with \$10 million. We are still faced with a financial crisis. We need to make a concerted effort to replace the building but not at this second. If the budget says there is no money then there is no money. She questioned whether we are going to approve another 22% tax increase so we can pay all of our debt service and noted that we cannot do that; hard choices have to be made.

Councilman Levy advised that there is a bond issue with the funds that can only be dedicated for a certain purpose; they cannot be sent back to the General Fund to pay off other debts. He would like the Mayor to speak and explain the situation. We have the funds and they have to be spent. He questioned if there is a certain timeframe in which the funds have to be spent.

Mr. Lunny explained that when you close an issue you have to have the good faith intent at closing to spend the money within a certain time. We did at the time, based on the closing documents. Once you pass a certain period of time the tax rules require certain reporting for arbitrage, which have likely been done, and the money can be used to retire debt service if bonds are called out of that issue. It is not as easy as taking the money and paying off the debt service; there is a process you have to go through. If you want you can take the money out

of the bond proceeds funds and use it towards retiring debt service, you can decide to stop the solicitation, or you can keep going and have the matter presented at the procurement's conclusion. All options are open to the Council.

Councilman Fadgen had suggested that the decision to demolish be delayed until the new Council was put in place. He feels that \$250,000 for repairs to keep the building for another 15 or more years seemed to be a better use of funds than to tear it down but that decision is behind us. Councilperson Stoner suggested a six-month delay and that will get us past the budget period; he thinks it might be wise to do that. He questioned whether doing the building means that the City will not spend one additional dollar other than the bond funds. He thinks there will be other dollars spent by the City; either to furnish or to otherwise manage the construction of that project.

Councilman Zimmerman stated that he looked at the RFP that went out, which was a two-step process combined into a single step process for a design build scenario. He found that we were into a single source bid for a design build firm, which means we will have design firms bidding a lot of work with a chance to get the job. This results in staff coming back to Council with an award of a contract for a single amount of money for a design build firm that we are not even sure 100% or have had any input in the final design of this project. Contractors will come back and bid the project based on the RFP that went out with some hand sketches and having had only one meeting with the community. This project also does not need a site plan approval process because it is a replacement building, which means the Planning and Zoning Board and none of the other Boards get to see the project. After Council approval it gets built. He is concerned about the process. Staff came back and said that there cannot be a two-step process per our Statutes; therefore, we are going back to a two-step process, which means the firms will still have their qualifications submitted and we are going to pick the top three or four firms and have them do the same process. We still do not have a design. If we are going to delay this project six months and look at the budget, which may not be a bad idea, we should also relook and reconsider whether this should be a design project with an architectural engineering firm first where we get to see some designs and determine the specifications of the building because right now the specifications in the RFP package are very grey; there are no specifics other than we want "x" amount of square feet for "x" amount of dollars, which he does not think is possible in today's market. We have an opportunity to rethink the way we are going about this project and utilize the six months maybe even to start a design project and at least move the project forward to get a building that we can design. He questioned whether we can build it for the money through a consulting firm. We could then take those specifications that we know are specific and bid it out to the general construction industry. He thinks we should reconsider the process and that will help guide us and give us the time we are looking for.

Councilperson Stoner suggested taking it back to just design for the six-month period. There is no final selection because she thinks as Council and the Mayor, we would like some input into the design and what goes into this building; it is an important building. Let's make it a design process and then we will have a better idea as to the dollar and what we need to do.

Mr. Lunny indicated that there are different models that can be used and Councilman Zimmerman is advocating for the classic model of retaining a design person and then the designs are presented to Council as part of the contractual performance and that is finished before going onto construction. You can also get a professional cost estimate and there is no part of the contract that has been allocated towards the construction piece. There is a definite ability to split the two as mentioned. The same thing could be done in design build but it is a different process. If Council wants to do this, he questioned whether they are asking staff to develop a procurement for a designer or asking staff to shelve the entire thing for six months and do nothing.

Councilperson Stoner commented that she is all right with shelving the existing solicitation off the table and then starting the design selection and then come back to the table.

Mr. Lunny clarified that staff will try to procure a designer and when that procurement is finished the results will be presented to Council.

Councilperson Stoner advised that she wants to see the short list; she does not want one name.

Councilman Levy noted that he would like the community involved as well.

Mr. Lunny advised that this is a little complicated because of the Broward County Ethics Ordinance, which says that the Council members cannot be on a Selection Committee. We can, at the end, announce the three proposals if we do an RFP, that we believe are better than most and this is the recommendation for selection. You have to be at the end of the process.

Mayor Bendekovic indicated that we will do a Selection Committee of staff.

Councilperson Stoner stated that the County Commission has the same option; they can have the whole short list presented to them and then they can ask for presentations for the entire short list even though they are not part of the Selection Committee.

Councilman Zimmerman commented that he has been up against this a couple of times even in Parkland. They passed a special ordinance over and above the Ethics to allow them to do that. He thinks there are some other passages of some other legislation after the Ethics.

Mr. Lunny stated that he did not, on a professional or personal level, agree with that part of it but that is what we have today. Staff will put together a procurement; they will procure a designer and the result will be presented to Council. They will shelve the design build and try to make this designer proposal come up some time towards the end of maybe five or six months in terms of timing.

Councilman Fadgen mentioned that a number of years ago while looking at the golf course we did not have the Ethics law in place. The golf course was a big and important project for this City and there were either two or three Elected Officials on the Selection Committee along with other people who were more involved. It turned out to be an excellent final product. He would like to see the ordinance in Parkland, as it may help us get to a better position. We represent the people of this City and he thinks we want to have a good product. We rely heavily on staff; they are extremely important as to what comes out in the product too. In terms of connection with the people and the end results, he thinks this panel is the one who should have the bigger influence. There was a consensus.

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Councilman Zimmerman mentioned Priority Based Budgeting and noted that the explanation so far has been about knowing programs and services and being able to look at them, understand and prioritize them. In doing a little research, he has noticed that other Cities put out a questionnaire to their residents. In alternating years different topics are done and it is not that costly by the consulting services that do it. The amount of information they get and the responses from their residents really help guide them and perhaps the City should look into this and at least understand the possibilities and what the cost might be. It may help us in making some of the long term decisions we are looking at.

Mayor Bendekovic explained that part of Priority Based Budgeting is to include the residents and citizens. She questioned Mr. Shimun as to whether we have determined how we are going to reach the residents regarding the Priority Based Budgeting.

Mr. Shimun stated that right now there will probably be notices on the City's web page. Other than that, flyers could go out.

Councilman Zimmerman urged staff to look at the community based surveys he saw today; there is a lot of information and it might be something we need to consider. A survey coming in the mail might allow people to get their feedback to us easily if they are unable to attend a meeting.

Mr. Shimun commented that while he and Ms. Caravella were in Davie they did a scientific type questionnaire the public that was done by a surveying firm. That way you get legitimate answers versus those who choose to select anything that comes in the mail.

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Councilman Levy mentioned Boston and the way an entire City came together the way they listened to emergency responders and their instructions. The number of agencies that came together to save this community from the fear of what was next shows us the importance of the people we have trained to save us here in Plantation. Those responders headed towards the explosion not knowing if there was a series of explosions going to happen; they did not run away in fear, they ran towards it. The same thing in West Texas; ten firemen lost their lives going towards the explosion. At this point he would like to ask Administration to work towards a settlement of the Union contract as soon as possible. He thinks we cannot make proper financial decisions; we are still in limbo in regards to this contract. We have all seen very graphically how important Police, Fire and Emergency Service personnel, including EMT's, ambulances, etc. are to the life blood of a community. He would like to encourage a fast track to get us to where we can vote on a Union contract and get this settled. He does not want to go to impasse; he does not want to go to a fiscal emergency; he does not want to wait another year or two. We are Plantation; let's stay that way and not be adversarial. Let's be all inclusive and get this contract done so we can move on and continue being the hometown community that we are.

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## **PUBLIC REQUESTS OF THE COUNCIL CONCERNING MUNICIPAL AFFAIRS**

Dennis Conklin, resident, was present. He referred to Councilman Levy's mention of West Texas and the loss of life of the first responders. He heard today that in addition to that loss of life they lost all of their emergency equipment; fire trucks, ambulances and rescue units. Someone from a neighboring City in Texas put out an all call for anyone that might be ready to surplus any equipment to possibly find a way to West Texas. Boston was also mentioned and the reason this happened was because they declared war on America.

Mr. Conklin thanked the Mayor and the Financial Director for the last meeting Workshop they did on the Priority Based Budgeting. One of the first words they said was that for some time Plantation has been spending more than it has been taking in.

He mentioned Employee Benefits and noted that he has discussed the transition from the Defined Benefit Pension Plans into Defined Contribution Plans. He encouraged Council to look very strongly into that. He wants Council to make sure that the employees have a pension and that the taxpayers are not on the hook.

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George Lord, resident, was present.

Councilman Levy indicated that the Country Club lights were discussed under Mr. Romano's comments.

Mr. Lord mentioned the elections and stated that no one has brought up getting the Special Act repealed. He called Pam Bondi, who switched him to Elections, who switched him to Legal, who said they would look into it. If the elections were changed it would be a simple matter to have an ordinance and you would not have to wait 14 to 18 months.

Mr. Lunny advised that is correct. The entire State of Florida follows one rule but Broward County has a Special Act; it is an act of the Legislature that was requested by our Local Legislative Delegation because of the various histories of the Cities and how they came into existence in Broward County is different. There are different rules and to get everyone on the same page the Legislature thought it would do this but everywhere else there could be just an ordinance. We made a choice that we would follow the Special Act rather than risk litigation if we did not; it was a safety alternative and that is why we did it.

Mr. Lord stated that perhaps we could look into it to see if we can get out of it; it would save a lot of trouble.

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Rose Maytin, President of the Plantation Orchid Society, was present. She has been trying to get a posting on our electronic billboard that the Women's Club donated to Volunteer Park and to the Volunteer Fire Station on East Acre and Broward Boulevard but has been unable to get any resolution to this matter. She spoke with Ms. Slattery and has some emails. They are a non-profit organization and have been in Plantation since 1968. She has contacted Cheryl Greenberg several times and she has pretty much advised that the billboards are for City use only. She provided copies of the emails from Ms. Greenberg.

Mayor Bendekovic stated that this has been addressed and clarified that the billboards are for City use only. If we let every non-profit organization do this we would not be able to get all of the requests on there.

Ms. Maytin commented that the Women's Club donated it for the purpose of use by non-profit organizations, which the last page of the Electronic Billboard Rules says. It says, "It is for City use and for City non-profit organizations".

Councilman Jacobs advised that it has to be a City sponsored event.

In response to Councilman Levy, Mayor Bendekovic indicated that she has not met with Ms. Maytin because it has to be a City sponsored event. She assured that staff has explained the reason why they cannot post on the electronic billboard. She would be more than happy to meet but she will say the same thing as staff.

Councilman Levy noted that there may be some extenuating circumstances that need to be discussed. He suggested that Ms. Maytin meet with Mayor Bendekovic.

Ms. Maytin stated that she did not know if there was a change; the rules and regulations specifically state that the Women's Club donated these electronic billboards for use of non-profit organizations.

Councilman Jacobs commented that the rules and regulations say, "City sponsored events". The question would be, "How does one become a City sponsored event" and then you could be on the billboard.

Councilman Levy indicated that the Club is a City Club; however, the event is not necessarily a City sponsored event.

Mayor Bendekovic suggested that Ms. Maytin call Susan DiLaura tomorrow and a meeting will be scheduled to discuss the matter.

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Mr. Petrocelli mentioned the survey and believes that it should be put in the water bill.

As far as the Police, Fire and emergency personnel, Mr. Petrocelli agrees that it has been way too long that they have been working without a contract. It should get settled so they can have some peace and be paid what they are worth.

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**SEALED COMPETITIVE SOLICITATIONS – None.**

The meeting adjourned at 9:29 p.m.

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The meeting reconvened at 9:30 p.m.

**WORKSHOPS**

**22. DISCUSSION CONCERNING EMPLOYEE BENEFITS.**

Mayor Bendekovic advised that this is one of the two Workshops that Administration will be presenting. Tonight will be the Employee Benefits Workshop and May 8, 2013 will be the Pension Workshop followed by the Priority Based Budgeting. The Priority Based Budgeting Workshops will start at 6:30 p.m. and will be telecast.

Councilman Levy indicated that he has given all of the Council members the piece that was in the Sun Sentinel over the weekend that says, "Public employees deserve pensions". He thought it was an issue that would be discussed and that it was appropriate for everyone to have.

Ms. Moale stated that we would be discussing health insurance, employee population and definitions, total average benefit cost per employee, grandfathering changes that have already been implemented, benefits, salary comparison and wages.

Ms. Moale made the following presentation:

#### Historical Medical Cost:

- This shows that since April 2006 the City staff and Council have been very proactive with their support to hold down our costs.

#### Medical Trend:

- Had we not made the changes and done the things we had done proactively, medical trend is from 10% to 14% per year. We took it at 12% and that is where we have been.
- We have also listed the steps we did starting six years ago, five years ago, four years ago, three years ago, two years ago and one year ago. She is going to focus on the current plan; what we are doing today and what we are planning on doing in the future.
- We will be implementing the required healthy format changes.
- We will be moving disease management from United Healthcare to Marathon for a reduction of \$38,000 in our ASO rates as a self-insured entity.
- Continue to research insurance options.
- Health Coaching has been added to the incentives to maximize the total health management of our employee family and their dependents.
- We are continuing to increase Benefits Committee communications and involve them in aspects of dealing with benefits.
- We are targeting communication to dependents, mainly spouses, to increase the Care Center utilization and cost avoidance.

#### Employee Health and Wellness Care Center:

- Cost avoidance is monies not spent on medical claims dollar for dollar.

#### Year 1:

- We wanted to break even and ended up going in the black, which was a great thing of \$50,475; over and above Marathon's fees and one-time implementation fee.

#### Year 2:

- We saw another \$288,000 in the black.

#### Year 3:

- Net costs avoided after the Marathon fees is \$1.1 million. These are actual hard dollar cost avoided; it is not money sitting around to be spent; it is money we did not have to spend on our health insurance.
- A chart is shown to depict what we are talking about. The blue bar is employees; 79% of the employees used the Care Center at least once in the last year. Now that March is over we have had 100% of our General Employees use the Care Center at least once in the last year. Spouses were only at 21%. It is believed that if more spouses would use this we could avoid more expenses.

#### Optional Plan Design Concepts:

- Choice 1 is the Preferred Choice Plan; our current plan. Employees are currently paying a 6% contribution for dependents; employees are still free.
- Choice 2 is a recommended alternate plan. Choice 2 has a lower premium for the City and employees; it is about 15% less premium costs for the City. It is between the Standard Plan and the Preferred Choice. It is a good plan; it has a lower premium for the employee and the recommended contribution for dependents will be 4%. This is to help entice current employees to move over so that the City will save money. Choice 2 has what are called "user fees". Currently if you get an MRI it is covered 100% under our current plan. If you get an MRI under Choice 2 it will cost \$100. If you use the plan you will see some expenses; however, since the majority of our families have family plans they will see premium reductions in their paychecks of about \$30 per paycheck. Choice 3 is the Standard Choice and that is a 10% contribution for employees and dependents. In order to be eligible for Choice 1 or Choice 2 the employees need to participate voluntarily in the three steps to wellness.

#### Employee Population and Definitions:

- There are 572 General Employees, which include Fire Rescue, Police, Administration, Department Directors and all other non-FOP.
- At the time this Power Point was updated there were 150 FOP's. Those are all sworn officers excluding Police Administration. There are 722 employees.
- This is an update from January 2012; the total average benefit cost per employee. With 572 General Employees the average cost per employee cost for benefits is \$29,317.20. For the FOP the average cost is \$85,036.23.

In response to Councilman Levy, Ms. Moale advised that the discrepancy is because of pension. The City contributes \$12,217 for General Employees for their pension per person. For the FOP, the City now contributes \$61,281 per year per employee.

#### Grandfathering Changes:

- Spouse eligibility for health insurance effective 04/01/07 for new hires. If the spouse of an employee had eligibility for insurance elsewhere they could not come onto our insurance plan and that remains. The children could come onto the plan but not the spouse.
- Longevity was eliminated for new hires effective 10/01/09 and that is across the Board including Police.
- The Senior Executive Insurance Package and take home car benefit was eliminated for new hires effective 10/01/11.

Things that indicate cost effective changes that are already in place:

- We are going to see medical contributions, holidays, annual leave, sick leave, longevity and tuition. Most of the data with double stars is data collected from PEPI, which is the Public Employees Personnel Information Exchange, a group of public sector HR people, 55 agencies that work in Palm Beach and Broward County. They collaborate every year and do one massive salary survey and about every three to five years they do a benefits survey.
- The first one is a comparison of medical monthly employee contributions.

In response to Councilman Levy, Ms. Moale indicated that Davie is so high because they charge an enormous amount for health insurance; she believes Mr. Shimun said 50% for dependent costs. Their longevity offsets it.

#### Plantation Holidays:

- This shows the holidays the City of Plantation takes in comparison with 30 other cities from PEPI. The only holiday that other agencies do not observe is Yom Kippur.
- Of the locals that we usually compare ourselves to, we are pretty much in the norm with the number of holidays as the others.

Private sector information was gained from Willis, our Benefits Consultant.

- 565 companies around the nation took this particular survey. The southeast region was included.
- In the private sector 50% of those surveyed out of 565 have between 8 and 11 holidays; they did not break it down. Plantation observed 11 paid holidays. We are pretty consistent with the private sector and holidays.

Other municipal holidays that are not observed by the City of Plantation but are observed by other agencies locally are:

- New Years Eve, Christmas Eve, Columbus Day, Good Friday, Birthday, Spring Holiday, Winter Holiday and Quality Day.

A Quality Day is if you get a good performance evaluation.

Annual Leave Comparison of the General Employees:

- This is in comparison 1-4 years; 5-9 years; 10-14 years and 15-20 years.
- When it hits 15-20 years we are amongst the highest.
- The Annual Leave chart for FOP is included because their contract has them accruing at different rates than General Employees.

Private Sector Industry standards on annual leave on date of hire

- Breaking it down by region and organization type the norm is pretty much ten day; two weeks upon date of hire.
- At 15 years the norm is 20 days; four weeks.

Annual Leave Maximum Carryover:

- We are pretty much in the norm in comparison with the other agencies. None of the other agencies have a use it or loose it type of mantra.

Sick Leave Comparison:

- In comparison with the other agencies we are in the norm. Other agencies have 96 hours of sick leave each year and we have 104 hours.

Maximum Accruals:

- We are on the low side; our maximum accruals go up to 480 hours and that ties in with the Family Medical Leave Act, a Federal Law that allows employees to take with or without pay if they have the accruals, 12 weeks or 480 hours of time off to take care of a serious health condition or to take care of an immediate family member with a serious health condition.
- Sunrise has a retirement bank because they have no maximum on their sick leave so people put that leave away and cash out at very large liability expenses to the City. We do not have that; the maximum is 480 hours.

Longevity Comparison:

- When employees hit 20 years in Davie they are paid \$22,000 in longevity. At 6-10 years it increases every year by \$750; at 11 or more years it increases \$1,100 per year and is paid on a bi-weekly basis. While they are charging an enormous amount for health insurance they are paying over here to help. We are pretty much in the norm with the other agencies. Pembroke Pines, Pompano and Sunrise were based on an average pay of \$47,000 because they do a percentage of pay, which is pretty much the norm for General Employees.

Tuition:

- Tuition rules for General Employees have been changed and FOP is different; they are paid from State funds dedicating their training. Sworn officers meeting the criteria receive reimbursement. The annual budget for General Employee tuition is \$9,500 and once those funds are depleted there is no more tuition reimbursement.

Salary Comparison:

- The 2012 PEPI survey came out this past week; however, she was unable to wait for that. To bring our General Employees up to actual average market pay would require over \$2 million a year. For FOP,

employees are paid above the actual base pay average market pay by a total of \$715,960. This covers 572 employees and 150 General Employees and 150 FOP.

- General Employees are paid less than the actual market average by \$9,538.73 per employee and Police actual pay is above the market average by \$5,114 per Officer.

#### General Employee and FOP Wage Average 2012 W2 Income:

- This is what was reported on the W2. FOP includes detail pay.
- Detail pay in the year 2012 totaled \$532,392.75. Approximately 150 Officers received detail pay and the average pay was \$3,549.29; some made more, some made less.
- The average wage for General Employees was \$49,833.51. The highest wage total is \$142,964 which includes leave sellbacks that occurred that year.
- FOP employees earn an average wage of \$86,966.54. The highest wage paid was \$125,413.81. That excludes Police Administration.

#### Employee Income Reduction Since October 2011:

- In October 2011 we increase employee contribution for health insurance to 4% for dependents.
- In April 2012 we had the Plan renewal and there was an increase in employee premiums. Premiums went up; therefore, employee contributions went up.
- In October 2012 we increased employee contributions to 6% for dependents.
- We also began deductions for General Employees only for three furlough days.
- In January 2013 a nationwide event occurred when the Tax Relief Act ended, increasing Social Security Taxes from 4.2% to 6.2%.
- In April 2013 we had a Plan renewal and there was an increase in employee premiums that we faced of 9.2%, which meant that their premiums also went up.
- Actual employees were taken and the following observations were made:

#### Maintenance Worker – New Hire:

- This employee was a new hire in April 2011 with a net pay, not including IRS taxes, of \$905.60. With the other deductions stated above, in October the net pay went down; in April it went down, April 2012 it went down, October 2012 it went down and in January 2013 it went down and with our latest reduction his paycheck is now down to \$837.76 and he is still paying IRS taxes on that amount. This is an 8% reduction in this employee's gross pay.
- There were no merit increases in 2009, 2011, 2012 and 2013. We do not anticipate any raises coming up.
- In 2010 Council supported a 1.5%/1.5% for General Employees and that is what was received that year.

#### Paramedic/Public Safety:

- An actual paramedic was taken with three years of service. Their net pay was \$47,577.30. April 2011 their pay was \$1,829.88 and with all of the reductions their paycheck as of now is down to \$1,727.26. That is over \$102 per paycheck for a total of \$204 per month. She commented that their cost of living at home did not go down by that amount. For this person it was a 6% average reduction in gross pay. This one is 6% and the other is 8% because of the medical contributions; it is a dollar amount, not a percentage. A dollar amount is greater for the maintenance worker than for the paramedic.
- Again, there were no merit increases in 2009, 2011, 2012 and 2013.

Police Officer - New Hire – Bi-weekly Base Pay not including overtime or any other types or pay:

- In January 2009 this person had a 14% increase in base pay with all of the deductions we have taken because they too are paying health insurance for dependents and had the Social Security Tax increase, etc.

Sergeant Bi-weekly Base Pay:

- From October 2010 to the present this person lost a slight decrease in their base pay of about \$8 a paycheck but in the meantime they had some better years.

Recommendations for Council to Consider:

- We would like to increase employee contributions for dependent coverage to 8% on the Preferred Choice Plan.
- We would like to offer an alternate health plan; Choice Plan 2, with a 4% employee contribution for dependents and a one-time enrollment incentive only of \$100 in gift cards, not for the spouse. The potential savings to the City depends upon how many people switch over. She is guessing that with the way reductions have taken employee's pay down there will be people willing to take the chance.
- With regard to Three Steps to Wellness, if the spouse completes then the employee in the next plan year, up until March 31, 2014, the employee continues their current contributions. If the spouse does not complete the steps the employee will pay 50% of the cost of that spouse. At current rates that would be \$163.37 every two weeks.
- It is believed that 100% of spouse utilization can add a potential of \$670,669 in cost avoidance to our health insurance. With 100% spouse and 100% employee utilization we believe we can get a combined annual cost avoidance of \$1.5 million that will help hold down premiums for next year.

Other Recommendations for New Hires as of 10/01:

- Annual Leave accruals – take from the current 104 hours or 13 days to 80 hours; two weeks, which is consistent with the private sector. Bring them up to 120 hours at ten years, currently we have 19.5 days. When they hit 15 years we bring them up another week to 160 hours, which is currently 208 hours or 26 days.
- Sick Leave accruals – take it to 80 hours from 104 hours.

Recommended Premiums Bi-weekly:

- Current employee contributions effective 10/01/13. The Preferred Choice would be 8% for dependents and Choice 2 is lower, also effective on 10/01/13.

Estimated Plan Enrollments:

- If 100% of the employees changed over from Preferred Choice into the Choice 2 Plan the City would see a net savings of \$566,346; if 70% switched we would have a net savings of \$396,442 and if 50% switched we would have a net savings of \$283,175.

Councilman Fadgen questioned the shortfall we are looking at for the next fiscal year. The more effective we are on some of the elements hopefully the less that shortfall will be. The difference between spouses was mentioned and he questioned how many spouses there are and whether they are male or female.

Mr. Shimun advised that the figure is currently around \$5.5 million.

Ms. Moale indicated that she did not have the exact number of spouses but noted that there are 114 employees that have employee plus spouse and we do have 257 employees with family. If you add the 114 and the 257 together that is the number of spouses.

Councilman Fadgen mentioned the total of 370 spouses. He asked this question because one of the slides showed that spouses are 21% utilization of the Care Center. He questioned how we increase that.

Ms. Moale stated that we will do targeted mailings to their homes; communicating the 50% of spousal premiums if the spouse does not get in by March 31<sup>st</sup> to do the Three Steps and she believes with the employees having 100% participation in the General Employees and 70% of the FOP that we will have enough employees pushing their spouses to do it. We have asked why spouses are not using the Care Center and the most frequent answers is location; they have to drive 30 to 45 minutes and that was not very convenient. It used to be the hours but now there are two evening hours available and they are being booked. Just like retirees who cannot get in; they can do it by telephone, they can go to their own doctor, do the biometric, have the doctor fax it into the Care Center just like a retiree, and then do the HRA online and the telephonic Comprehensive Health Review. We also like to remind them when they say it is too far to drive that they might drive 10 or 15 minutes to their own doctor but that they are going to sit in the waiting room for about two hours before being seen. At least in the Care Center, if you have an appointment you are being seen at that time.

Councilman Fadgen commented that there is no question that the Care Center is very successful. He mentioned new hires and questioned how much of an impact that has on the numbers we are looking at.

Ms. Moale advised that annual leave and sick leave really do not have the impact; it is that they will not get as much so there is not the GASB liability that Councilperson Stoner has spoken of in the past. New hires will be required to go into Choice 2; they will not be allowed to go into the Preferred Choice.

Councilman Fadgen questioned whether it has the impact we need to have. The way he sees this is if we do not get the impact we need on this and other elements, we are looking at reductions in staff.

Ms. Moale indicated that Choice 2 can make an impact; it is about 15% less in premium. Since our health insurance spent on claims is approximately \$10 million that is over \$1 million. That can save us money.

Councilman Levy understands that the impact from new hires will not be immediate but we have to start somewhere. We have to meet the financial crisis we are in now and obviously are going to have to make some tough decisions. We also need to set in motion that which gives us an economic stability over the years without constantly resorting to raising taxes.

Councilman Fadgen agreed.

Councilperson Stoner questioned the cost of insurance for the retired Elected Officials and if that is part of the insurance and what we are trying to do. She stated that she is hearing \$2 million a year.

Ms. Moale did not have the exact figures with her but noted that she could get them. She does not believe the cost would be that high.

Mayor Bendekovic mentioned that is the benefits we have to fund.

Ms. Moale stated that also pays for the retirees' insurance but then what is offset is the premiums that they pay. Retirees, with the exception of former Elected Officials that are grandfathered in and the retired Directors that were grandfathered in, are the only ones that the City pays 100%. We have to have the expense for the rest listed somewhere and the revenues offset it.

Councilperson Stoner commented that this is supposed to be a part-time job; we all have other jobs and other abilities to get insurance. She suggested that the Elected Officials no longer take health insurance and show that we are serious in how we have to make a change and it starts with us. She is willing to give up the health insurance; if she is willing to make concessions she is asking others to make concessions also. That might be something to be considered.

Councilman Levy indicated that we would have to see what the impact is fiscally.

Ms. Moale advised that would save the City \$11,646.44 on average per Council member and for five it would be about \$60,000.

Councilperson Stoner noted that the Mayor holds a full-time position; therefore, she is excluding her from the concession. There is a clear difference in time elements. She then mentioned the retired Elected Officials and questioned whether we have the ability to make a change to their benefits.

Ms. Moale stated that we have signed legal agreements with the Elected Officials.

Councilperson Stoner noted that she has only seen one agreement.

Mr. Lunny indicated that when the plan was completely ended the Council was given certain options on how to deal with terminating the plan and how to deal with the accrued benefits of Elected Officials who had accrued benefits under the prior plan. One of the options was to litigate an issue; one of the options was to enter into contracts; and the decision was made to enter into written agreements. He thinks there may be more than one and those agreements generally, as he recalls, indicate that the Elected Officials that accrued those benefits and have those agreements would have the same benefits that the City offers to its current employees but the cost would be paid by the City. He thinks that the Administration strategy for dealing with the topic is that as you change the type of coverage for the City's employee family, any cost savings associated with that coverage would also be saved. He believes that issue was presented to those Elected Officials, their having made the decision, and then retirements having ensued. He thinks the City would likely be unable to simply seek to terminate those agreements at this time.

Councilperson Stoner noted something interesting said was that if the benefits change, whatever is existing extends to them too. She previously asked that if a retired Elected Official has gainful employment somewhere else, primary employment, and is offered health insurance, we are supposed to be in second place.

Mr. Lunny stated that he did not recall that and would have to check how that was done.

Councilperson Stoner believes that is important because there are some retired Elected Officials that have the ability to get coverage and why should we pay the bill when they are making a salary.

Mr. Lunny advised that this was a very complicated series of steps that was done at the time; it was a very controversial item. Certain Elected Officials had accrued benefits under their plan and served time under their

plan to become vested. In order to terminate the plan some agreements had to be made. He does not want to mis-speak.

Councilperson Stoner suggested that we readdress this and make it current. She questioned whether that part of it can change.

Mayor Bendekovic questioned whether Councilperson Stoner was requesting that we somehow terminate the plan.

Mr. Lunny believed that she was asking to make sure that we are in the second payee status.

Mayor Bendekovic commented that if you are employed your spouse has to take that insurance.

Ms. Moale stated that the agreements that were drafted and signed back then do not have any provision that if they have insurance elsewhere that they cannot take ours or that we are secondary; it does not have that provision.

Mr. Lunny questioned how that normally works for the rest of our employees.

Councilperson Stoner advised that is an industry standard, which is customary; it is not a pick and choose. She believes if we went to our insurance carrier with that scenario they will tell you that whoever your primary employer is who offers insurance is where you have to go.

In response to Ms. Moale, Mr. Lunny indicated that he would like her to fax the agreements to him. He can look at that issue in terms of how the City provides insurance now to its employee family.

Ms. Moale stated that she was 99% sure that there is a clause that says it is whatever active employees have because were able to move them out of the PPO and put them into the Preferred Choice and if they did not do the Three Steps when they went into the Standard Choice.

Mayor Bendekovic commented that if we were permitted to that we would be permitted to do the other. Mr. Lunny noted that if it is an active employee that person would always be primary.

Councilman Jacobs questioned how many retirees are on Medicare and how many are not. He stated that if they are employed elsewhere they probably have insurance with that employer.

Ms. Moale advised that we are secondary for them. If they are actively employed elsewhere they do not have to be on Medicare. She knows that at least one of the former retired Officials has not filed claims in years.

Councilman Jacobs mentioned that the money Councilperson Stoner is talking about is a budgeting issue; it is not the money spent.

Ms. Moale advised that we have to give United Healthcare \$3 or \$4 per person per month for them to process all claims so we would be paying that fee even though that person has not filed any claims. As far as the rest of it, claims are paid dollar for dollar. If they are not filing any claims we are not paying any claims; we are just paying the ASO fees. The budget is there for them; we have to project for it.

Councilman Fadgen questioned whether we could confirm that the former Elected Official eligible for the policy that is budgeted is not using the insurance and will not use it until some future date identified.

Mr. Lunny noted that we could ask.

Councilman Jacobs stated that the Elected Officials receiving insurance benefits are Dishowitz, Freilich, Merritt, and Armstrong. John Gibbs was receiving the insurance; however, he passed away quite a few years ago. Weiner gets a pension but not the insurance.

In response to Mr. Lunny, Mayor Bendekovic advised that they will look at the number and bring it back to Council.

Councilperson Stoner mentioned the long term disability. Presently employees do not pay for this and at one point she was told that the cost is about \$70,000 per year. She suggested that this be an optional benefit that the employees can pay for if they choose to have it.

Ms. Moale pointed out that the General Employee's Pension Board put into effect several years ago when we brought the LTD into effect that disability requests under the pension have to go through the LTD carrier first. There were about 11 disabilities and some of them could have been considered very questionable on the General Employee side and since this was put into effect, there have been zero disabilities. It has saved the pension plans thousands of dollars actuarially.

Councilperson Stoner did not agree. The other side is when we come to the pension part there is a clause in every one of the pension plans that says, "Employees can get disability for non-duty injuries". She questioned why that clause is not being removed. This is a policy decision; it does not have to go to the Pension Boards; it is a Council decision to remove that from the pension plans.

Mr. Lunny advised that there may be some constraints on that under 175 and 185.

Councilperson Stoner indicated that if you qualify it and say, "They can perform any useful function so they might not be in the field but they are at a desk job they can still work". She stated that it is time to tighten our verbiage to protect us; that is the whole point. She referenced what she calls PTO and the City calls time off. What she has found in the private sector is that people employed between one and five years receive a total of three weeks. It is called PTO because it does not matter if it is vacation or sick time; you have the days and do with them what you want. She believes we are a little high on what is offered; she would say one to five years you get three weeks; five to ten years you get four weeks and over ten you get five weeks. That is everything inclusive. The caveat is that there is no rollover. The budget is for a full yearly salary and come whatever time element is set for a fiscal year, if someone has days left over they are paid and you start with a clean slate. The City is not a savings account.

In response to Ms. Moale, Councilperson Stoner clarified that is not including holidays.

Ms. Moale commented that if you are paid for days you did not use that is an expense to the budget; it is not within the 2,080 hours.

Councilperson Stoner stated that we are adding \$500,000 per year in rolled over time that sits somewhere. Not only is the \$500,000 spent out of the budget for something that it was not supposed to be spent on, another deficit has been added. Things cannot get rolled over; it has to be taken off the books. She noted there has been

a comment about people taking time off and how it is done. That is why there are Department Heads; they can manage their staff in a manner that does not affect the performance of their department when it comes time.

In response to Mr. Lunny, Councilperson Stoner clarified that there was some question about if employees could not roll their time over that everyone would try to take their time by the end of a certain time period. She believes that we should take away the one holiday; Yom Kippur.

Mayor Bendekovic suggested that we get a consensus of the Council as the recommendations are made.

Councilman Levy mentioned procedure and he thought that only information was being collected and questions were being asked at this meeting; that we were not actually coming up with set policies. The information and ideas would then be put together on our own and then we would come back with policies or discuss it through Administration and come up with a cohesive plan that could be discussed at once.

Councilperson Stoner indicated that Mayor Bendekovic stated that she would like to get some feedback and ideas.

Mayor Bendekovic clarified that she asked for suggestions. These recommendations are being made tonight so we can go through the budget process. If we do not get a handle on the benefits and pension, when we go into Priority Based Budgeting, it will impact the decision. With the additional recommendations and suggestions that Councilperson Stoner she wants to know if we want to move forward on each one of them or is there one that is not going to be acceptable to everyone.

Councilman Levy commented that we can go through the list. We want to get something from everyone and then we can go through the list.

Mayor Bendekovic understands what Councilperson Stoner is saying about the annual leave and the holiday but as far as what was recommended, as far as the 8% increase, the 4%, and the 50% for the spouses and the cost avoidance, and questioned whether she has a consensus that Council is in agreement with those recommendations.

Councilman Zimmerman advised that he did not know if there was enough or too much information to agree with the recommendations at this point and time. Part of this package is whether we can save money and balance a budget in other ways. If we cannot balance the budget in other methods throughout the Priority Based Budgeting, maybe it is not enough. To make a decision right now would not be fair to anyone.

Mayor Bendekovic stated that she needs a consensus so it can be used as framework.

Councilman Zimmerman commented that if a starting place is needed; fine. He thinks we should take all opinions under advisement and look at it for potential cost savings if needed. To say that this is where we are going to be; he is not ready to do that yet.

Councilman Fadgen indicated that he would agree that it is a starting point. It may be too early to say that is all we are going to do.

Mayor Bendekovic agreed but at least we will have a starting point.

Councilman Fadgen referenced Councilperson Stoner's suggestion to combine the vacation and sick days and noted that it might be good with private employers but he is not sure it would work as well in a public sector. The reason he says that is because his goal is to never have a sick day. He believes we do have to address paid days off and we do have to prevent the accrual. For the convenience of the employer, perhaps the days off have to be used in the calendar year or before 60 days into the New Year and then lose it. With regard to doing away with the holiday; Yom Kippur, that might be an important day to some of the employees and we should allow the employees to say that they need that day.

Councilperson Stoner indicated that they would use their PTO.

Councilman Levy questioned whether we pay complete sick leave when someone leaves.

Ms. Moale stated that they have to have more than 240 hours and we pay anything above 240 hours at 50%.

Councilman Levy commented that some communities pay a maximum of \$500 no matter how much sick leave they have. He questioned whether a limit like that could be set.

Ms. Moale indicated that retirees who have anything over 240 hours are paid at 100%.

Councilperson Stoner suggested changing the policy.

Councilman Levy emphasized that leaves us with a great liability. He would like Administration regarding this projected shortfall to come up with a suggested plan to reduce that shortfall to something that we can live with without new revenue. He is not saying to cut personnel or present personnel benefits; he is saying that certain programs were cut and then put back but he would like the leadership to come from Administration so Council can react. He would like to reach a solution to the overall problem, which may include looking at what concessions the Police are making.

Mayor Bendekovic stated that would be a balanced budget and that is what we will be doing through the process. We got back to Council regarding the \$5.5 million and each entity was explained. Some were pension costs; some were benefits.

Councilman Levy noted that was brought with tax raises and we are not asking for that. You would be giving a formula to look at. He is looking to Mayor Bendekovic and the Administration because they are here full-time. You know what is most important and what can be done later. He is asking for the total picture, not just health. The grand solution is to look at everything; where we stand and what we can do. Some of it may be policies; some may be things we need to look at so that we can take the steps that allow us to have a balanced budget continuously and not look at projected shortfalls every year and having to go through financial and fiscal crises each time without raising taxes if it can be done. Some policies might have to be changed as we can no longer have discussions like this every year.

Mayor Bendekovic indicated that Administration was asked to bring the benefits and pensions before starting the budget process and that is what they have done. The Priority Based Budgeting will be brought back, which will give an even better picture of what we have.

Mr. Shimun advised that they want to give Council some ideas and if there is something you do not want to discuss they would like to know about that. There will be another Workshop in a couple of weeks that will provide more information. We need to talk about what our Collective Bargaining is going to be with the Police

Department because that will factor into the overall budget and we need to consider every aspect. He pointed out that Plantation is one of the few communities in Broward County that does not charge a Fire fee or Utility tax on water. If we were to have both of those there would not be a deficit; however, it has never been collected. Now you are requesting to reduce services overall because that is the only option we have if we do not consider increases in revenue sources because we are based on employees and employees are the programs we are going to be talking about. That is the only option we have, which is to take from the place where we are paying all of our money. This is the start of the process and we will get ideas that will hopefully narrow down the deficit to a point when we get into budgeting that we will have a fairly clear picture of where we need to go and what we need to do.

Mayor Bendekovic stated that we also have to look at what has happened with 911 because they are going to bring that up on May 7, 2013 and we may have to start looking at this. It costs us \$2.5 million per year for communication services.

Councilman Levy sits on that committee and the latest is that Sue Gunzberger is now supporting it going on the County's tax bill and the County paying 100% of it. As one Council member, it would be difficult for him to say to Plantation residents that they will be paying for it on the County tax bill and we are also going to tax you because we like our system better.

Mayor Bendekovic indicated that information will be brought back before Council.

Councilman Levy mentioned that Ms. Moale is doing a terrific job without hurting people. What she has accomplished in a very difficult situation. In most Cities an automatic 12% more goes to pay for health benefits and here we do not have that. It is because of Ms. Moale and the staff for allowing themselves to do what we can for the greater good. He does not want to harm that in anyway but wants to look at different areas where a similar kind of thing can be done.

Mayor Bendekovic requested that Councilperson Stoner send an email to Mr. Shimun or Ms. Moale with all of her suggestions so they can look at them and do the numbers.

Mr. Lunny advised that she can send a unilaterally email saying, "This is what was discussed at the Council meeting".

Councilman Levy indicated that he asked the head of the FOP to be here tonight to make a few comments.

Mayor Bendekovic stated if that is going to happen we would also like the Benefits Committee representative make a few comments also.

Joe Mercogliano, FOP President, was present. He highlighted a few things from the presentation since it is going to be used to potentially change benefits for the FOP and General Employees. There were a couple of things in the presentation that they did not understand where it came from and did not feel that it was a fair representation. The first fact is that for the Maintenance Worker I and the Paramedic, they were used as net pay. The Police Officer was used bi-weekly base pay, which is gross pay. He noted that the amount is off by 26%; it should be 26% higher. That number was determined by utilizing the City budget.

Ms. Moale advised that it was base pay minus the deductions. She was pointing out that there was no overtime of shift differential or assignment time paid to the Police Officer, it was just base pay. She indicated that she did not use an average; she used an actual. It would be higher if it were an average.

Mayor Bendekovic clarified that Ms. Moale stated with a new hire; she did not take all of the maintenance people and divide.

Mr. Mercogliano noted the same for the Police Officer and stated that it should be 10% lower.

Ms. Moale commented that it is an actual new hire.

Mr. Mercogliano mentioned the PEPI study from March 2012 used to do the benefits comparison and in that study Police Officers were paid higher than 30 other agencies or something like that. His point is that he has never seen the PEPI study; they tried to obtain it and could not.

Ms. Moale advised that this study had 44 agencies; however, 55 agencies participate in the study. The 30 were the ones who responded to the question regarding holidays.

Mr. Mercogliano stated that in the presentation it was said that we historically compare with a certain number of police agencies in Broward County. We have been doing that since probably 1983; the first Collective Bargaining Agreement. They surveyed Plantation, Davie, Sunrise, Coral Springs and Lauderhill and found that our salaries to be on the lower end. Our starting pay compared to these departments is right in line if not lower. By using the PEPI study, he does not know what agencies they are being compared to.

Ms. Moale indicated that the study is in her office and it can be seen anytime.

Mayor Bendekovic commented that she would be more than happy to give Mr. Mercogliano her copy.

Mr. Mercogliano mentioned the pension comparison and he understands that \$61,000 is a very large amount of money but the problem with the way that number was derived was with 114 members. There are actually 243 members in the pension plan when including DROP participants, beneficiaries, and retirees. When taking the number for the pension and dividing it by 243 the \$61,000 drops to about \$28,000. He does not understand why 114 was used versus 243.

Ms. Moale explained that 114 is the number of actual members noted in the actuarial valuation report. The City does not contribute towards people in the DROP. It is considered that the contribution is based on the payroll at this point and the payroll is based on active members only. By the time a person is retired the fund is supposed to have enough money to pay the benefit for the projected lifetime of the retiree. It is the same on the General.

Mr. Mercogliano stated that in defense of the General Employees, that number would be lower too. He questioned whether they should account for all of the people in the pension plan that the plan has to pay.

Ms. Moale advised that is the way the actuary does it and she has to follow what they do. They tell her that she has to pay so much percentage of a General Employee's salary towards the pension plan and she has to pay so much of the active members of the FOP towards the pension plan and that is what we do.

Councilman Fadgen questioned if the 150 is considered the covered employees for FOP.

Ms. Moale indicated that at the time of the PEPI survey that is what it was. Active members in the Police Pension are 114 and there are 494 active members.

Mr. Mercogliano stated that the Police Department is staff for 168 Police Officers including the Chief, his staff and the DROP participants. Using 114 is not a fair representation. He is trying to say that the \$61,000 is an arbitrary number that can be brought up or down.

Ms. Moale reiterated that she uses what the actuaries use and they are telling her that she has to use a percentage of pay of the active members. The percentage of pay cannot be done on those in the DROP and those that are retired do not have a pay. We have to fund the plan based on how the actuary tells us; this is a minimum required annual contribution.

Mr. Mercogliano noted that as far as the comparisons are concerned, he is wondering why Police Officers were not compared with Sunrise, Lauderdale and Davie instead of using the PEPI study. He questioned whether this would be more of a fair representation.

Ms. Moale advised that those Cities are part of the PEPI group. The larger agencies were used.

In response to Mr. Mercogliano, Ms. Moale indicated that with regard to the W2 wages, the \$532,000 was based on how much special duty pay, which included overtime, court time, assignment pay and shift differential.

Mr. Mercogliano questioned why we would be including overtime, court overtime when not every officer gets that; this is one Officer's earning statement.

Ms. Moale stated that it is an average.

Councilman Levy commented that Mr. Mercogliano can get together with Ms. Moale to go over the PEPI figures.

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Mayor Bendekovic indicated that we were just discussing the E911 system. Tomorrow the newspaper will say that Plantation and Coral Springs refused to join the Regional 911 system; that is not what she said. She said that she is concerned with the operational part; we are going to have a meeting and she is going to wait until she has a meeting and bring it back to City Council. She needs to know what level of service and the operational part has never been addressed.

\* \* \* \* \*

Joel Gordon, employee, was present on behalf of the General Employees with the City's Benefits Committee. The Committee reviews and studies all of the benefits and we have a primary organization that tries to educate and inform the employees about the benefits available, changes and the best ways they can help contribute to the City's budget and the budget issues. The question was brought up about education of the spouses and getting them involved; that is going to be their responsibility and they are going to take that on. As a Committee we discussed this and support the recommendations present. As a group representing General Employees, they are happy that Council recognizes the fact that the General Employees have made tremendous sacrifices over the past couple of years. The General Employees' net earnings capability has gone down and yet with all of that they still maintain the commitment to make this a great City and recognize their obligation to keeping this a great City.

Mayor Bendekovic thanked staff and all of the participants at the Wellness Fair today.

Councilman Fadgen mentioned the direction we are going with the 4% and 6% he questioned the savings of that. It is based on different levels of participation.

Mayor Bendekovic stated that we need the numbers for the 8%.

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Meeting adjourned at 11:10 p.m.

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Councilman Robert A. Levy, 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 \_\_\_\_\_, 2013.

\_\_\_\_\_  
Susan Slattery, City Clerk