

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

December 17, 2014

The meeting was called to order by Councilmember Lynn Stoner, President of the City Council.

1. Roll Call by City Clerk:

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

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2. The invocation was offered by Councilmember Zimmerman.

The Pledge of Allegiance followed.

3. Approval of Minutes of Meeting – November 19, 2014.

Minutes of the regular meeting of November 19, 2014 were approved.

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ITEMS SUBMITTED BY THE MAYOR

Mayor Bendekovic introduced Monica Knapp, Library Director, who introduced “The Friends of the Helen B. Hoffman Library”.

On behalf of “The Friends of the Helen B. Hoffman Library”, they are pleased to present a check in the amount of \$15,000. This brings their total contributions this year to \$41,537.

Mayor Bendekovic stated that this money was earned through book sales, luncheons and other activities.

In response to Mayor Bendekovic, Ms. Knapp advised that the money pays the subscription for Mango, the online language program. This is going towards updating our wireless equipment for internet access for the patrons to use the wireless internet at the library. That equipment has not been updated in a while and it is very heavily used.

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Police Chief Harrison presented the Officer of the Year Award. The current Officer of the Year chairs a committee of all of the previous Officers of the Year. They get together and everyone who has been nominated throughout the month or a recipient of the Officer of the Month Award is in the running for the Officer of the Year. This year Officer Mike Hanlon chaired the committee and now it is Officer Mercogliano. First runner up was Detective Pete Saglio and the second runner up was Officer Casey Midtower. His accomplishments are a five-time recipient for Officer of the Month; he has a Meritory Service Award; three Distinguished Service Awards; two Unit Citation Awards; numerous letters of Accommodation from the Department as well as from the public; all of this while getting a Masters' Degree in Criminal Justice. "Winners embrace hard work; they love the discipline; the trade-off they are making to win. Losers on the other hand see it as punishment and that is the difference".

Chief Harrison presented Officer Mercogliano as the Plantation Police Departments Officer of the Year 2014.

Officer Mercogliano thanked Chief Harrison for the award and thanked Mayor Bendekovic for the opportunity.

Mayor Bendekovic mentioned that Officer Mercogliano is thinking about going for his PhD.

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Mayor Bendekovic presented Service Awards to the following Employees:

Kathleen Andrews	Police	15 years
*Susan Back	Police	15 years
*Ashley Gravalles	Fire/Rescue	15 years
Officer Michael Zeller	Police	15 years
*Jenna DiPlacido	Police	10 years
Matthew Thompson	Parks & Recreation	5 years

*Unable to attend.

Congratulations were offered.

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

- The Winter Wonderland Kid's Camp program is at Central Park for ages 5 through 11, which will run through the Christmas break. The Tennis Camp and the Equestrian Share-A-Pony will also be held during the winter break.
- Our Annual Santa's Visit will be on Wednesday, December 24, 2014. Students can earn additional volunteer service hours by participating in this event.
- The USTA Orange Bowl Tennis Tournament was held at the Frank Veltri Tennis Center. There was a lot of great press in the newspapers and this was another successful event in the City of Plantation. It was noted that the boy and girl winners were from Pembroke Pines.

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Mayor Bendekovic made the following comments:

- There is an election on March 10, 2015 in the City of Plantation. Qualifying dates are Friday, January 2, 2015 starting at noon. We are open all day Saturday January 3, 2015 from 8:00 a.m. until 4:30 p.m. and Sunday, January 4, 2015 between 8:00 a.m. and 12:00 p.m.
- Doggie Palooza will be on Saturday, January 31, 2015 at Happy Tails Dog Park.
- Plantation High School 50th Anniversary Celebration is coming up in 2015. They are having a 50th Celebration on Saturday, February 21, 2015.
- The Plantation Farmer's Market is every Saturday at Volunteer Park between 8:00 a.m. and 2:00 p.m.

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CONSENT AGENDA

As a Commissioner of the CRA, Mayor Bendekovic has a voting privilege on Item No. 11.

Item No. 4 was removed from the agenda.

Item No. 7 was moved to be the first item under Administrative Items.

Item No. 12 was removed and discussed separately.

Mr. Lunny read the Consent Agenda by title.

5. Request to approve the purchase of the yearly maintenance for our Microsoft Dynamics (Financial) System in the amount of \$43,683.35. (Budgeted – IT)

Resolution No. 11996

6. **RESOLUTION** assessing a lien on certain property for the cost to the City of Plantation of its mowing and clearing said property – 11650 NW 8th Street.

Resolution No. 11997

8. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period December 4, 2014 through December 10, 2014 for the Plantation Gateway Development District.

Resolution No. 11998

9. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period December 4, 2014 through December 10, 2014 for the Plantation Midtown Development District.

Resolution No. 11999

10. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period December 4, 2014 through December 10, 2014.

Resolution No. 12000

11. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period December 4, 2014 through December 10, 2014 for the City of Plantation’s Community Redevelopment Agency.

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

Ayes: Zimmerman, Fadgen, Jacobs, Stoner

Nays: None

Mayor Bendekovic voted affirmatively on Item No. 11.

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Mr. Lunny read Item No. 12.

12. Request authorization to extend the existing contract for bio-solids treatment and disposal with H&H Liquid Sludge Disposal, Inc. for an additional two (2) year term. (Budgeted-Utility)

A memorandum dated December 11, 2014, to Mayor Bendekovic and the Members of City Council, from Chuck Flynn, Director of Utilities, follows:

RE: Request for authorization to extend the existing contract for bio-solids treatment and disposal with H&H Liquid Sludge Disposal, Inc. (H&H) for an additional two-year term. (Utilities Department-Budgeted Item)

The Utilities Department budgeted \$600,000 for FY 2014/2015 for bio-solids disposal services. Bio-solids are the residual by-product of our wastewater treatment operation, which produces approximately 11,200 wet tons of bio-solids per year.

Our current contract for sludge disposal services expires on December 31, 2014 and is priced at \$48/per ton. Our current services provider is H&H and the Utilities Department has been very satisfied with this Vendor’s service.

The Utilities Department recommends invoking the renewal clause of the contract with H&H to extend the contract for an additional two years at the current pricing.

Prices for sludge disposal services have steadily increased and there is every indication that we can expect the price to be even higher if we were to advertise for proposals based on the following local competitively procured contracts:

Contract Date	Utility	Cost(\$/ton)	(\$/ton) Impact
January, 2013	Coral Springs Imp. Dist.	\$46.00	\$2.00/ton
November, 2013	P. Pines + Plantation	\$48.00	\$0.00/ton
May, 2014	MWASA	\$49.23	+\$1.23/ton
June 2014	Cooper City	\$49.99	+\$1.99/ton

H&H has agreed to renew their contract with the City of Plantation under the same terms of our current contract. The expiration date for the extended contract will be December 31, 2016, pending City Council approval.

It is the recommendation of the Utilities Department that Council extend the existing contract with H&H for an additional two years.

Funding: 440-0200-535-4304

Councilmember Fadgen mentioned that a one-year contract was put in place for the same service in the prior year and they were going to piggyback onto Pembroke Pines and the current contractor agreed to meet the price and lowered his tonnage by \$1.43 down to \$48. Based on the backup, it looks like Coral Springs is at \$46. He questioned if there was any consideration of piggybacking Coral Springs contract.

Chuck Flynn, Utilities Director, was present. He advised that Coral Springs was contacted and the reason this was shown was to show the trend in the bids that have come back. The trend is the continuing increase in the cost and the company was willing to continue to grant us the \$48 price, which was started in 2013. We also have another two-year agreement if we both agree after that. Based on the information, the last bid was almost \$50 per ton. We asked if we could piggyback and they said no. He stated that they will write the contract after Council approval and we can chose to go out again next year. The reason for the chart was to demonstrate why they feel this was a good price.

In response to Councilmember Fadgen, Mr. Flynn indicated that they asked the contractor, H & H, not Coral Springs, to allow us to piggyback and they said no.

Councilmember Fadgen suggested going to the Coral Springs contractor and see if they would want to piggyback.

Mr. Flynn noted it is the same contractor.

Councilmember Fadgen questioned why they are giving Coral Springs a favorable rate.

Mr. Flynn stated that the contract was bid in January 2011 and ours was bid in November 2013. The trend was going up and that is why we recommended to continue with the existing renewal of the contract. We did not have an option from the vendor to piggyback; we asked and they said no. They would; however, grant the continuation of our contract, which we have to both agree to do so.

Councilmember Fadgen did not understand why Coral Springs has their sludge hauled at \$46 a ton by the same contractor.

Mr. Flynn reiterated that the contract was bid in 2011 and they are not willing to grant us the price that was bid in 2011. We came under the 2013 contract and they are willing to extend that to us because we have a provision to renew it.

Councilmember Jacobs questioned if there is anything else that is different about Coral Springs and us.

Mr. Flynn indicated that it is pretty much the same service. They had the provision to renew under their contract the same way we do. The reason the prices were included was to demonstrate that our price is good compared to the trend that is going up. We can still rebid the following year but our contract is officially up at the end of the year and this is more of a housekeeping renewal. We can renew the contract for two years and it does not prohibit us from going back out at any time.

Councilmember Jacobs questioned if there is a lot of competition in this business.

Mr. Flynn advised that there are only three firms that actually provide this type of service so it depends.

Councilmember Fadgen mentioned the other two vendors and questioned if they have been contacted already.

Mr. Flynn indicated that they are contacted in every one of these bids; they are not local and are not in the State of Florida. Usually they are not as competitive as the H & H firm, which is in the State of Florida.

Councilmember Fadgen questioned if the other vendors have operations in Florida.

Mr. Flynn was not aware whether they have any current contracts in Florida but they do answer the advertisements when we go to bid.

Councilmember Jacobs believes that we need to approve it; he did not know if there was an alternative other than refusing to approve it and then not having someone to haul off our sludge or end up paying more.

Councilmember Fadgen questioned how frequently we haul out of our plant.

Mr. Flynn replied every day; it is usually two one day and one the next. It is a substantial expense; it is approximately \$600,000 a year in bio solids. He assured that this is a competitive bid and he thinks the best course is to renew. We looked into everything available and that is why the other cities prices were compared. When we asked H & H they initially said that they would consider and then they said they would not but that they would meet the current contract we have, which was the \$48 per ton.

Councilmember Fadgen questioned if we could make the contract for one year.

Mr. Flynn stated that we can do that. He indicated that the contract can be severed with a 30-day or 60-day notice. We can always go out to bid.

Councilmember Jacobs suggested approving it for two years with direction to staff to check it again in a reasonable amount of time; eight to twelve months.

Councilmember Fadgen advised that if they are giving someone else a lower price he would like the City of Plantation to get that price.

Mr. Flynn reiterated that the contract was done in 2011. We can advertise and negotiate.

Mayor Bendekovic commented that the trend is to increase not to decrease.

Councilmember Stoner mentioned the Acceptance Agreement and questioned if we have a regular contract.

Mr. Flynn stated that we will have a contract but we do it after we approve it. He noted that is the cover for the contract, not the contract.

Councilmember Stoner requested that the existing contract be attached in the future when these types of things are submitted.

Motion by Councilmember Jacobs, seconded by Councilmember Zimmerman, to approve Item No. 12 as presented. Motion carried on the following roll call vote:

Ayes: Zimmerman, Jacobs, Stoner
Nays: Fadgen

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ADMINISTRATIVE ITEMS

Mr. Lunny read Item No. 7.

Resolution No. 12001

7. **RESOLUTION** PERTAINING TO THE SUBJECT OF PUBLIC FINANCE; APPROVING A CITY INVESTMENT POLICY; PROVIDING FINDINGS; CONFIRMING THAT THE CITY TREASURER REMAINS A CEREMONIAL POSITION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

-AND-

Resolution No. 12002

RESOLUTION OF THE CITY OF PLANTATION PERTAINING TO THE SUBJECT OF PUBLIC FINANCE; APPROVING THAT CERTAIN AGREEMENT REGARDING; INVESTMENT ADVISORY SERVICES; DELEGATING TO THE INVESTMENT ADVISORY THE DUTY TO SUPERVISE, MANAGE, AND MONITOR VARIOUS INVESTMENT PROGRAMS; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

A memo dated December 17, 2014, to Mayor and Members of City Council, from Daniel W. Keefe, Interim Chief Administrative Officer and Priscilla Richards, Strategic Operations Administrator, follows:

SUBJECT: Discussion Relating to Investments

REQUESTS: Approval of updated City of Plantation Investment Policy
Approval of Investment Advisory Agreement with PFM Asset Management

HISTORY

- Resolution 11695 dated June 5, 2013 approved a contract with Public Financial Management Group, Inc. (PFM) for financial advisory services related to bond (debt) financing. This agreement indicates that Investment Advisory Services can be obtained from a different but related entity which is a registered Investment Advisor.

- On November 4, 2014, Mayor Bendekovic and Mr. Keefe met with representatives of PFM Asset Management LLC., the proposed Investment Advisor, to review the City's investments and changes are being advised. **See attached memorandum and presentation.**
- After that meeting, Administration was convinced that the City should avail itself of the experience, sources of information, advice, etc. to undertake certain investment tasks and requested that PFM Asset Management LLC provide the City with an Investment Advisory Agreement to have PFM perform an investment advisory on behalf of the City.
- It seems evident that PFM Asset Management LLC has the expertise to provide the requested investment services for the City, and that such Firm's recommendations may enhance returns and minimal portfolio risks.
- The City has approximately \$40 million available to be invested.
- Compensation based on \$40 million and 8 basis points would be \$32,000. Its related entity (which is also under contract) would reduce its annual retainer from \$12,000 to \$6,000 as an additional accommodation.
- PFM provides monthly statements to Financial Services Department and quarterly reports (**see attached sample quarterly report**) to Administration as well as training for staff.

RECOMMENDATION

Approve updated Investment Policy (see attached Memorandum, Resolution and Policy).

Approve investment Advisory Agreement with PFM Asset Management LLC (see attached Memorandum, Resolution, and Agreement).

Please contact me if you have any questions.

Mayor Bendekovic explained that they would like to do a 15-minute presentation and then answer any questions. She stated that they started working on this almost a year ago and the Investment Policy has not been reviewed since 1995.

Councilmember Stoner questioned where the money is now that we are looking to do this Investment; where is the origination of the funds?

Dan Keefe, CAO, was present. He stated that this is investments from the City's Operating Funds. There is \$41 million available for investing. He explained that the City receives most of its money in lump sums. Rather than having the funds sit in low interest bearing accounts the idea is to invest those funds in short term investments until they are needed so there would be more available funds throughout the year.

Councilmember Stoner questioned if there is any bond money in this.

Mr. Keefe advised that there could be; that would be a separate investment.

Mayor Bendekovic mentioned the \$30 million loan we have.

Mr. Lunny indicated that the Agreement would allow the manager to invest the Bond Proceeds Fund but that would not be subject to the scriptures of the policy, it would be subject to the covenants and the debt instruments.

Mr. Keefe mentioned that there are two items; one is updating the Investment Policy from 1995 and the second is looking at having an Investment Advisor for the City. He highlighted the differences between the current policy and what we are proposing as follows:

- Different individuals have been in the Financial Services Department, in Administration and Legal, as well as the PFM Group review the policy for us. This would allow delegation of authority from the Financial Services Director to the Investment Manager for PFM where before an individual within the Finance Department would have the responsibility for investment.
- The standards are more clearly defined in the current policy.
- There is a section on ethics and conflicts of interest that was not included in the prior investment policy.
- There is a requirement for CU's for the Financial Services Director; that person would have to take a class where we state CU's annually. The current policy has authorized institution and dealers only from Miami, Broward and Palm Beach County, where this would not include any of the institutions registered in Florida.
- There is maturity guidelines that were not included before. There are more detailed liquidity requirements. The competitive selection for broker dealers for qualified banks is provided for bids and offers on Securities; there will be a minimum of three where currently it is only two.
- The authorized investments outlined in Mr. Lunny's memorandum are according to statutory requirements and broadened from what was in 1995.
- The investments will not list the minimum rating requirements, maturity limits, maximum allocation limit and maximum issuer limit.
- The new policy lists performance measures and requires reporting quarterly and annually from the Investment Manager.

Councilmember Stoner indicated that we have a new Finance Director that does not have investment credentials, which is the rationale behind the CEU's in continuing education. In this policy, she questioned where the checks and balances are within the City to be sure that everything is flowing properly. If we have the PFM Group making recommendations and reports are coming in and authorizations are being made, who is the check and balance outside of the Finance Director?

Mr. Keefe advised that it would be the Mayor and the CAO.

Mr. Lunny stated that they are also required to do reports and there is some Administration discussion about how frequently those get reported to the Council. The day to day supervision and monitoring will be by the consultant and the day to day decisions will be made by the consultant with the guidance of the Finance Director. There will be more oversight of that by the CAO and the Mayor.

Mayor Bendekovic indicated that there will be an annual report or if the Council wishes more frequently a report of the investment policies. There will definitely be a quarterly report from the investors and if needed, they will be in contact with our Finance Director on a monthly basis.

Councilmember Stoner questioned whether PFM, will be similar to the Pension Funds; the investment people come in quarterly for reports and review.

Mayor Bendekovic stated that it will be the same. It would be annual to Council and a semi-annual can be given because we will have the information.

Councilmember Stoner questioned what types of investments were being made previous to this. Low interest rate CD-type issues were mentioned.

Mr. Keefe advised that they were basically bank savings and money market accounts; very low interest bearing accounts. He introduced Richard Pengelly, Senior Managing Consultant, with PFM Asset Management Group.

Mr. Pengelly indicated that would have generated as much as \$440,000 incremental annual earning compared to the current investment of those funds. They recommend updating the investment policy and using relative value and active management for managing the funds.

- With regard to Note Proceeds; the loan documents provide for a very specific listed investment; it is Government Securities; Commercial Paper; Money Market Funds in the highest rating category; and certain Investment Agreements are the broad categories.
- Based on their analysis, the best option is to structure a ladder portfolio of Treasury Agency Securities that mature in advance of when expenditures are anticipated for different Utilities projects while also maintaining something like a 10% to 15% liquidity buffer in case things speed up somewhat in the expenditures.
- Using current markets, they estimate that the gross earnings on those funds would be \$103,000. It is a very short time period over which those funds will be expended so you do not expect to earn tons of yield on it.
- Their second recommendation has a chart that shows the breakdown of current investments. There was a question about where the assets are currently. 17% of the assets are in the bank account; 27% are in Florida Prime, which is a fund run by the State Board of Administration. It is a pool used by many local governments to invest their funds; it provides daily liquidity. It is similar to a Money Market Fund but it is just for local governments in Florida. There is also a Sun Trust Investment Pool, which is invested in a Money Market Fund; a Federal Government Obligations Fund. All of these are daily liquidity funds. Everything is available for expenditure right away; however, when studying the funds and expecting the funds to be used they found that some could be taken out longer so there is excess liquidity.
- A statistical analysis was done looking at the balances historically to determine the core of the reserves, what could be taken out longer and what needs to be maintained very liquid. Balances show the typical saw to pattern that is seen for local governments, where you get ad valorem in. At the end of the year they get spent down and by the end of summer or fall you are at a low point and then revenues go up. Using a statistical study on those balances and using a 20% liquidity buffer, the amount potentially that could be invested out longer is \$59 million based on the current total asset picture.
- When looking at the different funds, there was a reserve portfolio set aside that is the \$41 million invested in the Sun Trust Investment Pool, so that was used as a target for the rest of the analysis.
- Based on looking at all of the balances up to \$59 million could be taken out longer but they are going to focus on the \$41 million. Looking at what would have happened if they had invested the \$41 million in different allowable investments gives an idea of additional earnings potentially available.

- Just from moving from the Federated Fund at 0.01% yield to Florida Prime, which is currently at 16 basis points, over the past year we would have earned \$65,000 and over the past five years the average would have been \$98,000.
- Going out further to the one to three-year area, which is what they are recommending be done with those funds, the historical average over the past five years would have been an additional \$440,000 of earnings per year. That is investing in Treasury and Agency Security; U.S. Government obligations.
- Their initial recommendation for this core portfolio was to go further out, create a laddered portfolio starting six months out to three years and investing in the steepest part of the yield curve significantly picking up the yield from where it is invested today.
- Using recent numbers, yield would go from .01% to 53 basis points or 0.53% on the portfolio, which is a substantial increase in the yield in the portfolio. We would be invested all in Treasury or U.S. Government Security so it would largely be Treasury Securities and a small portion allocated to Agency Security.
- The other thing they looked at was updating the investment policy. There are a couple of frameworks they use for analyzing investment policies. The first one is the Florida Statute.
- In Florida we have a detailed investment policy statute for local governments; it is 218.415, which emphasizes safety and liquidity as a primary investment objective and then it has a set of required elements for investment policies for local governments to support safety and liquidity. It also stresses diversification of investments. A lot of their recommendations target creating more diversification in the City's current investment policy.
- The other framework they use is the Government Finance Officers' Association; Government Best Practices. They are big participants with GFOA and try to stress that local governments bring their practices into their investment program.
- The third thing they use is the Association of Public Treasurers of the U.S. and Canada's Certification Program for investment policies. They are model policy requirements for local governments; they are probably the most detailed and comprehensive investment policy framework that exists. Largely their policy recommendations were to increase the diversification. They took some of the sectors where there were broad allowances for the maximum in the policy and limited them based on their analysis relative to risk and liquidity. They also increased the bid requirement.
- Before there was a generic bid requirement; they said that a minimum of three bids should be used. They also required more due diligence on any type of money market fund that eight or nine very specific questions are answered about the Money Market Funds before they are used for any type of investment.
- Using this new comprehensive policy they are able to create a more diversified core portfolio. They have diversified out of the U.S. Government portfolio to include some Corporate, Commercial Paper and a small amount of Municipal Securities, which allow you to add diversification and some yield into the portfolio in a very prudent way.
- They would also want to diversify across the curb so they are not just going to invest out into the two-year area or buy three-year Treasuries. They create a laddered portfolio, which is a hedge against rising interest rates. You continuously have new Securities maturing that can be invested out in longer interest rates. This type of structure helps protect the portfolio in rising interest rate environments which they anticipate to see in 2015.
- Lastly, one of the recommendations is relative value and active management techniques, which they think extends to the way in which you procure securities in the first place. Whenever they are purchasing Securities on behalf of clients they go to a broker list that has more than 40 different brokers including 18 of the 22 primary dealers. They deal with only the largest firms with the biggest inventory of Securities and bid through electronic platforms so they go to 20 to 25 different brokers instead of one or two. They do not believe that any single broker has the best inventory and they show that all the

time. They trade about \$2 billion so whenever they are trading \$1 million to \$3 million blocks of Securities in your portfolio, they aggregate it up an build and order as much as \$100 million to \$200 million, which helps with the pricing to ensure that you are getting very good pricing.

- Summarizing the recommendations for your loan proceeds; they think those should be invested in Treasury Agency Securities in a laddered portfolio. With regard to the core portfolio, they recommend going out to a one to three-benchmark portfolio and they have given recommendations on the investment policy which modernize it. Lastly, they think relative value and active management techniques should be applied to the portfolios.

Councilmember Fadgen mentioned the anticipation that there will be some interest rate increases and questioned if defensive moves are being planned in that regard. He also questioned what type of maturities are being looked at in that type of an environment.

Mr. Pengelly stated that the market has been anticipating rates going to go up for six or seven years. They think that the laddered type of structure puts you in the best position. They would welcome rising interest rates in this type of portfolio because essentially you are going to have maturities every three to six months coming due, which you can then reinvest at the new higher rates. At the same time, this part is the steepest part of the curb. As the maturities drift in they are being replaced in a part of the curb where interest rates are lower. They gain in market value and that also provides a hedge against interest rates rising.

Councilmember Fadgen noted that the backup suggested that of the \$41 million the costs would be about eight basis points. It was stated that the \$41 million is a pretty stable number; it is not based on history and will not change much so that is likely an earned fee. He questioned whether their fee is based on a larger number as far as other funds available during the year that they are investing.

Mr. Pengelly advised that they would apply it on everything they are investing. There is a little less than \$30 million of loan proceeds and the \$41 million. They would combine both of those to come up with a number like \$71 million and the fee would be applied to the total amount.

Councilmember Fadgen questioned if it is based on a monthly balance.

Mr. Pengelly replied that is correct.

Councilmember Fadgen commented that when the core dollars are about \$41 million the \$59 million was mentioned. He questioned if it fluctuates from \$40 million to \$59 million and works down to \$41 million again.

Mr. Pengelly indicated that they look broadly at all of the funds, not going into what the different actual underlying separate fund accounts are. They come to the \$59 million by looking broadly at all of the assets. Typically that number is a larger number; they may have those funds targeted for capital projects or any different type of things. Based on the actual funds, they identified that there is an existing \$41 million reserve. Councilmember Jacobs commented that he was impressed with the analysis.

Councilmember Fadgen stated that in terms of operating needs, their services are also going to provide mobilization of funds to better utilize the investment time versus the time to disperse. If all of the accounts are swept into investments every day and you only pull out what is required to cover operating expenditures, what is going to be part of the function to mobilize those funds into an investment posture?

Mr. Pengelly advised that the funds they will be managing will be in a separate custody account that you control; they are just authorized to direct investments per the investment policy and your custodian has a copy of the investment policy. They are not managing any of the other accounts; therefore, staff would direct those cash flows.

Councilmember Fadgen indicated that mobilization of funds is important; we don't want to have too much precautionary cash sitting in our accounts, we would rather have it in the investment account but only have what is necessary with some buffer. That would be a further concern but not one they would be dealing with.

Councilmember Stoner questioned what the average has been for their clients in this 2014 calendar year; they must be given similar investments.

Mr. Pengelly advised that for the year ending 9-30-2014, based on accounts with this benchmark, the one with the three-year U.S. Government benchmark, their composite return is 53 basis points; 0.53%. He believes there is a chart in the backup.

Councilmember Jacobs commented that is probably good.

Councilmember Stoner agreed but it does not seem in line with how personal investments have gone for the year.

Councilmember Jacobs noted that these are short term investments.

Councilmember Stoner commented that there is a mixed portfolio. Everyone has been pretty consistent across the board.

Mr. Pengelly indicated that they do not do stocks.

Councilmember Jacobs stated that on a short term basis you pretty much have to pay the U.S. Government to hold your money.

Mr. Pengelly corrected himself and stated that it was actually 60 basis points; 0.6%.

Councilmember Fadgen noted that is a 20% increase.

Councilmember Stoner questioned if Councilmember Fadgen was happy as an accountant.

Councilmember Fadgen believes that they have demonstrated that we are not utilizing the opportunities and this will definitely improve that; therefore, he is in favor of this action.

In response to Councilmember Stoner, Mayor Bendekovic advised that we started when we came on board with PFM. We knew something needed to be done because we saw what we were not investing in. We had to get the investment policy reviewed and edited. When Mr. Keefe came on she was waiting to meet with Mr. Pengelly because our former Finance Director had been meeting with him on a regular basis and she had not been privy to that. This is long overdue.

Dennis Conklin, resident, was present. He thanked the City for looking into this. Each year he mentions two issues at the time of the issuance of the CAFER, the Consolidated Annual Financial Reports and Pension Funds. With regard to the CAFER, he always draws attention to the first two pages and page 54 where it mentions deposits and investments. Last year ending in 2013 the figures contained on page 54 are the exact figures used for this presentation. In watching the presentation and the mention in the backup material, he was happy to see some action being taken. He has always tried to encourage the City to use that excess money to phase off on the Pension unfunded liabilities. He saluted Council for going outside and requested they think about going outside of the Pension observations.

Motion by Councilmember Jacobs, seconded by Councilmember Fadgen, to approve Resolution No. 12001 as presented. Motion carried on the following roll call vote:

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

Mr. Lunny indicated that there was a combined hearing and questioned if the motion was for both.

Councilmember Jacobs stated that a separate motion could be done.

Motion by Councilmember Jacobs, seconded by Councilmember Fadgen, to approve Resolution No. 12002 as presented. Motion carried on the following roll call vote:

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

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Mr. Lunny read Item No. 13.

13. DISCUSSION CONCERNING PROPOSED ORDINANCE FOR SPECIAL EVENT PERMITS FOR SHOPPING CENTERS.

A memorandum dated December 11, 2014, to Mayor and Members of the City Council, from Donald J. Lunny, Jr., City Attorney, follows:

RE: Special Event Permits for Shopping Centers

The Mayor wishes to sponsor an Ordinance for the Council's consideration which liberalizes the long-standing restriction on all shopping centers within the City, regardless of size, of having a maximum of two (2) permits per calendar year for certain types of outdoor sidewalk arts and craft shows or exhibits. The following is proposed:

1. The allowable events shall be described as "outdoor sidewalk arts and craft shows or exhibits or seasonal special events."
2. In order to make the City's operations more efficient, these items will be handled by the Administration with the applicant being able to seek the Council's discretionary review of any limitations or conditions of Administration proposes to issue or to seek discretionary review of the

Administration's refusal to approve the permit. The Administration has "piloted" this approach, and it appears to work well.

3. The maximum amount of permits will be based on the size of the Shopping Center in gross square feet as follows:

X = Size of Shopping Center	Annual Number of Permits
$9,000 \leq x < 300,000$	2
$300,000 \leq x < 600,000$	3
$600,000 \leq x \leq 900,000$	4
$X > 900,000$	5

4. Other changes to the regulation were made for clarity and "legal housekeeping" purposes. These have been marked in the customary manner.

The proposed Ordinance is attached to this memorandum and direction is sought to commence the enactment process.

Mayor Bendekovic advised that things have changed and she thinks we should do this by square footage. She would have brought this sooner but she wanted to have the data for support. She requested that Council approve this because Westfield, Fountains and a few other larger shopping centers could use at least five special events a year.

Councilmember Stoner mentioned a call she received from a Midtown Board member who believed there needed to be more events available for these areas. She questioned how many centers we have in each category based on the sizes of the shopping centers.

Mayor Bendekovic indicated that it is listed and that it was done by square footage. Midtown knew about the special events and were told that we have been working on this for a while. Special events will be approved by Administration rather than bringing them through the Council. If there for some reason the Mayor or the CAO did not approve it then they have the appeal process through the Council.

Councilmember Jacobs commented about how to size a center. The chart mentions total square feet and in the ordinance the chart talks about gross square feet. He does not see the size defined and is wondering if it might be a problem in the future if someone says they calculate the size differently. Perhaps we should define how we are calculating the size. He noted that the Westfield Mall has parcels that are owned by different people. He questioned how the size of Westfield Mall is calculated; do you go by ownership?

Mr. Lunny explained that there is a way to do it. He will meet with Mr. Leeds.

Councilmember Jacobs stated that it should be in the ordinance.

Councilmember Fadgen mentioned that the largest category has five; the second has five and the rest are 36, which is below 279,000. Those people would only get two. A lower category might be too big but he would recommend at least three for even the smallest.

Mayor Bendekovic indicated that she did not see taking the smallest ones down to one because they are quite small.

Councilmember Fadgen thinks we are trying to liberalize this and he is not sure there is even one event in the center where his office is location.

Mayor Bendekovic has never seen an event at that center and that is why two would be sufficient.

Councilmember Fadgen stated that other tenants might like to have three nice events a year that they should be given the opportunity.

Councilmember Stoner believes this is a good starting point. We are updating based on public's interest in having outdoor events.

Mayor Bendekovic noted that it can always be changed. This is a start because everyone had two and that is not working.

Councilmember Jacobs suggesting moving forward. Councilmember Fadgen and Councilmember Zimmerman agreed.

Mr. Lunny advised that the advertising process will begin once he comes up with a definition of square feet with Mr. Leeds.

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Mr. Lunny read Item No. 14.

14. REVISED BUILDING DESIGN FOR PLANTATION COMMERCIAL DEVELOPMENT (PP13-0032) AND A REQUEST FOR COMMENTS ON THE NEW DESIGN PRIOR TO RESUBMITTING THE SITE PLAN.

BACKGROUND

The subject site is approximately 1.93 acres in area, zoned SPI-2 (Hybrid Commercial), and currently developed with a one-story 12,125-square-foot commercial building. The site is bound by office uses to the north, motel use to the south, single family residential uses in the City of Fort Lauderdale to the east, and commercial uses across State Road 7 to the west.

The applicant proposes to demolish the existing structure and construct two buildings encompassing 8,320 square feet (Building A) and 7,200 square feet (Building B), respectively. The proposed use for Building A is general retail and the proposed use for Building B is retail auto part sales (possibly O'Reilly Auto Parts). Separate ownership of the two parcels is being considered and will be subject to a unified control document.

Due to concerns over the building designs, staff deferred the site plan at the Review Committee Meeting of October 23, 2013. The applicant redesigned the buildings which were subsequently approved by the Planning and Zoning Board on June 3, 2014.

Due to concerns over the building designs, City Council advised the applicant to revise the design to be consistent with other new construction in the Gateway District and deferred the item at their meeting of July 23, 2014.

REQUEST

The applicant has revised the building designs and requests City Council comments on the new design prior to resubmitting the site plan for City Council formal consideration.

Mr. Leeds indicated that the original plan submitted to Review Committee was deferred due to concerns about the lack of compliance with Plantation Gateway Design Guidelines. It was ultimately submitted to the City Council after several changes. On July 23, 2014, the City Council deferred the item because they still had issues with the design. Between now and then the applicant has submitted two different versions of the building which staff determined did not meet the recommendation of the Council; however, they did not want to deny the applicant an opportunity to present the third version to the Council for their consideration. They are doing it this way because they do not want to make someone spend several thousand dollars redesigning the plans only to have it deemed by the City Council as not meeting the Design Guidelines. He is looking for direction as to whether the Council is ready to approve this or if they feel more work is desired. The applicant was advised by the Council to look at two buildings; one was kiddy corner to the site and is a combination of office and retail, and the other was the newest Walgreens at Peters Road and State Road 7. Those are the models they were given. This is probably the sixth version and before going any further he would like to know if the Council is interested in seeing a formal application or whether they feel more work is required.

Councilmember Jacobs mentioned the layouts on the boards and questioned if that was in the backup.

Mr. Leeds stated it is in the plans.

Steve Page (sic), with Nichols Page, architect, was present.

Mr. Page advised that the client has been working on these plans for almost two years and they are trying to come up with a design Council is happy with. They have gone the extra yard. The tenant is O'Reilly Auto Parts Store. There are approximately 130 O'Reilly Auto Parts Stores in the state and at this point, this is the most expensive one as drawn while trying to make it as nice as possible. The client is trying to get on with this; the civil and landscaping plans are done. He noted that anytime they do corporate architecture they have to comply with the corporations' imagery and architectural standards. In this case they have gone back to O'Reilly Auto Parts Store several times in an attempt to make Council happy and still maintain their intent. They feel they need to come to resolution.

Councilmember Jacobs questioned the material.

Mr. Page stated that they have incorporated the brick as per Council's request. They tried to add as much animation as possible, understanding that it is a box. They attempted to do the reveals and the stepping so they could do an eight-inch and a twelve-inch block. They can do some nice crown molding to give it the nice reveals and the textures and then they can do the metal roofs or the awnings to give some animation, as well as the covered entrances. At this point it has a lot of animation.

In response to Councilmember Jacobs, Mr. Page indicated that the sister building has a lot of similar look to it. They are running the brick up on that one. Mr. Leeds suggested that something different be done on each building.

Councilmember Stoner questioned if there will be landscaping on front of the brick.

Mr. Page replied affirmatively. The site plan showed the landscaping; however, they had the landscaping on the elevations but it was requested that it be taken off because it takes away.

Councilmember Stoner questioned how high the brick is supposed to go.

Mr. Page stated that they kept the strip because they are trying to do something a little different. He questioned if they like the idea with brick up the columns.

Councilmember Stoner replied affirmatively. She noted that there is no sense in putting brick on it if it is going to be covered by landscaping.

Mr. Page stated that brick is heavy material and should be the base.

Councilmember Stoner questioned what kind of plant material is going to be put around the front.

Mr. Leeds advised that the site plan has been modified to add more landscaping. There is no landscaping on this particular plan because the position of the Council was the design of the building. The problem with showing landscaping on the elevation does not allow you to see what the true building looks like.

Mr. Page indicated that they are flexible with the landscaping.

Councilmember Stoner again questioned what plant material was selected for the front of the building.

Mr. Page stated that on the last iteration there was landscaping up against the building with a series of palms and a four-foot hedge. It became a conflict because they wanted to add a covered entry to the building, which would eliminate that landscaping. They wanted to get confirmation on the building and the entrance before modifying those plans further. Any landscape changes will be part of the formal submittal.

Councilmember Stoner advised that her comment is going to be to let them go ahead with this and proceed but don't require brick in the front if it is going to be covered by landscaping.

Mr. Leeds mentioned that with other buildings they have requested the brick to go higher and he thinks they could do the same thing here.

Councilmember Zimmerman expressed concern. These are two square boxes. The columns and things being discussed only have about a four-inch relief so we are still seeing two boxes. The only thing that breaks up the boxes is on the front of the building with one covered porch entry and two small shade structures over the windows. He thinks a lot has been done in that corridor and a lot has to go back through Planning for their efforts to give us some kind of depth to the buildings; some treatments to corners; some different roof lines to make the buildings not look like square boxes.

Mr. Page stated that adding an arcade or a covered walkway is an oxy-moron because you are asking for a landscaping strip pedestrian zone and at the same time you are asking that we cover it with a walkway so the landscape is not going to grow. He questioned whether the walkway goes under the covered area or the landscape. The sidewalk would have to go up against the parking or the building; it can't be both.

Councilmember Zimmerman indicated that the buildings would stay the same exact size and you get the same square building. He is not saying there needs to be a covered walkway all the way across the front of the

building; that is not the intent of his comment. The intent is that there is a square building; a box. The corners are boxed and there are no ins and outs of the property. A building can have a corner element; it could have something else other than two square boxes and he thinks that is what we have been going back and forth with. All we are doing is adding decorations to the front of a square box. From an architecture point of view, having one of the walls set back a little or a corner change gives different shadow lines and makes the buildings look like something other than square boxes. He still has some concerns but is glad to see that the two buildings look different.

Mr. Page commented that two years into this, the developer is trying to work the economics on this. It is an economically driven scenario on State Road 7. There is a motel on one side and another area on the other side; it is not the most desirable place in Plantation. This was a huge improvement and he thinks they fit right up there with the competition in that zone. We are dealing with Corporate America and these people have their prototypes. This is going to be by far the most expensive one they have ever had to build. They have owned this property for 500 days and it is costing money. They need to figure out what the elevations are going to be or they need to move on. This is the sixth design. They have to maintain the box; they cannot start carving it up or they lose the economics of the deal. They can use elements; there is a covered walkway; they can put landscaping on both sides and make it really nice with palms.

Councilmember Stoner indicated that these would be the newest buildings along that corridor and given the prototype of those buildings, she questioned how Councilmember Zimmerman would make this work and still be palatable to the owner and acceptable in an economic manner. She also questioned how much of a difference it is going to make in what we visually see at the end.

Councilmember Zimmerman believes that is up to the architect, not for us to tell them about the design and what elements to specifically do. His concern is the two boxes and there is no articulation that changes that. He understands the area and sees the need for improvement there.

Mr. Page referenced the Walgreens with the corner entrance and noted that the other three walls are still a box.

Councilmember Zimmerman emphasized that he was not talking about an entrance on a corner. He is saying that there needs to be a little more relief in this building than four inches. There are two different buildings, which goes a long way.

Councilmember Fadgen stated that he likes the brick all the way up. Since the plant material might be down below that part could be eliminated or at least on the sides underneath the window. He agreed that it is a box; however, he believes the landscaping will soften it.

Councilmember Jacobs suggested going with it and get the project underway. He recommended that the plan be brought back so Council can act on it.

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LEGISLATIVE ITEMS

Mr. Lunny read Item No. 15.

15. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE PERTAINING TO THE SUBJECT OF COMPREHENSIVE PLANNING; AMENDING THE CITY OF PLANTATION COMPREHENSIVE PLAN; REVISING THE POTABLE WATER SUB-ELEMENT REGARDING WATER SUPPLY FACILITIES PLANNING; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

A Staff Report dated December 17, 2014, to the City Council, from Planning, Zoning and Economic Development Department, follows:

SUBJECT: a) Water Supply Facilities Workplan
b) Potable Water Sub-Element/Infrastructure Element and related Elements Amendment

EXHIBITS: a) Ordinance
b) Water Supply Facilities Workplan (Utilities Department)
c) Amendment to Comprehensive Plan required by Workplan (Planning Division)

BACKGROUND AND DISCUSSION

In 2002, the Florida State Legislature expanded upon the requirements of the local government comprehensive plan to include the development of a 10-Year Water Supply Facilities Workplan (Chapter 163, F.S.) with the purpose of increasing the coordination of future land use and water supply planning. State Statute requires all local governments responsible for treating water for all or part of their jurisdiction meet these requirements. The City of Plantation is located within the Lower East Coast Water Supply Plan (LECZWSP) every seven years. Those jurisdictions within the Lower East Coast Planning area are required to update and adopt their plans within 18 months of the LECWSP adoption or by March 1, 2015. Planning staff worked with the City Utilities Department and the Broward County Environmental Protection and Growth Management Department in developing a Water Supply Facilities Workplan to address future water supply needs in the City of Plantation beyond the 10-Year requirement for 20 years.

Projections of future water demand for the Plantation service area are based on the 2010 Census and population projections provided by the Broward County Environmental Protection and Growth Management Department. According to the Needs Assessment on Page 9 of the Plan, "The City has installed the full treatment capacity through 2040, and at this time, no additional infrastructure is needed to meet future water demand projections." Water supply alternatives and demand management, including conversation, begin on Page 12 of the Plan.

City Comprehensive Plan:

The Plan includes data and analysis contained in the Potable Water Sub-element of the Infrastructure Element that support the Plan's implementation. In addition, necessary revisions to the Data and Analysis (Volume II) of the Future Land Use Element, Conservation Element and the Intergovernmental Coordination Element have been addressed through this process as well.

LOCAL PLANNING AGENCY RECOMMENDATION:

Motion to recommend APPROVAL of an amendment to the Potable Water Sub-element of the Infrastructure Element adopting the Water Supply Facilities Work plan and related support elements of the Comprehensive Plan to address the future water supply needs in the City.

Councilmember Jacobs questioned who wrote the ordinance.

Mr. Leeds indicated that the part that deals with the Ordinance and the Amendments to the Comprehensive Plan was written by his staff and the actual Water Supply Plan was provided by the Utilities Department. Everything in the Comp Plan reflects the Utilities Plan.

Councilmember Jacobs stated that he was interested in seeing that our usage went down around 25% but the population also went down because we do not have the Broadview Park service area. To him it looked like the population dropped by about 10% and the water total went down a lot more than that. He questioned if that was because of conservation.

Mr. Flynn advised that it was due to our conservation effort; we have reduced it significantly and been successful. He added that at the end of that particular backup, it states that we currently have a permit for the next ten years and we are good with all of our anticipated needs through 2040.

Councilmember Jacobs commented that the permit is only good for ten years and then we have to get another one. He questioned if it is anticipated that they are going to drop the amount of water.

Mr. Flynn believes they are going to continue with what we have at this point, which will provide us enough of a buffer to get through that. This was substantiated through our consultant, it wasn't just the Utilities Department that did the work. We cooperatively worked with them, South Florida and with Mr. Leed's department as well.

Councilmember Jacobs thought the plan was easy to read and well written.

Motion by Councilmember Jacobs, seconded by Councilmember Fadgen, to approve Item No. 15 as presented. Motion carried on the following roll call vote:

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

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QUASI-JUDICIAL CONSENT AGENDA - None.

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QUASI-JUDICIAL ITEMS

Mr. Lunny read Item No. 16.

16. REQUEST TO APPROVE SITE PLAN AND LANDSCAPE PLAN – PLANTATION POINT (MOTOROLA PP14-0025) LAKE RELOCATION.

A Staff Report dated December 17, 2014, to the City Council, from Planning, Zoning and Economic Development Department, follows:

REQUEST: Site plan and landscape plan approval to relocate the lake.

WAIVER REQUEST:

From: Section 27-743, which requires 2,501* parking spaces based on the existing and proposed tenant occupancy.

To: Reduce the required parking from 2,501 spaces to 2,438 spaces (a 2.5% reduction).

*In March 2013, an administrative adjustment for a 78-space reduction was granted by the Director of Planning, Zoning and Economic Development. If the waiver request is granted, the cumulative reduction in required parking will be 5.4%.

EXHIBITS TO BE INCLUDED: Planning and Zoning Division report, subject site map, site plan application, and Review Committee meeting *draft* minutes of October 28, 2014.

REVIEW COMMITTEE RECOMMENDATION: Reschedule for consideration at a future meeting (October 28, 2014).

ANALYSIS:

The subject site is zoned I-L2P (Large Light Industrial District), 77.5 acres in area, and developed with a million-square-foot industrial complex currently occupied by Motorola and Motorola Solutions. Sunrise Boulevard bounds the property on the north, residential on the south and east, and University Drive on the west. On August 13, 2014, City Council approved a parcelization plan with associated waivers separating the site into two parcels of 23.37 acres and 54.13 acres, respectively.

A site plan encompassing revisions to several areas of the site was deferred by the Review Committee on October 28, 2014. The site plan was deemed incomplete and premature. In order to expedite construction of utility improvements triggered by the parcel split, only the pond relocation plan has been resubmitted for City Council consideration at this time.

The applicant requests approval of a site plan modification:

- To relocate the existing retention ponds (2) located adjacent to Sunrise Boulevard to the southeast corner of the site.
- Reduce the required parking to allow a medical use to occupy the previous day care building.

The reduction in parking is created by removal of approximately 40 spaces as a result of the pond relocation and a change in use to medical office for the previous day care building.

STAFF COMMENTS:

PLANNING AND ZONING:

1. Correct the following site data table errors:
 - a) Lot A – The individual building square footages do not add up to the total square footage indicated. Revise the site data table accordingly.
 - b) Lot B – The required parking for the proposed medical use in Building VI is 99 spaces. Therefore, the total required parking for Lot B is 1,995 spaces. Revise the site data table accordingly.
2. Note: The existing wellness center and the cafeteria are currently considered accessory to Motorola and have not been included in the required parking calculation. Changes in the occupancy of these buildings may require an additional parking waiver.

ENGINEERING DEPARTMENT:

Site Plan Comments:

1. The proposed parking additions have been removed from the submittal. This site plan is for the Lake Relocation ONLY. No objections to the lake relocation.

Permit Comments:

Note: A detailed review of the civil drawings has not been performed at this time. If the site plan application is approved by City Council, a thorough engineering review will be performed at the time of application for construction permits.

1. An erosion and sedimentation control plan will be required and reviewed at time of permitting. An NOI will be required.
2. A Maintenance of Traffic (MOT) plan may be required. Please meet with Engineering to discuss.
3. Drainage calculations will need to be submitted, signed and sealed by a professional engineer registered in the State of Florida.
4. Surface water management permit(s) through the Old Plantation Water Control District (OPWCD) and/or SFWMD will be required and copy(s) provided to the Engineering Department at the time of permit review.
5. The applicant will be required to execute a developer agreement and post security for all engineering and landscape related improvements at the time of permitting.
6. The applicant should include a Special Inspector due to the magnitude of the proposed job. Please contact the Building Department for the process.

TRAFFIC CONSULTANT: See Engineering.

DESIGN, LANDSCAPE & CONSTRUCTION MANAGEMENT:

- The applicant will be required to execute a developer agreement and post security for all engineering and landscape related improvements at time of permitting.
- Tree/palm removal and relocation permits as well as mitigation fees must be obtained directly through the Design, Landscape & Construction Management Department at the time of permitting. Please contact Diana at 954-797-2248 directly to obtain required permits.

1. Every effort should be made to preserve the existing trees on site by incorporating them in the development project to minimize the amount of trees to be removed as per City landscape codes.
2. Staff will continue to work with the applicant with regards to the removal and relocation of trees throughout the sit as this project moves forward.
3. Please show utility easements in gray scale on the planting plan as well as above and below ground utilities and associated equipment.
4. Please note on plans that all exotic invasive plant material will be removed throughout the site.
5. Trees with a height of 14' – 16' should have a minimum caliper of 3" – 3 1/2".
6. Please add additional trees/palms along the eastern perimeter to create a buffer between the neighboring homes and the site.
7. Staff requests the planting of aquatic plants throughout the littoral zone of the proposed retention pond (i.e. water lilies, arrowhead, pickerelweed, etc.).
8. Staff recommends the spacing between Live oak trees a minimum of 30' to 40' as this species can have a mature spread of 100'+.
9. Large shade trees should be planted >15' – 20' on center; proposed plans show the planting of Gumbo limbo, Oak, Wild tamarind trees 15' – 20' on center; please adjust accordingly.
10. Plans submitted show trees relocated trees 912, 914, 916 & 913 with existing spreads of 30' to be planted 25' on center - staff does not support the trimming of these trees to accommodate the proposed spacing. This situation occurs on several locations throughout the site; please adjust the tree planting accordingly.
11. All proposed trees to be removed or relocated require ISA appraisals based on the checked Trunk Formula Method, Guide for Plant Appraisal, 9th edition, 2000 or the Florida Administrative code Rule Chapter 14-40.030.
12. Performance bonds are required on all trees to be relocated as per City codes.
13. All proposed trees to be removed must be mitigated for as per City codes; tree mitigation will be above and beyond code required trees on the property.
14. City staff will verify all trees proposed to be removed, remain, and/or relocated.
15. Please include a watering schedule to be followed for the tree and palm relocations.
16. All landscape areas shall be provided with an automatically-operating underground irrigation system; with a minimum of 100% coverage, with 50% minimum overlap in ground cover and shrub areas. The rain sensor must be installed as well as a rust inhibitor if applicable. Irrigation plans must be submitted at time of permitting.

BUILDING DEPARTMENT: No objection.

FIRE DEPARTMENT:

No objection as to these site/landscape plans to relocate the lakes, with the understanding that the applicant and/or owner are aware that conditions may arise upon review of all required permitting plans.

POLICE DEPARTMENT:

Implementing of enclosed recommendations should:

- Reduce opportunities for criminal activity.
- Create a “Target Hardened Environment” against criminal opportunity.
- Deter potential criminal activity through environmental enhancements.
- Increase employee safety through security enhancements.

STATEMENT OF PURPOSE

THE PURPOSE OF THIS SURVEY IS TO PROVIDE SOME SECURITY RECOMMENDATIONS FOR YOUR BUSINESS. THIS REPORT IS ONLY ADVISORY AND IS NOT INTENDED TO IDENTIFY ALL OF YOUR SECURITY WEAKNESSES OR TO IN ANY WAY WARRANT THE ADEQUACY OF ALL PRESENT OR FUTURE SECURITY MEASURES YOUR BUSINESS MAY TAKE, WHETHER OR NOT RECOMMENDED.

Property Boundaries

The boundaries of the property should be clearly defined and readily recognizable. This can be accomplished by the following means.

“No Trespassing”

Signs, including reference to appropriate state laws and local ordinances, should be posted near property boundaries.

Landscaping such as a tree line or low shrubbery can be used to identify boundaries. Plant growth and landscaping should be no more than 3’ tall and should not hinder the unobstructed view of patrolling law enforcement vehicles.

Continuous relatively transparent fencing such as wrought iron fencing or even chain link fencing can serve to define boundaries. Wrought iron fencing is a good choice because it provides of significant surface for graffiti, is vandal resistant and requires minimal maintenance.

If fencing is used to define property, it should be maintained in a good state of repair so that it helps to define territoriality.

Varying the texture or composition of vehicle driving surfaces at property lines can help define boundaries.

Attractive, clearly visible signage at the entrances to property can be used to define boundary lines. Throughout the area, grounds should be free from trash and other debris.

Vehicle Routes

Motor vehicle routes should be designed so that they are capable of handling the number of vehicles at peak times at the beginning and end of the day or shift.

The vehicle entry drive should be wide enough to accommodate vehicular traffic simultaneously coming in and out, and, if possible, should be separated by a low landscaped median.

A separate loading and unloading area should be provided for delivery or shipments.

Parking Lots

Parking lots should be in close proximity to the building to facilitate visual surveillance from administrative areas.

External access to parking areas should be restricted to a limited number of controlled entrances.

There should be a parking lot or area clearly designated for visitors. This lot should also be within unobstructed sight of the administrative offices.

Curbs separating parking areas from grounds should be of such height and design as to dissuade vehicles from jumping onto non-vehicular spaces.

All-parking areas should be identified with large signs clearly stating access regulations.

Parking lots should have gates or bollards at entrances to control access and egress.

All parking lots or areas should be paved (to avoid spinning tires propelling rock or loose gravel).

Loading and Unloading Zones

Loading and unloading zones should be separate from employee and visitor parking.

Loading and Unloading zones should be adequately signed and clearly striped to prevent unauthorized parking.

Barriers should be provided to prevent unauthorized access to loading/unloading docks.

Internal Grounds – Near Buildings

Sightlines from buildings to parking areas, loading and unloading areas, informal gathering places and pedestrian walkways should be unobstructed by obstacles, landscaping or plant growth.

Trees, fences, flagpoles, dumpsters, etc. should be kept at a sufficient distance from buildings to prevent climbing to upper floors or windows.

There should not be downspouts, trellises, or other building features that could permit climbing access to upper floors of windows.

Trash dumpsters on the grounds should be routinely locked to prevent concealment of company property or access by indigent persons.

Motor vehicle parking should be prohibited near trash dumpsters.

There should be signs on trash dumpsters prohibiting foraging.

Trash cans and external furnishings should be secured to fixed objects in a way as to prevent their removal.

External drinking fountains should be recessed into exterior building walls rather than freestanding.

All outbuildings and storage sheds should be adequately secured.

There should not be any walkway covers that provide access to second floor windows.

Building Exterior

Exterior walls should be free from graffiti.

Accessible canopies or awnings should have protective parapets to deter their use to climb onto roofs.

Mechanical, electrical, HVAC, or other equipment located outside the building should be surrounded by a protective enclosure.

Exterior recesses in buildings designed with wings should be fenced to prevent access. These areas should also be well lighted.

Multiple buildings should be linked with wrought iron fencing (for natural surveillance) and gates.

Pedestrian walkways should be clearly defined with curbs, sidewalks, or raised or striped walkways.

Pedestrian traffic should be funneled from broader walkways to more narrow walkways closer to the building providing clear visual pathways.

Non-Pedestrian Building Entry Points

All potential building entry points – such as utility entry points, etc. – should be properly secured.

Sturdy fencing should enclose locations where gas and electric utilities enter buildings.

Locations where gas and electric utilities enter buildings should be well lighted.

Electrical service disconnects and gas valves should be equipped with locking devices.

External Lighting

Parking lots, vehicle roadways, pedestrian walkways and building entryways should have “adequate” levels of illumination. The American Crime Prevention Institute recommends the following levels of external illumination:

-Parking Lots 3-5-foot-candles.

-Walking surfaces 3-foot-candles.

-Recreational Area 2-3-foot-candles.

-Building Entryways 5-foot-candles.

These levels may be subject to reduction in specific circumstances where afterhours use is restricted.

Use metal halide exterior lighting.

A system of lighting fixture identification should be developed.

The lighting fixture identification system should enable anyone to easily report a malfunctioning fixture.

Exterior lighting should be controlled by automatic devices (preferably by photocell).

Exterior lighting fixture lenses should be fabricated from polycarbonate, break-resistant materials.

Plant materials, particularly tree foliage, should be trimmed back as to not obstruct lighting.

Light fixtures below 10’ in grade should be designed to make access to internal parts difficult (i.e. security screws, locked access panels).

All switches, breakers and electrical panels that control lighting should be inaccessible to the public.

If exterior lights are not being used at night exterior motion-detection lighting should be installed to detect the presence of intruders.

Building Perimeter Doors

Visitor entry points should be clearly identified by bilingual signs.

Signs posted at all building perimeter entry points should provide clear direction that visitors are required to check in at the designated reception area.

The building should be designed in such a manner that visitors have to check in at the reception area before they can penetrate other parts of the building.

Designated building visitor entry points should be under the visual supervision of administrative offices.

Exterior doors not used as designated entry points, should be locked to prevent entry from the exterior.

Primary exterior entry doors should be equipped with electronic access control systems.

Ideally, exterior doors should be equipped with electronic propped door alarms, which annunciate either locally and/or at the security offices.

All exterior doors should be routinely tested to ensure the doors close and lock properly and that door hardware is in a good state or repair.

Perimeter doors should be designed for “heavy duty” (ANSI Grade III) applications.

Where panic or exit devices are used on exterior doors, they should *not* be equipped with vertical rods (devices that lock the door at both the head and threshold and are intended for pairs of doors). Such devices often do not properly secure when the door returns normally to the closed position.

Exit doors should be equipped with push pads rather than push bars. Push bars can be more easily opened with a coat hanger from the outside.

Double doors should be equipped with an astragal (plate) covering any gap between the doors.

For exit doors heavily used during the day, the panic device should be “dogged” (rolled down) to minimize constant use wear and tear on the locking device.

During locked periods, when a key is used to gain building entrance through an exterior door, the door should automatically relock when the key is removed from the lock.

Glass lights in or near exterior doors should be equipped with break-resistant glazing to prevent the window from being broken, and the door unlocked by reaching through the broken window.

All exterior doors should have an easily recognizable number on the outside to assist possible emergency responders.

The windows on all exterior doors should remain uncovered.

Building Exterior Windows

These recommendations are applicable to windows that are “reasonably accessible.” To meet this vulnerability standard, the window must be lower than 8’ from grade or otherwise reasonably accessible by climbing trees, or building features such as nearby walls, trellises, downspouts, and/or masonry footholds. The window must also provide an opening of at least 96 square inches with one side being greater than 6 inches. Also of concern are windows that are too small to enter, but could be used to access an adjacent door lock or another window, which could be used to gain entry.

Operable exterior windows should be easily locked.

Window locks on double hung windows (sashes slide up and down) and horizontal sliding windows should be equipped with an auxiliary locking device or interlocking sashes.

Windows below or partially below grade should be provided with metal grills, screens or break resistant glass or acrylic material.

Windows in concealed areas should be provided with metal grills, screens or break-resistant glass or acrylic material.

Applicable exterior windows should remain uncovered.

Electronic Intrusion Detection Systems

There should be clear, easily observable, multilingual signs (English and Spanish) posted on the exterior of the building (doors and windows) indicating the facility is equipped with an intrusion detection (burglar alarm) system.

UTILITIES:

Utilities have no objection to the proposed plan for the lake and parking lot relocation. Applicant has agreed in writing that any on and off site work needed to support this project, **for all phases**, will be completed at their expense. If approved by Council, Utility phasing must be approved by Utilities and the Fire Department to maintain a proper loop system and must be placed in a Utility Agreement prior to permitting. Offsite work for future phases will include replacement of an existing sewer force main along University Drive, new 12' water main loop through the site, sewer lining of existing gravity mains and possible manhole rehabilitation. Depending on approved uses and densities, existing lift station modification may be required. A full Utility review will be required permitting which could generate additional comments.

O.P.W.C.D.:

1. Old Plantation Water Control requires an acceptable drainage plan with retention and runoff calculations and a construction drawing prior to issuance of a building permit.
2. Calculations are to include the master stormwater system and include an as-built of the existing features.
3. Acceptance of as-built drawings and Certified Stormwater Inspection Report will be required prior to issuance of a Certificate of Occupancy.

WASTE MANAGEMENT: No objection.

Mr. Lunny advised that the proposed approval does not change the Comprehensive Plan designation or the primary use of the property for industrial purposes. There is no non-industrial candidate uses contemplated.

Barbara Hall, applicant, was present. She explained that this is the first phase of the redevelopment of what has been known as the Motorola parcel. This phase will bring about the relocation of the lake from this location on the property to the southeast corner of the property. Along with that, they are also asking for a parking waiver because in relocating the lakes they are going to eliminate some of the existing parking. Today there is more than 200,000 square feet of the property that cannot be occupied because they need to bring in new utilities to all of the existing buildings. Up until now those buildings were fed internally through other buildings. That system was not acceptable to the Building Department, Fire Department or the Utilities Department. When these lakes are relocated new lines will be brought in to feed the other buildings. Until then, those buildings cannot be occupied. They will be before Council with the second and third phases, which will be adding additional parking so they can lease buildings 2 and 4; they will be putting parking fields in and looking at redevelopment at the corner of University Drive and Sunrise Boulevard. Those issues are not before Council tonight; they need to get started on the earth work, bringing in utilities and moving the lake.

Mayor Bendekovic would have liked a complete site plan so she could see exactly where all of the positions were going to go. She knows they are planning on moving it to the back. At one time Motorola had chemicals in the back and she questioned if all of that has been taken care of.

Ms. Hall stated that in order to make the relocation of the lake they have to go through DEP. They have done soil and water quality testing and everything came back clean. As a precaution DEP is asking for ongoing soil tests as the process continues and to report to them if there are any issues so it can be cleaned up immediately. They are not anticipating any problems. There was a testing facility in that corner building where some testing had been done in the past. That facility is going to be removed and taken away. The reason they need to move forward in this sequence is that they need to get the utilities to the buildings. They have the opportunity to sign a lease that must be signed by the end of the year for potentially 200,000 square feet of building area with 1,500

employees. They need to know that they will be able to move the lake so they can sign the lease before the end of the year. They cannot wait for the changes that will require flex allocations and zoning issues for the entire property to move forward with this lake relocation.

Brett Butler, City Engineer, was present. He explained that the project, as presented, is restricted to asking permission to relocate a water body; it is a Surface Water Management Purpose and Function. That had that up front; they want to relocate it and restructure the site. The Engineering Department does not have a fundamental concern with this but there will be some very carefully done reviewing of permit requirements for this new water body. There will also be two other outside agencies looking at this carefully; the Old Plantation Water Control District and the South Florida Water Management District. He believes it is important to pay attention to what Ms. Hall is mentioning with regard to DEP. That site had some remediation done a while ago; it is imperative they do what they are doing. DEP is doing the appropriate thing holding them accountable to validate that the site is still clean. He anticipates that the same information will be provided as it is produced for DEP. This is really a Surface Water Management modification to the site at this point.

Councilmember Stoner commented that this is a very basic level versus where we may be in six months.

Mr. Butler reiterated that this is for Surface Water Management purposes. It is straight forward from his perspective. It is going to serve the purpose of managing storm water runoff on the property. The details of how that will function and to see that it functions appropriately based upon how the site is intended to be developed or redeveloped is where we need to pay close attention in the permitting stages.

In response to Councilmember Stoner, Ms. Hall advised that they are under a confidentiality agreement; therefore, she could not identify the tenant.

Mr. Lunny believes it is important for the Council's approval that this is only to move a lake and the Council is not giving and has not given any use approvals or indications about what is going to happen in the future with respect to that.

Councilmember Stoner thinks that Mayor Bendekovic's comment is well taken, that what we are getting is piece meal. We are not getting a master plan and she does not want to get a little here and there.

Mr. Lunny agreed and stated that none of these various approvals are going to create any equitable estoppel or vested rights to uses that are not industrial or have; otherwise, not been presented to this Council. He believes that Ms. Hall is okay with that statement and it puts the risk on them.

Councilmember Fadgen mentioned the parking waiver and noted that by relocating the lake some parking will be lost. He questioned whether parking would also be replaced.

Ms. Hall replied affirmatively. She indicated that parking will not be replaced in this phase but parking will be placed where the lake is before the two buildings are occupied. The next phase will be the parking for this facility. She stated that Baptist Health will be occupying an outpatient facility and additional parking will be provided, which will come back to Council in the next phase. The only thing they are requesting is to move the lakes so they can start the earth work, bring in the utilities and serve these buildings so they can be used.

Councilmember Fadgen questioned if the parking is part of this waiver.

Ms. Hall advised that the waiver is just because they are temporarily removing the parking.

Councilmember Zimmerman commented that when they come back with the next phase that he would expect to see a master plan with the parking; not just parking. He questioned if notices went out to the neighborhood.

Mr. Leeds advised that none were sent out; it is not a special exception or a variance. A waiver does not require notice.

Councilmember Zimmerman requested clarification of what has been done to give notice to neighbors.

Ms. Hall indicated that they sent out 300 letters to Marcano Estates and to some people in Mirror Lake Estates, the people who were most affected by the relocation of the lake close to their property. They were told that we were going to redevelop the property and would have a meeting, which has been scheduled for January 8, 2015, at the cafeteria to explain the redevelopment. They were told that this would be coming before Council for the lake relocation in December and that they would be available on December 4, 2014 in the cafeteria at which time graphics would be available if they wanted to know about the lake relocation. No one showed up. She received one email from a resident who said that she could not come. She asked a few questions and said that she would get her neighbors to come to the January 2015 meeting. That was a voluntary communication on their part; there were no requirements.

Councilmember Stoner questioned what will be disclosed at the January 8, 2015 meeting.

Ms. Hall advised that everything will be disclosed; they will see the whole plan.

Councilmember Stoner commented that the residents will see the master plan before Council. She questioned how that makes sense.

Councilmember Fadgen asked if he should disclose that he met with the developer.

Mr. Lunny replied affirmatively.

Councilmember Fadgen indicated that there was a disclosure with the County Ethics.

Mr. Lunny advised that he is required to do a Jennings Disclosure and prior to the vote, if you met with Ms. Hall and the meeting was off site, Ms. Hall was required to complete the lobbying contacts.

Councilmember Fadgen disclosed that he had a meeting with Ms. Hall, the developer and members of his staff. They showed him many of the plans including the relocation of the lake. He enjoyed the meeting and it will not influence his vote.

Councilmember Jacobs also disclosed that he met with Ms. Hall on October 8, 2014 and it will not influence his decision.

Mr. Lunny requested that Ms. Slattery, City Clerk, search the database to make sure it was in.

Councilmember Fadgen spoke with Ms. Slattery and she assured that she put it in.

Mayor Bendekovic also met with them several times because they come to the Administrative office.

Councilmember Zimmerman stated that he also met with them.

Councilmember Stoner commented that she put in a lot of telephone calls trying to make an appointment.

Mr. Lunny indicated that if it is off site the Elected Officials have to log it and if it on site the lobbyist does.

Councilmember Fadgen stated that it was at City Hall and he understands that it was logged.

Councilmember Zimmerman commented that the meeting was at his office but it was logged.

Mr. Leeds mentioned that he heard a couple of the Elected Officials say they want to see a master plan. The next time Ms. Hall is here with the two parking lots on Sunrise Boulevard she may show a plan; however, the review may not be complete because there are multiple applications and several moving parts. It was noted that they are not submitting an application until December 23, 2014.

Motion by Councilmember Jacobs, seconded by Councilmember Fadgen, to approve Item No. 16 as presented. Motion carried on the following roll call vote:

Ayes: Zimmerman, Fadgen, Jacobs

Nays: Stoner

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COUNCILMEMBERS' COMMENTS

Councilmember Jacobs mentioned the Metropolitan Planning Organization, of which he is the City Representative, is responsible for planning transportation in Broward County. They recently finished the 2040 plan. The MPO members will be having a January Visioning Session where he will be representing the City and he is not sure of the best way for Council members to give any input if it is appropriate.

Mr. Lunny stated that it is appropriate. They will have to see some information and provide it at a public meeting.

Councilmember Jacobs indicated that the biggest transportation issues we are facing is that Florida is #1 in pedestrian and bicyclist deaths. Sunrise created an advisory board called the Pedestrian and Bicyclist Advisory Board. He is always hesitant to create more advisory boards because that costs money. On a National basis, gas taxes are declining and transportation planners are trying to figure out how we are going to make up the money so we can maintain the infrastructure. Some people want to have GPS in the cars that record every mile driven and then you get taxed. He questioned how an electric car would be taxed and how they would pay their fair share on the roads they use. The next Council meeting is January 7, 2015 and the Visioning Session is January 8, 2015. Perhaps it could be listed as a discussion item on the agenda.

Councilmember Fadgen has one item that he will discuss.

Councilmember Stoner questioned if someone could come in and give a brief presentation.

Councilmember Jacobs stated that he would try to get one of the planners to come in.

Councilmember Stoner questioned if we could do a link on our website regarding the MPO Visioning Session so if anyone has comments they can email.

Mayor Bendekovic advised that she would see what she could do.

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Councilmember Fadgen wished everyone a Happy Hanukkah, a Merry Christmas, and a Happy, Prosperous and Healthy New Year.

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Councilmember Zimmerman wished everyone a great holiday season.

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Mayor Bendekovic made the following comments:

- She gave all of the Council members the State Legislative priorities. We have been trying to get our representatives in before they went back in January. We have been successful but some have had to cancel. We have been in contact with them and with our lobbyist. Lois Frankel has made several visits to our City and we have talked on Federal level with her. We will probably meet more with them after their January session. If you have any ideas please let her know.
- Council was given the Recyclable Composition Study; it is the contamination of our recyclables that are sent to Sun Bergeron so they can run a study. Our City is recycling and we continue to encourage everyone. We lost \$12,500 out of \$65,000 due to contamination.
- She wished everyone a safe New Year and holiday.

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Councilmember Stoner commented that it does not go unnoticed that the employees in this City work extremely hard and diligently to enhance services on a daily basis. The directors go out of their way, including attending these long meetings, not just here but other nights, weekends and holidays when they could be with their families. It does not go unnoticed and is very much appreciated. She thanked Mr. Lunny for all of the time he puts in for the City. She wished the best to everyone and their families.

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PUBLIC REQUESTS OF THE COUNCIL CONCERNING MUNICIPAL AFFAIRS

Dennis Conklin, resident, was present. He made the following comments:

- He thanked the City for its streaming of the Council meetings.
- He wished everyone a Happy Hanukkah, a Merry Christmas, and a Happy New Year.
- With regard to the MPO, no rail, no light rail, no dedicated bus lanes.
- He saluted Military Armed Forces all over the world who can't get home to their families.

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SEALED COMPETITIVE SOLICITATIONS – None.

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WORKSHOPS – None.

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Meeting adjourned at 10:00 p.m.

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Councilmember Lynn Stoner, 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 _____, 2015.

Susan Slattery, City Clerk