

# MINUTES

## PARKLAND CITY COMMISSION MEETING

**MAY 24, 2006**

**7:00 P.M.**

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**I CALL TO ORDER** 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

Mayor Udine invited Tamara Lilienthal, daughter of Rabbi Alex and Sandra Lilienthal and Hillel Day School student, to lead the Pledge of Allegiance.

**ROLL CALL**

**Present:**

Commissioner Jared Moskowitz  
Commissioner Tracey McGilvray  
Vice Mayor Mimi Ribotsky  
Commissioner Jay D. Smith  
Mayor Michael Udine

**Also Present:**

Mark Lauzier, City Manager  
Andrew Maurodis, City Attorney  
Caryn Gardner-Young, Assistant City Manager  
Charles DaBrusco, City Engineer  
Brian Archer, Environmental Resource Director  
Roberta Moore, Planning Director  
David Carry, BSO Police Chief  
Sandra Couzzo, City Clerk

**II APPROVAL OF MINUTES**

NONE

**III PUBLIC INPUT**

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Stuart Krantz, 6348 N.W. 62<sup>nd</sup> Terrace, spoke regarding Broward County's spending for removal of invasives, and he believed the City should spend \$15 per person per year until all invasives were removed. He suggested that horse trails should be concentrated in a certain area and that six to 10 feet of vegetation be cut away from the Winner's Circle trail, planting buffers west of the area and to the water.

**IV COMMENTS BY MAYOR AND COMMISSION**

Comments by Commissioner Smith:

- Attended the 5<sup>th</sup> grade DARE graduation program at Westglades Elementary this morning, along with other Commission members.
- Related that the Chamber of Commerce would host a meet-and-greet at City Hall on June 1<sup>st</sup> starting at 5:30 p.m.

Comments by Vice Mayor Ribotsky:

- Noted the beginning of hurricane season and overgrown vegetation near the power lines on Parkside Drive. She suggested sending courtesy notices to homeowners' associations or property owners.
- Thanked the City Manager for working on resident communications about alligators in our community.

Comments by Mayor Udine:

- Participated in the search for the new principal of Douglas High School today, with ten candidates interviewed. Scoring sheets were given to District personnel, and he anticipated a new principal in place by the June 6<sup>th</sup> School Board meeting.
- Noted that over 200 students had received awards at Westglades Middle School for superlative achievements.
- Advised that the Lacrosse League proposed bringing a spring tournament to Parkland next year. With the Commission's concurrence, he would continue talks with the group and bring something more formal to the Commission in the next few months.

Commissioner Smith commented there had been an article about the Lacrosse League and its "boom" the previous Sunday. He believed it a great idea.

**V PROCLAMATIONS AND SPECIAL RECOGNITIONS**

NONE

**VI APPROVAL OF AGENDA**

Vice Mayor Ribotsky asked that Consent Agenda Item #1 be pulled.

**MOTION** made by Commissioner Moskowitz to approve the agenda as amended. Seconded by Commissioner McGilvray.

**MOTION** passed unanimously.

## **CONSENT AGENDA**

**2. RESOLUTION NO. 2006-54: DEDICATED LOCAL FUNDING SOURCE FOR TRANSIT**

COMMENTS: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, SUPPORTING THE IDENTIFICATION OF A ONE-CENT PENNY SURTAX FOR TRANSPORTATION TO SUPPORT AN EXPANDED MASS TRANSIT SYSTEM IN BROWARD COUNTY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION** made by Vice Mayor Ribotsky to approve Consent Agenda Item #2. Seconded by Commissioner McGilvray.

**MOTION** passed unanimously.

**1. RESOLUTION NO. 2006-40: EVALUATION & APPRAISAL REPORT AMENDMENT - BID AWARD**

COMMENTS: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED CONTRACT FOR PROFESSIONAL PLANNING SERVICES WITH CALVIN, GIORDANO & ASSOCIATES, INC. FOR PREPARATION OF EVALUATION APPRAISAL REPORT COMPREHENSIVE PLAN AMENDMENTS.

City Manager Mark Lauzier read the title of Resolution No. 2006-40. He explained that, since the EAR had been updated and submitted to the Department of Community Affairs, Comprehensive Plan amendments must be drafted, which was an involved process. Four firms had submitted responses to the City's Request for Qualifications and were evaluated and ranked by the Rating Committee. Staff requested authorization to begin negotiations with Calvin, Giordano & Associates, Inc.

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Planning Director Roberta Moore and representatives of Calvin, Giordano & Associates, Inc., were present to answer Commission questions.

Vice Mayor Ribotsky noted that, according to the Agenda Summary, some funding had been provided in the adopted budget and additional amounts would be requested, and she asked the total amount of the project. Ms. Moore responded that, at this point, staff was requesting the ability to negotiate the contract; the amount had not yet been determined.

Vice Mayor Ribotsky indicated she was uncomfortable with that. She recalled that, in the last revision, a flat price had been promised. She did not know how the Commission could award the right to negotiate when the RFQ should have asked for prices per scope of work.

Mr. Lauzier explained that the RFQ process examined the firm's qualifications using rating criteria. Because the City had not identified their tasks, a price could not be provided. Mr. Maurodis added that the more standard procedure was to request qualifications, receive recommendations and rank the firms, giving administration authority to negotiate with the number one-ranked firm, which would then be brought back to the Commission for approval. He noted this procedure was, in fact, required under the Consultant Competitive Negotiations Act for planning studies over a certain amount.

Vice Mayor Ribotsky commented that Pinetree Water Management was going through a similar process; however, they were not narrowing it down to one firm as prices may be a consideration. Aside from the legal obligation, she noted this was actually an amendment to an existing report by another firm, which had done an outstanding job. The Vice Mayor noted that another project had recently been awarded to Calvin, Giordano and the City had not yet seen their work product. Regardless of the specifics, she stated that she would vote "no."

Vice Mayor Ribotsky asked that the contract be amended to include a non-compete clause, as well as a specific definition of the Scope of Services.

Commissioner Moskowitz commented that the Commission was trying to find out how much it might cost, with which Mr. Lauzier agreed. When the Commission had that number, if it was felt too much, the Commissioner suggested it could be voted down.

Mr. Lauzier stated that he did not know if there was a possibility during the process to talk to more than one firm. Mr. Maurodis offered that he did not have the RFQ before him, but he would be surprised if that was permitted. Mr. Lauzier anticipated that the project would cost more than the bid threshold.

Commissioner Moskowitz summarized that the City had not ranked the firms by lowest bid, but rather by expertise and qualifications. He preferred to trust staff, and stated he would vote in favor. He noted that staff would be instructed to negotiate with the second firm should the Commission decide it was too much money.

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Commissioner Smith indicated he had reviewed the proposal, but he questioned why the top-ranked firm had never before written an EAR-based Comprehensive Plan amendment.

At Mr. Lauzier's request, Ms. Moore explained the ranking process and the criteria taken into consideration by the Ranking Committee. Mr. Lauzier noted the summary chart information contained in the agenda back-up, and commented that the rankings were close. He repeated Commissioner Smith's question to the applicant.

Shelley Eichner, Vice President of Calvin, Giordano & Associates, introduced other members of their team: Lorraine Tappen, Planner; Sarah Sinatra, Planner; and Eric Penfield, Traffic Engineer. Ms. Eichner confirmed their firm had not completed any EAR-based amendments because most cities had recently adopted their EARs and not yet done the amendments, but she anticipated their firm would do so for other municipal clients. She noted that the process for both EAR-based amendments and Comprehensive Plan amendments were similar, the latter of which they had done dozens. Ms. Eichner believed they had the experience in gathering the data and performing the analysis to meet all statutory requirements.

Mayor Udine questioned competition with other municipalities. Ms. Eichner stated there were no current projects with the cities of Coconut Creek or Coral Springs, and they were finalizing a private sector development within Coconut Creek. In terms of a non-compete clause, she indicated they would not have a problem and would turn down work for other cities. She noted that, since they had served as the Planning & Zoning Department for Weston for 10 years, they did not work with the neighboring municipalities of Sunrise and Southwest Ranches.

Mayor Udine questioned the process, such as the necessity for a joint meeting with the Planning and Zoning Board and public meetings. Mr. Penfield stated that, while there would be a significant public input process, he did not believe there was a requirement for a joint meeting. The Mayor suggested it might be preferable to do so since the Comprehensive Plan would be amended, and expressed concern that the process might be viewed as starting from "scratch." Planning Director Roberta Moore confirmed that the completed EAR had been the first step; the next step of the process would be the in-depth data analysis and determining what required amendment in the Comprehensive Plan. She did not believe there would be an economic downside in the switch from Michele Mellgren to Calvin, Giordano; however, the contract would not include getting Calvin, Giordano "up-to-speed" with everything that has occurred.

**MOTION** made by Commissioner Moskowitz to approve Resolution No. 2006-40, Evaluation and Appraisal Report Amendment – Bid Award, as amended by Vice Mayor Ribotsky's suggestions. Seconded by Commissioner McGilvray. Mr. Maurodis clarified that the contract would include a non-compete clause, the scope of services, and be subject to the satisfaction of the City Manager and City Attorney with the final form of the contract and compensation. Mayor Udine noted that the contract must come back to the Commission for approval. Mr. Lauzier added that Comprehensive Plan

amendments were adopted by ordinance, and he anticipated that changes would also be discussed at workshop.

**ROLL CALL VOTE:**

|                        |     |
|------------------------|-----|
| Commissioner Moskowitz | Yes |
| Commissioner McGilvray | Yes |
| Vice Mayor Ribotsky    | No  |
| Commissioner Smith     | No  |
| Mayor Udine            | Yes |

**MOTION** passed by 3-2 vote.

**REGULAR AGENDA**

**1. RESOLUTION NO. 2006-47: PARKLAND CANAL & SWALE DEBRIS  
REMOVAL – BID AWARD**

COMMENTS: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, AUTHORIZING THE CITY OFFICIALS TO AWARD THE PARKLAND CANAL & SWALE DEBRIS REMOVAL CONTRACT (CITY CONTRACT # 2006-04)

Mr. Lauzier offered that the City had been fortunate to obtain Natural Resources Conservation Service funding to clean waterways and swale drainage areas in the Ranches and Pinetree. There had been six responses to the City's bid, ranging in price from \$811,000 to \$1.5 million. The City Engineer had reviewed the bids, checked out the firms, and recommended the lowest responsive qualified bid. Mr. Lauzier noted Mr. DaBrusco's follow-up memo about the bid, and that a representative of the firm, B. G. Katz Nurseries, Inc., was present to answer questions.

Commissioner McGilvray offered that she had already questioned why the other bids were so different and why B. G. Katz' services were so much less. She indicated that, after receiving the letters of recommendation from other municipalities, she felt more comfortable.

Mayor Udine commented that he had the same concern in that the next lowest bid was \$300,000 higher than the \$811,000 bid of B. G. Katz Nurseries, Inc. He asked the City Engineer to provide further information about the funding and his comfort level.

Mr. DaBrusco responded that approximately 75 percent of the cost would be paid by NRCS and the City would be responsible for about \$202,000. He believed Pinetree was very difficult to price because of the swale overgrowth. NRCS required a lump sum bid on the project; they allowed the City

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to spend up to \$812,400, and this amount, as well as the estimated budget, was not divulged to bidders. All six bidders were qualified to do the job. Mr. DaBrusco offered that the second-lowest bidder, at \$1.1 million, had been unable to furnish the subcontractor list within the 24-hour requirement, and he provided further explanation. He noted that B. G. Katz was a local firm, and he believed the key was that they owned and operated their own permitted landfill.

Mr. Lauzier added that this bid had been unusual because of the City's agreement with NRCS, which had been entered into about 60 days earlier and included the price. He suggested that a public records request could have obtained that information, but he noted this was conjecture.

Mayor Udine commented that, obviously, the City should not spend an extra \$400,000, but it must be certain that the company contracted with can get the job done correctly for residents.

Vice Mayor Ribotsky agreed with the comments. She noted the use of a Parkland address with a 561 area code on the proposals. She was concerned about capabilities; even with their indication of multi-faceted services, she asked specifically if B. G. Katz had ever cleared canals of vegetation, including invasives and their root systems, and environmentally-sensitive areas. The Vice Mayor indicated that, with the recommendation of staff, she would approve the bid award with the contingency that verification of this type of work be obtained.

Vladimir Foursa, general manager of B. G. Katz, Inc., indicated that the United States Postal Service assigned the address to their company. Mr. Foursa stated their firm had done a number of jobs, primarily through an environmental consulting firm in Tampa as their subcontractor in southeast Florida. Additionally, they had worked for the City of Delray Beach, FPL, and numerous preserves in the City of Boynton Beach. He offered that they had also done canal work in Parkland last year. Mr. Lauzier recalled work around the Hendrix Farm after Hurricanes Frances and Jeanne, and Mr. DaBrusco stated there had been work on a portion of the canal on N.W. 82<sup>nd</sup> Terrace in the northern end of the Ranches.

Mr. Foursa added they were currently working in water with the City of Fort Lauderdale, and he welcomed visits to watch them "in action."

Vice Mayor Ribotsky asked that the references be specifically checked, and Mr. DaBrusco indicated he would do so.

Commissioner Moskowitz commented that he was glad the City had been able to move up the bidding process, which he believed a critical groundwork to improving the antiquated system of drainage in the area. He suggested the Commission should trust the staff's recommendation, and move on this project before hurricane season commenced.

Mayor Udine believed the Vice Mayor made an interesting point and, as long as the City Manager was satisfied with the references, he favored the award.

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At further comments by Vice Mayor Ribotsky and Commissioner Moskowitz, Mayor Udine noted that both the City Manager and City Engineer had recommended approval on the record.

Mr. Lauzier stated that City Engineer Charlie DaBrusco would project manage on a daily basis.

Mayor Udine opened to the public.

Mike Donnelly, of 7250 N.W. 82<sup>nd</sup> Terrace, asked regarding the scope of services to be provided, i.e., weed removal, dredging, and removal of invasive species, and the specific areas included.

Dodie Lazowick, of 8400 Trotters Lane, stated that she worked for an engineering firm and the City Engineer had a reputation of being hard on contractors and consultants. After commenting about the contractor's foresight and initiative to win the job, she believed that Mr. DaBrusco, as well as residents, would keep a good watch.

Kevin Bolling of the Ranches commented that he had worked with B. G. Katz. He believed it was an outstanding firm and very professional. He agreed that the key to their low bid was their own landfill.

There were no further comments or questions, and the Mayor closed to the public.

City Engineer Charlie DaBrusco provided further information as to the scope of services in both the 35-foot easements of Pinetree Estates and the entire canal section of the Ranches rights-of-way. They would be cleared of Florida Level 1 invasive vegetation, including removal from canals. Bank damage will be restored with seed and mulch or sod. He invited residents to look at the specifications, which included a plan of the areas to be cleared. Mr. DaBrusco noted it was a lump sum contract that was also bonded; should the contractor be unable to complete the work, the bonding company would pay for the balance.

**MOTION** made by Vice Mayor Ribotsky to approve Resolution No. 2006-47, contingent upon references for canal work. Seconded by Commissioner Moskowitz.

**ROLL CALL VOTE:**

|                        |     |
|------------------------|-----|
| Commissioner Moskowitz | Yes |
| Commissioner McGilvray | Yes |
| Vice Mayor Ribotsky    | Yes |
| Commissioner Smith     | Yes |
| Mayor Udine            | Yes |

**MOTION** passed unanimously.

**2. RESOLUTION NO. 2006-56: PAY AND CLASSIFICATION STUDY**

COMMENTS: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, ADOPTING A NEW PAY AND CLASSIFICATION SYSTEM, REPEALING THE EXISTING PAY AND CLASSIFICATION SYSTEM; AUTHORIZING AN INCREASE IN THE TOTAL NUMBER OF FULL TIME POSITIONS WITHIN THE 2005-2006 BUDGET FROM 82 POSITIONS TO 83 POSITIONS; AUTHORIZING BUDGET ADJUSTMENTS TO IMPLEMENT THE SYSTEM; CONTAINING AN EFFECTIVE DATE, CONTAINING A SEVERABILITY CLAUSE, CONTAINING A PROVISION FOR INCLUSION IN THE CITY CODE.

City Manager Mark Lauzier explained that a key City goal was creating a high performance organization providing superior service, and a sub-objective was the Pay and Classification Study. The budget provided funding for the study as well as its implementation. Municipal Solutions of Arizona had been hired to perform the study, which he termed very effective.

Mr. Lauzier reviewed what he had noticed during his first year here: an antiquated compensation system, without consistency internal to the organization or external to the market; very little performance management and evaluation in place; and rules and regulations were at best spotty. He anticipated the study would provide him a tool for a streamlined, efficient classification system; equitable and fair personnel policies and procedures would follow the study.

Dave Evertson of Municipal Solutions briefly provided information concerning his background and the processes used in this project, including a formal job audit, a salary and benefits survey of regionally comparable communities with similar services, and an updating of job descriptions. He provided an overview of his findings and recommendations.

Mr. Lauzier commented that Mr. Evertson's study was the diagnosis, and it was his responsibility to find the solutions. He provided clarification regarding the revised exhibits attached to the Resolution.

Mr. Lauzier read the title of Resolution No. 2006-56.

Commissioner Moskowitz commented favorably about the report, and noted that the City Clerk was clearly underpaid.

Mayor Udine noted that the City was tackling problems that have existed for decades and the City needed a professional high-quality staff to do so.

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Commissioner Smith noted that his employer, Wachovia Corporation, did a study approximately five to seven years ago for the banking and financial services industry. He commented that it cost more money to lose a good employee than to give the proper pay to retain the employee, and supported its approval.

Vice Mayor Ribotsky concurred, believing that the City had the best staff in the County if not the State, and she commended the City Manager for building the team. She believed the study long overdue, and she urged that the City immediately proceed with all of the recommendations.

Mr. Lauzier commented that Mr. Evertson had consolidated policies and procedures and noted a separate 228-page document. He anticipated its review would be a long process.

Vice Mayor Ribotsky suggested adopting the document immediately -- throwing out the broken document and tweaking the new as needed, working backwards. She asked Mr. Evertson's recommendation as to periodic review.

Mr. Evertson recommended a review approximately every four years, if implemented effectively and dependent upon the dynamics of the City, as job descriptions and requirements can become quickly out-of-date. He offered that all documents would be provided to the City on CD so that they may be updated as needed.

Vice Mayor Ribotsky asked concerning a job model, and she asked if the City might have that tool to appropriately rank a new position. Mr. Evertson noted that Appendix C contained the compensable factors, the classification analysis tool, which was used to rank the current positions and system.

Mayor Udine opened to the public. There were no comments or questions, and the Mayor closed to the public.

**MOTION** made by Commissioner Smith to approve Resolution No. 2006-56, Pay and Classification Study, including revised Exhibit A, dated May 24, 2006. Seconded by Vice Mayor Ribotsky.

**ROLL CALL VOTE:**

|                        |     |
|------------------------|-----|
| Commissioner Moskowitz | Yes |
| Commissioner McGilvray | Yes |
| Vice Mayor Ribotsky    | Yes |
| Commissioner Smith     | Yes |
| Mayor Udine            | Yes |

**MOTION** passed unanimously.

**VII COMMENTS BY THE CITY MANAGER**

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City Manager Mark Lauzier reviewed calendar items: the Chamber of Commerce meet-and-greet at City Hall on June 1<sup>st</sup> at 5:30 p.m.; on June 7<sup>th</sup>, the tour from 4:30 to 6:00 p.m., the joint meeting with the Planning and Zoning Board from 6:00 to 7:00 p.m., and the regular Commission meeting at 7:00 p.m.; and the Sunshine training on June 13<sup>th</sup> at 7:00 p.m. He asked the Commission to select one of two dates for the Pine Trails Park Phase 2 groundbreaking: 7:00 p.m. on either Wednesday, June 28<sup>th</sup> or Thursday, June 29<sup>th</sup>. A staff barbecue was being planned, which has been tentatively set for August 31<sup>st</sup>.

Based upon the Mayor's comments, Mr. Lauzier indicated he would speak with the lacrosse league about the tournament. He was working on an "alligator strategy," noting excellent information on the Florida Fish and Wildlife Conservation website. FPL will deal with the power lines on Parkside Drive; tree trimming would be done by them if necessary.

Vice Mayor Ribotsky asked that the Sunshine training be videotaped for later viewing by Board appointees and school SAC and SAF members. Mayor Udine agreed this was a good idea.

**VIII COMMENTS BY THE CITY ATTORNEY**

None.

**IX ADJOURNMENT**

**MOTION** made by Commissioner McGilvray to adjourn the meeting at 8:45 p.m. Seconded by Commissioner Moskowitz.

**MOTION** passed unanimously.

ATTEST:

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SANDRA COUZZO, C.M.C.  
City Clerk

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