

MINUTES

PARKLAND CITY COMMISSION MEETING

JULY 5, 2006

7:00 P.M.

I CALL TO ORDER 7:00 p.m.

PLEDGE OF ALLEGIANCE

Mayor Udine congratulated the winners of the Fourth of July bike parade at Terramar Park – Sean Burns, Anna Dillon, Cori Drysdale, Andrew Drysdale, Bridget Foley, Kiera Foley, Marianna Gutierrez, Alex Hinton, Bradley Hinton, Adrianna Raueci, Adam Selkow, and Sophie Yanuzzelli – and invited them to lead the Pledge of Allegiance.

ROLL CALL

Present:

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

Also Present:

Mark Lauzier, City Manager
Caryn Gardner-Young, Assistant City Manager
Susan Trevarthen, sitting in for City Attorney
Jim Berkman, Public Services Director
Charles DaBrusco, City Engineer
Roberta Moore, Planning Director
David Carry, BSO Police Chief
Don Haupt, Fire Chief
Sandra Couzzo, City Clerk

II APPROVAL OF MINUTES

April 19, 2006:

Regular City Commission Meeting

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Vice Mayor Ribotsky asked that a correction be made on page 16, third paragraph, changing the word Chamber to Charter.

MOTION made by Commissioner Moskowitz to approve the April 19, 2006, Regular City Commission Meeting Minutes, as amended. Seconded by Commissioner Smith.

MOTION passed unanimously.

April 26, 2006: City Commission Work Session

Vice Mayor Ribotsky asked that the word "caribou" on page 5, fifth paragraph, be corrected to "carrotwood" and on page 6, fourth paragraph, to correct the spelling of "waiving."

MOTION made by Commissioner Smith to approve the April 26, 2006, City Commission Work Session Minutes, as amended. Seconded by Commissioner Moskowitz.

MOTION passed unanimously.

May 3, 2006: Regular City Commission Meeting

MOTION made by Vice Mayor Ribotsky to approve the May 3, 2006, Regular City Commission Meeting Minutes. Seconded by Commissioner McGilvray.

MOTION passed unanimously.

May 17, 2006: Regular City Commission Meeting

MOTION made by Commissioner Smith to approve the May 17, 2006, Regular City Commission Meeting Minutes. Seconded by Vice Mayor Ribotsky.

MOTION passed unanimously.

May 24, 2006: City Commission Work Session (5:00 p.m.)

MOTION made by Commissioner Smith to approve the May 24, 2006, City Commission Work Session. Seconded by Commissioner McGilvray.

MOTION passed unanimously.

Mayor Udine complimented the City Clerk for getting caught up with the Minutes.

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III PUBLIC INPUT

Maria Kokinakos, of 6550 N.W. 95th Lane, presented a check for \$700 from the Parkland Horseman's Association to apply for a matching grant for this year. They were in the process of installing shade covers over the bleachers at the two rings and were \$1,400 short. They hoped that the City's matching grant would complete their project.

City Manager Mark Lauzier gave the check to Finance Director Judith Kilgore. There was Commission consensus for approval of the grant.

With no further comments or questions, Mayor Udine closed to the public.

IV COMMENTS BY MAYOR AND COMMISSION

Comments by Vice Mayor Ribotsky:

- Announced that the City would have a team for the American Cancer Society's "Relay for Life" to be held at Marjory Stoneman Douglas High School on August 4th, and she welcomed more walkers. She noted that the team already had 12 members and nearly \$1,100 had been collected on-line.

Comments by Commissioner Moskowitz:

- Hoped everyone had a Happy 4th.
- Apologized in advance should he need to leave due to an illness in his family.
- Recalled his campaign promise of efficiency in government and the strategic planning discussions regarding Commission protocol. He believed the Commission, himself included, had "veered off" the agreed-upon protocol. He believed it time to consider a formal ordinance to address issues that arise in the community, and suggested that other commissioners should first defer to the commissioner that resides in the district of the issue. He believed this would keep residents from playing "musical commissioners" to solve problems.
- Asked that legal counsel look into the enforcement of subsection 5.03, titled Non-Interference, of Article V of the Charter, with particular attention to possible ramifications for consistent violation.
- Without referring to specific events of the past week, the Commissioner suggested that future votes of the dais may have been placed in jeopardy, and he believed that any sense of doubt should be removed. He asked that legal opinion be obtained to make sure that sentiments expressed were without official repercussions.

Comments by Mayor Udine:

- Thanked staff for their work on the Bike Parade. He believed it a great community event.

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- The Broward League of Cities' Board of Directors would hold their meeting at Parkland Golf & County Club on the following day, and he thanked WCI for hosting the event. It was a good way to show it off.
- As to the "Wedge" property, he will meet with Broward County Commissioner Ilene Lieberman and the City Manager to give her a brief tour of the area and update her on the latest developments. They would also meet at 4:00 p.m. with the President of the West Boca Coalition. Additionally, he and the City Manager would meet with Palm Beach Commissioner Aronson around July 17th, and a report will be brought back to the Commission. He noted the recent articles in the Palm Beach Post and Sun-Sentinel, and he believed the City should stay on top of the issue.
- Regarding Commissioner Moskowitz' comments, he offered that the first two issues had already been examined and, if the rest of the Commission agreed, the ordinance would be acceptable. As to the third issue, he agreed that a legal opinion was needed to determine there were no issues, and there was Commission consensus.

Mayor Udine introduced Attorney Susan Trevarthen, who was filling in for the City Attorney. He noted that Mr. Maurodis would call in on the Charter review discussion.

V PROCLAMATIONS AND SPECIAL RECOGNITIONS

NONE

VI APPROVAL OF AGENDA

Mayor Udine noted that he had asked the City Manager to move his Item #14 report on the Ranches to the beginning of the agenda. There would be no public comment.

City Manager Mark Lauzier added that Item #4 regarding the Charter amendments would be heard when Mr. Maurodis called in.

Vice Mayor Ribotsky asked that Consent Agenda Item #5 be pulled.

MOTION made by Commissioner Smith to approve the Agenda, as amended. Seconded by Commissioner McGilvray.

MOTION passed unanimously.

CONSENT AGENDA

1. RESOLUTION NO. 2006-64: PROCUREMENT CARD AGREEMENT

COMMENTS: A RESOLUTION OF THE CITY COMMISSION OF THE

CITY OF PARKLAND, FLORIDA, TO AUTHORIZE THE CITY OFFICIALS TO ENTER INTO A PROCUREMENT CARD AGREEMENT WITH SUNTRUST BANK AND EXECUTE DOCUMENTS NECESSARY TO IMPLEMENT THE PROGRAM

2. RESOLUTION NO. 2006-63: DEPARTMENT OF ELDER AFFAIRS COMMUNITIES FOR A LIFETIME INITIATIVE

COMMENTS: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, TO ADOPT THE FLORIDA DEPARTMENT OF ELDER AFFAIRS COMMUNITIES FOR A LIFETIME INITIATIVE AND FOR CITY STAFF TO IMPLEMENT THE PROGRAM..

3. RESOLUTION NO. 2006-65: CLIMATE PROTECTION AGREEMENT

COMMENTS: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, TO ENDORSE THE UNITED STATES MAYORS' CLIMATE PROTECTION AGREEMENT.

4. RESOLUTION NO. 2006-66: CITY HALL RE-ROOF PROJECT ADD ALTERNATE # 2

COMMENTS: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, APPROVING ADD ALTERNATE # 2 TO THE PARKLAND CITY HALL RE-ROOF PROJECT (CITY CONTRACT # 2006-02) IN THE AMOUNT OF \$30,355.28 TO INSTALL NEW WINDOWS, SILL PANS, AND FLASHING IN THE CUPOLA; PROVIDING AN EFFECTIVE DATE.

MOTION made by Commissioner Moskowitz to approve Consent Agenda Items #1 through #4. Seconded by Commissioner McGilvray.

MOTION passed unanimously.

5. RESOLUTION NO. 2006- 68: EAR COMPREHENSIVE PLAN AGREEMENT

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

Vice Mayor Ribotsky recalled past discussions and the concerns that she and Commissioner Smith had expressed about the vendor and the selection process. She asked that a roll call vote be taken.

MOTION made by Commissioner Moskowitz to approve Consent Agenda Item #5. Seconded by Commissioner McGilvray.

ROLL CALL VOTE:

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

MOTION passed by a 3-2 majority vote.

REGULAR AGENDA

14. DISCUSSION: RANCHES ACTION PLAN

Mayor Udine commented the City Manager's status report had been agendized so that residents had notice of this report; however, it would not be open for public discussion.

City Manager Mark Lauzier noted the information provided in the packet about the various issues, which had been requested at the May 24th meeting. Proposed ordinances and zoning definitions were also included, and he stated that extra copies were available to the public. Staff recommended that the Commission take no action at this meeting. The land use definitions and other matters related to occupational licensing would be brought back to the Commission for their consideration. Additionally, the Planning and Zoning Board would hear items regarding the sign code, flag poles, livestock, manure, overgrowth on vacant property, parking of commercial vehicles, etc., at their meeting on July 20th. Mr. Lauzier hoped for the Commission's final direction in late August or early September, and he proposed posting a sign regarding the agenda dates for Ranches residents.

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Mr. Lauzier offered that this update and the proposals would be placed on the City's web site, and a blast e-mail would also be sent to residents to let them know this availability.

Mr. Lauzier indicated that certain matters were believed administrative in nature, and staff would handle those with appropriate legal advice when there were questions. Some matters would not come back to the Commission for a decision, giving as an example the building of the riding stable which was believed a permitted use following legal interpretation. Ms. Trevarthen could answer specific questions about any of the proposals.

Mr. Lauzier commented that the matrix, which compared deeds to zoning, showed conflicts in the area, and certain conflicts related to what the City's authority is versus what it is not. He believed it was a matter of questions, providing information, and having deliberation and further actions by the Commission.

Mayor Udine asked that the Ranches sign be posted for the Planning and Zoning Board meeting as well, and Mr. Lauzier indicated that would be done.

Vice Mayor Ribotsky commented that it had been her understanding, and in reading from the February 15th meeting minutes, the use of outside counsel was to have been specific to the Ranches and not City-wide issues with concern at the expense. She noted that the flagpole issue, as an example, had nothing to do with agricultural exemptions, land use, and zoning, and was being handled by Ms. Trevarthen at \$185 per hour rather than the \$100 per hour paid Mr. Maurodis. The Vice Mayor stated that she did not wish to have a lengthy discussion on this, but did wish to express her concerns to staff and asked that it be considered as the dollars are carefully watched.

Additionally, Vice Mayor Ribotsky asked concerning a City policy about having an outside attorney attend a Commission meeting in the place of the City Attorney. She noted that Mr. Maurodis had, in the past, advised the Commission who in his firm would take his place. She was surprised that the Commission had not been advised, particularly at the rate charged.

Mayor Udine suggested that Mr. Maurodis could be questioned when he phoned. Mr. Lauzier offered that matters of legal interpretation were deferred to the City Attorney, who decides whether he or outside counsel would handle them. He suggested that Mr. Maurodis may have been overcautious with the Ranches issues.

Vice Mayor Ribotsky asked if any member of the Commission had been advised about the difference in the per hour legal fees. She noted that \$25,000 had probably been well exceeded and, typically, contracts over that amount were authorized by Commission resolution. She asked regarding the legal budget.

Mr. Lauzier suggested that the City Attorney be asked to provide a report.

Mayor Udine commented that the City Attorney was instructed to retain outside counsel due to his conflict, and he had not seen the bills. He expected Mr. Maurodis to justify the \$185 per hour expense.

Vice Mayor Ribotsky commented that it was not just the hourly rate, but the fact that the Commission had not been informed about the amount of the bills. She noted that the City Attorney and City Manager had signed off on them.

Mayor Udine suggested that the City Attorney and City Manager would have to justify the bills for the Ranches; if they were improper, they should be brought to the Commission's attention.

Commissioner Moskowitz recalled that this was to have been Mr. Lauzier's report only and not a discussion of any issues.

Mayor Udine indicated a legitimate point had been made, and the City Manager understood that point. Information on the bills would be furnished.

**1. RESOLUTION NO. 2006-58: POD 14 ENTRY FEATURES
SITE PLAN**

COMMENTS: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, FOR SITE PLAN APPROVAL FOR THE POD 14 ENTRY FEATURES LOCATED WITHIN THE PARKLAND GOLF AND COUNTRY CLUB COMMUNITY; CASE NO. 03-SP-06.
(Quasi-Judicial)

City Manager Mark Lauzier read the title of Resolution No. 2006-58.

Planning Director Roberta Moore gave a brief presentation. She explained this request was for a landscaped area only, with no signage proposed, and WCI had exceeded the landscape requirements. She noted that the Development Review Committee reviewed the petition and had recommended approval. The two conditions of approval included: approved based upon the plans entitled Parcel 13 and 14 entry feature, dated March 10, 2006, and all conditions of the Pod 14 site plan not amended shall apply.

Howard Nelson of Bilzin, Sumberg was present on behalf of the applicant and waived quasi-judicial.

Scott Davidson, Director of Landscape Architecture for WCI Communities, gave a brief PowerPoint presentation. Noting the location in the northern end of Parkland Golf and Country Club, he described a serpentine wall with columns and buttresses, and explained landscape elevations.

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Mayor Udine commented that Parkland Golf and Country Club was turning out gorgeous.

Commissioner Moskowitz asked that the record reflect that he was now a homeowner in Parkland Golf and Country Club. He did not believe there was a conflict of interest.

MOTION made by Commissioner Smith to approve Resolution No. 2006-58, Pod 14 Entry Features Site Plan. Seconded by Commissioner McGilvray.

ROLL CALL VOTE:

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

MOTION passed unanimously.

**2. RESOLUTION NO. 2006-57: BANYAN ISLES & SABLE POINTE
ENTRY FEATURES SITE PLAN**

COMMENTS: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, FOR SITE PLAN APPROVAL FOR THE BANYAN ISLES AND SABLE POINTE ENTRY FEATURES LOCATED WITHIN THE HERON BAY COMMUNITY; CASE NO. 04-SP-06.
(Quasi-Judicial)

City Manager Mark Lauzier read the title of Resolution No. 2006-57.

Howard Nelson of Bilzin, Sumberg was present on behalf of the applicant and waived quasi-judicial.

Planning Director Roberta Moore gave a brief presentation. While WCI would exceed the required landscaping, the sign included in the packet exceeded the maximum 14 inches per Code and the applicant had agreed to reduce those numbers. The applications were reviewed by the Development Review Committee and recommended for approval. The three conditions of approval were based on the plans titled Sable Pointe Entrance and Banyan Isles Entrance dated March 6, 2006; maximum height of letters for both entry features shall not exceed 14 inches; and all conditions of both previous site plans as well as the plat were still in effect and shall apply.

Mr. Nelson indicated that the developer had agreed to all three of the conditions imposed.

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Scott Davidson, Director of Landscape Architecture of WCI, gave a brief PowerPoint presentation. Both sections were located in the northern section of the Heron Bay project, and Sabal Pointe was the westernmost subdivision. The entrance sign reflected sabal palms and a small wall. The Banyan Isles signage would be located on both sides of the entrance, with large oak trees, palm trees, groundcovers, and shrubs.

Vice Mayor Ribotsky recalled her previous comments regarding the naming of communities and similarities to those already existing. She wished other names could be picked to eliminate the potential for confusion within the City.

Mr. Nelson assured that more attention would be paid in the future.

Commissioner McGilvray commented on the size of the Sabal Pointe sign, believing it would be difficult to read from the road. Mr. Davidson commented that the letters for Banyan Isles were the same size; it was the scale of the drawing. He believed 14 inches would be readable, and it would be located in the most opportune location.

Mayor Udine indicated that he had the same concerns, but he believed the location would make it different. He hoped this would be considered in the future. Some of the signs were impossible to see from the roads.

MOTION made by Commissioner McGilvray to approve Resolution No. 2006-57, Banyan Isles & Sable Pointe - Entry Feature Site Plan, with staff conditions. Seconded by Commissioner Moskowitz.

ROLL CALL VOTE:

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

MOTION passed unanimously.

3. ORDINANCE NO. 2006-20: EDUCATION ADVISORY BOARD AMENDMENT

COMMENTS: FIRST READING OF AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, AMENDING THE AUTHORITY OF THE EDUCATION ADVISORY BOARD TO MAKE RECOMMENDATIONS RELATING TO SCHOOL BOUNDARIES; PROVIDING

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FOR CONFLICT; PROVIDING FOR SEVERABILITY;
PROVIDING FOR AN EFFECTIVE DATE.

City Manager Mark Lauzier read the first reading of Ordinance No. 2006-20. He explained that, at one of the first Board meetings, the members had opportunity to review their responsibilities, and he acknowledged that the existing ordinance limited their involvements. The Board, in a unanimous vote, suggested that the ordinance be updated to allow recommendations on public school boundaries, which was felt a most important issue.

Mayor Udine recognized the presence of Board Chair Becky Eikevik, Vice Chair Shelly Heller, and member Marty Lederman, as well as staff liaison Susie Hayes.

Commissioner McGilvray asked regarding Board discussions, recommendations, and the Sunshine Laws, and Mayor Udine indicated that City Attorney Andrew Maurodis had advised it permissible.

Mayor Udine stated he was in favor of this amendment. He asked, however, that wording be changed "to discuss, advise and/or make recommendations on public school boundaries." He did not feel that their recommendations should be mandatory.

Mayor Udine opened to the public.

Becky Eikevik, of 6781 N.W. 117th Terrace, agreed that the Board only wished to discuss boundaries rather than being charged to make recommendations. She noted that where boundaries may or may not be drawn impacted other issues as well.

Library Director Susie Hayes, staff liaison, offered that School Board member Stephanie Kraft had attended the first meeting of the Board, and Ms. Kraft advised that no other Board in the County had been so restricted. Ms. Kraft believed it would be difficult for the members to have any kind of deliberations. Ms. Hayes noted the first item on the Board's next agenda dealt with two future elementary schools and which should be built first. The general topic of boundaries was prohibited by the current ordinance.

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

MOTION made by Commissioner McGilvray to approve the first reading of Ordinance No. 2006-20, Education Advisory Board Amendment, as amended. Seconded by Commissioner Smith.

ROLL CALL VOTE:

Vice Mayor Ribotsky	Yes
Commissioner Smith	Yes
Commissioner Moskowitz	Yes

Commissioner McGilvray	Yes
Mayor Udine	Yes

MOTION passed unanimously.

Agenda Item #4 was passed over to await Mr. Maurodis' call.

5. RESOLUTION NO. 2006-69: COUNTRY ACRES ANNEXATION INTERLOCAL AGREEMENT

COMMENTS: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED INTERLOCAL AGREEMENT WITH BROWARD COUNTY IN REGARD TO THE ANNEXATION TRANSITION PROCESS RELATED TO THE SEPTEMBER 15, 2006, ANNEXATION OF COUNTRY ACRES.

City Manager Mark Lauzier read the title of Resolution No. 2006-69. He explained this was the standard Broward County agreement to delineate the understanding and responsibility shift between County and City government. Exhibit A detailed the services and the transition.

Mr. Lauzier offered that an amended copy of the agreement had been placed on the dais. Paragraph 10 on page 3 of Exhibit A related to the infrastructure project for community accessibility, a broadly-worded requirement for the County to fund, design, and acquire access easement or rights-of-way to construct a multi-use trailway along the northern border of the County Acres neighborhood. He explained that the County was unwilling to make that commitment until they could make an informed decision regarding the design, the potential acquisition costs, and the funding and total expense. Mr. Lauzier noted that staff would involve Commissioner Lieberman because she had wanted that connectivity issue resolved. He suggested the County would approve the agreement with the removal of that language; it would later be addressed by an amendment. He recommended approval using the amended Exhibit A.

Vice Mayor Ribotsky asked if the County Acres community leaders were notified of this meeting and if they had been privy to the agreement. Mr. Lauzier indicated that he had not spoken with them, but that they had understood that the City would be addressing the connectivity issue as part of the interlocal agreement. There was a requirement for annexation approval that services be transitioned, and he had thought it routine. He confirmed that Country Acres had not been formally advised of this meeting.

The Vice Mayor also inquired about the change in cable service from Advanced Cable to Comcast and the expense of rewiring. Mr. Lauzier responded that the Comcast cable franchise agreement was

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separate, and the County will amend it. He intended to “pin” them down about broadcasting on the City’s Channel 78 in that area. The Vice Mayor suggested that it should be mentioned in this interlocal agreement so that the City did not end up with the expense. Mr. Lauzier indicated that language would be provided for the Comcast agreement, subject to the approval of the City Attorney.

Mr. Lauzier noted that everything must be in place before the September 15th annexation date.

City Clerk Sandra Couzzo noted that several attempts had been made to contact Sebastian Gros of Country Acres. Vice Mayor Ribotsky recalled the collection of a contact list at the welcome party, and she believed it somewhere at City Hall.

Mayor Udine agreed that language should be added about Comcast, subject to the City Attorney’s approval.

Mr. Lauzier suggested handling the cable up to and including approving an agreement for the transition because the agreement had not been provided in time.

Mayor Udine noted that the ultimate goal was access to Channel 78, and Mr. Lauzier confirmed that, with an existing franchise, it was a matter of reassigning it.

MOTION made by Commissioner Moskowitz to approve Resolution No. 2006-69, Country Acres Annexation Interlocal Agreement, as amended to include Comcast and subject to the approval of the City Manager and City Attorney. Seconded by Commissioner McGilvray.

ROLL CALL VOTE:

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

MOTION passed unanimously.

**6. ORDINANCE NO. 2006-15: EMERGENCY GENERATORS
TEXT AMENDMENT**

COMMENTS: FIRST READING OF AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, RELATING TO PERMANENT EMERGENCY POWER GENERATORS AND AIR CONDITIONING UNITS; ADDING SECTION 22-86 (F) OF THE CODE OF

ORDINANCE; PROVIDING A CONFLICTS CLAUSE AND
A SEVERABILITY CLAUSE; AND PROVIDING AN
EFFECTIVE DATE.

City Manager Mark Lauzier read the first reading of Ordinance No. 2006-15.

Planning Director Roberta Moore indicated this Ordinance, adding Section 22-86(F) to the Code, pertained to emergency power generators, their fuel tanks, and air conditioners, and she explained the various provisions of the Ordinance.

Vice Mayor Ribotsky commented that she became aware of the situation in the City last November when she had contacted FPL about a generator, and she felt it clear that the City must adapt its restrictions rather expect that the individual homeowners' associations do so.

Commissioner Smith questioned the types of fuels in the tanks, and Ms. Moore indicated that it could be any kind. At his concern about closeness to residences, Ms. Moore offered that the City's Ordinance proposed that the tanks be located 10 feet to the property line.

Vice Mayor Ribotsky noted that, in some zero lot line communities, it could be 10 feet to the structure. Ms. Moore indicated that, in those situations, the tanks could not be placed in the side property but in the rear yard or possibly the front yard, dependent upon how the house was situated.

Commissioner Moskowitz questioned that times for use could be dictated, and Ms. Moore offered the distinction between maintenance cycles and emergency use. The Commissioner believed that the screening needed to be more specific, requiring vegetation and not concrete walls. Ms. Moore noted that another area of the Code required screening of all above-ground equipment, but it had also been included in this section. Assistant City Manager Caryn Gardner-Young added that, at the Commission's direction, staff could add the requirement that walls be screened by hedges, with which the Commissioner agreed.

Commissioner Moskowitz also suggested, noting the comments of Commissioner Smith, that either the use of diesel fuel should be prohibited or that only less combustible fuels be allowed in above-ground tanks. Ms. Moore recalled discussion at the Planning and Zoning Board regarding diesels and their tanks. Ms. Gardner-Young added that she had conferred with the City's Building Official regarding diesel and, from a building code perspective, there was no difference. She indicated that she would investigate further for second reading.

Commissioner McGilvray believed that the requirement for a carbon monoxide detector should be included in the Ordinance, and noted this had been mentioned by the Planning and Zoning Board. Additionally, she asked about ongoing staff monitoring of other NFPA changes. Ms. Gardner-Young offered that the Fire Department relayed information during the weekly staff meetings, and any fire code changes affected the building code.

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Commissioner McGilvray also asked clarification about the declaration of “state of emergency,” who determined it and how it was defined – noting that one community may have power while the next may not. Mayor Udine felt if there was no power, whether or not widespread, then the generator could be used. There was Commission consensus to this statement.

Mayor Udine commented that he had received many calls about emergency generators. While he was in favor, he admitted that he did not understand the 10-foot setback to the property line. Noting that numerous communities did not have the side setback ability, he believed that placements should be clarified. Ms. Gardner-Young explained that, under the current NFPA guidelines, the placement cannot be less than 10 feet from any building. The Mayor added that he wanted to make sure the City was making it easier for residents and not more difficult.

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 the first reading of Ordinance No. 2006-15, Emergency Generators Text Amendment, as amended. Seconded by Commissioner McGilvray.

ROLL CALL VOTE:

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

MOTION passed unanimously.

**7. ORDINANCE NO. 2006-17: SIGN ZONING
TEXT AMENDMENT**

COMMENTS: FIRST READING OF AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, RELATING TO UNDER CANOPY SIGNAGE AND WALL SIGNS; AMENDING SECTION 15-2 ENTITLED “DEFINITIONS” AND AMENDING SECTION 15-38 ENTITLED “PERMANENT SIGNS’ LOCATION” OF THE CODE OF ORDINANCE; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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City Manager Mark Lauzier read the first reading of Ordinance No. 2006-17. He explained that there had for some time been questions and concerns about the City's sign code and staff had worked with business to resolve the issues. He noted that some opportunities had been found to relax the code in certain situations.

Planning Director Roberta Moore explained the proposed changes relating to under canopy signage: the name of the business only; one sign per business; not to exceed four square feet in area; mounted a minimum of eight feet above walkways and perpendicular to the building façade; and included within the commercial development's master sign plan and be uniform throughout. As to second wall signs, she stated that they can be located either over the entryway to a secondary public pedestrian access or at the rear door, if tenant's space faces a local collector street, and she explained the additional provisions. Ms. Moore noted that Parkside Drive was considered a local collector street, and this would assist Town Center businesses.

Mayor Udine recalled that the sign code revisions of approximately three years ago had been accomplished by a specialized firm in Jacksonville, and he asked that the firm review these changes before second reading to make certain that the sign code would not be challenged. There was Commission consensus to do so.

Commissioner Moskowitz asked regarding the decision not to amend the monument sign section. Ms. Moore offered that, with two entrances to Town Center and the monument sign in between, it was not felt necessary to allow a second monument sign. Mr. Lauzier commented that the agenda summary was prepared by staff and he stood by their logic.

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

MOTION made by Commissioner McGilvray to approve the first reading of Ordinance No. 2006-17, Sign Zoning Text Amendment. Seconded by Commissioner Moskowitz.

ROLL CALL VOTE:

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

MOTION passed unanimously.

8. ORDINANCE NO. 2006-16: ABOLISHING THE BOARD OF ADJUSTMENT

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COMMENTS: FIRST READING OF AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, RELATING TO ABOLISHING THE BOARD OF ADJUSTMENT AND TRANSFERRING ITS RESPONSIBILITIES TO THE PLANNING AND ZONING BOARD; AMENDING CHAPTER 13, ARTICLE II OF THE CODE OF ORDINANCE ENTITLED PLANNING AND ZONING BOARD; AMENDING CHAPTER 22, ARTICLE XXII, ENTITLED "BOARD OF ADJUSTMENT/VARIANCES"; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

City Manager Mark Lauzier read the first reading of Ordinance No. 2006-16.

Assistant City Manager Caryn Gardner-Young explained this issue had arisen during the time of Board appointments. She noted the Board of Adjustment had not met for at least four or five years, and variances had been heard by the Planning and Zoning Board. The justification for the Board had been questioned, with the thought to combine the responsibilities with an existing Board. Ms. Gardner-Young offered that process of other jurisdictions had been combined into Planning and Boards of Adjustments. The powers, duties, and responsibilities of the Board of Adjustment has been transferred and included within those of the Planning and Zoning Board; the City Commission would act in cases of appeal. She noted that the Planning and Zoning Board recommended appeal, and City Attorney Andrew Maurodis had no comments.

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

MOTION made by Commissioner Moskowitz to approve the first reading of Ordinance No. 2006-16, Abolishing the Board of Adjustment. Seconded by Commissioner Smith.

ROLL CALL VOTE:

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

MOTION passed unanimously.

9. ORDINANCE NO. 2006-11: FIRE STATION/MARGATE BLOUNT REZONING

COMMENTS: FIRST READING OF AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, REZONING APPROXIMATELY 1.12 ACRES FROM AGRICULTURAL DISTRICT (A1) TO COMMUNITY FACILITIES (CF)(FIRE STATION/MARGATE BLOUNT); CONTAINING A SEVERABILITY CLAUSE; AND CONTAINING AN EFFECTIVE DATE; CASE NO. 01-Z-06. (Quasi-Judicial)

City Manager Mark Lauzier read the first reading of Ordinance No. 2006-11. On behalf of the City, he waived quasi-judicial.

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 the first reading of Ordinance No. 2006-11, Fire Station/Margate Blount Rezoning. Seconded by Commissioner Moskowitz.

ROLL CALL VOTE:

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

MOTION passed unanimously.

10. ORDINANCE NO. 2006-12: EQUESTRIAN CENTER EXPANSION REZONING

COMMENTS: FIRST READING OF AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, REZONING APPROXIMATELY 10 ACRES FROM AGRICULTURAL ESTATE (AE-1) TO RECREATION/OPEN SPACE (OS) (EQUESTRIAN CENTER EXPANSION); CONTAINING A SEVERABILITY CLAUSE; AND CONTAINING AN EFFECTIVE DATE; CASE NO. 02-Z-06 (Quasi-Judicial)

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City Manager Mark Lauzier read the first reading of Ordinance No. 2006-12. On behalf of the City, he waived quasi-judicial. He noted that the expansion of the park was the purpose of the rezoning.

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 the first reading of Ordinance No. 2006-12, Equestrian Center Expansion Rezoning. Seconded by Commissioner McGilvray.

ROLL CALL VOTE:

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

MOTION passed unanimously.

Mayor Udine noted that City Attorney Andrew Maurodis was present by telephone, and he thanked him for his participation during his vacation.

4. ORDINANCE NO. 2006-19: CHARTER AMENDMENTS

COMMENTS: FIRST READING OF AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, CALLING FOR A REFERENDUM ELECTION ON CHARTER AMENDMENTS TO BE HELD ON NOVEMBER 7, 2006, SETTING FORTH THE CHARTER AMENDMENTS AND BALLOT QUESTIONS; PROVIDING FOR AMENDMENT OF THE CHARTER UPON APPROVAL BY A MAJORITY OF ELECTORS VOTING ON ANY BALLOT QUESTION; PROVIDING FOR THE ELECTION AND IMPLEMENTATION; PROVIDING AN EFFECTIVE DATE.

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

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Mr. Lauzier noted that a revised Ordinance had been placed on the dais. There was a very lengthy caption involving all of the Charter Review Board recommendations, as well as those from the City Commission.

City Manager Mark Lauzier read the first reading of the revised Ordinance No. 2006-19.

Mayor Udine asked Mr. Maurodis what was different about the revised Ordinance. Referring to Section 2, Mr. Maurodis indicated he had changed the ballot question to make it clear that elections would occur in November of even-numbered years. Section 8 also had an additional change regarding the ballot title and Ordinance No. 23. He offered that these changes could be made on first or second reading.

Vice Mayor Ribotsky asked confirmation regarding the provision for redistricting in 2007, which was affirmed. She questioned Section 3, page 4 of 14, regarding the provision of salary increases. Mr. Maurodis offered that the Charter sets the procedure and the Commission sets the salaries; he noted page 5 of 14. As to the increase, the Vice Mayor personally believed that the present Commission should not vote on their own increase, and she suggested that it be made effective upon the next term of each sitting commissioner, and she stated her reasoning.

Commissioner Moskowitz asked if it was possible to separate some of these issues, or if the Ordinance must be voted upon as a whole. Mr. Maurodis responded that the Commission as a body could vote to pull a question. The Commissioner indicated that he would like to pull Section 3, dealing with the increase of salaries and annual adjustments. Mr. Maurodis suggested separate procedural motions before voting on the entire Ordinance.

Commissioner McGilvray reiterated the Vice Mayor's remarks concerning the effective date of the increase. She asked about the effect on districts should the question of four-year terms fail. The Mayor noted it was one question; if it did not pass, the terms would continue as they have. He commented that a ballot question could be asked at any time; Charter Review was not the sole process.

Commissioner McGilvray also asked regarding expenses. Mr. Lauzier offered that this had been discussed by the Charter Review Board, and he noted a separate budget appropriation for travel, training, and seminars.

Mayor Udine commented that staggering the increases based upon the terms would create inequities in the salaries.

The Mayor noted that discussion about two sections continued: the terms and the compensation, and he suggested the procedures to strike and approve.

Commissioner Moskowitz indicated that he would prefer a separate vote, and discussion ensued.

COMMISSION OF THE CITY OF PARKLAND, FLORIDA, PROVIDING FOR THE LEVY OF AN EXCISE TAX ON PROPERTY INSURANCE PREMIUMS TO FUND THE CORAL SPRINGS FIRE PENSION PLAN PURSUANT TO SECTION 175.041 (3)(c), FLORIDA STATUTES; DIRECTING CITY ADMINISTRATION TO TRANSMIT A CERTIFIED COPY OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF STATE DIVISION OF RETIREMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (first reading 6/7/06)

City Manager Mark Lauzier read the second reading of Ordinance No. 2006-18. He reviewed the statutory change that allows the flow of premium tax dollars from the contracting city to the city providing contract services. The Commission passed the Ordinance at first reading, and staff recommended approval.

Mayor Udine opened to the public. He explained that the purpose of the Ordinance was to allow Coral Springs firefighters that service Parkland to have additional pension benefits through State funds. There was no cost to the City. There were no comments or questions, and the Mayor closed to the public.

MOTION made by Commissioner Moskowitz to approve the second reading of Ordinance No. 2006-18, Levy of Excise Tax to Fund the Coral Springs Fire Pension Plan. Seconded by Commissioner Smith.

ROLL CALL VOTE:

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

MOTION passed unanimously.

12. CONSIDERATION: BUDGET RECOMMENDATION & MILLAGE RATE CERTIFICATION

City Manager Mark Lauzier: “Yes, Mayor and Commission. After a grueling couple of weeks of budget preparation, I am pleased to present the City Manager’s recommended operating budget and Capital Improvement Program for Fiscal Year 2006-2007, beginning October 1, 2006. Over the past

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few weeks, we've been going through the budget, crunching numbers; the budget was actually finished this morning. Tonight I present to you the actual budget document.

"I've kind of re-thought the recommendation as it relates to the millage rate, and I'd like to bring to your attention some of the highlights of the budget, which I've covered in the Manager's cover letter and I'd like to quickly go through those. If you would be so kind as to turn to page 4 of the Manager's message. You can see the budget recommendation contains a tax rate, a millage rate of 3.95. That's the good news. This is the first year, going back 16 years, that there's been a millage rate recommendation -- Some of the cities in the County have been trying to achieve that goal, given the very large increase in values recently. This millage rate represents a reduction of about four percent, which would more than cover most people's Save Our Homes value increase, which is capped at three percent. So this really represents, in general, a tax reduction, and I'm proud to bring that budget to you and I'll show you the impact momentarily.

"The second issue, we have a \$151 fire assessment. We're recommending no change in the fire assessment rate, and I'll be covering that under the next agenda item.

"In the infrastructure, we continue with all of the projects that were previously approved and we did recommend adding the three softball fields to the Tball and softball wheel in this Capital Improvement Program. And you can review that, and review the program descriptions and all the projects in there. That can be done without any additional tax increase and without the electric franchise. I will point out, however, there's a very lengthy list of unfunded projects in this budget.

"The staff positions are described in detail in the budget. We are requesting staff: requesting a new section in Leisure Services to support parks programs in the parks, something that we don't have currently. As far as wages, we are proposing a three percent cost-of-living adjustment on wages for staff.

"And then I basically go into a little bit more detail. There are a couple of big recommendations in here related to Public Safety. There's a fourth patrol zone for BSO, which is recommended mid-year, as well as a third fire station -- a western fire station, to be operated with a fire engine pumper, with a total of 12 staff, which also we are recommending come on line mid-year.

"On the budget comparison as it relates to tax rate and how it would impact individuals, I would turn your attention to page 8 and we'll talk shortly about millage certification. In the middle of page 8, the second table, there's a TRIM analysis. There are approximately 6,100 homes in Parkland, and there's a \$3 billion tax base. So most of Parkland is residential and that's about \$500,000 on average per home. And you can see the current millage rate, 4.1, would result in a tax bill of \$2,050. Of course, everyone's value is going to go up three percent; we all know that. If you left the millage the same, you can see the second line -- I have two certification options for your consideration. First one is 4.1 mills -- that's the existing millage rate -- that would be a \$2,112 City tax rate, which would be a tax increase of \$61.50 -- or a three percent increase. Obviously, that matches the value increase. The

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second millage rate option is a 3.95. This budget is balanced with a 3.95 millage rate. If we certify at 3.95, that's what the Property Appraiser will put on the TRIM bill. We can't say that we have reduced taxes if we do that. If we certify at 4.1 – that's the worst case – that's what gets put on the TRIM bill. So if we're going through the effort of reducing taxes, I'm recommending probably that you should notify people that we are going to reduce taxes and certify the millage at 3.95. That doesn't provide you the flexibility of going through the budget workshops and having additional appropriations; we can rearrange the budget. It's a budget recommendation that you can, you know, make changes in the CIP, make changes in the operating budget, review all of those issues, but rethinking my original recommendation – why go through the effort of reducing taxes if you're not going to announce that and not put that on the TRIM bill. So if you're on board with that, I was modifying my recommendation after balancing the budget, which just occurred in the last week, to certify the millage rate at 3.95.

“That's all I have right now. There's a very lengthy amount of information in here. I want to bring your attention to – There's a program budget, with all of the program budget descriptions. It describes for you recommended enhancements and increases in the budget. This next month, while we're off, is the time for you to review and ask any questions that you may have. In the appendix, I've included an authorized position cap and organizations charts from the current year to the next year so you can see the changes that are being recommended in the budget, as well as the Fire Department and BSO requests for service enhancement.

“At this point in time I'm looking to you for direction because we have approximately, I think, until August 5th to certify the millage and we're not meeting until after that. So I'm recommending that you direct the Manager to certify the millage for the City of Parkland at 3.95 and if there's anything that needs to be addressed in the budget, we'll have to deal with that during the workshop.”

Mayor Udine: “Thank you, City Manager. I'm going to open this to the Commission and I will start with Vice Mayor Ribotsky.”

Vice Mayor Ribotsky: “I have one major comment, particularly now that Commissioner Moskowitz is moving to Parkland Golf and County Club – which leaves just myself as the only member of the Commission living on the east side of town, which is severely in need of all the capital infrastructure improvements that the west side, fortunately, isn't in need of yet, but give it 20 years – they will. I can tell you right now, look at the Pinetree roads, even Terramar Park is totally rundown. There are many, many capital projects on the east side of town that, not even to keep pace with the west side of town that's just been built and to lower the taxes perhaps a \$100 a year to me -- even if it unfunds one project that might help the east side of town which is desperately in need of infrastructure improvements -- would be on the verge of negligent. I know it's always a wonderful thing for a city manager to put on their resume and commission member to say, ‘I lowered your taxes...’, but I don't think it's such a great thing to be able to look around and say, ‘but yet you're falling apart.’ So the fact that we have unfunded fire stations on both sides of town, we have Old City Hall which probably should be condemned, I think it is – in fact I am shocked that it is even in here as a recommendation to lower something when we know that we have such severe problems on the east side of town, including Public

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Safety issues and infrastructure problems. So I just hope that everyone keeps that in mind going forward. I just think the east side of town is in dire need of these infrastructure programs. Yes, the parks are important, the new western fire station is important, but there is still, you know, an older side of town which has – even though we’re doing the front of the roads – severe potholes all the way up and down the streets. You know, major, major issues. And I would just hope that everyone would keep that in mind. I’m shocked. I’m sorry.”

Mayor Udine: “Okay. Commissioner Smith?”

Commissioner Smith: “No comments.”

Mayor Udine: “Commissioner Moskowitz?”

Commissioner Moskowitz: “Mark, I just want to – following with what Vice Mayor Ribotsky just said, I want to be abreast. Is it only on page 66 the list of unfunded projects? I want to see the whole list.”

Mr. Lauzier: “Yes. If you are interested in the Capital Program, a real brief description of the Capital Program basically begins on page 63 of the budget.”

Vice Mayor Ribotsky: “In fact, it doesn’t even have City Hall on here. On this unfunded...”.

Mr. Lauzier: “For what we are planning to do for 2007 activities is Pine Trails Park Phase 2 and the softball fields in Phase 3. But of the Public Services facilities, install a temporary western fire station, design the eastern and western fire station; one of the ideas was economies of scale, maybe getting them together. We also have resurfacing Holmberg Road, east of Pinetree – beginning at N.W. 62nd Terrace. We have some computer information technology upgrades, and we have roadway and entranceway beautification projects. And really, when you think about this program it’s important also to see how the program plays out as to next year’s activities as well, which is 2008, and that’s where we get into actually opening the community center and amphitheater, relocating people out of City Hall to there, and you can see the demo of Old City Hall and Public Services. So more or less there’s a lot to do within the budget that’s all interrelated over the next two years.

“On page 64 you can see the entire five-year program and how much is appropriated for each year and what those dollar amounts are specifically for. And that gives you the five-year program in a nutshell, which is a \$37.7 million program. And then going into the details, there are detailed project descriptions, as well as some information in the back about what’s not funded. Vice Mayor Ribotsky is right; there are a lot of things that are not funded. The flexibility between 4.1 and 3.95 is \$437,000, and the unfunded list is \$42.4 million. Worst case, which includes a water system – which really you can probably take off this list because those are generally funded from user fees and that’s on page 66. And the other items in the capital program that are not funded are on that list. I am excited about some of the programs that we do have in the capital program. We have a project called Master Planning for Parks and Land Acquisition, which deals with the “Wedge” parcel and our efforts as it relates to moving

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forward on that. We have a lot of the environmental work plan funded; we have a lot of very significant beautification projects in this budget recommendation. That being said, if you did want to go with the 4.1 mills to give yourself some flexibility, that would provide you an additional \$437,000 to spend whatever you chose.”

Commissioner Moskowitz: “Mark, here’s what I would like to see: Okay, because I’m just doing some math in my head. Personally, I think we should certify the 3.95 mills. I think that the residents of Parkland deserve to have a tax break; I think it’s been a long time coming. And the reason I say that is: Leaving at 4.1 mills does not help us accomplish anything more in the City, and I’ll tell you why. Vice Mayor Ribotsky brought up Pinetree roadways and the Ranches roadways. She’s 100 percent correct: those areas are decaying, we have to address them; I feel like they’re not getting the attention that they need to be getting. But if you total up what it’s going to cost, it’s going to cost \$11.2 million to accomplish that. My opinion is the only way we’re going to accomplish that is buy a bond. Okay? We’re not going to accomplish that by leaving it at 4.1. In fact to accomplish that, if we took – if we left it at 4.1 and took all of the money and put it towards the roadways, it would take us 20 years to fix all the roads in Pinetree and the Ranches, which clearly is not going to be the case. I would like to see these roads being fixed within the next five, six, seven years and the only way that’s going to happen is with a bond. So what I would like to see – While I want to certify 3.95, I’d like to see some serious discussion about a bond and possibly an FPL franchise fee to see if that would take care of the bond now.

Mr. Lauzier: “Yes, and one of the action items for me between now and before you meet again – even before your next City Commission meeting and before certainly you take the budget, is to look at the millage, the bonding, and the franchise fee issue as instructed at Strategic Planning and provide you with some thoughts and ideas related to that and what we could do in the capital program -- if we do some fundraising, so to speak. So that is an assignment that you have given me that I intend to meet within the next two to three weeks.”

Commissioner Moskowitz: “Yeah, I just want to see some serious discussion, serious options, on how to address the roadways in both the Ranches and in Pinetree.”

Mayor Udine: “Commissioner McGilvray?”

Commissioner McGilvray: “I would definitely like the record to reflect that Commissioner Moskowitz is interested in discussing supporting the electric franchise fee, because I really haven’t had support for that in the past – at least verbally. And I kind of think that, you know, we’re not going to do \$11 million projects with savings or the increase, the same 4.1 millage rate, but I kind of think that we have one of the lowest millage rates in Broward County – let’s just leave it alone. It’s not broken; people are used to a certain amount of, you know, increase. That’s just part of life; that’s part of buying a home at the wrong time or later, and I still think we need that money. And I’ll raise you the electric franchise fee.

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Mayor Udine: "Here's my feeling on this: I'd like to see the bonding issue brought back to us. I was at the realtors' breakfast – I've been at a lot of these things – and our residents, and all the residents in Broward County, are getting killed; they're getting priced out of their homes -- they're getting priced out with high taxes, high insurance, high user fees. The residents need tax relief. This is the first time in 16 years that we are able to accomplish virtually all the pending projects, and do it by lowering the millage rate. And this is the first time in 16 years that we will be able to put out that we've complied with the rollback rate, so to speak. So it will be the newer residents and the non-homestead residents that will be picking up a little bit more of the burden, and the residents that have lived here, that have been paying, I think it's time to give them some kind of tax relief also. So I would vote for lowering the millage rate, and I think it's time – It's not a lot of money in the aggregate, but I think it sends an important message to the residents, and it sends an important message to the residents throughout the County: We need to lower taxes to make it affordable to live and these taxes are just getting way, way out of hand. And the \$500,000 number that, you know – it makes a difference to some people. So I would support the lower millage rate as well."

Mr. Lauzier: "This certification, so everyone understands, is the process that puts the dollar amount that they show – last year's dollar amount to this year's -- on the TRIM bill. And if it was the Commission's pleasure, you could do either one. It's just that the one, when you do 4.1, is going to be higher on that dollar amount and people are going to have to assume that that's what you're going to go with even though it's your intention to hedge that bet and come back and ultimately adopt the 3.95 millage rate. I just – Thinking about it a lot was, well, there's been a lot of talk. Even the Broward County Property Appraiser started this discussion, and it was like a challenge to the cities to – Hey, there was a 20, 19 to 20 percent valuation increase and, if you're not lowering your millage, maybe you guys need to be looking at your budget a little more closely. Yeah, if we don't – we're independent, and we don't have to do what the Property Appraiser suggests or anyone suggests, but I thought given the rising increases in value, that it would be something that you might want to consider. And, to be honest with you, it doesn't matter to me because you guys set the policy; I just thought it might be a good thing, if you're ultimately going to do that, to give the notice that, hey, we're out there trying to help you out. That's why I did it, and if you choose either or, I won't be offended; if you disregard my recommendation, I'm not offended then.

Commissioner Moskowitz: "Mayor, can we take a vote? Are we going to --".

Commissioner McGilvray: "I have a question."

Mr. Lauzier: "Yeah, you need to just give me direction on it."

Mayor Udine: "I'm going to recognize Vice Mayor Ribotsky, then Commissioner McGilvray."

Vice Mayor Ribotsky: "I have a question: Will you give them as much notice when you increase their electric bill by \$400 or \$500, as well as when you're lowering their tax bill by \$100?"

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Mayor Udine: "No one said that we're doing --".

Vice Mayor Ribotsky: "I'm just kidding."

Commissioner McGilvray: "Listen, and I don't really mean to be sarcastic here, but it's going to sound that way. How can you – I understand giving people a break, I do, and I understand, Mayor, about what you're saying about how it's already going to be – a lot of the burden is already going to be on the people that are moving in now, or have recently moved in, or moving in the near future, so why not give the people who have lived here for a longer time a break. But how can you tell newer or seasoned residents, you know, why we can't do – We already can't do projects; we're already catching up. There's already been, you know, past neglects for not just budgetary reasons or financial, but for many reasons. I just find it hard to be able to – for a resident to be able to swallow that, you know, we're just catching up and it's going to be many years until we do these projects, you know, but we're going to lower your tax rate. I just – They don't power up to me, that's all."

Mayor Udine: "You know, my opinion is that I think we're moving forward with a lot of projects. I see a lot of things that are being done. There's a lot of things that aren't going to be – that wouldn't get to the plate by staff, or staff wouldn't be able to handle the amount even if we had this. And it's my opinion – I'm going to vote in favor of lowering the millage rate. I think that as I look through the funded list within the five-year program, I think adjustments can be made. I mean – I don't see in here the water system for Pinetree, but I don't know if we've ever had the policy discussion whether the City is paying the mega million dollars to do that when other areas of the City have already paid. So there's projects that can be moved around. The County's lowered their tax rate by nine percent this year – they've sent it down; other cities are lowering their tax millage rate. You know, I agree with what you're saying but I'm just saying there comes a point in time when you have to – you know."

Commissioner McGilvray: "Can I ask you a question about one of your comments?"

Mayor Udine: "Sure."

Commissioner McGilvray: "You said many cities in Broward are lowering them – their tax rates, the millage rates. Are they – if you know, off the top of your head – are they the ones that have high millage rates to begin with?"

Mayor Udine: "I don't know. I know Tamarac is lowering, and I'm hearing other cities – I just do not know the answer to that question."

Vice Mayor Ribotsky: "Can I make a comment?"

Mayor Udine: "Vice Mayor?"

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Vice Mayor Ribotsky: "From what I have read in the paper about those lowering, they're able to lower it from the large amount of commercial tax base and increase, like Sunrise, high skyscrapers and new development; those are all -- Caryn's shaking her head -- the majority of the tax base. We, as you know, don't have that luxury right now. We don't have a huge commercial tax base growing. So I would just like to add that comment. And we are also the 26 out of 31 cities, the lowest millage rate as well already."

Mayor Udine: "Any other comments in this? Anybody from the public? I'll accept a motion."

MOTION made by Commissioner Moskowitz to instruct the City Manager to certify the millage rate at 3.95. Seconded by Commissioner Smith.

ROLL CALL VOTE:

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

MOTION passed on a 3-2 vote.

13. RESOLUTION NO. 2006-67: FIRE ASSESSMENT

COMMENTS: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF PARKLAND, FLORIDA; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR FIRE RESCUE ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2006; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.

City Manager Mark Lauzier read the title of Resolution No. 2006-67 and explained the assessment process. He recommended a balanced budget with the same assessment rate -- \$151 -- for the third year. He proposed for the future that, with the increase in fire costs and the proposed expansion, that the assessment study be updated. The second hearing of the fire assessment Resolution would take place at the 1st Budget Hearing because this rate must be adopted by September 15th.

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Mr. Lauzier noted that the Resolution had been reviewed by the law firm Nabors, Giblin, & Nickerson, P.A., and a copy of their letter was left on the dais. He noted that one minor amendment was required, noting revised Appendix D, and he asked that the Commission approve the Resolution as amended.

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

Commissioner Smith inquired about the City's delinquency rate and what efforts the City has made to collect those funds. Mr. Lauzier indicated that, with the mid-year implementation of the fire assessment in the past, delinquent property owners had been provided two notices; the second notice stated that it would be added to property taxes and fully lienable.

MOTION made by Commissioner Moskowitz to approve Resolution No. 2006-07, Fire Assessment, as amended. Seconded by Commissioner Smith.

ROLL CALL VOTE:

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

MOTION passed unanimously.

14. DISCUSSION: RANCHES ACTION PLAN

This item was moved ahead in the agenda.

VII COMMENTS BY THE CITY MANAGER

Mr. Lauzier indicated that a notice would be sent home to the Commission about the possibility of dates to wrap up Strategic Planning. Ms. Gardner-Young added that possible dates included August 2nd, September 6th, or sometime in mid-September.

VIII COMMENTS BY THE CITY ATTORNEY

Mayor Udine thanked Ms. Trevarthen for sitting in.

Vice Mayor Ribotsky stated that Commissioner Moskowitz had mentioned something very important: Commissioner protocol. She noted that the City's form of government had at-large voting; she suggested that only in single-member districts did the commissioner represent the members of that

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district, and the protocol mentioned would be appropriate. She believed that, should something arise from one particular district, the first step should always be to defer to that commissioner; the form of this government – having commissioners at-large – is that residents can “play” different commissioners, should they so choose.

Commissioner Moskowitz agreed with the Vice Mayor. He clarified that the Ordinance he was suggesting would include language to pay deference. He recalled past discussions, and he wished to make this deference more formal. He indicated that he did not have a problem with commissioners being involved, but he believed that the commissioner living in the district should have first “crack” at the issue.

Mr. Lauzier reminded the Commission of his vacation plans for the next week; Ms. Gardner-Young would be in charge.

IX ADJOURNMENT

MOTION made by Commissioner Moskowitz to adjourn the meeting at 9:32 p.m. Seconded by Commissioner McGilvray.

MOTION passed unanimously.

ATTEST:

SANDRA COUZZO, C.M.C.
City Clerk

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