MINUTES OF REGULAR MEETING OF THE CITY COMMISSION, CITY OF HALLANDALE BEACH, FLORIDA, HELD ON TUESDAY, JANUARY 21, 2003 AT 1:30 P.M.

Mayor Ross called the meeting to order; and City Clerk Jeff Naftal called the roll, as follows:

PRESENT: Commissioners Cooper, Julian, and

Musto, Mayor Ross, City Attorney Goldstein;

City Manager Good; City Clerk Naftal

ABSENT: Vice-Mayor Schiller.

## PRESENTATION OF PLAQUES TO CONTRIBUTORS TO THE FUTURE FOUNDATION

Plaques were presented to Amy Erez, Director of Public Relations, who accepted for Aventura Hospital; Jim Cowgill, Vice President, who accepted for Hazen & Sawyer; Steve Sampier, Director of Community Services, and Shane Strum, Secretary/Treasurer of South Broward Hospital District Board of Commissioners, who accepted for Memorial Healthcare System. A plaque was also presented to Michael Lanner, who accepted for his parents, Arnold and Joanne Lanner.

# PRESENTATION OF CERTIFICATES OF RECOGNITION FOR 2003 MARTIN LUTHER KING JR. HUMANITARIAN AWARDS

Mayor Ross announced that this award would also be presented to Michael Lanner, who accepted for former Mayor Arnold Lanner and his wife, Joanne. Mayor Ross read a letter from Senator Steven Geller congratulating the Lanners. Michael Lanner expressed his appreciation for the award.
Mayor Ross also presented Certificates of Recognition to:
Nick Satalino
Mary Washington
Armin Lovenvirth
Cynthia Hibbitts representing the Chamber of Commerce
Barney Schlesinger

PUBLIC PARTICIPATION (to be heard at 1:30 P.M.)

(1-1755)

### 1. PUBLIC PARTICIPATION PERTAINING TO CITY BUSINESS

Eudyce Steinberg, 600 Parkview Drive, congratulated the Lanners on receiving the Humanitarian Award and requested that the messages on the new electric sign be programmed to run at a slower pace.
<u>Charles Grob</u> , 600 Leslie Drive, spoke about the methods used by the Human Services Advisory Board in selecting nominees for the Humanitarian Award.
Seymour Fendell, 3140 South Ocean Drive, commented on the Martin Luther King Jr. Day events.
Sonny Rosenberg, 466 Holiday Drive, congratulated the Lanners on receiving the Humanitarian Award.

Tony Romano, 400 Leslie Drive, commented on Agenda Item #7.

#### **CONSENT AGENDA**

2. Approval of Minutes - (See Additional Materials Fo	older)
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- 3. Request authorization to participate in the Emergency Management Preparedness and Assistance Grant Program in the amounts outlined in the staff report. If approved, authorize the City Manager to execute the grant funding agreements and implement the funding in accordance with the staff report, including the establishment of appropriate accounts.) (Staff: Fire Chief) (see backup
- 4. Request authorization to enter agreement between the City of Hallandale Beach and Staffing Connection/Action/Labor Management, LLC for the 2002/2003 school year for the five school crossing guards and one supervisor as outlined in the staff report. If approved authorize the City Manager to transfer the appropriate funds from Personnel Services Accounts to Outside Services to cover the cost of the agreement and to execute this agreement and all future agreements on behalf of the city. (Staff: Chief of Police) (see backup)

MOTION BY COMMISSIONER COOPER, SECOND BY COMMISSIONER JULIAN, TO ADD SUPPLEMENTAL AGENDA #1 TO REGULAR AGENDA. The motion carried by voice vote, 4/0.

MOTION BY COMMISSIONER COOPER, SECOND BY COMMISSIONER JULIAN, TO APPROVE CONSENT AGENDA WITH A CHANGE IN THE MINUTES TO REFLECT THE PROPER NAME OF THE TREE-TRIMMING COMPANY. The motion carried by voice vote, 4/0.

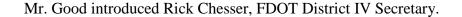
#### **CITY BUSINESS**

(1-2230)

7. Consideration of moving forward with Florida Department of Transportation projects in the City of Hallandale Beach, which include bicycle lanes, as outlined in the backup report. (City Manager) (see backup) CAD 18/00

#### TO BE HEARD AT 2:00 P.M.

City Manager Good said there have been concerns about the installation of bicycle lanes on the City's corridors. In November the City partnered with Hollywood in an effort to stop bicycle lanes on U. S. 1. The FDOT has come up with a plan to satisfy some of the City's concerns regarding landscaping and access to properties and improved aesthetic appeal. They are also providing space for an entrance sign on Pembroke Road and U. S. 1. At this point there is a very small chance that bicycle lanes will be eliminated from this project, and the project is needed in this community to enhance the major corridors and improve infrastructure.



(2-000)

Mr. Chesser said he met with Mr. Good on January 8. Although there have been disagreements on some issues, such as full medians rather than islands and the holiday decorations in the medians on East Hallandale Beach Boulevard, there are some basics for the project, such as safety zones (sidewalks and bicycle lanes), and landscaping. Other issues to be dealt with are the length of turn lanes and incorporation of pedestrian features. Today he is here to discuss the U. S. 1 project. He described in detail the plans for the corridor.

Commissioner Musto expressed his concern with the safety issue of bicycle lanes on U. S. 1 when they could be constructed a few blocks to the west. He commented that there will be no bike lanes in Aventura, so people riding bikes through Hallandale will be dumped on the streets in Aventura where there are no bike lanes. Mr. Chesser said there will be a project in Miami-Dade County in about three years and at that time they will probably have a four-foot designated bike lane.

Commissioner Musto stated for the record "If you do this, people are going to die. People are going to be maimed and seriously injured and it will be the fault of the Department of Transportation and the State of Florida."

Commissioner Cooper said this project has changed totally from the way it began. She agreed with Commissioner Musto on the safety issues.

Commissioner Julian said he agreed with Commissioners Cooper and Musto.

Mr. Chesser said DOT tries to accommodate the City and blend in such features as the four lanes, modify medians to create as much green space as possible based on the desires of the City as to what streets to close, and to provide sidewalk and designated or undesignated bike lanes. City Manager Good asked whether or not the project would be in jeopardy if the City contested bike lanes. Mr. Chesser said it is almost a "take it or leave it." DOT can always just resurface the roadway and leave it like it is.
City Manager Good said we need this project to go forward. There are drainage concerns, aesthetic appeal and lighting problems that need to be addressed. If the bike lanes are part of this system, then the best thing we can do is to accommodate the other needs that were addressed at earlier meetings.
In response to Commissioner Cooper's comments, Mr. Chesser said he was here to address the U. S. 1 project. Hallandale Beach Boulevard has a lot more issues to discuss. He described the difference in the size of the proposed medians, placement of sidewalks, green spaces and turn lanes.
Mayor Ross asked that the holiday lights be retained in the medians on East Hallandale Beach Boulevard.
In response to Commissioner Musto's question, Mr. Cessar confirmed that if the City does not accept the bike lanes, DOT would not build the project but would resurface the roadway which would remain five lanes as it is today.

MOTION BY COMMISSIONER JULIAN, SECOND BY COMMISSIONER MUSTO, TO DEFER ANY ACTION AT THIS TIME; MAYOR IS TO SEND A LETTER TO SECRETARY OF TRANSPORTATION STATING THE CITY'S OBJECTIONS TO THE PROJECT AND ON JANUARY 28 THE MAYOR, OR DESIGNEE, WILL GO TO TALLAHASSEE TO LOBBY FOR BEACH RENOVATION AND FOR CHANGES TO THIS PROJECT. The motion carried by voice vote, 4/0.

MOTION BY COMMISSIONER COOPER, SECOND BY COMMISSIONER JULIAN, TO AUTHORIZE THE CITY MANAGER TO ACCEPT TERMS OFFERED BY FDOT IF THERE ARE NO OTHER ALTERNATIVES. The motion carried by voice vote, 3/1. (Commissioner Musto voted no.)

Commissioner Musto said he did not agree with the motion because it was like saying the City would "cave" if DOT did not remove the bike lanes.

(3-300)

5. A Resolution of the City of Hallandale Beach, Florida, ratifying a collective bargaining agreement between the City of Hallandale Beach and the Police Benevolent Association. (Staff: Personnel Director) (see backup and Additional Materials Folder)

City Manager Good said the City and the Union came to agreement and Staff is recommending
approval of the Resolution. A separate motion is also requested to provide a three percent
increase to non-represented personnel.

MOTION BY COMMISSIONER COOPER, SECOND BY COMMISSIONER JULIAN, TO APPROVE RESOLUTION RATIFYING THE CONTRACT WITH THE POLICE BENEVOLENT ASSOCIATION AND AUTHORIZE APPROPRIATE OFFICIALS TO SIGN. The motion carried by roll-call vote, as follows:

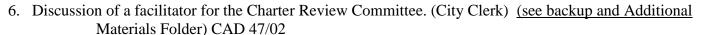
AYES: Commissioners Cooper, Julian and Musto; Mayor Ross.

NAYS: None.

ABSENT: Vice-Mayor Schiller.

MOTION BY COMMISSIONER COOPER, SECOND BY COMMISSIONER JULIAN, TO APPROVE GIVING UNREPRESENTED/CONFIDENTIAL EMPLOYEES THE SAME COST OF LIVING ADJUSTMENT. The motion carried by voice vote, 4/0.

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In response to Commissioner Cooper's questions, City Clerk Naftal said that Ms. Marilyn Crotty works for the Conflict Resolution Consortium, and her salary would be part of the \$19,000 package. Mr. Naftal reviewed the bids received from the Consortium, Ms. Pat Bidol-Padva, and Mr. Ralph Parilla and explained in detail what each bid included.

City Manager Good said at the January 7 meeting Staff was asked to bring back proposals regarding facilitators. At that time he recommended using someone on Staff. He still believes that it can be done in-house. If the Charter Review Committee feels they need a facilitator, they can request one. The last two Charter reviews have been led by Staff.

**Motion** by Commissioner Julian to authorize the City Manager to utilize City employees to facilitate the Charter review process. If problems arise, outside help can be brought in for assistance. There was no second to the motion.

Commissioner Musto said he was concerned because the cost analyses seem inconsistent. He feels it is important to have an outside facilitator and favored using the Florida Institute of Government.

Commissioner Cooper said she would like this Committee to operate with a "free flow of ideas" and an informal workshop setting, but she does not want to spend \$16,000 for someone to do everything. She favored limiting expenditures to \$10,000 on someone from the outside, and said she would make that in the form of a motion. She continued to list the tasks she would like the facilitator to undertake.

MOTION BY COMMMISSIONER COOPER, SECOND BY COMMISSIONER JULIAN, TO AUTHORIZE EXPENDITURE UP TO \$10,000 TO HIRE SOMEONE FROM THE FLORIDA INSTITUTE OF GOVERNMENT (FIOG) AT FLORIDA ATLANTIC UNIVERSITY TO FACILITATE THE CHARTER REVIEW PROCESS AS FOLLOWS:

- (1) DESIGN A PROCESS THAT ALLOWS THE CHARTER REVIEW COMMITTEE TO REVIEW THE EXISTING CHARTER, IDENTIFY ASPECTS NEEDING IMPROVEMENT, AND AGREE ON NEEDED MODIFICATIONS;
- (2) FACILITATE ALL MEETINGS OF THE CHARTER REVIEW COMMITTEE;
- (3) WORK WITH THE CHARTER REVIEW COMMITTEE TO DESIGN AND FACILITATE A PROCESS TO OBTAIN PUBLIC INPUT AND TO INFORM THE PUBLIC OF THE DELIBERATIONS OF THE COMMITTEE. The motion carried by voice vote, 3/1. (Commissioner Musto voted no.)

Commissioner Musto said it would be better to give FIOG the entire package because the City will be spending that much money anyway.
(3-1920)
8. Discussion of the B.F. James Alternative School. (Commissioner Julian)
(see backup)
Commissioner Julian said at the January 9 meeting of the Democratic Club a School Board
representative stated that the School Board, in cooperation with the Broward County Sheriff's Office, would be making \$1.3 million in capital improvements to B. F. James Alternative
School. He said he was concerned because the Commission was told in the past that the location could not be utilized as a middle school because it was outdated. Yet it is being updated to
accommodate the alternative needs of the School Board, while the Board refuses to give the City a middle school. The School Board has a duty to discuss proposals such as this and to work with the City as it will obviously impact the community.
the City as it will obviously impact the community.
Commissioner Cooper said she knew a year and a half ago that BSO had asked the School
Board to do a trial of this boot camp. She suggested setting up a town hall meeting to discuss the future of schools in the City. She also outlined questions she would like answered.

City Manager Good said he contacted the School Board after receiving this information. The funding for this has been in place for two years, and the City was not advised of it. He feels the City should advise the School Board that we are opposed to expansion of anything in that area and we should be advised of future activities.

Commissioner Musto suggested instead of opposing the School Board's plans we should tell them we feel the highest priority is a middle school and it should be discussed in context with any other plans they may have.

MOTION BY COMMISSIONER JULIAN, SECOND BY COMMISSIONER COOPER, FOR THE MAYOR TO SEND A LETTER TO THE SCHOOL BOARD STATING THE CITY'S OPPOSITION TO TURNING THE ALTERNATIVE SCHOOL INTO A BOOT CAMP WHEN IT COULD BE USED AS A MIDDLE SCHOOL. The motion carried by voice vote, 4/0.

MOTION BY COMMISSIONER COOPER, SECOND BY COMMISSIONER JULIAN, TO REQUEST IN WRITING THE STUDENT CAPACITY OF THE FACILITY; HOW MANY STUDENTS PARTICIPATE IN BSO; IS THERE ANOTHER LOCATION WHICH CAN BE CONSIDERED SUCH AS SENECA PARK IN PEMBROKE PARK, AND WHAT IS THE CURRENT ENROLLMENT. The motion carried by voice vote, 4/0.

MOTION BY COMMISSIONER COOPER, SECOND BY COMMISSIONER JULIAN, TO SCHEDULE A TOWN HALL FORUM, INVITING ALL SCHOOL ADVISORY COUNCILS AND PRINCIPAL OF EVERY SCHOOL THAT IMPACT OUR STUDENTS, INCLUDING MC NICOL, AND CITY MANAGER IS TO DETERMINE LOCATION (CHAMBERS OR CULTURAL CENTER) AND SELECT AN EVENING DATE. ITEMS TO BE DISCUSSED: ALTERNATIVE SCHOOL, SCHOOL POPULATION, MIDDLE SCHOOL, OVER CAPACITY ISSUES, AND A FORUM FOR PARENTS TO EXPRESS THEIR CONCERNS. The motion carried by voice vote, 4/0.

#### NOTE: ALL SCHOOL BOARD MEMBERS SHOULD BE INVITED.

(4-433)

9. Discussion of the Memorial Advisory Board. (Commissioner Cooper) (see <u>backup</u>) <u>CAD</u> 38/02

Commissioner Cooper said she and Commissioner Musto have appointed members to this Memorial Advisory Board. The Board has not been embraced by this Commission and it has not been effective. She feels that the "recognition" part is covered by other activities, such as the award of Certificates and the Martin Luther King Jr. Humanitarian Awards. We do not have a process for honoring someone who passes away.

MOTION BY COMMISSIONER COOPER, SECOND BY COMMISSIONER JULIAN, TO AUTHORIZE THE CITY MANAGER TO DRAFT A POLICY OUTLINING WAYS TO HONOR A PERSON POSTHUMOUSLY AND BRING BACK TO COMMISSION FOR APPROVAL. The motion carried by voice vote, 3/1. (Commissioner Musto voted no.)

Commissioner Musto said the only reason the Board has not "taken off" is because only two members have been appointed. One of the purposes of the Board was to identify living people so they can experience the honor rather than the award being posthumous.

NOTE: MEMORIAL ADVISORY BOARD IS DISBANDED.

<u>10</u>	MONTHLY REPORTS (4-1000)
	No Comments
11.	<u>OTHER</u>
	<u>Commissioner Musto</u> commented on the timing and visibility of the new electronic sign and was advised that adjustments will be made.
	Commissioner Cooper asked about the proposed expansion of the Charter School and was advised that the project is still in the early stages of planning.

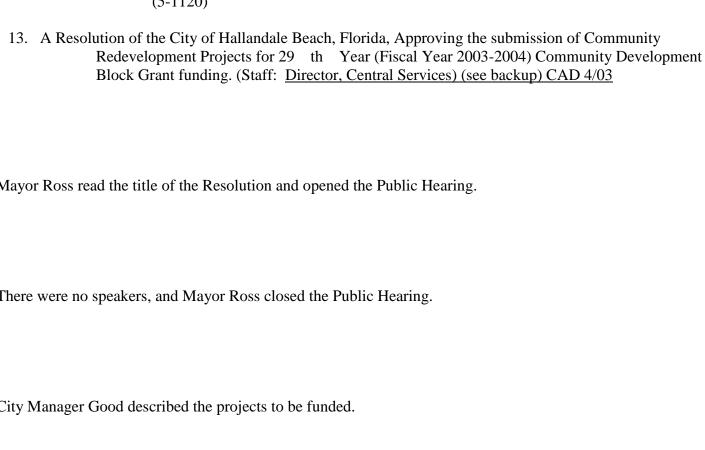
## SUPPLEMENTAL AGENDA

	(4-1340)
23	. Discussion of sending a letter to the Florida Congress supporting the funding of Homeland Security.  (Commissioner Cooper) (see backup)
	Commissioner Cooper said Congress has held up funding for over a year and a half and yet the expect Cities to address the threat of terrorism.
	MOTION BY COMMISSIONER COOPER, SECOND BY COMMISSIONER JULIAN TO AUTHORIZE PREPARATION OF A RESOLUTION REQUESTING CONGRESS TO ENACT FUNDING FOR HOMELAND SECURITY PROGRAM. The motion carried by voice vote, 4/0.
	(4-2000)
22.	Discussion of the March 11, 2003 election procedures. (Commissioner Cooper) (see backup)

Commissioner Cooper asked City Clerk Naftal to outline upcoming activities related to the election in order to assure the residents that the City's election will run smoothly.
City Manager Good said a letter will be sent to voters advising of polling place changes, and information will be placed at condos. The City does not anticipate any problems with the election.
City Clerk Naftal said the City has taken all steps to make sure the election on March 11 goes off as planned. The polling places will be closer to homes of the voters, and many will be able to walk to vote.
City Manager Good said the community will be well served by the City Clerk's Office.
The meeting was recessed at 4:35 p.m.

The meeting reconvened at 6:00 p.m. City Clerk Naftal noted all Commissioners were present, except Vice-Mayor Schiller.
PUBLIC PARTICIPATION (to be heard at 6:00 P.M.)
12. PUBLIC PARTICIPATION PERTAINING TO CITY BUSINESS (5-0000)
Micael Haskins , 814 S. W. 6 th Avenue, told about recent Police activity in his neighborhood.
Hy Cohen, 300 Layne Blvd., spoke about the Martin Luther King Jr. Day event.
PUBLIC HEARINGS (to be heard at 6:15 P.M. )

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MOTION BY COMMISSIONER COOPER, SECOND BY COMMISSIONER JULIAN, TO APPROVE RESOLUTION APPROVING THE SUBMISSION OF CDBG 29 TH YEAR PROJECTS AND AUTHORIZE APPROPRIATE OFFICIALS TO SIGN. The motion carried by roll-call vote, as follows:

AYES: Commissioners Cooper, Julian, and Musto; Mayor Ross.
NAYS: None.
ABSENT: Vice-Mayor Schiller.
(5-1085)
14. An Ordinance of the City of Hallandale Beach, Florida, Amending Section 3.02 of the Police and Fire Retirement Plan relating to election of member representatives, providing for severability, providing an effective date.
(First Reading) (City Attorney) (see backup
Mayor Ross read the title of the ordinance, and opened the Public Hearing.
There were no speakers, and Mayor Ross closed the Public Hearing.

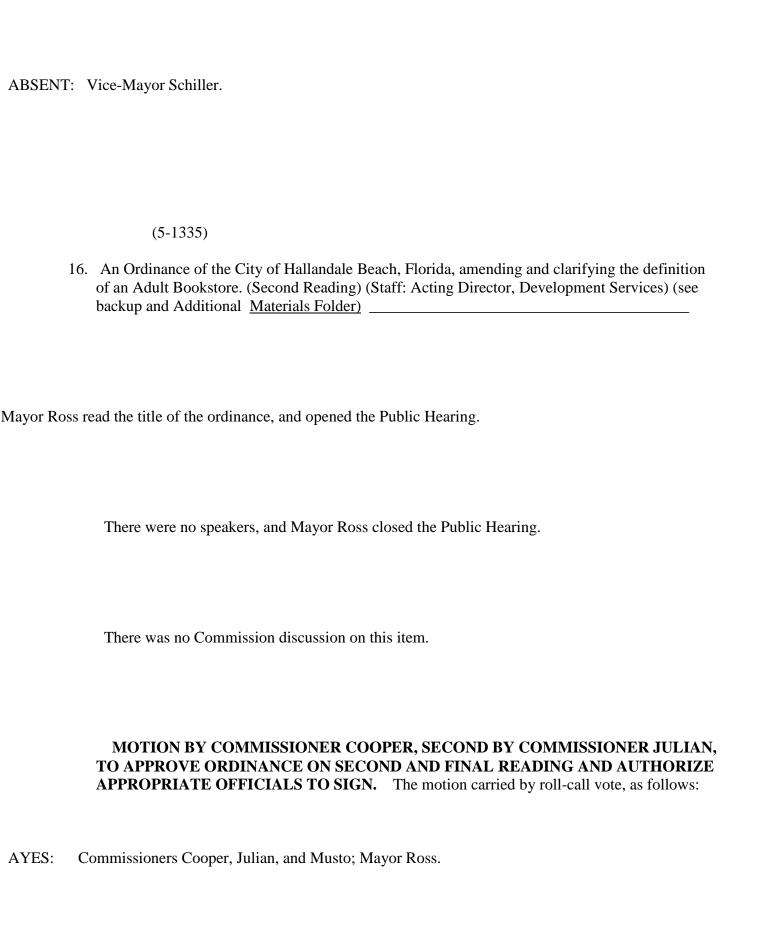
There was no discussion on this item.				
	MOTION BY COMMISSIONER COOPER, SECOND BY COMMISSIONER JULIAN, TO APPROVE ORDINANCE ON FIRST READING AND SET FOR SECOND READING ON FEBRUARY 4, 2003 AT 10:30 A.M. The motion carried by roll-call vote, as follows:			
AYES:	Commissioners Cooper, Julian, and Musto; Mayor Ross.			
NAYS:	None.			
ABSENT	: Vice-Mayor Schiller.			
	(5-1230)  15. An Ordinance of the City of Hallandale Beach, Florida, Amending the City's Comprehensive Plan relating to the Beach Redevelopment District; prohibiting parking lots as a primary use: providing a formula to limit the amount of hotel and motel units in residential areas. (Second Reading) (Staff: Acting Director, Development Services) (see backup)			

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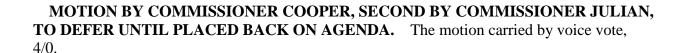
AYES:

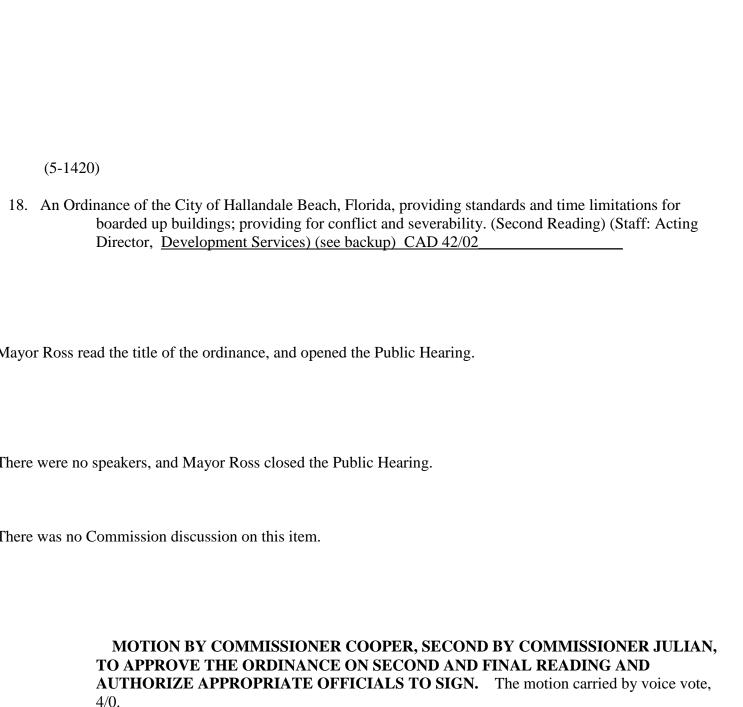
NAYS:

Mayor Ross read the title of the Ordinance, and opened the Public Hearing.
There were no speakers, and Mayor Ross closed the Public Hearing.
Commissioner Cooper confirmed that this in no way impacts the range from 25 units per acre to 50 units that is still dependent upon Commission approval.
MOTION BY COMMISSIONER COOPER, SECOND BY COMMISSIONER JULIAN, TO APPROVE ORDINANCE ON SECOND AND FINAL READING AND AUTHORIZE APPROPRIATE OFFICIALS TO SIGN. The motion carried by roll-call vote, as follows:
Commissioners Cooper, Julian, and Musto; Mayor Ross.
None.



NAYS: None.
ABSENT: Vice-Mayor Schiller.
17. An Ordinance of the City of Hallandale Beach, Florida, prohibiting Houses of Worship on the South Federal Highway Corridor. (Second Reading) (Staff: Acting Director, Development Services) (see backup and Additional Materials Folder) CAD 61/02
Tayor Ross read the title of the ordinance, and opened the Public Hearing.
here were no speakers, and Mayor Ross closed the Public Hearing.
City Manager Good asked the Commission to defer this item. An opinion was received from a religious group and it is being evaluated.
Federal Highway Corridor. (Second Reading) (Staff: Acting Director, Development Services) (see backup and Additional Materials Folder) CAD 61/02  Mayor Ross read the title of the ordinance, and opened the Public Hearing.  There were no speakers, and Mayor Ross closed the Public Hearing.  City Manager Good asked the Commission to defer this item. An opinion was received from a



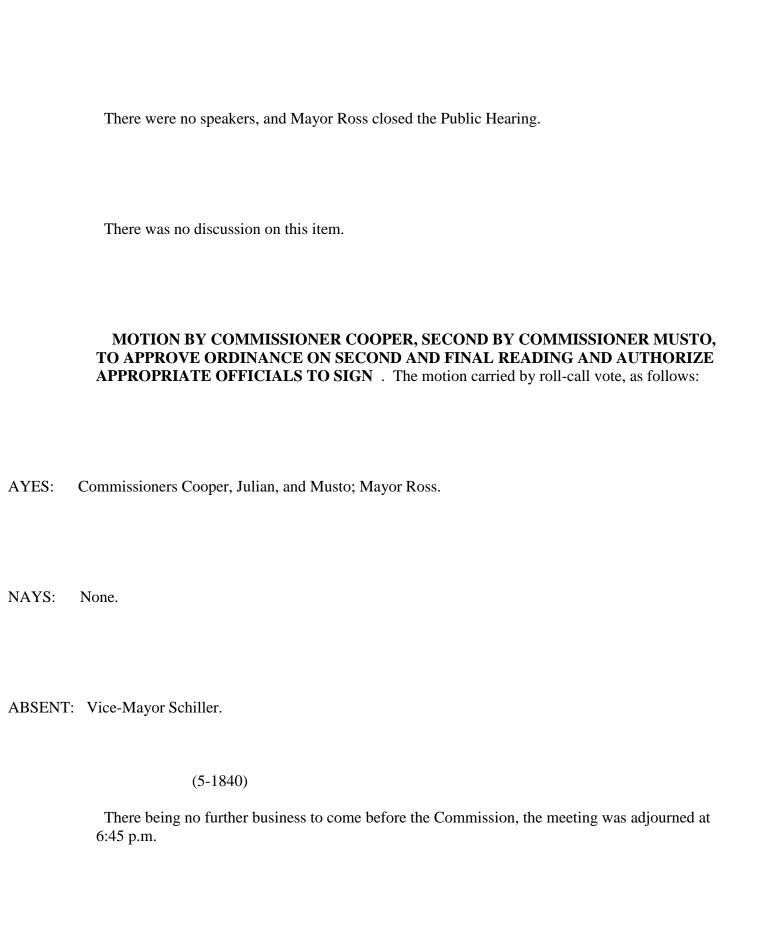


AYES: Commissioners Cooper, Julian, and Musto; Mayor Ross.

NAYS: None.
ABSENT: Vice-Mayor Schiller.
<ul> <li>(5-1465)</li> <li>19. An Ordinance of the City of Hallandale Beach, Florida, allowing temporary signs for businesses adversely impacted by road construction. (Second Reading) (Staff: Acting Director, Development Services) (see backup and <u>Additional Materials Folder</u>) CAD 52/02</li> </ul>
Mayor Ross read the title of the Ordinance, and opened the Public Hearing.
There were no speakers, and Mayor Ross closed the Public Hearing.
Christy Dominguez, Acting Director of Development Services, said Staff is recommending lines 26 and 27 should be added to lines 24 and 25 to clarify that immediate removal applies only to off-premise signs in the public right-of-way.

MOTION BY COMMISSIONER COOPER, SECOND BY COMMISSIONER JULIAN, TO AMEND THE ORDINANCE ELIMINATING #4 AND INCORPORATE LANGUAGE INTO #3 AND APPROVE ORDINANCE AS AMENDED ON SECOND AND FINAL READING AND AUTHORIZE APPROPRIATE OFFICIALS TO SIGN. The motion carried by roll-call voice, as follows:

AYES:	Commissioners Cooper, Julian, and Musto; Mayor Ross.
NAYS:	None.
ABSEN	T: Vice-Mayor Schiller.
,	1-1795)  Ordinance of the City of Hallandale Beach, Florida, Extending the Towing Franchise Agreement with H.T.S. Industries, Inc., until March 31, 2003. (Second Reading) (City Attorney) (see backup) CAD 13/03
	Mayor Ross read the title of the ordinance, and opened the Public Hearing.



# RESPECTFULLY SUBMITTED, Mayor ATTEST: City Clerk

RECORDING SECRETARY:	Ann Harper
APPROVED BY COMMISSION:	April 1, 2003