

**TOWN COUNCIL
WORKSHOP MEETING
DECEMBER 13, 1999**

The meeting was called to order at 12:20 p.m. Present were Mayor Venis, Vice Mayor Bush, Councilmembers Cox, Paul, and Weiner. Also present was Town Administrator Mr. Middaugh, and Town Clerk Reinfeld recording the meeting.

1. Legislative Issues – Senator Steven Geller

Senator Geller provided an overview of the way in which he shared information with the different municipalities.

Mayor Venis noted that a study was being conducted by the Public Service Commission; however, the results of the study had not been forwarded to the Town. He felt that the study would provide a number of suggestions to the current system. Mayor Venis advised of possible legislation that would assist in fixing some of the current inequities.

Senator Geller questioned how the rates from other companies compared to the City of Sunrise. Mayor Venis explained that the Town had reduced its water rates and the 1987 agreement required the City of Sunrise to lower their rates; however, because Sunrise did not lower its rates, the matter was being litigated. He referenced a study provided by the City of Sunrise in which it was indicated that the City could charge a 49% surcharge. Councilmember Cox noted that this surcharge was placed in the City's general fund rather than in the utility rates and was not used to make the service and/or water quality better.

Senator Geller summarized that the Town's residents were paying 25% more than a Sunrise resident and questioned whether there was anyway to compromise with the City of Sunrise. Mayor Venis requested assistance with compiling the legislation in order to correct some of the inequities.

Councilmember Cox questioned the fairness of Park City residents not being charged a surcharge, while other annexed areas were being charged. She felt that all residents should be treated equally. Discussion ensued with regard to the rates the residents in Ivanhoe were being charged. Mayor Venis indicated that the base rate was higher than the City of Sunrise.

Senator Geller questioned what the 1987 agreement provided and why there were clearly different definitions of the agreement. Councilmember Weiner commented that the definition was the subject of two competing summary judgment motions. Mayor Venis provided an overview of the agreement and noted that there was a cap on the charges levied by the City of Sunrise and that the City was not allowed to charge more than the Town. Councilmember Weiner interjected that the City of Sunrise's argument was that the Town had decreased its rates, while the City of Sunrise had not increased its rates. He expressed his belief that he would like to see the actual reasons that were underlying in the original grant of authority to charge 25% or 50%. It was his understanding that the surcharge was to give unincorporated areas water and utility services. However, today there were different circumstances in that Broward County was almost built out and there was no real need to provide an incentive to combine services. Senator Geller explained that initially, there were significant costs for municipalities to install sewer systems that were not part of the municipalities.

Councilmember Paul commented that the City of Sunrise had annexed properties adjacent to the Town and was charging the Town's residents a surcharge for using the same sewer pipes as the City of Sunrise residents who were not charged a surcharge.

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Senator Geller suggested the possibility of him brokering a compromise between the Town and the City of Sunrise.

Senator Geller referenced the Canary Island palms on the linear park and correspondence from Neal Kalis. Mr. Middaugh explained that the South Florida Water Management District had advised that it would not approve the Canary Island palms until such time as the District reviewed a mitigation plan to deal with the embankment along the C-11 canal. He noted that there was no connection between the two issues and added that the Community Redevelopment Agency had complied with the District's requests; however, the Agency was being detained by the requirements.

Senator Geller noted that at a Broward County Legislative Delegation meeting, the Delegation had relayed its concerns to the District and the District had indicated that the issue was being resolved in a fashion that was satisfactory to the Town. He requested to be notified if this issue was not resolved. Mr. Middaugh explained that the District was attempting to resolve the matter; however, it was tying it to the mitigation plan which was a multiple year plan and required adequate funding. He stated that the issue was not resolved.

Councilmember Cox stated that it was her understanding that the mitigation plan was that if the District wanted the trees removed, it would remove them and pay the cost. Mr. Middaugh advised that the issue was not to have the trees removed, but what would be replacing them.

Senator Geller referenced the Town's position in opposition to doing away with the independent drainage district. He noted that it was his inclination not to support the disbanding of the independent drainage district and added that most municipalities had indicated that they did not want the responsibility for drainage.

Councilmember Cox felt that the Town was making some progress with the drainage issues and commented that several details were being worked out.

Mayor Venis questioned whether there was any State funding for drainage improvements. Senator Geller noted that every municipality would like this type of funding but indicated that this was not considered a State issue. Mr. Middaugh referenced the Everglades Restoration Program which impacted this district and suggested that there might be some connection with regard to the funding. Senator Geller pledged to ask questions or to bring in any agency to consult with the Town.

Mr. Middaugh explained that with regard to "Home Rule," the County had recently begun advising the Town on how to interpret the Town's zoning ordinances. Senator Geller felt that the County did not understand land use and recently, the County had been dealing with flex units which he was not in agreement with. He commented that the Delegation should not be the force of the Broward County Code and Revenue Commission. Senator Geller felt that he should not be involved in trying to mediate between the cities and County or the County and the Sheriff.

Councilmember Cox questioned the plans for I-595 and noted the dense population along the Town's corridor. Senator Geller commented that the problem with light rail was that there needed to be a level of density, or connectors, in order to make it work which he felt the Town did not have. It was his opinion that the only way in which the light rail

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system might have worked would be if the State purchased the FEC railroad, instead the State purchased the CSX railroad system. Senator Geller commented that the County had reduced the density which made it impossible to get the light rail working.

Mr. Middaugh referenced a list of special projects that would be beneficial to the Town which included a proposed tax with regard to the utility taxes. Senator Geller noted that the bill would originate in the Regulated Industry Committee and then to the Fiscal Resource Committee. Thus far, the League appeared to be in support of the telecommunication industry.

Mayor Venis referenced the problems in surrounding communities of I-75, noting that there was more traffic and noise and suggested that some of the communities be reassessed for a buffer wall. He noted that this had been discussed over the years with Senator Forman and Representative Wasserman-Schultz and he was under the impression that there was over \$1 million budgeted for landscape improvements. Mayor Venis indicated that the traffic problems arose when the melaleuca trees were removed. Mr. Middaugh explained that it was almost too late for the sound barrier programs in terms of federal funding. He indicated that this was a sound issue and not a visual issue.

Senator Geller questioned the horse exemption. Councilmember Cox noted that the basic problem was that the Town believed horses should be classified as livestock; however, the Broward County Property Appraiser disagreed. Councilmember Paul added that the Department of Revenue had allowed the Property Appraiser's Office to sue the Value Adjustment Board with regard to some exemptions.

Senator Geller questioned whether any of the forms for appropriations to the Old Davie School had been submitted and pledged to send Brad Seldor to work with Mr. Middaugh. Councilmember Cox provided an overview of an older home that the Town wanted to relocate to the Old Davie School site to make an historical campus. Senator Geller felt that this was more of a grant process rather than a fiscal appropriation.

Discussion ensued with regard to the proposed plans for the Old Davie School. Councilmember Cox explained that additional funding may be requested.

It was clarified that funding would be requested to retrofit the Pine Island Park community building. Senator Geller advised that Governor Bush had vetoed all park and/or community centers that were in the budget last year. He questioned what the cost would be with Councilmember Paul responding \$50,000 which Senator Geller thought was reasonable.

Senator Geller stated that Governor Bush did not feel that Growth Management was working and noted that there was no certainty in the process. He advised that the timeframe to obtain approvals was sometimes lengthy and the Secretary had indicated that they would like to see the Growth Management Law rewritten. Senator Geller advised that Growth Management was not managing growth and had not stopped urban sprawl. It was his belief that there needed to be a more mixed-use expansion. He expressed his desire to

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have the system changed for the better. Senator Geller felt that there should be growth; however, it needed to be channeled into certain areas. He would like to see a concept similar to the one in Maryland in which there was a "world" city.

Councilmember Paul distributed a draft proposal for a joint public/private wildlife preserve. She noted that a wildlife organization based in Davie had presented a proposal for funding for a future site which would include an educational facility. Senator Geller felt that the proposal was premature since the organization was looking for property. He indicated that a more appropriate time for the proposal would be when the organization was established and looking to expand its programs.

Mr. Middaugh questioned whether there were any initiatives that Senator Geller would like to voice. Senator Geller indicated that a lot of time was being spent on education and advised that he was in support of the public school system but not the voucher program. He noted that there was a \$1 billion tax cut in which \$270 million came directly out of education. Senator Geller referenced a special session in which the death penalty would be discussed.

Councilmember Paul noted that the State mandated several requirements with no funding and referenced a letter in which the writer discussed the teachers who were moving to the A schools. Senator Geller felt that schools were reflective of their community and noted that the success of a school was not tied to race, but income. He expressed concern with regard to the State taking monies from the D and F schools and rewarding the A schools.

Senator Geller introduced his Senior Aide, Gail Schwartz, and noted that his office was located at the Hallandale City Hall.

There being no objections or further business, the meeting was adjourned at 1:13 p.m.

APPROVED _____

Mayor/Councilmember

Town Clerk