

MINUTES OF THE REGULAR WORKSHOP MEETING
CITY COUNCIL
BOCA RATON, FLORIDA
MONDAY, SEPTEMBER 27, 2004
1:30 PM

The regular workshop meeting of the City Council of the City of Boca Raton, Florida was called to order by Mayor Abrams at 1:30 p.m.

ATTENDING THE MEETING WERE:

Mayor Steven Abrams
Deputy Mayor Bill Hager
Council Member Dave Freudenberg (arrived at 1:55 p.m.)
Council Member Susan Haynie
Council Member Susan Whelchel

Also attending the meeting were:

City Manager Leif J. Ahnell
City Attorney Diana Grub Frieser
Asst. City Clerk Vanessa Hines

1. BOARD INTERVIEWS:

There were no positions advertised.

- 2. PUBLIC REQUESTS:** (Public requests shall be limited to five (5) minutes each. No public comment may be made regarding any land use matter for which the City Council is required by law to conduct a quasi-judicial hearing.)

John Stetz suggested that a "disaster" board be created to assist the City when faced with emergencies, such as the recent hurricanes, and then outlined specific responsibilities of the proposed board. He also provided commentary on Council's position related to the proposed half-cent sales tax, which would benefit the school district.

3. REVIEW OF REGULAR AGENDA ITEMS:

- a. Questions relating to the agenda.

(Consent Agenda Item 3.f.1. – Fire Hydrants) Council Member Haynie requested an update in regard to the replacement and repair of fire hydrants. The City Manager advised that City staff is now overhauling the fire hydrants instead of contracting the work out. Consequently, 100% of the hydrants are operable. Additional information will be provided tomorrow night.

(Consent Agenda Item 3.f.4. – Personal Computer and Printer Replacement Program) Council Member Whelchel questioned how the City disposes of the equipment that is replaced. Mr. Ahnell advised that the items are usually donated or auctioned off.

(Consent Agenda Item 3.i.1. – Leadership Development Training) Council Member Whelchel asked for clarification of this item. Mr. Ahnell explained that all City employees, supervisory and non-supervisory, are undergoing leadership training programs, which take place throughout the year.

(Consent Agenda Item 3.k. – Resolution No. 175-2004 / Tentative plat approval related to the Summit Boca Raton subdivision plat) Council Member Whelchel questioned whether this parcel had been sold. The City Manager is to follow up.

(Consent Agenda Item 3.p. – Employee Election Certifications) Deputy Mayor Hager requested background information on this item. Mr. Ahnell provided information regarding membership of the pension board and explained that an election was held, due to the resignation of one member. Barbara Smith received the largest number of votes and would become the new representative of the General

Employees' Pension Board. Mr. Ahnell also noted that, in order to be elected to one of the four elected positions on the Board, one must be an employee of the City; the other four positions are appointed by Council.

- b. Resolution No. 140-2004 (Regular Agenda No. 4), which would grant a Planned Commercial Development with a Master Plan for the proposed Sanctuary Square, subject to conditions and granting a technical deviation for driveway design.

Development Services Senior Planner Alejandro Zurita gave the PowerPoint presentation and explained that the petitioner was requesting approval for a Planned Commercial Development (PCD) master plan with a technical deviation for a driveway design to allow for the construction of a 9,975 square foot retail building, located at 5099 North Federal Highway. The approximate 1.17-acre site, now vacant, was previously occupied by a Shell oil facility consisting of a gas station, car wash and convenience store. Zoning and land use designation was provided, as was information related to setback modifications. Mr. Zurita advised that this request was consistent with policy direction provided by Council for the North Federal Highway Corridor area via Resolution No. 103-2004, which was adopted June 8, 2004; details were provided.

The Environmental Advisory Board and the Planning and Zoning Board unanimously recommended approval of the project, with the conditions as recommended by staff. The North Federal Highway Steering Committee also unanimously approved the project. Mr. Zurita explained that review by the Planning and Zoning Board included site plan approval; the site plan is also subject to every condition contained in the proposed PCD master plan and would take effect upon adoption of the resolution by Council. Mr. Zurita then provided a brief summary and concluded his presentation by stating that staff recommended approval, subject to the conditions as listed in the resolution. Council tendered questions related to permitted uses in the zoning district, whether this project had been to the Community Appearance Board for preliminary review, whether mitigation was required for ground contamination due to the gas station previously located there, and architectural style.

Council Member Freudenberg entered the meeting at approximately 1:55 p.m.

- c. Resolution No. 169-2004 (Regular Agenda No. 5), which would grant a modification of the site plan for an expansion to the square footage at the Town Center at Boca Raton Mall; located at 6000 Glades Road.

Development Services Senior Planner Chris Kerr gave the PowerPoint presentation and explained that the petitioner was requesting Special Case approval to permit a 25,439 square foot expansion to the Town Center at Boca Raton mall, located at 6000 Glades Road. In December 2003, this property was annexed into the City as part of a larger annexation area from Palm Beach County. Mr. Kerr advised that the property would retain the County's land use designation and zoning district until such time as the property owner or the City amended same. In accordance with the annexation agreement, the City would review the petition pursuant to the County's guidelines at the time of the annexation. Discussion with the petitioner and the County resulted in a determination that the parallel City reviews for the proposed changes to the mall should include a recommendation from the Planning and Zoning Board and final approval from Council. Location, acreage, and the existing County land use designation and zoning information were then provided.

Mr. Kerr advised that the proposed expansion would be located within the existing Sak's Fifth Avenue store and within the space previously occupied by Lord & Taylor; Neiman Marcus was expected to occupy that space. Details were provided as to the opening of "decommissioned" areas in the mall. Mr. Kerr explained that the proposed expansion would fall entirely within the building footprint of the existing mall. No additional parking would be required. In conclusion, the Planning and Zoning Board reviewed this project and recommended approval, as did staff, with the conditions as listed in the resolution. Discussion followed, touching on County standards and a Traffic Demand Management (TDM) plan for the mall. Mr. Ahnell advised that a TDM plan was part of a future planned expansion.

- d. Ordinance Nos. 4802 and 4803 (Regular Agenda Nos. 6 & 7), which relate to an Amendment to the Future Land Use Map of the Comprehensive Plan and a rezoning of certain property known as Calusa Veterinary Center, located at 6900 Congress Avenue.

Development Services Senior Planner Alejandro Zurita gave the PowerPoint presentation on both ordinances. The petitioner was requesting approval for a veterinary facility, known as Calusa Veterinary Center, located at 6900 Congress Avenue. Information regarding acreage, location, access, and surrounding businesses was provided. This petition met the requirements for a small-scale development; details were outlined in regard to approval of same by Council and transmittal to the Department of Community Affairs (DCA).

The proposed amendment met the City's standards as they relate to consistency, compatibility, and concurrency. Regarding the site plan, Mr. Zurita explained that development parameters were offered as a condition of approval for the requested amendment. Additional details were provided related to the building, which would consist of one-story and 9,331 square feet with a height of approximately 20 feet. Vehicular access, a service road, and driveways were identified.

Although not required, Community Appearance Board performed a preliminary review of the project, which resulted in favorable comments. The project was then reviewed by the Planning and Zoning Board, whose members recommended approval of same with the conditions as outlined by staff. In conclusion, staff also recommended approval. Mr. Zurita then answered questions from Council, including but not limited to, boarding facilities, whether inconsistencies existed in having a gas station located near a veterinary facility, permitted uses in the C-1 zoning district, a proposed plan to culvert in the L-40 Canal nearby, green space, and protected species.

- e. Resolution No. 172-2004 (Regular Agenda No. 20), which would adopt an amended and restated Boca Raton Municipal Facilities and Services User Fee Schedule.

Financial Services Treasurer Carol Himes gave the PowerPoint presentation. She explained that user fees are paid by all users, including those exempt from property taxes; they are also paid by non-residents. In addition, the fees assist in avoiding General Fund subsidization for services not being provided to the general public. Ms. Himes then provided details regarding user fee changes and/or charges as they relate to each City department. Additional information was provided to Council as requested. Topics included whether user fee changes were instituted on a regular basis, consistency with the Code, and the projected revenue from the proposed increases.

4. REVIEW OF SPECIAL MEETING AGENDA ITEM: (Final Budget Hearing)

- a. Resolution No. 174-2004 (Special Agenda No. 3.a.), adopting the 2004-2010 Capital Improvements Program for the City of Boca Raton.

Office of Management and Budget Director Linda Davidson referred to the Capital Improvements Program (CIP) booklet previously distributed and gave the presentation for this six-year program, which represents the City's plan for infrastructure improvement and major equipment acquisitions, with costs totaling approximately \$189.5 million. Ms. Davidson explained that funding for the CIP was based on several conservative assumptions and then outlined same; she noted that these assumptions were list on Page iv of the CIP booklet.

Information was provided related to expected costs for hardening of City facilities. The proposed CIP for next year was included and would be considered tonight at the final budget hearing; the projected cost for next year's CIP was \$57.1 million. This subject resolution would be adopted tonight immediately following adoption of the City's final budget millage and operating budget. Ms. Davidson concluded her presentation and answered questions from Council, as did the City Manager, regarding funding for a bridge over I-95, beach projects, damage from Hurricanes Frances and Jeanne, possible reimbursement from the Federal Emergency Management Agency (FEMA), and the level of confidence in regard to funding sources, as delineated on Pages viii and ix of the booklet.

5. FUTURE AGENDA MATTERS/ITEMS OF COUNCIL/PUBLIC CONCERN:

There were no Items for consideration.

6. CITY MANAGER REPORTS:

Mr. Ahnell advised that the final budget hearing would be held this evening at 6:00 p.m., followed by a budget meeting related to Hurricane Frances. He then gave an update on hurricane recovery efforts within the City. He explained that power had been restored to the majority of traffic signals either through Florida Power & Light's (FPL) endeavors or through the use of generators. Of the City's 239 lift stations, only 15 were not operational at this time and staff was working to restore those stations. No boil water notices were necessary, and press releases were being updated on a regular basis. Mr. Ahnell indicated that, while the City had done a fantastic job in the aftermath of Hurricane Frances, the City had actually improved its recovery efforts even since that time; he complimented staff and thanked everyone involved.

Details were provided regarding debris collection. This has been a time-consuming issue as many people put out more clippings after the City had picked up the original debris; they would then call and say that nothing was ever picked up. In addition, people were bringing debris from areas outside the City and dumping it here, since the City was actually ahead of schedule in debris collection. In an effort to avoid these problems, Mr. Ahnell explained that both City crews and outside contractors would perform pickup services on a zone-by-zone basis; staff would follow up and monitor each zone, as completed, to ensure that no streets were overlooked. It was noted that some contractors, not familiar with the City, were missing areas. Mr. Ahnell estimated that approximately three years' worth of debris was generated by the first storm due to its duration; Hurricane Jeanne resulted in less debris. Collection efforts are continuing. Mr. Ahnell also advised that, since the City was able to clear the streets typically faster than in other municipalities, FPL was able to restore power here more quickly.

Attention turned to the number of homes within the City still lacking power. Mr. Ahnell advised that while much of the City had regained power, it appeared that approximately 10% of the City was currently without power. He explained that FPL had approximately 8,000 line crews working after Hurricane Frances; at this time, only 2,500 people were available to work after Hurricane Jeanne. The out-of-state crews waited to see what type of damage was caused in Alabama, Georgia, and North and South Carolina before sending any crews to Florida. More power crews were being recruited from all over the country and Canada to assist in restoration efforts.

7. CITY ATTORNEY REPORTS:

The City Attorney had nothing to report at this time.

8. MAYOR AND COUNCIL MEMBER REQUESTS AND REPORTS:

Council Member Freudenberg responded to comments made during 'Public Requests,' saying that the City already has a group to assist with disasters, namely CERT (Community Emergency Response Team). He then suggested the City speak with FPL in terms of working together on the issues of tree trimming and replacing or hardening of transmission poles, many of which are old. Mr. Ahnell provided information he had received from FPL related to the strength of the transmission poles in relation to hurricane winds.

Deputy Mayor Hager complimented the City Manager and the Mayor on their leadership during these difficult times. He also noted that there appeared to be less damage from Hurricane Jeanne as compared to Hurricane Frances even though the winds had sounded stronger during Jeanne.

Council Member Whelchel also complimented City staff, the City Manager and the Mayor on their efforts in regard to restoration efforts. She then referred to an article in the newspaper and offered congratulations to Recreation Services Director Mickey Gomez, whose daughter competed in soccer in the Olympics, recently held in Greece.

The regular workshop meeting of the City Council of the City of Boca Raton, Florida, adjourned at approximately 2:45 p.m. on Monday, September 27, 2004.

Vanessa Hines, Assistant City Clerk