

MINUTES OF THE REGULAR WORKSHOP MEETING
CITY COUNCIL
BOCA RATON, FLORIDA
MONDAY, MARCH 22, 2004
1:00 PM

The regular workshop meeting of the City Council of the City of Boca Raton, Florida was called to order by Mayor Abrams at 1:00 p.m.

ATTENDING THE MEETING WERE:

Mayor Steven Abrams
Deputy Mayor Susan Whelchel
Council Member Dave Freudenberg
Council Member Bill Hager
Council Member Susan Haynie

Also attending the meeting were:

City Manager Leif J. Ahnell
City Attorney Diana Grub Frieser
City Clerk Sharma Carannante

RECOGNITION: Safety Awards from The Safety Council of Palm Beach County, Inc.

Safety Officer Teresa Dwyer introduced the safety officers for the City and explained that the Safety Council recognized the City with three safety awards. Mayor Abrams accepted the awards for "City for Excellence in Worker Safety" and "City for Excellence in Vehicle Safety. Chief Scott accepted the "Special Recognition Award for Community Outreach Programs" on behalf of Police Services.

PROCLAMATION: Building Safety Week – April 4 through April 10, 2004

Development Services Director Jorge Camejo accepted the proclamation from Mayor Abrams on behalf of himself and staff members of the building division.

1. BOARD INTERVIEWS:

- a. Citizens' Pedestrian and Bikeway Advisory Board – (1) one vacancy, due to term expiration of Neil Meisel, whose term expired 01/12/04.

Barbara Safranek interviewed for this board, the General Employees' Pension Board, and the Police and Firefighters' Pension Board.

- b. General Employees' Pension Board – (2) two vacancies, due to term expirations of Lewis F. Sarrica and Linda C. Davidson, whose terms expire 03/29/04.

Linda Davidson expressed interest in reappointment; Kathy Semanate interviewed for one of the two vacancies.

- c. Planning and Zoning Board – (2) two vacancies, due to term expirations of Keith O'Donnell and Grace M. Johnson, whose terms expire 03/31/04.

Grace Johnson and Keith O'Donnell expressed interest in reappointment; Robert Simonson and Kate Brew also interviewed for positions on the board.

- d. Police & Firefighters' Pension Board – (2) two vacancies, due to the term expirations of Richard Robinson and John D. Girard, whose terms expire 03/29/04.

Richard Robinson requested reappointment to the board; Kathy Semante also interviewed for a position.

- e. Zoning Board of Adjustment – (3) three vacancies, due to term expirations of John M. Cappeller, Alfred Gladstone, and J. Scott MacLaren, whose terms expire 04/10/04.

John Cappeller, Arnold Gladstone, and Scott MacLaren expressed interest in maintaining their positions on the board.

2. BOARD & COMMITTEE REPORTS:

- a. North Federal Highway Steering Committee

Debra Oster, Chairman of the North Federal Highway Steering Committee, provided an update on the proposed master plan. She explained that the Committee did not substantially change anything in the plan, which they reviewed with the Treasure Coast Regional Planning Council. Ms. Oster then requested, on behalf of the Committee, that interim policy statements, related to flexibility in regard to setbacks and parking, be instituted until such time that the master plan is adopted and the City's comprehensive plan modified. She stated the desire to assist those applicants willing to construct projects in alignment with the proposed Master Plan by shortening the process for the developers.

Responding to Council, the City Manager explained that a presentation on the master plan by Treasure Coast was expected in early May. Ms. Oster then answered questions from Council.

Council was hesitant to issue interim policies since the master plan was not finalized; the consensus of Council was that development should be reviewed on a case-by-case basis. Ms. Haynie noted for the record that Treasure Coast would be attending the North Federal Highway Steering Committee meeting tomorrow night to give a final presentation.

Development Services Director Jorge Camejo stated that a big issue in moving forward quickly related to placement of proposed buildings in such a way as to comply with the City Code. He added that even if the master plan were to be approved tomorrow, a variety of implementation procedures would be needed. The City Attorney then suggested various options that Council might consider following, from amending the Code immediately to directing staff to advise developers that proposals created in alignment with the master plan would be welcomed. Responding to Council, Mr. Ahnell stated that the City is not currently doing a traffic management study, east of I-95. In conclusion, Council members generally concurred that policy direction would be determined after the Treasure Coast presentation in May. Until then, all proposals would be reviewed on a case-by-case basis.

- 3. **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.)

Lenore Wachtel praised City staff for returning her calls and providing her with assistance as needed; she specifically complimented many people by name in appreciation of their efforts on her behalf. She then voiced support for hiring a professional switchboard operator, instead of using volunteers.

John Doyle, President of the Boca Raton Bicycle Club, and Louis Lepene, a member of the Citizens' Pedestrian and Bikeway Advisory Board, commented on the "missing link" (a proposed bike lane) on Camino Real, voicing support of same. Mr. Ahnell explained that this item was not on the agenda, as he had not yet seen the final plans. Once he reviews same, he will contact Joy Puerta, the City's liaison for the Citizens' Pedestrian and Bikeway Advisory Board, that she may update members at that time.

Herman Hammer, a resident of the County, objected to the raising of the City's library fees for non-City residents and appealed to Council to re-think this decision.

a. Caldwell Theatre Company – Thomas Salzman, General Manager

Mr. Salzman provided background information on the Caldwell Theatre and then stated that their current lease expires in May. They cannot renew, as the center they're located in is slated for demolition and redevelopment. They wish to build a new facility on land they currently own; however, they only have half the money needed to construct a new building. Consequently, Mr. Salzman was asking the City to provide the remaining \$2.3 million needed. Mr. Salzman advised that he was not here to ask for money and give nothing in return, stating that the theatre enhances the cultural atmosphere of the City and brings dollars to area businesses. He also suggested that the theatre would be an anchor in the redevelopment of North Federal Highway. Additional information was provided in regard to the theatre's finances. Mr. Salzman concluded his remarks by saying that the company would have to close if they couldn't find a new venue in May; he appealed to the City Council to provide financial support.

Council suggested that a portion of the Cartoon Museum could be used; Mr. Salzman stated that it would cost more to renovate the building for their needs, as the ceilings were not high enough on the first floor. Regarding the T-Rex property, Mr. Salzman reported that he was told, at best, it would be five to ten years before anything is constructed, and the theatre couldn't wait that long. When questioned as to whether the theatre might remain in its current location, Mr. Salzman explained that he was working with the owner of the center; however, he was concerned that a guaranteed venue might not be forthcoming.

Discussion followed; the general consensus of Council was that this topic should be discussed at the upcoming goal setting sessions in May.

Robert McCullough, a non-resident, stated that the Caldwell's Board of Trustees had worked hard for a resolution to this issue. He opined that the Caldwell Theatre would close if something wasn't done and expressed that the City should do everything possible to ensure that the theatre remains in Boca Raton.

Royal Oak Hills

Stephen Jaffer, a resident of Royal Oak Hills and chairman of The Tree Committee, Inc., distributed a handout related to maintenance of the ficus trees at the entrance of the Royal Oak Hills subdivision. He then referred to a revocable license agreement, prepared by the City, and stated that it should be set aside, voicing that it was inappropriate in this case. He suggested that a lease be prepared instead and then asked that the process be simplified.

Much discussion took place regarding the revocable license agreement. Mr. Jaffer's also voiced concern regarding the deadline, issued by the City, to resolve this tree-maintenance matter. Mayor Abrams confirmed with Mr. Jaffer that he wished to resolve the following topics: 1) an extension of the deadline, 2) additional funding from the City, and 3) elimination of the \$150 fee to process the agreement. Council is to consider these requests at a future date.

4. REVIEW OF REGULAR AGENDA ITEMS:

a. Questions relating to the agenda.

(Consent Agenda Item 3.d.1. – Emergency Repairs for Lift Station 61) Council Member Freudenberg asked for the location of Lift Station 61. Mr. Ahnell explained that it is on Butts Road, just north of Glades Road.

(Consent Agenda Item 3.g. – Revocable License Agreement with Charles and Patricia Beach to place four Royal Palm trees in a City right-of-way adjacent to 279 West Key Palm Road) Council Member Freudenberg voiced that this type of agreement was not unusual or inappropriate.

(Consent Agenda Item 3.q. – Resolution No. 50-2004 / Agreement with Langton Associates, Inc. to obtain grants writing consulting services) Council Member Freudenberg questioned whether grants writing could be done in-house for less money. Mr. Ahnell commented regarding the decision during last year's budget hearings to keep the grants writer services. Mr. Ahnell also mentioned that the City is seeking a part-time employee to be responsible for compliance issues in regard to grants received.

(Consent Agenda Item 3.k. – Resolution No. 42-2004 / Grant application to the Florida Inland Navigation District {FIND} to purchase a floating, drive-on dock for a Fire-Rescue boat) Council Member Haynie questioned where this floating dock would be located in relationship to the police dock and the public dock at Spanish River Park. Mr. Ahnell explained that it attaches to a fixed dock; Fire-Rescue is speaking with Marbella Condominiums regarding locating it at their dock in Lake Boca Raton. The second choice for a location would be Spanish River Park.

(Consent Agenda Item 3.b.1. – Sodium Chloride, Solar Salt) In response to a question from Council Member Hager, the City Manager stated that the salt is used for water chlorination purposes.

(Consent Agenda Item 3.e. – Resolution No. 36-2004 / Master Street Lighting Agreement with the Florida Department of Transportation {FDOT}) Deputy Mayor Whelchel questioned how many of the 1,080 lights that the City currently maintains will the State be financially responsible for maintaining. Mr. Ahnell is to follow up.

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

There were no items for consideration.

6. CITY MANAGER REPORTS:

a. Workshop Meeting Commencement Time

Mr. Ahnell mentioned that, at a prior meeting, a suggestion was made to change the start time for the workshop meeting. He then referred to a memo from the City Clerk and briefly outlined the information contained therein. Specifically, Mr. Ahnell noted that the average length of workshop meetings since January 2002 has been two hours. Therefore, staff recommended the possibility of moving the meeting start time from 1:00 p.m. to 1:30 p.m. The City Manager was directed to make this change; a resolution would be forthcoming tomorrow night.

b. Summer Meeting Schedule

Mr. Ahnell reminded Council members to bring their calendars with them tomorrow night in order to review the summer meeting schedule and determine whether interest existed to cancel a summer meeting, as has been the tradition.

7. CITY ATTORNEY REPORTS:

The City Attorney reported that she would request authority from Council tomorrow night to schedule an executive session, related to litigation involving E.B. Developers (Mizner del Mar)

8. MAYOR AND COUNCIL MEMBER REQUESTS AND REPORTS:

Deputy Mayor Whelchel noted correspondence received from Mr. Storch and asked that staff research whether a possible violation exists.

Ms. Whelchel then referred to the roadway spill that shut down I-95 last Tuesday and complimented staff, as did Council Member Freudenberg, on doing a fine job of alleviating traffic back-ups by re-timing the traffic signals. Mayor Abrams then mentioned a news article, which specifically praised the City's Traffic Engineer, Doug Hess, and opined that it was a "feather in staff's cap."

Council Member Haynie advised that the League of Cities would be meeting with the Palm Beach County Commission tomorrow at 1:00 p.m. in regard to the impact of Scripps on roadway funding and general development issues and asked whether they wished to have her bring forward any particular subjects. Mr. Freudenberg also emphasized that close monitoring should be given to the impact that Scripps roadway projects may have on the available funding dollars for other roadway projects in the County. Council Member Hager expressed relief that, after five years, the barricades at Linton Boulevard and I-95 had finally been removed.

Council Member Freudenberg explained that Representative Anne Gannon had introduced HB 1675, regarding the Boca Raton Airport Authority, before the Florida Legislature and commented on same; the Airport Authority's attorney, Patrick Barry, has stated the legislation represents codification of what the Airport Authority agreed to last year. The consensus was that it was probably a "housekeeping item," but staff would investigate further.

Mayor Abrams praised City staff for doing a good job in resolving the problems related to Tuesday's I-95 oil spill, including traffic control and cleanup. In addition, he complimented Police Services for solving two murders, as well as the robbery at Chuck's Steakhouse, in a timely fashion.

The regular workshop meeting of the City Council of the City of Boca Raton, Florida, adjourned at approximately 3:10 p.m. on Monday, March 22, 2004.

Vanessa Hines, Assistant City Clerk