

MINUTES OF THE REGULAR WORKSHOP MEETING
CITY COUNCIL
BOCA RATON, FLORIDA
MONDAY, MARCH 21, 2005
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
Council Member Susan Haynie
Council Member Susan Whelchel

Also attending the meeting were:

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

1. BOARD INTERVIEWS:

- a. Builders' Board of Adjustment and Appeals – (1) one vacancy, due to term expiration of Robert L. Welch (Electrical Contractor), whose term expired 02/15/05.

There were no applicants.

- b. Citizens' Pedestrian and Bikeway Advisory Board – (1) one vacancy, due to resignation of Barbara Safranek, whose term expires 01/12/07.

There were no applicants.

- c. Community Relations Board – (1) one student vacancy, due to graduation of Elizabeth Barron.

There were no applicants.

- d. Education Advisory Board – (1) one vacancy, due to resignation of Cleveland Peoples, whose term expires 07/28/06.

Concetta Schultz interviewed for the position.

- e. General Employees' Pension Board – (1) one vacancy, due to term expiration of Robert J. Daniels, whose term expires 03/29/05.

No one interviewed for the position.

- f. Planning and Zoning Board – (2) two vacancies, due to term expirations of Jorge H. Garcia and William E. Fairman, whose terms expire 03/31/05.

No one interviewed for the position.

- g. Board of Trustees for Police & Firefighters' Retirement System – (2) two vacancies, due to term expirations of Peter B. McAllister and Mervyn C. Timberlake, whose terms expire 03/29/05.

Mervyn Timberlake expressed interest in reappointment.

- h. Zoning Board of Adjustment – (2) two vacancies, due to term expirations of John P. von Stetten and Jason S. Mankoff, whose terms expire 04/10/05.

Jason Mankoff expressed interest in reappointment.

2. PUBLIC REQUESTS:

Mike Arts, President of the Boca Raton Chamber of Commerce, referenced Ordinance No. 4858 regarding the Community Automatic External Defibrillator Program and opined that this was a tax, without representation, on affected businesses. He suggested that the program be made voluntary and that a property tax credit be provided to those businesses willing to participate in same, in order to offset the costs involved. Mr. Arts concluded his comments by asking that consideration of the ordinance be delayed.

Linda Campbell, Chairman of the A1A Beachfront Restoration Committee, expressed support for establishment of a committee to review beach landscaping issues (Resolution No. 57-2005), which would be considered by Council tomorrow night.

Pat McKay stated she was present on behalf of the East Boca Village Neighborhood Association and asked for an update on the requested landscaping and roadway improvements for the area along the railroad tracks, between N.W. 20th Street and N.W. 32nd Street, adding that the Association had hoped to contribute to the design process. Mr. Ahnell confirmed that funds are budgeted for this project. He then explained that the City was awaiting notification from County Commissioner Mary McCarty regarding any additional money left over from completion of a Yamato Road project; the City had asked that any surplus funds be diverted to the project in question. Mayor Abrams confirmed with Mr. Ahnell that the City would coordinate with the neighborhood in this endeavor; the City Manager provided additional information to Council as requested.

3. REVIEW OF REGULAR AGENDA ITEMS:

- a. Questions relating to the agenda.

(Consent Agenda Items 3.h. and 3.i. / Resolution Nos. 49-2005 and 50-2005, respectively, regarding a Master Agreement and a Service Level Agreement with the State of Florida State Technology Office relating to disaster recovery) Council Member Haynie asked for an overview of these items and the costs associated with them. Mr. Ahnell explained that the Master Agreement would provide disaster recovery management services for approximately \$2,000 per year; the Service Level Agreement is through Sungard Recovery Services, which is on a State contract to provide the hardware for disaster backup recovery systems. While the City has contracted with Sungard for approximately 10 to 15 years to provide recovery services, the State had negotiated a better price; the City can save approximately \$1,000 a month by piggybacking on the State contract. Mr. Ahnell provided additional details related to the Master Agreement regarding testing and compliance with State and Federal laws.

(Consent Agenda Item 3.i. / Resolution No. 57-2005 – Establishing the Beach Advisory Committee) Council Member Haynie questioned whether the Chairman of the Environmental Advisory Board was aware of this new body, as he would be a member of same; Mr. Ahnell confirmed that the Chairman had knowledge of this proposed committee. Mayor Abrams stated that this was more of a task force than a committee and suggested that the name should reflect its status as such. It was also suggested that the name be changed to one more specific to its mission. Mr. Ahnell advised that staff would make revisions for tomorrow night.

(Consent Agenda Item 3.a.2. / Airport Rd. 16" Water Main & 16" Reclaimed Water Main) In response to Deputy Mayor Hager's question, the City Manager confirmed that this was a budgeted item. It provides for a water line to run under I-95 to the west in order to extend water service to the new western library and reclaimed water to the new park and several other facilities.

(Consent Agenda Item 3.c.1. / Property Insurance-Renewal) Deputy Mayor Hager requested identification of the upstream brokers and the insurance companies related to this item, stating that none of those entities should be on a list of companies or brokers accused of kickbacks and/or anti-competitive behavior. He then referenced the memo accompanying this item and questioned whether the City was

self-insured for approximately \$55 million. Mr. Ahnell stated that, of \$180 million of improvements that are potentially insurable, the City is self-insured for \$55 million of that total; examples were provided.

(Consent Agenda Items 3.h. and 3.i. / Resolution Nos. 49-2005 and 50-2005, respectively, regarding a Master Agreement and a Service Level Agreement with the State of Florida State Technology Office relating to disaster recovery) Deputy Mayor Hager questioned whether access to the system could be obtained at an auxiliary location, known as a hot site and, if so, where that site is located. Mr. Ahnell explained that numerous options were available. The backup site is Atlanta; personnel could be sent there in advance of a disaster, or immediately thereafter. Another option is having a mobile system brought to the City. Mr. Ahnell explained that multiple options exist, depending on the severity of the damage.

(Consent Agenda item 3.b.1. / Coach Bus Transportation Service for Summer Camp & GAP Programs) Council Member Whelchel asked how this item was being funded. Mr. Ahnell advised that the money comes from the City's General Fund and explained that, for the summer camp programs, a portion of the bus program is charged to the camp attendees; the City picks up the difference.

(Consent Agenda Items 3.h. and 3.i. / Resolution Nos. 49-2005 and 50-2005, respectively, regarding a Master Agreement and a Service Level Agreement with the State of Florida State Technology Office relating to disaster recovery) Council Member Whelchel asked for the cost and questioned where the funding comes from. Mr. Ahnell stated that funding comes from tax dollars and clarified that the City would pay a total of \$4,000 per month for both services; currently, the City pays \$3,000 for half the services. Ms. Whelchel confirmed with the City Manager that a disaster is not restricted to hurricanes and then questioned whether any dollars are used from the City's reserves. Mr. Ahnell explained that funds are budgeted for this through normal revenues.

- b. Resolution No. 23-2005 (*Regular Agenda Item No. 4*), which would grant conditional use approval for Seventh Day Adventist Church, located at 1491 Northwest Fourth Avenue.

Planning and Zoning Director Carmen Annunziato gave the PowerPoint presentation. Location, acreage, zoning, and land use designation were given; surrounding properties were also identified, as were the existing conditions. The petitioner wished to convert a one-story single-family home into a church and add 731 square feet to the structure. The interior would be completely renovated, and pedestrian and walkway improvements would be made. Vehicular access and parking were then reviewed. As a condition of the approval, staff recommended the installation of a 6-foot wall at the rear of the property to buffer the single-family zoning district. Mr. Annunziato advised that, at the public hearing, a property owner requested that a wall be provided to the south; consequently, that request was added to Condition 6 of the resolution. He then outlined the traffic impacts.

The Planning & Zoning Board recommended approval with two conditions, specifically, the 6-foot wall along the southern property line, which was previously mentioned, and a prohibition against using the greeting room as a congregation area, which would increase parking demand; these conditions were incorporated into the resolution. Mr. Annunziato concluded his presentation by stating that Development Services recommended approval. Responding to Council, Mr. Annunziato provided information related to when services would be held and parking demands. Further discussion revealed that there was no active building permit on the property to the north, which was the site of the Assalam Mosque. In addition, there were no current applications on file for the Assembly of God or the Junior League Office, both of which are neighboring properties.

- c. Ordinance No. 4858 (*Regular Agenda Item No. 9*), which would amend the Code of Ordinances relating to the Community Automatic External Defibrillator Program.

Fire-Rescue Services Chief Bruce Silk, gave the PowerPoint presentation. He explained how Automatic External Defibrillators (AEDs) operate and what happens when cardiac arrest strikes, saying that the best chance for a victim to survive is to receive a shock within the first five minutes of collapse. The proposed ordinance provides the definition of an AED and would require installation of AEDs in, among other venues, places of assembly with an occupancy of 300 or more people and office buildings and mercantiles in excess of 40,000 square feet; examples were provided. Additional information and

requirements, as outlined in the ordinance, followed. Chief Silk advised that property owners would be required to obtain a yearly permit from the Fire-Rescue Services Department for \$25 and that an annual inspection by Fire-Rescue Services would be required to ensure that the device is working properly. The responsibilities of the property owners were also outlined, which included installing the AED, providing training for appropriate use, and maintaining the device and equipment, per the manufacturer's recommended maintenance requirements. Chief Silk concluded his presentation and provided additional information to Council as requested. During the course of discussion, Chief Silk advised that multiple AEDs might be required, depending on spacing and configuration of the building including height and size. Additional questions focused on who would be trained on the devices, signage, and the cost for training. It was noted that this ordinance was modeled after those already passed in the Cities of Westin and Coral Springs.

In response to an inquiry from Council, Cindy Metcalf, an Assistant Training Officer with Fire Rescue Services, provided positive commentary as to the usage of AEDs in casinos in Las Vegas.

On the topic of existing AEDs, Chief Silk explained that they would be subject to yearly permitting and inspection and then spoke to enforcement of the ordinance and the willingness of the City to work with property owners in regard to timetables and fiscal issues. Council confirmed with Chief Silk that a property owner could purchase any AED, as long as it conformed to the requirements established in the ordinance. This ordinance would not require additional City staff; inspection would be an added duty of existing personnel.

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

There were no items for consideration.

5. CITY MANAGER REPORTS:

There were no items for consideration.

6. CITY ATTORNEY REPORTS:

There were no items for consideration.

7. MAYOR AND COUNCIL MEMBER REQUESTS AND REPORTS:

Council Member Haynie advised that at the last Treasure Coast Regional Planning Council meeting, they approved the North Federal Highway Corridor Master Plan Interlocal Agreement with the Metropolitan Planning Organization (MPO); it is approved and funded and will be moving forward.

Council Member Freudenberg commented favorably regarding a sporting complex in Coral Springs that includes an ice skating rink and opined that a similar facility designed for family recreation would be a wonderful addition on City-owned land at Boca Technology Center. The City Manager confirmed that the Florida Panthers, as well as some private groups, have expressed interest in an ice skating facility.

Mayor Abrams referred to the newspaper articles regarding the failure of State Attorney to prosecute the parents of the baby who died while they were on a cocaine binge. He advised that the City Manager planned to set up a meeting with a representative from the State Attorney's office to make further inquiries into this matter.

The regular workshop meeting of the City Council of the City of Boca Raton, Florida, adjourned at approximately 2:40 p.m. on Monday, March 21, 2005.

Vanessa Hines, Assistant City Clerk