

MINUTES OF THE REGULAR WORKSHOP MEETING  
CITY COUNCIL  
BOCA RATON, FLORIDA  
MONDAY, APRIL 11, 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 Susan Whelchel  
Council Member Peter Baronoff  
Council Member Bill Hager (arrived 1:40 p.m.)  
Council Member Susan Haynie

Also attending the meeting were:

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

**PROCLAMATIONS:**

National Telecommunicators Week – April 11 through April 15, 2005

On behalf of the City of Boca Raton, Mayor Abrams recognized the contributions of Police Services' telecommunicators/dispatchers; the proclamation was accepted by Police Services Assistant Chief Edgar Morley and Raoul Travieso, Fire-Rescue Services Division Chief/Communications Coordinator.

National Volunteer Week – April 17 through April 23, 2005

Susan Kores, the City's Volunteer Coordinator and Mildred Falciani, who has been a volunteer with the City for 22 years, accepted the proclamation.

**PRESENTATION:** Proposed Turnpike Interchange – Kent Rice, Regional Planning Administrator for Turnpike Enterprises

Mayor Abrams stated that Mr. Rice was here at the City's invitation and advised that these proposed changes would take place outside the City limits. Also, the City of Boca Raton has no control over these changes. Mayor Abrams concluded his remarks by saying that this was a very long-term project and the City looked forward to having input with regard to same. He then gave the floor to Mr. Rice.

Mr. Rice introduced himself and Mr. Mike Lewis, the project manager for the corridor study, and gave a brief overview of construction currently taking place on the turnpike in Broward and Palm Beach Counties. He explained that Mr. Lewis was researching capacity improvements, including lane additions and new interchange locations. It was noted that this is a planning study; there is no funding for construction at this time. Mr. Rice concluded his remarks by advising that Turnpike Enterprises comes to the affected communities early on to obtain input and then gave the floor to Mr. Lewis.

Mike Lewis gave a PowerPoint presentation and explained that the Palm Beach County Corridor Study was conducted to forecast, over the next 25-30 years, the needs of the system. Detailed information was provided regarding current turnpike conditions, traffic growth rates, lane additions, interchange locations, and potential interchange locations. He then concluded his presentation and answered questions from Council, as did Mr. Rice. Discussion revealed that Turnpike Enterprises is a part of the Florida Department of Transportation (FDOT). Topics included community involvement, funding, noise mitigation, SunPass, and timetables for completion.

## 1. BOARD INTERVIEWS:

- a. Advisory Board for the Physically and Mentally Challenged – (3) three vacancies, due to term expirations of Aron Breslow, Rose Lee Archer, and Roslyn K. Rudolph, whose terms expire 04/23/05.

Rose Lee Archer and Roslyn Rudolph expressed interest in retaining their positions on the Board.

- b. Environmental Advisory Board – (2) two vacancies, due to term expirations of Daniel E. Taylor and Donald Stone, whose terms expire 04/30/05.

Daniel Taylor asked for reappointment to the Board. Council Member Haynie confirmed with Mr. Taylor that he is aware of the new A1A Landscape Task Force and is willing to serve on same as a designated member.

Donald Stone also expressed interest in reappointment to the Environmental Advisory Board. As a member of the Marine Advisory Board, Mr. Stone opined that the canals in the City needed to be cleaned up. Mayor Abrams advised that the Lake Worth Drainage District takes care of the canals, but added that this might be a good community project.

- c. Financial Advisory Board – (1) one vacancy, due to resignation of Michael C. Cawley, whose term expires 08/26/07.

John Cappelletti interviewed for the position.

## 2. PUBLIC REQUESTS:

No one came forward to speak.

## 3. REVIEW OF REGULAR AGENDA ITEMS:

- a. Questions relating to the agenda.

(Consent Agenda No. 3.a.2. – Beautification of Yamato Road) Alluding to future road widening projects, Deputy Mayor Whelchel asked if the impact of future projects is taken into account prior to expending dollars for current projects. The City Manager explained this section of Yamato Road was just widened to eight lanes and no future projects are planned for this stretch of roadway.

(Consent Agenda No. 3.a.4. – Boca Raton Municipal Golf Course Maintenance Building) Council Member Haynie advised that the scope of the work stated that repairs would be made to keep the structure watertight until a new structure could be built. She questioned whether there are plans to rebuild the clubhouse at the golf course. Mr. Ahnell explained that staff plans to lengthen the life of the existing buildings and then come back with a new plan to redevelop the clubhouse and the maintenance building.

(Consent Agenda No. 3.d., 3.e., and 3.f. – Resolution Nos. 59-2005, 60-2005, and 61-2005, respectively / Agreements with Kimley-Horn and Associates, Inc., Stanley Consultants, Inc., and David Plummer and Associates, Inc., for professional services for transportation engineering, respectively) Council Member Haynie asked for a brief overview as to why three companies were being retained. Mr. Ahnell explained that many projects exist, which cost less than \$25,000. As in other projects, the City identified three professional firms for bidding out the work, so that people would be available on demand, as the City needed them. He then reviewed the types of projects that these firms would complete and stated that it

was simpler and more efficient to have firms on contract for these smaller, less-expensive projects. Additional details were provided as requested.

(Consent Agenda No. 3.a.2. – Beautification of Yamato Road) Council Member Baronoff asked for start and completion dates. Mr. Ahnell explained that it would be approximately 90 days before beautification begins and nine months before it is completed; consequently, the project should be complete by the end of the Fiscal Year. Mr. Baronoff also questioned whether there would be traffic impacts. The City Manager stated that there would be temporary lane closures; however, sufficient lanes now currently exist to take care of the traffic.

(Consent Agenda Nos. 3.g. and 3.h. – Resolution Nos. 62-2005 and 63-2005, respectively / Work Order Nos. 16 and 17 with Coastal Planning and Engineering, Inc. regarding the Central Boca Raton Beach Nourishment Project and the South Boca Raton Beach Nourishment Project, respectively) Council Member Hager asked for information regarding the source of the funding. Mr. Ahnell explained that the Central Beach project was dramatically impacted by the storms last year. The City will pay the upfront costs and seek reimbursement from FEMA (75% to 90%); local agencies would make up the difference. Additional details were provided. Regarding the South Beach project, costs would be split between the City, Palm Beach County, and the State. Since the expected local share would be 25%, the City's cost would be approximately 12.5%. Additional details were provided. Mr. Ahnell added that the South Beach project was not FEMA reimbursable.

- b. Ordinance Nos. 4853, 4854, 4855, and 4856, (*Regular Agenda Item Nos. 5 - 8*), relating to the proposed development, located at 300 West Yamato Road (NW 51<sup>st</sup> Street), and known as Yamato Commons

Planning and Zoning Director Carmen Annunziato gave the PowerPoint presentation, explaining that this request for universal conditional approval included an amendment to the Future Land Use Map of the Comprehensive Plan, site plan approval, a rezoning, and vacation and abandonment of two utility easements. He then provided the acreage and location, saying that the site is surrounded by primarily residential uses. Mr. Annunziato advised that, with regard to compatibility, staff determined that the proposed land use change from Residential Low to Commercial would not be compatible, as the site is characterized by residential properties to the south, east, and north, with multi-family residences to the northeast. The petition also proposed to rezone the property from R-D-1 (Single Family Residential) to B-1 (Local Business District), which provides for retail and professional offices.

The project site consists of seven single-family lots, which are somewhat difficult to develop under the zoning, but not impossible. Alternative projects could be a small PUD or townhouses; details were provided. Mr. Annunziato explained the difficulty with the commercial zoning is that, pursuant to Code, access can't be from the east or west, as those areas are zoned residential; consequently, the access must be off Yamato Road, which is a failing arterial. Staff was also concerned with the impact on the residential properties as well as the impact on existing and future residential land uses.

The site plan was reviewed and reflected both surface parking and under-building parking; the proposed two-story building would be 17,035 square feet, including 2,750 square feet for medical uses. Mr. Annunziato referred to Condition 6 of Exhibit A and clarified that the square footage, shown as 4,000 sq. ft., was what was originally proposed and would need to be amended, should the ordinance be approved.

The Community Appearance Board reviewed the project in July 2004 and had favorable comments. The Planning and Zoning (P&Z) Board also reviewed this project in August 2004; P&Z Board members recommended approval 4-3; they recognized the difficulty in developing site but also understood staff's concerns. In conclusion, staff recommended denial due to the negative impact of the proposed land use change to the surrounding residential neighborhood, the character and design of the building, which does not complement the area, and the additional trips added to Yamato Road, which is a failing arterial roadway. Mr. Annunziato then answered questions from Council regarding rezoning and land uses, with related parking and trip generations; how the lots might otherwise be developed; and providing privacy for residential neighbors. It was noted that a six-foot utility easement and overhead power lines currently exist; therefore, providing a landscape buffer to mitigate second-story offices in relation to residential backyards would be problematic.

- c. Ordinance Nos. 4859 and 4860 and Resolution No. 58-2005 (Regular Agenda Item Nos. 9 -11), relating to proposed laboratories for analysis and research, located at 1601 Clint Moore Road, and known as Boca Raton Surgical & Medical Associates

Development Services Senior Planner Jennifer Simon gave the PowerPoint presentation. She explained that this request for universal conditional approval included an amendment to the Future Land Use Map of the Comprehensive Plan, site plan approval, a rezoning, conditional use approval, and a request for a technical deviation. It was noted that a supermajority vote by Council to approve the change to the Future Land Use Map was required. Acreage, location, zoning, and land use designation was then provided. Ms. Simon advised that the petitioner proposed to change the zoning from Light Industrial Research Park (LIRP) to Professional Office & Institutional (PO&I); it was noted that laboratories for analysis and research in the proposed PO&I district was a conditional use, not a permitted use.

Details related to the site plan, which is comprised of two developed parcels, were provided. Parking and the traffic analysis were also reviewed; the uses as proposed by the petitioner would generate 1,390 more net daily trips. Information regarding a technical deviation to eliminate a right-turn driveway, as required by City Code, off of Clint Moore Road followed; the City's Traffic Engineer did not support same.

Ms. Simon advised that the Comprehensive Plan amendment request was reviewed for concurrency, compatibility, and consistency, and was found to meet concurrency standards but did not meet the standards for compatibility or consistency; details were provided. She also advised that the project did not meet the ten general standards required for conditional use approval and expounded upon same.

The Planning and Zoning Board reviewed this petition and unanimously recommended denial. Ms. Simon stated that staff had concern over the appropriateness of allowing one property to change to a commercial land use that is surrounded by industrial and manufacturing uses and is located in a district developed for those uses. In addition, professional/medical offices are not allowed as either a permitted or conditional use within the LIRP or M-3 zoning districts, which are the prevailing zoning categories for the Arvida Park of Commerce and the South Congress industrial area. Approval of this project could set a precedent and possibly change the character of the area. Consequently, staff did not recommend approval. Ms. Simon concluded her presentation and answered questions from Council regarding how long the existing building had been vacant, the justification for the removal of the right-turn lane, and the zoning designation of a medical building near the Calusa school.

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

##### Financial Reports:

- a. Comprehensive Annual Financial Report (CAFR)

Deputy Director of Financial Services Celeste Lucia gave the PowerPoint presentation. She advised that, for the 25<sup>th</sup> consecutive year, the City received a Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association.

The Introductory section of the CAFR was reviewed, which contained the Transmittal Letter, highlighting those events that took place over the last year. The Financial section contained the auditor's opinion letter; once again, the City received a clean or unqualified audit opinion. This section also contained significant financial data, which Ms. Lucia reviewed in detail; graphs outlined Government-Wide Net Assets, expenses and revenues for Governmental Activities, and revenues and expenses for Business-Type Activities. Ms. Lucia advised that footnotes are also included in the Financial section, which provide additional and explanatory information to the numeric data found in the financial statements. Details were then outlined with regard to the City's Current Year Debt Activity and Capital Asset Activity. Information on Combining & Individual Funds and the General Fund followed. She advised that the General Fund Balance was \$4.5 million less than the Fund Balance in 2003, primarily due to the hurricanes, and then

explained that one of the main differences between the Government-wide and the Fund Financial Statements related to the accounting treatment of hurricane expenses and the anticipated cost recoveries or revenues from Federal or State agencies; details were provided. The last section of the CAFR is the Statistical section, which includes historical information that allows for the recognition of trends. A 10-year history of property tax rates was reviewed, as was a table outlining the City's principal taxpayers. Ms. Lucia then concluded her presentation and answered questions from Council regarding the reduction in the telecommunications receipts.

b. Management Letter

Karen Mitchell, a partner with KPMG, provided opening comments and stated that the City received an unqualified opinion in regard to the financial statements, which is the highest opinion obtainable from an outside, independent auditor. She explained that KPMG conducted the audit according to generally accepted auditing standards as well as government auditing standards. Accounting policies, alternative treatments, and unusual transactions, as they related to the hurricanes, management judgments and accounting estimates, and audited judgments were touched on. She then spoke to one audit adjustment of \$3.9 million and provided details. Ms. Mitchell advised that there were no uncorrected misstatements as of September 2004, and nothing was included in the CAFR that would contradict the financial statements. She added that KPMG had no issues with the City and no difficulties in performing the audit.

KPMG had one recommendation, specifically, that management enhance the already-existing checklist for government-wide financial statements to include non-routine transactions. In addition, two prior recommendations were brought forward: 1) consideration of an internal audit function, and 2) centralization of grants management. Ms. Mitchell concluded her presentation and answered questions from Council. Mr. Ahnell explained that the City has an internal audit function; it is used for special projects. However, the City is transitioning its internal auditors from working only on special projects to performing traditional audit functions this year.

c. Annual Investment Report

Treasury Manager Carol Himes gave the report on the status of the City's investment portfolio as of the Fiscal Year Ending September 30, 2004. The value of the portfolio decreased from \$203 million in FY 2003 to \$189 million at the end of FY 2004. The decrease was due primarily to the expenditure of funds to build the new fire station facilities and the new library. Ms. Himes then outlined distributions by investment type and maturity; interest rate trends were also identified. Ms. Himes noted that the portfolio was fairly liquid but more fully invested than last year to take advantage of higher interest rates now available. She then concluded her report and answered questions from Council.

d. Long-Range Financial Plan

Director of Financial Services Mervyn Timberlake referred to the handout previously distributed and gave the PowerPoint presentation. Assumptions were highlighted, including a FEMA reimbursement of \$4.2 million in the current Fiscal Year; information regarding revenue history, expenditure history, revenue growth, projected expenditures, and personal service costs followed. Council tendered questions to Mr. Timberlake and Mr. Ahnell related to the extensive loss of telecommunications revenue to the City, due to bundled cell phone service and more people using the Internet for phone calls or email. In addition, the tax rate is fixed and cannot be raised. Consequently, the City is under economic pressure. Attention then turned to the City's millage rate, which is the lowest in Palm Beach County for a full-service city. Mr. Ahnell advised that the personal services cost for the City next year is projected to be approximately 10%; revenues are only going up approximately 5%. Therefore, fees and taxes must be increased or services must be cut back.

Pension costs and pension contributions were reviewed next. Mr. Timberlake explained that, although there are considerably more general employees than public safety employees, the costs, pension and otherwise, associated with public safety employees is much higher; graphs were provided, reflecting same. Mr. Timberlake then answered questions from Council related to unfunded liabilities. Designations for the Planned Fund Balance, Fund Balance, and Resources Forward were then detailed, and a chart showing total General Fund expenditures versus available funds was reviewed. Mr.

Timberlake advised that additional revenues must be looked at so the City does not run short of money in 2007-2008. A comparison of property taxes followed; Mr. Timberlake stated that the City had a lot of room to grow with regard to the millage and it wouldn't take a large increase to produce the dollars. Recommendations for staff were reviewed and details were provided in regard to the Water and Sewer Fund, Water/Sewer Revenue, the Transportation Fund, the Beautification Fund, Stormwater Utility Fund, Golf Course Fund, and the Cemetery/Mausoleum Fund. Mr. Timberlake explained that this last fund, which is a small one and not very remunerative, had continued to give the City some problems; transfers from Perpetual Care funds were required during FY 2004. He added that the cemetery fell short of budget projections and then reviewed the Perpetual Care Fund. Recommendations for improving the performance of the Cemetery/Mausoleum Fund were provided, and Mr. Timberlake concluded his presentation.

**5. CITY MANAGER REPORTS:**

The City Manager had nothing to report at this time.

**6. CITY ATTORNEY REPORTS:**

The City Attorney had nothing to report at this time.

**7. MAYOR AND COUNCIL MEMBER REQUESTS AND REPORTS:**

Council Member Haynie advised that she was contacted by a resident, living in Millpond, with regard to the amount of time it took for staff to respond to the recent brush fire at Lynn University; Mr. Ahnell is to follow up.

Mayor Abrams asked the City Manager for a summary of the meeting at the FAU campus regarding the I-95 interchange proposal.

The regular workshop meeting of the City Council of the City of Boca Raton, Florida, adjourned at approximately 3:50 p.m. on Monday, April 11, 2005.

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Vanessa Hines, Assistant City Clerk