

MINUTES OF THE REGULAR WORKSHOP MEETING  
CITY COUNCIL  
BOCA RATON, FLORIDA  
MONDAY, MAY 23, 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 Steven L. Abrams at 1:30 p.m.

ATTENDING THE MEETING WERE:

Mayor Steven L. Abrams  
Deputy Mayor Susan Whelchel  
Council Member Peter R. Baronoff  
Council Member Susan Haynie

Council Member Bill Hager was absent (excused).

Also attending the meeting were:

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

**PRESENTATION:** North Federal Highway Steering Committee – Update

Debra Oster, Chairman of the North Federal Highway Steering Committee, provided the update. Ms. Oster reported that three development projects are under construction along the North Federal Highway corridor, a study of the corridor is underway, and the conceptual plan for Levitz Plaza has received unanimous approval from the Committee. Members have been actively canvassing the business community for their input and have held community meetings. The next meeting of the Committee will focus on various issues, including heights, building mass, and setbacks. Noting that one member has recently resigned, she suggested that it would be helpful to the Committee if he were to be replaced with someone with a design background. She closed by acknowledging the hard work of all the Committee members.

Council Member Haynie encouraged the Committee to work with developers to design an entrance feature for the North Federal Highway entry into the City. She stated that enhancement dollars are available through the MPO (Metropolitan Planning Organization), but a design has to be submitted with the application for funding.

Mayor Abrams alluded to the resolution that Council adopted that provided guidelines for the development of the North Federal Highway corridor, and queried the City Manager as to the codification process. Mr. Ahnell advised once the corridor study is completed, which is expected to occur in late summer or early fall, the City can move forward with the development of land development regulations.

**1. BOARD INTERVIEWS:**

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

No one interviewed for the vacancy.

- b. Citizens' Pedestrian and Bikeway Advisory Board – (1) one vacancy due to the resignation of Barbara Safranek, whose term expires 01/02/07.

No one interviewed for the vacancy.

- c. Community Relations Board – (2) vacancies; (1) vacancy due to the resignation of Lynda S. Leixner, whose term expires 07/25/05, and (1) student vacancy.

Robert D'Amore, a former member of the Community Relations Board, expressed his interest in again becoming a member.

## **2. PUBLIC REQUESTS:**

Richard Krooss referred to the completion of the recent road construction on NW 15<sup>th</sup> Avenue (at University Commons) and the need to reinstall 'no u-turn' signage.

## **3. REVIEW OF REGULAR AGENDA ITEMS:**

- a. Questions relating to the agenda.

(Consent Agenda Item 3.a.1. – Gateway Signs) Council Member Haynie requested a map of the locations where the signs are to be placed. The City Manager will follow-up. On this same item, Deputy Mayor Whelchel inquired if it would be prudent to delay the sign for the North Federal Highway entrance into the City in light of the earlier discussion regarding the design of an entrance feature. The City Manager explained that the entrance feature would be more in the nature of a monument, further noting that it will not be realized in the near future.

(Consent Agenda Item 3.a.2. – Fire Rescue Station #1) Council Member Haynie inquired as to the amount of the original estimate and the reasons for the increase. The City Manager advised that the cost of materials and lack of builder availability have contributed to the increase. He then described the impact that the 30% - 40% increase in overall construction costs over the past year and a half have had on this project and others. Mr. Ahnell explained what measures were being taken to compensate for the shortfall, including advising contractors that there will be no more change orders. In response to Deputy Mayor Whelchel's inquiry regarding the completion date, Mr. Ahnell stated it is estimated that construction will take about one year.

(Consent Agenda Item 3.a.3. – Trailer Mounted Portable Generators) Council Member Haynie noted the incentive for August 1, 2005 delivery and inquired if the City anticipated a problem in having the generators during this hurricane season. Mr. Ahnell explained the incentive was necessary because these generators are custom made. He further explained that the Citywide plan is to have generators for all essential critical facilities, adding that there is a companion plan for ensuring fuel to operate same.

(Consent Agenda Item 3.c.1. – Renewal of Landscape Maintenance Services for Red Reef Park) Deputy Mayor Whelchel asked for a comparison of the landscaping maintenance required for Red Reef Park vs. that required for Mizner Park, including a comparison of acreage and square footage, as well as the type of landscape maintenance. The City Manager clarified that Red Reef Park is funded by the Greater Boca Raton Beach and Park District and the level of maintenance for the two park facilities is much different.

(Consent Agenda Item 3.g., Resolution No. 96-2005) In response to Deputy Mayor Whelchel's query, Mr. Ahnell confirmed that the program was created in 2000 by the Legislature and, every year since, the City has applied for and received grant dollars.

- b. Resolution No. 77-2005 (*Regular Agenda Item No. 4*), granting conditional use approval for Boca Raton Middle School, an I.T.V. Tower, and technical deviations regarding driveway design and parking stall size, on a parcel of land located at 1251 Northwest Eighth Street.

Senior Planner Chris Kerr gave the PowerPoint presentation. Information related to location, acreage, zoning, and Future Land Use Map designation was provided. He advised that the project would result in demolition of all existing buildings and the removal of portable classrooms. Two new buildings are to be constructed on the western half of the site; a two-story building for classrooms and administration office and a one-story building to the north for a gymnasium and cafeteria. Athletic fields and tennis courts will occupy the eastern half. The proposed plan provides two more parking spaces than required and changes the egress/ingress location from one on NW 12<sup>th</sup> Avenue to two locations on NW 8<sup>th</sup> Street. Also proposed is a 106 ft. I.T.V. tower to be located between the two new buildings, a required feature at all County schools. Technical deviations are requested related to the number of egress lanes at the western NW 8<sup>th</sup> Street driveway, internal circulation, and parking stall size; these deviations are supported by staff. Mr. Kerr further advised that a condition of the approval addresses additional improvements that are required along NW 12<sup>th</sup> Avenue and along NW 8<sup>th</sup> Street, particularly at the intersection; the City will be installing some of these improvements and they will be paid for through an interlocal agreement with the School District.

The Planning and Zoning Board, on a 6-0 vote, recommended approval with an added condition requiring no parking signs be installed along NW 8<sup>th</sup> Street; that condition has been incorporated into the resolution. Mr. Kerr added that the Greater Boca Raton Beach and Park District has approached the School Board regarding entering an agreement for shared use of the ball fields; this agreement may require lighting as well as additional restroom facilities on the property. It was agreed that a condition for approval would be prepared, should Council choose to revise the resolution to allow these improvements to occur at a later date. Mr. Kerr closed by stating that staff recommends approval of the petition with the conditions, as stated. It was also agreed that more detail was needed regarding the road improvements and the impact on the adjacent neighbors. This information will be provided before the public hearing tomorrow night, along with a response to concerns raised by residents of a townhouse development located west of the school.

- c. Resolution No. 93-2005 (*Regular Agenda Item No. 5*), granting conditional use approval for a 2,708 square foot Chipotle Mexican Grill restaurant on a parcel of land located at 2301 Glades Road.

Planner Daryl Johnson gave the PowerPoint presentation. Information related to location, acreage, zoning and Future Land Use Map designation was provided. He stated that the proposed conversion for the restaurant use reduces the previously approved retail component square footage of the center from 15,331 sq. ft. to 11,091 sq. ft., and eliminates the previous approval to construct a second floor addition. Both staff and the Planning and Zoning Board recommend approval with the conditions as outlined in the resolution.

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

There were no items to consider.

**5. CITY MANAGER REPORTS:**

The City Manager had no reports.

**6. CITY ATTORNEY REPORTS:**

The City Attorney had no reports.

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

Following a query to Development Services Director/CRA Director Jorge Camejo regarding the GGP (General Growth Properties) update scheduled for today's 3:30 p.m. CRA meeting, Council agreed to cancel the CRA

meeting because a representative from GGP could not be present; they will be invited to a future meeting. Mr. Camejo advised that Kate Blomgren from GGP recently met individually with the Mayor and the Deputy Mayor to provide a status report. Mayor Abrams summarized his meeting with GGP as positive and one where they stated their intentions are to move forward as quickly as possible with the cartoon museum site. They provided assurances that their corporate strategy for fifty years has been one where they are owner/manager. He further stated that they have said they are committed to finding a 501(c)(3) tenant as soon as possible. Deputy Mayor Whelchel said that she also received assurances of their commitment to the community. She noted that one issue that needs to be discussed at the meeting at which GGP is present is the Mizner Park fountain.

#### Downtown Spine

On the topic of a downtown spine, Deputy Mayor Whelchel stated that she feels it is time to be pro-active. Ms. Whelchel then broached the subject of what would need to be done to change the downtown from a car-friendly to a pedestrian-friendly area, should this be the direction the CRA chooses to take. Regarding that pending decision, Mayor Abrams recalled that it was agreed at the recent goal setting sessions that members would submit a list of issues to be set into an agenda for a CRA meeting from which, ultimately, an action plan would be developed by the City Manager.

#### Downtown Library

Ms. Whelchel noted the stalled negotiations regarding the Causeway Lumber site. She suggested property in the vicinity of Sanborn Square, especially if the downtown spine were to go forward, be considered as a feasible alternate site. The Mayor commented on the frustration of not being able to finalize negotiations for the Causeway site, and stated that perhaps the City's power of eminent domain was the answer.

Ms. Whelchel went on to state that she has met with a number of the property owners that are "in the middle of the spine," with the consensus of those owners being that resolution of the downtown spine issue falls with the City. She requested a meeting with the noted land owners prior to the next CRA meeting, if possible. Mayor Abrams noted that the 1993 downtown charrette resulted in several scenarios for a downtown spine and suggested those could again be reviewed.

Council Member Baronoff echoed comments in regard to eminent domain options and the need to resolve the issue of the Mizner Park fountain. He also reiterated his desire to create a pedestrian-friendly downtown.

#### "Branding" the City

Mr. Baronoff stated that he had attended a recent concert with nationally-acclaimed violinist Joshua Bell, adding that Mr. Bell had hoped to meet with the Mayor following that concert to discuss the importance of the arts and the importance of the City having a signature event. Since that did not occur, he stated that Mr. Bell had written a few words to the Mayor on his Grammy Award winning CD; Mr. Baronoff stated that he would present the CD to the Mayor tomorrow night, so that everyone could hear more about "branding."

#### Budget Process

Council Member Baronoff stated that the assessed values of property would be available in a couple of weeks, noting the importance of that figure in preparing the budget.

#### Elder Law Month Proclamation

Mr. Baronoff mentioned the proclamation on tomorrow night's agenda. Referencing a letter received from a constituent, he asked the City Manager to prepare a report on how the City addresses elder issues.

#### Landscaping along Butts Road

Deputy Mayor Whelchel referred to correspondence received from Boca Bath and Tennis regarding the ongoing issue of landscaping along Butts Road. She advised she would forward the letter to the City Manager and requested that he investigate opportunities for landscaping on the north side of the road. Council Member Haynie stated she had also received the email wherein Boca Bath and Tennis advises that their research indicates that part of the strip of road in question may belong to Arvida. She agreed that staff should investigate opportunities for landscaping.

#### Palmetto Promenade Project

Council Member Haynie noted that the Planning and Zoning Board voted 6-0 at their meeting last week to recommend approval of this project at 201 N. Palmetto Park Road. She characterized it as a signature project that, while not on the spine, would serve as a bridge “between the two.”

#### Commuter Challenge Event

Ms. Haynie expressed appreciation to Transportation Analysts John Reilly and Joy Puerta for their efforts in making this recent event a success.

#### Traffic Signal at the Entrance to Fairfield

Ms. Haynie requested the status of the traffic signal to be installed on Military Trail at the entrance to Fairfield. The City Manager will provide an update.

#### One North Ocean Construction

Council Member Haynie commented favorably on construction progress but stated she has received complaints that an unsightly blue bus is continually parked on this site. She asked that Code Enforcement look into this matter.

#### Meeting with LWDD Regarding Yamato Road

At the Mayor’s request, Mr. Ahnell provided an update of this meeting regarding the section of Yamato Road between Military Trail and St. Andrew’s Boulevard. He reported that the LWDD (Lake Worth Drainage District) rejected the request for a five-foot landscape easement. At a future meeting, staff intends to request the installation of a turn lane.

#### Mizner Park Cultural Arts Association (MPCAA)

Mayor Abrams referred to earlier discussion regarding identifying a not-for-profit entity for the second floor of the cartoon museum building. He confirmed with the City Manager that the MPCAA, which has been charged with identifying potential cultural users, has been meeting. The Mayor suggested that interested cultural arts groups should contact this group.

#### Hurricane Preparedness Update

The Mayor requested that the City Manager provide an update at the next meeting.

#### Boca Raton Museum of Art

Deputy Mayor Whelchel asked that a representative from the Museum be invited to a future CRA meeting. She stated that the Museum is very interested in what is taking place in Mizner Park and would like to explore possible opportunities for “art in the park.”

#### Fountain in Mizner Park

The City Manager provided details on the City’s efforts to resolve the fountain issue. He stated that the problems are more complex than just the inoperability of the fountain; it appears the best course of action would be a new fountain, similar in design to the current one. An engineering report is needed in order to obtain an accurate cost estimate; cost estimates have ranged from \$400,000 to \$1,000,000. The City has proposed to General Growth Partners (GGP) splitting the estimated \$30,000 cost for the engineering report and is awaiting a reply.

#### Mizner Park Bell Tower

Mr. Ahnell advised that staff is working on an agreement with GGP for repair of this tower, which was damaged during the hurricanes last fall. Under the agreement, they would arrange for the contractor and the City would reimburse GGP for the costs. It is felt that this would be the most expeditious way to accomplish the repair.

#### Downtown Committee

Pursuant to direction given at the last meeting, the City Manager advised that staff is working on creating a new committee to review issues related to the downtown; approval of the creation legislation will possibly be placed on the agenda of the next meeting.

The regular workshop meeting of the City Council of the City of Boca Raton, Florida, adjourned at approximately 2:47 p.m. on Monday, May 23, 2005.

Sharma Carannante, City Clerk