

MINUTES OF THE REGULAR WORKSHOP MEETING  
CITY COUNCIL  
BOCA RATON, FLORIDA  
MONDAY, JUNE 13, 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 Bill Hager  
Council Member Susan Haynie  
Council Member Peter R. Baronoff

Also attending the meeting were:

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

**Legislative Update – Senator Ron Klein**

Senator Klein provided the update later in the meeting.

**1. BOARD INTERVIEWS:**

There were no openings to consider.

**2. PUBLIC REQUESTS:**

Using zelars reflecting the current condition of the fountain at Mizner Park, and a sinkhole in the same area, Carl Jacobs asked that Council take appropriate action to rectify same.

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

- a. Questions relating to the agenda.

(Consent Agenda Item 3.c.1. – Portable Firefighting Training Building Simulator) Council Member Hager questioned whether the City receives any recoveries (money) on these types of expenditures. The City Manager explained that the City had received grant money to fund a portion of the costs for the equipment. Also, when other fire departments use City facilities for training, they are charged either in-kind services or dollar amounts for using the equipment. Mr. Hager then asked whether, once the dollar amounts are determined, there was an accounting of aggregate costs associated with the facilities. Mr. Ahnell advised that both costs and revenues are tracked.

(Consent Agenda Item 3.d. – Resolution No. 100-2005 / Agreement with Innovative Interfaces, Inc. for replacement of the integrated library system) Council Member Hager asked whether software implementation was consistent with the buildout schedule for both the Spanish River Library and the downtown library. Mr. Ahnell explained that replacing the library software system had been anticipated for a number of years; it happens to coincide with the opening of the new library. An important factor is that the software can be transferred to the new library and reconfigured to meet the demands of the downtown library.

(Consent Agenda Item 3.f. – Resolution No. 102-2005 / Work Order No. 11 with CH2M Hill, Inc. for multiple improvements in the area of Spanish Village, Phase II) Council Member Hager requested the percentage of residential homes within the City without sewers and what the long-term plan was with respect to those residences. Mr. Ahnell advised that the direction from Council was to replace all septic tanks with regular sewer systems. Currently, about 700 homes are still on septic tanks; this item takes care of approximately 200 of those

homes. The City has a long-term plan for replacing all septic tanks; however, the assessment process and subsequent installation of the infrastructure takes several years.

(Consent Agenda Item 3.i. – Resolution No. 105-2005 / Revocable license agreement with 6751 N. Federal, LLC for placing landscaping, decorative lighting and pavers in City right-of-way of Berkeley Street) Council Member Hager questioned whether the City had ongoing indemnity with regard to these types of agreements. The City Attorney explained that the agreements vary, depending on the nature of the revocable license. She will follow up.

(Regular Agenda Item 4 – Resolution No. 77-2005 / Conditional use approval related to Boca Raton Middle School) Council Member Hager asked whether staff was recommending approval, including the ITV tower, and whether the tower met applicable requirements. The City Manager said staff was recommending the school and the added features and advised that the School Board installs ITV towers at all of their schools in order to receive communications. The City Manager is to follow up on whether the tower meets applicable standards.

(Consent Agenda Item 3.e. – Resolution No. 101-2005 / Work Order No. 3 with Architects Design Group, Inc. for architectural services for improvements to City facilities) Council Member Haynie confirmed with the City Manager that these improvements were in keeping with space-saving improvements.

(Consent Agenda Item 3.i. – Resolution No. 105-2005 / Revocable license agreement with 6751 N. Federal, LLC for placing landscaping, decorative lighting and pavers in City right-of-way of Berkeley Street) Council Member Haynie asked whether this was the template agreement that the City would use for other entities making improvements in the area. The City Attorney advised that this was the standard form of revocable license that the City has been using for some time and does contain the insurance and indemnification provisions that are standard to the document; details were provided.

(Consent Agenda Item 3.c.1. – Portable Firefighting Training Building Simulator) Deputy Mayor Whelchel indicated that passage of this item would eliminate the cost of transporting staff to other training sites and asked how the financial numbers compared with each other. The City Manager is to follow up.

(Consent Agenda Item 3.e. – Resolution No. 101-2005 / Work Order No. 3 with Architects Design Group, Inc. for architectural services for improvements to City facilities) Alluding to recent “potty parity” legislation in New York City, Deputy Mayor Whelchel questioned whether Council would get to “weigh in” on the need to have additional restroom facilities for female personnel. Mr. Ahnell explained that this item was solely related to compliance with the Americans with Disabilities Act.

(Consent Agenda Item 3.i. – Resolution No. 105-2005 / Revocable license agreement with 6751 N. Federal, LLC for placing landscaping, decorative lighting and pavers in City right-of-way of Berkeley Street) Deputy Mayor Whelchel asked who designed and/or defined what the landscaping, brickwork, and physical aspects are supposed to look like. Mr. Ahnell explained that the petitioner designed it and the Community Appearance Board (CAB) has approved it.

(Regular Agenda Item 4 – Resolution No. 77-2005 / Conditional use approval related to Boca Raton Middle School) Deputy Mayor Whelchel spoke regarding her efforts, while a School Board member and since, to get the School Board to buy the condominiums that are located on six acres of land to the southwest of Boca Raton High School, which is where ballfields would be placed for Boca High. She stated she was recently advised that the School Board would not be going forward with this purchase due to a substantial increase in the price as a result of delays. She reminded all that at the time Council advocated the half-cent sales tax, the School Board stated that they would purchase that land for Boca High. Ms. Whelchel asked that staff confirm the status of the land purchase with the School Board. She indicated that obtaining the six acres could make a difference as to what happens at Boca Raton Middle School in regard to the ballfields there and possibly alleviate concerns of residents living along NW 8<sup>th</sup> Street.

(Consent Agenda Item 3.a.1. – Re-roofing of Spanish River Park Pavilions) Mayor Abrams asked the City Manager for a timetable on completing this project, saying he would like to get this done before the height of hurricane season. Mr. Ahnell explained that the bids would dictate the schedule but that he would follow up.

(Regular Agenda Item 4 – Resolution No. 77-2005 / Conditional use approval related to Boca Raton Middle School) Mayor Abrams acknowledged receipt of a Memorandum of Collective Objectives and questioned

whether this was a legal instrument. The City Attorney advised that it appeared to be a petition; nothing had been routed through the legal department.

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

There were no items for consideration.

**5. CITY MANAGER REPORTS:**

a. Hurricane Preparedness Update

Assistant City Manager Mike Woika gave a PowerPoint presentation on hurricane preparedness, advising that the City has had plans in place for some time to address disasters. Based on the last hurricane season, the City reviewed its response and determined to make certain improvements. Those improvements include: external communication with citizens and businesses, via hurricane information on AM1650, a Channel 20 video on hurricane preparedness, mailing of hurricane preparation brochures to property owners, and continued expansion of the CodeRed database. On the topic of internal communication, Mr. Woika advised that 90 more radios would be acquired for Police Services, Fire Rescue Services, and general service employees. Also, the time lapse in communications between the Emergency Operations Center (EOC) and the Citizens' Information Center (CIC), both of which are activated during times of disaster, has been improved.

On the subject of power loss, Mr. Woika explained that the City purchased additional generators; in addition, an FPL priority list is being compiled to determine which City facilities should be powered up sooner than others. He then spoke to the issues of fuel and traffic control before focusing on internal operations, which include EOC software/mapping, tracking paperwork for FEMA reimbursement, developing assessment teams, ensuring adequate meal preparation facilities for employees working on restoration efforts, additional safety training and development of hurricane preparation training for employees, and ensuring that overtime and response policies for critical personnel fit FEMA framework. Mr. Woika then spoke to the matter of debris removal, installation of a new weather station, painting of street names on curbs at intersections, and handheld GPS devices that can identify areas within the City.

Mr. Woika answered questions from Council related to information that can be put on AM1650 during storm situations, local facilities that can be used as hurricane shelters and whether opportunities exist for people to bring pets with them, how the City is affected by the retirement of the City's emergency management liaison to the County, providing updates to the media during emergency situations, coordination between the EOC and the CIC, obtaining hotline numbers for entities such as FAU, the County, the School Board, and Town Center Mall, obtaining emergency supplies (tarps, water, ice) prior to a strike, monitoring of debris pickup, and accommodations for people coming in to help from the outside.

**PRESENTATION:** Legislative Update – Senator Ron Klein

Senator Klein advised that the legislative session went more smoothly this year and spoke to the \$61 billion budget, saying that Palm Beach County generally got its fair share. He advised that there was an influx of new money, partly due to the hurricanes; a billion and a half dollars of new money, that is not recurring, came in. Senator Klein added that the economy was stronger here in Florida, which also contributed to more money coming in. He then spoke to growth management, advising that this was a big priority; he asked that staff review the bill and get back to his office with comments. On the issue of sexual predators, a bill was passed mandating that people who sexually molest children under age 12 will get a minimum mandatory sentence of 25 years and a lifetime electronic monitoring device attached to them; he encouraged the City to consider safe zones and other resolutions to this problem. The second primaries were permanently eliminated; only one primary will be held, typically in late August or September, followed by the election two months later. Affordable housing is another huge issue. He explained that when the legislature created doc stamps created years ago, it was designed to support affordable housing and several other programs. However, it has grown so substantially that much of the money is being used for many other items and/or programs. Consequently, this year the legislature capped the amount of money that goes into affordable housing from the doc stamps at \$243 million; the rest of money will

now go into general revenue. Red light running was elevated to a \$125 fine and 4 points; half the money goes toward trauma systems.

Senator Klein reviewed issues related to the hurricanes including creation of an electric utility task force, working with homeowner associations to trim trees and bushes, performance reviews of telecommunications and utilities during storms, and FEMA reimbursement. He stated that he was advised by FEMA that they do not take care of gated communities, as that's private property; details were provided. Senator Klein stated that there is a need for oversight of, and follow through by, FEMA that is consistent. He was advised by FEMA that they are currently drafting new policies to resolve this issue; Senator Klein requested a copy of same for review. Regarding reimbursement for the last hurricanes, while no answer had yet been received, it did not appear that FEMA would accommodate the City. Senator Klein concluded his comments and answered questions from Council related to affordable housing. He explained that he had just commissioned a statewide survey to determine what local incentives exist for promoting affordable housing.

## **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 mentioned the governor's veto list and noted that a utility project was vetoed; she asked for specifics on the plan and how the City would fund it. The City Manager explained that this was for a redundant line to return wastewater to the sewer plant for processing before disposal; funding would come from the CIP. Ms. Haynie then stated that she met with the Land's End Homeowners Association, whose members voiced concern over a proposed plan for a cancer center to be located on the corner of NW 13<sup>th</sup> Street and NW 7<sup>th</sup> Avenue. She suggested a meeting with Boca Raton Community Hospital to review their comprehensive plan. The City Manager explained that the City has met with the hospital preliminarily; however, they are not yet at the point where they are ready to hold meetings with the community. Ms. Haynie advised that the residents have a concern over increased traffic and have questioned why, if the rest of the plans for the campus plan is unknown, the hospital would move forward with a zoning change for a Comprehensive Plan amendment. The City Manager explained that, regardless, the hospital wants to have the center at that location, despite what else happens; they also plan to expand Oaks Plaza. Once the plans are more defined, the hospital will come to the City and presentations will be made.

Council Member Baronoff suggested that the Beach & Park District commission members meet with Council to discuss solutions to the problems of the Boca Raton Inlet and other issues; he asked the City Manager to set up a meeting. Mr. Baronoff then asked for an update as to when fiscal education will be presented to the public. Mr. Ahnell explained that the newsletter would be mailed to residents the last week in June. In addition, staff has contacted homeowner associations within the City to obtain feedback as to available dates for scheduling meetings. At this time, the City expects to meet with the Federation of Homeowners in August and is awaiting confirmation from that body. On the issue of licensing, Mr. Baronoff questioned whether there exists a requirement that security companies perform background checks on their employees; the City Manager is to follow up. Mr. Baronoff inquired if the City planned to respond to comments in recent editorials regarding the proposed Countywide dispatch system. Mr. Ahnell advised that a letter from Fire Chief Silk has been sent in response to the comments from the County's fire chief and the City's outside Counsel will be responding to the editorials. Additional responses are planned as well, including a response from the Mayor. Mr. Baronoff confirmed with Mr. Ahnell that the goal setting books would be forthcoming soon. He concluded his comments by commending all participants for their contributions to the successful Memorial Day event.

Deputy Mayor Whelchel asked the City Manager for a list, and the locations of, all city-owned lands and then suggested that Board minutes be included on the City's website. Referring to the opening of the new NABI biomedical company, Ms. Whelchel advised that it is important for the City to bring this type of high-level business to the community and proffered congratulations to Mayor Abrams for bringing them in.

The regular workshop meeting of the City Council of the City of Boca Raton, Florida, adjourned at approximately 2:50 p.m. on Monday, June 13, 2005.

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Vanessa Hines, Assistant City Clerk