

MINUTES OF THE REGULAR WORKSHOP MEETING  
CITY COUNCIL  
BOCA RATON, FLORIDA  
MONDAY, JANUARY 7, 2002  
1:00 PM

The regular workshop meeting of the City Council of the City of Boca Raton, Florida was called to order at 1:01 p.m. by Mayor Steven L. Abrams.

ATTENDING THE MEETING WERE:

Mayor Steven L. Abrams  
Deputy Mayor Carol Hanson  
Council Member Dave Freudenberg  
Council Member Bill Glass  
Council Member Susan Haynie

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) vacancy, to complete the term of Lee Walker, whose term expires 02/15/04.

No one came forward to interview for the position.

- b. Citizens' Pedestrian & Bikeway Board – (4) vacancies, two due to resignations of Jackie Wiesenfeld and Constance Scott, whose terms expire 01/12/04, and two due to term expirations of Clint Oster and George Petruff, whose terms expire 01/12/02.

George Petruff voiced interest in retaining his position on the board.

- c. Education Advisory Board – (1) vacancy, due to resignation of Scott Notowitz, whose term expires 07/28/04.

No one came forward to interview for the position.

- d. Physically and Mentally Challenged Board – (1) vacancy, due to resignation of Lin Schader, whose term expires 04/23/02.

Roslyn Rudolph and John Ehrlein expressed interest in serving on the board.

**2. PUBLIC REQUESTS:**

No one wished to speak during public requests.

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

- a. Questions relating to the Agenda.

(Consent Agenda Item No. 3.c.1. – Traffic Signal Installations) Council Member Haynie inquired as to when installation would begin. The City Manager estimated approximately six months.

(Consent Agenda Item No. 3.e. – Resolution No. 3-2002, "Byrne" Federal Drug Control and System Improvement grant) Council Member Haynie asked for the City's cost and specifics

related to training. Mr. Ahnell explained that, if the grant is awarded, the State would contribute \$90,600 and the City would contribute approximately \$30,200. Regarding training and equipment, he referenced the provided material and advised staff could provide further clarification tomorrow night. Mr. Ahnell clarified that funding would be used to supplement current equipment and training related to crime and drug prevention and would also provide appropriate equipment for responding to incidents involving mass destruction. He expressed confidence that the City would receive the grant.

(Consent Agenda Item No. 3.f. – Resolution No. 5-2002, Agreement with FAU Foundation, Inc., and Uncommon, Ltd., to ensure payment to the City for improvements to University Commons) Council Member Haynie questioned how much money the City would receive in taxes and fees. Mr. Ahnell stated that information would be forthcoming tomorrow night and clarified that only the structures are taxable; the land is exempt. He then confirmed with Ms. Haynie that the City is protected regardless of who owns the property.

Council Member Glass asked for clarification relating to what other entities would receive this money. Mr. Ahnell explained that the Property Appraiser would assess the taxable value of the building improvements and apply all applicable taxing agencies to that assessed value. Mr. Ahnell concluded by stating that, in a back-up agreement, the FAU Foundation has agreed to take over the obligation to the City should a change of ownership take place in the future.

In response to additional queries, the City Manager advised that the property appraiser is looking at taxing non-aviation land, certain types of hospital property may also be taxed, and Research Park improvements are already being taxed.

(Consent Agenda Item No. 3.i. – Resolution No. 8-2002, Agreement with the Palm Beach County Tax Collector for collection of non-ad valorem assessment billing) Council Member Haynie asked whether an assessment had already been levied on Royal Palm Yacht and Country Club, as the taxable amount is known. Conversely, the Spanish Village assessment is unknown at this time. Mr. Ahnell explained that the assessment for Royal Palm Yacht and Country Club is known, due to a prior agreement with the City. The assessment amounts for Spanish Village have not yet been determined.

(Consent Agenda Item No. 3.c.1. – Traffic Signal Installations) Council Member Glass confirmed with the City Manager that the intersection at Clint Moore and 24<sup>th</sup> Way was in The Banyans/Broken Sound area.

(Consent Agenda Item No. 3.b.1. – Glades Road Water Treatment Plant On-Site Sodium Hypochlorite Generation System, Change Order #1) In response to a question from Deputy Mayor Hanson, Mr. Ahnell explained that the change order is the result of suggestions from the water system operators. Responding to Ms. Hanson, Mr. Ahnell clarified that approximately 15% of the \$65,114 change order cost was contractor's profit, which is standard within the industry.

- b. Presentation on Resolution No. 1-2002 and Resolution No. 4-2002 (Regular Agenda Item Nos. 4. and 4.a.), which would grant conditional use approval and tentative plat approval to the School Board of Palm Beach County (Boca Raton Community High School) for a parcel of land located at 1501 NW 15<sup>th</sup> Court.

Development Services Senior Planner Barbara Cohen gave the concurrent presentation on both resolutions. She provided information relating to location, zoning, and properties/businesses surrounding Boca Raton Community High School. Details were given relating to parking and proposed structures. It was determined that the science building, the football field, and the locker building would remain in the same location. On the southern portion of the site, new buildings would be constructed around a central courtyard area with retention ponds in close proximity. Fencing would also be constructed around the perimeter of the school for safety purposes. Ingress and egress of bus routes were established as well.

Ms. Cohen then explained that three technical deviations were being requested:

- 1) on-site circulation (a loop road for buses),
- 2) size of the parking stalls (a reduction from 10 X 20 to 9 X 20), and
- 3) ingress lanes to the site (left- and right-turn lanes into the main entrances).

As a result of a discrepancy between the City Code and the State Code relating to parking spaces, staff determined that a fourth deviation would be required to allow reduced parking. In this case, the project would contain 9 spaces less than required by code but 32 more than currently in existence.

Condition 5 was referenced in relation to the ingress lanes; Ms. Cohen explained that the City is to make the necessary improvements to NW 15<sup>th</sup> Avenue, and the School Board is to share equally the cost of these improvements. Condition 8 was touched on regarding an on-site bus-rider shelter. Condition 9 referenced improvement costs related to pavement markings/signage; the City is to make the improvements and the County will share equally the cost of same. Conditions 12 and 13, regarding the 6-foot masonry wall and the 8-foot wide sidewalk along NW 15<sup>th</sup> Avenue, respectively, were deleted since the revised Condition 5 addresses these issues. There was discussion about removing the masonry wall condition and instead requiring only chain-link fencing. Ms. Cohen provided comments obtained from the public in regard to this project and then concluded her presentation; staff recommended approval of both resolutions. She then answered questions from Council. Much discussion followed; focus was given to the retention ponds, interim parking, drainage, surface parking vs. a parking garage, and Florida Power & Light transmission lines in relation to parking.

Deputy Mayor Hanson asked the City Attorney to prepare an amendment relating to the chain-link fence. She stated her preference in having all the conditions contained within the resolution, even if on the site plan.

- c. Presentation on Ordinance No. 4624 (Regular Agenda Item No. 5.), which relates to front porches.

Development Services Director Jorge Camejo gave the presentation, explaining that this ordinance would allow for a more meaningful encroachment for front porches. A maximum total overhang of ten feet and a maximum total floor-surface area of seven feet are proposed for construction of a front porch. Mr. Camejo referenced Code Sections 28-2 and 28-1354, elaborating on the definition of "front porch," and explaining encroachments. Among other details given, Mr. Camejo stated that a front porch may not be screened or enclosed, it must be single-story, and the minimum front yard setback would be 18 feet. It was further determined that the Zoning Board of Adjustment cannot grant variances for enclosure of front porches or reduction of front yard setbacks. Anyone wishing to build a front porch must come before the Community Appearance Board for design review. Mr. Camejo concluded his remarks by stating that the Planning and Zoning Board recommended approval of this ordinance on a vote of 6-1. He then answered questions from Council. Discussion touched on several topics. It was noted that those homeowners fronting N. Dixie Highway, and encroaching in a special setback, would be precluded from obtaining a front porch. In addition, this ordinance only applies to structures with a 25-foot front setback.

- d. Presentation on Resolution No. 6-2002 (Consent Agenda Item No. 3.g.), which would approve the City's Year 2002 Federal legislative and funding priorities.

Assistant City Manager Kathleen Dailey gave the presentation, stating that, upon approval by Council, this list of Federal legislative and funding priorities would be forwarded to the City's lobbyists for ultimate consideration before the 107<sup>th</sup> United States Congress. The deadline for submitting the list to the lobbyists is March 1, 2002. Ms. Dailey then outlined the priorities, including beach nourishment support from the Army Corps of Engineers, traffic calming funding, funding for an I-95 interchange and auxiliary lanes between Glades Road and Yamato Road to support FAU and regional growth, FAA non-stage 3 restrictions, Federal Railroad Administration Safety Initiative banning train horns, and funding and reimbursements for municipal security preparedness initiatives.

Mayor Abrams suggested dividing the list of priorities into two sections. The first section would be more specific to the City of Boca Raton. The second section would reflect more general concerns to be

addressed. He also suggested that this list be made available to the City's three Congressmen and two United States Senators that they may better understand the needs of Boca Raton.

Citing the anthrax incident, which took place at American Media, Inc., Mayor Abrams suggested adding a request for machines to irradiate mail at Boca Raton-based post office locations. This request would fall under "municipal security preparedness initiatives." Deputy Mayor Hanson also suggested adding a nighttime curfew on flights into the Boca Raton Airport. Ms. Dailey is to prepare an updated priorities list for review tomorrow night.

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

##### **a. First Quarterly Update - Strategic Goals and Objectives**

Assistant City Manager George Brown provided a comprehensive update on the City's strategic goals and objectives as delineated in the May 2001 strategic planning sessions. He expounded on each item and provided examples of action currently being undertaken to achieve these goals and objectives. Three vision-based goals included, 1) a financially sound City government, 2) top quality municipal services, and 3) partnerships with community stakeholders in the City. Policy targets included, development of the Boca Tech site, construction of the reverse osmosis plant, a comprehensive traffic plan and implementation of same, redevelopment of the N. Federal Highway area, FAU strategy, and the Pearl City Master Plan.

Mr. Brown then provided details on the Management Agenda for 2001-2002, which identified three issues: 1) central beach restoration, 2) the south beach program, and 3) an update of the Comprehensive Plan.

It was noted that, since September 11, 2001, additional priorities have come to the forefront. Staff is currently assessing security of City buildings, re-evaluating funding resources for safety needs, and preparing a Request For Purchase (RFP) for an annexation study of the Town Center mall area, as directed by Council. Mr. Brown concluded his report by stating that quarterly updates will continue to be provided; he then answered questions from Council.

##### **b. Presentation regarding a financing plan, and related general obligation bond issue, to address one of the goals of the City's Strategic Plan 2001-2006 (Goal 2: Top Quality Municipal Services) and implement specified capital projects to improve fire and library facilities.**

Financial Services Director Mervyn Timberlake provided a brief history regarding the determination of need.

Chief Silk gave a comprehensive presentation on existing and proposed new facilities. It was determined that upgrades and improvements are needed to Fire Stations 1 – 5; a fire support facility is also proposed to be added to Fire Station #5. In addition, two new fire stations are recommended, one at W. Yamato Road and Regency Court, the other to be located at SW 18<sup>th</sup> Street and Hillsboro El Rio Park. Timelines and costs for construction, staffing, and operating expenses were detailed. Chief Silk then answered questions from Council.

Manager of Library Services Catherine O'Connell gave the presentation on construction of a new downtown library and building a new western library on the Boca Tech site. She provided statistics relating to usage, community input, and consultants' findings. Conceptual plans, building timelines, and costs were detailed for both the downtown and western libraries. Ms. O'Connell then answered questions from Council.

Mr. Timberlake provided a brief history of General Obligation Bonds and their related issues, detailing successes and failures over the years. He then outlined costs for the proposed fire-rescue and library facilities; it is estimated that \$15,808,100 would be needed for fire-rescue and \$19,494,600 would be needed for the libraries. Projected annual operating costs for all facilities were specified. Mr. Timberlake concluded by listing the effects that a new General Obligation Bond would have on the taxpayers, the

Capital Improvements Program, and the existing General Obligation Debt. He then answered questions from Council.

**5. CITY MANAGER REPORTS:**

The City Manager stated that he would be requesting Council's direction tomorrow on the proposed fire/library bond as presented today. Mr. Ahnell also said he would have answers to questions raised today relating to the fire-rescue and library facilities; scaled-back information on the fire stations would be provided as requested. Mr. Ahnell also explained the calculation of estimated need of library space (square footage).

**6. CITY ATTORNEY REPORTS:**

The City Attorney had nothing to report at this time.

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

Deputy Mayor Hanson referenced House Bill 545, which refers to substance abuse facilities, and asked that staff review the bill to determine whether it addresses the concerns of the City regarding halfway houses/sober houses. The City Manager stated that the Bill does address the City's concerns and staff has spoken with Representative Andrews; staff will continue to monitor the Bill's progress.

Deputy Mayor Hanson mentioned a proposed amendment to the sign code ordinance relating to large vs. small neon signs, which she had asked the City Attorney to draft. Ms. Hanson made it clear that requesting the amendment does not mean she will support it. Due to the possible pending revisions to the sign code, the Deputy Mayor inquired if Code Enforcement was continuing to enforce the current Code. The City Manager responded in the affirmative. Ms. Hanson also suggested that Code Enforcement staff and the Community Appearance Board review the suggested amendments prior to Council consideration.

Council Member Glass spoke in support of both the fire-rescue and library facilities and asked about opportunities for public input prior to placement on the ballot.

Council Member Haynie requested an update regarding the Spanish River Park boat dock project, including scope of work and cost estimates.

Council Member Haynie referred to PODS (Personal On Demand Storage) storage containers and asked how Code Enforcement is handling this issue. Ms. Haynie then mentioned that she had accompanied local firefighters before the holidays as they dropped off gifts on behalf of the Make-A-Wish Foundation. Ms. Haynie expressed that it was an enjoyable experience and thanked those involved for their efforts.

Council Member Freudenberg suggested moving the second January workshop and regular meetings of the City Council from the 23<sup>rd</sup> and 24<sup>th</sup> to the 28<sup>th</sup> and 29<sup>th</sup>, explaining that the Legislative Session would be opening in Tallahassee. It was noted that issues relating to legal noticing must be addressed before any changes are made. A decision on the meeting schedule is to be rendered tomorrow night.

The regular workshop meeting of the City Council of the City of Boca Raton, Florida, adjourned at approximately 4:30 p.m. on Monday, January 7, 2002.

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Vanessa Hines, Assistant City Clerk