

MINUTES OF THE REGULAR WORKSHOP MEETING  
CITY COUNCIL  
BOCA RATON, FLORIDA  
MONDAY, FEBRUARY 11, 2002  
1:00 PM

The regular workshop meeting of the City Council of the City of Boca Raton, Florida was called to order at 1:00 p.m. by Mayor Steven L. Abrams.

ATTENDING THE MEETING WERE:

Mayor Steven L. Abrams  
Deputy Mayor Carol Hanson (arrived at approximately 1:40 p.m.)  
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. Term expires 02/15/04.

No one came forward to interview.

- b. Citizens' Pedestrian & Bikeway Board – (1) vacancy due to resignation of Constance Scott. Term expires 01/12/04.

No one came forward to interview.

- c. Community Relations Board – (1) vacancy due to resignation of Matthew S. Nelles. Term expires 07/25/03.

Barbara Fabricant came forward to interview.

- d. Telecommunications Advisory Board – (1) vacancy due to resignation of Jose F. Gonzalez-Heres. Term expires 09/08/02.

No one came forward to interview.

- e. Zoning Board of Adjustment – (1) vacancy due to resignation of George L. Sigalos. Term expires 04/10/04.

No one came forward to interview.

**2. PUBLIC REQUESTS:**

Miriam Brown, the owner of Brown's Bountiful Baskets, advised that she has removed the sign for which she was cited. She then asked questions of Council relating to Code Enforcement procedures and actions.

John Gumina asked the date of the next public meeting regarding the proposed master plan for the Boca Tech site, inquired if the City Charter provides for mandatory review of the Charter every 10 years, quoted comments made about the City by one of the City's philanthropists, commented on an article on Boca Raton, suggested the first floor restrooms in City Hall need to be renovated and queried the Council Members regarding whether or not

they would support a bond issue that would extend Plaza Real to Royal Palm Plaza. He was informed that the next date for the public meeting was February 19, and it is not believed there is a provision for mandatory review of the Charter (this will be confirmed).

### 3. REVIEW OF REGULAR AGENDA ITEMS:

#### a. Questions relating to the Agenda.

(Consent Agenda Item No. 3.c.1. – Printing and Mailing of the Recreator) Responding to a query from Council Member Freudenberg, the City Manager advised other bids were submitted. Mr. Freudenberg then requested additional information related to those bids. The City Manager is to follow up.

(Consent Agenda Item No. 3.e. – Resolution No. 22-2002 / Uniform Traffic Enforcement at Woodfield Hunt Club) In response to Council Member Freudenberg's query about whether or not he could vote on this item since he is a resident of Woodfield, the City Attorney advised there was no conflict.

(Consent Agenda Item No. 3.d.2. – Automobiles and Trucks) Council Member Haynie asked for a breakdown of the departments receiving vehicles. Additional information will be provided tomorrow night.

(Consent Agenda Item No. 3.e. – Resolution No. 22-2002 / Uniform Traffic Enforcement in Woodfield Hunt Club) Council Member Haynie asked what speed limits are posted in this community. The City Attorney advised that the agreement requires all traffic signage and signals meet State requirements. Ms. Haynie also asked for a list of those subdivisions with which the City has uniform traffic enforcement agreements. The City Manager stated that the following communities are currently being serviced: Windwood, Boca Lake Estates, Seasons, and certain streets in Broken Sound and Woodfield Hunt Club.

(Consent Agenda Item No. 3.f. – Resolution No. 23-2002 / Amending rules of the Boca Raton Code Enforcement Board) Council Member Haynie voiced concern that the change to quarterly meetings might jeopardize timely resolution of nuisance cases. Mr. Ahnell advised that special meetings would be held if needed.

(Consent Agenda Item No. 3.g. – Resolution No. 24-2002 / Easement Deed with Vahan Varian & Nancy Varian for a water main) Council Member Haynie confirmed with the City Manager that this was the property where a building permit was erroneously issued prior to the approval of the abandonment. She then inquired if there was now a policy in place as a safeguard against recurrence. The City Manager stated that procedures have been put in place to prevent future occurrences.

(Consent Agenda Item No. 3.n. – Resolution No. 31-2002 / Quit Claim Deed from FDOT for lands located at W. Palmetto Park Road and N.W. 9<sup>th</sup> Avenue) Council Member Haynie asked for the acreage of the parcel. The City Manager is to provide this information tomorrow night.

#### b. Presentation on Ordinance No. 4627 (*Regular Agenda Item No. 6*), which would adopt the Secretary of the Interior's standards for rehabilitating historic buildings, sites or structures.

Deputy Mayor Hanson arrived at approximately 1:40 p.m.

Development Services Director Jorge Camejo introduced Professor Ralph Johnson, Director of the FAU Center for the Conservation of Architectural and Cultural Heritage. Professor Johnson gave a detailed review of the Secretary of the Interior's standards and guidelines for rehabilitation of historic buildings. He concluded by recommending adoption of the ordinance, stating it is imperative if the City wants to maintain its heritage. Professor Johnson then answered questions from Council relating to the standards, enforcement of the standards, Pearl City and the Boca Elementary Gymnasium.

#### c. Presentation on Resolution Nos. 20-2002 and 21-2002 (*Regular Agenda Item Nos. 4 & 5*), which would modify the conditional use and site plan approval for the AMK Gas Station, Convenience Store and Car Wash in the VPC Center and modify the VPC Center master plan.

Development Services Senior Planner Diane Borchardt gave a concurrent presentation for both resolutions. She outlined the location of the subject property and identified surrounding properties/businesses. Ms. Borchardt stated that the petitioner was asking for: a) one additional car wash lane, b) a car repair area near the car wash, c) a car wash detailing area, and d) addition of one parallel parking space. It was noted that the car repair area was already operating. Ms. Borchardt then provided information relating to parking demand; 24 spaces are required and 27 are being supplied. The Planning and Zoning Board recommended approval of both resolutions. Attention was focused on changes to the titles of the resolutions to delineate a request for gas station conditional use approval via Resolution No. 20-2002 and a request for VPC Center conditional use approval through Resolution No. 21-2002. Ms. Borchardt then answered questions from Council. There was lengthy discussion regarding the performance of auto repairs without securing approval, for which they have been cited. Additional information regarding the code violation history, water usage for the car wash, and the status of the Preserve area was requested for tomorrow night.

- d. Presentation on Ordinance No. 4631 (Regular Agenda Item No. 8), which would amend Chapter 24-2 Definitions, Code of Ordinances, Signs; amending the definition of window sign, permanent.

Council indicated that this ordinance might not be considered tomorrow night. Therefore, no presentation was given.

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

There were no items to consider.

#### **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 Freudenberg mentioned that the Tri-County Humane Society had asked for his input, as an unpaid consultant, to one of their advisory boards. He questioned whether this would constitute a conflict of interest, due to a clause in the agreement between the City and Tri-County Humane Society. The City Attorney was directed to review the agreement and return with a determination.

Council Member Haynie mentioned a request she received for median landscaping at Camino Real from S.W. 4<sup>th</sup> Avenue west to S.W. 8<sup>th</sup> Terrace and asked whether this area would be considered for landscaping in the future. Mr. Ahnell explained that there is no irrigation in the area to facilitate landscaping; installation of same would be very costly. However, the City would review that vicinity again.

Council Member Glass questioned when beautification would begin on Camino Gardens Boulevard near Walgreens, between S.W. 4<sup>th</sup> Avenue and Camino Real, stating that it was a long time in coming. The City Manager explained that the project has been awarded and construction is about to begin.

Council Member Haynie referenced the Fiesta of the Arts, which took place February 2-3, 2002, stating that she received some complaints regarding advertising of events and asked for clarification regarding sponsorship and liability. The City Manager is to follow up.

Council Member Glass explained that he would move to amend the agenda tomorrow night to withdraw the Procurement Code ordinance (#4630) in favor of introducing a new procurement ordinance. He then referenced the Shell gas station at the corner of Palmetto Park Road and Federal Highway, inquiring about what is being done regarding the excessive number of vehicles parked there. He also mentioned another area at Glades Road and Dixie Highway, where 'cars for sale' are parked illegally. The City Manager is to follow up.

Deputy Mayor Hanson asked for additional information on Consent Agenda Item No. 3.d.2. (the procurement request for automobiles and trucks), including the difference between unmarked vehicles and undercover vehicles, whether any new personal cars are being purchased for department heads, and details relating to maintenance.

Deputy Mayor Hanson referenced Consent Agenda Item No. 3.e. (Resolution No. 22-2002 / Uniform Traffic Enforcement at Woodfield Hunt Club) In response to the Deputy Mayor's question, the City Manager advised that the City does not do selective enforcement within gated communities. Ms. Hanson then advised that some residents in Walker's Cay, Boca Bay Colony and on Forsythe Street have requested more police visibility in their areas.

Deputy Mayor Hanson referenced Consent Agenda Item Nos. 3.l. and 3.m. (Resolution Nos. 29-2002 and 30-2002 / Leases with FEC Railway Company for parking, sidewalk and beautification, and a right-turn lane on Dixie Highway at Glades Road, respectively), asking what area this encompassed. The City Manager explained the scope of the project and the necessity of the lease agreement with the FEC. Mr. Ahnell confirmed that the FEC property along Dixie Highway, north of 20<sup>th</sup> Street, is not currently under lease.

Deputy Mayor Hanson requested updates on the Traffic Demand Management (TDM) ordinance and the Royal Palm Plaza petition. Mr. Ahnell advised that the TDM ordinance has been reviewed by the Planning and Zoning Board and will be coming forward to Council once modifications are made. Regarding the Royal Palm Plaza petition, he advised that it did not receive a favorable recommendation from the Planning and Zoning Board, and would be on the next CRA agenda for the Agency's review. He added that he would provide an update tomorrow night regarding the parking garage.

Deputy Mayor Hanson broached the subject of the Martin Luther King, Jr. Foundation, saying that the organization is unable to obtain any more money. She provided the City Manager with a folder containing the Foundation's financial information, including what has been paid for, and suggested the City pay the remaining balance. In addition, Ms. Hanson mentioned that a sign for the Memorial was still needed. Council briefly discussed whether the City has the capability to make the sign or whether approximately \$2,500 should be expended for same. Mayor Abrams stated that his suggestion is that the City assume responsibility for the Memorial as a pocket park, and all the improvements thereon.

Deputy Mayor Hanson questioned whether companies who spray pesticides on lawns are required to put up signs or provide some type of notification to neighbors that lawns have been treated.

Deputy Mayor Hanson explained that she spoke with Representative Alcee Hastings regarding HUD funding, saying he needs a list of items that the City would like to have him pursue for Pearl City. Per Ms. Hanson, Community Improvement Administrator Annette Evans will provide that information and act as the City's contact person. Ms. Hanson mentioned that she also spoke with Housing and Urban Development (HUD) staff members on funding for Pearl City.

Deputy Mayor Hanson referenced resident Scot Menke's letter to the Federal Aviation Administration relating to the Part 150 Study and offered copies to Council. She was informed that Mr. Menke's letter had been included in the Part 150 filing.

Deputy Mayor Hanson stated she would like to correct misinformation regarding the 1994 library bond issue, stating that the referendum was not defeated by the voters who lived between Dixie Highway and U.S.1. She added it was actually defeated in 12 precincts.

Deputy Mayor Hanson asked how much a City library card costs for non-resident users, and whether City employees who do not live within the City limits are charged for cards. Mr. Ahnell stated he would need to check the cost for non-residents, but City employees are afforded the same privilege as City residents, i.e. they do not have to pay for a card. The distinction was made that while the City could restrict issuance of library cards, it cannot restrict public use of the library.

Mayor Abrams asked that the City look into placing recycling bins in the City's parks.

Mayor Abrams referenced the memorandum provided by the City Attorney at the last meeting regarding E. Royal Palm Road in the downtown, basically outlining its status as a zoning district. He said he would like to have it sent back to the planning staff for review, based on the City Attorney's analysis, and have them bring forward a recommendation for Council to consider.

Mayor Abrams commented on Palm Tran's Rider's Digest, saying it is difficult to comprehend the route schedule. He asked that staff contact Palm Tran to determine whether a better method of communicating route schedules might be effected. Deputy Mayor Hanson brought up the issue of Tri-Rail schedules not coordinating with jury duty reporting times. As an accommodation to South County residents, she suggested that Tri-Rail should be asked to consider modifying the schedules or the Courts should be asked to modify their jury duty reporting time.

Mayor Abrams referenced traffic congestion along the Glades Road approaches to I-95, stating that traffic lights might be timed better to avoid overcrowding and possibly cut down on accidents. A traffic signal inventory map was distributed. Since the County controls these traffic signals, Mayor Abrams voiced his intention to write to the County Commission and suggest that the City be charged with managing the signals.

Mayor Abrams asked the City Manager to research the issue of why left-turn red arrows exist at some intersections when the light is green, stating that perhaps better coordination is needed. Mr. Ahnell is to follow up.

Mayor Abrams spoke to the issue of the Camino Real Bridge, stating he had received complaints that the bridge was being raised every 10 minutes instead of every 15 minutes, thereby causing traffic jams. He asked the City Manager to follow up.

Mayor Abrams referred to the new voting machines and the letter sent by the City Clerk, to the elections office, outlining various deficiencies. He asked the City Clerk to follow up on her letter to ascertain if the deficiencies would be corrected before the March election.

The regular workshop meeting of the City Council of the City of Boca Raton, Florida, adjourned at approximately 3:15 p.m. on Monday, February 11, 2002.

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Vanessa Hines, Assistant City Clerk