

MINUTES OF THE REGULAR WORKSHOP MEETING
CITY COUNCIL
BOCA RATON, FLORIDA
MONDAY, JULY 22, 2002
1:00 PM

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

ATTENDING THE MEETING WERE:

Mayor Steven Abrams
Deputy Mayor Susan Haynie
Council Member Bill Hager
Council Member Carol Hanson
Council Member Freudenberg

Also attending the meeting were:

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

PRESENTATIONS:

Commissioner Mary McCarty – Update on Palm Beach County Recreational Bond Issue

Commissioner McCarty advised that a County referendum would be forthcoming on the November ballot for a \$50 million bond issue relating to recreational and cultural uses. She suggested that, should the voters pass this bond issue, up to \$3 million would be allocated to purchase the International Museum of Cartoon Art, with the stipulation that the site be maintained for cultural uses.

Presentation of Check by F.I.N.D.

Mark Crossley, representing the Florida Inland Navigational District, presented a \$100,000 check to Mayor Abrams for improvements to the Boca Inlet.

1. BOARD INTERVIEWS:

a. Aviation Advisory Committee – one (1) vacancy, 2-year term.

1) Resolution 120-2002

A resolution of the City of Boca Raton confirming the appointment to the Aviation Advisory Committee of the Boca Raton Airport Authority, subject to the limitations of authority contained herein; providing for severability; providing for repealer; providing an effective date

The City Attorney referenced the above resolution and provided a brief explanation as to the authority limitations incumbent upon the appointee.

Bob Brewster and Ron Peasley interviewed for the position.

b. Builders' Board of Adjustment and Appeals – one (1) vacancy for a general contractor. Term expires 02/15/04.

No one came forward to interview.

- c. Community Relations Board – one (1) vacancy, due to resignation of Kathleen M. O’Leary, whose term expires 07/25/02.

Lynda Leixner and Leslie Scheper expressed interest in the position.

- d. Financial Advisory Board – three (3) vacancies, due to term expirations of Arnold M. Straus, Charles F. Edris, and Andrew John Vissicchio, Jr., whose terms expire 08/26/02.

Robert O’Brien, Arnold Straus, Andrew Vissicchio, Jr., and Charles Edris interviewed for the positions.

- e. Library Advisory Board – two (2) vacancies, due to term expirations of Florence L. Mangus and Kathleen M. Murdoch, whose terms expire 08/10/02.

Florence Mangus expressed interest in the position. Lynda Leixner removed her name from consideration. Mayor Abrams noted that Kathleen Murdoch applied for reappointment but was unable to interview today.

- f. Pearl City Blue Ribbon Committee – one (1) vacancy, due to resignation of Marian Nease, (Housing Authority representative). Term expires 02/13/04.

Debbie Prehn interviewed for the position.

2. PUBLIC REQUESTS: (Public requests shall be limited to five (5) minutes each. No public comment may be made regarding any land use matter for which the City Council is required by law to conduct a quasi-judicial hearing.)

Carl Jacobs again spoke to the issue of improper use of City fire hydrants by contractors.

3. REVIEW OF REGULAR AGENDA ITEMS:

- a. Questions relating to the agenda.

(Consent Agenda Item 3.h. / Boca Technology Center Plat I subdivision plat) Referencing a memorandum dated July 8, 2001 from Planning and Zoning Director Carmen Annunziato to the City Manager, Council Member Hanson sought confirmation that the plat document indicates that an additional .31 acres of environmentally sensitive land has been set-aside. A response will be provided tomorrow night.

(Agenda Item 10 / Appeal of Community Appearance Board (CAB) Decision – Sprint PCS) Council Member Hanson referred to the CAB minutes and requested a complete address for the site where the proposed cell tower is to be constructed. She also questioned why this issue did not come before Council. The City Attorney explained that, under Code, an antenna support structure does not require review and approval by Council; antenna support structures are reviewed for architectural and aesthetic compatibility and fall under the purview of the CAB. Ms. Hanson then asked for the current height of the church steeple and requested that staff determine whether other residential areas exist where cell towers could be built.

(Flagpole height at the Don King organization’s property) Mayor Abrams asked the City Manager to find out the height of the flagpoles on the Don King site, located in Deerfield Beach along I-95 between Hillsboro Boulevard and SW 10th Street.

(Consent Agenda Item 3.c.1. – Portable Gas Chromatograph & Mass Spectrometer Unit) Council Member Freudenberg requested more information as to what this item would be used for and how it would benefit the City. Mayor Abrams, citing a recent AP article, requested information relating to the reliability of this equipment.

(Agenda Item 10 / Appeal of Community Appearance Board (CAB) Decision – Sprint PCS) Council Member Hager questioned the City Attorney as to who is eligible to effectuate an appeal. He also requested the definition of an “affected person.” A response will be forthcoming.

(Consent Agenda Item 3.e. – Resolution No. 118-2002 / CDBG 1999-2000 Annual Consolidated Action Plan) Mayor Abrams noted that federal funding would no longer be forthcoming for the self-sufficiency program and asked whether the City’s lobbyists could work toward changing that regulation.

(Adelphia Bond Hearing) In response to a query from Mayor Abrams, the City Attorney stated that she will recommend tomorrow night that the agenda be amended to add a resolution under, “Regular Business – Part VI – Resolutions and Other Business” related to cancellation of the Adelphia surety bonds. She added that a bankruptcy hearing was to take place tomorrow morning, which might provide Council with additional information on the issue.

(Florida Power and Light) Mayor Abrams questioned whether the FPL issue would be discussed tomorrow night. Mr. Ahnell suggested that, if the issue was brought forward, it could also be discussed under “Regular Business – Part VI – Resolutions and Other Business.”

- b. Resolution No.116-2002 (*Regular Agenda Item No. 4*), which would grant conditional use approval for an administration building at Florence Fuller Child Development Center, located at 200 NE 14th Street.

Ruby Childers, Manager of Administrative Services for Development Services, gave the PowerPoint presentation. She explained that the administration building is proposed to comprise 5,683 square feet. She then provided information relating to the zoning and Comprehensive Plan designations of the parcel in question and detailed precisely where the site is located. Ms. Childers explained that quasi-judicial procedures would be followed in regard to this item and concluded her presentation by asking for questions from Council.

- c. Ordinance No. 4665 (*Regular Agenda Item No. 7*), which would create a new subsection in the Code of Ordinances and amend the Code of Ordinances relating to requirements for connections to fire hydrants and restrictions regarding the use of fire hydrants.

Utility Services Director Mike Woika gave the presentation and explained that, while many procedures relating to fire hydrants are currently in place, this ordinance would be representative of all procedures and provide for easier enforcement. Mr. Woika outlined what equipment was needed to utilize fire hydrant meters. He then pointed out the location of backflow equipment on a fire hydrant meter assembly, which he presented to Council, and detailed the proper usage of same. Mr. Woika added that other measures – not part of this ordinance but complementing it – include increasing the deposit for acquiring a fire hydrant meter from \$350 to \$1,000 and increasing installation fees. Mr. Woika concluded by stating that the proposed ordinance would help resolve the problems currently being experienced by the City regarding improper use of backflow equipment by contractors. He then answered questions from Council.

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

- a. Fire Bond Presentation

Fire Chief Bruce Silk gave the PowerPoint presentation, providing information on the proposed renovation of the City’s existing fire stations and the construction of two new stations, along with a new administration building. Mervyn Timberlake, Director of Financial Services, relayed financial information, explaining that a general obligation bond would need to be purchased in order to fund the proposal. He also detailed the expected cost to taxpayers, should they approve the bond measure. Chief Silk and Mr. Timberlake then answered questions from Council.

- b. Library Bond Presentation

Catherine O’Connell, Library Services Manager, gave the PowerPoint presentation, providing detailed information regarding the proposed downtown library. Mr. Timberlake then outlined cost figures relating

to increased property taxes for residents; he explained that a general obligation bond would be needed for this project as well. Information regarding cost estimates to modify the current International Museum of Cartoon Art for use as a library or a community center was also reviewed. Ms. O'Connell and Mr. Timberlake then answered questions from Council.

Following discussion, it was the consensus of Council that the referendum for the fire bond would be placed on the November 2002 ballot; voter consideration of the library bond would be delayed until the March 2003 regular election. A resolution approving the ballot wording for the November election will be brought forward at the August meeting. Council also directed Mr. Ahnell to determine, with Ms. O'Connell's input, what interim options are available to the library.

5. CITY MANAGER REPORTS:

The City Manager had nothing to report at this time.

6. CITY ATTORNEY REPORTS:

Adelphia

The City Attorney distributed copies of a proposed resolution relating to Adelphia's performance bonds and again advised, unless there are new developments between now and then, that she will recommend at tomorrow night's meeting that the resolution be added to the agenda. Ms. Frieser confirmed that Adelphia and Hanover Insurance were aware of the proposed action to be taken; Adelphia indicated that it had no intention of letting the bonds expire.

Florida Power & Light (FPL)

Ms. Frieser referred to additional correspondence received from Christopher Wheeler of Proskauer Rose LLP, representing FPL, in regard to the proposed transmission lines. The first letter, addressed to Woodfield Country Club and dated July 18, 2002, provided a basis for continuing discussion of the issue with Woodfield. A second letter, dated July 22, 2002, provided a summary of questions/issues raised by Council; additional material related to the Community Advisory Panel (CAP) was also made available. (At this time, Mayor Abrams mentioned that the City would be meeting with Woodfield and FPL representatives tomorrow morning to further discuss this issue.) A third letter, dated July 22, 2002, focused on the FPL transmission line in Miramar, Florida. A fourth letter, dated July 22, 2002, provided supplemental responses to the initial data letter.

Palm Beach County's TPS Build-out Policy

The City Attorney then referenced her memo with attachments, dated July 22, 2002, relating to Palm Beach County's TPS (Traffic Performance Standards) Build-Out Policy. She directed attention to Exhibit 3. It is a draft letter to the Palm Beach County Commission, formatted on City letterhead but authored by the Palm Beach County League of Cities. The letter would indicate support of the TPS Committee's recommendation for adoption of New Policy 1.1-n. She then deferred to Council Member Haynie, who is a member of the Board of the League of Cities, to provide additional information. Ms. Haynie explained that adoption of this new policy regarding the Corridor Master Plan for the County, would clarify that the Corridor Master Plan would be developed and adopted by both the County and affected municipalities – not just the County. The municipalities would have input in solving problems with corridors that have been identified as possibly failing by the Year 2025. Ms. Haynie noted that a proposed amendment being brought forward by a North County group would exclude municipalities in South County from having a voice in the development of those roadways. She also mentioned that the League of Cities voted unanimously to go forward with the aforementioned policy. Ms. Haynie and Ms. Frieser provided additional information as requested by Council. There was no objection to forwarding the letter.

7. MAYOR AND COUNCIL MEMBER REQUESTS AND REPORTS:

Council Member Freudenberg briefly commented on Florida Power & Light's (FPL) unresponsiveness to the City's questions regarding the proposed transmission lines. He also voiced concern about FPL's improper pruning of trees near electrical wires along Jog Road, south of Yamato Road and stated he intends to provide photos tomorrow night.

Council Member Freudenberg referenced recent media coverage of tragic and sometimes fatal accidents involving Ford Motor Company's Crown Victoria, the cars that are modified for use as police vehicles. Expressing

concern regarding the safety of the City officers, he suggested that Ford Motor Company be contacted to ascertain what, if any, measures are being taken to address the design problem.

Deputy Mayor Haynie referenced the ongoing issue of traffic demand management, stating that another ordinance should be forthcoming in August or September.

Council Member Hanson mentioned the Board minutes of the May 23, 2002 meeting of the Pearl City Blue Ribbon Committee, in which Hughes Park was referred to as a "passive park." She asked for clarification from the City Manager.

Mayor Abrams commented on the status of the contaminated American Media Inc. (AMI) building, explaining that he is working with Congressmen Shaw and Wexler to obtain federal funding for the anthrax cleanup. He advised he also met recently with Congressman DeLay and staff from Senator Graham's office. A bill is in the legislative process at this time.

The regular workshop meeting of the City Council of the City of Boca Raton, Florida, adjourned at approximately 3:40 p.m. on Monday, July 22, 2002.

Vanessa Hines, Assistant City Clerk