

MINUTES OF THE REGULAR WORKSHOP MEETING  
CITY COUNCIL  
BOCA RATON, FLORIDA  
MONDAY, DECEMBER 12, 2005  
1:30 PM

The 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

**1. BOARD INTERVIEWS:**

- a. Builders' Board of Adjustment & Appeals – one (1) vacancy for an electrical contractor, term to expire 02/15/09.

No one came forward to interview.

- b. Citizens' Pedestrian and Bikeway Advisory Board – three (3) vacancies, two due to term expirations of Jason S. Mankoff and Ed Rowan, whose terms expire 01/12/06, and one due to resignation of Anita Pearson, whose term expires 01/12/07.

No one came forward to interview.

- c. Civil Service Board – one (1) vacancy to complete the term expiring 11/01/07.

No one came forward to interview.

- d. Community Relations Board – one (1) vacancy for a former student position, term to expire 07/25/07.

No one came forward to interview.

**2. PUBLIC REQUESTS:**

Don Rogers, Debbie Smith, and Harvey Goldberg provided background and commentary related to the County's half-cent sales tax of which approximately \$5 million was to specifically benefit Boca Raton Community High School. They advocated using the money solely for Boca High, as was originally proposed by the County, and asked Council to issue a clear and unambiguous statement in support of same and push the County to keep its promise.

Responding to Council, Mr. Ahnell stated that the School Board determined they could not fit a ball field on the existing high school property nor could they acquire other land in order to build the field, citing excessive cost - the apartment complex adjacent to the school having been sold to a third party. Based on this information and rather than have the \$5 million disbursed to other areas in the County, the City advised the School Board that the money needed to, at least, stay within the City limits for the benefit of students attending Boca Raton schools.

Following discussion, Council determined that a letter would be sent to the School Board and City representatives would be in attendance at two upcoming meetings: 1) the Boca High Student Advisory Council (SAC) meeting December 19, 2005 at 6:30 p.m., and 2) the Independent Sales Surtax Oversight Committee meeting scheduled for January 11, 2006.

John Stetz showed Council a home video of footage he shot during Hurricane Wilma, stating that City employees were able to respond quickly once the storm was over since they lived in or near the City of Boca Raton. Consequently, he advocated affordable housing, opining that it would take much longer for employees to respond if they did not live in the City. Mr. Stetz also supported equipping road maintenance vehicles with magnets on the front, which could pick up nails and other metal left in the streets after the hurricane.

**STAFF PRESENTATION:** Hurricane Wilma Video

Dean McDermitt, a video producer/multimedia specialist with the City Clerk's Office, showed a video he prepared in the aftermath of Hurricane Wilma. Council complimented Mr. McDermitt on doing a great job and advised that a copy would be sent to Governor Jeb Bush.

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

- a. Questions relating to the agenda.

(Consent Agenda Item 3.e. – Resolution No. 205-2005 / A Memorandum of Agreement with the Florida Department of Corrections, Region III, Circuit 15, Community Corrections, for improving administration of criminal justice in Palm Beach County) Council Member Haynie asked for clarification of this item. Mr. Ahnell explained that this item would establish a two-way communications plan with the Department of Corrections to follow up on, or monitor, people who are on parole. He added that this responsibility was being shifted to the local level from the State. Responding to Council, he confirmed that the City receives no State funding for taking on this task.

(Consent Agenda Item 3.d.10 – Disaster Recovery Services for Medians & Parks) In response to a query from Council Member Baronoff, Mr. Ahnell explained that this item related to partial cleanup of City parks and medians, which the City coordinated with Hartzell Construction, using emergency purchase orders. Responding to Council, Mr. Ahnell stated that the total cost for storm damage cleanup is projected at approximately \$30 million and the City would have to front all of that money; a reimbursement of 75% from FEMA should be received sometime next year. Consequently, the City will suffer a loss of approximately \$8 million in the final analysis.

(Consent Agenda Item 3.c. – ESRI Software Maintenance) Council Member Hager questioned what geographical information is captured and how it is used. The City Manager stated that this procurement is for existing software maintenance for the GIS (Geographic Information System), which is used internally throughout all City departments in various applications; he is to follow up with more specific information.

(Consent Agenda Item 3.f. – Resolution No. 207-2005 / The Second Amendment to Agreement with Adams, Coogler, Watson, Merkel, Barry & Kellner, P.A.) Council Member Hager commended the City Attorney for obtaining a good hourly rate. Ms. Frieser advised that the City had obtained very favorable rates with all firms.

(Consent Agenda Item 3.g. – Resolution No. 210-2005 / Economic Development Initiative Grant application to the U.S. Department of Housing and Urban Development for Pearl City streetscape improvements) Council Member Hager requested assurance from the City Manager that the City would continue to be proactive and aggressive in seeking grants. Mr. Ahnell provided that reassurance and advised that the City now has a person working full time to pursue grants.

- b. Resolution Nos. 216-2005 & 217-2005 (Consent Agenda Item Nos. 3. k. and l.), which would approve the City's Year 2006 State and Federal Legislative and Funding Priorities, respectively.

Deputy City Manager George Brown gave the PowerPoint presentation. He advised that the major State Legislative and Funding Priorities are as follows: 1) adoption of a local bill prohibiting the County from requiring municipalities to use the County's Fire-Rescue dispatch system and from using countywide revenues to fund same, 2) adoption of a general bill to protect municipal home rule power by providing that establishment of countywide level of service standards is a transfer of power from the municipalities,

3) legislative review of Florida Power & Light's response to the hurricanes, 4) funding of a new I-95 Interchange to support FAU and regional growth, 5) hurricane restoration funding, which would cover those costs not reimbursed by FEMA, 6) disaster preparedness funding for initiatives, including infrastructure hardening, shelters, generators, and communications systems, 7) support for legislation providing criminal penalties for SPAM operators, provided local governments receive funding for enforcement, 8) beach renourishment funding, 9) transportation strategy funding, 10) funding and reimbursements for municipal homeland security initiatives, and 11) legislation that permits municipalities flexibility regarding local occupational license tax schedules. Other priorities include laws that support or defend home rule powers, maintain existing revenue streams, and provide funding for beautification programs, environmental programs, parks, recreation, libraries and the City's Transportation Demand Management program.

The major Federal Legislative and Funding Priorities are as follows: 1) full and prompt FEMA reimbursements, 2) supplemental disaster recovery funding beyond what FEMA will cover, 3) private community disaster cleanup funding, 4) general disaster preparedness funding, 5) beach renourishment funding, 6) I-95 FAU interchange, 7) comprehensive transportation strategy funding, 8) homeland security funding, 9) maintain local control/authority in various legislative areas, including cable franchises and telecommunications service. Other priorities include traffic management funding, continued Pearl City Master Plan funding, support for the train horn ban, funding for environmental initiatives, upholding home rule authority/powers, and support for grant applications/funding requests. Mr. Brown concluded his presentation; questions from Council related to FEMA reimbursement. Mr. Ahnell advised that the expected 75% reimbursement of the \$30 million in cleanup costs should be forthcoming within a year.

- c. Resolution No. 204-2005 (*Regular Agenda Item No. 5*), which would adopt the Evaluation and Appraisal Report for the 1989 Boca Raton Comprehensive Plan.

Development Services Senior Planner Jennifer Simon gave the PowerPoint presentation. She explained why the City's Comprehensive Plan must be reviewed on a regular basis and then provided the format for the Evaluation and Appraisal Report (EAR), outlining Chapters 1 – 5. The focus of the presentation today was on Chapter 3, regarding analysis of a major issue, specifically, traffic congestion and increasing traffic volumes in the City, which serves as the basis for amending the Comprehensive Plan. There followed a detailed analysis and assessment of traffic issues facing the City. Existing City and County programs to mitigate traffic concerns were then reviewed, as were State programs. Particular emphasis was placed on Citywide multimodal transport districts, a strategy recommended by staff as a viable option for alleviating traffic; details were provided. Ms. Simon then concluded her presentation; questions from Council related to implementation of this strategy and associated costs. Mr. Ahnell advised that the cost of implementation had yet to be determined. Responding to another query from Council, he explained that the downtown shuttle would not be online until Tri-Rail is up and running on a consistent basis, possibly by fall of 2006. He explained that Tri-Rail is still working on double-tracking, among other things.

- d. Ordinance No. 4907 (*Regular Agenda Item No. 6*), which would amend the Future Land Use Element of the Comprehensive Plan by adding provisions for mixed use development along the North Federal Highway Corridor and amending Map 12 of the Comprehensive Plan to delete the Highland Beach Wellfield Site.

Development Services Senior Planner Chris Kerr gave the PowerPoint presentation. He provided background information regarding the North Federal Highway corridor, focusing on the charrette that resulted in recommendations being made for the redevelopment of that area; details were provided. Consequently, the proposed petition would amend the City's Comprehensive Plan to add to the Goals, Objectives and Policies of the Future Land Use Element, a new policy creating a Mixed-Use (MU) future land use category and four new objectives and supporting policies related to mixed-use development along the North Federal Highway corridor. In order to implement the MU future land use category, a new policy is required. This new policy sets the density/intensity standards for the new district and establishes the area over which the district would be applicable; consequently, three factors for residential density/intensity are proposed: 1) the policy establishes a Floor Area Ratio (FAR) for residential development to regulate building bulk, 2) it sets a maximum residential density of 20 dwelling units per acre, and 3) the total unit count for the corridor is limited to 1,550 dwelling units. In addition, the location of the residential redevelopment is limited to the areas north of Yamato Road, to the City limit, and

between Dixie and Federal Highways, as is the location of mixed-use development, less the residentially-developed areas of Delray Manors.

Mr. Kerr then addressed the four objectives, providing details in each category. The objectives provide the following: 1) limits residential redevelopment to those properties located between Dixie and Federal Highways, north of Yamato Road to the City line, protects existing residential neighborhoods, protects existing workforce housing, and creates the cap of 1,550 dwelling units; 2) allows mixed-use developments to be approved via the City's Universal Conditional approval procedures; 3) requires new development projects along the corridor to address non-vehicular methods of mobility; and 4) allows the development of large-scale "village centers."

Also included in the petition is deletion of the Highland Beach Wellfield Protection Area from Map 12; this is essentially a housekeeping measure. Removing this restriction would allow the property to be developed consistent with the R-B-1 zoning regulations.

The Planning and Zoning Board reviewed this petition and unanimously recommended transmittal to the Department of Community Affairs (DCA) and adoption of same; the Board also asked Council to consider including Delray Manors as a possible mixed-use redevelopment location. In conclusion, staff is also recommending transmittal to the DCA and subsequent adoption of the petition. Mr. Kerr and Mr. Ahnell then answered questions from Council related to the 1,550 residential units and removal of the wellfield designation. Responding to another query from Council, he advised that the North Federal Highway Steering Committee reviewed the petition and their response was generally favorable.

- e. Ordinance No. 4909 (*Regular Agenda Item No. 7*), which would amend the Future Land Use Map of the Comprehensive Plan by redesignating certain property consisting of 20.29 acres, more or less, generally located between Dixie Highway and U.S. 1, north of Hidden Valley Boulevard and south of the City limits of the City of Boca Raton.

Development Services Senior Planner Chris Kerr gave the PowerPoint presentation on the project known as the North Boca Village Center. He advised that Council would vote tomorrow night on transmittal of this item to DCA. He also advised that there were other applications related to this project, including the ordinance he had just presented; details were provided. Assuming transmittal of this ordinance to DCA, and after a maximum of 60 days for review, this petition would come back to the City with possible commentary from DCA; Council may schedule an adoption hearing in February 2006. At the February meeting, a super-majority vote would be required for passage.

Acreage, land use designation, and zoning information were provided. Review of the master plan revealed a total of 18 buildings. Six driveways are proposed; three from Federal Highway and three from Dixie Highway. At the center of the site is a mixed-use building with retail on the first floor with residential and office components on Floors 2 through 6; a maximum of six stories are permitted. Additional details related to retail frontage, wide sidewalks, and landscaping, were provided. The Caldwell Theater is proposed on the northeast corner of the site; access and parking were reviewed. Two condominium buildings are proposed on the northwest corner, comprised of 336 condo units; a townhome element, consisting of 49 townhouses, is proposed along the southern and western property lines. Parking garages, setbacks, building heights, and traffic impacts were also addressed.

Mr. Kerr advised that preliminary approval had been obtained from the North Federal Highway Steering Committee; as the site plan becomes more specific, the Committee will be involved again. The Planning and Zoning Board unanimously recommended approval with two minor conditions, which have been included in the ordinance. In conclusion, staff also recommended transmittal of the ordinance to DCA for adoption this spring. Questions from Council focused on the proposed site plan and construction of the Caldwell Theater; Council confirmed with Mr. Kerr that the Caldwell Theater could proceed now under the existing zoning designation.

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

a. Building Permit Process Review

Deputy City Manager George Brown gave the PowerPoint presentation. He explained that the City hired an independent consultant to review the City's permitting process in an effort to improve that area, support City goals, and provide the highest quality of service. The consultants analyzed the current process and procedures to identify areas for improvement and recommend changes. The review process included interviews with staff and customers, observation of processes and process and system analysis in detail. Improvements were needed in the areas of communication, coordination and consistency – both internally and externally. A total of 59 recommendations were provided by the consultant; those recommendations were summarized into six general areas as follows: 1) consolidate functions of the permitting process in one department for efficiency, consistency, and accountability, 2) revise policies and procedures to better reflect current conditions and streamline processes, 3) insure code consistency, both internal and external, 4) performance of a job/task process analysis, to eliminate duplication of efforts, 5) address workspace, layout, and training, 6) and improve technology/utilization.

Mr. Brown advised that there had been progress made in all identified areas. Staff will take recommendations from the consultants and develop an action plan to address the recommendations and provide quarterly updates. The most significant recommendation was to consolidate all review and inspection functions into one unit of the organization. Specifically, the fire code responsibilities for plan review and inspection would be moved into the building inspection division; details were provided.

**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:**

Deputy Mayor Whelchel questioned how quickly permits for fencing around pools, now unenclosed due to hurricane damage, could be processed. Mr. Ahnell advised that anything relating to a single-family home requires a permit within 30 days; he will speak with the building department about expediting same. Ms. Whelchel then asked that a letter to the Palm Beach County School District and the Independent Sales Surtax Oversight Committee be composed and sent out as soon as possible, keeping in mind the January 11, 2006 deadline. Mr. Ahnell stated that a letter would be prepared for the Mayor's signature.

Council Member Baronoff reported that he would be joining a volunteer group (the Lagoon Keepers) tomorrow morning at 10:00 a.m. at the City's boat ramp to help clean the canals. Mr. Ahnell added that Marine Advisory Board (MAB) members wished to donate their stipends, totaling \$2,600, in support of this endeavor and had asked that the City match that amount to pay the Lagoon Keepers. Council had no objections.

Mayor Abrams referred to Representative Adam Hasner, saying that he is soliciting ideas from the community that the Legislature might consider implementing. Anyone with ideas related to, for example, greater efficiency in government, should contact Mayor Abrams.

The regular workshop meeting of the City Council of the City of Boca Raton, Florida, adjourned at approximately 3:25 p.m. on Monday, December 12, 2005.

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Vanessa Hines, Assistant City Clerk