

MINUTES OF THE REGULAR WORKSHOP MEETING
CITY COUNCIL
BOCA RATON, FLORIDA
MONDAY, JUNE 12, 2006
1:30 PM

The Workshop Meeting of the City Council of the City of Boca Raton, Florida was called to order by Mayor Steven Abrams at 1:30 p.m.

ATTENDING THE MEETING WERE:

Mayor Steven L. Abrams
Deputy Mayor Susan Whelchel
Council Member M. J. Mike Arts
Council Member Peter R. Baronoff
Council Member Bill Hager

Also attending the meeting were:

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

PROCLAMATION: National Recreation and Parks Month – July 2006

The proclamation was not presented until the following evening at the regular meeting of City Council.

1. BOARD INTERVIEWS:

- a. Advisory Board for the Physically & Mentally Challenged – one (1) vacancy, due to resignation of Joan C. Daly whose term expires 01/23/09.

Richard Middlebrook expressed interest in the position.

- b. Builders' Board of Adjustment & Appeals – one (1) vacancy, due to resignation of Andrew Conger (At-large) whose term expires 02/15/08.

Nicole Flier interviewed for the position on the Board.

- c. Citizens' Pedestrian & Bikeway Advisory Board – two (2) vacancies, due to resignations of Anita Pearson and Ed Rowan whose terms expire 01/12/07 and 01/12/09, respectively.

No one came forward to interview.

- d. Community Relations Board – two (2) vacancies, due to term expirations of Karen J. Posner and Deborah A. Carman whose terms expire 07/25/06.

Connie Packman interviewed for a position on the Board.

- e. Education Advisory Board – four (4) vacancies, three due to term expirations of Kim Parker, Joan U. Upshaw, and Jeraldine K. Traxler whose terms expire 07/28/06; one due to resignation of Layla Amjadi (student ex-officio member).

Nicole Flier, Joan Upshaw, Robert Murstein, and Jan Johnson interviewed for positions on the Board.

- f. Elder Affairs Advisory Board – one (1) vacancy, due to resignation of Sarah Bialy whose term expires 2/14/08.

Antonio Quesada, David Levy, and Will Mercier expressed interest in the position. (Mayor Abrams noted that Mr. Quesada had also indicated, on his application, interest in serving on the Library Advisory Board or the Citizens' Pedestrian and Bikeway Advisory Board; therefore, Council would consider Mr. Quesada for those Boards as well, without the necessity of interviewing him each time.)

- g. Historic Preservation Board – four (4) vacancies, due to term expirations of Howard McCall (A1A), Merle Haber (At-large), Donald Curl (At-large), and Kathleen Altizer (At-large) whose terms expire 07/01/06.

Camille Mohaupt interviewed for a position; Merle Haber, Kathleen Altizer, Howard McCall, and Donald Curl expressed interest in retaining their positions on the Board.

- h. Library Advisory Board – two (2) vacancies, due to term expirations of Robert C. Keltie and Elizabeth E. Grinnan whose terms expire 08/10/06.

Betty Grinnan and Robert Keltie expressed interest in retaining their positions; Jan Johnson interviewed for a position on the Board.

- i. Parks & Recreation Advisory Board – four (4) vacancies, due to term expirations of Joseph Good, Gordon J. Gilbert, Peter W. Boylan, and Edward D. Adams, Jr. whose terms expire 07/31/06.

Eric Anderson and Peter Boylan interviewed for positions on the Board; Mayor Abrams noted that Gordon Gilbert had expressed interest in retaining his position at the previous workshop meeting.

- j. Telecommunications Advisory Board – one (1) vacancy, due to resignation of Neil D. Eisner whose term expires 09/08/08.

Joseph Orze interviewed for a position on the Board.

2. PUBLIC REQUESTS:

Wolfgang Kurpiers, representing the volunteer organization S.C.O.R.E., spoke to coordinating strategies with City staff in regard to branding opportunities for the City of Boca Raton.

Patrick Bless explained that he lives behind Bova Ristorante, which used to be Mario's Tuscan Restaurant, and advised that very loud, sexually-explicit music is often played there until approximately 1:00 a.m. in the morning, despite repeated calls to Police Services and Code Enforcement. He asked that the music be stopped. The City Manager is to follow up.

Stephan Freeman (phonetic), advocated removal of "No Trespassing" signs, "No Dogs" signs, and "No Parking Between 7AM and 7PM" signs at various locations. He then voiced opposition to redevelopment, asked that the use of weedkiller be prohibited, requested information on squatting rights, questioned why he hasn't been hired by the City after repeated attempts, and opposed evacuation prior to a hurricane.

Jim Knight commented on workforce housing, opining that the City was not doing enough to create affordable housing; he cited workforce-housing statistics in Boynton Beach and Delray Beach. He then referred to the City's proposed workforce housing ordinance and advised that zoning codes M-1 and M-2 were included, but M-3 was left out. He suggested staff review other workforce housing ordinances in order to create a viable piece of legislation.

Owen Barrow stated that he received a notice regarding a proposed downtown residential development on East Royal Palm Road (CRA Agenda Item DDRI IDA No. CRP-05-07), which would be located in front of his condominium building, and voiced opposition to same since it would negatively affect his view, his quality of life, and his property value. He also cited increased noise and traffic.

Anthony Cutaia spoke to workforce housing, density, and the lack of available land in Boca Raton; he suggested that existing housing stock be used, which would stabilize the market and make it much more attractive.

3. REVIEW OF REGULAR AGENDA ITEMS:

a. Questions relating to the agenda.

(Consent Agenda Item 3.d.1. – Tarps) Council Member Arts questioned whether the City bought tarps last year and how staff determined that 5,000 tarps were needed. Mr. Ahnell explained that the City bought a thousand tarps last year and ran out. Staff has attempted to estimate how many tarps are needed, based on the calculated strength of this season's storms. Responding to Mr. Arts, the City Manager advised that the tarps are provided to City residents and employees at no cost. He added that FEMA usually gives out tarps but there is now a shortage. The County was able to obtain tarps from FEMA last year but did not distribute any to the municipalities, keeping all of them strictly for County use, which is why the City has had to purchase tarps. Mayor Abrams added that last year FEMA's distribution point for Boca residents was in Belle Glade, which is another reason why the City is purchasing tarps.

(Consent Agenda Item 3.o. – Resolution No. 91-2006 / Agreement with Ion Wave Technologies, Inc. for the purchase of a license for E-bid Procurement Software) Council Member Arts questioned whether this was a new venture for the City. Mr. Ahnell explained that this was an online purchasing software package, which would allow the City to notify vendors when bids are being requested; it will also allow the vendors to submit bids electronically to staff for review. He advised that it would streamline the purchasing operation and eliminate the need for additional personnel.

(Consent Agenda Item 3.b.6. – Recycling Trucks (Replacement)) Council Member Baronoff questioned whether this was a regular annual expense and how many trucks were being purchased. Mr. Ahnell stated that this figure included five recycling trucks. He explained that the City had postponed replacing these aging trucks, pending the outcome of an RFP (Request For Proposal) to privatize residential sanitation services; however, the City did not receive any bids. Consequently, the City must now expend the dollars to replace the vehicles.

(Consent Agenda Item 3.c.3. – Emergency Care Simulator) Council Member Baronoff questioned whether this was a training device for emergency care. The City Manager explained that this was a mannequin used in training Fire-Rescue personnel, and others, in CPR (Cardio Pulmonary Resuscitation); the City has a grant that will fund 100% of the purchase.

(Consent Agenda Item 3.o. – Resolution No. 91-2006 / Agreement with Ion Wave Technologies, Inc. for the purchase of a license for E-bid Procurement Software) Council Member Hager asked whether the vendors were pre-qualified to bid online and whether geographic limits were imposed on vendors wishing to bid. Mr. Ahnell advised that all vendors are pre-qualified. Geographic limits are not imposed on vendors unless it's a service that must be readily available such as, for example, air conditioning repairs; it would not make sense to award a contract to someone based in Orlando or Tampa.

(Consent Agenda Items 3.b.5 and 3.b.6 – Automobiles and Light Trucks (Replacement) and Recycling Trucks (Replacement), respectively) Council Member Hager confirmed with the City Manager that these items were piggy-backed on the best bid within the State's intergovernmental facilities. Mr. Ahnell advised that the automobiles and light trucks were connected with a State of Florida contract; the recycling trucks are connected with a City of Venice contract.

(Consent Agenda Item 3.a.2. – Generator Services for Emergency & Stand-by Units) Deputy Mayor Whelchel questioned whether these generators were for lift stations. Mr. Ahnell advised that this item related specifically to 64 generators at Utility Services. He added that the City had also hired a fulltime diesel mechanic to maintain generators. Ms. Whelchel complimented City staff on being proactive in preparing for hurricanes.

(Consent Agenda Item 3.b.4. - Fire Hydrants) Deputy Mayor Whelchel asked whether this item would bring the City up to the present completion date. The City Manager stated that an additional 148 hydrants were being replaced and the City is on schedule with replacement of same.

(Regular Agenda Item 11. – Resolution No. 93-2006 / Appeal related to 5200 St. Andrews Blvd., Permit No. 06-3752, Broken Sound entrance) Mayor Abrams confirmed with the City Manager that a request had been received to postpone the appeal.

- b. Resolution No. 85-2006 (*Consent Agenda Item No. 3.i.*), which would approve and adopt the Goal Setting Session Report of April 20 and 21, 2006, and the Strategic Plan 2006-2011-2021 Update (including the Action Agenda for 2006-2007)

Deputy City Manager George Brown gave the PowerPoint presentation and reviewed the goals as set by Council, and policy agenda targets for the upcoming fiscal year. Top priorities were identified as follows: 1) Workforce Housing Policy Direction and Strategy, 2) Downtown Vision and Spine Direction, 3) FAU Strategy, and 4) FAU/Hospital Project. Mr. Brown advised that the City extended an invitation to FAU for a joint workshop; staff was awaiting a response at this time. High priorities were reviewed next: 1) Downtown Traffic Study and Design, 2) the Future of the L.I.R.P. (Light Industrial Research Park), 3) FAU/I-95 Interchange, 4) Retirement/Pension Cost Containment Strategy, and 5) Wildflower Direction and Actions. In terms of implementing the above priorities, Mr. Brown explained that staff assignments had been made, ongoing review and action was taking place on various matters, and quarterly status reports would be provided to Council, as well as discussion of the individual items as they arise for policy decisions.

- c. Ordinance No. 4941 (*Regular Agenda Item No. 8*), which would amend the Future Land Use Map of the Comprehensive Plan by redesignating certain property consisting of 23.0 acres, more or less, located at 5051 Broken Sound Boulevard.

Development Services Senior Planner Chris Kerr gave the PowerPoint presentation on the proposed Blue Lake Residential Development, advising that tomorrow's hearing would determine whether the ordinance was transmitted to the Department of Community Affairs (DCA) for review. He stated that the petitioner wished to create a 172-unit development on the site and provided a summary of the request for Universal Conditional Approval, which included a large-scale Future Land Use Map Amendment, a rezoning, a PUD Master Plan approval, a Tentative Subdivision Plat, and Site Plan Approval with a Technical Deviation. An easement abandonment and an NOPC (Notice of Proposed Change) for the Boca Technology Center (BTC) DRI (Development of Regional Impact) was also included.

Mr. Kerr spoke to the NOPC request, which would: 1) decrease the allowable office and industrial component of 600,000 square feet, 2) permit the specific development of the 172 units on the 23-acre parcel, and 3) extend the build-out date from November 30, 2006 to November 30, 2008. Current and proposed land use designations were then provided. An outline of the site plan followed; 140 townhomes and 32 single-family homes are proposed, as are road improvements, including a traffic circle. Due to the proximity of three preserve areas, a six-foot wall would be constructed around the development for mitigation purposes. Attention was then given to the easement abandonment.

The application was reviewed by the Environmental Advisory Board, which recommended approval with conditions; those conditions were included in the Development Order. The Planning and Zoning Board also recommended approval, which included an advisory letter for Council that summarized concerns regarding affordable housing and how it relates to this particular project; details were provided. Mr. Kerr concluded his presentation and answered questions from Council including, but not limited to, the traffic circle, whether Fire-Rescue approved of the single entry into the development, the adoption hearing date, whether staff believes enough available industrial property currently exists, and the Planning and Zoning Board advisory letter, which referenced a workforce housing fund. Additional queries related to the difference in space requirements for the LIRP vs. high-tech, and funding for workforce housing and its effect on the beautification program. Council confirmed with Mr. Kerr that the request to extend the build-out date related to the entire BTC DRI; discussion ensued.

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

- a. Staff Presentation on Workforce Housing

Community Improvement Administrator Teresa McClurg gave the PowerPoint presentation and answered questions from Council as the presentation moved forward. She addressed the purpose and intent of the

ordinance and targeted households before engaging in extensive discussion with Council related to whether City residents would be subsidizing people who may not be working in the City; the City Manager also provided information to Council as requested. Ms. McClurg then proceeded to review the following: income levels as provided by HUD (Housing and Urban Development), the affordability definition, workforce housing prices, preservation of affordability, workforce housing overlay, applicability/workforce unit requirements (which would apply to all areas of the City except the LIRP zoning district), development aggregation, exemptions, workforce unit standards, developer incentives, the multi-family density bonus program, and the FAR (Floor Area Ratio) conversion program. Ms. McClurg and Mr. Ahnell answered many questions from Council in each of the above categories as the presentation progressed.

Mayor Abrams asked Ms. McClurg whether staff had presented these ideas to area developers to obtain their input; she advised that the Chamber of Commerce had multiple discussions with developers. Mr. Ahnell added that staff planned to meet with various developers as well to determine their thoughts on the proposed draft ordinance. At this point, Council asked staff to return with a confirmation that the options presented today would be attractive to developers. Then, in conjunction with other alternatives, a policy could be developed to achieve workforce housing.

Following brief commentary, Mr. Ahnell summarized the remainder of the presentation regarding the density bonus program and a "payment in lieu of" option, wherein dollars would be allocated to a workforce housing trust fund and used for a variety of programs, such as financing or actual construction of workforce housing units. A linkage fee program was also reviewed, as was program administration and the calendar related to adoption of the proposed ordinance.

There followed extensive discussion. Council members were unified in their desire to solve the problem of workforce housing, which they acknowledged is a regional dilemma. They also agreed that some issues related to this problem remained unaddressed or were inadequately addressed by the proposed ordinance, which some Council members thought was too complicated and unenforceable. However, they appeared divided as to whether the issue could be resolved with this ordinance, even with additional streamlining. Throughout the conversation, Council posited suggested revisions to the ordinance; it was suggested that a special session was needed. Mr. Ahnell provided additional information related to the LIRP district and density in regard to workforce housing.

The City Manager was directed to take the comments made this afternoon and provide a recommendation to Council as to the next step, given the complexity of the issue.

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 Arts referred to an article in the Palm Beach Post, which stated that Boca Raton roads are failing; Glades and Yamato were mentioned specifically. He asked that the City Manager discuss this issue with Council at a future workshop meeting. Mayor Abrams added that almost all of the intersections listed were west of the City limits. Mr. Ahnell advised that staff could combine the information from the newspaper article with the proposed changes for I-95 and the turnpike, which would provide a comprehensive overview of the situation.

The regular workshop meeting of the City Council of the City of Boca Raton, Florida, adjourned at approximately 4:05 p.m. on Monday, June 12, 2006.

Vanessa Hines, Assistant City Clerk