

MINUTES OF THE REGULAR WORKSHOP MEETING
CITY COUNCIL
BOCA RATON, FLORIDA
MONDAY, AUGUST 21, 2006
1:30 PM

The Workshop Meeting of the City Council of the City of Boca Raton, Florida was called to order by Mayor 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

The agenda was reordered without objection.

1. BOARD INTERVIEWS:

- a. Community Relations Board – (1) one student vacancy.

No one came forward to interview.

- b. Financial Advisory Board – (2) two vacancies, due to term expirations of Christina A. Hutchison and David Birkman, whose terms expire 08/26/06.

Christina A. Hutchison expressed interest in retaining her position on the Board.

- c. Telecommunications Advisory Board – (2) vacancies, due to term expirations of Frederick H. Kleber and Dale M. Gregory, whose terms expire 09/08/06.

Dale Gregory expressed interest in retaining his position on the Board; Lawrence Gabriel interviewed for a position on the Board.

- d. Special Master (Magistrate) – (2) two year term / Supplemental Position

Dara Siegel and Ian Berkowitz interviewed for the positions.

2. PUBLIC REQUESTS:

No one came forward to speak.

3. REVIEW OF REGULAR AGENDA ITEMS:

- a. Questions relating to the agenda.

(Consent Agenda Item No. 3.j. – Resolution No. 123-2006 / Supporting further study of the construction of a new interchange on Florida's Turnpike in Boca Raton) Council Member Arts asked for clarification related to proposed partial interchanges at Palmetto Park Road or Clint Moore Road and access to same. Mr. Ahnell advised that restrictions apply in certain areas as to what type of interchanges may be constructed; the City's Traffic Engineer, Douglas Hess, would cover this in his presentation today. Responding to Council Member Baronoff, Mr. Ahnell explained that this resolution supported a full FDOT

(Florida Department of Transportation) study of the turnpike options; it did not provide for the City conducting its own independent study.

(Consent Agenda Item 3.b. – Mizner Park Property Maintenance) Council Member Baronoff questioned whether this maintenance proposal was different from other proposals provided by this company over the years. Mr. Ahnell advised that it was not different. Deputy Mayor Whelchel questioned whether Rouse Property Management, Inc. was affiliated with the Rouse Company that previously owned the property; the City Manager explained that when Rouse owned the property, this maintenance company that was put in place but only the name continues on. Ms. Whelchel then asked whether Council had any say in the selection process of the service provider; Mr. Ahnell indicated that this was the appropriate time for Council to make its wishes known since staff was recommending the selection of Rouse to continue to provide the services. Council Member Hager asked the City Manager for an assessment of the maintenance provided at Mizner Park so far. Mr. Ahnell stated that the owners and managers of the property appear to be satisfied with the maintenance criteria established and the level of maintenance provided by the contractor. Council Member Arts questioned whether annual renewals are at the same dollar amount. The City Manager advised that there is usually some kind of escalator in the renewal, which is why the City reserves the right to re-bid the item. Mr. Baronoff asked whether this vendor was responsible for the fountain last year. Mr. Ahnell stated that this is a separate entity, which would be responsible for landscaping only.

(Consent Agenda Item No. 3.c. – Lift Station Repairs) Deputy Mayor Whelchel confirmed with the City Manager that this item would provide for repairs to seven lift stations. She then questioned whether the repairs would be done quickly. Mr. Ahnell advised that as soon as Council approval was received, work on the stations would begin.

PRESENTATIONS:

a) Transportation Overview – T. Douglas Hess, Traffic Engineer

David Low, with Greenhorne & O'Mara, provided handouts to Council and began a PowerPoint presentation related to the Glades Road and Palmetto Park Road Planning and Conceptual Engineering (PACE) Study. There followed very detailed and technical information regarding engineering alternatives. Consequently, Council asked for a summary of findings. Mr. Low then gave the floor to the City's Traffic Engineer, Douglas Hess.

Mr. Hess indicated that this initial study would be presented to the Metropolitan Planning Organization (MPO) in the fall after which a Project, Development & Environmental (PD&E) Study would most likely be conducted to examine the alternatives in greater detail. The intent of this presentation today was to determine whether to move forward with the PD&E study or stop now should a fatal flaw be discovered in the findings. Mr. Hess answered many questions from Council including, but not limited to, configuration of Glades Road and Palmetto Park Road, the possibility of widening the roads, grade separations, overpasses, the possibility of a mass transit feasibility study, and partial interchanges with access only.

Mr. Hess then gave a PowerPoint presentation regarding a proposed I-95 interchange in Boca Raton, which is needed due to congestion at both Glades Road and at Yamato Road and the growth occurring at Florida Atlantic University. A public workshop regarding same is scheduled for next month. Mr. Hess noted that the PD&E report should be complete by spring and a public hearing in March 2007 will conclude the study. The presentation then focused on possible locations for a proposed turnpike interchange and partial interchanges; details were provided. Mr. Hess indicated that Council support was needed for the turnpike study, which is why a resolution related to same was included in tomorrow night's agenda. He then concluded his comments and answered questions from Council.

b) Residential Sound Insulation Program – Ken A. Day, Airport Manager

Ken Day and Mike Hotaling gave a PowerPoint presentation on the Quieter Home Program and what is involved to achieve same. Treatment methods, City Code considerations, easement/agreement requirements, and program boundaries were reviewed. The first phase would begin with 10 homes. Participation is voluntary and an application/selection process would be followed. Additional details were

provided and the first phase goals were reviewed, as was the sound insulation process. An outline of the first phase schedule was delineated with construction slated to begin in June 2007. It was revealed that eligible homeowners would receive information on the program via certified mail; Boca Raton would be the 15th city to have entertained this program. The presentation was concluded; Mr. Day then answered questions from Council.

c) Action Agenda 2006: Quarterly Update – George S. Brown, Deputy City Manager

Deputy City Manager George Brown provided an update on nine policy agenda items that were established at the goal setting session in April. Those items were as follows: 1) Workforce Housing Policy Direction and Strategy, 2) Downtown Vision and Spine Direction, 3) FAU strategy, 4) FAU/Hospital Project, 5) Downtown Traffic Study and Design, 6) LIRP zoning, 7) FAU/I-95 Interchange, 8) Retirement/Pension Cost Containment Strategy, and 9) Wildflower Direction and Actions. Details were provided on each item; Mr. Brown concluded his presentation and made himself available for questions.

3. REVIEW OF REGULAR AGENDA ITEMS: (Continued)

- b. Resolution No. 116-2006 (*Regular Agenda Item No. 6*), granting a modification of the site plan for an expansion to the square footage at the Town Center at Boca Raton Mall located at 6000 Glades Road; and granting a technical deviation for off-street parking.

Development Services Senior Planner Jim Bell gave the PowerPoint presentation, advising that the petition included a request for a parking garage and a technical deviation from County Code to allow for a reduction in parking. Acreage, County zoning, and County land use designation were provided. Mr. Bell then identified four components of the proposed expansion, totaling an increase of 202,538 square feet, and reviewed same. Specifically, TGI Friday's would be demolished and the Grand Lux Café would be constructed, in addition, Legal Seafood would expand its patio area; a new Lifestyle Retail Center would be created; Macy's would experience an interior expansion; and a future expansion of 22,804 square feet would take place at a yet-to-be-determined location.

Attention focused on the technical deviation for off-street parking. The petitioner was requesting a reduction of 896 parking spaces from the mall portion of the site (out parcels were excluded). Mr. Bell reviewed the parking analysis provided by the traffic consultant and advised that staff accepted the methodology based on data from the Urban Land Institute (ULI) regarding super-regional shopping centers and implementation of a Transportation Demand Management (TDM) for the mall. Mr. Bell then outlined the TDM plan for the mall, explaining that: a) the TDM Plan would be applicable to the entire mall, b) a new 5-bay bus Transit Transfer Station would be constructed, with a 9-bus bay dedicated easement area, c) alternative transportation improvements would be implemented, including more sidewalks, carpool spaces, etc., d) a multiuse path would be constructed along Butts Road to Glades Road, e) an on-site shuttle circulator system would be initiated, and f) a contribution would be made towards a new shuttle bus route from Tri-Rail to the mall. Mr. Bell confirmed with Council that the TDM Plan would be geared more toward employees and the out parcels and answered additional questions from Council related to the reduction in parking spaces.

Mr. Bell spoke to the site plan for the proposed Transit Transfer Station and implementation of access improvements. He noted that the City's Traffic Engineer recommended substituting a right turn lane on Town Center Road at Military Trail instead of a southbound right turn lane on Butts Road at NW 19th Street as recommended by the County.

The Planning and Zoning Board reviewed the petition and recommended approval with the conditions suggested by staff; they also recommended a modified condition 11 to require the applicant to provide a continuous covered walkway over the proposed bus transit transfer station. He concluded his presentation by advising that staff also recommended approval and then answered questions from Council.

- c. Ordinance No. 4946 (*Regular Agenda Item No. 7*), amending the housing element of the Comprehensive Plan to support the provision of workforce housing.

Development Services Senior Planner Jennifer Simon gave the PowerPoint presentation, advising that three minor text amendments were proposed to the housing element of the Comprehensive Plan in order to support new workforce housing initiatives. The amendments, to one objective and two policies, would incorporate the term "workforce housing" and strengthen the support for establishment of an impact fee, a linkage fee, and a workforce housing trust fund; details were provided. Ms. Simon then reviewed the adoption schedule, advising that the transmittal hearing, for review of the ordinance by the Department of Community Affairs, was scheduled for tomorrow evening; the final adoption hearing is tentatively scheduled for November 2006. Ms. Simon concluded her presentation and answered questions from Council related to linkage fees. Following brief discussion, Mr. Ahnell asked Council for clarification as to whether Council wanted staff to process this ordinance or process a "full package," including what was discussed at the special meeting. Council's consensus was that a full package was desirable; therefore, the ordinance would be removed from tomorrow night's agenda. There were no objections.

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

There were no items for consideration.

5. CITY MANAGER REPORTS:

Mr. Ahnell advised that, in response to a request from Council, a memo was prepared in regard to the proposed one-cent increase to the bed tax that is contemplated by the County. He explained that the amount would be increased from four cents to five cents and used to pay the debt service to construct a 1,700-space parking garage to support the Convention Center in West Palm Beach and the hotel in the downtown as well. Of the money currently brought in, approximately 25% goes to pay the debt service on the convention hotel, itself, and the Jupiter stadium project; the remaining dollars are used to promote tourism, fund advertising, marketing, and beach renourishment, and so forth. The bed tax collection is split up in zones; Boca Raton is in the south zone and most of the money collected comes from Boca. Palm Beach County has introduced this item at their regular agenda and is scheduled to have a final hearing on September 12, 2006; if passed, the increased bed tax would go into effect December 1, 2006.

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 referred to an article in the newspaper concerning the proposed botanical gardens, which indicated that the botanical gardens supporters would not expect the City to cover costs and would use their own funding sources. However, in another letter outlining the Botanical Gardens business plan, it stated that the City would be responsible for the cost of constructing all of the infrastructure necessary to support the gardens, including roadways, bridges, parking lots, lakes, fencing, dredging and so on. Ms. Whelchel asked the City Manager to clarify the status.

Mr. Ahnell referred to a summary memo of the botanical gardens proposal, prepared by staff, explaining that the City has agreed to nothing. He noted that supporters of the botanical gardens assume that the cost to develop the 45 acres they would like to have in Countess de Hoernle Park would be approximately \$9 million; staff believes the cost is more like \$40 million. The botanical gardens supporters have also assumed that since the City's tax base has increased, the City can make up the difference in cost. Mayor Abrams indicated that additional monies were figured into in the budget to provide ongoing services, which have continued to increase in cost; there is no extra money. Mr. Ahnell added that no funding is currently in the budget, nor planned for the budget, to develop Countess de Hoernle Park. He also noted that the Beach and Park District has agreed to build ball fields at the park.

It was agreed that staff should meet again with the botanical gardens supporters in an effort to reach a “meeting of the minds.” Mr. Ahnell explained that when staff originally asked for their proposal, they initially expressed that they wanted up to 20 acres on the north side of Spanish River Boulevard by the library. When staff actually sat down with them to discuss it, they said they wanted approximately 50 acres on the south side of Spanish River Boulevard, which would take all the excess land not being used for the ball fields.

The regular workshop meeting of the City Council of the City of Boca Raton, Florida, adjourned at approximately 3:29 p.m. on Monday, August 21, 2006.

Vanessa Hines, Assistant City Clerk