

MINUTES OF THE REGULAR WORKSHOP MEETING
CITY COUNCIL
BOCA RATON, FLORIDA
MONDAY, JANUARY 12, 2009
1:30 PM

The Workshop Meeting of the City Council of the City of Boca Raton, Florida was called to order by Mayor Susan Whelchel at 1:40 p.m.

ATTENDING THE MEETING WERE:

Mayor Susan Whelchel
Council Member M. J. Mike Arts
Council Member Bill Hager
Council Member Susan Haynie
Council Member Michael Mullaugh

Also attending the meeting were:

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

Mayor Whelchel extended a welcome to newly-appointed Council Member Michael Mullaugh.

1. BOARD INTERVIEWS:

- a. Boca Raton Advisory Board for People with Disabilities – one (1) vacancy.

Marianna O'Brien expressed interest in the position.

- b. Citizens' Pedestrian and Bikeway Advisory Board – two (2) vacancies.

No one came forward to interview.

- c. Code Enforcement Board – one (1) vacancy.

No one came forward to interview.

- d. Community Relations Board – one (1) vacancy.

No one came forward to interview.

- e. Historic Preservation Board – one (1) vacancy (Historical Society designee).

Bonnie Dearborn, the Historical Society's designee, interviewed for the position.

- f. Pearl City Blue Ribbon Committee – one (1) vacancy.

No one came forward to interview.

2. PUBLIC REQUESTS:

John Stetz referred to a prior Biletown project, which included a proposal to abandon NW 3 Court, and voiced concern that the street would ultimately be abandoned, saying that Biletown representatives indicated they would continue to seek this abandonment. He urged Council to strengthen the Code to prohibit abandonment of streets. Mr. Ahnell clarified that Council had already opposed that condition of the Biletown project.

Paul Mack, 1505 Addison Avenue, spoke to a recent brush fire, which occurred near his home and advised that a large homeless camp was discovered in the wooded area behind the homes. He also noted that the wall separating his subdivision from the wooded area contained graffiti and asked Council what the City could do to make the area safe. He then answered questions from Council regarding the homeless.

Mike Sterrett, 1495 Addison Avenue, stated that the forest located behind their homes – which would eventually become Buttonwood Park - is deteriorating and provided commentary related to debris, the previous brush fire, the homeless, and ditches being dug to bury trash. He explained that the homeless camp was reported approximately six months ago and then distributed pictures of the area to Council, voicing concern over the ease with which people can access the area. Mr. Sterrett then provided additional information to Council as requested.

Mayor Whelchel indicated that the City Manager would follow up on the concerns mentioned above.

3. REVIEW OF REGULAR AGENDA ITEMS:

a. Questions relating to the agenda.

(Consent Agenda Item No. 3.b.2. - Laptop Commuters - Replacement) Council Member Arts questioned why the laptops cost approximately \$5,000 each and suggested that the item might be re-bid. Mr. Ahnell explained that the Fairfax County (Virginia) bid, on which the City was piggybacking, was from November 2008 and advised that the cost is higher since these computers are rugged and hard-mounted into vehicles; they also have GPS systems and extra protection including waterproofing. Mr. Arts then referred to the City of Omaha's website, saying that they had just purchased over 50 computers for their police cars at approximately \$1,700 a piece. Fire Chief Tom Wood stated that the fire service computers run 24/7, 365 days a year. In addition, this is a cost reduction from apparatus used over the last seven years. He also advised that police computers usually run for an 8- or 10-hour shift whereas the fire service computers run continuously; details were provided. Mr. Ahnell added that there's a special backlighting kit placed on the units to eliminate glare when driving. Mayor Whelchel questioned what other cities are purchasing these laptops; Chief Wood advised that he was sure other cities utilized same although he did not have the names of those cities.

(Consent Agenda Item No. 3.e. – Resolution No. 5-2009 / Work Order No. 11 with Mathews Consulting, Inc. re: professional engineering services for the Reclaimed Watermain Extension Project) Council Member Haynie questioned the time frame for the actual construction. The City Manager advised that construction was anticipated to begin about a year from now; details were provided. He closed by stating that the project should be complete within 24 or 36 months.

(Consent Agenda Item No. 3.i. – Resolution No. 9-2009 / Interlocal Agreement with Palm Beach County re: reimbursable funding for improvements to the Boca Raton Inlet during FY 2008/09) Council Member Hager asked what would be accomplished by passage of this item. Mr. Ahnell provided background information on dredging the Inlet and explained that that all inlets within the County are partially or fully maintained by the County, except for the Boca Raton Inlet. About 8 or 9 years ago, the County Commission agreed to put \$100,000 toward the cost of the City's operations, since Boca Raton was the only entity funding the dredging at 100%. This resolution would extend that agreement.

(Consent Agenda Item Nos. 3.j. and 3.k. – Resolution Nos. 10-2009 and 11-2009 / Amendments to agreements with the Florida Department of Environmental Protection for reimbursable funding related to the South and North Boca Raton Beach Nourishment Projects, respectively) Council Member Hager requested clarification of these items. Mr. Ahnell explained that State staff came up with a policy change a few years ago whereby funding would be allocated based on the amount of parking available to the public at the beach; consequently, many beach projects around the State were shortchanged as a result. Representatives for the City went to Tallahassee over this issue and the State changed its position. These amendments reflect the appropriate amount of funding that the State is supposed to provide. Mr. Ahnell also noted that the State staff is trying to get funding reduced again; however, for these two projects, money is there for one more funding cycle. Additional details were provided related to public parking at beaches.

(Consent Agenda Item No. 3.i. – Resolution No. 9-2009 / Interlocal Agreement with Palm Beach County re: reimbursable funding for improvements to the Boca Raton Inlet during FY 2008/09) Responding to Mayor Whelchel, Mr. Ahnell explained why the Boca Raton Inlet was left out when Palm Beach County maintained, to some degree, all other inlets within the County. Essentially, in the 1970s, the City of Boca Raton led the way in inlet dredging. As things progressed along the coast, the County realized the importance of inlets as an asset and began to fund and develop same. The City found out that the County's funding came from tourist tax dollars; by the time the City requested a portion of those dollars, the County advised that everything had already been pledged. Therefore, the City worked out a deal whereby the County Commissioners would use some of their discretionary funding to help out with the City's dredging costs.

- b. Resolution Nos. 6-2009 and 7-2009 (Consent Agenda Item Nos. 3.f. & 3.g.), approving the City's Year 2009 State and Federal Legislative and Funding Priorities, respectively.

Susan Saxton, Assistant to the City Manager, gave a Powerpoint presentation. Beginning with Resolution No. 6-2009, Ms. Saxton focused on the City's major State priorities, which related to land development and transportation, water and wastewater, security and emergency preparedness, the environment (beach renourishment and inlet dredging), home rule, and general appropriations (caps on local revenue/expenditures and comprehensive property insurance reforms); details were provided on all the above. At this time, Ms. Saxton paused to take questions. Mayor Whelchel stated that she and Council wished to be kept advised as events occur in relation to these priorities.

Responding to Council Member Haynie's queries regarding a proposal by the Lake Worth Drainage District (LWDD) and Tri-Rail funding, Mr. Ahnell explained that the LWDD currently taxes half the City's property owners, mostly to the west, for maintenance of canals in the western part of the City. They now propose to charge all properties in the City; their position is everyone benefits by their maintaining canals. The City plans to oppose that position and will add that to the list of priorities.

Regarding Tri-Rail, the City Manager stated that at issue is who will get the money, Tri-Rail or DOT (Department of Transportation). Advising that it is very contentious at the State level, Mr. Ahnell observed that the City supports funding for Tri-Rail; DOT has said that if funding goes to Tri-Rail, they will eliminate more roads from their road building projects list than they already have. He noted that this item could also be added to the priorities list. Discussion then turned to recycled water. Mr. Ahnell provided information to Council as requested and advised that staff was preparing a project list to be sent out shortly; the items were anticipated to qualify under the criteria for stimulus projects including, but not limited to, water/sewer projects, infrastructure projects, public safety projects, and sustainable community projects. He explained that many of these items were "ready to go," and the hospital project would be added to the list as well. The City's total request for the projects would be approximately \$1.1 billion, including \$500 million for the hospital.

Ms. Saxton resumed her presentation, providing information on the City's major Federal priorities as represented in Resolution No. 7-2009; she advised that, as with the State list, some priorities were ongoing and some were not. There followed information on land development and transportation, water and wastewater, security and emergency preparedness, the environment, home rule (sober house legislation), and general appropriations (fair share of any economic stimulus funding).

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

There were no items for consideration.

5. CITY MANAGER REPORTS:

The City Manager had nothing to report at this time.

6. CITY ATTORNEY REPORTS:

Ms. Frieser referred to the Palm Beach County Dispatch case (related to Countywide funding of County Fire Rescue Services dispatch) and advised that news articles erroneously indicated that litigation was complete. However, the City was preparing a jurisdictional brief to be filed before the Supreme Court, which should occur before the end of January. If the Supreme Court accepts action, the City would then file a subsequent brief. Ms. Frieser advised that she would report back to Council as information is received.

7. MAYOR AND COUNCIL MEMBER REQUESTS AND REPORTS:

Council Member Haynie provided the City Manager with two citizen inquiries: 1) a resident requested information on traffic calming for her neighborhood, and 2) a citizen, who was escorted off the beach by security in front of the Boca Beach Club, wanted to know what portion of the beach is owned by the public. Mr. Ahnell is to follow up and provide responses to the citizens.

Council Member Hager recognized the University of Florida football team's recent victory. He then referred to an upcoming ordinance that he requested, related to limousines and taxis, and requested two changes: 1) language acknowledging that Palm Beach County already has more stringent screening and vehicle safety requirements than Boca Raton, and 2) elimination of a current rule requiring limo services to prove to competitors that there's a need for a new competitor in the marketplace.

Council Member Arts reminded those present that the CRA would convene shortly.

Council Member Mullaugh thanked the Mayor and Council for appointing him to sit on the Council

The regular workshop meeting of the City Council of the City of Boca Raton, Florida, adjourned at approximately 2:42 p.m. on Monday, January 12, 2009.

Vanessa Hines, Assistant City Clerk