

MINUTES OF THE REGULAR WORKSHOP MEETING
CITY COUNCIL
BOCA RATON, FLORIDA
MONDAY, FEBRUARY 9, 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 1:30 p.m.

ATTENDING THE MEETING WERE:

Mayor Susan Whelchel
Council Member M. J. Mike Arts
Council Member Bill Hager (absent – excused)
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

PRESENTATION: Proposed Turnpike Interchange

Paul Cherry from Kimley Horn gave a PowerPoint presentation highlighting the results of a Project Development and Environment (PD&E) Study, which focused on widening the turnpike north of the Sawgrass Expressway and south of Atlantic Avenue. He noted that new access points, or interchanges, were also being considered. Specifically, the interchange alternatives were as follows: 1) an all electronic interchange at Glades Road, 2) a full interchange at Palmetto Park Road, 3) a half interchange at Palmetto Park Road and a half interchange at Yamato Road, 4) a full interchange at Yamato Road, or 5) a full interchange at Clint Moore Road. A comparison of the alternatives was then reviewed; details were provided on all the above. Mr. Cherry and Henry Pinzon, the turnpike project manager with Florida Turnpike Enterprise, answered questions from Council at this time. Mr. Cherry then explained that a public information meeting was scheduled for Tuesday, February 17, 2009, at 5:30 p.m. in the Embassy Suites at Boca Raton. Additional public involvement activities would follow, culminating in a public hearing anticipated in the fall of 2009. Mr. Cherry concluded his presentation and answered questions from Council related to funding, opportunities for the public to be heard, and how a decision would be reached in terms of the proposed alternatives.

1. BOARD INTERVIEWS:

- a. Citizens' Pedestrian & Bikeway Advisory Board – one (1) vacancy.

No one came forward to interview.

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

Joseph McKeever and John Kronawitter expressed interest in appointment.

- c. Elder Affairs Advisory Board – three (3) vacancies.

Malka Kornblatt and Walter Waller interviewed for the positions; Joni Marin indicated interest in reappointment.

- d. Pearl City Blue Ribbon Committee – one (1) vacancy; must be a resident of Dixie Manor, Pearl City, or Lincoln Court.

No one came forward to interview.

2. PUBLIC REQUESTS:

Lenore Wachtel tendered questions related to Crocker Partners' Letter of Intent and was advised that answers would be forthcoming in this afternoon's CRA meeting.

3. REVIEW OF REGULAR AGENDA ITEMS:

- a. Questions relating to the agenda.

(Consent Agenda Item No. 3.e. - Resolution No. 18-2009 / Agreement with South Florida Regional Transportation Authority related to Palm Tran Route 94 Demonstration Project service) Council Member Arts referred to the cost and requested clarification. The City Manager explained that the cost to provide Palm Tran service for a year is \$357,000. Of that, Palm Tran will provide \$195,000, leaving a balance of \$161,000. Since the route provides service to the City, FAU (Florida Atlantic University) and PBCC (Palm Beach Community College), these three parties agreed to fund the remaining balance. Specifically, \$145,000 will be paid by FAU and PBCC, and \$16,000 will be paid by the City. Mr. Ahnell added that, prior to changing the route, approximately 1,000 people per month rode Palm Tran; now ridership is in excess of 16,000 people per month.

(Consent Agenda Item No. 3.d. – Resolution No. 17-2009 / Grant from the Florida Department of Health, Bureau of Emergency Medical Services Matching Grant Program for the purchase of cardiac monitor/defibrillators) Council Member Haynie questioned where the cardiac monitor/defibrillators would be located. Mr. Ahnell explained that these are the professional AEDs (Automatic External Defibrillators) used by firefighter/paramedics, not the small AEDs found in public buildings. He then added that these were not upgrades but replacements. Mayor Whelchel questioned why the AEDs were being replaced. Mr. Ahnell advised that they do wear out and are on schedule to be replaced every seven years or so, due to use and technical advancement. The City Manager then provided additional information to Mayor Whelchel as requested.

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:

The City Attorney had nothing to report at this time.

7. MAYOR AND COUNCIL MEMBER REQUESTS AND REPORTS:

Council Member Haynie referred to emails and phone calls received in regard to the recent pit bull attacks in Camino Lakes and asked what the City could do to protect citizens from dangerous dogs. The City Manager explained that State law prohibits the regulation of dogs by breed. However, staff is looking at what can be done. He noted that legislation is pending to allow regulations in terms of animals that are deemed dangerous. Ms. Haynie then referenced a news article on the City of Lake Worth and single-receptacle recycling. She advised that Lake Worth has an agreement with Waste Management wherein that city is paid cash for their recycling; she questioned whether the City has considered this as a revenue source and/or a more efficient way to handle recycling. Mr. Ahnell stated that the City is not currently paid for recycling but he would have staff review same. Last of all, Ms. Haynie asked for an update on making recycling of construction debris mandatory. The City Manager advised that staff is researching what debris qualifies for credits, what does not, and the effect on the City's debris roll-off collection process. He added that, originally, it did not look as though construction debris recycling was doable because it would affect the fees being charged; however, staff has found verbiage that might allow it.

Mayor Whelchel provided a copy of the news article referred to by Ms. Haynie and then gave additional commentary related to the pit bull attack in Camino Lakes. Responding to Mayor Whelchel, Mr. Ahnell indicated that staff is reviewing options to strengthen the Code. Following additional queries, he also advised that an animal control department would be necessary in order to regulate elimination of a dog that has bitten a human, which would prevent it from being returned to the community. However, the County has an animal control department and regulates same Countywide. Therefore, unless the City sets up its own animal control department, the County will continue to take care of these issues. Mr. Ahnell concluded by stating that he was not recommending establishment of such a department.

Council Member Arts requested an update on the cell tower in Palm Beach Farms on FPL (Florida Power & Light) property. Mr. Ahnell advised that a neighborhood meeting was held recently and T-mobile may be making some alterations to their original proposal. They're also talking with the City about studies they conducted, resulting in locations that either work or don't work. The City Manager concluded by advising that staff was currently reviewing different questions, which are still coming in from the neighbors. Council Member Haynie advised that she attended the aforementioned meeting, which was held in the Council Chamber, and thanked Community Development Director Jorge Camejo, and Planning, Zoning, and Development Director Julia Trevarthen, saying they did a good job of sharing information with the neighbors.

Mayor Whelchel asked for an update on the Eden project. Mr. Ahnell explained that Council gave them until September of this year to finish the project but added that he did not believe it would happen and suggested the developer would probably request an additional timeframe from Council. Responding to Council, Mr. Ahnell explained that he was not sure who the owner is at this time. Council Member Haynie then tendered questions to the City Attorney related to the Letters of Credit associated with this project. Ms. Frieser advised that she would need to research same to provide specifics; however, staff was monitoring the project. Mr. Ahnell clarified that the Letters of Credit did not equate to millions of dollars, noting that the amount was reduced at the special meeting held to discuss the Eden project. He indicated the number might be \$750,000 and also reported that the developer would need to obtain new building permits since the originals are now approximately eight years old. Responding to additional queries from Mayor Whelchel, Mr. Ahnell explained that if Council does not allow the developer more time, then the City can take a different direction; details were provided.

Mayor Whelchel requested and received support from Council to provide the venue for a foreclosure/relief workshop or seminar. Mr. Ahnell acknowledged that many emails had been received from attorneys, banks, and so forth, offering their services in terms of a foreclosure workshop and the City could provide the venue and opportunity for people to share their knowledge.

The regular workshop meeting of the City Council of the City of Boca Raton, Florida, adjourned at approximately 2:32 p.m. on Monday, February 9, 2009.

Vanessa Hines, Assistant City Clerk