

MINUTES OF THE REGULAR WORKSHOP MEETING
CITY COUNCIL
BOCA RATON, FLORIDA
MONDAY, AUGUST 26, 2002
1:00 PM

The regular workshop meeting of the City Council of the City of Boca Raton, Florida was called to order by Mayor Abrams at 1:00 p.m.

ATTENDING THE MEETING WERE:

Mayor Steven Abrams
Deputy Mayor Susan Haynie
Council Member Bill Hager
Council Member Carol Hanson
Council Member Freudenberg

Also attending the meeting were:

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

1. BOARD INTERVIEWS:

- a. Advisory Board for the Physically and Mentally Challenged – one (1) vacancy due to resignation of Alexander Martone, whose term expires 04/23/03.

Lee Glenn interviewed for positions on both the Advisory Board for the Physically and Mentally Challenged and the Telecommunications Advisory Board.

- b. Community Relations Board – two (2) student vacancies.

Elizabeth Barron interviewed for a student position.

- c. Telecommunications Advisory Board – three (3) vacancies, due to term expirations of Arnold Granet, Gene A. Folden, and Claudette Deien, whose terms expire 09/08/02.

Arnold Granet and Gene Folden expressed interest in re-appointment.

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.o. – Resolution No. 137-2002 / Work Order No. 9 with Hazen and Sawyer, P.C., regarding the study and evaluation of un-ionized ammonia standards proposed by the Florida DEP) Deputy Mayor Haynie requested clarification of the un-ionization of ammonia and ocean outfall. Utility Services Director Mike Woika explained that un-ionized ammonia can be toxic; conversely, it can also be used as a nutrient for algae and plankton. He stated that a proposal put forward by the DEP would limit the amount of un-ionized ammonia that goes to ocean outfalls. The consultants would study what other states are doing in regard to ocean outfalls and whether the DEP standard is applicable to ocean outfalls, as opposed to marine estuary environments. Mr. Woika then responded to additional questions relating to the City's permit for outfall. He also confirmed for Council that the City had not been cited for high nitrogen levels and answered further queries from Council Member Hanson relating to ocean outfalls and

the DEP's standards for same. Mr. Woika clarified that, while the City has attempted, for six years, to obtain a new permit, the current permit is from 1992. Since that time, the DEP has changed its standard for ocean outfall; however, the old permit still states that the City needs more dissolved oxygen (D.O.) levels in its outfall. Consequently, the City is technically in violation of a DEP standard, which no longer exists.

(Consent Agenda Item No. 3.p. – Resolution No. 138-2002 / Work Order No. 3 with CH2M Hill Inc., regarding evaluation of the wastewater mains crossing the Intracoastal Waterway) Deputy Mayor Haynie questioned whether these lines were the ones broken by a subcontractor. Mr. Woika responded in the negative and explained that, while these mains have shown no evidence of distress, it's been ten years since they were evaluated; the City is being proactive in heading off any potential problems by having the consultants look at them now. Responding to additional questions, Mr. Woika stated that this item is connected with the resolution of Lift Station 28, in Spanish River Park, which suffered wastewater spills in March and April of 2001. In lieu of a penalty, the Palm Beach County Health Department agreed that the City should conduct a study of the lines. Mr. Woika then stated that the study would focus on two major force mains within the City. He also clarified that these mains have nothing to do with the outfall project. Council Member Hanson then requested information on the mains located at Camino Real and Spanish River Boulevard, regarding the size of the lines, the impact of growth over the last 10 to 15 years, and the flow through the mains for each of those years. Mr. Woika is to provide same.

(Consent Agenda Item No. 3.u. – Resolution No. 143-2002 / Work Order No. 6 with Kimley-Horn & Associates, Inc. for consulting engineering services, as they pertain to Airport Road) Deputy Mayor Haynie requested an overview of this project and the expected timeline for completion. Municipal Services Director Robert DiChristopher explained that the scope of the project on Airport Road has been extended to provide for a four-lane section to the City's right-of-way; it is hoped that the Airport Authority will continue that four-lane section through their property. In addition, an agreement has been reached with the School Board to add turn lanes into the high school on the south side of N.W. 15th Avenue. A lighting design and reclaimed water lines are also included as part of this project. Mr. DiChristopher explained that he expected to put a bid out in October; construction should begin shortly thereafter. The Airport Road section would be completed first and then construction of the turn lanes into the high school would take place during the summer. Responding to Council in reference to the University Commons driveway on N.W. 15th Avenue, Mr. DiChristopher stated that a right-turn lane would be provided. In addition, the existing driveway would remain "right in, right out" only, and a permanent median separator would be built. He then answered additional questions from Council Member Hanson regarding the four-laning of Airport Road, the liability/ownership of lands affected by this project and whether Muvico contributed to road improvements.

(Consent Agenda Item No. 3.a.1. – Sealed Bid / Offsite Water Transmission Mains, Concentrate Piping & Lift Station Force Main) Council Member Hanson questioned whether this cost also includes work to be done on the reverse osmosis plant. The City Manager explained that these dollars were already anticipated in the project. Ms. Hanson then referred to a requirement of a DEP permit and questioned whether the City had conducted a study to develop a method of using the membrane concentrate. Mr. Ahnell explained that a study would be done; however, this item was not connected with that study.

(Consent Agenda Item No. 3.b.1. – Competitive Sealed Proposal / Bi-Directional Tractor {Replacement}) Council Member Hanson asked whether the City had plans to cover any of the vehicles, which are kept at the beach, to prevent corrosion. Mr. Ahnell explained that most vehicles are not covered; however, long-term plans for providing some type of protection are being considered. He added that, due to the nature of the vehicles' use, some corrosion is unavoidable.

(Consent Agenda Item No. 3.s. – Resolution No. 141-2002 / Temporary license agreement allowing the County to temporarily manage certain lands adjacent to the Yamato Road right-of-way) Council Member Hanson expressed concern that a road might be constructed on the site. The City Attorney explained that a road would be constructed, as this area is scheduled to be part of the Yamato expansion. The temporary license agreement permits the County to build fences and perform clean-up services outside their land. Ms. Frieser then clarified that there is no assignment in this case; however, she did provide a hypothetical, albeit unlikely, scenario where an assignment might take place. The City Attorney and the City Manager then provided additional information as requested.

(Consent Agenda Item No. 3.l. – Resolution 134-2002 / Agreement with Florida DOT to obtain reimbursable funding for installation of Enhanced Traffic Calming Speed Humps and to develop traffic calming alternatives for local residential streets which are used routinely by Fire/Rescue and cannot tolerate vertical deflections) Council Member Hanson questioned whether this money would actually be used for a study relating to installation of enhanced speed humps and/or traffic calming alternatives. Mr. Ahnell explained that there is no study involved with this item; the agreement would allow the City to be reimbursed for expenditures occurred to date. He also mentioned that the current traffic-calming program has addressed many traffic issues already, including vertical deflections, which are not allowed in the City; other devices are used. He then provided additional information as requested. Ms. Hanson concluded her comments by describing a traffic-calming technique used in Asheville, North Carolina, whereby the roads approaching the airport are comprised of textured pavement. She suggested Mr. DiChristopher might wish to research this alternative to roundabouts and narrowing of roads.

(Consent Agenda Item No. 3.x. – Initial Assessment Resolution No. 01-l / Special assessments relating to Royal Palm Yacht & Country Club to provide for the construction, reconstruction and repair of storm sewers) Council Member Hanson confirmed with the City Manager that Royal Palm Yacht & Country Club is being assessed approximately \$650,000, and the City will pay the balance of approximately \$650,000. The property owners are to pay for those portions that the City determined were not public portions of the stormwater sewer management assessment. Responding to Ms Hanson, Mr. Ahnell explained that the project is complete, and the City is being reimbursed for the money that was paid out; these dollars came from the stormwater funds.

(Regular Agenda Item No. 4 – Settlement of Liability Claim / Case No. AL95-0039-US) Mayor Abrams requested a copy of the letter from the law firm of Adams, Coogler for tomorrow night.

(Regular Agenda Item No. 8 – FPL Update) Mayor Abrams explained that this item falls under “CITY MANAGER REPORTS” and is not technically a public hearing. However, since people have expressed interest in being heard on the subject, he suggested giving ten minutes to FPL and 10 minutes to the homeowners. After the public is heard, Council would then discuss the issue. Mayor Abrams also suggested moving this item to the beginning of the agenda.

- b. Resolution No.142-2002 (*Consent Agenda Item No.3.t.*), which would authorize execution of an amendment to the Agreement with the Firefighters of Boca Raton, Local 1560, I.A.F.F., Inc., effective October 1, 2002 through September 30, 2005.

Human Resources Director Sharyn Goebelt gave the presentation. She explained that the competition for hiring firefighters is fierce. Currently, 25 firefighters are in the DROP plan, and another 25 will be eligible for retirement over the next five years; the loss of 50 firefighters would represent a third of the firefighter staff. Ms. Goebelt then outlined the new terms and conditions of the agreement, including: 1) implementation of a step plan, which will consist of a competitive starting salary and replace the current wage schedule, 2) a change in shift starting time from 8:00 AM to 7:30 AM, and 3) establishment of a joint committee to review the present performance evaluation process and make recommendations. Ms. Goebelt concluded her presentation and answered questions from Council.

- c. Resolution Nos.114-2002 & 146-2002 (*Regular Agenda Item Nos.7 & 7.a.*), which would call for a bond referendum to be held November 5, 2002, relating to the renovation/improvement of five existing fire stations and the construction and equipping of two new fire stations and a related administration building and which would declare the City's intent to seek reimbursement from the general obligation bond issue.

Fire Chief Bruce Silk gave the PowerPoint presentation on Resolution No. 114-2002. He provided details on existing fire stations relating to proposed renovations, additions, and costs. Two new fire stations are also proposed. Fire Station #7 will be built in the Woodfield Regency Center location; Fire Station #8 will be built at S.W. 18th Street and Dixie Highway. Costs for the new stations and a new administration building and fire support facility were outlined as well. Chief Silk concluded his presentation by providing a brief explanation of the project phasing. He then answered questions from Council. Topics included infrastructure, response times, and a proposed traffic pre-emption system.

Director of Financial Services Mervyn Timberlake gave the PowerPoint presentation on Resolution No. 146-2002. He explained that the total cost for the facilities is approximately \$17.2 million. The bond issue requested is for \$17.5 million with an annual debt service of \$1.4 million. Using a homesteaded property with a taxable value of \$200,000, a tax increase of \$23 for 2002 is projected. Once all construction is completed, a total of approximately \$3 million in operating costs, spread out over 2003 to 2007, is anticipated, which the General Fund would assume. Mr. Timberlake then provided information relating to expected property tax increases for 2003-2007 and the projected impact on the Capital Improvement Program (CIP). He concluded his presentation by stating that approval of Resolution No. 114-2002 would authorize placement of the bond issue on the November 5, 2002, ballot; the G.O. bond question was also read into the record. He then answered questions from Council and clarified that passage of Resolution No. 146-2002 would allow for declaration of intent and reimbursement of expenditures before the bonds are actually issued.

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

a. Presentation on Proposed CIP for Fiscal Years 2002/03 through 2007/08

Office of Management and Budget Director Linda Davidson gave the PowerPoint presentation. She explained that the cost for the six-year Capital Improvement Program (CIP) is \$182,288,000. Major projects include widening of Spanish River Boulevard from N.W. 8th Avenue to Military Trail; expansion plans for Fire-Rescue and library facilities from a G.O. bond issue; and beach renourishment. Major projects for each department were then identified and details were provided. Departments and properties slated for capital improvements include Police, Fire-Rescue, Engineering, Municipal, Recreation, City Manager, Information Services, Golf Course, Cemetery, Water and Sewer, and the Downtown. Ms. Davidson explained that copies of the CIP are available at the City's public library and the Office of the City Clerk; the CIP may also be found on the City's website. She concluded her presentation by providing information relating to the budget calendar and then answered questions from Council.

5. CITY MANAGER REPORTS:

The City Manager had nothing to report at this time.

6. CITY ATTORNEY REPORTS:

The City Attorney referred to her memo, dated August 26, 2002, regarding the Bert J. Harris, Jr. Property Rights Protection Act action against the City of Miami Beach. Ms. Frieser explained that several actions have been filed under this Act; a decision in one of those cases has been rendered in favor of the City of Miami Beach. She indicated that, while the case will most likely be appealed, the decision is a very favorable one for the City of Miami Beach and local municipalities in general.

7. MAYOR AND COUNCIL MEMBER REQUESTS AND REPORTS:

Deputy Mayor Haynie reported that the Metropolitan Planning Organization (MPO) has created a Marine Advisory Task Force subcommittee, fashioned after the City's board of the same name. She explained that this subcommittee, of which she is a member, would have a narrower scope than the City's Marine Advisory Board and focus more on traffic-related issues and inter-jurisdictional problems, such as drawbridge openings.

Council Member Freudenberg praised staff's representation of the City of Boca Raton at the recent League of Cities meeting; League of Cities' participants were very complimentary regarding the quality of the City. Mayor Abrams added that attendance at this meeting location by Florida League of Cities' representatives was the largest ever, aside from Orlando, Florida. Mr. Freudenberg also commented on the bus tour of the downtown area, provided by the City of Boca Raton for the League of Cities' delegates, stating that the delegates were favorably impressed with the innovations found in the downtown, such as shielding garages with townhouses.

Mayor Abrams extended congratulations to the Ocean Rescue Squad; they placed first out of 23 in a national competition, which took place in San Diego, California.

Mayor Abrams commented on the press conference held this morning regarding the FBI's re-entry into the American Media, Inc. (AMI) building to continue their criminal investigation of anthrax-laced letters, at least one of which was received by AMI in October 2001. Police Services' Mobile Command Unit will be used as a media command post and staffed with public information officers from the Police Department, the FBI, and public health agencies. The City Manager's office will have information as to how to direct inquiries, regarding the two-week operation, to that unit.

The regular workshop meeting of the City Council of the City of Boca Raton, Florida, adjourned at approximately 2:35 p.m. on Monday, August 26, 2002.

Vanessa Hines, Assistant City Clerk