

MINUTES OF THE REGULAR WORKSHOP MEETING
CITY COUNCIL
BOCA RATON, FLORIDA
MONDAY, JULY 7, 2003
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 Whelchel
Council Member Dave Freudenberg
Council Member Bill Hager
Council Member Susan Haynie

Also attending the meeting were:

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

1. BOARD INTERVIEWS:

- a. Community Relations Board – two (2) vacancies due to term expirations of Leslie Scheper and Deborah A. Carman, whose terms expire 07/25/03.

Deborah Carman interviewed for the position.

- b. Education Advisory Board – six (6) vacancies: three (3) due to term expirations of Kim Parker, Cleveland Peoples, and Madeleine Siegel, whose terms expire 07/28/03; and three (3) due to resignations of student “ex officio” members Stephanie Haskins and Abraham Ovadia and appointment of student “ex officio” member Yuri Konnikov to that of a voting Board member.

Cleveland Peoples, Layla Amjadi (student), and Kim Parker expressed interest in the positions.

- c. Parks and Recreation Board – three (3) vacancies due to term expirations of Ronald L. Betters, Earl Starkoff, and Donna M. Virostek, whose terms expire 07/31/03.

Ronald Betters and Earl Starkoff voiced interest in being reappointed.

2. PUBLIC REQUESTS:

No one came forward to speak.

3. REVIEW OF REGULAR AGENDA ITEMS:

- a. Questions relating to the agenda.

(Consent Agenda Item 3.d.1. – Emergency Sewer Line Repair) Council Member Haynie commended the contractor, saying that this emergency job was completed in a few days; the road was open in time for the holiday.

(Consent Agenda Item 3.g. – Resolution No. 113-2003 / Levy of special assessments within the downtown special assessment district of the City) Council Member Haynie questioned how this year’s rate compared with last year’s rate. Mr. Ahnell stated that the rate was slightly higher and provided additional details.

(Consent Agenda Item Item 3.i. – Resolution No. 122-2003 / Revocable License Agreement with Royal Oak Hills Association regarding a subdivision sign and a sabal palm tree) Council Member Haynie confirmed with the City Manager that this resolution referred to the Palmetto Park Road entrance to Royal Oak Hills and not the entrance from Camino Real. In response to Deputy Mayor Whelchel's question regarding signage at the Camino Real entrance, Mr. Ahnell explained that the name, "Royal Oak Hills" could be found on the walls at the Camino Real entrance to the subdivision. Ms. Whelchel then questioned whether this resolution had anything to do with the trees at the Camino Real entrance. The City Manager replied in the negative.

(Consent Agenda Item 3.g. – Resolution No. 113-2003 / Levy of special assessments within the downtown special assessment district of the City) Deputy Mayor Whelchel asked whether property owners are happy with the rates. Mr. Ahnell indicated that he had not received any negative feedback.

(Consent Agenda Item 3.c.1. – Portable Firefighting Training Building Simulator) Council Member Hager asked that the City Manager define this item. Mr. Ahnell explained that the simulator is a portable unit that simulates an actual building fire and allows for hand-on training. He added that it will eventually become a fixed structure at the planned outdoor portion of the police/fire training facility.

(Consent Agenda Item 3.j. – Resolution No. 123-2003 / Interlocal Agreement with Palm Beach County to reimburse the City for a portion of the costs associated with the Central Boca Raton Nourishment Project) Council Member Hager requested clarification of this item and asked whether the City had entered into this type of agreement before. Mr. Ahnell explained that this is the newest beach renourishment project. Sand is anticipated to be on the beach, from the Boca Inlet north to Red Reef Park, between November 2003 and April 2004. He added that under the agreement, the County would reimburse the City for part of the cost.

(Consent Agenda Item 3.h. – Resolution No. 121-2003 / Grant application for removal and control of invasive non-native vegetation on environmentally-sensitive City land) Council Member Hager questioned how much of a problem the City has with invasive non-native vegetation. Mr. Ahnell stated that it is a problem but, due to the proactive measures taken, Boca Raton is ahead of other cities in this regard. Because the City has had a program in place for a while, it has been in a position to take advantage of matching grant programs. Deputy Mayor Whelchel questioned whether Australian Pines would be replaced. Mr. Ahnell answered in the affirmative and outlined the procedures for removing non-native vegetation and planting of native foliage. He explained that they would be replaced with something substantial; he is to follow up on this item. In response to Mayor Abrams' question as to whether the removal of the Australian Pines that are of concern to the LaFontana residents could be part of this removal, the City Manager stated that that area is not one identified for these grant monies, but their removal could occur when Gumbo Limbo is being addressed.

b. Ordinance No. 4713 and Resolution No. 103-2003 (Regular Agenda Item Nos. 4. and 4.a.), which would provide for rezoning and planned unit development master plan approval for the proposed Mizner Del Mar project.

Planning and Zoning Director Carmen Annunziato gave the PowerPoint presentation and summarized the proposal, which is comprised of three requests for: (1) conditional rezoning on a portion of the site from R-3E to R-5, (2) PUD Master Plan approval – transferring density from the beach, and (3) site plan approval – for a five-unit residential building. He explained that the property is currently vacant. Location, land use, zoning, and acreage information for each of the two parcels in question was then provided, as was information related to the number of dwelling units permitted. The two parcels are located on the east and west sides of A1A a/k/a North Ocean Boulevard; no development was proposed for the eastern parcel. The structure proposed for the western parcel was reviewed. It was noted that the building's height and use would be consistent with other properties on the west side of North Ocean Boulevard; the structures surrounding the west parcel were then identified. The southern elevation of the building from Lake Wyman Road was detailed; access and parking information was also outlined. The seven-story structure would contain two floors for parking and five floors for residential use; five units are proposed -

one unit per floor. The applicant also requested PUD development modifications related to building setbacks, PUD perimeter setbacks, and lot size and width.

The Parks and Recreation Board reviewed this application and recommended a fee in lieu of land for \$9,715, which was included in the resolution. The Environmental Advisory Board also reviewed the application and recommended approval with four conditions, which were incorporated into the resolution; the conditions are related to the dune crossover and sea turtles. The Palm Beach County School Board and the Palm Beach County Traffic Division reviewed the project and found that it complied with the adopted level-of-service for both traffic and schools. The Planning & Zoning Board reviewed the project and recommended denial; the Board was concerned with the intensity of the development. Mr. Annunziato concluded his presentation and answered questions from Council.

- c. Resolution No. 118-2003 (*Regular Agenda Item No. 5*), which would grant conditional use approval for Fire Station No. 2.

Development Services Senior Planner Daryl Johnson gave the PowerPoint presentation, stating that conditional use approval was being sought for Fire Station No. 2, to be located at 903 West Palmetto Park Road. Acreage, zoning information, square footage and building height were provided. It was noted that a five-foot-high wall would be constructed to create a buffer between residents and the fire station. The building would front Palmetto Park Road on the south and Cardinal Avenue on the east; ingress and egress would be from both Palmetto Park Road and Cardinal Avenue. A total of 20 parking spaces were also proposed. The Historic Preservation Board reviewed the project in April 2003 and unanimously recommended approval. Three neighborhood meetings were held to address any concerns that area residents might have. In conclusion, staff recommended approval of the proposed project. Mr. Johnson then answered questions from Council.

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

There were no items for consideration.

5. CITY MANAGER REPORTS:

The City Manager stated that he would ask Council to amend the agenda tomorrow night. Resolution No. 122-2003, approving execution of a Revocable License Agreement with Royal Oak Hills Association, Inc., is being revised and an additional bid item for a new emergency response vehicle is being brought forward. Mr. Ahnell clarified that the revision to the resolution did not relate to the trees at the Camino Real entry, which have recently been the subject of debate.

6. CITY ATTORNEY REPORTS:

The City Attorney had nothing to report at this time.

7. MAYOR AND COUNCIL MEMBER REQUESTS AND REPORTS:

Council Member Freudenberg noted the proliferation of trailers in the City containing signs for traffic control, which have been located along various roads by the County, and also questioned the placement of the signs; the City Manager was asked to contact the County in regard to this issue. Mr. Ahnell stated that he would provide a written response to Council, but explained that he believed the signs are part of a long-term (eight-year) project.

Council Member Haynie proffered thanks to Utility Services Director Mike Woika for his quick response in repairing a manhole cover at 20th Street.

Council Member Hager referred to City swimming pools, saying that approximately 10 to 15 years ago, cities removed diving boards due to liability issues and subsequently modified the depth of the pools. He asked how the City "measured up" in this regard. Mr. Ahnell stated that the City operates two pools, Meadows Park Pool, and the Swim and Racquet Center, which is owned by the Greater Boca Raton Beach and Park District. He

expressed that modifications have been made to them in the interest of compliance with the American Disabilities Act; he is to follow up on the other issues.

Deputy Mayor Whelchel explained that she had spoken with the City Attorney on the topic of selling City land for not-for-profit financial distribution. She indicated that there were two issues: 1) the impartial, decision-making capacity of Council, and 2) fairness in the distribution of funds. Consequently, Ms. Whelchel asked the City Attorney to define a policy for allocating taxpayer dollars; Ms. Frieser explained that the City already has a policy in place. Therefore, Ms. Whelchel expressed that the policy should be a subject of Council discussion, should anyone want to change the policy. Other than that, Council should abide by the current policy.

The regular workshop meeting of the City Council of the City of Boca Raton, Florida, adjourned at approximately 2:10 p.m. on Monday, July 7, 2003.

Vanessa Hines, Assistant City Clerk