

MINUTES OF THE REGULAR WORKSHOP MEETING
CITY COUNCIL
BOCA RATON, FLORIDA
MONDAY, JULY 21, 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 Bill Hager
Council Member Susan Haynie

Council Member Dave Freudenberg was absent (excused).

Also attending the meeting were:

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

PROCLAMATION: Florida Water and Pollution Control Operators Week
July 21 – 25, 2003

Mayor Abrams presented the proclamation to members of the Utility Services Department in recognition of their continuing service to the community.

1. BOARD INTERVIEWS:

- a. Financial Advisory Board – two (2) vacancies due to term expirations of Christina A. Hutchison and Jeffrey D. Lowe, whose terms expire 08/26/03.

Christina Hutchison interviewed for re-appointment.

- b. Library Advisory Board – two (2) vacancies due to term expirations of Robert C. Keltie and Elizabeth E. Grinnan, whose terms expire 08/10/03.

Robert Keltie expressed interest in retaining his position on the Board; Barbara Safranek also interviewed for a position.

2. PUBLIC REQUESTS:

Carl Jacobs spoke to the citrus canker issue, stating that traffic hazards were created due to the proliferation of Asplundt trucks, Department of Agriculture vehicles, and law enforcement agency cars parked along the streets. He also provided comments by citizens in opposition to the eradication program. Mr. Jacobs then spoke favorably regarding a citizen he observed voluntarily picking up litter during her daily run.

Brian Ross gave a PowerPoint presentation in support of building a championship golf course on the Boca Tech property and voiced that he would like Council to consider reassessing the uses for the Boca Tech property.

Mark Ericsson spoke to his argument that boatlifts take up less room than boat docks and, in support of same, referred to color pictures of boats, lifts, and docks in the canal (14th Street Canal) behind his home in Golden Harbour.

3. REVIEW OF REGULAR AGENDA ITEMS:

a. Questions relating to the agenda.

(Consent Agenda Item 3.a.1. – Street Resurfacing Program) Council Member Haynie questioned which neighborhoods were included in this item. Mr. Ahnell is to provide that information tomorrow night.

(Consent Agenda Item 3.b.2. – City Hall Plaza) Council Member Haynie asked whether there would be a reduction in the provided parking. The City Manager answered that a slight reduction of four or five spaces was expected. Ms. Haynie suggested that signage was needed to inform people direct people that additional parking is available at the police station, the library, or the community center for large meetings.

(Consent Agenda Item 3.f. – Resolution No. 126-2003 / First Amendment to Memorandum of Understanding {MOU} with Boca Technology Center) Council Member Haynie asked for clarification on this item. The City Attorney explained that the original MOU provided for improvements to Spanish River Bridge in order that the required level-of-service for that road may be obtained. Additional capacity on the bridge is required; this amendment specifies that a contract has been entered into and a permit obtained to proceed with the required improvements. Ms. Frieser clarified that the width of the bridge would not be broadened. Instead, more lanes would be created. Ms. Haynie confirmed with Ms. Frieser that this resolution represented a stopgap solution to meet the requirements of the MOU.

(Consent Agenda Item 3.b.1. – Road Construction Materials) Deputy Mayor Whelchel referenced Senate Bill 676, which was recently passed, and directs the Department of Transportation (DOT) to ignore local ordinances in regard to road projects. She questioned whether the City was going to run into problems. Mr. Ahnell stated that he was aware of the bill and was awaiting a response from Municipal Services. He added that since this bid is for the City's own properties, he does not expect it to be affected by this legislation.

(Consent Agenda Item 3.g. – Resolution No. 127-2003 / Relating to the travel/per diem expense policy of the City of Boca Raton) Deputy Mayor Whelchel questioned whether the City was returning to its original travel policy. Mr. Ahnell replied affirmatively. Ms. Whelchel then asked for a comparison between the City's per diem and that of the State.

(Consent Agenda Item 3.a.3. – Emergency Medical Supplies) Council Member Hager confirmed with the City Manager that this item was consistent with the budgetary process. He then asked whether the City "warehoused" these items or paid for them and extracted them from the vendor on an as-needed basis. Mr. Ahnell explained that the City does store medical supplies, but attempts to only stock what is needed.

(Regular Agenda Item 21 – Millage Notification) Mayor Abrams questioned whether Council could instruct the City Manager in regard to the millage without first seeing the budget. Mr. Ahnell explained that tomorrow night he would provide the proposed millage rate notification. He further explained that once millage notification is provided, Council would still have discretion to lower the millage rate, but not raise it.

b. Ordinance Nos. 4715 and 4716, and Resolution Nos. 109-2003 and 110-2003 (Regular Agenda Item Nos. 4, 5, 6, and 7), which relates to the proposed Fairfield Gardens Planned Unit Development on property located at 1330 North Military Trail.

Development Services Senior Planner Jennifer Simon gave the PowerPoint presentation. She explained that the request for Universal Conditional Approval included: 1) a Comprehensive Plan Amendment, 2) a rezoning, 3) site plan approval, 4) Planned Unit Development master plan approval, and 5) tentative plat approval. The Comprehensive Plan Amendment does not require DCA approval, as the subject property is less than 10 acres (8.85 acres) and less than 10 units per acre are proposed. Location, acreage, and zoning information were provided. The applicant proposed to rezone the property to PUD/R3 and change the Future Land Use Map designation to RM (Residential Medium). Currently, there is a Development Order in place, which allows for two hotel buildings with a total of 256 hotel rooms. The applicant

proposes to develop the site as Fairfield Gardens, an 84-unit townhouse project with unit square-foot ranges from 1,268 to 2,370.

The Parks and Recreation Board, the School Board of Palm Beach County, and the Environmental Advisory Board all reviewed the project and all Boards recommended approval. The Planning and Zoning Board also reviewed this petition and recommended approval with the conditions provided in the accompanying ordinance and resolutions. In conclusion, staff also recommended approval, subject to the conditions listed in the ordinance and the resolutions; these conditions related to access and landscaping. Ms. Simon then answered questions from Council. Attention was focused on the noise from the airport, due to the proximity of the project to the airport.

- c. Ordinance No. 4721 (*Regular Agenda Item No. 12*), which would amend the Code relating to marine structures.

Planning and Zoning Director Carmen Annunziato gave the PowerPoint presentation. He explained that this process to update the Marine Code began approximately 3 years ago and provided information in support of same. Both the Marine Advisory Board and the Planning and Zoning Board recommended approval of the proposed amendments as provided herein. Mr. Annunziato stated that the proposed changes affect several sections of the City's Code; he then reviewed those changes.

In Chapter 19, Sections 19-71 through 19-75, variances would be changed to appeals. Sections 19-76 through 19-77 are new Code sections, which would provide for variances with standards. It was noted that these changes would affect the Builders' Board of Adjustment and Appeals, since this Board has the authority to grant, or not grant, variances.

In Chapter 22, Sections 22-57 were updated in regard to definitions. Sections 22-58, relating to docks, were amended regarding, but not limited to, dock size, setbacks, ladders, the number of passenger docks allowable in the Boca Raton Inlet, and required permits from other governmental agencies. Additional sections in Chapter 22 were also changed, including Sections 22-50 Mooring; Sections 22-60 Canal Dead Ends; Sections 22-61 Dolphins; Sections 22-62 Finger Piers; Sections 22-63(1) Boatlifts; Sections 22-65 Maintenance; and Sections 22-66 Non-conforming structures and variances. In Chapter 28, Code Sections 28-1486, regarding mooring, were also modified; the language simply repeats that in Chapter 22.

Mr. Annunziato concluded his presentation and answered questions from Council. Clarity was requested on several items including whether a boat on a lift out of the water was considered moored; appropriate navigable canal width; and suitable projections of docks, lifts, and dolphins into the canal, which would not compromise safety in navigation.

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

- a. North Federal Highway Discussion

Development Services Director Jorge Camejo introduced Michael Busha, with the Treasure Coast Regional Planning Council (TCRPC). Mr. Busha gave a PowerPoint presentation on the charrette process; pamphlets were also distributed to Council. Each step of the procedure was outlined and details were provided, with emphasis on including all affected parties in the process. Essentially, a charrette is an intense, creative session, lasting approximately seven days, more or less, during which time residents, staff, elected officials, and other participating agencies, work with designers to produce a master plan for the redevelopment of a community - in this case, the North Federal Highway area. Mr. Busha concluded his presentation and answered questions from Council.

Diane Heinz explained that she has been working with a group named, "NORFED," which is comprised of a loose coalition of property owners along North Federal Highway, who are interested in refurbishing the area. She provided Council with a summary sheet of answers to a questionnaire, regarding redevelopment of North Federal Highway, which had been submitted to property owners. Ms. Heinz noted that property owners in the North Federal Highway area have long held a perception that north Boca has been consistently overlooked in terms of development and beautification. She suggested that

paperwork relating to the special assessments, paid by property owners in south Boca for landscaping and median beautification, be made available for review by north Boca property owners, that they might understand that additional monies, beyond normal City taxes, have been paid by south Boca property owners to create an aesthetically-pleasing downtown area.

Frank Feiler stated that he is a member of a Chamber of Commerce task force, or ad hoc committee, consisting of business leaders interested in the redevelopment of North Federal Highway. He stated they endorse and support redevelopment efforts and asked that the ad hoc committee be given representation on the steering committee.

Rick Howard voiced support of this endeavor.

Carl Jacobs distributed photos of City fire hydrants, including some in north Boca, and spoke to the condition of same, stating that they are in need of improvement. He suggested that more money and personnel should be allocated to maintain the fire hydrants. Mayor Abrams confirmed with the City Manager that equal resources are allocated in regard to maintaining and replacing fire hydrants throughout the City.

Trina Rasmussen voiced support of the charrette process and the use of Treasure Coast Regional Planning Council's services as the facilitator.

Council began discussion related to membership of the Steering Committee. It was staff's suggestion that the committee should consist of 8 members as follows: 2 commercial property owners; 4 residential property owners; 1 large-scale business owner (not property owner); and 1 small-scale business owner (not property owner). While Council agreed on these designations, much discussion took place in regard to more specific membership criteria. Mr. Ahnell explained that staff would attend all meetings, thereby assuring communication between the committee and the City. Emphasis was placed on providing a neutral location, within the North Federal Highway area, for conducting these meetings. Mr. Camejo pointed out that, once the steering committee is established, it would fall within the purview of the Sunshine Law and be subject to those regulations and restrictions. After additional discussion, Council directed the City Manager to create the steering committee, via established procedure, and designate a staff contact for communication purposes. At this time, an open and neutral location is to be determined; Caldwell Theatre was suggested. It was also suggested that artists/draftspersons be included in the charrette to assist the public in drawing sketches of envisioned buildings, landscaping, etc. Finally, the City Manager is to make a recommendation in the form of a proposed contract with the appropriate entity to facilitate the charrette process.

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 Hager referred to construction on Potomac Road between Military Trail and the entrance to Lynn University and questioned what was taking place. The City Manager explained that turn lane improvements would be implemented to alleviate traffic backup in the area. In addition, one more lane might be added if necessary.

Council Member Haynie requested a citrus canker update from the City Attorney; that information will be forthcoming tomorrow night.

Mayor Abrams referred to Metropolitan Statistical Areas (MSAs) and mentioned that there was an effort afoot to combine Miami with West Palm Beach; however, Palm Beach County would not be designated in the title. He

sought Council's support for a resolution in support of the inclusion of Palm Beach County in the MSA designation.

On a separate item, Mayor Abrams stated that the agenda would be amended tomorrow to change the meeting date of the September 9, 2003 City Council meeting.

The regular workshop meeting of the City Council of the City of Boca Raton, Florida, adjourned at approximately 3:22 p.m. on Monday, July 21, 2003.

Vanessa Hines, Assistant City Clerk