

MINUTES OF THE REGULAR WORKSHOP MEETING
CITY COUNCIL
BOCA RATON, FLORIDA
MONDAY, SEPTEMBER 25, 2006
1:30 PM

The Workshop Meeting of the City Council of the City of Boca Raton, Florida was called to order by Mayor Abrams at 1:30 p.m.

ATTENDING THE MEETING WERE:

Mayor Steven L. Abrams
Deputy Mayor Susan Whelchel
Council Member M. J. Mike Arts
Council Member Peter R. Baronoff
Council Member Bill Hager

Also attending the meeting were:

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

PRESENTATION: Recognition Award – Fire Chief Tom Wood

Mayor Abrams presented the NFPA International Committee Service Award to Fire Chief Tom Wood, who was awarded same for development of fire safety codes and standards.

1. BOARD INTERVIEWS:

- a. Elder Affairs Advisory Board – one (1) vacancy due to resignation of Wilma Greenfield, whose term expires 2/14/09.

No one came forward to interview.

- b. General Employees Pension Board – one (1) vacancy due to resignation of Robert J. Daniels, whose term expires 03/29/08.

Nicole Gasparri interviewed for the position.

- c. Pearl City Blue Ribbon Committee – one (1) vacancy due to resignation of Warren Adams (at large member), whose term expires 01/23/07.

No one came forward to interview.

2. PUBLIC REQUESTS:

Betty Grinnan, Chairman of the Library Advisory Board, reiterated the recommendations of the Board, previously submitted to Council, in regard to library user fees. Emphasis was placed on reduction of the non-resident user fee. Mayor and Council noted that, should the Board's recommendation be followed, City residents would actually be paying more, through their ad valorem taxes, for use of the City libraries than non-residents. Responding to Council, Mr. Ahnell explained that the City's libraries are supported by fees and resident taxes.

Christa Mackey supported the proposals of the Library Advisory Board but also provided alternate suggestions to the Board's recommendations. A handout enumerating the suggestions was distributed.

Betty Cash referred to a letter from Library Advisory Board Member Dorothy Guinn, in which she advocated support of the Board's recommendations.

Linda Milliken, a retired Boca Raton firefighter, referred to a contract that was ratified for City of Boca Raton firefighters in April 2006 and questioned why she was not retroactively paid from October 1, 2006 to February

2006, when she retired. Mr. Ahnell explained that the City's position is that people who have left the City's employment prior to ratification of the contract are not paid retroactively. Responding to Council, the City Attorney advised that there is no basis for the Council to direct the City Manager to take any action; this is a personnel issue and is within the purview of the City Manager.

Lenore Wachtel, a member of the Downtown Visions Committee and former downtown property owner, commented regarding the proposed downtown pedestrian spine, stating there is not support for eminent domain and urging that public input be sought. Instead of constructing the spine, Ms. Wachtel advocated beautifying existing downtown roads and alleyways, which would then encourage downtown property owners to invest in upgrading their properties. She implored the Mayor and Council not to float a \$30 million bond issue without public approval. Mayor and Council clarified that should \$30 million be allocated for the spine, it does not mean a bond would be floated; in addition, meetings would be held and opportunities would be provided for public input.

Mike DeLuca referred to the proposed ice skating rink and spoke in support of same.

Richard Kruse commented on the turn lanes proposed for NW 12 Avenue. The City Manager stated that he would ask Council to remove the item from tomorrow night's agenda. Staff planned to then spend the next 60 days speaking with residents to reach a mutually beneficial solution. Mr. Ahnell added that since construction costs have doubled, the road would be redesigned. A consensus should be reached by early December; however, construction would not start before late summer.

John Gumina voiced opposition to the proposed pedestrian spine and the expenditure for same. He questioned what authority the City has with regard to eminent domain. Mayor Abrams advised that the Florida Legislature overturned the Supreme Court decision; consequently, eminent domain proceedings are very restrictive in the State of Florida. Mr. Gumina also provided commentary related to money owed to the City by the Community Redevelopment Agency (CRA). He then opined that since the pedestrian spine would benefit developers, they should pay for it.

Mayor Abrams confirmed with the City Attorney that some cities require a voter referendum for projects costing a certain amount of money. The City of Boca Raton does not have that requirement and has, in fact, financed many projects using revenue bonds, following State law and conducting all required public hearings. Responding to Council, Mr. Ahnell explained that an agreement exists between the City and the CRA whereby the City will be reimbursed by the CRA for funds extended to it. Mayor Abrams then advised that while the \$30 million has been identified in the budget for the pedestrian spine, no decisions have yet been made as to how it will actually be financed. This is an effort on the part of Council to move forward with this project, which has been "in the works" for approximately 20 years.

3. REVIEW OF REGULAR AGENDA ITEMS:

a. Questions relating to the agenda.

(Consent Agenda Item 3.a. – Ballfield Dugout Replacement at Meadows & Memorial Parks) In response to a query from Council Member Hager, the City Manager explained that this item included construction and renovation of both the dugouts and the bleachers; the areas would be completely renovated.

(Consent Agenda Item 3.g. – Resolution No. 149-2006 / Approving and accepting jurisdictional control and maintenance responsibilities from Palm Beach County, for certain roadways located within the limits of the annexation area of the City of Boca Raton) Council Member Hager questioned whether this item represented part of the City's responsibility in terms of completing the annexation. Mr. Ahnell explained that six or seven different roads are included in this resolution and advised that the County and the City have agreed that if the City annexes an area and takes ownership of both sides of a road, that road then comes under the jurisdiction of the City. He added that dollars have been allocated in the budget to maintain these roads.

(Consent Agenda Item 3.h. – Resolution No. 150-2006 / Extending the terms of appointment for the membership of the Downtown Visions Committee) Council Member Baronoff indicated that the composition of the membership should be reviewed to ensure appropriate representation. The City Attorney clarified that the resolution would extend the terms of office; the City Manager advised that the

membership categories were defined in the resolution and outlined same. The CRA Director Jorge Camejo provided additional commentary. Responding to Council, the City Attorney advised that the Committee, as a body, could be extended and the members could be reappointed separately.

(Consent Agenda Item 3.l. – Resolution No. 157-2006 / Agreement with County Club Maintenance Association, Inc. for compensation for the reconstruction of an irrigation system and replacement of sod damaged during the Yamato Road widening project) Council Member Hager asked whether the City was replacing sod on both sides of the canal or just the south side. Mr. Ahnell explained that the City would make a contribution to the homeowners' association and the association would make the repairs on the south side of the canal. He provided background information on this project and stated that it was more economically feasible to do it this way.

(Consent Agenda Item 3.p. – Resolution No. 161-2006 / First Amendment to Agreement with Kaufman Lynn, Inc., General Contractors, amending the Guaranteed Maximum Price (GMP) and the scope of work for the Police/Fire Training Facility (ICLAD) located at 6500 Congress Avenue) Council Member Hager asked for the reason behind the increase. Mr. Ahnell explained that the City bought the 6500 Building and has been renovating it in phases. This item represents a majority of the interior renovations, including but not limited to, classrooms, refurbishment of the cafeteria, emergency generator and fuel storage capacities, dual AC systems and chillers, showers, and lockers. Mr. Ahnell noted that this building would also serve as an emergency shelter. He confirmed with Mr. Hager that this project was not over-budget; this was simply the next step in the renovations and the phasing in of the associated costs.

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

There were no items for consideration.

5. CITY MANAGER REPORTS:

Since NW 12 Avenue was covered previously, Mr. Ahnell stated that he had no other reports.

6. CITY ATTORNEY REPORTS:

The City Attorney had nothing to report at this time.

7. MAYOR AND COUNCIL MEMBER REQUESTS AND REPORTS:

Council Member Baronoff reported on the Metropolitan Planning Organization (MPO) meeting he attended Thursday with Council Member Arts, stating that they got into a "spirited" conversation with County Commissioners on the topic of priorities. He noted that the proposed Glades Road and Palmetto Park Road widening is now in the next stage of planning. Also, the I-95 exit proposed at Spanish River Boulevard has been earmarked for funding. Lastly, comments were made at the MPO meeting that the County and the City need to find a better way to work together. Mr. Baronoff indicated that, due to the ongoing legal battles with the County related to Fire Rescue Dispatch and the absence of County Commissioners at the mediation table, it was questionable as to how well the County and the City could work together.

The regular workshop meeting of the City Council of the City of Boca Raton, Florida, adjourned at approximately 2:41 p.m. on Monday, September 25, 2006.

Vanessa Hines, Assistant City Clerk