

MINUTES OF THE REGULAR WORKSHOP MEETING  
CITY COUNCIL  
BOCA RATON, FLORIDA  
MONDAY, MARCH 24, 2008  
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 Hagerty

**PRESENTATION:** State of Florida Emergency Vehicle Technician of the Year Award – Thomas Sova

Mayor Abrams and Fire Chief Tom Wood presented the award to Thomas Sova, a long-time member of the City's Fire-Rescue Services Department.

**1. BOARD INTERVIEWS:**

- a. Citizens' Pedestrian and Bikeway Advisory Board – two (2) vacancies.

No one came forward to interview.

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

Pamela Martyna interviewed for a position on the Board.

- c. Elder Affairs Advisory Board – one (1) vacancy.

No one came forward to interview.

- d. General Employees' Pension Board – one (1) vacancy.

Nicole Gasparri expressed interest in reappointment.

- e. Pearl City Blue Ribbon Committee – one (1) vacancy.

No one came forward to interview.

- f. Planning and Zoning Board – two (2) vacancies.

Bill Fairman expressed interest in reappointment; Kerry Koen, Spencer Siegel, Jessica Johnson-Dornblaser, and Pamela Martyna interviewed for a position on the Board.

- g. Police & Firefighters' Pension Board – two (2) vacancies.

Susan Baumel interviewed for a position on the Board; John Girard and Dick Robinson expressed interest in reappointment.

- h. Zoning Board of Adjustment – two (2) vacancies.

No one came forward to interview.

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

- b. Telecommunications Advisory Board Recommendation

Gene Folden, Vice Chairman of the Board, gave a PowerPoint presentation, related to the history, mission, and achievements of the Telecommunications Advisory Board, culminating in a recommendation to dissolve the Board. He then answered questions from Council regarding the possibility of installing cellular towers on City-owned land, which could be a revenue source; the strength/weakness of cellular signals; and the relationship between municipalities and WiFi.

#### **2. PUBLIC REQUESTS:**

Albert Pena referred to homes destroyed by hurricanes and the difficulties involved in rebuilding. He then advocated construction of a 500-person homeless shelter on two acres of land in the City and asked for information related to zoning, requirements, and limitations. Mayor Abrams indicated that this issue was probably best addressed as a community effort, stating that the Junior League of Boca Raton created the groundwork years ago for proposing such a facility. He suggested that a not-for-profit coalition could be formed in an attempt to resolve this problem and advised that information would be provided to Mr. Pena. He added that Development Services Director Jorge Camejo is currently representing the City on a Board created by the County to address this very issue. The City Manager was asked to provide Mr. Pena with information on that Board as well.

#### **4. FUTURE AGENDA MATTERS/ITEMS OF COUNCIL/PUBLIC CONCERN: (Cont'd)**

- a. Boca Raton Housing Authority – Discussion of Housing Assistance Program Process

Philip Studer, a member of the Housing Authority, apologized to residents, local neighbors, and City personnel in connection with the events of Wednesday, March 12, 2008, wherein hundreds of people showed up at the housing office to be placed on a waiting list for Section 8 housing. He advised that while no one anticipated so many people would be in attendance, it did speak to the desperation felt by many searching for affordable housing. Mr. Studer then referred to a special meeting held last Wednesday by the Housing Authority and stated that the Board voted to maintain the process in place for those individuals who submitted 200 applications; those people would be placed on a waiting list. He also advised that changes were planned for the future, specifically, there would be no more people waiting in lines to be placed on waiting lists; lists would be generated via the Internet, U.S. mail, or a combination of both. Mr. Studer then stated that letters of apology had been sent to local residents affected by the events of March 12. He noted in closing that this housing process had been used successfully for many years, and the Authority had never before experienced activities such as those which occurred on March 12.

Responding to Council, Mr. Ahnell explained the relationship between the Housing Authority and the City of Boca Raton, stating that pursuant to State law, the City is required to have a Housing Authority and the City's role is to appoint the five members of the Board; that is the extent of the City's involvement. The Housing Authority operates pursuant to State and Federal laws for disbursing Federal funds. He clarified that employees of the Housing Authority are not City of Boca Raton employees and do not fall within the City's purview. Responding to Council, Mr. Studer provided information related to jurisdiction and the Housing Authority's commitment to serve people who do not live in the City of Boca Raton. He explained that the Housing Authority has an open waiting list, meaning that it can be opened to residents outside the City of Boca Raton. He added that the Board voted on parameters for providing preference to those applications reflecting military service or need based on FEMA actions. Other than that, no preference is given.

Judy Aigen, Executive Director of the Housing Authority, explained that the Housing Authority's jurisdiction is set by Chapter 421 of the Florida Statutes, which basically states that the Authority's

jurisdiction is within the City of Boca Raton and several miles outside the City. However, in the past 11 years of her experience, all the housing authorities within Palm Beach County (5) have worked together to allow residents to move freely amongst the jurisdictions of the cities and the County; details were provided. Ms. Aigen advised that people coming from outside the County, including those from Jacksonville, Florida, and Georgia, who showed up on March 12, would have been legally disqualified; residents must live within the jurisdiction of the Housing Authority in order to receive a voucher. She noted that the Board is considering giving preference to residents living in the City of Boca Raton; she acknowledged that this was not done for many years, however, because it can "close the door" (i.e. jeopardize reciprocity) for Boca Raton residents whose names might come to the top of another Housing Authority waiting list in another local community. Responding to a query from Council, Ms. Aigen advised that information would be included, where appropriate, that people living outside the County are not eligible for vouchers; Ms. Aigen and Mr. Studer provided additional information to Council as requested. Council then obtained assurance from Ms. Aigen that there would be no further mass gatherings at the Housing Authority's office, which is adjacent to a residential neighborhood.

The issue of signage was then addressed. It was noted that City offices were originally proposed to share space with the Housing Authority, which is why "City of Boca Raton" appears on the sign along with "Boca Raton Housing Authority." Since this has created confusion, it was agreed that "City of Boca Raton" would be removed from the signage at this time. Other names can be added, as appropriate, at later dates.

### **3. REVIEW OF REGULAR AGENDA ITEMS:**

a. Questions relating to the agenda.

(Consent Agenda Item No. 3.g. – Resolution No. 38-2008 / Authority to apply and accept a grant, if awarded, from the Florida Department of Transportation Safety Office for the Highway Safety Grant Program) Council Member Arts asked for clarification on this item. The City Manager advised that this resolution would provide for two vehicles, manned by existing officers; no City dollars would be expended to purchase these vehicles.

(Consent Agenda Item No. 3.h. – Resolution No. 39-2008 / Authorizing a waiver of procurement procedures, authorizing the Mayor and City Clerk to execute an agreement for consulting services with Urban Design Associates, PC for developing an approach for downtown design guidelines) Mr. Ahnell confirmed with Council Member Baronoff that this item was a continuation of efforts following the downtown charette facilitated by consultant Ray Gindroz.

(Consent Agenda Item No. 3.a.2. - Ground Storage Tank Cleaning and Inspection Services) Council Member Hager questioned whether the City had a series of Code-compliant underground tanks. The City Manager explained that these are groundwater storage tanks, which are tested and cleaned on an ongoing basis. Mr. Hager followed up by asking whether the City also had underground fuel storage tanks. Mr. Ahnell replied affirmatively, advising that he understood those tanks to be double-walled and in compliance as well.

The City Manager referred to Consent Agenda Item 3.c.1. (Property Insurance – Renewal) and advised that he distributed a list to Council of 28 insurance agencies currently writing coverage in Florida. Mr. Ahnell noted that this item is not bid out; however, a broker is retained by the City to price renewals and monitor other public bids going out in Florida. He indicated that this was the best pricing to be achieved in the current market. In addition, this pricing allowed the City to increase coverage from previous years, while reducing the cost by approximately \$350,000.

### **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:**

Mayor Abrams stated that he visited BioTest, which replaced Nabi Pharmaceuticals in APOC (Arvida Park of Commerce), and advised that they planned to expand their facility. Consequently, company representatives should be coming in with those plans; Mayor Abrams expressed the hope that the City might expedite this effort since BioTest is one of those biotech companies that the City would like to retain.

Mayor Abrams asked for the City Manager's observations related to the ballot question passed by the Tax and Budget Commission in Tallahassee and its impacts on the City. Mr. Ahnell indicated that the bill would increase the State sales tax by 1%. Consequently, it appears residents of Palm Beach County would pay 7.5%, since half a percent goes directly to the Palm Beach County School District. It would also eliminate the RLE (Required Local Effort) tax, which is the school tax charge on everyone's property tax bill in the State, effectively removing the State portion of the school tax, which could result in a reduction of 25% to 30% of the property tax bill, depending on where the resident lives. Mr. Ahnell noted that a shortfall of approximately \$5 billion in school funding is still expected. While the legislature is required to make up the difference, the bill does not delineate how that is to occur; therefore, discussion is continuing. Some suggestions include elimination of current exemptions to the sales tax. The legislature is prohibited from taxing medicine, food, and other necessities but there are a number of other exemptions that are not currently taxed; if those exemptions were removed, approximately \$16 billion in revenue would be forthcoming to make up the shortfall. Or, other parts of the State budget could be cut to make up the difference. Mr. Ahnell confirmed with Council that the bill also reduces the cap on non-homesteaded properties. Discussion followed. Mr. Ahnell added that, should the legislature commit to taxing all services and increase the sales tax by one cent, the revenues could exceed \$20 billion.

Mayor Abrams reported that he was asked to serve on the Palm Beach County League of Cities Nominating Committee, since he is a past president of the League. He advised that Council Member-elect Susan Haynie would be able to serve in an ex officio (non-voting) capacity, as she is also a past president. However, the City is still entitled to a voting position. He suggested that Council ask the League to convert Ms. Haynie to a voting position or have another person in addition to Ms. Haynie serve on the Board.

Referring to national stories related to trace amounts of pharmaceuticals found in drinking water, Mayor Abrams asked Mr. Ahnell whether the City tested for such items and whether there was an obligation to report any findings to consumers. Mr. Ahnell advised that the City did not test for pharmaceuticals, noting that positive results found in other areas of the country dealt mostly with surface water systems, which is very different from the underground water systems used here; details were provided.

Mayor Abrams spoke to the Festival of the Arts and extended congratulations to all; he indicated it would be interesting to see the tourist impact to the City once the figures are in.

The regular workshop meeting of the City Council of the City of Boca Raton, Florida, adjourned at approximately 3:00 p.m. on Monday, March 24, 2008.

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Vanessa Hines, Assistant City Clerk