

MAYOR/COMMISSION WORK SESSION

January 7, 2008

Commission Chambers – 10:08 a.m.

Present: Mayor Frankel, Commissioners Douglas, Mitchell, Moss, Muoio and Robinson Jr., City Administrator Mitchell, City Attorney McKenna and City Clerk Kauthen.

15. Other – Commissioner Robinson [a] requested that the Law Department provide a list on the number of litigations the City had at the commencement of 2008; [b] requested the cost of those litigations to the City; and [c] clarified that he was only interested in litigation matters where the City is a defendant, plaintiff or where there could be additional fiscal impact. Commissioner Muoio inquired into the status of the report that she had requested on all current and 2007 litigations. Commissioner Mitchell stated that an attorney client session should be set regarding the litigation case of Wright versus Frankel. Commissioner Moss stated the importance of discussing the different options that the City has regarding the Wright versus Frankel case. City Attorney McKenna stated [a] she would have Commissioner Robinson’s information by January 7, 2008; [b] stated that she would have a report for Commissioner Muoio by January 15, 2008; and [c] she would announce an attorney client session later in the meeting.

1. Review of Proposed City Housing Policy – Director of Housing and Community Development Johnson [a] made a presentation on a housing policy [b] stated that she looked for undetermined funds due to budget constraints; [c] spoke of a Comprehensive Housing Assistance Program (C-HAP); [d] explained how a foreclose assistance program could work and how it could be implemented; [e] stated she is currently working with the Construction Services Department to make sure affordable housing plans get expedited and noticed properly; and [f] stated she would look at having a map created to show affordable houses that the City currently owns. The Mayor [a] expressed her concern over the housing market and the affect that could

	<p>have on affordable housing; and [b] announced a meeting on January 9, 2008 at 1:00 pm for employees to advise them of homeownership opportunities at Merry Place. Commissioner Robinson [a] spoke of the possibility of uncapping the William E. Sadowski Affordable Housing Act; [b] stated that a map is needed to identify where there are affordable houses owned by the City; and [c] stated that Delray Beach is a good resource for community land trust. Commissioner Douglas iterated the importance of [a] getting help to those who need assistance; and [b] having a fluid policy to encompass changing markets. Commissioner Muoio [a] spoke about the Harlem Community Land Trust; and [b] inquired if the City had looked into a community land trust. Commissioner Moss [a] inquired into a way of devising a plan to expedite plans for affordable housing developments; [b] suggested having a one stop shop to help with expediting plans; and [c] spoke of Habitat for Humanity plans which have been held up by the Construction Services Department. Mr. Mansis from Habitat for Humanity spoke about his qualifications. Commissioner Mitchell [a] stated that she would like to see City employees recognized under the comprehensive plan; and [b] stated the need for the City to have an inventory of affordable houses.</p>
2.	<p><u>Follow Up to Construction Services Meeting</u> – Commissioner Moss [a] stated that the Law Department has received the task force committee’s recommendations and suggested codifying as many recommendations as possible; [b] expressed his opinion that the Construction Services Department should not review all plans that have been approved by a private provider; [c] suggested having criteria for private providers; and [d] suggested that once private providers have reached the City’s criteria then their plans should not have a full review. Commissioner Douglas [a] stated the Commissioners should be able to vote on the task force committee’s recommendations on January 14, 2008; [b] iterated the need for available funds for the reformation of the Construction Services Department; [c] spoke of having someone come in to run the Construction</p>

Services Department; and [d] stated she would like an ordinance to implement the task force committee's recommendations on time lines. Purchasing and Contracts Manager Laudermilk [a] stated that the City has received eight interested parties on the RFP for a consultant; and [b] spoke of the Town of Miami Lakes and Martin County's experience with outside firms. Commissioner Muoio [a] stated that an expert is needed to run the Construction Services Department; [b] stated that a quick consultant review is not the best course of action; and [c] stated that any resolution should include ramifications if a policy is not followed. The Mayor [a] stated it would be cost prohibitive to have a consultant firm run the department; [b] expressed her concern over the legal unintended consequences of issuing a time line ordinance; [c] directed City Administrator Mitchell to hire a consultant and provided specifications of the RFP to hire the consultant; [d] directed City Attorney McKenna to bring a resolution and an ordinance for a Construction Services timeline for the Commission to consider; [e] stated that the Construction Services Department should be allowed to respond to the task force recommendations. Commissioner Mitchell [a] stated the need for private providers to work within the Construction Services Department to expedite plans, so as to reduce pensionable overtime; [b] concurred with Commissioner Douglas on bringing the task force recommendations to the next Mayor/Commission Meeting; [c] suggested that the Mayor should direct Construction Services Director Melick to do audits and not full reviews of all applications done by private providers; [d] stated that there needs to be ramifications if plans are not reviewed on time; and [e] stated that she liked the idea of having a reviewer of the day. Commissioner Robinson [a] expressed his concern over the cost of having a consultant come in for a long length of time; [b] stated that the Construction Service Department has it's own funding and should fund any consultants that come into the department. Permitting and Licensing Services Manager Brown [a] spoke of using private providers; [b] spoke of the building officials statutory authority to audit plans of private providers; and [c] gave an example of a

	<p>life safety issue that was missed by a private provider. Mr. Antsis from the Construction Services Taskforce Sub-Committee [a] expressed his opinion that the taskforce's intention was that a consultant should be hired, while the rest of the recommendations run concurrently; and [b] suggested looking for a consultant within the state university system. Mr. Marion spoke [a] about private providers and the review process; and [b] of the privatization of the Construction Services Department. Office Supervisor Fulcher asked that the Commissioners give the Construction Services Department an opportunity to response to the task force recommendations. Mr. Pullam spoke on the task force findings.</p>
3.	<p><u>North Shore Neighborhood Association and Bak Middle School of the Arts Traffic Pattern</u> – Commissioner Robinson stated that he would like to invite Dr. Robinson for a presentation on January 14, 2008.</p>
4.	<p><u>Lake Irrigation Coast (Water Restrictions)</u> – This item was not discussed.</p>
5.	<p><u>Blanket Extension on Permits due to the Economic Down Turn</u> – Commissioner Douglas [a] stated that there are many building permits extensions (site plan approvals) that are due to expire; and [b] suggested giving an automatic two year extension similar to the policy that Palm Beach County currently adopts. Planning Director Wu stated he would investigate site plan approvals and come back to the Commission with a report. Commissioner Mitchell stated that [a] she was not in favor of a blanket extension; and [b] she would prefer extensions on a case by case basis. Commissioner Moss stated he would like to see an extension of an additional year due to current market conditions. The Mayor [a] stated that the current market climate could be grounds for extension, however she would prefer that the new downtown master plan be adopted; and [b] expressed her concern over developers flipping properties. Commissioner Muoio stated that the City should follow Palm</p>

	<p>Beach County's lead on this issue. Ms. Wohlust, Executive Director for the Downtown Development Authority stated that currently there is a twenty percent vacancy rate due to empty parcels being slated for development. It was the consensus of the Commission to bring the issue up for public discussion.</p>
7.	<p><u>Dumpsters</u> – This item was not discussed.</p>
8.	<p><u>Evergreen Cemetery</u> – This item was not discussed.</p>
9.	<p><u>Downtown Master Plan Approvals</u> – This item was not discussed.</p>
11.	<p><u>Reminder – DDBG and Weed and Seed First Quarter Benchmarks are Due for Grant Recipients</u> – Commissioner Robinson [a] stated that the grantees of the program need to be aware that the bench marks need to be in for the first quarter; and [b] requested a list of people that are involved in the program. Police Chief Bush provided the benchmarks report to Commissioner Robinson. Commissioner Muoio requested a copy of the benchmarks.</p>
10.	<p><u>United Way Prosperity Center</u> – Commissioner Mitchell [a] stated that the Prosperity Center has requested \$25,000 and help from the City's department; [b] spoke of the Harlem Children's Zone helping people with their tax returns; [c] and stated that she had spoken with Florida House Speaker Marco Rubio, who had given her his commitment for \$100,000 toward the United Way Prosperity Center. The Mayor [a] stated that Vickers House helps citizens with their tax returns also; and [b] suggested that Commissioner Mitchell give her a written request for funding the Prosperity Center.</p>
6.	<p><u>Parker Avenue Traffic/Vehicle Incidents</u> – Commissioner Mitchell [a] spoke of a recent accident on Parker Avenue; [b] stated that the condition of the road is contributing to the number of traffic incidents; [c] stated she would like the lane</p>

	<p>markings to be properly defined on the road; [d] stated that she would like Traffic Engineer Collins to come back with a plan for improvements; [e] suggested going to the State for financial assistance to improve the road; and [f] stated the importance of finding a long term solution for the road. Traffic Engineer Collins stated [a] that there has been a consultant working on the road since September 2007; [b] they are looking at changing the road from four to three lanes; [c] that the data they are gathering shows a high number of accidents on the road; and [d] stated he would get a report for the Commissioner in the next thirty days.</p>
15.	<p><u>Other – Announcement of Attorney Client Session</u> – City Attorney McKenna stated [a] this is an announcement by the City Attorney’s Office of an attorney client session to discuss pending litigation styled as Wright et al., v. Frankel et al., case number: 4D063386 and 4D063697. The attorney client session will be conducted on Monday, January 14, 2008 immediately following the conclusion of the City Commission meeting that begins at 3:00 p.m.. The Attorney Client Session will be conducted in room 519, City Hall, City of West Palm Beach, 200 2nd Street, West Palm Beach, Florida. Pursuant to section 286.011 (8), Florida statutes, the attorney client session will be private and only the following persons may attend: Mayor Lois Frankel, Commissioner Geraldine Muoio, Commissioner Isaac Robinson Jr., Commissioner Kimberly Mitchell, Commissioner Bill Moss, Commissioner Molly Douglas, Ed Mitchell, City Administrator, Claudia McKenna, City Attorney, and Jane Walsh, Esquire; and [b] this is an announcement by the City Attorney’s Office of an attorney client session to discuss pending litigation styled as Art and Compassion Inc., a Florida non profit corporation, Olga Smith, Marvin Smith, Mellissa Smith and Food Not Bombs, an unincorporated association, versus City of West Palm Beach case number: 07-81210 Middlebrooks Johnson United States Southern District of Florida. The attorney client session will be conducted on Monday, January 14, 2008 immediately following the conclusion of the City</p>

	<p>Commission meeting that begins at 3:00 p.m. . The Attorney Client Session styled as Wright et al., v. Frankel et al., immediately following the conclusion of the City Commission Meeting. The attorney client session will be held in room 519, City Hall, City of West Palm Beach, 200 2nd Street, West Palm Beach, Florida, 33401. Pursuant to section 286.011 (8), Florida statutes, the attorney client session will be private and only the following persons may attend: Mayor Lois Frankel, Commissioner Geraldine Muoio, Commissioner Isaac Robinson Jr., Commissioner Kimberly Mitchell, Commissioner Bill Moss, Commissioner Molly Douglas, Ed Mitchell, City Administrator, Claudia McKenna, City Attorney, and Douglas Yeargin, Assistant City Attorney.</p>
12.	<u>Scrap Metal and Identification</u> – This item was not discussed.
13.	<u>Homeless Feeding Ordinance</u> – This item was not discussed.
14.	<u>Mayor’s Matters</u> – This item was not discussed.
16.	<u>Adjournment</u> – 12:55 p.m.