

MAYOR/COMMISSION WORK SESSION

October 27, 2008

Commission Chambers – 10:10 a.m.

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

1.	<u>Mobile Food Vendors</u> – Staff Attorney Koehler made a presentation of the mobile food vendor policies of comparable Florida municipalities. Commissioner Muoio stated that she agreed with the original proposal to allow mobile food vendors, but to limit the number of vendors by using a lottery system. Raphael Clemente of the Downtown Development Authority (DDA) stated that the DDA is opposed to full kitchen mobile food vendors, but not the push carts. The Mayor suggested that if a new policy goes into effect, that a six month amortization period be enacted. City Attorney McKenna [a] spoke about the lottery system and the grandfathering policy that were previously proposed for this matter; [b] stated that if a grandfather period is used, that it should be longer than six months in order to effectively defend the method in court; [c] suggested that the City not renew any business tax licenses for mobile food vendors downtown, unless the period remaining on a license is less than six months, in which case the license can be renewed for it to be the equivalent of six months; and [d] stated that a provision that allows push carts may also be created. It was the consensus of the Commission to agree with City Attorney McKenna’s suggestions.
2.	<u>Jog Road Street Lighting (from Okeechobee Boulevard to Roebuck Road)</u> – Commissioner Muoio stated that a consultant performed a study of the lighting on Jog Road. Director of Engineering Services Bramley [a] made a presentation of the

	<p>evaluation of the street lighting on Jog Road; [b] announced that two intersections do not meet Florida Department of Transportation (FDOT) standards; and [c] provided four possible solutions to the lighting issues on Jog Road: (1) to improve the lighting of the existing lights at intersections that do not meet FDOT standards for an estimated cost of \$23,000, (2) to light the unlit intersections for an additional \$49,000, (3) to light the roadway from the intersection at Celebration Boulevard to the school intersection for \$98,000, to avoid switching from light and dark on that stretch of road, and (4) to extend the lighting north to Roebuck Road for a total estimated cost of \$200,000. City Attorney McKenna responded to Commission questions regarding whether the City could file suit against the County to light the intersections to a certain level. Assistant City Administrator Balbis [a] stated that the area in question is County Commissioner Koons' district; and [b] asked the Commission to allow him to meet with County staff regarding this issue. It was the consensus of the Commission to allow Assistant City Administrator Balbis to meet with County staff and Commissioner Muoio to meet with County Commissioner Koons regarding this matter. Police Chief Bush spoke about the dangers of the unlit areas of Jog Road. Commissioner Muoio suggested that a cost estimate be made for lighting to be installed from Celebration Boulevard continuing north through the curve. The Mayor suggested that staff and a lighting expert ride along with Police Chief Bush to determine where lighting improvements are needed most on Jog Road.</p>
5.	<p><u>Discussion of the Historic Preservation Ordinance</u> – Commissioner Moss asked that [a] the Historic Preservation Board and the Planning Board evaluate the Historic Preservation Ordinance to determine whether parts of it can be updated and refined; and [b] issues concerning noncontributing properties be reevaluated. The Mayor expressed her opinion that the Historic Preservation Ordinance</p>

should not be weakened. City Attorney McKenna stated that Savannah, Georgia's Historic Preservation Ordinance was examined by herself and Historic Preservation Planner Mittner. Historic Preservation Planner Mittner [a] made a presentation of the research she conducted regarding Savannah, New Orleans and Delray Beach; [b] stated that the City is in compliance with the other cities she researched in regards to noncontributing properties, and that any disparities found were the result of more stringent Historic Preservation standards than the City's overall; [c] explained the Ad Valorem Tax Exemption Program for contributing structures; and [d] agreed that the Historic Preservation Code should be reevaluated by the Historic Preservation Board. It was the consensus of the Commission to allow the Historic Preservation Code to be evaluated by staff, the Historic Preservation Board and the Planning Board.

Discussion of the Procurement Code – Commissioner Moss suggested [a] the City include local preference in its Procurement Code; and [b] that it be codified that the Commission may select the vendors for projects of a certain level. City Attorney McKenna [a] clarified that the Commission cannot presently choose which vendors to select, but can choose the contract that will be executed; [b] noted that the Commission does have the ability to select contractors on major "Face of the City" projects such as City Center; [c] spoke about the history of the City's current Procurement Code, as well as the awards that it has won; and [d] stated that the City's Charter and Procurement Code already require local participation and site a local preference if the decision is to be made between two equally rated companies. City Administrator Mitchell stated that it would be difficult to determine the threshold for when the Commission should become involved. Purchasing and Contracts Manager Laudermilk spoke about the vendor selection process and the consequences of local preference. The Mayor [a] expressed her

	<p>concern that an increase in lobbying would occur if the Commission became the selection committee on certain projects; [b] suggested that staff be required to notify the Mayor and the Commission of projects of a certain size before the selection process begins; and [c] stated that the Procurement Code should ban members of selection committees from working for the company selected for a certain period of time.</p>
3.	<p><u>Discussion of a booth for a nonprofit at Green Market</u> – Commissioner Douglas iterated the importance of notifying nonprofit organizations of the option of participating in Green Market. It was the consensus of the Commission to allow staff to continue its current practice of permitting four nonprofit booths to be rotated between local nonprofit organizations at Green Market. Green Market Manager Piazza spoke about the nonprofit organizations, paying sponsors and vendors that are participating in Green Market this season.</p>
4.	<p><u>Leadership Palm Beach County Ethics Pledge</u> – Commissioner Robinson urged the Mayor and Commissioners to sign and post the pledge sent to all elected officials in the County by Leadership Palm Beach County.</p>
6.	<p><u>Mayor's Matters</u> – The Mayor [a] emphasized the quality and safety of the City's water; [b] spoke about the Environmental Protection Agency's reporting requirements; and [c] suggested that the Water Advisory Committee receive a monthly report from the Public Utilities Department. It was the consensus of the Commission to allow an Ordinance regarding the Mayor's suggestion to be drafted.</p>
7.	<p><u>Other</u> – Commissioner Muoio asked that the Director of Finance provide an update regarding the budget at the next Mayor/Commission Work Session. Commissioner Moss suggested that there be more dialogue between certain key</p>

	<p>departments and the Commission regarding department budgets. City Administrator Mitchell [a] explained the current budget process for the departments; and [b] stated that he would provide an update at the next Mayor/Commission Work Session. The Mayor suggested informal meetings be held between the Commission and certain departments to discuss their budgets. It was the consensus of the Commission to meet with key departments to discuss their budgets.</p> <p>Commissioner Moss [a] noted that he missed Debra Miller of the DDA's presentation regarding innovative downtown programming; and [b] asked that she be allowed to make the presentation at a future City Commission Meeting.</p> <p>Commissioner Douglas stated that a concerned citizen e-mailed her regarding speeding at the intersection of Summit Boulevard and Parker Avenue. Police Chief Bush stated that a stealth monitor determined that the average speed at the intersection of Summit Boulevard and Parker Avenue was 26.99 miles per hour (mph), while the speed limit is 35 mph. Commissioner Muoio asked Police Chief Bush to research whether higher speed averages occur at certain times of the day at the intersection in question.</p> <p>Commissioner Robinson stated that he recently sent a memo to the Mayor and Commissioners regarding the lien reduction program.</p>
12.	<u>Adjournment</u> – 11:57a.m.