

MAYOR/COMMISSION WORK SESSION

JANUARY 19, 2010

FLAGLER GALLERY – 10:04 a.m.

Present: Mayor Frankel [arrived at 10:07 a.m.], Commissioners Douglas, Moss, Muoio and Robinson, Jr., City Administrator Mitchell, City Attorney McKenna and City Clerk Kauthen; Absent: Commissioner Mitchell.

- 1. Discussion of the Public Safety Pension Study. Proposed Contract with Cavanaugh MacDonald – Director of Human Resources Cooney introduced Town of Palm Beach Manager Elwell and Jose Fernandez of Cavanaugh MacDonald. City Administrator Mitchell [a] noted that Commissioner Mitchell has a 10:00 a.m. conference call on January 19, 2010; and [b] stated that Commissioner Mitchell called Town of Palm Beach Manager Elwell at approximately 9:30 a.m. to ask him some questions regarding this matter, since she could not attend the Mayor/Commission Work Session. Commissioner Moss noted that he had asked for an actuary to be present during this Mayor/Commission Work Session. City Administrator Mitchell [a] explained that various boards have actuaries, but not the City itself; [b] stated that he would invite the consultant to respond to Commission questions at the January 25, 2010 City Commission Meeting; and [c] responded to Commission questions. Commissioner Douglas suggested the City consider employing an actuary. Town of Palm Beach Manager Elwell [a] stated that the Town of Palm Beach also has pension boards that have an actuary, but the Town does not have its own; [b] provided background information regarding why the Town decided to have a public safety pension study conducted; [c] explained the Town's RFP process in selecting Cavanaugh MacDonald; [d] explained that Cavanaugh MacDonald's report was presented to pension boards and the Town Council during various public meetings, and that he had prepared a recommendation for Town**

	<p>Council that he will provide in February 2010; [e] described the Town's satisfaction with the study's findings and recommendations; and [f] responded to Commission questions. The Mayor suggested that the Commission consult the police and fire unions before deciding whether to allow the study to move forward. It was the consensus of the Commission to do so. Commissioner Robinson spoke about the City's unfunded mandates as they relate to the Police Department. Commissioner Moss suggested that members of the pension boards be invited to attend the City Commission Meeting of January 25, 2010 for the Public Hearing and First Reading of Ordinance No. 4252-09. The Mayor suggested that everyone who might have an interest in the Ordinance be invited to attend. Commissioner Douglas asked that staff notify the unions and pension board members of the meeting. Commissioner Muoio asked that staff send the Commission copies of a report made by the Budget Advisory Committee a couple of years prior. Commissioner Douglas asked that a Budget Workshop be held in the near future. Jose Fernandez of Cavanaugh MacDonald spoke about the process of conducting the pension study in the Town of Palm Beach. The Mayor asked Mr. Fernandez to make a presentation at the City Commission Meeting of January 25, 2010.</p>
<p>10.</p>	<p><u>Other</u> – Executive Director of T.R.U.T.H.S, Inc. Bennie L. Herring II [a] stated that his organization is working with the Palm Beach County Haitian Relief Coalition to provide resources to help the survivors of the earthquake in Haiti; [b] announced that a series of fundraisers will begin on January 25, 2010 at 5:00 p.m. at BB King's Restaurant and Blues Club; [c] stated that flights to Haiti can be arranged for skilled volunteers, such as doctors and nurses; and [d] recognized Sean Jackson for his work on the fundraising effort. The Mayor announced that the City is accepting donations of non-perishable food and medical supplies at City Hall, the library, fire stations and community centers.</p>

2.	<p><u>Update on Merry Place Development (Funding Sources, Etc.)</u> – Commissioner Robinson asked CRA Staff to provide the actual dollar amounts that went into the development of Merry Place. CRA Executive Director Briesemeister [a] stated that the CRA’s investments were put into infrastructure and streetscape improvements, not vertical improvements; [b] stated that the initial allocation was for approximately \$5.9 million, which was tied to the Development Agreement; [c] stated that the total investment was approximately \$9.7 million, but also included improvements that extended beyond the borders of Merry Place; and [d] responded to Commission questions. Executive Director of the West Palm Beach Housing Authority Laurel Robinson [a] introduced the Housing Authority’s Financial Consultant Greg Blair, Charlotte Burnett of the Housing Authority and Housing Authority Board Commissioners Peter Camacho and Antonio Scott; and [b] stated that she looks forward to continued collaboration with the City. The Mayor [a] asked what the current status and the prognosis is for implementing the homeownership component of Merry Place; [b] stated that homeownership is being encouraged through the development of Merry Place and through the City trying to buy the vacant lots in the neighborhood to establish infill single-family housing; and [c] spoke about the training of the Housing Authority Board Commissioners. Charlotte Burnett of the Housing Authority [a] noted that Merry Place has both rental and home ownership components; [b] stated that the Housing Authority partnered with the Bank of America Community Development Corporation until construction finished and the project stabilized; [c] stated that the Housing Authority has received tax credit allocations in order to do the rental project; [d] stated that the project stabilized six months prior when the Housing Authority converted to permanent financing, exited the partnership with the Bank of America Community Development Corporation and had JMG Realty begin managing the rental project; [e] stated that the occupancy level of the rentals is at 90%; and [f] responded to Commission questions. Commissioner Robinson</p>
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stated that residents of Merry Place have expressed their concerns to him that there has recently been an increased level of police activity in their neighborhood. The Mayor stated that she received reports that the biggest problem area in Merry Place is 16th Street and Spruce Avenue. Charlotte Burnett of the Housing Authority [a] stated that the Housing Authority has had meetings during which residents have expressed their concerns; [b] stated that Captain Patterson explained to them that Merry Place itself is a solid community, but there are pockets in the surrounding area that need to be addressed; [c] stated that one of the solutions the Housing Authority decided on at a meeting with the public was to empower the residents by creating a resident council that can work with the management company to determine whether they are addressing residents' concerns and whether the Housing Authority needs to step in; [d] stated that the Housing Authority has found that the management company is doing what it is supposed to do regarding security, but would like resident input through the council; [e] explained that the owner of Merry Place is Merry Place at Pleasant City Associates Limited, JMG Realty is the management company that is responsible for day-to-day operations and the Housing Authority oversees the management company; and [f] responded to Commission questions. Housing Authority's Financial Consultant Greg Blair [a] stated that the best things that can be done to alleviate the undesirable things happening in Merry Place is to develop the property and to have the community address the problems as neighbors; [b] stated that the Housing Authority has reduced the cost of construction of Merry Place by approximately \$6 million through local bidding efforts; [c] stated that the bank fees, lending fees and interest rates have also been reduced; [d] stated that the Housing Authority has received a recommitment from Grand Bank that they want to see Merry Place developed, has a meeting scheduled with the Florida Housing Finance Commission in February to get a recommitment of funds allocated towards Merry Place, and is looking to the City and the CRA to add additional funding to

	<p>make up the approximately \$5 million shortfall for 115 homes; and [e] responded to Commission questions. Commissioner Robinson asked whether the CRA would be able to provide funding to meet the shortfall. CRA Executive Director Briesemeister [a] responded that the CRA does not have \$5 million; and [b] responded to Commissioner Robinson's questions. The Mayor [a] explained that the Housing Authority fell short because the properties they anticipated selling were well below the market price, but when the market crashed the presale units were no longer competitive; [b] noted that the Housing Authority lost some of its funding from the state as well; [c] suggested that the CRA continue to work with the Housing Authority to look at all of the possible resources available; [d] stated that the City is planning to contribute NSP money if it receives any in the second round; [e] stated that she will continue to work with the County; and [f] iterated the importance of keeping the integrity of the Merry Place property. Executive Director of the Housing Authority Laurel Robinson stated that [a] the board members attended a commissioner's conference in Tampa as training and a private consultant will be brought in to train the board members even more; and [b] the Housing Authority is in constant communication with the board members. The Mayor suggested that members of all boards receive updated training. Commissioner Douglas encouraged the Housing Authority, the CRA and the downtown Northwood merchants to be aware of each other's activities.</p>
3.	<p><u>2010 Census Awareness and Outreach</u> – City Comprehensive Planner Malone [a] announced that Planning Staff has updated all of the City's local addresses in conjunction with the MIS Division and provided the Census Bureau with all of the information; [b] stated that the City has committed to a partnership with the Census Bureau and has actively participated in some of their events, as well as put on its own events to raise awareness; [c] noted that the Census Bureau is still looking for recruits; [d] stated that the Census Bureau</p>

	<p>questionnaire will be delivered in late March 2010; and [e] spoke about the various ways awareness is being raised. Commissioner Robinson suggested that the Mayor encourage the neighborhood leaders she will meet with in February and March 2010 to participate in making residents aware of the census.</p>
4.	<p><u>Parking Meter Donations for 2010</u> – Parking Systems Administrator Zachritz [a] presented a list of the organizations that sent in letters showing interest in becoming parking meter donation recipients; [b] stated that there are typically ten days a year that parking meter revenue is donated, but only eight organizations sent in letters; and [c] asked whether the Commission would like to nominate the remaining recipients. Commissioner Muoio noted that in the past the previous Parking Systems Administrator had met with the Commission individually and comprised a list of organizations to contact to find out whether they were interested in participating. The Mayor suggested the Commission recommend organizations that they do not serve on the board for. Deputy City Administrator Miller suggested the Mayor and each Commissioner recommend two organizations. It was the consensus of the Commission to do so.</p>
5.	<p><u>Vacation Rental Update</u> – The Mayor suggested that John Cohen of the Community Mediation Network run a meeting to discuss vacation rentals with the public. It was the consensus of the Commission to consider moving forward with the Mayor’s recommendation.</p>
6.	<p><u>Jenkins House</u> – Assistant City Attorney Payson [a] stated that the Jenkins House lease is a ten year lease and expires in March 2011; and [b] stated that the tenant has not been occupying the property since 2005, which means they are in violation of the lease since it requires continuous and active use of the premises, remaining open four days a week for a minimum of 24 hours and providing a number of programs. Commissioner Douglas stated</p>

	<p>that the tenant had informed her that they no longer occupy the premises because the roof of the building has been leaking, there is mold in the air conditioning and the elevator is inoperable. Assistant City Attorney Payson [a] responded that under the lease, the City is responsible for the roof, which was replaced and then repaired, but the elevator and air conditioning is the responsibility of the tenant; and [b] stated that staff had asked the tenant for any reports they have regarding mold, but none were provided. Senior Project Engineer Halverson [a] stated that the roof was blown off by Hurricane Francis and reattached; [b] noted that after the roof was reattached, it continued to leak and was therefore repaired; and [c] responded to Commission questions. City Administrator Mitchell stated that previous attempts to contact and work with the tenant had failed. The Mayor stated that she would contact the tenant to try to make an appointment to resolve this matter.</p>
7.	<p><u>City Vendor “New Parking, Inc.” Privacy Policy (handling of personally identifiable information)</u> – Commissioner Muoio [a] stated that she received a letter from an attorney who had registered to pay for metered parking via cell phone; [b] stated that he expressed his concern regarding the sensitive nature of some of the information that is asked when registering, such as a person’s social security number; [c] asked whether the Canadian company New Parking, Inc. has to follow the same kinds of consumer privacy protection requirements as companies in the United States do; and [d] asked how the City can make sure they are using the best safety mechanisms for protecting consumer information. Parking Systems Administrator Zachritz stated that [a] it was specified in the agreement with New Parking, Inc. that they must abide by US consumer privacy protection laws; and [b] New Parking, Inc. had sent him a copy of their privacy statement, but the City Attorney’s Office had yet to see it. City Attorney McKenna stated that [a] she was unaware that the company was asking for social security numbers; and [b] noted that she was not personally asked for her social security number</p>

	<p>when she had registered to pay for parking via cell phone. The Mayor asked staff to find out what information New Parking, Inc. is requiring. Commissioner Muoio asked that staff also find out if the company is offering consumers the highest level of protection available.</p>
8.	<p><u>Billing System for Water</u> – Commissioner Muoio [a] stated that she had received letters that her water bill payments were late and her water was even shut off; [b] noted that Assistant City Administrator Balbis had told her that staff was investigating the process of utility billing; and [c] asked Assistant City Administrator Balbis to provide an update. Assistant City Administrator Balbis [a] stated that the City’s currently used electronic billing software system was purchased in 2004; [b] stated that the company that supplied the software was bought out and the software they have is no longer supported; [c] stated that the MIS Division is looking for a replacement or upgrade to the software, since the stability of the currently used one is a growing concern; [d] stated that the City is working with the Town of Palm Beach, the Water Catchment Area Advisory Committee and other groups to find out what other billing functions could be adopted, such as sending electronic billing statements to customers with automatic payments and providing more data in bills regarding water consumption; [e] announced that a Request for Proposal will be generated within sixty days for different software systems; and [f] spoke about the various kinds of software available for utility billing. Director of Public Utilities Hanks [a] stated that utility payments are due 21 days after they are mailed out, but there is a five day grace period after that; [b] stated that if the bill has not been paid after thirty days, a reminder notice is mailed out, which coincides with the time that a second monthly utility bill is mailed out; [c] stated that if the payment has still not been received 45 days after the bill had been mailed out, the customer’s water is shut off; and [d] responded to Commission questions.</p>

<p>9.</p>	<p><u>Mayor's Matters</u> – The Mayor [a] noted that another decrease in property values is expected in 2011; [b] iterated the importance of maintaining the quality of services provided in the City; [c] stated that her inclination is to try to look at a revenue neutral budget without raising the millage; [d] suggested balancing a decrease in taxes with a higher fire assessment fee to allow the City to keep its level of emergency services; [e] stated that her goal would be that people pay no more than \$12 more per household; [f] stated that adopting that policy would still require budget cuts, but not as dramatically; [g] spoke about the County's proposed budget that will go into effect in 2012 and could potentially decrease the General Revenue budget by approximately \$10 million or \$11 million, which could be earned back in sales tax; and [h] stated that if the proposal passes, it will give the Commission in 2012 an opportunity to do a millage cut if they are so inclined. Commissioner Muoio [a] asked for a clearer process in terms of Commission and Community involvement; [b] suggested that the City use its boards and committees to reach out to the community; [c] suggested the City gauge the boards and committees' ideas and opinions of the budget; and [d] iterated the importance of total transparency. The Mayor [a] noted that countless budget meetings are held but few people attend; [b] suggested asking the Criminal Justice Commission look at the Police and Fire Department budgets, the Parks and Recreation Advisory Committee look at the Parks and Recreation budget, the Library Advisory Committee look at the Library budget, and so forth; and [c] noted that open forums will continue to be held. Commissioner Douglas clarified that the board members will be spoken to as a sampling of the general population.</p> <p>The Mayor [a] stated that she will put out a request for information for potential partners for a community hub; [b] stated that a meeting will finalize the decision on Thursday, January 21, 2010, but she will be unable to attend; [c] stated that she will ask Housing and Community Development Programs</p>
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	<p>Manager Jacobs, the City Attorney and others to attend the meeting; [d] explained that the request for information will go out to the public to see who would like to participate with the City to apply for a Community Hub grant, which may become available in February 2010; [e] spoke about the various organizations that are working on this matter; and [f] suggested using one of the NSP1 houses to house staff for a community hub. Commissioner Muoio suggested the community hub run household related programs, such as a nutrition program. The Mayor responded that another potential location for nutrition programs could become available thanks to Katherine Waldron, who is working to get a commercial kitchen for the Coleman Park Community Center. Commissioner Robinson [a] reminded the Commission that the City is about to enter into an Interlocal Agreement with the County because the City has already received the School District's approval for the use of Roosevelt Full Service Center as a location for nutritional programs; and [b] iterated the importance of communicating what is already being done so efforts are not duplicated.</p>
10.	<p><u>Other [Continued]</u> – Commissioner Robinson [a] asked why the Warren Hawkins Aquatic Center is not being used for senior citizens' exercise programs; [b] stated that previously thirty seniors participated in exercise programs at the Aquatic Center, but the programs are no longer being offered despite a continued interest in the programs; and [c] asked that when it is reopened, that the senior exercise programs be offered again and that the reopening be properly marketed. City Administrator Mitchell [a] noted that the Warren Hawkins Aquatic Center was closed in order to save money; and [b] asked for the contact information of the former participants so that Director of Parks and Recreation Thrower may contact them.</p> <p>Commissioner Douglas [a] stated that many businesses downtown and in the Northwood Business District have notified her that would like to be able to recycle; and [b] asked that staff</p>

	<p>find out if anything could be done regarding this matter. The Mayor suggested that the City enter into a contract with a private recycling company. Assistant City Administrator Balbis [a] explained that part of the contract the City has with Waste Management is to provide recycling services, and in their contract it states that they will provide up to fifty right-of-way bins for recycling; [b] stated that the selection of the bins and their locations must be made; [c] stated that businesses can provide their own recycling cans and have their own recycling service, whether they drop it off or have it picked up; and [d] suggested that businesses that would like to use the right-of-way bins work with the CRA or the Downtown Development Authority (DDA) as the City chooses the locations for the bins. The Mayor asked City Administrator Balbis to work with the CRA and the DDA on this matter.</p>
<p>11.</p>	<p><u>Adjournment</u> – 12:12 p.m.</p>