

MAYOR/COMMISSION WORK SESSION

MARCH 15, 2010

FLAGLER GALLERY – 10:00 a.m.

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

1.	<u>Vacation Rentals</u> – Planning Director Wu stated that Cheryl Grantham asked that this item and item #3 be delayed until her arrival.
2.	<u>Special Event Banner Rules and Regulations</u> – Commissioner Moss [a] stated that the Barrett-Jackson Collector Car Auction event that will soon be held at the South Florida Fair Grounds has already shown to have a positive economic impact on the City; [b] noted that currently only events held in the City can be promoted on street pole banners; [c] suggested that the City give the County a waiver to allow large events that they sponsor to be recognized on the banners if they have a positive economic impact on the City; and [d] noted that County sponsored events would simply be welcomed and not advertised with dates, as they are for events held within the City. Marketing and Community Events Manager Pinak [a] stated that the companies putting on the events, not the City, would be responsible for the banners; [b] provided a Requirement and Fees Chart handout for the record; and [c] explained the fees charged for the use of the banners. The Mayor stated that if this initiative moves forward, it must be decided which events should be welcomed when, particularly if there is a time conflict between a local event and an event sponsored by the Palm Beach County Convention Center. Palm Beach County Convention and Visitors Bureau (CVB) Vice President of Sales Steve Crist spoke about the Tourist Development Council’s desire to gain support from the City for

	<p>certain events, such as the Barrett-Jackson Collector Car Auction event. The Mayor suggested that this matter be sent to the Planning Board to decide on a policy waiver. City Attorney McKenna suggested that rather than creating a waiver, the City could permit event welcoming banners on the conditions that the City's local events take priority and that it is demonstrated that the events are economic drivers for the City. It was the consensus of the Commission to have the Special Events Advisory Committee discuss this matter at their next regularly scheduled meeting. Commissioner Mitchell asked for a review of the guidelines for the times that banners may be raised and taken down to ensure that such activities have a minimal impact on traffic.</p>
8.	<p><u>Other</u> – Commissioner Moss [a] expressed his concern regarding semi-trailer trucks, such as mail trucks, stopping in the middle of streets downtown to make deliveries; [b] noted that some cities ticket semi-trailer trucks when they stop in the middle of a street; and [c] suggested asking the companies responsible for the deliveries to use smaller trucks for the downtown. Police Chief Bush stated that she [a] is not aware of any complaints regarding semi-trailer trucks; and [b] will ask the Entertainment District Unit Sergeant to address the issue. City Administrator Mitchell stated that this is a common occurrence around 8:00 a.m. on N Olive Avenue. It was the consensus of the Commission to allow the Police Department to determine whether this matter is indeed a problem for the downtown.</p>
3.	<p><u>Northwood Hills Neighborhood Association's Letter Ref: Industrial Areas</u> – President of the Northwood Hills Neighborhood Association Bob Beaulieu [a] provided background information regarding the industrial area near his neighborhood; [b] spoke about the nuisances brought on by an illegal mulching operation that exists in that industrial area; and [c] suggested that the area be rezoned as an urban industrial area to disallow heavy uses, such as mulching or excavating, to occur</p>

	<p>in such close proximity to the neighborhood. The Mayor asked Planning Director Wu where he recommends placing this matter on his department's list of priorities. Planning Director Wu responded that his department has at least two major projects in the works, including the Palm Beach Mall and the hotel at the convention center, so he will have to look at his staff's workload and prioritize. The Mayor suggested that since the Commission will soon begin meeting individually with departments to discuss their budgets, they can weigh in on which projects they believe should be priorities for the Planning Department. It was the consensus of the Commission to do so.</p>
4.	<p><u>Rental Registration via Water Connection</u> – Commissioner Douglas [a] noted that many rental properties in the City are not licensed and some are without water; [b] recommended that when a tenant comes to the City to have their water turned on, that their lease be cross-referenced with a rental license to ensure that water is turned on only at properly licensed rentals; [c] stated that the Public Utilities Department informed her that this proposed policy is feasible; and [d] stated that this policy would protect residents as well as increase the City's revenue. Commissioner Mitchell [a] stated that she supports Commissioner Douglas' recommendation; [b] suggested the City perform annual inspections on rental properties, rather than just inspecting a property during the rental license application process; and [c] stated that she has suggestions of how the annual inspections could be done but would like staff's input since it would be time intensive to adopt such a program. The Mayor iterated that the departments are being asked to cut their budgets by 5% or 10%, which would make adopting the policy of annually inspecting every rental property difficult. Commissioner Mitchell suggested then that an Ordinance be passed that would allow staff to randomly select rental properties to inspect to ensure that quality living standards are being provided. Commissioner Muoio suggested the City inform the public that rental licenses are required, as many people are</p>

	<p>unaware of that fact. Commissioner Douglas recommended informing the public by sending notices in utility bills. Commissioner Moss suggested that penalties be charged to owners who have continued to ignore the City's attempts to inform them that they are in violation for not having a rental license. City Administrator Mitchell stated that he will return to the Commission with a proposal for a spot inspection program after he discusses the matter with the Code Compliance Division, the Fire Department and the Construction Services Department.</p>
5.	<p><u>Downtown Taxi Ordinance</u> – Police Sergeant Hagan [a] stated that there have been problems with taxi drivers illegally parking and mobbing people who step off trains at the station downtown, and in some cases even taking peoples bags from the platform to place them in their taxis without permission; [b] noted that the City currently has an open entry system that enables large numbers of taxis to operate within the City; [c] stated that Entertainment District Police Officers counted 53 cabs circling the 200 block of Clematis Street on a night when only one got fare; [d] stated that the Police Department has received complaints about taxis in terms of traffic congestion, driving behavior, illegal parking and the issues at the train station that were mentioned earlier; [e] explained that there are requests for taxi stands along Clematis Street and CityPlace, and while the City's ordinance mentions taxi stands, it does not have any provisions for them; [f] stated that staff discovered in conjunction with the County's Consumer Protection Agency that several taxis did not have the City's rate in their meters; [g] stated that even more were charging suburban rates, which do not have restrictions, even though they are required to select the second rate programmed in their meters when driving in the City, which starts at \$2.58; [h] stated that many drivers were unaware of how to switch their meters over to the City's rate; [i] noted that the drivers' low incomes reinforce meter fraud; [j] stated that there are 505 taxi cabs with permits in the City, which amounts to about 1 cab for every 200 residents, 57 of which</p>

cruise the downtown at night for the approximately 7,000 people that visit the entertainment districts on a Friday or Saturday night, based on occupancy numbers; [k] stated that the Police Department is recommending that the City (1) change their Ordinance to reflect the changes that Palm Beach County made to theirs in 2009, and (2) create a Request for Proposal (RFP) for a taxi franchise in the downtown to limit the number of vehicles that are allowed to originate downtown; [l] suggested 30 taxis be allowed to operate downtown, which could mean five companies with six cabs apiece; [m] stated that the number 30 was chosen because the Police Department has not received any complaints that there are not enough cabs to go around when there are 20 to 30 taxis in the downtown; [n] suggested that an age-limit be placed on the vehicles in the taxi franchise, the drivers be required to wear uniforms to represent their company and the City, and that they be knowledgeable of the City and its events; [o] stated that if taxi stands are made available on Thursday through Saturday nights on Clematis Street and in CityPlace, restaurant and club owners will be able to call the holding lot to inform them that a customer would like a cab using the newly-created downtown radio network that was sponsored by the Downtown Development Authority (DDA); [p] stated that the franchise fees and the taxi fees would help offset the cost of using a City lot or street for the taxi stands; [q] noted that the RFP could require that the companies provide offers for how they could enhance their service levels for customers, such as using vehicles that can accommodate people with disabilities or special needs; [r] noted that there are no regulations for bicycle and horse-drawn vehicles-for-hire; and [s] responded to Commission questions regarding driver uniforms and the HOPcities dispatch car service. The Mayor commended Police Sergeant Hagan for his thorough research on this matter. Commissioner Mitchell suggested that the parking lot near the convention center and Howard Park could be used as a holding area for taxis on Thursday through Saturday nights. The Mayor suggested that [a] the DDA meet with staff to create concrete proposals to put

	<p>into an RFP format for Commission approval; and [b] the RFP selection committee be comprised of representatives from the DDA, the Police Department and City Staff. Raphael Clemente of the DDA stated that it will not be a difficult process to draft an RFP thanks to the amount of research done by Police Sergeant Hagan.</p>
1.	<p><u>Vacation Rentals</u> – Planning Director Wu [a] stated that while good discussions regarding this matter were held at open forums, an agreement on a solution has not yet been reached; and [b] made a presentation of other cities’ regulations. The Mayor [a] provided background information as to why this issue was brought to the attention of the Commission; [b] provided the record with a letter from the bed and breakfast operators in the City, which states that they would like the ordinance to be amended to require all vacation rental advertising to disclose that there is a seven night minimum stay requirement; and [c] suggested staff ask the County Tax Collector whether or not they can inform vacation rental owners about the law requiring a seven night minimum stay. Commissioner Muoio iterated that it was agreed that an ordinance with more specific guidelines and a greater amount of enforcement of those guidelines is needed for the vacation rental industry. Commissioner Mitchell noted that MIS could set up a program that would scan the internet for sites that mention “West Palm Beach” and “rental” to ensure that vacation rental advertisements are not in violation of the Code, if it is amended. Public comment: Cheryl Grantham and Rick Rose. The Mayor recommended that staff begin performing spot-checks of vacation rental advertisements online. It was the consensus of the Commission to [a] allow staff to begin drafting an ordinance that will amend the Code following the bed and breakfast operators’ recommendation; [b] have staff move forward in developing a spot-check program for online vacation rental advertisements; and [c] discontinue the idea of having an advisory committee review vacation rental regulations.</p>

<p>6.</p>	<p><u>Employee Suggestions and Rewards</u> – Commissioner Douglas asked for an update on the creation of an employee suggestion incentive program. City Administrator Mitchell stated that Administration is looking into giving employees that make good, cost-saving suggestions gift certificates to use downtown. Commissioner Douglas suggested that major cost-saving suggestions be incentivized with a monetary reward once it has been proven that the idea materializes. The Mayor recommended that staff find out what other cities have done to reward cost-saving ideas.</p>
<p>7.</p>	<p><u>Mayor's Matters</u> – The Mayor asked for an update regarding the scheduling of the Commission's meetings with departments. City Administrator Mitchell [a] stated that Administration is working with Executive Assistant to the Commission Brooks and Secretary Bolton to find blocks of time within the Commission's schedules; [b] stated that Administration has nearly finished their part in preparing for the meetings; and [c] stated that he sent a draft of a template that will help guide the budget discussions to Finance Director Sherman for editing. The Mayor stated that she will go over the template with the Commission at the City Commission Agenda Review Meeting of March 18, 2010.</p>
<p>9.</p>	<p><u>Adjournment</u> – 11:38 a.m.</p>