

**JOINT MEETING: PALM BEACH COUNTY AND CITY OF WEST PALM BEACH
COMMISSIONERS**

1. **CALL TO ORDER:** April 8, 2003, at 9:40 a.m., in the Thomas C. McEaddy, Jr., Conference Room, 12th floor, Palm Beach County Governmental Center, West Palm Beach, Florida.

1.A. **PALM BEACH COUNTY COMMISSIONERS:**

Commissioner Karen T. Marcus, Chair
Commissioner Tony Masilotti, Vice-Chair
Commissioner Burt Aaronson
Commissioner Addie L. Greene
Commissioner Jeff Koons
Commissioner Mary McCarty
Commissioner Warren H. Newell
County Administrator Robert Weisman
County Attorney Denise Dytrych
Recording Clerk Dawn Whyte
Condensing Clerk Joan Haverly

CITY OF WEST PALM BEACH COMMISSIONERS:

Mayor Lois J. Frankel
Commissioner William Moss, President
Commissioner James L. Exline
Commissioner Ray Liberti
Commissioner Kimberly Mitchell
Commissioner Isaac Robinson, Jr.
City Administrator Edward Mitchell
Assistant City Attorney Nancy Urcheck

1.B. **PLEDGE OF ALLEGIANCE**

2. **ITEMS FOR DISCUSSION**

2.A.

CONVENTION CENTER HOTEL. DISCUSSED 4-8-2003

Mayor Frankel disclosed that in the first week of her election, she and Ken Himmel and Steve Ross, developers of CityPlace, had agreed to set 30 days as a time period in which to work out a deal with The Related Group of Florida to develop the convention center hotel. Today at 5:00 p.m., the Related Group hotel developer would be meeting with Mayor Frankel's representative and County Administrator Weisman. She explained that she had also been in good-faith negotiation with the Related Group to whom she had said that if something could not be worked out with them in 30 days, the city would have to seriously look at other possible developers. The Related Group had expressed their agreement to try but, she pointed out, Related was under no legal obligation to make it happen. Mayor Frankel said she was fully committed to working with the county on this matter.

2.A. - CONTINUED

Commissioner Marcus acknowledged that the success of the hotel was an important part of the convention center. She said the county appreciated Mayor Frankel's willingness to make this a priority of the city, that the commitment of both the city and the county was essential to the hotel's success, and that the county would give her a clean slate on which to do whatever she needed to do in the negotiations.

Commissioner Koons cautioned that both the county and the city needed to be realistic about hotel financing and that both parties should see what each could contribute financially.

Commissioner Aaronson advised that it was premature to talk about financing at this time and that such discussion should take place following the negotiations with the Related Group. He expressed optimism that Mayor Frankel would report on the negotiations to Commissioner Marcus, to himself as chair of the Tourist Development Council, and to County Administrator Weisman.

Commissioner Moss commented that the Related Group had repeatedly stated that it would not stand in the way if the city or county found a developer whom either entity thought was better suited to build the hotel.

Asked to discuss the time schedule, Chief Deputy County Attorney Gordon P. Selfridge made the following comments:

- Within 30 months of construction commencement on the convention center, CityPlace needed to make commercially reasonable efforts to find a hotel operator, subject to the capital markets, and commence construction. In a January 2003 letter to the county, CityPlace described their effort to find an operator. Making such an effort was the extent of their legal obligation. After that 30-month period, the matter flips to the county for 30 months to find an operator, and then back to CityPlace. The restriction ends on April 1, 2004, after which CityPlace can do whatever they want with the property.
- The deed from the city and community redevelopment agency restricted construction of the hotel on the site for the convention center property itself. The idea behind the restriction was prevention of competition between the convention center site and the hotel site.
- The agreement provided that in the event the county wished to develop the site as a hotel after that 30-month period, it would have to buy it from CityPlace. It also provided for \$1.5 million as a minimum that the county would have to pay or an appraised value based on a November 2000 date. The appraised value in November 2000 was \$11.5 million. Technically, therefore, if the county wanted to use the site and to get a hotel on the hotel site, it would have to pay CityPlace \$11.5 million.

Mayor Frankel revealed that almost 10 days of the 30-day negotiation period had elapsed and emphasized that every day of delay hurt the convention center since shows needed to be booked years in advance. It would take 22 months to build the hotel, she added. Therefore, the mayor advised against waiting until April 2004 for the county to begin the process of looking for a hotel developer.

2.B.

DOWNTOWN SUMMIT. DISCUSSED 4-8-2003

Mayor Frankel announced that in the spirit of intergovernmental cooperation, she and Commissioner Marcus were calling a Downtown Summit to be held at the Harriet Himmel Gilman Theater at CityPlace on Monday, May 12, 2003, from 4:00 p.m. to 8:00 p.m. She invited the support and active involvement of everyone present in joining with business representatives, community residents, and, possibly, the Urban Land Institute in brainstorming ideas on what can be done to recharge the downtown area of West Palm Beach. The mayor distributed a letter she and Commissioner Marcus had sent to thousands of people inviting their participation and said that flyers would be distributed as well.

Commissioner Marcus said she hoped all the county commissioners would be present for the meeting with the school board on the morning of May 12 and for the Downtown Summit in the afternoon. Everyone would be notified when the summit agenda and breakouts were developed. Both she and Mayor Frankel emphasized the importance of this economic engine for both the county and the city.

Commissioner Koons commented that many people did not realize that the downtown was the result of an areawide development of regional impact (ADRI) entered into by the county and city over 10 years previously. There was a unique relationship, he said, and whatever either entity wanted to do, the other should partner up. He strongly supported opening up the downtown master plan to see what worked and what did not work. Mr. Koons noted that some of the surplus county, state, and federal land on the western side of the downtown would be a tremendous opportunity for the city.

Commissioner Masilotti asked the mayor if the city was giving consideration to its growth to the west and to trying to improve levels of service in different areas. He suggested that the city consider the possibility of joining with the county in its library municipal service taxing unit (MSTU) system to make it a bigger, better level of service for residents and, by economy of scale, possibly reduce the overall costs.

Mayor Frankel replied that she thought that that would be an area of discussion at the summit, which she hoped would be open and freewheeling, and that she looked forward to learning what the community thought about the issue.

Commissioner Marcus said the summit was a good opportunity for the county to dialogue not only with the city but also with its residents and business people and to learn about certain issues and help share in bringing in decisions on them.

2.C.

DOWNTOWN SECURITY. DISCUSSED 4-8-2003

Mayor Frankel said that the West Palm Beach Police Department was doing an excellent job of protecting the downtown at night. There had been a couple of unfortunate incidents recently, however, which might lead to the perception that the downtown was unsafe not only at night but also in the day. Police Chief Ric Bradshaw was spearheading a working group meeting on Wednesday, April 30, with bar owners and other persons. Recognizing that downtown safety was not the sole responsibility of the police, the working group would discuss strategies for bar owner responsibility, focusing on bartender training, bouncers, lighting, and other areas. The mayor said that while security would be a topic at the Downtown Summit, the city wanted to move very quickly on the matter. The county needed to be a partner in this as well, she remarked, because it owned a lot of property downtown and had many employees here. Mayor Frankel said that she and Commissioner Marcus were in agreement on the issue as was Commissioner Greene.

As the county's lead person on the matter, Commissioner Greene was invited by Commissioner Marcus to report back to her colleagues on the results of the working group prior to the summit.

Commissioner Aaronson commented that unlike New York, New Jersey, and some other states, Florida did not require a license to be a bartender. Accordingly, he contended, there was no training of bartenders to recognize when someone was inebriated and should not have another drink. Mr. Aaronson suggested that the Florida Legislature look into the issue of bartender licensing.

Commissioner Aaronson stated that responsibility for security needed to be put in the right context. A troublesome person being evicted from a club and going into an alley and mugging another person was not the club's problem but the city's problem. A fight taking place inside a bar or restaurant was the owner's problem. Once the patron left, it was the city's problem. One way to prevent trouble was to not serve people who are inebriated or to stop serving people before they become inebriated. When patrons leave the clubs sober, the alleyways belong to the city, he said.

Commissioner Koons made the following recommendations: that the city look into the purchase of a good system of security cameras with data storage; that the city might want to bid off the county's system for traffic cameras; that the city might want to look at digital cameras; and that the county might want to tie into a city digital system.

Commissioner Marcus suggested that the city contact the City of Tampa about its experience in using cameras in one of its redevelopment areas.

Commissioner Aaronson suggested the possibility of decreasing daytime patrol and increasing nighttime patrol.

Commissioner Moss observed that it was natural that incidents would occur in an area in which thousands of people were enjoying themselves and that very few had happened in the downtown. He supported increasing security through such measures as better lighting and surveillance cameras.

Commissioner Marcus suggested adopting measures undertaken successfully by other cities and informing the public they would be provided with as much security as possible.

2.C. - CONTINUED

Commissioner McCarty recommended that the city keep an eye on how the clubs market themselves. One known method at a club in West Boca was ringing certain cell phones at 2:00 a.m. with the announcement of a wet T-shirt contest from 2:00 a.m. until 5:00 a.m., with free drinks for young women 18 years and older. Young men who are underage or those who can not afford the \$25 door charge congregate in the parking lot and get drunk on their own six-packs. Another promotion method was distributing advertising flyers at colleges at which most students are too young to drink, thus promoting underage drinking.

Commissioner Marcus commented that those types of promotions are not new to Palm Beach County and suggested that the city speak to undercover detectives in the sheriff's office on which clubs to monitor and for pointers on some of these issues.

Commissioner Aaronson raised the issue of security in City Hall and other government buildings downtown. Palm Beach County has had a very high profile since the 2000 election, he said, one result of which was consideration of how to safeguard county and city employees and other persons in the downtown. The county had discussed the possibility of removing parking meters in the front of the Governmental Center and installing barricades. He said he had suggested removing the traffic light on Olive Avenue and 3rd Street for continuous traffic flow.

Mayor Frankel suggested that a county-city working group be created to discuss these issues. Commissioner Aaronson said he would be happy to work with the city on that.

Commissioner Marcus said the county had talked about the possibility of removing on-street parking, at least on Olive Avenue, and that the city had had some concerns about that.

Commissioner Greene said the city had discussed replacing the Olive Avenue-3rd Street traffic light with a flashing traffic light and that St. Ann School had been concerned about the safety of its students.

Commissioner Moss said the city had agreed to retain the traffic light for the safety of the children and to keep the pedestrian-crossing light for the county.

Mayor Frankel suggested that Commissioner Liberti join the downtown security working group for which Commissioner Aaronson had volunteered. Commissioner Marcus suggested the involvement of county and city staffs together with Chief Bradshaw and a sheriff's office representative. Commissioner Masilotti recommended that County Administrator Weisman be part of the group as well because he was familiar both with the county's concerns about parking and with the threat that exists today.

Commissioner Moss recommended that part of the working group's discussion focus on the issue about parking or no parking in front of the Judicial Center on Quadrille Boulevard. The judges were divided on the matter, he said.

(CLERK'S NOTE: Items 2.D., 2.D.1., and 2.D.3. were considered together.)

2.D.

HOUSING. DISCUSSED 4-8-2003

2.D.1. JOINT EFFORTS. DISCUSSED 4-8-2003

2.D.2. USE OF IMPACT FEES FOR MARKET RATE HOUSING.
DISCUSSED 4-8-2003

Mayor Frankel stated that in the last few years about 2,500 housing units had come on line downtown but that most of them were high-end. Both the city commission and the business community recognized an urgent need for market rate housing in this area. A report, which had been prepared when the city was taking a look at trying to bring a major corporate tenant into the downtown area, indicated the insufficiency of market rate housing for paraprofessionals and middle-income (\$38,000-\$80,000) people. She observed that many county employees who work downtown might like to live there as well. Mayor Frankel said that this was an issue that was absolutely right for a city-county working group. She said the city was going to have a task force on market rate housing and asked if the county had one or if it was just the Economic Council of Palm Beach County that had one.

Commissioner Marcus replied that the county did not have such a task force. What it did have was the Commission on Affordable Housing and the Housing Finance Authority.

County Administrator Weisman said the county was participating in the work force housing study.

Mayor Frankel invited the county's partnership on this issue, which she characterized as a regional problem, not just a local problem. The city would try to plug into the work force housing study as well as conduct its own working group, with a couple of members possibly serving in both groups. In response to an observation of market rate housing being a little higher end than workforce housing, Mayor Frankel corrected her reference to market rate housing as workforce housing. An even better reference, she said, might be attainable housing.

Commissioner Koons said that the county had had some issues in terms of directions about where it wanted to go on the matter of homeownership for housing, that it had embraced the homeownership for housing strategy, and that it wanted its agencies and commissions to take a look at it. A side issue to that, he said, was attainable or workforce housing. He then distributed a letter from the Northwood Business Development Corporation on 25th Street in West Palm Beach.

(CLERK'S NOTE: A copy was not provided to the clerk.)

Commissioner Koons said the corporation was located about two blocks from the water in an area of great transportation and infrastructure. He proposed that the county take a look at tilting the criteria to be able to redirect some dollars back to the east where certain things are happening, especially in community redevelopment agency districts and more particularly inside the city where good transportation access is available. He further proposed incentivizing the criteria in order to tilt them back to the east in a partnership with local governments and the private sector.

2.D., 2.D.1., 2.D.2. - CONTINUED

Commissioner Exline said that one challenge of providing downtown housing was filling the gap between the cost of the land and a development's achievable rents. A couple of years previously, the city commission created the residential incentive that helped fill that gap and realize the housing that is seen today. There was still a gap between workforce housing and market rate housing. Mr. Exline said that one of the costs of building new units is the impact fees. If the city could save on impact fees, it would help fill the gap between market and land cost. Housing would be provided for the workers downtown, one consequence of which would be that they would not be driving to work or parking downtown, creating more parking space. Between Clematis Street and CityPlace, he said, over 4,000 service-oriented workers are driving to work in the downtown and parking their vehicles there. To make the downtown work efficiently, some type of workforce or market rate housing needed to be provided for those service-oriented people. Commissioner Exline contended that it was unfair to charge impact fees for downtown housing that does not create the traffic that would be created elsewhere. Therefore, the city would like to either waive those impact fees or provide another method to help alleviate the market situation.

Commissioner Marcus disclosed that the county cannot legally waive impact fees. The Commission on Affordable Housing, however, had a fund for the payment of impact fees. Many developers had used this fund, she said, but the county needed to promote it more. Commissioner Marcus stated that the county could not charge a different impact fee because there needed to be a rational nexus. She said the county was litigated in the supreme court on impact fees and won the case, which was why the county was sticking to the formula with which it had won.

Commissioner Masilotti suggested that the West Palm Beach City Commission, through the Palm Beach County League of Cities, put together a coalition, with Palm Beach County cooperation, to start to recognize how to work on infill projects in the community revitalization areas.

Commissioner Exline said that the impact fees collected downtown are not spent downtown but in other places. Commissioner Marcus responded that the fees are spent in their zone, as required by law.

Commissioner Robinson stated that within the past two years, the city commission had realized that the city had omitted, for many years, looking at the gold mine between Banyan Boulevard and 25th Street between the two railroad tracks, which is called the greater northwest area. Now, with the city's incentive to bring about housing in the downtown area south of Banyan Boulevard, both the city and the county had a golden opportunity to develop strategies for that other area. There should be no reason, he said, why the greater northwest area should not be in the same position in 2010 as the southern area was in now.

Commissioner Moss remarked that the city and county were cooperating on developing the intermodal center with the city building a transportation hub on the east side of the facility and the county considering the construction of an office building on the west side. He invited the county to consider another possibility for its side of the facility, namely, 15 stories of attainable worker housing.

County Administrator Weisman said attainable housing would not be prohibited by the request for proposal (RFP) that the county was contemplating issuing, but issues to be considered, of course, were how to produce more affordable housing when compared to market housing.

2.D., 2.D.1., 2.D.2. - CONTINUED

Commissioner Newell pointed out that the opening paragraph in the letter from the Northwood Business Development Corporation concerning a county commission funding moratorium was incorrect. Housing and Community Development was continuing to fund rental housing; it had never stopped, he said, adding that the issue has been the Housing Finance Authority. The concern has been how to place and balance the need for affordable housing across the county, including the municipalities. The county was now in the process of trying to update the needs assessment, which will identify the location of housing needs countywide. One of the problems, he said, was that affordable housing has been constructed that did not meet the real need, which was for very very low housing. Mr. Newell said that whatever the study strategy is, he would appreciate everyone being part of the countywide needs assessment and in that way, determining where the needs are in the incorporated and unincorporated areas. Commissioner Newell also pointed out that housing is exempt from traffic performance standards (TPS) east of Interstate 95, so there were no restrictions on lanes and construction in that exemption area. He added that the county was looking at new strategies that would allow additional exemptions for certain projects of need. The county had had a 1 percent exemption policy for certain projects on overcapacity roads and was boking to move that to 3 percent on certain types of projects that meet community needs.

Addressing the county's RFP for the intermodal facility, Commissioner Koons read from a memorandum from Audrey Wolf, director of Facilities Development and Operations, which stated county staff had received no response from the city to its request of January 23, 2003, for guidelines or comments. Mr. Koons suggested that the county and city create a top 10 priorities list and that Commissioner Marcus and Mayor Frankel focus on those priorities and hold everyone accountable for them. Ping-Pong was being played with this RFP, which involved the most valuable piece of property in downtown West Palm Beach, has cost not a dime, and has the development potential of any piece of property. His opinion was that it should be mixed use, he said, and that housing should be sited on the other side of Tamarind Avenue, that 16 acres be developed, and that it be made a mass plan.

Commissioner Marcus suggested that Commissioner Koons and Commissioner Exline be the point persons on this issue and that they meet with the staff.

Commissioner Liberti recommended that the county and city exchange plans on how to advance implementation processes. He suggested that the city forward its plan for downtown to the county for a courtesy review. He raised the possibility of mutual representation--voting or non-voting--on the two governments' respective housing authorities. He suggested that the county representatives come to the city's Downtown Development Authority meetings, possibly as non-voting members. He suggested the two entities exchange meetings and reviews of what was happening in the downtown area to eliminate the present redundancy of city and county processes and housing authorities. If this were done, he suggested, each entity would have a better understanding of their mutual intentions as well as better input.

Commissioner Marcus characterized Commissioner Liberti's suggestions as a good strategy to be looked at for implementation. She told Commissioners Koons and Exline that the joint efforts and the impact fee issue would be added under this housing and that their input on recommendations together with the multi-transit system would be added as well.

2.D.3. COUNTY HOUSING FINANCE AUTHORITY'S MULTI-FAMILY PROGRAM. DISCUSSED WITH DIRECTION 4-8-2003

Commissioner Masilotti said the county commission had never said that it would not support the Housing Finance Authority's Multi-Family Program or that it did not want rental units in Palm Beach County. What it had said was that there should be a balance between multi-family housing and homeownership so that the residents would have a sense of neighborhood rather than perceive their building as belonging to an out-of-state landlord to whom they send rent checks. The commission wanted to offer residents the opportunity of ownership in the county, he said.

Commissioner Marcus remarked that design was important in multi-family housing and that affordable units should have architectural design features that could still be affordable with the subsidies.

Commissioner Greene said she had spoken to County Administrator Weisman about developing guidelines that management stay in place once it builds these homes.

Commissioner Aaronson commented that multi-family housing could be ownership as well as rental. If this mixed-use project could be done, he said, it should be looked at as ownership.

Commissioner Exline reported that the city was dealing with density strategies. The downtown master plan has no density and is based on building type and architecture. The city had learned that density is very artificial and not a true indicator of outcome. Accordingly, the city had gotten away from density in the downtown area. Further, the city had applied that philosophy to its traditional zoning districts. The city just rezoned the area north of Good Samaritan Medical Center to more of a building type, encouraging residential and taking away density. The city was also preparing to rezone the Broadway corridor to a mixed-use district, emphasizing building type and predictability of what would be built on site, and to move farther along the Dixie Highway corridor. All of this creates affordable housing opportunities in areas in which residential was not allowed previously. The city commission realized, he said, that those corridors are going to feed the downtown for workforce housing and that the trolley and bus systems would connect the corridors to downtown with a resultant increase of ridership.

Commissioner Marcus said there needed to be an alternative housing for persons who are displaced from hotels and apartments in the Broadway corridor.

Commissioner Exline pointed out that almost half the property in the Broadway corridor was vacant. The new zoning would encourage redevelopment and increased development, he said.

Commissioner Marcus reiterated her concern about persons who will be displaced, such as Guatemalan residents in the northern part, and said there needed to be a place for these residents, even if it was in the corridor in a different type of housing.

Commissioner Koons suggested that this matter be reported on by Monday, May 12.

Mayor Frankel remarked that the commissioners might want to raise some of these issues at the Downtown Summit.

2.D.3. - CONTINUED

Commissioner Marcus said she would ask County Administrator Weisman and perhaps Mayor Frankel could ask City Administrator Mitchell to assign staff members to subcommittees so that within the next 10 days, they could hold a working meeting to establish their agenda and strategies for accomplishing their priorities.

Mr. Weisman responded that with the present workload, staff capabilities are very limited on these subjects. Staff could not staff multiple committees, he said, but they would do the best they could.

Commissioner Marcus said that the participants wanted to prioritize these issues and that Mr. Weisman should report back on what other issues were going to slip. Other critical issues should be dealt with quickly or prioritized.

Mayor Frankel suggested that different staff take the lead on certain issues to avoid overloading. As an example, city staff would take the lead on the Downtown Summit and security issues.

2.E.

TRAFFIC. DISCUSSED 4-8-2003

2.E.1. For discussion, see pages 11-14.

2.E.2. UTILIZATION OF IMPACT FEES FOR DOWNTOWN
TRANSPORTATION. DISCUSSED WITH DIRECTION 4-8-2003

Commissioner Koons said that road impact fees are dedicated toward roads but a substantial amount of impact fees was being generated in the eastern part of the county, which was ripe for more transit. As part of the movement toward transportation corridors and transportation options, Mr. Koons suggested creating an impact fee that would be used for the purchase of capital buses, bus shelters, and transfer stations. As a result of his meeting yesterday with staff, he said, a nexus study on eastern redevelopment and transit impact fees would be undertaken.

Commissioner Marcus said she believed this was a matter for board consideration and direction.

Commissioner Koons agreed. The county had on staff a consultant, a specialist in impact fees, who was reviewing the impact fee analysis study and could take a look at going through the process to define what could happen. This tied in, he said, with some of the redevelopment strategies in terms of transportation corridors. Mr. Koons stated that the Metropolitan Planning Organization (MPO) would start its new 2020 plan in about nine months and that the county could begin to take a look at the feasibility of capturing some of that.

County Administrator Weisman said that staff would do the study if the board so directed but that they had advised Commissioner Koons that they did not think this would be a productive source of funds. The study would have to have a nexus between the benefits and the funds raised, he explained. Most of the county's capital dollars come from federal funds, so the county does not put a lot of its general tax dollars into capital. When the number of persons using mass transit was compared to the overall use, the amount of money raised would be very little, if, indeed, it could be done at all.

2.E.2. - CONTINUED

Commissioner Marcus asked Mr. Weisman if he was going to ask the consultant to take a look at what would have to be done in order for that to happen. Mr. Weisman said that that would be done if the board so directed. Commissioner Marcus said that at another agenda item, the county commission could bring this forward and give staff direction to do this and to provide to the board the cost involved.

Commissioner McCarty contended that an additional impact fee was not a redevelopment incentive but an additional tax for coming downtown.

Commissioner Koons disagreed and discussed his rationale for the proposal.

Commissioner Marcus stated that the issue would be put on an agenda in May.

Commissioner Masilotti told Deputy County Administrator Verdenia C. Baker that his understanding on the rational nexus of taking a transit impact fee was that the county could charge only those persons receiving a benefit for the fee. Ms. Baker responded that there had to be a rational nexus between the fee and the benefit. Commissioner Masilotti commented that a result of adding another impact fee would be, as Commissioner McCarty had said, an additional tax in areas in which the county was trying to create a transportation corridor. Ms. Baker responded that the county would need to look at both. If the county was able to reduce the number of trips coming out of driveways, she said, it might be able to reduce the actual road impact fee and then implement a transit fee. The county would need to acquire the data to justify the difference between the two.

Commissioner Aaronson stated that a great deal was being put on the city staff's plate and on the county staff's plate. County staff was being asked to do many things on which they were already working, he said, and it was important to see what they were capable of taking care of. He advised leaving the matter in County Administrator Weisman's hands to see how much could be put on staff's plate.

2.E.1. TRANSPORTATION CONCURRENCY EXEMPTION AREA (TCEA) STATUS. DISCUSSED 4-8-2003

West Palm Beach City Transportation Planner Timothy R. Stillings said that the TCEA was working, based on the number of cranes in the downtown area, and distributed a handout of estimates on the ratio of residential to non-residential in the next several reporting periods based on projects under construction or scheduled to begin construction soon.

(CLERK'S NOTE: A copy of the handout was not provided to the clerk.)

In response to questioning by Commissioner Marcus, County Engineer George T. Webb stated that the city was required to report annually to the county. The numbers in the last annual report, particularly on the ratio of non-residential to residential, met the standards as part of the TCEA. Asked what the county did, if anything, to confirm the accuracy of the annual reports and to confirm that something was working as it was expected to, Mr. Webb said that the only thing the county did was to undertake its own traffic counts. There was a long-term cap on traffic that was tied directly to units' square footage, he said, but nothing would kick in potentially for many, many years and many more hundreds of units and millions of square feet.

2.E.1. - CONTINUED

Commissioner Newell asked if the city was meeting the other requirements in the exemption, including the installation of right-turn lanes at certain locations, such as Belvedere Road and Dixie Highway. Mr. Stillings responded that he did not believe the condition was the actual installation of the turn lanes but the discussion of them by the city and county as the need arises.

Commissioner Newell asked Mr. Webb if the city was meeting the exemption conditions. Mr. Webb responded that some conditions were being met and some were not. The city and county were working cooperatively on this matter, he said, adding that the exemption language stated what needed to be done but was not specific about when it had to be done or who was responsible for doing it. As far as who was charged with the responsibility for deciding the when and who, he would have to check the exemption language. Returning to the matter of Belvedere and Dixie, Mr. Webb explained that with the movement of traffic there being worse than it was and Olive Avenue in the area not functioning as it should, the county was going to let the area south of Okeechobee Boulevard settle down a bit and then make a determination on volume to capacity.

City Administrator Mitchell said city staff had committed to meet every two months with county staff--engineering, utilities, and public works--in a transportation working group, with each party bringing to the meeting an agenda of issues on which to work.

Commissioner Marcus proposed that Commissioner Moss and Commissioner Newell be the leads on this issue, that they be included in the staff meetings, and that they report back with firsthand information on status and on what, if anything, needs to be changed.

Mayor Frankel said she was fully committed to get traffic flowing in the city and that she and Commissioner Newell had had numerous conversations on the issue of traffic construction. She said the transportation working group needed to meet more often than every two months. She said she believed there was going to be a meeting in the next 10 days or so about the movement of traffic through the city.

Commissioner Moss recalled that at the last Metropolitan Planning Organization (MPO) meeting, Commissioner Newell had spoken on the coordination of city and county construction. Mr. Moss ascertained that the Florida Department of Transportation (DOT) Maintenance of Traffic (MOT) Committee met quarterly to coordinate their own projects, and he proposed that they be included in the city-county coordination efforts.

Commissioner Marcus asked that the city strongly encourage DOT to delay the construction of Olive Avenue planned for next year. At the MPO meeting a couple of months previously, the county had asked DOT to delay construction of the PGA Boulevard bridge because motorists would never be able to get off the street at that point. Ms. Marcus said she believed that DOT would respond positively to city requests to delay the construction of one project until another project was sufficiently finished to allow people to move around.

Commissioner Newell made the following comments:

- The city, county, and state each published a road closures lists. This was the last week of notices by different agencies of road closures or changes in this area of West Palm Beach.

2.E.1. - CONTINUED

- The agencies needed to coordinate when roads would be open and roads would be closed.
- Traffic lanes needed to be opened up, absent road construction, when a festival was being held in the downtown area.
- In just a few years, traffic congestion will result in 40 more hours on the road on average for each motorist. Recently, it took 40 minutes for Commissioner Newell and Mayor Frankel to drive from his office in the Governmental Center to the Governors Club of the Palm Beaches on South Flagler Drive.
- The traffic problem issue was not road construction but the coordination of all systems, including city and county law enforcement.
- On Saturday morning, the Florida Highway Patrol has 10 or 12 troopers in aerial planes writing tickets on Interstate 95. That is a boon for their revenue generation but they should be working traffic accidents Monday through Friday and getting those vehicles off I-95 as quickly as possible because that slows down traffic as much as anything else.

(CLERK'S NOTE: Commissioner Newell distributed an Olive Avenue traffic counts comparison from the county engineer's office. A copy of the handout was not provided to the clerk.)

- Since 1999, Olive Avenue traffic has decreased 5,000 trips in one section and 7,000 trips in another section. Now what was being discussed for Olive Avenue was going from 8,000 vehicles to 3,000 vehicles in one section, from 12,000 to 5,000 vehicles in another section, and from 15,000 to 8,000 vehicles in another section. These vehicles went elsewhere--to other city streets or county roads.
- The transportation task force should look for an alternative route into West Palm Beach, a new roadway completely separate from what existed, in order to get cars off residential streets, and look also at its funding.
- In the northern county, there had been issues of community roads between Martin County and Palm Beach County and that an alternative route was developed to bring people into and out of the area without going through city streets.

Commissioner Moss thanked the county for connecting Australian Avenue to Southern Boulevard, characterizing it as a great route into the downtown. Commissioner Newell recalled it took 22 years to realize that connection. Commissioner Koons added that its cost was \$250 million.

Commissioner McCarty supported the idea of an alternative route into West Palm Beach.

Commissioner Mitchell observed that there were so many city, county, and state projects on Parker Avenue that traffic flow changed daily.

2.E.1. - CONTINUED

Commissioner Koons suggested installing programmable signs outside the city for the next couple of years and making sure they are kept up to date. The MPO was going to be doing that, he said, but it had to wait until I-95 was completed. Mr. Koons recommended that a look be taken at Mercer Avenue to the Old Okeechobee Road intercept off Belvedere Road, which was a great downtown route that was hardly ever used. He said that the businesses in that area are hurting from the lack of a traffic light to get onto Belvedere, that he was going to ask staff to reinvestigate that project, and that he was going to work with Commissioner Newell. He offered the suggestion to drop a lane going eastbound off the Palm Beach Lakes Boulevard bridge, drop on the railroad, and come into downtown. There were other ways of doing things that had not been thought about, he said.

Commissioner Aaronson said that in various areas, electronic signs could be installed that say, "Take this road; it's the way to get here." This could be continued until the public got into a pattern of how to use the road system out of or into the city.

(CLERK'S NOTE: Later in the meeting, the following discussion continued on the TCEA and traffic issues; see page 17.)

Commissioner Newell said that he would like the city-county transportation working group to look into the issue of numerous traffic signals that were installed years previously but are no longer needed from the standpoint of number of trips. These signals disrupt and slow down traffic movement in the city, he said.

2.E.3. For discussion, see page 17.

2.E.4. JOG ROAD/ROEBUCK ROAD. DISCUSSED 4-8-2003

County Engineer Webb made the following comments:

- The county and city had just completed extending Jog Road from north of Vista Center to north of Riverwalk. This will serve a new middle school that will be opening up.
- The county anticipated construction beginning in fall 2003 of Roebuck Road from its current terminus at Haverhill Road at the post office west across the Florida Turnpike to tie in to Jog Road. That reliever was expected to be open within nine months from the start of construction.
- The county needed to take the terminus where Jog Road and Roebuck Road come in by the Florida Turnpike and extend a road immediately adjacent to the turnpike right-of-way.
- The agendaed item concerned Jog Road from Roebuck Road to 45th Street. The county commission had adopted alignment which the county slammed up against the turnpike. The county has been working with the city on making a minimum impact because the city has lift stations and other utilities in the area and because part of that property was acquired with Florida Communities Trust (FCT) grants. The county needed the city to take action on requesting the state to release the interest in that, allowing the county to acquire that right-of-way for road purposes. Right now, the county could not do that because of grant restrictions.

2.E.4. - CONTINUED

- While the city is taking action on that matter, there is “the other Roebuck” that runs parallel to Okeechobee Boulevard between the State Road 7 extension and Jog Road behind the Bay Winds, Andros, and Riverwalk communities. The city has acquired a piece of property immediately behind Riverwalk on which it intends to put a park and fire station. The county needs a way of getting from its right-of-way for the two-mile piece to Jog Road and was going to use the property behind Riverwalk until the city had expressed its own intentions for the property. The city suggested that the county use the city-owned property just to the north, which was also purchased with FCT grants. The county was committed, as part of the Okeechobee Boulevard lower level of service in the Comprehensive Plan, to acquiring the right-of-way for the missing one-mile piece in 2003. The city will need to start directing its staff to work on the issue. The county wants to talk to FCT and show them why and how the county has tried to keep the effect on those properties to the minimum and what the county was trying to achieve overall by working with the city, including mitigation or purchasing additional properties in the area. The county needs to buy this property from the city and has money in the budget it can use. The county was not looking for the city to give the property to county since the property was a resource for the city and the city had paid money for it.

Commissioner Marcus said that Roebuck Road was a reliever for Okeechobee Boulevard, at least up until State Road 7, so it was very important for both city and county residents that it go through. Commissioner Mitchell said that some residents had concern about the issue. Commissioner Marcus responded that Roebuck Road has been on the county plan for a long time and was part of the approval process for projects in the area.

County Engineer Webb then gave a slide presentation.

Commissioner Marcus asked if the city could get back to the county on this issue within the next 60 days. Mr. Webb clarified that all that the city needed to do was direct its staff to inform FCT it wanted the county to do this. At the same time, the county would put together an application to submit to FCT. Mayor Frankel responded that the city could move forward on the matter while it did whatever it needed to do to resolve certain constituent concerns. Commissioner Marcus commented that the county was looking for direction from the city commissioners that the city will go with the county to FCT within the next 30 days. She could not imagine, she said, that city residents would object to the road being moved farther away from their properties.

Mr. Webb responded to commissioner questions as follows:

- The distance between the northern line of Riverwalk and the proposed Roebuck Road extension was 400 feet.
- The proposed extension is going through some very significant wetlands and will divide the southern wetlands from the northern wetlands which feed into the water catchment area.
- The only money in the county’s budget for anything in this corridor was for the right-of-way acquisition. There was none for design or for taking any action for this road anywhere in its five-year plan.

2.E.4. - CONTINUED

- A bridge of about 1,000 feet would need to be constructed.
- This would be an expensive road to build. Certain kinds of issues could not be exactly known until the permitting process was begun.
- Okeechobee Boulevard entailed two pieces, one east of the turnpike and one west of the turnpike. The county was going to bid right now on the eastern piece which would have a significant relief for the piece in front of Century Village between the turnpike and Military Trail. It will provide motorists with an east-west alternative to Okeechobee Boulevard. As for the western piece, the county had money to eight-lane Okeechobee Boulevard between the turnpike and State Road 7.
- Okeechobee Boulevard has been identified by the Florida Department of Transportation as a bus rapid transit corridor and its carrying capacity would be improved for the next few years by putting in an express bus service.
- At the intersection of State Road 7 and Okeechobee Boulevard is right-of-way dedicated to the county and in its control through the Baywinds project for the entire one-mile piece. There was another one-mile piece for which the county did not have right-of-way even though it was on the thoroughfare plan. It had not been obtained because the Riverwalk owner objected to the county going through Riverwalk.

Mayor Frankel said that the city was committed to moving as quickly as it could for the county on this matter and suggested that the county lend County Engineer Webb to the city for a workshop at which constituents would have an opportunity of expressing comments. City Administrator Mitchell said the workshop could be scheduled within the next 30 days.

Commissioner McCarty stated that when roads are planned for development and growth, they should not be removed from the thoroughfare plan in response to residents' objections. It was this response by government that had created the current traffic problem, she said, adding that local neighborhoods should not be kowtowed to at the expense of the entire county.

Commissioner Marcus said that the county commission workshop on Tuesday, April 22, would include discussion of a proposed charter amendment that would not allow county or municipality to delete any road from its road program thoroughfare. Commissioner Newell clarified that the proposed amendment was a result of the traffic summit.

Commissioner Koons urged that Roebuck Road be environmentally permitted as quickly as possible. He said he would like to take a look at whether the county could build up the road from the access for Riverwalk and let people have access from that park area because the county was building another park in there. He disagreed with Commissioner McCarty's observation that residential backyards would be looking at a bridge, stating the county would not be building a bridge but be building the road up to a height of eight feet and that it could be bermed.

**2.E.3. PALM TRAN BUS/WEST PALM BEACH TROLLEY
COORDINATION. DISCUSSED WITH DIRECTION 4-8-2003**

Palm Tran Executive Director Perry J. Maull said that he had met with West Palm Beach Planning Director Dan Cary to discuss the Palm Beach bus/West Palm Beach trolley routing. Commissioner Marcus asked if he and Mr. Cary would put a note in writing to the participants of today's meeting about the project's status and expansion, including funding recently obtained from the federal government for the expanded trolley.

(CLERK'S NOTE: At this time, discussion continued on TCEA and traffic issues; see page 14.)

2.I.

UNSCHEDULED ITEMS

2.I.1.

**TRANSFER OF IMPACT FEES FOR THE DOWN PAYMENT OF BONDS ON
THE WIDENING OF NORTHLAKE BOULEVARD. DISCUSSED WITH
DIRECTION 4-8-2003**

Commissioner Masilotti noted that in order to serve the Ibis community, an area of Northlake Boulevard had been widened by a bond floated through the Northern Palm Beach County Water Control District a number of years previously. The developer left the site, refinanced the bonds, and left the residents to pay for the road that serves not only Ibis but also the Acreage area and new developments on the roadway. He asked if staff could take a look at the equity situation regarding the use of impact fees from the new developments, which are only there because of Ibis residents who are paying the fee to widen Northlake. Absent the Ibis payment, the new developments would not have been affordable to build. He asked if there was some equitable transfer of those impact fees toward the down payment of those bonds on Northlake Boulevard.

Commissioner Marcus said that County Administrator Weisman would have to be asked about this longstanding issue of concern. Not only did the county need to look at that issue, she said, but also at the implications of other projects because the district did this with everybody. Only recently had the county stopped the developer from doing it. Ms. Marcus said the county did not know how many other developments may come forward to ask for relief from their own financial responsibility.

Mr. Weisman responded that the issue was not what the county had done so much as what was the relationship between the district and the developer.

Commissioner Marcus said that this situation had occurred on this major thoroughfare road because the developer did not want to pay for it as part of their process. She reiterated that the county needed to find out what the implications were for other developments that may come forward seeking similar financial relief.

2.1.2.

COUNTY-OWNED CIVIC SITE IN THE IBIS AREA AND THE CITY OF WEST PALM BEACH'S DESIRE TO SITE A FIRE STATION-POLICE STATION IN THE AREA. DISCUSSED 4-8-2003

Commissioner Masilotti remarked that the county had recently acquired a 3.0-acre civic site in the area of the Ibis community and that the City of West Palm Beach wished to put in a fire station-police station in the area to serve local residents.

Commissioner Marcus interjected that the county was in discussions about the general area with the city, Fire-Rescue Administrator Herman W. Brice, and Sheriff Edward W. Bieluch.

Commissioner Masilotti said he believed the city was willing to provide the services to help that entire corridor.

Commissioner Marcus responded that the problem with that was that it detracted from other neighborhood communities who wanted the same services. Chief Brice was looking into the matter, she said.

2.1.3.

TRANSPORTATION BETWEEN THE CONVENTION CENTER, INTERMODAL CENTER, AND PALM BEACH INTERNATIONAL AIRPORT. DISCUSSED WITH DIRECTION 4-8-2003

Commissioner Koons requested that the staff provide a plan on how persons would move from the convention center to the intermodal center to the Palm Beach County International Airport.

Commissioner Marcus asked County Administrator Weisman if it was advisable to ask Palm Tran Executive Director Maull to speak with Airports Department Director Bruce Pelly and whomever else was necessary and to come back with a written plan.

Mr. Weisman replied that the original plan was to encourage persons to rent cars and drive around rather than to transport them directly from the convention center to the airport.

Commissioner Marcus said she believed there should be a combination of both ideas and that they needed to be discussed.

Commissioner Aaronson said that for six years, the Tourist Development Council had been asking the airport and the Port Authority to meet with it and work out how to move people from the port and the airport and various other places. He suggested that the direction between the city and the county now be that all parties meet and come back with ideas for the city and county commissioners.

Commissioner Marcus asked Metropolitan Planning Organization (MPO) Director Randy Whitfield to schedule this issue on the next MPO agenda because everyone present sat on the MPO.

2.F.

TRANSPORTATION MANAGEMENT INCENTIVES. DISCUSSED 4-8-2003

South Florida Commuter Services Program Coordinator Denis Eirikis distributed a handout and made the following comments:

(CLERK'S NOTE: A copy of the handout was not provided to the clerk.)

- Transportation costs South Florida businesses \$1.2 billion a year in lost productivity.
- South Florida Commuter Services operates the West Palm Beach transportation management incentives (TMI). It is a partnership of the city and the Florida Department of Transportation.
- Van pools start July 1, 2003. There is a \$400 per month subsidy available for each van pool. South Florida Commuter Services will provide a van, fully insured, on a month-to-month lease. The van pool pass can be bought with pretax dollars for about \$85 or \$90, depending on how many people are included.
- Both the city and the county have a commuter tax benefit program to enable their employees to buy transit passes with pretax dollars. The City of West Palm Beach was the first city in South Florida to grant the pretax benefit to its commuters. According to AAA, it costs about 48 cents a mile to drive a car with insurance. A 30-mile commute costs about \$550 a month. A monthly pass on TriRail costs about \$60, however, which city and county employees can buy with pretax dollars for an additional benefit.
- The Emergency Ride Home Program provides a free emergency taxicab ride home for anyone who agrees to car pool or van pool or take transit at least three times a week.
- Under the Car Pool Matching Program, if a person car pools and shares the cost with one other person, the cost of gasoline will be 89 cents a gallon.
- South Florida Commuter Services has a 24-hour hotline on a variety of commuter information, including TriRail schedules and information on the van pool and car pool programs. The hotline's 1-800 telephone number will be included on all county jury summonses.
- The compressed work week, which the county has taken a leadership role in instituting, reduces weekly vehicle trips for county employees into and out of the downtown from 10 to 8, a 20 percent reduction per person. The compressed work week is one of the strongest transportation management issues.
- The City of West Palm Beach is encouraging its departments to institute the compressed work week as well as flexible hours.
- South Florida Commuter Services was working with the Clerk of the Circuit Court on the same issues.

2.F. - CONTINUED

- South Florida Commuter Services has an active outreach program, has articles in the County Line newsletter, and posts material on the City of West Palm Beach bulletin board.
- South Florida Commuter Services has an advisory committee of downtown businesses, including the new Marriott Hotel, Fidelity Federal Bank & Trust, and the Palm Beach Post, and works very closely with their employees.

Commissioner Aaronson remarked that at the Palm Beach International Film Festival on Thursday night, Molly the Trolley took over 350 people from Muvico Parisian 20 to a party that was held on top of The Strand and later, back to the garage at CityPlace. The trolley kept running until midnight. Mr. Aaronson expressed amazement that so many people preferred to ride the trolley and leave their cars in the garage. This transportation opportunity made for a bigger crowd, he said, and a lot of traffic was taken off the streets. Commissioner Aaronson thanked the mayor and city commission for working with the festival on the matter.

2.G.

HOMELESS SHELTER. DISCUSSED 4-8-2003

Commissioner Mitchell reported that four or five months previously, the city commission approved a \$50,000 expenditure out of community development block grant funds to go toward the homeless shelter effort with the county and sheriff's office. The issue had not progressed since that point, however. Yesterday, in the city commission, she volunteered to be the city's lead person on this matter.

2.H.

HEAD START. DISCUSSED 4-8-2003

Commissioner Robinson said that the Head Start Program was growing by leaps and bounds. The Head Start facility at the city-owned Gaines Park needed increased space. The city had a 2.5-acre property on Australian Avenue which it had thought was perfect for a new facility until it learned that the county needed 4 acres. After the county finds the land for a new Head Start facility, the city will turn the Gaines Park land back to Parks and Recreation.

Facilities Development and Operations (FD&O) Director Wolf reported that FD&O staff expanded their site search area to the entire county and as a result identified seven possible sites. The top site is 6.2-acre property on Summit Boulevard east of Congress Avenue near the boundary of the City of West Palm Beach. This site meets all criteria, is in a residential area, and provides sufficient area for expansion. Staff was working to procure the site. Because staff had fronting issues with the site, they expected to approach the city for assistance on the matter. Ms. Wolf said that the current Head Start facility had seven classrooms. Staff expected an Early Head Start classroom as well as expansion because of the waiting list.

Commissioner Newell questioned whether the city was supposed to give the county a site for this facility and now was not doing so. He also questioned whether the county needed to commit funds to the project.

2.H. - CONTINUED

Ms. Wolf said there was no written commitment of which she was aware but at the time the city approached the county and asked that it relocate out of Gaines Park, the city committed to assist the county in locating a site or conveying a site to the county if the city owned it.

Commissioner Mitchell questioned how the city was to become involved in a site located outside the city limits.

Commissioner Newell said staff needed to look for a site inside the city.

Ms. Wolf said the other sites are more expensive and are less desirable for other reasons, such as proximity to industrial and to the airport.

Commissioner Greene commented that as long as a large enough place could be found for the children, who cared whether it was in the city or the county.

Community Services Director Edward L. Rich said the service area was determined by the eligibility of the children, depending on their economic status. The service area is the Greater West Palm Beach area. The majority of the children are from the inner city of West Palm Beach. The county did not want to go too far outside the service area to keep the children involved in the program. Because of insufficient space, the program was divided between one facility in Gaines Park and another at 15th Street and Tamarind Avenue. Commissioner Marcus asked if the Summit Boulevard site was sufficient for Head Start purposes. Mr. Rich responded that he would prefer the site closer into the city.

Commissioner Koons said that the Australian Avenue site was preferable to the Summit and Congress site.

Commissioner Masilotti said that the Head Start facility should be located as close as possible to the neighborhood in which the youngsters live for their convenience in attendance and for community pride. He asked about the feasibility and cost effectiveness of building a facility on the 2.5-acre Australian Avenue property and, if the county had to expand beyond that, of looking for an additional small site.

Ms. Wolf said seven replacement classrooms could not be built on 2.5 acres. Without water, at least 4 acres were needed. With water and land development, 5 acres were needed. Increasing the number of facilities has a huge impact on operating costs, she said.

Mayor Frankel said that Commissioner Masilotti had made a very good point. Most of the youngsters came from impoverished homes and transportation was very difficult. So the facility should be located as close as possible either to their homes or to where their parents worked. The mayor said the city should be able to find a 4.0-acre site within its boundaries and that it should do it quickly.

Commissioner Mitchell said a perfect location was 4 acres off Tamarind Avenue and 7th Street. The city had gone through an eminent domain process with the Housing Authority on that property for Urban Youth Impact, she said.

Someone observed that that location was near a water plant.

Commissioner Aaronson said that a Head Start facility should be convenient for both parents and children and should be located in an aesthetically nice area, not next to a dump or water plant.

2.H. - CONTINUED

Mayor Frankel said the city would come up with some ideas within 30 days.

Commissioner Robinson volunteered to be the lead person for the city.

2.I.

UNSCHEDULED ITEMS. See pages 17-18.

On behalf of the city commission, Mayor Frankel thanked the county commission for a very productive meeting. The city looked forward to working with the county, she said.

Commissioner Marcus thanked Mayor Frankel as well as all those present and said it was a pleasure to have this type of relationship with the City of West Palm Beach.

Commissioner Marcus reminded everyone of the Downtown Summit on the afternoon of May 12. She also invited the mayor and city commissioners to attend the Freedom Fest on April 13 between 11:00 a.m. and 4:00 p.m. in John Prince Park. It was an event to honor U.S. troops overseas, she said, and the county would love to have the city there as partners. Commissioner Newell added that between 5,000 and 10,000 people were expected to attend.

3. ADJOURNMENT

The chair declared the meeting adjourned at 12:20 p.m.

ATTESTED:

APPROVED:

Clerk

Chair