

**PARKING MANAGEMENT ADVISORY BOARD MINUTES  
TUESDAY, JANUARY 28, 2014, 5:30 P.M.  
FIRST FLOOR CONFERENCE ROOM**

**MEMBERS PRESENT:**

William Morse  
Bruce Gimmy  
Diane Franco  
Brian Rosen  
John Gergen  
Gerald Franciosa  
William Branning  
Allen Huntington

**MEMBERS ABSENT:**

Margie Walden  
Alan Kornblau

**STAFF PRESENT:**

Scott Aronson, Parking Management Specialist  
Randal Krejcarek, City Engineer

**STAFF ABSENT:**

None

**GUESTS/OTHERS:**

Daniella Artrin  
Alex Ramirez  
Kevin Warner  
Fran Marincola

**I. CALL TO ORDER:**

The meeting was called to order by Chairperson, Mr. Bruce Gimmy, at 5:30 p.m.

**II. APPROVAL OF THE AGENDA:**

Mr. Gimmy made a motion to approve the agenda, seconded by Mr. Morse. Said motion passed unanimously.

**III. APPROVAL OF THE MINUTES:**

Minutes were deferred.

**IV. OLD BUSINESS:**

Mr. Aronson stated that eight (8) or nine (9) items presented to the City Commission at their workshop regarding the recommendation of the Comprehensive Parking Management Review are still pending; he suggested to the board to provide any additional input prior to staff bringing items back before the City Commission.

**V. COMMENTS BY CITIZENS: (non-agenda items)**

Mr. Warner pointed out the old Business status completed/outstanding items chart. Item number three (3) shall read Review Parking Management Advisory Board recommendations; he stated that the board discussed the items but did not make the recommendation. He also noted Item number nine (9) in regards to the feasibility study for the Gladiola Lot Garage, Block 117 stating that the City Commission has not mentioned the study on their workshop and that this board has failed to provide any action taken by it.

Mr. Marincola stated that the presentation given at the City Commission meeting was great as it accomplished its purposed. In addition, he had two (2) recommendations: when pursuing approval in regards the revenue projected from the new parking meters on the beach, Old School Square garage debt should not be included in comparison due to this is an existing debt, and it has an impact on the total revenue. The second is the configuration changes in the hours from two (2) hours to 30 minutes; One (1) hour and two (2) hours was a suggestion made by the retail businesses. Mr. Marincola encouraged the board to make the final decision in the implementation of the hours. In addition, changing the beach meter parking hours from 9am-8 p.m. will upset beach goers that visit the beach at much earlier hours. He recommends bringing these two items to the Parking Management Advisory Board (PMAB) sooner than any other items listed on the agenda to allow these items to have the proper attention needed.

Mr. Marincola also recommended having the valet agreements recorded in the clerk of the court and have the license in the name of the owner of the property where said restaurant operates in the event a transition of a sell/acquisition takes place, acknowledgement of the agreement will be required.

**VI. NEW BUSINESS:**

**A. Review Revision to the Valet Parking License Agreements.**

Mr. Aronson stated that during recent reviews of the Parking License Agreement, it was discovered there was an oversight in the ratification of the agreements; some of the agreements had legal insufficiency; per 2012, modifications a re-ratification of the agreements is required. In addition, a recommendation to include the concessionaire name and location renewal as part of the approval process of the Parking Agreement renewal. Staff will present changes to the City Commission.

Mr. Aronson stated that due to the recent transition of 75Main/Taverna Opa staff considered modifications in two sections of the agreement.

Mr. Franciosa suggested the employer identification number be part of the Parking License Agreement when entering into a contract with the City.

Mr. Aronson stated he will consider the suggestion.

Mr. Branning asked about the difference in having an agreement with a Florida Corporation versus the concessionaires.

Mr. Aronson stated that prior to the Parking License Program; concessionaires had insufficient internal controls in their valet parking operations, equipment, and performance levels. He also addressed that the concessionaires just require obtaining a business tax receipt. Mr. Aronson stated shortcomings in these areas determined to have the agreement between a Florida Corporation and the City.

At this time, Mr. Branning suggested the concessionaire be held accountable for failure to contract instead of relying on the Florida Corporation to enforce the concessionaries to follow guidelines established by the City. Mr. Aronson stated that part of the agreement requirement is a security deposit equal to one month's valet queue fees and the implementation of the program will improve future relations with the City. Mr. Gergen stated that the concessionaires agreed to have the Florida Corporation responsible for the queue as it is in their best interest to provide valet services to their clientele. Mr. Rosen stated that the Florida Corporation is the stronger stakeholder in the City and will resolve any dealing with the concessionaire.

Mr. Aronson stated the following recommendations for approval are as follows: Section 4 clarifying only one valet operator when more than one license is issued in a queue. Section 18 inappropriate behavior and implementation of penalties to the violations section. Code Enforcement and the Police Department will enforce Civil Violations citation if violations exist; establishing October 1 as the anniversary of the agreements; A Section addressing Public Records Request requirements as pertaining to licensees, and the responsibility of Licensees to recognize the authority of the Palm Beach County Inspector General's office. He also noted that there was a slight difference in reference to Luna Rosa, due to their location, daytime hours, and being in a metered area the rate is higher.

Ms. Franco asked if the 3% increase was a yearly increase or a flat rate increase.

Mr. Aronson stated since there was no renewal on the general agreement, a 5% signage initiation fee will apply, and a 3% yearly increase thereafter. On the third year anniversary of the agreement, the application will be reviewed for approval.

Mr. Franciosa asked if the contract is subject to a cancellation fee.

Mr. Aronson stated that the contract could be canceled at any time and read Section 11 of the agreement regarding Revocable License. At this time, there was a brief discussion about the fees and profits generated by the valet services, Mr. Gergen stated that the valet is a service provided by the restaurants to their clientele and not a profit driven service. The restaurants are responsible for rental fees and labor expenses and the purpose is to help the City provide more street space to visitors.

Ms. Franco asked for staff recommendations and if the City Attorney has seen this request.

Mr. Aronson stated it was drafted by the City Attorney; he is seeking approval from the Parking Management Advisory Board to present items to the City Commission.

Ms. Franco made a motion to accept the Parking License Agreement. Mr. Rosen seconded the motion for discussion.

At this time, there was discussion about correcting different sections of the Parking License Agreement. Mr. Branning suggested omitting “or” on Item 3. Parking Locations as follow:

“Upon execution of this license agreement and/or at the City’s request, Licensee must provide the City with a lease agreement(s).”

Mr. Krejcarek stated that such changes could compromise the City’s liability.

Mr. Aronson pointed out Item 11. Revocable License, to include written notice to be through certified mail along with U.S. Mail as well.

Mr. Branning pointed out Item 15, Insurance and Item 4, Staffing have inconsistencies. He also suggested reviewing Item 18, Violations Section (e) Inappropriate Behavior his concern about property theft and the reputation it might bring to the City. At this time, there was some discussion. Mr. Aronson referred to Item 16 Indemnification, regarding revoked licenses after three complaints and concessionaire staff to have identification at all times.

Regarding Item 19, Penalties and Enforcement, Mr. Branning asked who is responsible for the expense of an off-duty police officer if required by the valet parking queue(s).

Mr. Aronson stated that the valet concessionaire would be responsible for an off-duty police officer expense.

Mr. Rosen stated that due to some concern with Salt restaurant it was determined as part of their agreement to improve traffic flow and parking, as attendees prefer to park as quickly and as close as possible.

At this time, there was discussion, to add a provision to clarify in the agreement to have both entities to provide insurance and to recommend these changes in the motion. The motion passed 8-0.

## **B. Study Implementation Review.**

Mr. Aronson stated that at the January 14<sup>th</sup> workshop the vehicles for hire, (Taxi) was presented to the City Commission. The Commission agreed to adopt Palm Beach County’s policy for taxis and other vehicles for hire, which requires them to register with the county. A recommendation from the Police Department and the PMAB to create taxi stands as part of the City’s ordinance to alleviate the challenges that have arisen in the City. Several spots have been proposed for consideration, on East Atlantic Avenue, by the Intracoastal waterway, three “parking only” spots will be converted into a taxi stand, no traffic flow will be affected. On the West side of the Intracoastal on S.E. 3<sup>rd</sup> Avenue, the taxi stand will be facing Atlantic Avenue making the dispatch smooth preventing the use of Atlantic Avenue for access and on N.E. 1<sup>st</sup> Avenue, the taxi stands will be available to the public.

Mr. Gergen asked if a taxi will be allowed to make pick-ups at a non-designated area.

Mr. Aronson stated that the challenges are taxis trolling for passengers, bringing traffic to a standstill while allowing passengers to board. At this time there is discussion about concerns with having taxis around the downtown area, taxis picking passengers outside of the taxi stands, registration to obtain a Business Tax Receipt from the City and implementation enforcement.

Mr. Krejcarek spoke about taxis creating their stand area by standing in the street waiting for customers, he suggested obtaining more data that will include the peak time, traffic flow, stopping area, etc. and present the outcomes of the study to the board with more accurate data in order for the board to make a recommendation. The board encourages staff to research further.

### **C. In-Lieu of Parking Fees.**

Mr. Aronson stated that the recent study for the Block 117 Gladiola Lot, located on S.E. 6<sup>th</sup> Avenue, showed the estimated cost per space for the construction of an approximate 300-space garage is \$28,000.00 per space. He recommended Areas 1&2 (Beach and Core Areas) be consolidated at a cost of \$23,660.00 per space as there are no further development incentives needed in these areas, this consolidation will have a 30% increase in both areas. On Area 3 (Pineapple Grove Way), a 30% increase and on Area 4, a 15% increase as development incentive is needed in this area.

He noted that since the implementation of the Valet Parking Program there has been improvement in the accommodation to the thousands of visitors that come to the City.

Mr. Aronson stated that the Downtown Development Authority made a proposal to use the courthouse parking garage, the Old School Square garage, and the Federspiel garage for the employee parking. However, there were shortcomings. The inability to use the courthouse garage before 5:00 p.m. on weekdays and the requirements for the garage to be staffed costing approximately \$55,000.00 a year. Staff proposed to utilize designated areas for parking throughout the municipal parking locations to employees; consideration of the parking proximity to place of employment, fees, and cooperation in the program has been reviewed, once approved, a plan will be implemented. At this time, members expressed their concerns about the number of parking spaces being provided.

Mr. Aronson proposed a fee-based program utilizing multi-space meters, which will be effective after 5 p.m., 7 days a week, the rates will be \$2.00 per hour for on-street parking along Atlantic Avenue and one (1) block North and South. A \$1.50 per hour will be for all other on-street parking and surface lot. The garage would be \$1.00 per hour with a \$5.00 maximum. The implementation of the aforementioned proposal would help improve future performance and labor relations within the City.

Mr. Rosen made a motion to recommend approval of the proposed price adjustment for the fee-based program between 5 p.m. to 1 a.m. daily operated as an Enterprise Fund; the applicable Organizational Structure as proposed; the Employee Parking Program as indicated; the Valet Parking recommendations determined with Item V.A. presented earlier; and the increases and modifications to the In-Lieu and Public Parking Fee programs as recommended. The motion was seconded by Mr. Franciosa and passed 7-0.

**VII. COMMITTEE REPORTS ON PARKING RELATED ISSUES:**

Board members presented a brief status report of items taking place on their respective Boards. Mr. Franciosa gave a report of prospective projects of the Planning and Zoning Board; Mr. Morse stated the Chamber of Commerce would have an open house for the public on February 3, 2014.

**VIII. NON-AGENDA ITEMS:**

None.

**A. Comments by Staff**

None.

There being no further business, Mr. Gimmy, declared the meeting adjourned at 7:35 p.m.

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Advisory Board Liaison

The undersigned is the Secretary of the Parking Management Advisory Board and the information provided herein is the minutes of the meeting of said Parking Management Advisory Board on January 28, 2014, which minutes were formally approved and adopted by the Board on

ATTEST:

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CHAIR

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Advisory Board Liaison

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