

MINUTES OF THE REGULAR MEETING
CITY COUNCIL
CITY OF BOCA RATON, FLORIDA
TUESDAY, MAY 23, 2006
6:00 PM

The Regular Meeting of the City Council of the City of Boca Raton, Florida was called to order by Mayor Steven Abrams at 6:00 p.m.

INVOCATION:

Council Member Hager gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL:

Mayor Steven L. Abrams
Deputy Mayor Susan Whelchel
Council Member M. J. Mike Arts
Council Member Peter R. Baronoff
Council Member Bill Hager

Also attending the meeting were:

City Manager Leif J. Ahnell
City Attorney Diana Grub Frieser
City Clerk Sharma Carannante

AMENDMENTS TO THE AGENDA:

Motion was made by Deputy Mayor Whelchel, seconded by Council Member Arts, to amend the agenda to add Resolution No. 75-2006 to the Consent Agenda and to add Ordinance No. 4942 under "REGULAR BUSINESS – PART V - INTRODUCTION OF ORDINANCES." Motion carried unanimously on a voice vote; Mayor Abrams, Deputy Mayor Whelchel, Council Members Arts, Baronoff and Hager voting yes.

MINUTES:

Minutes of the Regular Workshop Meeting of May 8, 2006
Minutes of the Regular Meeting of May 9, 2006

Motion was made by Council Member Arts, seconded by Council Member Hager, to approve the minutes as presented. Motion carried unanimously on a voice vote; Mayor Abrams, Deputy Mayor Whelchel, Council Members Arts, Baronoff and Hager voting yes.

PROCLAMATIONS/RECOGNITIONS/AWARDS:

Education Advisory Board – Recognition of Teachers of the Year for 2006

The following teachers were honored by the Rotary Club of Boca Raton Sunrise and the City's Educational Advisory Board. Receiving awards were: Rita Garrison-Ortiz, Boca High; Holly Novak, Boca Middle School; Lisa Lorenz, Calusa Elementary; Lori Lieurance, Omni Middle; Marcia Kurf, Spanish River High; Mary Bergman, J.C. Mitchell Elementary; Carmella Tripucka, Addison Mizner Elementary; James Gostomski, Verde Elementary School; and Billy Garren, Don Estridge High Tech Middle.

REGULAR BUSINESS - PART I:

1. Appointments to the following boards:

a. Aviation Advisory Committee of the Boca Raton Airport Authority – one (1) vacancy, due to the term expiration of Frank Feiler, whose term expires 06/01/06.

1) Resolution No. 69-2006

A resolution of the City of Boca Raton making an appointment to the Aviation Advisory Committee of the Boca Raton Airport Authority, subject to the limitations of authority contained herein; providing for severability; providing for repealer; providing an effective date

Motion was made by Council Member Hager, seconded by Council Member Arts, adopting Resolution No. 69-2006 and appointing Ben McCaul to the Aviation Advisory Committee. Motion carried unanimously on a voice vote; Mayor Abrams, Deputy Mayor Whelchel, Council Members Arts, Baronoff and Hager voting yes.

Ben McCaul was appointed to the Aviation Advisory Committee.

2. Responses to Workshop Information Requests:

(Agenda Item No. 3.h. – Resolution No. 70-2006 / Memorandum of Understanding/Working Agreement with the Palm Beach County Sheriff’s Office related to registering and monitoring of sexual predators and offenders and the enforcement of sexual offender related crimes) The City Manager explained that the City currently exchanges information with Broward County, as does Palm Beach County; consequently, this item would provide a level of redundancy.

3. Consent Agenda:

Mayor Abrams provided an opportunity for the public to comment on any Consent Agenda item. No one came forward to speak.

Motion was made by Deputy Mayor Whelchel, seconded by Council Member Hager, to approve the Consent Agenda as amended. Motion carried unanimously; Mayor Abrams, Deputy Mayor Whelchel, Council Members Arts, Baronoff and Hager voting yes.

a. Sealed Bids

- | | | |
|----|--|-----------|
| 1) | Military Trail & Lennox Drive
Traffic Signal Installation
Requested by Municipal Services
Horsepower Electric, Inc. | \$291,192 |
| 2) | Landscape Maintenance Services for
South Section
Requested by Recreation Services
Superior Landscaping & Lawn Service, Inc. | \$216,439 |
| 3) | Landscape Maintenance Services for the
Cemetery & Mausoleums
Requested by Recreation Services
A Cut Above A Lawn & Tree Service | \$39,860 |

- b. Competitive Sealed Proposal - Renewal
 - 1) Vehicle Leasing Services-Renewal
Requested by Police Services
Enterprise Leasing Company \$101,500

- c. Sealed Bid - Renewals
 - 1) Grit Removal Services-Renewal
Requested by Utility Services
Waste Management of Palm Beach \$66,000
 - 2) Generator Repair & Maintenance
Services-Renewal
Requested by Municipal Services
All Power Generators, Corp. \$31,000
 - 3) Landscape Maintenance Services for Red
Reef Golf Course-Renewal
Requested by Recreation Services
Custom Care, Inc. \$39,540

- d. Intergovernmental Agreement
 - 1) SCBA Airpaks & EZ-Flo Regulators
(Replacement)
Requested by Fire Rescue Services
Fisher Scientific Company, LLC \$68,396

- e. Emergency
 - 1) Vehicles for Hurricane Preparedness (Used)
Requested by Municipal Services
Enterprise Equipment Company, Gator
Leasing, Inc., Gulf City Body & Trailer Works \$327,250

- f. Resolution No. 67-2006

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an agreement with Parker Hannifin Corporation for the purpose of purchasing cartridge filters for the Water Treatment facility; providing for severability; providing for repealer; providing an effective date

- g. Resolution No. 68-2006

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to approve and accept a fee simple deed from the School Board of Palm Beach County, Florida for a turn lane on N.W. 12th Avenue at the Boca Raton Middle School; providing for severability; providing for repealer; providing an effective date

h. Resolution No. 70-2006

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a Memorandum of Understanding/Working Agreement with the Palm Beach County Sheriff's Office for the purpose of establishing operational protocols for municipalities and the Sheriff's Office concerning the registering and monitoring of sexual predators and offenders, as well as the enforcement of sexual offender related crimes; providing for severability; providing for repealer; providing an effective date

i. Resolution No. 71-2006

A resolution of the City of Boca Raton approving and accepting an Easement Deed from BRE/Boca Corporate Center, L.L.C., over certain lands located at Boca Technology Center Plat 1; providing for severability; providing for repealer; providing an effective date

j. Resolution No. 72-2006

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an Easement Deed to Florida Power & Light, over certain lands at the South Beach Pavilion located at 2 South Ocean Boulevard; providing for severability; providing for repealer; providing an effective date

k. Resolution No. 74-2006

A resolution of the City of Boca Raton authorizing the City Manager to execute an agreement between the City of Boca Raton and the Palm Beach County Property Appraiser for services relating to the collection of a fire services assessment; providing for severability; providing for repealer; providing an effective date

l. Board Resignations

- 1) Resignation letters from Kim A. Parker and Layla Amjadi from the Education Advisory Board
- 2) Resignation letter from Frank Feiler from the Aviation Advisory Committee

m. Receive and File Board Orders

- 1) SM(C) Case No. 05-00003825
- 2) SM(C) Case No. 06-00000089
- 3) SM(C) Case No. 06-00000090
- 4) SM(G) Case No. 06-00000320

n. Receive and File Board Minutes – May 23, 2006

- 1) Community Appearance Board
April 18, 2006
April 25, 2006
- 2) Executive Employees' Retirement Board
February 21, 2006
- 3) Library Advisory Board
March 15, 2006
- 4) Marine Advisory Board
April 5, 2006

- 5) North Federal Highway Steering Committee
February 7, 2006
March 7, 2006
 - 6) Parks and Recreation Board
April 4, 2006
 - 7) Planning and Zoning Board
April 6, 2006
 - 8) Telecommunications Advisory Board
April 3, 2006
 - 9) Zoning Board of Adjustment
February 8, 2006
- o. Resolution No. 75-2006

A resolution of the City of Boca Raton authorizing the City Manager to apply for a grant from the South Florida Water Management District Alternative Water Supply Grant Program, for the purpose of expanding the City of Boca Raton reclaim system, providing an alternative water source for irrigation and to maintain the integrity of the City's water source; authorizing the acceptance of said grant, if awarded; authorizing the expenditure of matching funds for said grant, if awarded; authorizing and directing the City Manager to comply with the terms and conditions of said grant, if awarded; providing for severability; providing for repealer; providing an effective date

REGULAR BUSINESS – PART II-A – QUASI-JUDICIAL CONSENT AGENDA:

There were no items for consideration.

REGULAR BUSINESS – PART II-B – QUASI-JUDICIAL AND RELATED PUBLIC HEARINGS:

There were no items for consideration.

REGULAR BUSINESS – PART III – REGULAR PUBLIC HEARINGS:

4. Ordinance No. 4939

An ordinance of the City of Boca Raton amending the Fiscal Year 2005-2006 budget through the Second Quarterly Budget Amendment; providing for severability; providing for repealer; providing an effective date

Office of Management and Budget Director Linda Davidson gave the presentation. She reviewed Sections 1,2,3,5,and 6 of the proposed ordinance, which related to additional revenues and expenditures in the General Fund, the State Grant Fund, the Federal Grant Fund, the Greater Boca Raton Beach & Park District Fund, and the Library Bond Fund, respectively; Sections 4 and 7 recognized funding from reserves in the Beautification Fund and the Water and Sewer Operating Fund, respectively; details were provided. Ms. Davidson advised that the total of additional revenues and expenditures was \$3,263,100. She concluded her presentation and answered questions from Council.

The public hearing was opened and, seeing no one come forward to speak, closed.

Motion was made by Deputy Mayor Whelchel, seconded by Council Member Hager, to adopt Ordinance No. 4939. Motion carried unanimously; Mayor Abrams, Deputy Mayor Whelchel, Council Members Arts, Baronoff and Hager voting yes.

REGULAR BUSINESS – PART IV – REGULAR PUBLIC HEARINGS/SETTLEMENTS:

There were no items for consideration.

REGULAR BUSINESS – PART V - INTRODUCTION OF ORDINANCES:

5. Ordinance No. 4941

An ordinance of the City of Boca Raton amending the Future Land Use Map of the Comprehensive Plan by redesignating certain property consisting of 23.0 acres, more or less, located at 5051 Broken Sound Boulevard, as more specifically described herein, from Light Industrial (IL) to Residential Medium (RM); providing for the appropriate revisions of the Future Land Use Map; providing for severability; providing for repealer; providing an effective date (UC-05-02)

The ordinance was introduced by Council Member Hager.

6. Ordinance No. 4940

An ordinance of the City of Boca Raton rezoning a parcel of land consisting of 23.0 acres, more or less, located at 5051 Broken Sound Boulevard, as described more particularly herein, from Light Industrial Research Park (LIRP) to Multi-Family (R-3); providing for the appropriate revisions of the Zoning District Map; providing for severability; providing for repealer; providing an effective date (UC-05-02)

The ordinance was introduced by Council Member Hager.

7. Ordinance No. 4942

An ordinance of the City of Boca Raton authorizing the sale of a parcel of land consisting of approximately 0.02 acres and located adjacent to 375 East Royal Palm Road; providing for severability; providing for repealer; providing an effective date

The ordinance was introduced by Deputy Mayor Whelchel.

REGULAR BUSINESS - PART VI - PUBLIC REQUESTS:

No one came forward to speak.

REGULAR BUSINESS - PART VII- RESOLUTIONS AND OTHER BUSINESS:

There were no items for consideration.

CITY MANAGER RECOMMENDATIONS AND REPORTS:

Workforce Housing

Mr. Ahnell gave the timeline for consideration of the workforce-housing ordinance, advising that it would be presented at the next workshop meeting and then reviewed by the Planning and Zoning Board on June 22, 2006. Introduction of the ordinance was expected at the July 25, 2006 Council meeting; the first public hearing for transmittal to the Department of Community Affairs (DCA) would be August 8, 2006, with the final public hearing projected for October or November.

CITY ATTORNEY REPORTS:

Wildflower Restaurant

Ms. Frieser referred to the discussion at yesterday's workshop regarding the Wildflower site and advised that a motion would be suitable at this time directing the City Manager to move forward to investigate and analyze the Wildflower site for potential acquisition and/or eminent domain proceedings, including appraisals and other appropriate action.

Motion was made by Council Member Baronoff, seconded by Council Member Hager, directing the City Manager to proceed with a full investigation of the Wildflower site, including appraisals and other actions deemed necessary. Motion carried unanimously on a voice vote; Mayor Abrams, Deputy Mayor Whelchel, Council Members Arts, Baronoff, and Hager voting yes.

The City Attorney clarified that this motion would not commit the City Council to any future course of action; it would simply authorize the City Manager to incur expenses and take the steps necessary to prepare a full analysis of the site, which may then be presented to Council at a later date.

MAYOR AND COUNCIL MEMBER REPORTS:

Mayor Abrams

Referred to the delay in completing the Spanish River Library and questioned whether construction of the water amenities would also be delayed. Mr. Ahnell advised that the amenities would not be delayed. Mayor Abrams then reported that Senator Aronberg's "Slam Spam" bill passed, which would impose criminal penalties against spammers; it is awaiting signature by Governor Bush. He added that the Attorney General's Office would prosecute these cases to avoid any undue burden on Police Services.

Mayor Abrams also advised that he was participating with some of the City's large employers in emergency planning and hurricane preparedness in order to exchange ideas and determine what the private sector is doing in terms of planning. The recent "gas station" summit was mentioned; the Mayor indicated that this could be a model in the area of pandemic planning wherein municipalities work with the private sector to prepare their cities for these types of crises.

Last of all, Mayor Abrams acknowledged Council Member Arts, who was given the "Lifetime of Caring" Award, which is an award that honors men in Palm Beach County who volunteer their time and talent to serve their community, and offered congratulations.

ADJOURNMENT:

Motion was made by Council Member Hager, seconded by Deputy Mayor Whelchel, to adjourn the meeting. Motion carried unanimously on a voice vote; Mayor Abrams, Deputy Mayor Whelchel, Council Members Arts, Baronoff, and Hager voting yes.

The regular meeting of the City Council of the City of Boca Raton adjourned at approximately 6:29 p.m. on Tuesday, May 23, 2006.

Steven L. Abrams, Mayor

ATTEST:

Sharma Carannante, City Clerk