

MINUTES OF THE REGULAR MEETING
CITY COUNCIL
CITY OF BOCA RATON, FLORIDA
TUESDAY, JANUARY 23, 2007
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:

Deputy Mayor Whelchel 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 Council Member Baronoff, seconded by Council Member Hager, to amend the agenda to add Resolution No. 6-2007 to the Consent Agenda as Item No. 3.d. Motion carried unanimously on a voice vote; Mayor Abrams, Deputy Mayor Whelchel, Council Members Arts, Baronoff and Hager voting yes.

MINUTES:

Minutes of the Special Meeting of January 8, 2007
Minutes of the Regular Workshop Meeting of January 8, 2007
Minutes of the Regular Meeting of January 9, 2007

Motion was made by Deputy Mayor Whelchel, 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:

There were no proclamations, recognitions, or awards.

REGULAR BUSINESS - PART I:

1. Appointments to the following boards:

- a. Citizens' Pedestrian & Bikeway Advisory Board – 2 vacancies

There were no applicants.

- b. Education Advisory Board – 2 vacancies

Deputy Mayor Whelchel nominated Jeff Snow; Council Member Hager nominated Steve Wallace; Council Member Arts nominated Tom Gill. The nominations were then closed without objection.

In the voting: Mayor Abrams, Deputy Mayor Whelchel, and Council Member Arts voted for Jeff Snow and Tom Gill; Council Member Baronoff voted for Tom Gill and Steve Wallace; Council Member Hager voted for Jeff Snow and Steve Wallace.

Jeff Snow and Tom Gill were appointed to the Education Advisory Board.

- c. Elder Affairs Advisory Board – 2 vacancies

Motion was made by Council Member Baronoff, seconded by Council Member Arts, to reappoint Joe Kafer to the Elder Affairs Advisory Board. Motion carried unanimously on a voice vote; Mayor Abrams, Deputy Mayor Whelchel, Council Members Arts, Baronoff and Hager voting yes.

Mr. Kafer was reappointed to the Board.

- d. Pearl City Blue Ribbon Committee – 2 vacancies

There were no applicants.

- e. Downtown Boca Raton Advisory Committee – 9 vacancies (New Committee)

Glenn Gromann, Lynne Novick, Judith Kaye, Allen McGee, JoAnn Root, and Jason Mankoff interviewed for positions on the Board. Seeing no one else come forward, the floor was opened for nominations.

Council Member Hager nominated Michele Bellisari, Mary Csar, Leo Fox, Glenn Gromann, David Gury, Mitchell Kirschner, Lynne Novick, Bruce Retzsch, Clemens Storch, Derek Vander Ploeg, and Lenore Wachtel. Council Member Arts nominated Jason Mankoff, JoAnn Root, Constance Scott, and Dawn Zook. Council Member Baronoff nominated Allen McGee. Mayor Abrams nominated William Jacob. The nominations were then closed without objection.

In the first round of voting: Mayor Abrams voted for Gromann, Jacob, Novick, Retzsch, Scott, Storch, Vander Ploeg, Wachtel, and Zook. Deputy Mayor Whelchel voted for Bellisari, Fox, Novick, Retzsch, Root, Storch, Vander Ploeg, Wachtel, and Zook. Council Member Arts voted for Bellisari, Csar, Fox, Gromann, Mankoff, Novick, Retzsch, Vander Ploeg, and Zook. Council Member Baronoff voted for Bellisari, Csar, Mankoff, McGee, Novick, Retzsch, Vander Ploeg, Wachtel, and Zook. Council Member Hager voted for Bellisari, Csar, Fox, Gromann, Kirschner, Novick, Retzsch, Storch, and Vander Ploeg.

Lynne Novick, Bruce Retzsch, Derek Vander Ploeg, Dawn Zook, and Michele Bellisari were appointed to the Downtown Boca Raton Advisory Committee.

As there were four more appointments to make, Mayor and Council then voted on the five candidates who had received three votes each in the first round of voting.

In the second round of voting: Mayor Abrams voted for Fox, Gromann, Storch, and Wachtel. Deputy Mayor Whelchel voted for Csar, Fox, Storch, and Wachtel. Council Members Arts and Hager voted for Csar, Fox, Gromann, and Storch. Council Member Baronoff voted for Csar, Gromann, Storch, and Wachtel.

Mary Csar, Leo Fox, Glenn Gromann, and Clemens Storch were appointed to the remaining positions on the Downtown Boca Raton Advisory Committee.

Motion was made by Deputy Mayor Whelchel, seconded by Council Member Hager, to officially appoint Lynne Novick, Bruce Retzsch, Derek Vander Ploeg, Dawn Zook, Michele Bellisari, Mary Csar, Leo Fox, Glenn Gromann, and Clemens Storch to the new Downtown Boca Raton Advisory Committee. Motion carried unanimously on a voice vote; Mayor Abrams, Deputy Mayor Whelchel, Council Members Arts, Baronoff and Hager voting yes.

2. Responses to Workshop Information Requests:

The City Manager indicated that answers to questions from yesterday's workshop meeting would be forthcoming in memo form.

3. Consent Agenda:

Mayor Abrams provided the public with an opportunity to comment on the Consent Agenda; no one came forward to speak.

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

a. Intergovernmental Agreement

- 1) Recycling Trucks (Replacement)
Requested by Municipal Services
Container Systems & Equipment Company \$507,368

b. Resolution No. 4-2007

A resolution of the City of Boca Raton authorizing the execution and delivery of an amended and restated Interlocal Agreement relating to the establishment, powers and purposes of the First Florida Governmental Financing Commission, of which the City is a member; appointing a representative and alternates to the Commission; providing for severability; providing for repealer; providing an effective date

c. Receive and File Board Minutes – January 23, 2007

- 1) Library Advisory Board
November 15, 2006
- 2) Parks and Recreation
December 5, 2006

d. Resolution No. 6-2007

A resolution of the City of Boca Raton authorizing the City Manager to execute an agreement with Boca Raton Golf Charities, Inc. d/b/a Allianz Championship for the purpose of providing a PGA Golf Champions Tour Golf Tournament in Boca Raton; 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:

There were no items for consideration.

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

There were no items for consideration.

REGULAR BUSINESS – PART V - INTRODUCTION OF ORDINANCES:

4. Ordinance No. 4970

An ordinance of the City of Boca Raton amending the Fiscal Year 2006-2007 budget through the First Quarterly Budget Amendment; providing for severability; providing for repealer; providing an effective date

The ordinance was introduced by Council Member Baronoff.

5. Ordinance No. 4971

An ordinance of the City of Boca Raton allowing the assignment of required residential parking spaces; providing for severability; providing for repealer; providing for codification; providing an effective date

The ordinance was introduced by Council Member Hager.

REGULAR BUSINESS - PART VI - PUBLIC REQUESTS:

Mark McGinley referred to a recent hit-and-run fatality, which occurred on NW 13 Street, between NW 15 Avenue and NW 17 Avenue, and advocated additional lighting, signage, and/or speed bumps for the area. He voiced particular concern for children in that neighborhood, which includes a school zone, stating that many people drive at increased speeds, probably thinking that the road in question is an access road to I-95, which it is not. Mayor Abrams advised that the City would work with Florida Power & Light to ensure there is sufficient lighting. Responding to Council, Mr. Ahnell reported that the police investigation is ongoing. It was noted that staff is currently considering traffic calming for the area; signage will also be considered. Mayor Abrams advised that Mr. McGinley would be contacted by the City with an update.

REGULAR BUSINESS - PART VII- RESOLUTIONS AND OTHER BUSINESS:

There were no items for consideration.

CITY MANAGER RECOMMENDATIONS AND REPORTS:

6. Update on Trans fat Issues

Mr. Ahnell referred to a report previously distributed to Council, outlining staff's findings on efforts by various cities across the country to eliminate trans fats from eating establishments, which ranged from voluntary participation to bans; details were provided. Mr. Ahnell stated that the Department of Business and Professional Regulations (DPBR) would be the State regulatory agency to ban trans fats, if the State chose to move in that direction, and concluded his comments by advising that the City is not pre-empted from adopting its own legislation in regard to same. Following discussion, the City Manager was directed to draft an open letter to local eating establishments within the City limits, advocating voluntary participation in banning trans fats from their menus; this proposed letter is to be brought back to Council for further review and consideration.

CITY ATTORNEY REPORTS:

The Assistant City Attorney had nothing to report at this time.

MAYOR AND COUNCIL MEMBER REPORTS:

Deputy Mayor Whelchel extended thanks to the delegation in Tallahassee for obtaining insurance rate relief and suggested drafting a letter expressing appreciation and detailing what else needs to be accomplished.

Council Member Baronoff reminded those present of the Branding Forum scheduled tomorrow evening at 5:00 p.m. in the community center and advised that all are welcome.

Council Member Arts referred to Resolution No. 6-2007 regarding the Allianz Golf Tournament, stating that he sits on the Board of Directors for same, and asked counsel as to whether his vote tonight constituted a conflict of interest. Deputy City Attorney Jeffrey Sheffel advised that as an elected member of Council, who sits on the Board of a not-for-profit entity, Mr. Arts' vote did not constitute a voting conflict. At this time, Deputy Mayor Whelchel also indicated that she sits on the same Board and then spoke to the upcoming golf tournament, stating that opportunities still exist for those who would like to volunteer.

Mayor Abrams advised that all proceeds from the aforementioned golf tournament would benefit Boca Raton Community Hospital.

ADJOURNMENT:

Motion was made by Council Member Baronoff, 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 7:12 p.m. on Tuesday, January 23, 2007.

Steven L. Abrams, Mayor

ATTEST:

Sharma Carannante, City Clerk