

MINUTES OF THE REGULAR MEETING
CITY COUNCIL
CITY OF BOCA RATON, FLORIDA
TUESDAY, FEBRUARY 24, 2009
6:00 PM

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

INVOCATION:

Council Member Arts gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL:

Mayor Susan Whelchel
Council Member M. J. Mike Arts
Council Member Bill Hager
Council Member Susan Haynie
Council Member Mullaugh

AMENDMENTS TO THE AGENDA:

There were no amendments to the agenda.

MINUTES:

Minutes of the Regular Workshop Meeting of February 9, 2009
Minutes of the Regular Meeting of February 10, 2009

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

PROCLAMATIONS/RECOGNITIONS/AWARDS:

Florida Atlantic University Fighting Owls Football Team

Mayor Whelchel recognized Coach Howard Schnellenberger and a number of FAU players on behalf of the City.

Rose Lee Archer – Advocate for the Disabled

Mayor Whelchel tendered the proclamation to Rose Lee Archer in recognition of her service to the disabled community.

REGULAR BUSINESS - PART I:

1. Appointments to the following boards:

- a. Marine Advisory Board – two (2) vacancies; one (1) for a unit owner in a condominium adjacent to an inland waterway (boater or non-boater) and one (1) for a person affiliated with the Boca Raton Coast Guard Auxiliary.

Motion was made by Council Member Arts, seconded by Council Member Hager, to reappoint Art Grossman to the Marine Advisory Board in the category of a unit owner in a condominium adjacent to an inland waterway (boater or non-boater) and to reappoint Thomas Thayer to the Marine Advisory Board in the category of a person affiliated with the Boca Raton Coast Guard Auxiliary. Motion carried unanimously on a voice vote; Mayor Whelchel, Council Members Arts, Hager, Haynie and Mullaugh voting yes.

Mr. Grossman and Mr. Thayer were reappointed to the Board.

2. Responses to Workshop Information Requests:

The City Manager advised that answers to questions from yesterday's workshop would be forthcoming in tonight's presentations.

3. Consent Agenda:

Mayor Whelchel provided an opportunity for members of the public to comment on the Consent Agenda; no one came forward to speak.

Motion was made by Council Member Arts, seconded by Council Member Hager, to approve the Consent Agenda. Motion carried unanimously; Mayor Whelchel, Council Members Arts, Hager, Haynie and Mullaugh voting yes.

a. Sealed Bids

- 1) Reclaimed Water Production Facility Expansion
Requested by Utility Services
R.J. Sullivan Corporation \$4,774,300
- 2) Citric Acid (Supply and Delivery)
Requested by Utility Services
Chemical Sales Corporation \$73,480
- 3) Sodium Tripolyphosphate
Requested by Utility Services
Summit Chemicals, Inc.; Ashland, Inc.;
Chemical Sales Corporation; and
Sterling Water Technologies, LLC \$100,170

b. Competitive Sealed Proposal

- 1) Custom 4-Door Triple Combination Rescue Pumpers (2) - Replacement
Requested by Fire Rescue Services
Sutphen Corporation \$1,045,623

- c. Intergovernmental Agreement
 - 1) Automated Fuel Management and Inventory System - Replacement
Requested by Municipal Services
E.J. Ward, Inc. \$245,315

- d. Emergency
 - 1) Repair of Variable Frequency Drive
Requested by Utility Services
Siemens Energy & Automation \$73,977

- e. Change Order
 - 1) Broken Sound Pipeline and Control System
Requested by Utility Services
Cardinal Contractors, Inc. \$153,093

- f. Resolution No. 22-2009
A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 12 with Mathews Consulting, Inc. for the purpose of providing construction management services for the Reclaimed Water Storage and Pumping Facility project; providing for severability; providing for repealer; providing an effective date

- g. Resolution No. 23-2009
A resolution of the City of Boca Raton supporting House Bill 189 and Senate Bill 922 amending Section 767.14, Florida Statutes, eliminating the prohibition of breed-specific local government regulation of dangerous dogs; providing for severability; providing for repealer; providing an effective date

- h. Resolution No. 25-2009
A resolution of the City of Boca Raton authorizing the City Manager to accept a grant from the State of Florida Department of Environmental Protection Agency for the State of Florida Legislative Project Grant Agreement LP8905 – City of Boca Raton Intracoastal Parallel Force Main; authorizing the expenditure of matching funds for said grant; authorizing and directing the City Manager to comply with the terms and conditions of said grant; providing for severability; providing for repealer; providing an effective date

- i. Resolution No. 26-2009
A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an Interlocal Agreement with the School Board of Palm Beach County for the purpose of providing standards and guidelines for marquee signs; providing for severability; providing for repealer; providing an effective date

- j. Resolution No. 27-2009
A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an Interlocal Agreement with the School Board of Palm Beach County for the purpose of providing standards and guidelines for Business Partnership Recognition Banners; providing for severability; providing for repealer; providing an effective date

k. Resolution No. 28-2009

A resolution of the City of Boca Raton authorizing a waiver of procurement procedures, authorizing the Mayor and City Clerk to execute an agreement for consulting services with Glatting Jackson Kercher Anglin, Inc., for the purpose of providing consulting services related to the preparation and processing of a Transportation Design for Livable Communities application for Federal Highway in the downtown, developing Urban Transportation Guidelines for the downtown and related activities; providing for severability; providing for repealer; providing an effective date

l. Resolution No. 29-2009

A resolution of the City of Boca Raton approving Work Order No. 1 with Glatting Jackson Kercher Anglin, Inc., for the purpose of developing and processing a Transportation Design for Livable Communities application for Federal Highway in the downtown and developing Urban Transportation Design Guidelines for the downtown; providing for severability; providing for repealer; providing an effective date

m. Resolution No. 30-2009

A resolution of the City of Boca Raton authorizing the Mayor to execute an agreement with the Department of the Army for the purpose of providing reimbursement for the second North Boca Raton Beach Renourishment Shore Protection Construction project; providing for severability; providing for repealer; providing an effective date

n. Board Resignations

1) Resignation of David J. Birkman from the Financial Advisory Board

o. Receive and File - Employee Election Certification

1) Election of Janice Vassell to the Board of Trustees for the General Employees' Pension Plan – term to expire March 29, 2012.

2) Election of James Muro to the Board of Trustees for the Police and Firefighters' Retirement System – term to expire March 29, 2011.

3) Election of Matt White to the Board of Trustees for the Police and Firefighters' Retirement System – term to expire March 29, 2011.

p. Receive and File Board Minutes – February 24, 2009

1) Community Appearance Board
January 13, 2009
January 20, 2009

2) Elder Affairs Advisory Board
January 7, 2009

3) Parks and Recreation Board
January 6, 2009

4) Special Master
December 10, 2008

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:

4. Resolution No. 20-2009

A resolution of the City of Boca Raton considering an amendment to the previously approved planned commercial development master plan PCD-04-02 (Resolution No. 44-2005), to delete condition no. 9, in order to eliminate the requirement to underground any new or relocated utilities for the retail development located at 1301 NW Boca Raton Boulevard; providing for severability; providing for repealer; providing an effective date (PCD-04-02R1)

The City Attorney reviewed the quasi-judicial procedure that would be followed for the public hearing; the City Clerk administered the oath to those who indicated they wished to speak. There were no ex parte disclosures.

Development Services Planner Daryl Johnson gave the PowerPoint presentation. Acreage, zoning, and land use designation were provided and the site plan was briefly outlined. Mr. Johnson advised that the petitioner planned to develop two previously approved retail buildings, which total 26,600 square feet. Referring to Condition No. 9, he explained that staff had reviewed the proposed relocation plan for the utilities and determined that it would be more beneficial to keep the lines above ground vs. burying them on site. There were no other modifications requested. Mr. Johnson also advised that the Planning and Zoning Board reviewed this request on February 19, 2009 and unanimously recommended approval to delete the condition, as did staff, subject to the conditions provided in the resolution. At this time, Mr. Johnson and Mr. Ahnell provided additional information to Council as requested.

Derek Vander Ploeg, the applicant, came forward in support of the resolution.

Motion was made by Council Member Haynie, seconded by Council Member Hager, to adopt Resolution No. 20-2009. Motion carried unanimously; Mayor Whelchel, Council Members Arts, Hager, Haynie and Mullaugh voting yes.

REGULAR BUSINESS – PART III – REGULAR PUBLIC HEARINGS:

5. Ordinance No. 5083

An ordinance of the City of Boca Raton amending Chapter 18, Code of Ordinances, relating to Vehicles for Hire; revising the standards for approving Certificates of Public Convenience and Necessity; providing for severability; providing for repealer; providing for codification; providing an effective date

Deputy City Manager George Brown gave the PowerPoint presentation. He advised that City Code requires an application and a hearing, before a hearing officer, before a Certificate of Public Convenience and Necessity may be granted and then outlined the current criteria for approval of same, which is as follows: 1) there is public demand for additional taxi or limousine service, 2) the existing taxi or limousine service is inadequate, 3) the effects of additional taxi or limousine service on parking and traffic must be considered, 4) the applicant must show that resources are available to create, operate, and maintain a financially stable operation, 5) the applicant must show experience in successfully managing, operating, and owning a transportation business, and 6) there can be no facts or circumstances that render an applicant unfit to operate a transportation business. Mr. Brown explained that this ordinance would delete the first three criteria related to the service, or market, of the industry within the City but retain the other criteria. He then concluded his presentation and answered questions from Council.

It was determined that an applicant denied a certificate may appeal the decision to the City Council and, ultimately, the courts. It was also noted that the Code provides for notification of existing certificate holders of upcoming hearings and that, during the hearings, existing certificate holders have the opportunity to intervene in the proceedings. Responding to Council, Mr. Brown advised that this ordinance was brought forward at the request of Council Member Hager, who identified a market issue. He explained that, specifically, the purpose of the ordinance was to open the market to competition.

Council Member Hager clarified that he did not propose to deregulate but to keep rigorous regulations currently in place and eliminate the anti-competitive requirements; details were provided.

The public hearing was opened. Rick Versace (A1A Airport and Limousine Service), Brock Rosayn (Metro Taxi), Rod Cunningham (Boca Raton Transportation), Jerry Goldman (Personal Limousine Service), Jim Barr, and Sherry McKee (VP for Boca Raton Transportation) expressed opposition to the ordinance; Hector Mendieta voiced support.

Motion was made by Council Member Hager, seconded by Council Member Haynie, to adopt Ordinance No. 5083. Motion failed 4-1; Mayor Whelchel, Council Members Arts, Haynie and Mullaugh voting no. Council Member Hager voting yes.

6. Ordinance No. 5084

An ordinance of the City of Boca Raton, Florida (the "City"), authorizing, pursuant to the terms and provisions of Ordinance No. 4418 (the "Original Ordinance"), the issuance of not exceeding \$12,000,000 in Water and Sewer Revenue Refunding Bonds, Series 2009 (the "Series 2009 Bonds") to currently refund all of the City's outstanding Water and Sewer Revenue Refunding and Improvement Bonds, Series 1999, making such 2009 Bonds subject to the terms and provisions of the Original Ordinance; providing for severability; providing for repealer; providing an effective date

a. Resolution No. 19-2009

A resolution of the City of Boca Raton, Florida, authorizing a fifth series of water and sewer revenue bonds under Ordinance Nos. 4418 and 5084, designated as "Water and Sewer Revenue Refunding Bonds, Series 2009," in the aggregate principal amount of not exceeding \$12,000,000 for the purpose of paying and defeasing all of the City's outstanding Water and Sewer Revenue Refunding and Improvement Bonds, Series 1999; providing for the terms and payment for said bonds; incorporating by reference the terms and provisions of Ordinance No. 4418; establishing the maturity schedule in connection therewith; authorizing the City Manager or the Director of Financial Services of the City to publish through electronic means a summary notice of sale and to receive bids pursuant to a competitive sale of said bonds and award the sale of said bonds to the responsive bidder offering the lowest true interest cost to the City which shall not exceed five percent (5.00%); approving the execution and delivery of said bonds and appointing a bond registrar, paying agent and escrow agent; approving the form of and authorizing the execution of a registrar/paying agent agreement; approving the preparation and use of an official notice of bond sale, a preliminary official statement and final official statement; authorizing the electronic dissemination of the preliminary official statement and official statement; approving the form of and authorizing the execution and delivery of an escrow deposit agreement; providing for the rights, remedies and security of the holders of said bonds; making certain covenants and agreements in connection therewith; providing for certain other matters in connection therewith; providing for severability; providing for repealer; providing an effective date

Financial Services Director Merv Timberlake gave the PowerPoint presentation, advising that this was a request to refinance the Water and Sewer Revenue Bonds. The original bonds were issued in 1991 and refunded in 1999; they originally funded water and sewer system improvements. He noted that these 20-

year bonds were callable April 1, 2009, and indicated that refinancing of the 1999 bonds would produce present value savings of over \$676,000 over the 10-year life of the bonds. The present value savings is 6.75% and the rates from the Water and Sewer Fund pay for the bonds. Specifically, Ordinance No. 5084 authorizes the refinancing, and establishes the provisions for same, under the City's Charter; Resolution No. 19-2009 establishes the procedures, approves the Preliminary Official Statement, approves the Notice of Sale, and approves the way the bids may be accepted by either the City Manager or the Financial Services Director. Regarding the schedule, a competitive sale would be called for the week of March 9th, with closing on March 24, 2009.

Mr. Timberlake then spoke to the City's water bond ratings and reported that the City holds a "AAA" from Standard & Poor's and Fitch Ratings; Moody's has awarded the City a rating of "AA1." He explained that the "AAA" rating means: 1) the City of Boca Raton bonds will be in very high demand, 2) the City does not need bond insurance, 3) yields will be significantly lower, and 4) estimated additional savings will be over \$200,000 since the City does not need bond insurance and the bonds will be in high demand. Mr. Timberlake concluded by noting that very few utility systems are rated as highly as that of the City, either in the State or in the nation. He then answered questions from Council, as did Mr. Ahnell. Commentary focused on bond insurance and how many cities today can't get bond insurance; consequently, they can't issue bonds and can't construct projects. In addition, many cities can't get financing even with bond insurance.

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

Motion was made by Council Member Hager, seconded by Council Member Arts, to adopt Ordinance No. 5084. Motion carried unanimously; Mayor Whelchel, Council Members Arts, Hager, Haynie and Mullaugh voting yes.

Motion was made by Council Member Haynie, seconded by Council Member Hager, to adopt Resolution No. 19-2009. Motion carried unanimously; Mayor Whelchel, Council Members Arts, Hager, Haynie and Mullaugh voting yes.

7. Ordinance No. 5085

An ordinance of the City of Boca Raton amending Section 302.1.4 of the Supplemental Criteria and Procedural Rules of the Community Appearance Board (adopted under Ordinance No. 2110 and amended by Ordinance No. 4074) relating to mechanical equipment; providing for severability; providing for repealer; providing an effective date

Community Development Director Jorge Camejo gave the PowerPoint presentation, explaining that this ordinance related to screening requirements and standards for mechanical equipment with the intention of providing some flexibility for existing buildings. In addition, the amendment provides that all mechanical equipment be screened in redevelopment or reconstruction projects where the costs exceed 50% of the fair market value of the tenant space to be renovated.

Three exceptions to the above were as follows: 1) screening shall not be required if a professional engineer certifies that an existing building cannot support the minimum loads imposed on it by the screening system; in this case an alternative screening, such as painting or reinforced fabric may be used, 2) replacement screening shall not be required on existing buildings with previously approved screening where replacement of an air conditioner, or other mechanical equipment, does not exceed 12 inches beyond the height of the existing screening, (again, alternative screening would be used) and 3) alternative screening methods, such as painting and texturing to match the color of the existing building, will be used in the event that the mechanical equipment is identified as a particular unit type (A – D), as listed in the graphic entitled, "Supplemental Criteria, Sheet M-1;" Unit Type E, with exposed coils, would require additional screening when included in redevelopment or reconstruction exceeding 50% of the market value of an existing tenant space. Details were provided on all the above.

Mr. Camejo drew attention to the handouts distributed by the Clerk and explained that the ordinance was revised to include some minor clarifications. He reviewed the revisions, which were found in Exhibit A to the ordinance, and then concluded his presentation. Responding to Council, he acknowledged the assistance of the Community Appearance Board in drafting this legislation and provided additional information as requested.

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

Motion was made by Council Member Arts, seconded by Council Member Hager, to adopt Ordinance No. 5085, as revised and amended. Motion carried unanimously; Mayor Whelchel, Council Members Arts, Hager, Haynie and Mullaugh voting yes.

8. Ordinance No. 5086

An ordinance of the City of Boca Raton amending Section 28-342 of the City Code of Ordinances providing supplemental standards for calculating roof height in single family residential districts; providing for severability; providing for repealer; providing for codification; providing an effective date

Community Development Director Jorge Camejo gave the PowerPoint presentation, explaining that this amendment would not increase roof height or provide any greater rights in terms of what the overall bulk would be for any residential structure; the maximum roof height of 35 feet remains unchanged. The proposed language was then reviewed. Mr. Camejo stated that, currently, the Code requires the roof height of a single family structure be calculated based on the mean of the eave overhang of a continuous roof line, which has resulted in some odd or unusual roof systems; essentially, many long, continuous eaves were constructed for no other reason than to meet the 25 foot height requirement (to the eave) as imposed under the zoning code. Details were provided on all the above. This amendment sought to create an option to allow the breaking up of roof systems consistent with creative, elaborate designs, not to exceed the 35-foot cap.

Bill Hacey, the owner and operator of a residential construction firm, voiced support of the ordinance and elimination of what he called the "toboggan run," which architects commonly use to merge the requirements of the Code and zoning.

Derek Vander Ploeg voiced support of the ordinance and suggested that language regarding "established grade" might be reviewed next.

Motion was made by Council Member Arts, seconded by Council Member Hager, to adopt Ordinance No. 5086. Motion carried unanimously; Mayor Whelchel, Council Members Arts, Hager, Haynie and Mullaugh voting yes.

9. Ordinance No. 5087

An ordinance of the City of Boca Raton creating Section 6-15, Code of Ordinances, providing for the posting of certain campaign reports upon the City's web page; providing for severability; providing for repealer; providing for codification; providing an effective date

The City Attorney provided a brief presentation of this ordinance, which was drafted at the request of Council Member Hager. It provides for a formalized policy whereby specific election reports required by State law, and filed locally with the City Clerk, would be posted on the City's website. Mayor Whelchel advised that she wished to amend the ordinance; at this time, the City Attorney distributed copies of the revised ordinance.

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

At Mayor Whelchel's request, Ms. Frieser explained the amendment, which served to expand the scope of reports that are filed and posted on the City's website.

Motion was made by Mayor Whelchel, seconded by Council Member Mullaugh, to amend Ordinance No. 5087, as outlined by the City Attorney. Motion carried unanimously on a voice vote; Mayor Whelchel, Council Members Arts, Hager, Haynie and Mullaugh voting yes.

Motion was made by Council Member Hager, seconded by Council Member Haynie, to adopt Ordinance No. 5087, as amended. Motion carried unanimously; Mayor Whelchel, Council Members Arts, Hager, Haynie and Mullaugh voting yes.

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

10. Resolution No. 24-2009

A resolution of the City of Boca Raton authorizing the settlement of a claim, Fednel Demosthene (AL02-0005-PS); providing for severability; providing for repealer; providing an effective date

The City Manager advised that this matter related to an auto accident from 2001 and recommended approval of the settlement.

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

Motion was made by Council Member Haynie, seconded by Council Member Hager, to adopt Resolution No. 24-2009. Motion carried unanimously; Mayor Whelchel, Council Members Arts, Hager, Haynie, and Mullaugh voting yes.

REGULAR BUSINESS – PART V - INTRODUCTION OF ORDINANCES:

11. Ordinance No. 5088

An ordinance of the City of Boca Raton amending Chapter 20, Article II, Environmentally Sensitive Lands, Code of Ordinances, relating to alterations involving environmentally sensitive lands; the amendments serve to modify the procedures, eligibility and calculations related to the requirement to set aside environmentally sensitive lands and the criteria for a payment in lieu of the environmental set aside; providing for severability; providing for repealer; providing for codification; providing an effective date (AM-08-05)

The ordinance was introduced by Council Member Mullaugh.

12. Ordinance No. 5089

An ordinance of the City of Boca Raton amending the Future Land Use Map of the Comprehensive Plan by redesignating certain property consisting of 5.934 acres, from Light Industrial (IL) to Commercial (C); providing for severability; providing for repealer; providing an effective date (UC-08-03SC)

The ordinance was introduced by Council Member Arts.

13. Ordinance No. 5090

An ordinance of the City of Boca Raton rezoning, pursuant to Article VI, Chapter 23, Code of Ordinances, a parcel of land consisting of 5.934 acres, located at 4002 North Military Trail, from Light Industrial Research Park (LIRP) to Community Business (B-2); providing for severability; providing for repealer; providing an effective date (UC-08-03)

The ordinance was introduced by Council Member Hager.

REGULAR BUSINESS - PART VI - PUBLIC REQUESTS:

Hector Mendieta commented on Council's prior decision related to Ordinance No. 5083, indicating that he believed their decision was incorrect and not in the best interests of the community or the transportation market. He also advised that, as owner of a taxi/limousine service, he would be applying for a certificate.

REGULAR BUSINESS - PART VII- RESOLUTIONS AND OTHER BUSINESS:

There were no items for consideration.

CITY MANAGER RECOMMENDATIONS AND REPORTS:

14. Board Attendance Report (2008)

The City Manager explained that, per ordinance, staff is required to report Board member attendance to Council each year and then outlined the criteria for inadequate attendance. Noting that 22 Board members had inadequate attendance records, Mr. Ahnell reviewed three options available to Council for addressing this issue. Council Member Hager suggested that a decision be made at the next Council meeting. Mr. Ahnell then advised that a Board Consolidation Report would be forthcoming shortly and suggested Council might wish to address both issues at the same time; Council agreed with the suggestion. The City Manager then referred to comments made at yesterday's workshop meeting regarding the stimulus package and advised that the City was LAP certified; consequently, there was no need to go through the County for the NW 12th Avenue street widening project.

CITY ATTORNEY REPORTS:

The City Attorney asked Council for authorization to schedule an Executive Session.

Motion was made by Council Member Hager, seconded by Council Member Mullaugh, to schedule an Executive Session, prior to March 14, 2009, in the litigation entitled, "SFCS vs. the City of Boca Raton" (Case No. 50 2006CA002837). Motion carried unanimously on a voice vote; Mayor Whelchel, Council Members Arts, Hager, Haynie, and Mullaugh voting yes.

MAYOR AND COUNCIL MEMBER REPORTS:

Council Member Haynie asked for an update on the permit for the cell tower proposed in the Palm Beach Farms community. Mr. Ahnell explained that T-Mobile had not yet completed the permitting process; indications were that T-Mobile would start the process over again and, this time, work with the existing fence without seeking modifications. He concluded by advising that T-Mobile had not withdrawn its application.

Mayor Whelchel reported that, as part of the City's economic development goal, visits would be made to businesses within the City to thank them for their business and to determine what is needed to retain their business; the first visit would be next week to a fairly new company called, "Campus Management." Mayor Whelchel then reported on a meeting of mayors within Congressman Ron Klein's district to discuss the economic stimulus package. She noted that: a) there was no funding for beach renourishment, b) staff would need to work through the district offices if the State is to fund any projects (the same applies to

Federal funding), c) there are no new funding sources, and d) approximately 200,000 jobs are projected to be created in Florida with 7,500 of them in District 22. She also noted that progress and expenditure reports would be posted on a newly-created website every 30 days.

ADJOURNMENT:

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

The regular meeting of the City Council of the City of Boca Raton adjourned at approximately 8:10 p.m. on Tuesday, February 24, 2009.

Susan Whelchel, Mayor

ATTEST:

Sharma Hagerty, City Clerk