

MINUTES OF THE REGULAR MEETING  
CITY COUNCIL  
CITY OF BOCA RATON, FLORIDA  
TUESDAY, FEBRUARY 14, 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 Haynie gave the invocation.

**PLEDGE OF ALLEGIANCE TO THE FLAG:**

**ROLL CALL:**

Mayor Steven L. Abrams  
Deputy Mayor Susan Whelchel  
Council Member Peter R. Baronoff  
Council Member Bill Hager  
Council Member Susan Haynie

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 Haynie, to amend the agenda to move "Mayor and Council Member Reports" from the end of the agenda to immediately after the Elder Affairs Advisory Board appointments. Motion carried unanimously on a voice vote; Mayor Abrams, Deputy Mayor Whelchel, Council Members Baronoff, Hager and Haynie voting yes.*

**MINUTES:**

Minutes of the Regular Workshop Meeting of January 23, 2006  
Minutes of the Regular Meeting of January 24, 2006

*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 Baronoff, Hager and Haynie voting yes.*

**PROCLAMATIONS/RECOGNITIONS/AWARDS:**

There were no proclamations, recognitions, or awards.

**REGULAR BUSINESS - PART I:**

1. Appointments to the following boards:

- a. Elder Affairs Advisory Board – seven vacancies

J. Robert Gordon, Charlotte Robinson, and Janis Ehlers interviewed for positions on the Board.

Mayor Abrams nominated Sarah A. Bialy, J. Robert Gordon, Wilma L. Greenfield, Joseph E. Kafer, Joni Marin, Janis Ehlers, Margaret Guy, and Charlotte Robinson. The nominations were then closed without objection.

In the voting: Mayor Abrams, Deputy Mayor Whelchel, Council Members Baronoff, Hager and Haynie voted for Sarah A. Bialy, Wilma L. Greenfield, Janis Ehlers, and Charlotte Robinson. Mayor Abrams, Council Members Baronoff, Hager and Haynie voted for Joseph E. Kafer. Deputy Mayor Whelchel, Council Members Baronoff, Hager and Haynie voted for J. Robert Gordon. Mayor Abrams, Deputy Mayor Whelchel, Council Members Baronoff and Haynie voted for Joni Marin. Mayor Abrams, Deputy Mayor Whelchel, and Council Member Hager voted for Margaret Guy.

Sarah Bialy, J. Robert Gordon, Wilma L. Greenfield, Joseph E. Kafer, Joni Marin, Janis Ehlers, and Charlotte Robinson were appointed to the Board. Lots will be cast at a later date by the City Clerk to determine who will serve the three 3-year terms, the two 2-year terms, and the two 1-year terms.

**MAYOR AND COUNCIL MEMBER REPORTS:**

Council Member Baronoff referred to the Palm Beach County Commission Meeting held earlier today regarding the location of Scripps Research Institute, which was awarded to Jupiter/Abacoa, and asked the City Manager to form a committee comprised of members from the public and private sectors to create a marketing strategy to lure the approximately 8 million square feet of “spinoff” companies to South County. He asked Council for input. Deputy Mayor Whelchel suggested that this should be a goal for discussion at the upcoming goal setting sessions. In general, Council agreed with the proposal.

2. Responses to Workshop Information Requests:

(Consent Agenda Item No. 3.d.2. – Downtown Street Lighting Fixtures) A memorandum was provided. The City Manager explained that 38% (or 360 out of 939) of the lights in the downtown area were damaged from the hurricane. The contract tonight is for repairs costing approximately \$257,000, bringing the total cost up to \$400,000 to repair the downtown lighting; approximately 75% of that figure is reimbursable. He advised that it might be possible to change the heads on the lights to a more cost effective method; however, if the poles have to be replaced as well, it could cost \$3-4 million.

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. Motion carried unanimously; Mayor Abrams, Deputy Mayor Whelchel, Council Members Baronoff, Hager and Haynie voting yes.*

a. Sealed Bids

- 1) 80 kW Standby Generator-Replacement  
Requested by Municipal Services  
MGI-Morgan General Mechanical Group, Inc. \$31,850

- |      |                                                                                                                                                                                              |           |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| 2)   | Tennis Court Equipment & Supplies<br>Requested by Recreation Services<br>Welch Tennis Courts, Inc., Sport Supply<br>Group, Inc. d/b/a BSN Sports, Tennis Supply,<br>and Fast-Dry Corporation | \$84,245  |
| 3)   | Corrosion Control Chemical<br>Requested by Utility Services<br>Calciquest, Inc.                                                                                                              | \$177,000 |
| <br> |                                                                                                                                                                                              |           |
| b.   | <u>Competitive Sealed Proposal</u>                                                                                                                                                           |           |
| 1)   | Police Uniforms<br>Requested by Police Services<br>Safety Schell Corporation d/b/a Special<br>Products Group                                                                                 | \$60,000  |
| <br> |                                                                                                                                                                                              |           |
| c.   | <u>Sealed Bid - Renewals</u>                                                                                                                                                                 |           |
| 1)   | Landscape Maintenance Services for the<br>Complex-Renewal<br>Requested by Recreation Services<br>Custom Care, Inc.                                                                           | \$32,000  |
| 2)   | Reclaimed Water Polymer-Renewal<br>Requested by Utility Services<br>KED Group, Inc.                                                                                                          | \$47,700  |
| 3)   | Landscape Maintenance Services for Utility<br>Services-Renewal<br>Requested by Utility Services<br>Custom Care, Inc.                                                                         | \$66,433  |
| <br> |                                                                                                                                                                                              |           |
| d.   | <u>Emergency – Hurricane Wilma (Phase IV)</u>                                                                                                                                                |           |
| 1)   | Electrical Inspection & Restoration to<br>Downtown Lighting<br>Requested by Municipal Services<br>Lectra Living, Inc.                                                                        | \$40,000  |
| 2)   | Lamp Fixtures<br>Requested by Municipal Services<br>Spero Electric Corporation                                                                                                               | \$257,520 |
| <br> |                                                                                                                                                                                              |           |
| e.   | <u>Resolution No. 18-2006</u>                                                                                                                                                                |           |

A resolution of the City of Boca Raton authorizing the City Manager to apply for a grant from the United States Department of Justice, Bureau of Justice Assistance pursuant to the Gang Resistance Education and Training (G.R.E.A.T.) Program; 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

f. Resolution No. 19-2006

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an Agreement with Mathews Consulting Inc. for the purpose of providing engineering services for the City's wastewater transmission and collection system; providing for severability; providing for repealer; providing an effective date

g. Resolution No. 20-2006

A resolution of the City of Boca Raton approving and accepting an Easement Deed from Fifth Avenue Place, LLC, over certain lands located at 465 East Palmetto Park Road; providing for severability; providing for repealer; providing an effective date

h. Resolution No. 21-2006

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an Interlocal Agreement with Palm Beach County for the purpose of reimbursable funding for engineering, design, permitting, construction and mitigation costs for the North Boca Raton Beach Nourishment Project; providing for severability; providing for repealer; providing an effective date

i. Resolution No. 22-2006

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an Interlocal Agreement with Palm Beach County for the purpose of reimbursable funding for dredging the Boca Raton Inlet; providing for severability; providing for repealer; providing an effective date

j. Resolution No. 23-2006

A resolution of the City of Boca Raton authorizing the City Manager to apply for a grant from the United States Department of Homeland Security to continue the coordination and development of the City of Boca Raton Citizen Corps Program; authorizing the acceptance of 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

k. Resolution No. 24-2006

A resolution of the City of Boca Raton authorizing the City Manager to apply for a grant from the United States Department of Homeland Security for the purchase of equipment, supplies, and printing of materials for the City of Boca Raton Community Emergency Response Team (CERT); authorizing the acceptance of 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

l. Receive and File Board Orders

- 1) Zoning Board of Adjustment
  - a. Resolution No. BA-05-03
  - b. Resolution No. BA-05-06

m. Receive and File Board Minutes – February 14, 2006

- 1) A1A Landscape Task Force  
December 7, 2005
- 2) Community Appearance Board  
January 10, 2006  
January 17, 2006
- 3) Community Relations Board  
November 21, 2005
- 4) Downtown Visions Committee  
December 14, 2005
- 5) Education Advisory Board  
November 28, 2005
- 6) General Employees' Pension Board  
November 9, 2005
- 7) Historic Preservation Board  
December 6, 2005 (Workshop)  
December 20, 2005
- 8) Marine Advisory Board  
January 4, 2006
- 9) Police and Firefighters' Pension Board  
November 17, 2005  
November 29, 2005 (Investment Committee)
- 10) Special Master  
September 28, 2005

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

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

*Motion was made by Council Member Hager, seconded by Deputy Mayor Whelchel, to adopt the Quasi-Judicial Consent Agenda. Motion carried unanimously; Mayor Abrams, Deputy Mayor Whelchel, Council Members Baronoff, Hager and Haynie voting yes.*

4. Resolution No. 15-2006

A resolution of the City of Boca Raton accepting and approving the final plat known as the Boca Village Plat Two subdivision plat, and authorizing the Mayor and City Clerk to execute the plat; providing for severability; providing for repealer; providing an effective date (SUB-05-04)

5. Resolution No. 17-2006

A resolution of the City of Boca Raton granting tentative plat approval for Countess deHoernle Park Subdivision Plat, subject to conditions; providing for severability; providing for repealer; providing an effective date (SUB-05-06)

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

6. Resolution No. 14-2006

A resolution of the City of Boca Raton granting a modification of the master plan for an expansion to the square footage at the St. Andrews South Central Facility on a parcel of land located at 6045 Verde Trail, as described more particularly herein; providing for severability; providing for repealer; providing an effective date (SC-05-14)

The City Clerk administered the oath to those who indicated they wished to speak.

Development Services Planner Daryl Johnson gave the PowerPoint presentation. Background information, zoning, land use designation, and location were provided. The 7,572-square-foot expansion of the South Central Facility would comprise a multi-purpose room, a chapel, a meeting room, a café/bistro area, and addition of four parking spaces. The total square footage would be increased to 53,772. There would be no increase in residential units, resident beds, or the number of patients. Therefore, the overall parking requirement is not negatively impacted.

The Planning and Zoning Board reviewed this petition and unanimously recommended approval of same. In conclusion, staff also recommended approval with the conditions outlined in the resolution.

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. 14-2006. Motion carried unanimously; Mayor Abrams, Deputy Mayor Whelchel, Council Members Baronoff, Hager and Haynie voting yes.*

**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:**

7. Ordinance No. 4923

An ordinance of the City of Boca Raton amending the Future Land Use Map of the Comprehensive Plan by redesignating certain property consisting of 6.52 acres, more or less, located generally east of Military Trail and south of Spanish River Boulevard, as more specifically described herein, from IL (Light Industrial) to PI (Public and Private Institutional); providing for the appropriate revisions of the Future Land Use Map; providing for severability; providing for repealer; providing an effective date (SC-05-16)

The ordinance was introduced by Council Member Haynie.

8. Ordinance No. 4924

An ordinance of the City of Boca Raton relating to rezoning; providing for the rezoning of a parcel of land consisting of 6.52 acres, more or less, located generally east of Military Trail and south of Spanish River Boulevard, as described more particularly herein, from Light Industrial and Research Park District (LIRP) to Public Land District (PL); providing for the appropriate revisions of the Zoning District Map; providing for severability; providing for repealer; providing an effective date (ZC-05-04)

The ordinance was introduced by Council Member Baronoff.

9. Ordinance No. 4925

An ordinance of the City of Boca Raton amending the Code of Ordinances, relating to the Executive Employees' Retirement Plan; amending Sections 12-160 and 12-162, Code of Ordinances, relating to the purchase of past service and providing for an alternative method of calculation; providing for severability; providing for repealer; providing for codification; providing an effective date

The ordinance was introduced by Council Member Hager.

10. Ordinance No. 4926

An ordinance of the City of Boca Raton amending the Code of Ordinances relating to the General Employees' Pension Plan; amending Section 12-84, Code of Ordinances, relating to the purchase of past service and providing for an alternative method of calculation; providing for severability; providing for repealer; providing for codification; providing an effective date

The ordinance was introduced by Deputy Mayor Whelchel.

11. Ordinance No. 4927

An ordinance of the City of Boca Raton amending the City's Comprehensive Plan by changing the Capital Improvement Element to include projects which are necessary for the City to continue to meet its adopted level-of-service standards; amending the Capital Improvement Element to update Table 1: the School District of Palm Beach County Six-Year Capital Improvement Schedule; providing for inclusion in the Comprehensive Plan; providing for severability; providing for repealer; providing an effective date

The ordinance was introduced by Deputy Mayor Whelchel.

**REGULAR BUSINESS - PART VI - PUBLIC REQUESTS:**

Yuna Jewelowicz brought forward several issues including when paving of roads in her community of Boca Isles is scheduled, vegetative debris found at 4<sup>th</sup> Avenue and 11<sup>th</sup> Place which is attracting homeless people, red fire ants at the park near Boca Isles, opposition to a sober house located near the same park, burying power lines in her neighborhood, and a possible hedge violation on 4<sup>th</sup> Court which has created a blind spot for drivers. Mayor Abrams and Mr. Ahnell advised that Code Enforcement would be notified to inspect the debris and the hedge violation; the appropriate department would address the fire ants, and Mr. Ahnell would contact her regarding the schedule for paving the roads. Mayor Abrams advised that the City is currently in litigation over the sober house issue. Regarding the power lines, Ms. Jewelowicz was advised that she and her neighbors could contact Florida Power & Light to discuss burying the lines; Mr. Ahnell explained that this issue was previously researched and, several years ago, it would cost \$2-4 billion to underground the lines in the City.

Tina Felder addressed the Council, advising that she was unable to arrange a meeting with Judy Aigen of the Boca Raton Housing Authority. Mayor Abrams explained that the Housing Authority is a separate

entity from the City; however, the City Clerk would contact Ms. Felder with information related to the time and date of the next meeting of the Housing Authority.

**REGULAR BUSINESS - PART VII- RESOLUTIONS AND OTHER BUSINESS:**

There were no items for consideration.

**CITY MANAGER RECOMMENDATIONS AND REPORTS:**

12. Meet Me Downtown – Alcoholic Beverage Permit

Mr. Ahnell asked for authorization from Council to sign and issue the alcoholic beverage permit for the upcoming Meet Me Downtown event scheduled for March 4-5, 2006. Council had no objections.

**CITY ATTORNEY REPORTS:**

Hazard Mitigation Grant

The City Attorney and Municipal Services Director Bob DiChristopher advised that the grant award required the Mayor's signature; however, the resolution that was passed by Council at a prior meeting designated the City Manager as the signatory. She asked for confirmation from Council that the Mayor's execution of that grant was acceptable.

*Motion was made by Deputy Mayor Whelchel, seconded by Council Member Hager, to authorize the Mayor to execute the Hazard Mitigation Grant. Motion carried unanimously on a voice vote; Mayor Abrams, Deputy Mayor Whelchel, Council Members Baronoff, Hager and Haynie voting yes.*

**MAYOR AND COUNCIL MEMBER REPORTS:**

Council Member Haynie confirmed with Municipal Services Director Bob DiChristopher that mobilization began today regarding dredging of the ebb shoal in the Boca Raton Inlet; she then spoke positively in reference to the new Bicycle Suitability Map for Boca Raton and asked for an update on the proposed bicycle lanes on SW 13<sup>th</sup> Street, between SW 9<sup>th</sup> Avenue and SW 12<sup>th</sup> Avenue. The City Manager explained that the City bid the project and it came in at three times the budgeted price, due to soaring construction costs; the project is currently under review to determine feasibility. Ms. Haynie's final comments related to the proposed Mizner Trail project and she questioned rumors that the City of Boca Raton was interested in buying the Mizner Trail golf course; Council indicated that the City had no plans to purchase the golf course.

Council Member Baronoff clarified questions he tendered at yesterday's workshop regarding the Boca Raton Resort & Club related to conversion of hotel units to residential condo units. He then asked when the workshop on emergency communications and hurricane preparation would be scheduled; Mr. Ahnell indicated that it would be soon – staff was coordinating with homeowners' associations at this time. Mr. Baronoff also questioned how residents might determine what Board positions are currently vacant; residents may contact the City Clerk for that information. On the topic of the six-month financial review he requested at a prior meeting, Mr. Baronoff asked that a date be set and, finally, he requested that literature be created regarding the charter amendments coming before the voters in March. Mr. Ahnell explained that educational mailers were being prepared now and the six-month financial review would be held in conjunction with review of the Certified Annual Financial Report (CAFR), probably in the first week of April.

Council Member Hager advised that he was looking forward to serving another term on Council for a few more years. (At the end of the qualification period on February 10, 2006, Mr. Hager was unopposed.)

Deputy Mayor Whelchel indicated that workforce housing is a top priority and should be included in the upcoming goal setting sessions.

Mayor Abrams suggested that Council take up Commissioner Greene's challenge and create a diversity proposal that would qualify for her fund (as outlined in the County Commission meeting earlier today related to Scripps).

**ADJOURNMENT:**

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

The regular meeting of the City Council of the City of Boca Raton adjourned at approximately 7:00 p.m. on Tuesday, February 14, 2006.

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Steven L. Abrams, Mayor

ATTEST:

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Sharma Carannante, City Clerk