

MINUTES OF THE REGULAR MEETING  
CITY COUNCIL  
CITY OF BOCA RATON, FLORIDA  
TUESDAY, JANUARY 9, 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 6:10 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:**

There were no amendments to the agenda.

**MINUTES:**

Minutes of the Regular Workshop Meeting of December 11, 2006  
Minutes of the Regular Meeting of December 12, 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:**

There were no proclamations, recognitions, or awards presented.

## **REGULAR BUSINESS - PART I:**

### 1. Appointments to the following boards:

There were no applicants to consider.

### 2. Responses to Workshop Information Requests:

The City Manager advised that responses to workshop requests would be provided in the presentations this evening.

### 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 minus Item No. 3.a.1. (Software Licenses for Police Mobile Dispatch System), which was considered separately, immediately following the Consent Agenda. Motion carried unanimously; Mayor Abrams, Deputy Mayor Whelchel, Council Members Arts, Baronoff and Hager voting yes.*

#### b. Resolution No. 2-2007

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an agreement with Bermello Ajamil & Partners, Inc. for the purpose of consulting services for the Downtown Library; providing for severability; providing for repealer; providing an effective date

#### c. Resolution No. 3-2007

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute the First Amendment to Agreement 05PB3 with the Florida Department of Environmental Protection for the purpose of reimbursable funding for the design and permitting, construction and monitoring of the South Boca Raton Beach Nourishment Project; providing for severability; providing for repealer; providing an effective date

#### d. Board Resignations

- 1) Resignation of Joan U. Upshaw from the Education Advisory Board
- 2) Resignation of Yuri Konnikov from the Education Advisory Board

#### e. Receive and File Board Minutes – January 9, 2007

- 1) Citizen's Pedestrian and Bikeway Advisory Board  
November 13, 2006
- 2) Community Appearance Board  
November 14, 2006  
November 21, 2006  
November 28, 2006  
December 5, 2006  
December 12, 2006

- 3) Community Relations Board  
September 18, 2006  
October 23, 2006 (Joint Meeting With Education Advisory Board)
- 4) Downtown Visions Committee  
September 13, 2006
- 5) Education Advisory Board  
October 3, 2006
- 6) Elder Affairs Advisory Board  
November 1, 2006
- 7) Environmental Advisory Board  
September 21, 2006
- 8) Executive Employees' Retirement Plan Board  
September 27, 2006
- 9) Financial Advisory Board  
October 16, 2006
- 10) Historic Preservation Board  
October 4, 2006 (Workshop)  
October 17, 2006
- 11) Library Advisory Board  
October 18, 2006
- 12) Marine Advisory Board  
November 1, 2006
- 13) Parks and Recreation Board  
November 8, 2006
- 14) Physically and Mentally Challenged Board  
November 2, 2006
- 15) Special Master  
June 14, 2006  
October 25, 2006
- 16) Telecommunications Advisory Board  
November 6, 2006
- 17) Zoning Board of Adjustment  
October 12, 2006

Mayor Abrams indicated that the vendor, Sungard HTE Inc., was a client of his firm in Philadelphia. Consequently, he recused himself from the vote.

*Motion was made by Council Member Arts, seconded by Council Member Hager, to approve Consent Agenda Item 3.a.1. Motion carried 4-0; Deputy Mayor Whelchel, Council Members Arts, Baronoff and Hager voting yes.*

3.a. Sole Source

- |    |   |           |
|----|---|-----------|
| 1) | Software Licenses for Police Mobile Dispatch System<br>Requested by Police Services<br>Sungard HTE Inc. | \$208,500 |
|----|---|-----------|

**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. 1-2007

A resolution of the City of Boca Raton granting conditional use approval for LA Fitness athletic facility on a parcel of land located at 4950 Technology Way; providing for severability; providing for repealer; providing an effective date (CA-06-07)

Mayor Abrams advised that quasi-judicial procedure would be followed; the City Clerk administered the oath to those who indicated they wished to speak.

Development Services Planner Daryl Johnson gave the PowerPoint presentation. He explained that this petition, if approved, would allow for a 45,000 square foot athletic facility and a technical deviation from Chapter 28 to provide for off-site parking and a reduction in required parking. Since LA Fitness at Boca Village would be sharing parking with an adjacent property, Boca Village Corporate Centre, a request for site plan modification (SPA-05-08R2) for Boca Village Corporate Centre was accompanying this petition; it was noted that both properties are requesting parking space reductions. Mr. Johnson then provided brief background information on these parcels, which reside in the Boca Technology Center DRI (Development of Regional Impact). Acreage, zoning, and land use designations for both properties were provided. Attention was then focused on the site plan for LA Fitness. Regarding the site plan for Boca Village Corporate Centre, Mr. Johnson advised that there would be no increase in square footage, no change in design, and no increase in trip generations associated with this petition.

The technical deviations requested by both properties, related to parking, were addressed; details were provided. Both properties are participating in the City's Traffic Demand Management (TDM) Program. That, in conjunction with the results of a Shared Parking Analysis provided by the applicant, qualified both entities to utilize the TDM Program's 5% parking reduction provision. Therefore, the total amount of parking spaces for both sites would be 880. Mr. Johnson advised that the Planning and Zoning Board recommended approval of the technical deviation requests with two conditions: 1) a new Condition 13 to require a raised pedestrian crosswalk on Technology Way, and 2) a new Condition 14 to require that the crosswalk on Technology Way be lit and properly signed with pedestrian crosswalk signage. Staff also recommended approval of the petitions with the conditions included in the resolution. Mr. Johnson and Mr. Ahnell then provided additional information to Council, as requested, related to the parking reduction.

Jeff Evans, a planning consultant with Broad and Cassel and representing the petitioner, responded to questions from Council regarding parking. Seeing no one else come forward to speak, the public hearing was closed.

*Motion was made by Deputy Mayor Whelchel, seconded by Council Member Hager, to adopt Resolution No. 1-2007. Motion carried unanimously; Mayor Abrams, Deputy Mayor Whelchel, Council Members Arts, Baronoff and Hager voting yes.*

**REGULAR BUSINESS – PART III – REGULAR PUBLIC HEARINGS:**

5. Ordinance No. 4964

An ordinance of the City of Boca Raton amending the Future Land Use Map of the Comprehensive Plan by redesignating certain property consisting of 1.4 acres, more or less, located at 1800 N. Military Trail, as more specifically described herein, from Commercial (C) to Conservation (N); providing for the appropriate revisions of the Future Land Use Map; providing for severability; providing for repealer; providing an effective date (SC-06-13)

Development Services Planner Daryl Johnson gave the PowerPoint presentation. Zoning, land use designation, and specific location were provided. Essentially, a condition of approval related to the site plan for the 1800 N. Military Trail project (SPA-04-25) required establishment of a conservation area, or environmental preserve, within the site; approval of this ordinance would accomplish that condition, providing two conservation areas. It was noted that an analysis of the natural and historic resources was conducted by the applicant, resulting in a comprehensive assessment of the environmental significance of the site. Mr. Johnson then reviewed the objectives of an Environmental Resource Management Plan. He concluded his presentation by advising that the Planning and Zoning Board reviewed this request and recommended approval of same, as did staff.

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

*Motion was made by Council Member Hager, seconded by Deputy Mayor Whelchel, to adopt Ordinance No. 4964. 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:**

There were no items for consideration.

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

John Stetz spoke to water conservation, advocating a desalinization plant; he also advocated the use of solar energy and wind farm generators.

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

There were no items for consideration.

**CITY MANAGER RECOMMENDATIONS AND REPORTS:**

6. Request to Commence Procedure for Removal of Board Member.

The City Manager advised that staff made repeated attempts to contact Charlotte Robinson, an appointee to the Elder Affairs Advisory Board, to discuss lack of attendance; their efforts came to no avail. Consequently, he asked for and received authorization from Council to commence the procedure for removal.

Update on Iguana Proliferation

Mr. Ahnell reviewed a staff report, previously provided in August 2006, and indicated that controlling the iguana population would be a costly and lengthy endeavor; details were provided. Recommendations for discouraging iguanas included use of a garlic spray, avoiding certain plants, and not feeding the animals.

During discussion, it was suggested that homeowner associations be provided with information related to local trapping businesses and animal cruelty laws in the event that they might desire to be proactive in resolving this problem. Council also generally agreed that the County should implement legislation banning the sale of exotic species.

**CITY ATTORNEY REPORTS:**

The City Attorney had nothing to report at this time.

**MAYOR AND COUNCIL MEMBER REPORTS:**

Mayor Abrams referred to the meeting being held today by the Department of Transportation (DOT) regarding the resurfacing of Federal Highway and asked that staff apprise Council of the results of same.

**ADJOURNMENT:**

*Motion was made by Council Member Hager, seconded by Mayor Abrams, 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 6:47 p.m. on Tuesday, January 9, 2007.

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Steven L. Abrams, Mayor

ATTEST:

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Sharma Carannante, City Clerk