The Regular Meeting of the City Council of the City of Boca Raton, Florida was called to order by Mayor Susan Haynie at 6:01 PM.

1. **INVOCATION:**
   Council Member Rodgers offered the invocation.

2. **PLEDGE OF ALLEGIANCE TO THE FLAG:**

3. **ROLL CALL:**

   Mayor Susan Haynie
   Deputy Mayor Michael Mullaugh
   Council Member Jeremy Rodgers
   Council Member Scott Singer

   Council Member Robert S. Weinroth was absent.

4. **AMENDMENTS TO THE AGENDA:**

   The City Manager recommended that Resolution No. 46-2017, which reschedules the Workshop and Council meetings from April 24 and 25 to April 18 and 19, respectively, be added to the agenda as item 16.B.

   **Motion was made by Council Member Jeremy Rodgers, seconded by Deputy Mayor Michael Mullaugh, to amend the agenda as stated. Motion carried unanimously on a voice vote.**

   The City Manager proposed that a discussion of the sale of the western golf course be added as item 16.C.

   **Motion was made by Deputy Mayor Michael Mullaugh, seconded by Council Member Jeremy Rodgers, to amend the agenda as stated. Motion carried unanimously on a voice vote.**

   A revision to Resolution No. 41-2017 and an additional Marine Advisory Board application were noted.

5. **MINUTES:**

   A. Minutes of the Workshop Meeting of February 27, 2017
   [Minutes]
   
   B. Minutes of the City Council and CAB Roundtable Discussion of February 27, 2017
   [Minutes]
   
   C. Minutes of the City Council and GBR Beach & Park District Joint Meeting of February 28, 2017
   [Minutes]
   
   D. Minutes of the Regular Meeting of February 28, 2017
   [Minutes]

   **Motion was made by Deputy Mayor Michael Mullaugh, seconded by Council Member Jeremy Rodgers, to approve the minutes as presented. Motion carried unanimously on a voice vote.**

6. **PROCLAMATIONS/PRESENTATIONS:**

   A. Proclamation - 102nd Anniversary of Armenian Genocide
   [Proclamation]
The proclamation was accepted by Arsine Kaloustian-Rosenthal joined by members of St. David Armenian Church.

7. **BOARD APPOINTMENTS:**

A. **Business Improvement District (BID) Steering Committee**
   Vacancy Sheet and Application

   Motion was made by Council Member Scott Singer, seconded by Deputy Mayor Michael Mullaugh, to appoint Angelo Gasparri to the Business Improvement District (BID) Steering Committee. Motion carried unanimously on a voice vote.

B. **Civil Service Board**
   Vacancy Sheet and Applications

   Motion was made by Deputy Mayor Michael Mullaugh, seconded by Council Member Jeremy Rodgers, to appoint Merv Timberlake to the Civil Service Board. Motion carried unanimously on a voice vote.

C. **Community Advisory Panel**
   Vacancy Sheet and Applications

   Eric Gooden interviewed.

   Motion was made by Council Member Jeremy Rodgers, seconded by Deputy Mayor Michael Mullaugh, to appoint Jon Carter, Eric Gooden, Meredith Madsen and Andy Thomson to the Community Advisory Panel for terms ending March 31, 2017. Motion carried unanimously on a voice vote.

   Motion was made by Council Member Scott Singer, seconded by Council Member Jeremy Rodgers, to appoint Tika Esler to the Community Advisory Panel for a term ending March 31, 2019. Motion carried unanimously on a voice vote.

D. **General Employees’ Pension Board**
   Vacancy Sheet and Application

   Motion was made by Deputy Mayor Michael Mullaugh, seconded by Council Member Jeremy Rodgers, to appoint Nicole Gasparri to the General Employees’ Pension Board. Motion carried unanimously on a voice vote.

E. **Marine Advisory Board**
   Vacancy Sheet and Applications

   Motion was made by Council Member Scott Singer, seconded by Deputy Mayor Michael Mullagh, to reappoint John Chluski and Gene Folden to the Marine Advisory Board. Motion carried unanimously on a voice vote.

F. **Planning and Zoning Board**
   Vacancy Sheet and Applications

   Glenn Gromann withdrew his application.

   Motion was made by Council Member Scott Singer, seconded by Council Member Jeremy Rodgers, to appoint William Fairman and Larry Snowden to the Planning and Zoning Board. Motion carried unanimously on a voice vote.

G. **Police and Firefighters’ Retirement System**
   Vacancy Sheet and Applications
David Birkman and Michael Indiviglio interviewed.

Motion was made by Deputy Mayor Michael Mullaugh, seconded by Council Member Jeremy Rodgers, to reappoint David Birkman and Michael Indiviglio to the Police and Firefighters’ Retirement System. Motion carried unanimously on a voice vote.

8. RESPONSES TO WORKSHOP INFORMATION REQUESTS:

The City Manager reported that three Financial Advisory Board terms expire in August. Discussion followed regarding possible expansion of the Board.

9. CONSENT AGENDA:

A. Sealed Bids

1) Lift Station Rehabilitation & Repair; Requested by Utility Services; TV Diversified, LLC $1,200,000
2) Solar Salt (Bulk) Delivery & Supply; Requested by Utility Services; Morton Salt, Inc. $143,400
3) Color Reduction Chemical; Requested by Utility Services; KED Group, Inc. $88,875
4) Painting Services; Requested by Municipal Services; J&J Inc. dba Eagle Painting $50,640

B. Competitive Sealed Proposal

1) Motor Coach Bus Transportation Services; Requested by Recreation Services; Academy Bus, LLC $145,000

C. Intergovernmental Agreements

1) Gasoline and Diesel Fuel; Requested by Municipal Services, Utility Services; Port Consolidated, Inc. $415,200
2) Minor Construction for Various City Projects; Requested by Municipal Services, Utility Services; Shiff Construction & Development, Inc. $290,616
3) Trailer Mounted Generators (Replacements); Requested by Municipal Services; Mid-Florida Diesel, Inc. $162,670
4) Demolition of T-Rex Building; Requested by Municipal Services; Shiff Construction & Development, Inc. $134,568
5) Heavy Duty Trucks (New and Replacement); Requested by Municipal Services; Palmetto Ford Truck Sales, Inc. $132,865
6) Traffic Signalization Equipment; Requested by Municipal Services; Temple, Inc., Iteris, Inc. $131,728
7) Laboratory Supplies; Requested by Utility Services; Fisher Scientific Company, LLC $120,000
8) Office Supplies;
   Requested by City Wide;
   Office Depot
   $110,000

9) Roof Maintenance and Repairs;
   Requested by Municipal Services;
   Advanced Roofing, Inc.
   $108,435

10) Articulating Wheel Loader;
    Requested by Municipal Services;
    Everglades Farm Equipment
    $77,857

11) Traffic Signal Communication Network and Camera Upgrades;
    Requested by Municipal Services;
    Express Supply, Inc.
    $76,110

12) Trailer Mounted By-Pass Pump;
    Requested by Municipal Services;
    Thompson Pump and Manufacturing Company, Inc.
    $54,999

D. Resolution No. 38-2017
   A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a
   revocable land use agreement for a community garden with the Junior League of Boca Raton,
   Inc.; providing for severability; providing for repealer; providing an effective date
   Resolution No. 38-2017

E. Resolution No. 39-2017
   A resolution of the City of Boca Raton authorizing the City Manager to execute an interlocal
   agreement with Northern Palm Beach County Improvement District for the purpose of conducting
   certain activities that are necessary to be in compliance with the National Pollutant Discharge
   Elimination System (NPDES) Permit No. FLS000018 issued by the United States Environmental
   Protection Agency; providing for severability; providing for repealer; providing an effective date
   Resolution No. 39-2017

F. Resolution No. 40-2017
   A resolution of the City of Boca Raton authorizing the City Manager to apply for a grant from the
   Florida Inland Navigation District Waterways Assistance Program for Phase 1 engineering,
   permitting and design of the Lake Wyman and Rutherford Park Restoration Project; 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
   Resolution No. 40-2017

G. Resolution No. 42-2017
   A resolution of the City of Boca Raton establishing a citizen oversight committee to provide citizen
   review of the expenditure of infrastructure surtax proceeds; providing for the membership,
   quorum, powers and duties of the Citizen Oversight Committee; providing for severability;
   providing for repealer; providing an effective date
   Resolution No. 42-2017

H. Resolution No. 43-2017
   A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an
   agreement with Zoll Medical Corporation for the purpose of purchasing cardiac
   monitors/defibrillators, associated accessories and annual maintenance; providing for
   severability; providing for repealer; providing an effective date
   Resolution No. 43-2017
I. Resolution No. 44-2017
A resolution of the City of Boca Raton authorizing the City Manager to execute an agreement with Johnson Controls, Inc. for the purpose of upgrading and expanding existing access control equipment; providing for severability; providing for repealer; providing an effective date

Resolution No. 44-2017

J. Resolution No. 45-2017
A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 28 with Mock, Roos & Associates, Inc. for the purpose of providing professional engineering services to update the City of Boca Raton Stormwater Management Master Plan; providing for severability; providing for repealer; providing an effective date

Resolution No. 45-2017

K. Board Resignations
1) Charles Farthing from the Community Advisory Panel
2) Jason Mankoff from the Civil Service Board

Resignations

L. Certification of Election
1) Tory Buckman as a Firefighter member to the Board of Trustees for Police & Firefighters Retirement System

Certification

M. Board Minutes Received
1) Community Advisory Panel
   February 9, 2017
2) Community Appearance Board
   February 7, 2017
   February 14, 2017
   February 21, 2017
3) Downtown Boca Raton Advisory Committee
   February 1, 2017
4) General Employees’ Pension Board
   December 8, 2016
   January 12, 2017
   January 12, 2017 DSS
5) Library Board
   January 18, 2017
6) Planning and Zoning Board
   February 9, 2017
7) Police and Firefighters’ Retirement System
   December 22, 2016
   January 26, 2017
8) Special Magistrate
   November 9, 2016 Parking
   November 9, 2016 Code Minutes

Mayor Haynie provided an opportunity for public comment. Jay Abrams, Financial Advisory Board (FAB) member, commented on the resolution regarding appointment of the FAB as the sales tax oversight committee and the possible addition of members. He then responded to questions from Council.

Motion was made by Deputy Mayor Michael Mullaugh, seconded by Council Member Jeremy Rodgers, to approve the Consent Agenda. Motion carried 4 to 0; Mayor Susan Haynie, Deputy Mayor Michael Mullaugh, Council Member Jeremy Rodgers, Council Member Scott Singer voting yes.
10. **QUASI-JUDICIAL CONSENT AGENDA:**

There was no business to consider.

11. **QUASI-JUDICIAL AND RELATED PUBLIC HEARINGS:**

There was no business to consider.

12. **REGULAR PUBLIC HEARINGS:**

   **A. Ordinance No. 5369**
   
   An ordinance of the City of Boca Raton amending Chapter 28 "Zoning," Code of Ordinances, to incorporate new provisions relating to self-storage facilities (interior storage unit access); amending Section 28-307(1) relating to building intensity; amending the C-1 District regulations, Sections 28-872 and 28-873; amending the W-1 District regulations, Sections 28-1017 and 28-1019; amending the IG/Sl District regulations, Sections 28-1042 and 28-1043; amending the M-1 District regulations, Sections 28-1072 and 28-1073; amending the M-2 District regulations, Sections 28-1097 and 28-1098; amending the M-3 District regulations, Sections 28-1123 and 28-1124; amending Article XV, Supplementary District Regulations, Division 1, by creating a new Section 28-1310 entitled "Self-Storage Facility (interior storage unit access)" and establishing development standards for such use; providing for severability; providing for repealer; providing for codification; providing an effective date (AM-15-03)

   Ordinance No. 5369

The City Manager noted that this item had been presented and continued multiple times and staff recently held a workshop on the subject with interested parties, an update on which was presented at the March 27 Workshop Meeting. Development Services Director Brandon Schaad and Senior Planner Ingrid Allen were available for questions.

The public hearing was opened. Charles Siemon, Gray Robinson, shared that an agreement on ordinance language was reached with Bonnie Miskel, Dunay Miskel Backman, but not with Michael Weiner. Ele Zachariades, Dunay Miskel Backman, provided information on the work being done on language intended to satisfy all parties. She provided a handout identifying proposed language changes and reviewed the recommendations. She then responded to members’ questions. Michael Weiner, on behalf of Chris Baczewski, stated that work on acceptable language continued but felt that an agreement would not be reached tonight. Mr. Baczewski distributed a letter was to Council members and requested that the item be continued to provide adequate time to reach agreement on language that will address everyone’s concerns. Mr. Weiner commented further, expressing concerns with passage of the ordinance and possible detriment to the self-storage industry in Boca Raton. Glenn Gromann commented on the possibility of including self-storage as a use in LIRP districts to address the underuse of properties in the Park at Broken Sound. Seeing no one else come forward to speak, the public hearing was closed.

Council members briefly discussed a continuance.

   **Motion was made by Deputy Mayor Michael Mullaugh, seconded by Council Member Jeremy Rodgers, to postpone Ordinance No. 5369 to the next regular City Council meeting.**

Members made final comments. The City Attorney provided an update on the legal challenge to the previously adopted Comp Plan amendment and the effect of same on consideration of this ordinance.

   **Motion carried 4 to 0; Mayor Susan Haynie, Deputy Mayor Michael Mullaugh, Council Member Jeremy Rodgers, Council Member Scott Singer voting yes.**

13. **REGULAR PUBLIC HEARINGS/SETTLEMENTS:**

There was no business to consider.
14. **INTRODUCTION OF ORDINANCES:**

   **A. Ordinance No. 5385**
   An ordinance of the City of Boca Raton amending Section 4-2, Code of Ordinances; affirming and providing for uniform hours of operation for all alcoholic beverage vendors in the City; providing a time period for compliance in annexed areas; providing for severability; providing for repealer; providing for codification in the Code of Ordinances; providing an effective date
   
   Ordinance No. 5385
   The ordinance was introduced by Mayor Haynie.

   **B. Ordinance No. 5388**
   An ordinance of the City of Boca Raton amending the fiscal year 2016-2017 budget through the Second Budget Amendment to create an Infrastructure Surtax Fund for the purpose of accepting and disbursing funds received from the Florida Department of Revenue for the Palm Beach County Infrastructure Surtax; providing for severability; providing for repealer; providing an effective date
   
   Ordinance No. 5388
   The ordinance was introduced by Council Member Jeremy Rodgers.

15. **PUBLIC REQUESTS:**

   Jan Grenell commented on the traffic and speeding cars along A1A.

   Thomas Mullin, on behalf of the owners of Nippers; Danny Rosenberg, General Manager of Nippers; Jarett Loperfito, on behalf of Blue Martini; Bruce Gregory, General Manager of Blue Martini; and Sergio Vera all expressed opposition to a change in the hours for service of alcohol in the City.

   Karen Golembeski expressed opposition to the proposed purchase price of the Ocean Breeze golf course.

   Jerome Ruderman, Via Verde HOA, noted that his group will be present for the hearing on the change to the hours for service of alcohol.

16. **RESOLUTIONS AND OTHER BUSINESS:**

   **A. Resolution No. 41-2017**
   A resolution of the City of Boca Raton establishing the “Increased Ethics Standards Act”; directing the City Clerk to revise the application form for positions on City boards and committees to provide for additional disclosures; providing for supplemental disclosures by appointed board members; providing for severability; providing for repealer; providing an effective date
   
   Resolution No. 41-2017
   Council Member Singer commented on ethics in government and his proposal for further disclosures to be made by board members and applicants. He noted that the questions seek to provide more complete information as Council members consider board applicants. Discussion ensued.

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

   *Motion was made by Council Member Scott Singer, seconded by Deputy Mayor Michael Mullaugh, to approve Resolution No. 41-2017 as revised. Motion carried 4 to 0; Mayor Susan Haynie, Deputy Mayor Michael Mullaugh, Council Member Jeremy Rodgers, Council Member Scott Singer voting yes.*
B. Resolution No. 46-2017

A resolution of the City of Boca Raton rescheduling a certain City Council regular meeting from April 25, 2017, to April 19, 2017; rescheduling a certain City Council workshop meeting from April 24, 2017, to April 18, 2017; providing for severability; providing for repealer; providing an effective date

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

*Motion was made by Council Member Jeremy Rodgers, seconded by Council Member Scott Singer, to approve Resolutions No. 46-2017.*

Council Member Singer made final comments regarding the reasons for the rescheduling.

*Motion carried 4 to 0; Mayor Susan Haynie, Deputy Mayor Michael Mullaugh, Council Member Jeremy Rodgers, Council Member Scott Singer voting yes.*

C. Discussion of the Sale of the Western Golf Course

George Brown, Deputy City Manager, gave a PowerPoint presentation summarizing the three proposals for the western golf course - Compson Boca Argent, GL Homes, Lennar. A handout was provided. Topics included, but were not limited to contingencies, price, various deposits, inspection period, closing date, and unique options. The possible actions for Council were listed. Mr. Brown then responded to questions from Council members.

Representatives of the three proposers were invited to speak. Richard Siemens, on behalf of the Compson proposal, noted that Compson was reconsidering their position and is serious about making a sale work. Kevin Ratterree, Vice President of GL Homes, gave a PowerPoint presentation reviewing the company's offer, comparing said offer to those of Lennar and Compson. He stated that the Lennar and Compson offers had a number of contingencies that the GL Homes contract offer did not. Mr. Ratterree concluded by advocating for acceptance of the GL Homes offer. Alan Fant, Senior Vice President of GL Homes, advocated for their offer and asked that Council give staff direction to work with them on a contract. Mitch Kirschner, GrayRobinson on behalf of Lennar, rebutted many of the claims made regarding contingencies. He advocated for the Lennar contract. Bruce Grundt, Lennar Vice President, responded to a number of previous comments, noting that Lennar has worked with the City in the past. Bob Comparato, Compson Development, voiced objection to the rushed process and requested a postponement of any decision.

The public comment period was opened. Larry Snowden commented on the vulnerability of the City to possible environmental impacts. Jack Johnson commented on traffic and voiced opposition to development at the golf course. Mitch Kirschner objected to allowing Neil Schiller to speak on behalf of GL Homes. Mr. Schiller asked to be allowed to respond to several previous points. Chaim Glazer commented on the Compson pledge to donate land to the Torah Academy. Terri Murruru thanked the Council for their service and addressed the charitable element of the offers. Doug Coller suggested that negotiations on the western course would affect the efforts on the Ocean Breeze course. He requested any decision be continued. Seeing no one else come forward to speak, the public comment was period close.

Time was provided for rebuttal. Mitch Kirschner, on behalf of Lennar, noted that the contracts speak for themselves and reiterated his feeling that the process has not been fair. Neil Schiller, on behalf of GL Homes, turned to Kevin Ratterree to rebut various previous comments with regard to Lennar's contingencies. Bob Comparato, Compson, noted the support their proposal has received and reiterated his objection to the proceedings.

Mr. Kirschner responded to questions regarding provisions of the Lennar contract. Deputy City manager George Brown noted that the staff performed summary reviews of the contracts. Members commented. In general, members agreed that a decision was premature and thanked all those who spoke tonight. Mr. Brown responded to a question regarding issuing a form contract which proposers would complete and the process thus far. The Mayor noted that clarity was needed with regard to the contingencies. Mr.
Brown recommended that staff work on a full picture. City Manager Leif Ahnell provided information on the progress of the Beach & Park District's acquisition of the Ocean Breeze property. He noted that the Council's joint meeting with the Beach & Park District is scheduled for May 8.

17. QUASI-JUDICIAL PUBLIC HEARINGS/VARIANCES & APPEALS:

A. Resolution No. 37-2017
A resolution of the City of Boca Raton considering a variance from the provisions of Section 24-96(c)(3), Code of Ordinances, to allow a total of two (2) flat signs where only one (1) flat sign is permitted for a location with one (1) frontage for McDonald's located at 2140 North Federal Highway; providing for repealer; providing an effective date (SCV-16-04)

Resolution No. 37-2017

The City Attorney reviewed the quasi-judicial procedures that would govern the public hearing. Members made their ex parte disclosures. The City Clerk administered the oath to all those who wished to speak.

Keith Carney, Zoning Officer, gave the PowerPoint presentation. The property location was identified, as was the location of the wall signs at the site. The variance request for the second wall sign was reviewed. Illustrative photographs of the property were provided. It was noted that the petitioner met all criteria demonstrating undue hardship. The Community Appearance Board (CAB) recommended approval. Staff recommends granting the variance. Mr. Carney then made himself available for questions.

The public hearing was opened. Jack Johnson voiced opposition to the variance. Seeing no one else come forward to speak, the public hearing was closed.

Mr. Carney responded to questions regarding the dissenting votes of two CAB members.

Motion was made by Deputy Mayor Michael Mullaugh, seconded by Council Member Jeremy Rodgers, to approve Resolution 37-2017 to grant the variance.

Council Member Singer commented on the visibility of the signs at the location in question and offered his support of the variance.

Motion carried 4 to 0; Mayor Susan Haynie, Deputy Mayor Michael Mullaugh, Council Member Jeremy Rodgers, Council Member Scott Singer voting yes.

18. CITY MANAGER RECOMMENDATIONS AND REPORTS:

The City Manager thanked Deputy Mayor Mullaugh for his support during his years on the Council. He then announced that a special CRA meeting would be held on Friday, March 31 to consider the rescheduling of the April 24 CRA meeting.

19. CITY ATTORNEY REPORTS:

The City Attorney reiterated Mr. Ahnell’s thanks to Deputy Mayor Mullaugh.

20. MAYOR AND COUNCIL MEMBER REPORTS:

Deputy Mayor Mullaugh thanked the voters and his family for allowing him to serve for the past 8 years, noting that it is a privilege to serve the citizens of Boca Raton.

Council Member Rodgers thanked Deputy Mayor Mullaugh for his service. He responded to some of the comments made in a recent news article referencing the Council's position with regard to parks, noting that the Council has continually supported our City parks.

Council Member Singer stated that it has been an honor to serve with Deputy Mayor Mullaugh. He also followed up on Council Member Rodgers comments and then turned to the need for Council to set their top priorities prior
to the upcoming goal setting sessions. Council Member Rodgers weighed in. The Mayor agreed that three to five personal priorities could be discussed at a meeting before goal setting. Discussion ensued.

Mayor Haynie expressed her thanks to Deputy Mayor Mullaugh. She highlighted the Organizational Meeting and noted the date and time of the upcoming public meeting to discuss the waterfront comprehensive plan.

21. **ADJOURNMENT:**

The meeting was adjourned without objection at approximately 9:00 pm.

______________________________
Susan Haynie, Mayor

ATTEST:

______________________________
Susan S. Saxton, City Clerk