

MINUTES OF THE REGULAR MEETING
CITY COUNCIL
CITY OF BOCA RATON, FLORIDA
TUESDAY, AUGUST 9, 2005
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 Hager, seconded by Council Member Haynie, to amend the agenda to add Resolution Nos. 138-2005 and 139-2005 to the Consent Agenda as Item Nos. 3.h. and 3.i. 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 July 25, 2005
Minutes of the Regular Meeting of July 26, 2005

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 Abrams, Deputy Mayor Whelchel, Council Members Baronoff, Hager and Haynie voting yes.

PROCLAMATIONS/RECOGNITIONS:

There were no proclamations or recognitions.

REGULAR BUSINESS - PART I:

1. Appointments to the following boards:

- a. North Federal Highway Steering Committee – one (1) vacancy, due to resignation of Carrie Lynn, in the category of “Residential Property Owner.”

Annette Farenga expressed interest in the position.

Motion was made by Deputy Mayor Whelchel, seconded by Council Member Hager, to appoint Annette Farenga to the North Federal Highway Steering Committee in the category of “Residential Property Owner.” Motion carried unanimously on a voice vote; Mayor Abrams, Deputy Mayor Whelchel, Council Members Baronoff, Hager and Haynie voting yes.

Ms. Farenga was appointed to the Committee.

2. Responses to Workshop Information Requests:

The City Manager advised that the responses to questions from yesterday’s workshop would be followed up in memorandums; there were no reports this evening.

3. Consent Agenda:

Motion was made by Deputy Mayor Whelchel, seconded by Council Member Hager, to adopt the Consent Agenda as amended. Motion carried unanimously on a voice vote; Mayor Abrams, Deputy Mayor Whelchel, Council Members Baronoff, Hager and Haynie voting yes.

a. Sealed Bid

- 1) Restoration of the Lime Treatment Unit
Requested by Utility Services
Intrastate Construction Corp. \$674,112

b. Competitive Sealed Proposal

- 1) Uniform Rental Service
Requested by Recreation Services
Municipal Services
Utility Services
Fire Rescue Services
Financial Services
VanDyne Crotty Company d/b/a Spirit
Services Company \$190,557

c. Sealed Bid - Renewal

- 1) Emergency Medical Supplies - Renewal
Requested by Fire Rescue Services
Boundtree Medical, Inc., Southeastern Emergency
Equipment, & Tri-Anim Health Services, Inc. \$95,000

d. Intergovernmental Agreements

- 1) Network Switch - Replacement
Requested by Municipal Services
Datacom Distribution, Inc. \$34,558

- 2) Portable Radios
Requested by Police Services
Motorola \$35,196

e. Resolution No. 132-2005

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute Work Order No. 15 with Kimley-Horn and Associates, P.E. for the purpose of providing professional services to design the Federal Highway bicycle lanes between Glades Road and Yamato Road; providing for severability; providing for repealer; providing an effective date

f. Board Resignations:

- 1) Resignation of Carrie Lynn from the North Federal Highway Steering Committee
- 2) Resignation of Joan Upshaw from the Community Relations Board

g. Receive and File Board Minutes – August 9, 2005

- 1) Community Appearance Board
 - July 5, 2005
 - July 12, 2005
 - July 19, 2005
- 2) Education Advisory board
 - June 27, 2005
- 3) Historic Preservation Board
 - June 21, 2005
- 4) Pearl City Blue Ribbon Committee
 - April 28, 2005
- 5) Planning and Zoning Board
 - June 23, 2005
- 6) Special Master
 - June 22, 2005

h. Resolution No. 138-2005

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute Project Agreement No. 1A with Kaufman Lynn, Inc., General Contractors, for the purpose of providing pre-construction phase services for the police/fire training facility; providing for severability; providing for repealer; providing an effective date

i. Resolution No. 139-2005

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an agreement with Kaufman Lynn, Inc, General Contractors for the purpose of providing services to the City of Boca Raton; providing for severability; providing for repealer; providing an effective date

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

Motion was made by Council Member Haynie, seconded by Council Member Hager, to adopt the Quasi-judicial Consent Agenda. Motion carried 4-0 on a voice vote; Mayor Abrams, Deputy Mayor Whelchel, Council Members Hager and Haynie voting yes. Mr. Baronoff was not present for the vote.

4. Resolution No. 131-2005

A resolution of the City of Boca Raton granting tentative plat approval for the proposed Boca Lofts subdivision plat, subject to conditions; providing for severability; providing for repealer; providing an effective date (SUB-05-03)

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

There were no items for consideration.

REGULAR BUSINESS – PART III – REGULAR PUBLIC HEARINGS:

5. Ordinance No. 4882 (Second of two required public hearings)

An ordinance of the City of Boca Raton amending the Code of Ordinances relating to adult entertainment establishments ("Regulated Uses"); adding Regulated Uses to the list of permitted uses in W-1 and M-3 zoning districts; deleting Regulated Uses from the list of permitted uses in R-B-1, B-1, B-2, B-4, or C-1 zoning districts; amending definitions related to Regulated Uses; establishing intent and purpose and regulations related thereto; providing for severability; providing for repealer; providing for codification; providing an effective date

The court reporter was asked to identify herself; she stated that she was from Official Court Reporting and had been retained by Daniel Aaronson. The City Clerk then administered the oath to those who indicated they wished to speak on this petition.

The City Attorney gave the presentation. She explained that, prior to the first public hearing, a series of voluminous studies were provided to Council for review, as well as a summary of the studies and supplemental information. After the first public hearing, copies of a letter from Dr. Thomas Laird were distributed to Council, along with staff's response. Ms. Frieser advised that several options with regard to the ordinance were currently before Council. They were: 1) Option A – Restrictive Ordinance, based on the supplemental documents given to Council, and 2) Option B – Alternate Ordinance, which was discussed at the first public hearing; Option B attempts to address higher-end adult use establishments.

Ms. Frieser then focused on Ordinance No. 4886, known as the "Work ID / Certificate of Use" ordinance, which addressed identification requirements for certain employees of the adult use establishments, as well as certain supplemental Certificate of Use requirements.

The City Attorney advised that she had some additional suggested revisions, which she planned to distribute as the issues arose during the public hearing. Ms. Frieser stated that representatives from Weiss, Serota, et al, the City's outside counsel for this matter, were available to answer questions; she also thanked them for their assistance.

Dr. Tom Laird, representing South Congress Industrial Center, thanked the City for helping members of his group with this issue. Dr. Laird advised that no one was pleased to have this type of business come into the area; however, since it could not be prohibited by law, he advocated Option B, the alternate ordinance, as it would require a larger investment and, hopefully, the owners would "police their own."

The City Attorney advised that the issues outlined by Dr. Laird in his previous letter to Council had been addressed, specifically, concerns related to child-oriented businesses, parking and measurement. Dr. Laird commented positively on the revisions.

Attorney Daniel Aaronson, who advised that he had represented many adult use businesses in his career, advocated Option B, stating that it would foster a high-class establishment. He added that Option B offered only topless nudity and suggested that a provision for discreet full nudity be included to engender a more viable investment.

Seeing no one else come forward to speak, the public hearing was closed.

Responding to Council, the City Attorney answered questions related to protection of children in the subject area and off-site parking. She also provided a comparison of the two options in terms of square footage requirements and security staff requirements. In general, the biggest difference between the two options is that food and alcohol service is prohibited in Option A and allowed in Option B. Ms. Frieser confirmed with Council that these types of businesses cannot be prohibited but they can be regulated. She added that the current adult use regulations are outdated and, if challenged, might be found unconstitutional. In that case, any adult use business could take up residence in the City without being held to any regulations. A newer code is necessary as the community is now very developed; care must be taken to determine where these uses are most appropriate and will have the most de minimus impact on residential areas. She concluded her comments by stating that either option would be an improvement over what currently exists in the City Code.

Planning and Zoning Director Carmen Annunziato spoke to the issue of whether a bar would be allowed next to the adult use establishment; he explained that neither the M-3 nor the W-1 zoning districts allowed freestanding bars.

Responding to Council, the City Attorney advised that Rachel's, located in West Palm Beach, is an adult use establishment that has been promoted as the best of what adult use businesses have to offer; it was used as a model in reviewing this matter. Additional information was provided regarding the criminal activity ("secondary effects") that these types of businesses tend to attract, based on outside studies conducted previously. Ms. Frieser advised that the conclusions provided in the studies support Option A, which is more restrictive, in order to reduce the secondary effects of adult use establishments. She then distributed "Revised Option A, 08/09/2005 Compared to 07/26/2005" and explained that the majority of changes related to clarifications; details were provided regarding an outdoor viewing component (example: drive-in theater), lap dancing, adult material, and inclusion of a 100-foot regulation related to private performance areas.

Mayor Abrams confirmed with each member of Council that they had reviewed the ten studies submitted in connection with these ordinances.

Motion was made by Mayor Abrams, seconded by Council Member Hager, to adopt Ordinance No. 4882, "Revised Option A 08/09/2005 Compared to 07/26/2005". Motion carried unanimously; Mayor Abrams, Deputy Mayor Whelchel, Council Members Baronoff, Hager and Haynie voting yes.

a. Ordinance No. 4886

An ordinance of the City of Boca Raton amending the Code of Ordinances relating to the business of adult entertainment establishments; adding definitions related to adult entertainment establishments; establishing requirements and regulations related to individuals managing, operating or working in adult entertainment establishments; providing for severability; providing for repealer; providing for codification; providing an effective date

The City Attorney addressed some minor revisions, saying that this was a companion ordinance to Ordinance No. 4882. This ordinance would require an identification process for employees of adult use establishments to ensure that no minors are working there. In addition, it expands the City's Certificate of Use procedures to eliminate vagueness or uncertainty on the part of staff and affected businesses, as to how to comply with required procedures. Ms. Frieser explained that the ordinance entitled, "ID Card and Licensing Ordinance 08/09/2005 Compared to 07/27/2005,"

was revised to include identification of managers as well as performers; the application procedures were also changed to make it less of a submission requirement and more of a certification requirement to ensure privacy protections. Responding to Council, she then reviewed revisions of those offenses considered to be criminal acts, advising that some had been removed; details were provided.

Motion was made by Council Member Baronoff, seconded by Council Member Hager, to adopt Ordinance No. 4886, identified as "ID Card and Licensing Ordinance 08/09/2005 Compared to 07/27/2005." Motion carried unanimously; Mayor Abrams, Deputy Mayor Whelchel, Council Members Baronoff, Hager and Haynie voting yes.

6. Ordinance No. 4889

An ordinance of the City of Boca Raton authorizing the sale of a parcel of land consisting of approximately 0.0247 acre and located adjacent to 2555 N.W. Boca Raton Boulevard; providing for severability; providing for repealer; providing an effective date (SC-04-19)

Property Specialist/Appraiser Lynn Bodor gave the PowerPoint presentation. She explained that this was a petition to acquire a sliver of City-owned land, located between the sidewalk and the petitioner's school property at 2555 N.W. Boca Raton Boulevard; this small remnant of land was left over after the widening and realignment of N.W. Boca Raton Boulevard. The land already appears to be part of the adjacent site and, as such, the petitioner placed a monument sign on what they believed to be a portion of their site. There is no other area on their property in which to place the sign; consequently, they are seeking to purchase the excess land beneath the sign for \$6,463. All appropriate City departments and franchises were contacted and voiced support of the purchase, subject to obtaining a public utility easement over the property. The Planning and Zoning Board unanimously recommended approval of the petition as did staff.

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

Motion was made by Deputy Mayor Whelchel, seconded by Council Member Hager, to adopt Ordinance No. 4889. Motion carried unanimously; Mayor Abrams, Deputy Mayor Whelchel, Council Members Baronoff, Hager and Haynie voting yes.

7. Ordinance No. 4890

An ordinance of the City of Boca Raton providing for the vacation and abandonment of a Drainage Easement, located at 5255 Deerhurst Crescent Circle, as more specifically described herein; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (EA-05-03)

8. Ordinance No. 4891

An ordinance of the City of Boca Raton providing for the vacation and abandonment of a Drainage Easement, located at 1099 Spanish River Road, as more specifically described herein; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (EA-05-02)

9. Ordinance No. 4892

An ordinance of the City of Boca Raton providing for the vacation and abandonment of Dock Street located south of S.W. 18th Street at the El Rio and Hillsboro Canals, as more specifically described herein; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (AB-05-01)

The City Manager advised that there was no presentation on these ordinances this evening since these items were standard vacation and abandonments and simply a part of the normal course of business.

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

Motion was made by Deputy Mayor Whelchel, seconded by Council Member Haynie, to adopt Ordinance Nos. 4890, 4891, and 4892.

Ordinance No. 4890 was adopted on a 4-0 vote; Mayor Abrams, Deputy Mayor Whelchel, Council Members Hager and Haynie voting yes. Mr. Hager was not present for the vote.

Ordinance No. 4891 was adopted unanimously; Mayor Abrams, Deputy Mayor Whelchel, Council Members Baronoff, Hager and Haynie voting yes.

Ordinance No. 4892 was adopted unanimously; Mayor Abrams, Deputy Mayor Whelchel, Council Members Baronoff, Hager and Haynie voting yes.

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

There were no items for consideration.

REGULAR BUSINESS – PART V - INTRODUCTION OF ORDINANCES:

10. Ordinance No. 4893

An ordinance of the City of Boca Raton amending Article V, Chapter 9 of the Code of Ordinances, entitled "Sexual Offenders and Sexual Predators"; to prohibit sexual offenders and sexual predators convicted of crimes under certain Florida Statutes from living within 2,500 feet of specified locations; to provide for the annual registration of private school bus stops; providing for a definition of private school bus stops; providing for severability; providing for repealer; providing for codification; providing an effective date

The ordinance was introduced by Council Member Hager.

11. Ordinance No. 4895

An ordinance of the City of Boca Raton relating to rezoning; providing for the rezoning of a parcel of land consisting of 1.651 acres, more or less, located at 311 Yamato Road, as described more particularly herein, from R-B-1 (Motel-Business) to PO&I (Professional Office & Institution); providing for the appropriate revisions of the zoning district map; providing for severability; providing for repealer; providing an effective date (UC-04-07/ZC)

The ordinance was introduced by Council Member Haynie.

12. Ordinance No. 4897

An ordinance of the City of Boca Raton amending Section 2-153, Code of Ordinances, relating to membership of the Community Relations Board; providing for severability; providing for repealer; providing for codification; providing an effective date

The ordinance was introduced by Council Member Baronoff.

13. Ordinance No. 4898

An ordinance of the City of Boca Raton authorizing and directing the Mayor and City Clerk to execute Construction and Demolition Debris Roll-off Container Service Franchise Agreements with the vendors identified in Exhibit 'A', pursuant to Chapter 14, Code of Ordinances; providing for severability; providing for repealer; providing an effective date

The ordinance was introduced by Deputy Mayor Whelchel.

REGULAR BUSINESS - PART VI - PUBLIC REQUESTS:

No one came forward to speak.

REGULAR BUSINESS - PART VII- RESOLUTIONS AND OTHER BUSINESS:

There were no items for consideration.

**QUASI-JUDICIAL PUBLIC HEARING / REQUEST FOR VARIANCE
FROM CHAPTER 24 – SIGN CODE:**

14. Resolution No. 133-2005

A resolution of the City of Boca Raton granting variances from the provisions of Sections 24-96(b)1 and 24-123, Code of Ordinances, related to height, width, sign face area, number of signs, separation and number of tenant names permitted for a property located at 690 Yamato Road; providing for severability; providing for repealer; providing an effective date (SCV-05-02)

Mayor Abrams advised that quasi-judicial procedures would be followed. The City Clerk administered the oath to those who indicated they wished to speak on this matter.

Development Services Senior Planner Chris Kerr gave the PowerPoint presentation, advising that this item related to the Boca Village property, located at 690 Yamato Road; the petitioner wished to construct entry signage into the subdivision, which would require a total of six variances to the City Code. The proposal would allow for two types of subdivision signs to be located on either side of Technology Way. The base of the signs would straddle the sidewalks, creating an open archway to allow pedestrians to walk underneath. The signs are 19 feet in height and would face north. In addition, two freestanding identity signs are requested, again on both sides of Technology Way, facing in the opposite east-west direction. These signs would be nine feet, six inches in height, 28 feet in width, and include five tenants.

The Community Appearance Board reviewed the variances and unanimously recommended approval. As the proposed signage is consistent with all other requirements of the sign code and the petitioner is proposing a unique sign program, staff also recommends approval in accordance with the conditions listed in the resolution.

Grant Thornbrough, speaking on behalf of the petitioner, provided background information on the site and voiced support for the resolution. Ned Siegel, the petitioner, also provided history in regard to the site and voiced support.

Seeing no one else come forward to speak, the public hearing was closed.

Responding to Council, Ms. Frieser advised that if the resolution were to pass, it would allow a variance consistent with what staff believes could be granted; it did not permit an off-premises sign. Mr. Kerr also provided additional information to Council, as requested, regarding the setting of a precedent. Ms. Frieser added that the City chose to prohibit off-premises signs, such as billboards and similar signage, when revising its sign code and the setting of a precedent could be very significant; Council should be cautious about authorizing an off-premises sign, which would be counter to the Code as written and the philosophy that supports it. Ms. Frieser suggested that regulations might be developed at a later date to address discreet commercial nodes to allow more flexibility in the node, generally; however, staff would have to review same.

Motion was made by Deputy Mayor Whelchel, seconded by Council Member Baronoff, to adopt Resolution No. 133-2005. Motion carried unanimously; Mayor Abrams, Deputy Mayor Whelchel, Council Members Baronoff, Hager and Haynie voting yes.

15. Resolution No. 134-2005

A resolution of the City of Boca Raton granting variances from the provisions of Section 24-96(b)1, Code of Ordinances, for a property located at 1200 Yamato Road; providing for severability; providing for repealer; providing an effective date (SCV-05-03)

Mayor Abrams advised that this was a quasi-judicial item; the City Clerk administered the oath to those who indicated they wished to speak on this matter.

Development Services Senior Planner Chris Kerr gave the PowerPoint presentation, advising that the petitioner was requesting two variances from the sign code. Mayor Abrams confirmed with Mr. Kerr that this item was completely separate from the item previously discussed during the meeting of June 28, 2005.

Location, size, ingress and egress were identified. The petitioner was proposing six freestanding monument signs for the Shoppes of Blue Lake; three along Yamato Road and three along Telecom Drive. Staff supported the three signs along Telecom Drive; details were provided. In addition, staff supported the two westernmost signs along Yamato Road; however, staff determined that the easternmost sign is not justified, as it is not located at a vehicular entrance and is not required to make reasonable use of the property. Separation distances between the signs were then reviewed.

The Community Appearance Board reviewed the variances and recommended approval of all six; however, staff recommended approval of the resolution, as presented, for the five signs with the conditions as listed in the resolution.

Richard Brooks, representing the Shoppes of Blue Lake, distributed a handout to Council and provided commentary in support of allowing six variances instead of five.

Seeing no one else come forward to speak, the public hearing was closed.

Motion was made by Deputy Mayor Whelchel, seconded by Council Member Haynie, to adopt Resolution No. 134-2005.

Motion was made by Council Member Baronoff, seconded by Council Member Haynie, to amend Resolution No. 134-2005 as follows: Page 2, Line 21, changing "five (5) freestanding identity signs" to "six (6) freestanding identity signs," and Page 3, Line 1, changing "five (5) freestanding identity signs" to "six (6) freestanding identity signs." There were no objections to the amendments.

The motion to adopt Resolution No. 134-2005, as amended, carried unanimously; Mayor Abrams, Deputy Mayor Whelchel, Council Members Baronoff, Hager and Haynie voting yes.

CITY MANAGER RECOMMENDATIONS AND REPORTS:

16. Designation of Voting Delegate & Alternates to the Florida League of Cities

The City Manager advised that the Florida League of Cities meeting would take place in Orlando, Florida, on August 18-20, 2005. Council Member Haynie was designated as the voting delegate by unanimous consent.

17. Naming of the Dog Park

Mr. Ahnell stated that close to 800 suggestions were submitted, which were narrowed down to five names listed in the memo before Council this evening. He explained that whatever name Council chose, members might wish to include, as a "subname," the Boca Raton Dog Park. Discussion followed; Council determined to vote on the names presented in the memo.

In the first round of voting: Mayor Abrams and Council Member Hager voted for Paw Meadow Park; Deputy Mayor Whelchel voted for Bark Park; Council Members Baronoff and Haynie voted for Mizner Bark. Since a majority vote had not been achieved, another round of voting ensued.

In the second and final round of voting: Mayor Abrams and Council Member Hager voted for Paw Meadow Park; Deputy Mayor Whelchel, Council Members Baronoff and Haynie voted for Mizner Bark.

The name for the new dog park is Mizner Bark, the Boca Raton Dog Park; Council advised that the grand opening for the park, which is located at 751 Banyan Trail, is August 17, 2005, from 5:00 pm to 6:00 pm. The event will be held in conjunction with Tri-County Humane Society; donations will be accepted.

City of Excellence

Mr. Ahnell received direction from Council to enter Boca Raton in the City of Excellence competition; a 1200-word essay will be prepared by staff and submitted to the Florida League of Cities for consideration.

Athletic Fields

Referring to Council's earlier meeting with the Greater Boca Raton Beach and Park District, the City Manager was directed to work with the District in regard to possible development of athletic fields at Countess de Hoernle Park. Mr. Ahnell will also speak with Tom Lynch, Chairman of the School Board, regarding approximately \$6 million from the sales tax bond proposal, which was to be used for remedying athletic field problems at Boca Raton High School. Since fields were never built at Boca High, these dollars could be contributed to an overall athletic field solution by constructing fields at Countess de Hoernle Park.

Workforce Housing

Mayor Abrams referred to suggestions made at yesterday's workshop by Anthony Cutaia regarding workforce housing and asked the City Manager to evaluate Mr. Cutaia's proposal. Mr. Ahnell advised that both development and finance solutions would be considered in the review of a workforce housing solution.

CITY ATTORNEY REPORTS:

The City Attorney had nothing to report at this time.

MAYOR AND COUNCIL MEMBER REPORTS:

Council Member Haynie advised that the traffic circle at SW 12th Avenue had been completed in time for the start of school tomorrow; she thanked staff for their efforts and then thanked the City Attorney's Office for successfully resolving the issue of transient occupancy on two parcels at Walker's Cay, stating that the City had prevailed in both instances.

Deputy Mayor Whelchel requested an update on the train horn ban; Mr. Ahnell explained that infrastructure necessary to facilitate the train horn ban has been installed at western intersections the near CSX Railroad tracks along I-95. However, the Federal Railroad Association (FRA) requires additional regulatory procedures for train horn bans and the City has hired a consultant to conduct studies of same. In regard to the FEC Railroad tracks running along Dixie Highway in the east, it would be difficult to make modifications necessary for instituting train horn bans; a review of "wayside horns" is being considered as an alternative.

Mayor Abrams advised that recent legislation introduced ~~passed~~ by the State would provide ~~now provides~~ for criminal penalties against spammers; however, it also requires investigation by local police with prosecution conducted through the State. He asked for staff's evaluation of this new legislation. Mayor Abrams then reported that Boca Raton took the lead in school concurrency in the mid-90s when overcrowding was an issue; today, not only are Boca's schools A-rated, but they are also under capacity and not projected to be over capacity any time in the near future.

ADJOURNMENT:

Motion was made by Council Member Hager, seconded by Council Member Baronoff, 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 7:52 p.m. on Tuesday, August 9, 2005.

Steven L. Abrams, Mayor

ATTEST:

Sharma Carannante, City Clerk