

# AGENDA

**REGULAR MEETING CITY COUNCIL BOCA RATON OCTOBER 8, 2002 6:00 PM**

## **INVOCATION:**

## **PLEDGE OF ALLEGIANCE TO THE FLAG:**

## **ROLL CALL:**

Mayor Steven L. Abrams  
Deputy Mayor Susan Haynie  
Council Member Dave Freudenberg  
Council Member Bill Hager  
Council Member Carol Hanson

## **AMENDMENTS TO THE AGENDA:**

## **PROCLAMATIONS:**

Disabilities Awareness Day – October 18, 2002

## **AWARDS/RECOGNITIONS:**

## **MINUTES:**

Minutes of the Special Meeting of September 17, 2002  
Minutes of the Regular Workshop Meeting of September 23, 2002  
Minutes of the Regular Meeting of September 24, 2002

## ***NOTICE***

*Pursuant to F.S. 286.0105, if any decision of City Council affects you, and you decide to appeal any decision made at this meeting with respect to any matter considered, you will need a record of the proceedings and, for such purposes, you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (The above NOTICE is required by State Law. If you desire a verbatim transcript, you shall have the responsibility, at your own cost, to arrange for the transcript.)*

**REGULAR BUSINESS - PART I:**

1. Appointments to the following boards:

- a. Builders' Board of Adjustment and Appeals – one (1) vacancy for a general contractor to complete the term expiring 02/15/04.
- b. Code Enforcement Board – two (2) vacancies, due to term expiration. Term expired 09/25/02.
- c. Community Appearance Board – one (1) vacancy, due to term expiration. Term expired 09/20/02.

2. Responses to Workshop Information Requests:

3. Consent Agenda:

*(Prior to consideration of a motion to approve the consent agenda, the Mayor shall provide for public comment. Those items removed from the consent agenda will be considered under Part VI or as otherwise directed by the City Council.)*

a. Sealed Bids

- 1) Meadows Park, Lake Wyman Park and Por-La-Mar Resurfacing  
Requested by Municipal Services  
Hardrives, Inc. \$72,714
- 2) Lifeguard Towers for South Beach Park and Red Reef Park  
Requested by Recreation Services  
Coastal Contracting and Development, Inc. \$220,500

b. Competitive Sealed Proposal Renewal

- 1) Inland Marine Insurance for Electronic and Communication Equipment  
Requested by Financial Services  
The Beacon Group, Inc. \$68,434

c. Intergovernmental Agreements

- 1) Fire Hydrants  
Requested by Utility Services  
Ferguson Underground \$79,137

- 2) Gasoline and Diesel Fuel  
Requested by Municipal Services and Utility Services  
BV Oil Company \$1,594,700

d. Sole Source

- 1) Maintenance for the IBM AS/400 and Related Equipment  
Requested by City Manager  
IBM Corporation \$35,000

e. Resolution No. 175-2002

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 2 with Camp Dresser & McKee Inc. for the purpose of providing consulting engineering services related to construction of the finished water transmission mains, concentrate piping, and lift station force main; providing for severability; providing for repealer; providing an effective date

f. Receive and File Board Orders

- 1) Special Master
  - a) SM (G) Case No. 1-5268
  - b) SM (G) Case No. 2-528
  - c) SM (G) Case No. 2-1626
  - d) SM (G) Case No. 2-1893
  - e) SM (C) Case No. 2-1894
  - f) SM (C) Case No. 2-1896
  - g) SM (C) Case No. 2-1899
  - h) SM (C) Case No. 2-1888

g. Receive and File Board Minutes – October 8, 2002

- 1) Citizens' Pedestrian and Bikeway Advisory Board  
July 8, 2002
- 2) Community Appearance Board  
August 27, 2002  
September 3, 2002  
September 10, 2002
- 3) Environmental Advisory Board  
August 15, 2002
- 4) Historic Preservation Board  
August 20, 2002
- 5) Library Advisory Board  
August 21, 2002

- 6) Marine Advisory Board  
August 14, 2002
- 7) Physically and Mentally Challenged Board  
August 1, 2002
- 8) Police and Firefighters' Pension Board  
July 24, 2002
- 9) Special Master  
July 24, 2002  
August 14, 2002

---

*(If you are planning to speak during any of the following public hearings, please state your name and address for the record and limit your remarks to five (5) minutes.) (Note: The conduct of any hearing under Part II will be governed by the "quasi-judicial procedures" attached to this agenda.)*

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

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

4. Ordinance No. 4675

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; providing for inclusion in the Comprehensive Plan; providing for severability; providing for repealer; providing an effective date

**REGULAR BUSINESS – PART IV - INTRODUCTION OF ORDINANCES:**

*(Rule 1.13 of the City Code states that the Council shall not grant leave to any person to speak on any ordinance which is listed for the purpose of introduction only.)*

5. Ordinance No. 4676

An ordinance of the City of Boca Raton amending Section 2-256, Code of Ordinances, to provide for the appointment of representatives of the Palm Beach County School Board as nonvoting members of the Planning and Zoning Board; providing for severability; providing for repealer; providing for codification; providing an effective date

6. Ordinance No. 4677

An ordinance of the City of Boca Raton relating to Transportation Demand Management in Downtown Boca Raton, as defined herein; creating a new Division 8 of Chapter 23, Article IV, Code of Ordinances; requiring existing development, as defined herein, in Downtown Boca Raton to participate in Transportation Demand Management programs; providing for the scope of Division 8; providing for definitions; requiring development, as defined herein, in Downtown Boca Raton to participate in Transportation Demand Management programs; requiring a sworn Statement of Compliance to be filed by property owners; requiring annual reports to be filed by property owners; providing for severability; providing for repealer; providing for codification; providing an effective date

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

*(If you are planning to speak during public requests, please state your name and address for the record and limit your remarks to five (5) minutes.)*

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

**APPEAL OF BOARD DECISIONS:**

7. Zoning Board of Adjustment Decision – Case No. BA-02-05 *(continued from 9/24/02)*

**CITY MANAGER RECOMMENDATIONS AND REPORTS:**

**CITY ATTORNEY REPORTS:**

**MAYOR AND COUNCIL MEMBER REPORTS:**

**ADJOURNMENT:**

## Quasi-Judicial Public Hearing Procedures

1. Any hearing listed on the agenda, as a quasi-judicial public hearing will be conducted pursuant to these rules. This means that the City Council is required by law to base its decision on the evidence contained in the record of this proceeding, which consists of the testimony at the hearing and on the materials, which are in the official City file on this application at the end of the hearing.
2. At the beginning of the hearing, the members of the City Council will announce for the record any “ex parte” contacts not previously disclosed in writing and included in the official City file. The name of the person with whom the contact occurred and the subject matter of the discussion will be disclosed.
3. The City Attorney will announce that each applicant requesting approval, relief or other action from the City Council, planning and zoning board, community appearance board, or the zoning board of adjustment shall disclose, at the commencement (or continuance) of the public hearing(s), any consideration provided or committed directly, or on its behalf, for an agreement to support, or withhold objection to, the requested relief or action.
4. The City Clerk will administer an oath to all persons who intend to testify at this hearing. **Any person who intends to testify at this hearing is asked to fill out a card, which can be found in the rear of the Council Chamber.** The purpose of this card is to provide an accurate record of an appearance at this hearing. Please hand the card to one of the clerks in the front of the chamber.
5. The City staff will make an initial presentation. The petitioner will then make a presentation. During the staff and petitioner’s presentation, only the members of the City Council are permitted to ask questions.
6. After the petitioner’s presentation, all other parties who are present to testify and/or provide written or other evidence for inclusion in the record will be permitted to do so. During this time, only the members of the City Council are permitted to ask questions.
7. After the staff, the petitioner and other interested parties have made their presentations, persons will be permitted to cross-examine participants in the hearing, including the staff and the petitioner, **in order of their appearance at the hearing.** Anyone who testifies at the hearing should remain until the conclusion of the hearing in order to be able to respond to any questions.
8. After the questions have been asked and answered, the petitioner shall be provided with an opportunity for a brief rebuttal and summary.
9. The Mayor will then declare the public hearing closed, and a motion will be made regarding the matter. The Council will then proceed to discuss the matter and vote on the matter.