

AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON NOVEMBER 26, 2002 6:00 PM
Boca Raton Community Center
150 Crawford Boulevard, Boca Raton, FL

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:

AWARDS/RECOGNITIONS:

Plaque from the City of Boca Raton Firefighters, Local 1560, to the City of Boca Raton in recognition of the City's continuing support of Fire-Rescue Services.

MINUTES:

Minutes of the Regular Workshop Meeting of November 12, 2002
Minutes of the Regular Meeting of November 13, 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:

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 Bid

1) Painting of Traffic Mast Arms and Light Poles
Requested by Municipal Services
Eagle Painting \$32,000.00

b. Sealed Bid Renewal

1) Body Work Repairs
Requested by Municipal Services
Brinks Auto Body (Group I)
and A-1 Auto Body (Group II and III) \$100,000.00

c. Intergovernmental Agreement

1) Geographic Information System Public
Internet/Intranet Web Site Development
Requested by City Manager
BAE Systems ADR Inc. \$211,727.00

d. Sole Source

1) Self Contained Breathing Apparatus Cylinders
Requested by Fire Rescue Services
Self Contained Breathing Apparatus Cylinders \$60,514.00

2) Ruggedized In-Vehicle Personal Computer
Systems-Replacement
Requested by Fire Rescue Services
Data 911 \$97,554.00

- e. Emergency
 - 1) Emergency Manhole Repair
Requested by Utility Services
Danella Construction Corporation of Florida, Inc. \$28,835.00

- f. Resolution No. 195-2002 (revised)

A resolution of the City of Boca Raton adopting an amended investment portfolio policy of the City of Boca Raton; providing for severability; providing for repealer; providing an effective date

- g. Resolution No. 199-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a Local Agency Program (LAP) agreement with the Florida Department of Transportation for the purpose of the designing and permitting of a shared use pathway along the El Rio Canal; providing for severability; providing for repealer; providing an effective date

- h. Resolution No. 200-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a Local Agency Program (LAP) agreement with the Florida Department of Transportation for the purpose of the design and construction of bicycle lanes along Federal Highway; providing for severability; providing for repealer; providing an effective date

- i. Resolution No. 201-2002

A resolution of the City of Boca Raton accepting and approving the final plat known as the Michelle's Plat subdivision plat, and authorizing the Mayor and City Clerk to execute the plat; providing for severability; providing for repealer; providing an effective date (SUB 02-01CRP)

- j. Resignations
 - 1) Resignation of Barbara Fabricant from the Community Relations Board

- k. Receive and File Board Minutes – November 26, 2002
 - 1) Community Appearance Board
October 22, 2002
October 29, 2002
 - 2) Education Advisory Board
September 23, 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:

4. Resolution No. 196-2002

A resolution of the City of Boca Raton granting Planned Unit Development Master Plan Approval of the proposed Boca Beach Club Planned Unit Development located at 900 South Ocean Boulevard; providing for modification of setbacks; providing for severability; providing for repealer; providing an effective date (PUD-02-01)

5. Resolution No. 197-2002

A resolution of the City of Boca Raton granting a variance pursuant to the City of Boca Raton Coastal Construction Control Line Setback Ordinance for the Boca Raton Resort and Club located at 900 South Ocean Boulevard; repealing Resolution No. 44-82; providing for severability; providing for repealer; providing an effective date (SC-02-10)

6. Resolution No. 198-2002

A resolution of the City of Boca Raton granting conditional use approval for hotel/motel, cabana club, meeting rooms, and related uses for the Boca Beach Club on a parcel of land located at 900 South Ocean Boulevard; amending all prior approvals affecting said site to be consistent with the conditional use approval granted pursuant to this resolution; amending Resolution No. 121-76 (a conditional use approval); amending Resolution No. 324-78 (a conditional use approval) to delete all conditions; acknowledging the expiration of Resolution No. 72-96 (a conditional use approval); providing for severability; providing for repealer; providing an effective date (CA-02-04)

REGULAR BUSINESS – PART III – REGULAR PUBLIC HEARINGS:

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.)

7. Ordinance No. 4674

An ordinance of the City of Boca Raton clarifying requirements for traffic engineering studies, updating driveway design standards relating to driveways and off-street parking facilities; amending Section 23-35, Code of Ordinances, relating to traffic engineering studies; amending Section 23-187, Code of Ordinances, to update roadway definitions; amending Section 23-190, Code of Ordinances, to provide separate driveway design

standards for downtown and suburban developments, to clarify design requirements, and to modify technical deviation requirements; amending Section 23-191, Code of Ordinances, to consolidate access management standards into one section and provide consistency with State and County access management standards; amending Section 23-192, Code of Ordinances, to provide consistency with Palm Tran bus shelter design standards; amending Sections 28-1646 and 28-1655, Code of Ordinances, to provide parking requirements for fast food restaurants and to allow mixed use developments to submit a shared parking study; amending 28-1659, Code of Ordinances, to modify technical deviation requirements; providing for severability; providing for repealer; providing for codification; providing an effective date

8. Ordinance No. 4680

An ordinance of the City of Boca Raton relating to environmental protection; amending Section 20-2, Code of Ordinances, updating the listed species definition; adopting a new Boca Raton Species of Local Concern; providing for severability; providing for repealer; providing for codification; providing an effective date

9. Ordinance No. 4681

An ordinance of the City of Boca Raton relating to the protection of sea turtles; amending Section 23-242, Code of Ordinances, relating to beach area outdoor lighting restrictions; providing for severability; providing for repealer; providing for codification; providing an effective date

10. Ordinance No. 4682

An ordinance of the City of Boca Raton amending the Future Land Use Map of the Comprehensive Plan by redesignating certain property consisting of 21.582 acres, more or less, located at 550 NW Spanish River Boulevard, as more specifically described herein, from RL (Residential Low) to RH (Residential High); providing for the appropriate revisions of the Future Land Use Map; providing for severability; providing for repealer; providing an effective date (UC-01-03SC)

11. Ordinance No. 4683

An ordinance of the City of Boca Raton providing for rezoning; providing for the rezoning of a parcel of land consisting of 21.582 acres, more or less, located at 550 Spanish River Boulevard, as described more particularly herein, from R1D (Single Family Residential) to PUD/R-4 (Planned Unit Development/Multifamily Residential District); providing for the appropriate revisions of the Zoning District Map; providing for severability; providing for repealer; providing an effective date (UC-01-03ZC)

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:

12. Resolution No. 202-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a purchase and sale agreement (“Agreement”) with Principal Commercial Funding, LLC for the purpose of the acquisition of certain improved real property located in the City of Boca Raton with a street address of 6500 North Congress Avenue, Boca Raton, Florida; authorizing the Mayor and the City Clerk or the City Manager to execute any documents provided for or contemplated by the Agreement, and any applications required for the implementation of the Agreement; providing for severability; providing for repealer; providing an effective date

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.