

## **AGENDA**

**REGULAR MEETING CITY COUNCIL BOCA RATON DECEMBER 10, 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/PRESENTATIONS:**

Presentation of Holiday Ornament - Boca Raton Garden Club

### **MINUTES:**

Minutes of the Regular Workshop Meeting of November 25, 2002  
Minutes of the Regular Meeting of November 26, 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. Term expires 02/15/04.
- b. Citizens Pedestrian and Bikeway Advisory Board – (2) vacancies, due to term expirations of Jeffrey Hamilton and Ed Rowan, whose terms expire 01/12/03.
- c. Community Relations Board – one (1) vacancy, due to resignation of Barbara Fabricant, whose term expires 07/25/03.
- d. Education Advisory Board – one (1) vacancy, due to resignation of Deborah Nash, whose term expires 07/28/03.

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) Polymer  
Requested by Utility Services  
Transworld Chemical \$146,028

b. Sealed Bid Renewal

- 1) Landscape Maintenance Services  
for the Municipal Services Complex  
Requested by Recreation Services  
Complete Property Services \$27,928

c. Intergovernmental Agreement

- 1) Carbon Dioxide  
Requested by Utility Services  
Praxair, Inc. \$89,100.
- 2) Fence Installation (New)  
Requested by Recreation Services  
Anything in Fence, Inc. \$46,224

3)	Fire Hoses (Replacement) Requested by Fire Rescue Services Elite Fire and Safety, Inc.	\$31,495
----	--	----------

d. Sole Source

1)	Radio Controlled Irrigation Equipment (New) Requested by Recreation Services Contemporary Controls and Communication, Inc.	\$303,100
----	--	-----------

2)	800 MHz Radios (New) Requested by Fire Rescue Motorola, Inc.	\$42,728
----	--	----------

3)	Membrane Elements Requested by Utility Services Hyddranautics	\$4,577,582
----	---	-------------

e. Resolution No. 204-2002

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 6 with Keith and Schnars, P.A., for the purpose of providing professional engineering services for the widening of Yamato Road from four lanes to six lanes between Jog Road and Military Trail; providing for severability; providing for repealer; providing an effective date

f. Resolution No. 205-2002

A resolution of the City of Boca Raton canceling the first workshop and regular meetings in March 2003; scheduling the organizational meeting for March 31, 2003; rescheduling the second workshop and regular meetings in May 2003; rescheduling the first workshop and regular meetings in October 2003; rescheduling the first regular meeting in November 2003; canceling the second workshop and regular meetings in December 2003; providing for severability; providing for repealer; providing an effective date

g. Resolution No. 206-2002

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 6 with Robert G. Currie Partnership, Inc. for the purpose of providing professional architectural and engineering services for the Boca Raton Fire-Rescue Facilities; providing for severability; providing for repealer; providing an effective date

h. Resolution No. 207-2002

A resolution of the City of Boca Raton approving the City's Year 2003 State legislative and funding priorities; providing for severability; providing for repealer; providing an effective date

i. Resolution No. 208-2002

A resolution of the City of Boca Raton approving the City's Year 2003 Federal legislative and funding priorities; providing for severability; providing for repealer; providing an effective date

j. Resignations

- 1) Resignation of Judith Wong from the Boca Raton Advisory Board for the Physically and Mentally Challenged

k. Receive and File Board Orders

- 1) Special Master
  - a) SM (C) Case No. 02-00000013
  - b) SM (G) Case No. 02-00001552
  - c) SM (G) Case No. 02-00001610
  - d) SM (G) Case No. 02-00002784

l. Receive and File Board Minutes – December 10, 2002

- 1) Citizens' Pedestrian and Bikeway Advisory Board  
October 21, 2002
- 2) Community Appearance Board  
November 5, 2002
- 3) Education Advisory Board  
October 28, 2002
- 4) General Employees' Pension Board  
September 25, 2002  
October 2, 2002
- 5) Library Advisory Board  
October 16, 2002
- 6) Marine Advisory Board  
October 9, 2002
- 7) Parks and Recreation  
October 1, 2002

- 8) Pearl City Blue Ribbon Committee  
October 24, 2002
- 9) Physically and Mentally Challenged Board  
October 3, 2002
- 10) Planning and Zoning Board  
September 19, 2002  
October 17, 2002
- 11) Special Master  
October 9, 2002
- 12) Telecommunications Advisory Board  
October 7, 2002
- 13) Zoning Board of Adjustment  
July 24, 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. 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

5. 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

6. 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

7. Ordinance No. 4682 (*Transmittal public hearing - first of two required public hearings*)

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)

**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.)*

8. Ordinance No. 4684

An ordinance of the City of Boca Raton, Florida, authorizing the issuance of not exceeding \$17,500,000 general obligation bonds, in one or more series, of the City of Boca Raton, Florida; authorizing the use of the proceeds therefrom for the purposes described in Resolution No. 115-2002; providing the form and terms of the bonds; providing for the payment of the bonds from a tax on all taxable property in the City of Boca Raton; providing for the rights, remedies and security of the holders of the bonds; providing for certain other matters deemed necessary and proper in connection with the issuance of the bonds; and providing for 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:**

9. Resolution No. 203-2002

A resolution of the City of Boca Raton, Florida; to be adopted in connection with the proposed issuance of general obligation bonds in the aggregate principal amount of not exceeding \$19,800,000 for the purpose of financing the construction, equipping and furnishing of two (2) libraries in the City of Boca Raton, Florida for the purpose of maintaining adequate library facilities in the City of Boca Raton, Florida; calling for a bond referendum of the qualified electors of the City of Boca Raton, Florida to be held on March 11, 2003, as to whether general obligation bonds for such purpose should be issued; providing for severability; providing for repealer; providing an effective date

**CITY MANAGER RECOMMENDATIONS AND REPORTS:**

10. Request for Reduction in Code Enforcement Lien  
4800 NW 2<sup>nd</sup> Avenue – Investments Limited  
Special Master Case #01-2744

**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.