

AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON JUNE 10, 2003 6:00 PM

INVOCATION:

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL:

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

AMENDMENTS TO THE AGENDA:

PROCLAMATIONS/PRESENTATIONS:

AWARDS/RECOGNITIONS:

MINUTES:

Minutes of the Regular Workshop Meeting of May 27, 2003
Minutes of the Regular Meeting of May 28, 2003

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. Code Enforcement Board – one (1) vacancy, due to the resignation of Alfred Gladstone (contractor), whose term expires 09/25/04.
- b. Education Advisory Board – four (4) vacancies: one (1) due to the resignation of Linda St. John-Hunter, whose term expires 07/28/03; and three (3) due to student “ex officio” vacancies.

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 VII or as otherwise directed by the City Council.)

a. Competitive Sealed Proposals

- 1) Independence Day Fireworks - Renewal
Requested by Recreation Services
Zambelli Fireworks International \$27,000
- 2) Uniform Rental Service - Renewal
Requested by Recreation Services, Municipal Services,
Utility Services, Financial Services, & Fire-Rescue Services
Warren Uniform Company \$161,263

b. Sealed Bids

- 1) Tree Trimming/Pruning Services and
Tree Removal/Stump Grinding Services - Renewal
Requested by Recreation Services & Municipal Services
Arbor Tree & Land, Inc. \$314,644
- 2) Weatherproofing - Renewal
Requested by Recreation Services
Hartzell Inc. \$100,045

c. Sole Source

- 1) Vacuum Filter Parts
Requested by Utility Services
Dorr-Oliver Eimco USA, Inc. \$27,234

d. Emergency

- 1) GSA Contract GS35F-0536L
Communications Center Voice Call
Logging System - Replacement
Requested by Police Services
Voice Print International, Inc. \$54,701

e. Resolution No. 98-2003

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 4 with Eckler Engineering, Inc. for the purpose of providing professional engineering services for the rehabilitation of the existing DynaSand filters and modifications to the compressed air system for the reclaimed water filtration system; providing for severability; providing for repealer; providing an effective date

f. Resolution No. 99-2003

A resolution of the City of Boca Raton canceling the first workshop and regular meetings in August 2003; providing for severability; providing for repealer; providing an effective date

g. Resolution No. 100-2003

A resolution of the City of Boca Raton requesting approval from the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida for an erosion control project known as the Central Beach Renourishment Project and the establishment of an erosion control line between the Department of Environmental Protection reference monument R-212 south to the Boca Raton Inlet; providing for severability; providing for repealer; providing an effective date

h. Resolution No. 101-2003

A resolution of the City of Boca Raton authorizing the City Manager to apply for a grant from the U.S. Department of Justice for a Community Oriented Policing Services (COPS) Homeland Security Overtime Program (HSOP); 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

i. Receive and File Board Orders

Special Master and Code Enforcement

- 1) SM (G) Case No. 02-00003263
- 2) CEB Case No. 02-00003968
- 3) SM (G) Case No. 03-273
- 4) SM (G) Case No. 03-00000519
- 5) SM (C) Case No. 03-00000529
- 6) SM (C) Case No. 03-563
- 7) SM (C) Case No. 03-611

- 8) SM (C) Case No. 03-00000824
- 9) SM (C) Case No. 03-00000891

j. Receive and File Board Minutes – June 10, 2003

- 1) Citizen’s pedestrian and Bikeway Advisory Board
April 14, 2003
- 2) Community Appearance Board
April 29, 2003
May 6, 2003
May 13, 2003
- 3) Education Advisory Board
April 28, 2003
- 4) Historic Preservation Board
April 15, 2003
- 5) Library Advisory Board
April 16, 2003
- 6) Marine Advisory Board
March 26, 2003
March 26, 2003 Public Meeting
April 9, 2003
- 7) Planning and Zoning board
April 24, 2003
- 8) Planned Unit Development SubCommittee
February 28, 2003
- 9) Special Master
February 26, 2003
April 9, 2003
- 10) Zoning Board of Adjustment
March 13, 2003

(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 AND RELATED PUBLIC HEARINGS:

REGULAR BUSINESS – PART III – REGULAR PUBLIC HEARINGS:

4. Ordinance No. 4709 *(Second of two required public hearings.)*

An ordinance of the City of Boca Raton creating Sections 23-38 and 23-39, Code of Ordinances; establishing procedures and standards for approval of transportation concurrency exemptions for not-for-profit medical facilities that promote public transportation; providing for severability; providing for repealer; providing for codification; providing an effective date

5. Ordinance No. 4710 *(Second of two required public hearings.)*

An ordinance of the City of Boca Raton relating to the height of buildings and structures (specifically public utility poles) in single-family residential districts; amending Section 28-2, Code of Ordinances, Definition, "Height Of Building"; amending Section 28-342, "Building Height", Code of Ordinances; providing for severability; providing for repealer; providing for codification; providing an effective date

6. Ordinance No. 4711

An ordinance of the City of Boca Raton providing for the vacation and abandonment of a portion of platted right-of-way for Isabel Road Este, located at 1100 S.W. 21st Lane, as more specifically described herein; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (AB-02-03)

7. Ordinance No. 4712

An ordinance of the City of Boca Raton authorizing the sale of a parcel of land consisting of approximately 0.17 acre and located at 201 N.W. Spanish River Boulevard; providing for severability; providing for repealer; providing an effective date (SC-01-12)

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

REGULAR BUSINESS – PART V - 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. 4714

An ordinance of the City of Boca Raton authorizing the Mayor and City Clerk to execute a deed conveying certain lands to the State of Florida Department of Transportation for roadway improvements for Dixie Highway, which lands are located generally adjacent to the Hillsboro Canal, as more specifically described herein; providing for severability; providing for repealer; providing an effective date

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

9. Resolution No. 104-2003

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an agreement with One North Ocean, L.L.C. to provide for orderly and expedited demolition and construction at the property located at One North Ocean Boulevard; 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.