

AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON AUGUST 26, 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:

Literacy Awareness Month – September 2003
City of Boca Raton Fire Fighter Appreciation Week – August 25 through September 1, 2003
Proclamation in Support Of City of Boca Raton Public Schools
Proclamation Recognizing the Accomplishments of SABR's TOPSoccer Program

MINUTES:

Minutes of the Leadership and Strategic Planning Workshop Meeting of May 22 & May 23, 2003
Minutes of the Regular Workshop Meeting of July 21, 2003
Minutes of the Regular Meeting of July 22, 2003
Minutes of the Special Meeting of July 29, 2003
Minutes of the Budget Workshop Meeting of July 29, 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. Community Relations Board – one (1) regular member vacancy due to term expiration of Leslie Scheper, whose term expired 07/25/03, and one (1) student member vacancy due to termination of eligibility of Elizabeth Barron.
- b. Telecommunications Advisory Board – two (2) vacancies due to term expirations of Donald R. Kost, Jr. and Dale M. Gregory, whose terms expire 09/08/03.

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 VII or as otherwise directed by the City Council.)

a. Sealed Bids

- 1) Boca Raton Mausoleum Repairs
Requested by Recreation Services
Hartzell Construction, Inc. \$99,160
- 2) SW 7th Avenue Bridge Widening for Pedestrians
Requested by Municipal Services
Majestic Group Enterprises \$147,418

b. Competitive Sealed Proposal Renewal

- 1) Overhead Door, Gate and Operator Maintenance - Renewal
Requested by Municipal Services & Recreation Services
Electronic Door Lift, Inc. \$48,210

c. Sealed Bid Renewals

- 1) Bulk Quicklime - Renewal
Requested by Utility Services
Caremuse Lime & Stone \$774,400
- 2) Recycled Plastic Wood Picnic Tables,
Trash Receptacles & Park Benches - Renewal
Requested by Recreation Services
American Recreational Products \$54,367

d. Intergovernmental Agreements

- | | | |
|----|---|-----------|
| 1) | Park Restroom Renovations
Requested by Recreation Services
Recreational Design & Construction, Inc. | \$147,025 |
| 2) | Traffic Video Detection System
Requested by Municipal Services
Community Asphalt Corporation | \$81,920 |
| 3) | Traffic Signal Installations and Modifications
Requested by Municipal Services
The Signal Group | \$262,321 |

e. Sole Source

- | | | |
|----|--|----------|
| 1) | Access Control System (New)
Requested by Utility Services
Johnson Controls, Inc. | \$65,690 |
| 2) | Parking Ticket Software - Replacement
Requested by City Manager
HTE Inc | \$32,200 |

f. Exempt

- | | | |
|----|--|----------|
| 1) | Six-Seat Motion Bae imagidome Exhibit (New)
Requested by Recreation Services
Imagicom, Inc | \$60,000 |
|----|--|----------|

g. Resolution No. 132-2003

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute the First Amendment to the Interlocal Agreement with Palm Beach County, the Municipalities of Palm Beach County, and the School District of Palm Beach County to establish public school concurrency; providing for severability; providing for repealer; providing an effective date

h. Resolution No. 133-2003

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a joint project agreement with Palm Beach County for the purpose of design, right-of-way acquisition and construction of the turn lane improvements at Dixie Highway and Hidden Valley Boulevard intersection; providing for severability; providing for repealer; providing an effective date

i. Resolution No. 134-2003

A resolution of the City of Boca Raton amending Resolution No. 72-2001; deleting the estimate of average cost per unit of SHIP housing; amending the maximum purchase price per unit; authorizing the City Manager or designee to approve expenditure of SHIP funds not to exceed \$30,000.00; providing for severability; providing for repealer; providing an effective date

j. Resolution No. 135-2003

A resolution of the City of Boca Raton waiving the Payment in Lieu of Taxes for the Boca Raton Housing Authority for fiscal year ending September 30, 2004; providing for severability; providing for repealer; providing an effective date

k. Resolution No. 136-2003

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an agreement with the State of Florida Department of Community Affairs for the purpose of receiving State and Federal Emergency Management Agency (FEMA) funds for the purchase and installation of hurricane shutters for Fire Station Number Six; providing for severability; providing for repealer; providing an effective date

l. Resolution No. 137-2003

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 13 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

m. Resolution No. 138-2003

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 14 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

n. Resolution No. 139-2003

A resolution of the City of Boca Raton approving and adopting the Goal Setting Session Report of May 22 and 23, 2003 (entitled "Leadership 2003") and the Strategic Plan 2003-2008 Update (including the Action Agenda for 2003-2004); providing for severability; providing for repealer; providing an effective date

o. Resolution No. 140-2003

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a revocable license agreement with Edwin P. Haller and Minerva C. Haller for the purpose of placing a dock within City right-of-way for the El Rio Canal; providing for severability; providing for repealer; providing an effective date

p. Resolution No. 141-2003

A resolution of the City of Boca Raton authorizing the City Manager to apply for a grant from the U.S. Department of Justice, Bureau of Justice Assistance, Office of Justice Programs, Local Law Enforcement Block Grant Program; 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

q. Resolution No. 142-2003

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a federally funded subgrant agreement with the State of Florida Department of Community Affairs for the purpose of receiving federal funds for "Operation Liberty Shield" expenses; providing for severability; providing for repealer; providing an effective date

r. Resolution No. 144-2003

A resolution of the City of Boca Raton supporting the beach and coastal management programs of the Florida Department of Environmental Protection ("State"), subject to the City's regulatory authority and the Code of Ordinances; advising the State that the City will have the ability to provide the local funding share necessary to implement any State beach and coastal management program in which the City elects to participate; authorizing the City Manager to forward a long-term beach funding plan to the State; providing for the repeal of Resolution No. 102-2002; providing for severability; providing for repealer; providing an effective date

s. Resolution No. 145-2003

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 14 with Hazen and Sawyer, P.C. for the purpose of providing engineering services related to current monitoring for the Glades Road Wastewater Treatment Plant ocean outfall; providing for severability; providing for repealer; providing an effective date

t. Resolution No. 146-2003

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an Interlocal Agreement with Palm Beach County for the purpose of reimbursing the City for a portion of the engineering, design, construction and mitigation costs of the Central Boca Raton Beach Nourishment Project; repealing Resolution No. 123-2003; providing for severability; providing for repealer; providing an effective date

u. Board Resignations

Resignation of Ron Peasley from the Code Enforcement Board

v. Receive and File Board Orders

- 1) SM(G) Case No. 00-307
- 2) SM(G) Case No. 01-3341
- 3) SM(G) Case No. 02-4113
- 4) SM(G) Case No. 03-0000908
- 5) SM(G) Case No. 03-00001333

w. Receive and File Board Minutes – August 26, 2003

- 1) Citizen's Pedestrian and Bikeway Advisory Board
June 9, 2003
- 2) Community Appearance Board
July 1, 2003
July 8, 2003
July 15, 2003
July 22, 2003
- 3) Financial Advisory Board
April 28, 2003
- 4) General Employees' Pension Board
May 8, 2003
- 5) Historic Preservation Board
June 17, 2003
- 6) Marine Advisory Board
June 11, 2003
- 7) Parks and Recreation Board
July 1, 2003
- 8) Pearl City Blue Ribbon Committee
June 26, 2003
- 9) Planning and Zoning Board
June 5, 2003
June 19, 2003
July 17, 2003
- 10) Special Master
June 11, 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:

4. Resolution No. 131-2003

A resolution of the City of Boca Raton granting conditional use approval for a drive-through restaurant on a parcel of land located at 1371 West Palmetto Park Road, as described more particularly herein; providing for severability; providing for repealer; providing an effective date (CA-03-09)

REGULAR BUSINESS – PART III – REGULAR PUBLIC HEARINGS:

5. Ordinance No. 4722 (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 1.812 acres, more or less, located at 1 North Ocean Boulevard, as more specifically described herein, from C (Commercial) and RM (Residential Medium) 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-03-03SC/ZC/SPA)

6. Ordinance No. 4724 (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 17.2 acres, more or less, located at 701 Canal View Drive, as more specifically described herein, from Industrial Manufacturing (IM) and Commercial (C) to Residential Medium (RM); providing for the appropriate revisions of the Future Land Use Map; providing for severability; providing for repealer; providing an effective date (SC-03-04)

7. Ordinance No. 4726 (Transmittal public hearing – first of two required public hearings.)

An ordinance of the City of Boca Raton amending the Comprehensive Plan; amending the Public School Facilities Element by amending Table 1.1-1 and Table 1.1-2 to provide updated tiered and maximum level of service standards for public schools; amending Table 1 of the Capital Improvement Element to incorporate the updated six-year Capital Improvement Schedule; amending the Map Appendix by amending maps PS 2.1, PS 3.1, and PS 3.3 to provide updates to school facilities planning; providing for severability; providing for repealer; providing for codification; providing an effective date (SC-02-09)

8. Ordinance No. 4727 (Transmittal public hearing – first of two required public hearings.)

An ordinance of the City of Boca Raton amending the Future Land Use Element of the Comprehensive Plan by creating Policy LU.1.1.6 relating to the provision of municipal buildings and facilities within specific zoning districts; providing for the appropriate revisions to the Comprehensive Plan; providing for severability; providing for repealer; providing for codification; providing an effective date (SC-03-13)

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.)

9. Ordinance No. 4728

An ordinance of the City of Boca Raton amending Section 8-27, Code of Ordinances, to revise the definition of “Professional”; providing for severability; providing for repealer; providing for codification; providing an effective date

10. Ordinance No. 4729

An ordinance of the City of Boca Raton amending the Fiscal Year 2002-2003 budget through the Third Quarterly Budget Amendment; providing for severability; providing for repealer; providing and 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:

11. Resolution No. 147-2003

A resolution of the City of Boca Raton establishing the North Federal Highway Steering Committee; providing for membership, duties and responsibilities; providing for severability; providing for repealer; providing an effective date

CITY MANAGER RECOMMENDATIONS AND REPORTS:

12. Setting of the date for the public hearing on the petition for a Notice of Proposed Change (NOPC) for Boca Technology Center Development of Regional Impact (DRI) (SC-98-03R4)

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.