

AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON SEPTEMBER 23, 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:

Leukemia & Lymphoma Awareness Month – September 2003
Disabilities Awareness Weekend – October 10 through 12, 2003

MINUTES:

Minutes of the Regular Workshop Meeting of September 8, 2003
Minutes of the Regular Meeting of September 10, 2003
Minutes of the Tentative Budget Meeting of September 16, 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. North Federal Highway Steering Committee – (new committee) - eight (8) vacancies in specific categories, as established in Resolution No. 147-2003.

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 – FY 02/03

- | | | |
|----|--|-----------|
| 1) | Lighting Upgrade for Roller Hockey Rink at Sugar Sand Park
Requested by Recreation Services
Ace Electrical Service, Inc. | \$112,196 |
| 2) | Jog Road - Supplemental Beautification Project
Requested by Recreation Services
Tropic Landscaping & Lawn Maintenance, Inc. | \$59,771 |
| 3) | Reclaimed Water Production Facilities Existing
Upflow Filter Modifications
Requested by Utility Services
Interstate Engineering Corp. | \$587,180 |

b. Sealed Bids – FY 03/04

- | | | |
|----|--|-----------|
| 1) | Landscape Maintenance for I-95 Interchanges
at Yamato Road
Requested by Recreation Services
Complete Property Services | \$26,145 |
| 2) | Preventative Maintenance Of Automobile and Light Trucks
Requested by Municipal Services/ Fire Rescue Services
Auto Air/Auto Care of Boca, Inc. | \$86,000 |
| 3) | Welding Services
Requested by Municipal Services/ Recreation Services
Slim's Welding, Inc. | \$58,200 |
| 4) | Electrical Supplies
Requested by Municipal Services
Erin Electrical Enterprises, Rexal Consolidated, GE Supply,
McDonald Distributors of FL, Miami Breakers Inc.,
Mercedes Electric Supply Inc., W.W. Grainger, Inc. | \$130,000 |

- c. Competitive Sealed Proposal – FY 02/03
- 1) Sound System for Sugar Sand Park Willow Theatre
Requested by Recreation Services
TM Sound and Lighting \$47,681
- d. Competitive Sealed Proposal Renewals – FY 03/04
- 1) Custodial Maintenance Services - Renewal
Requested by City Wide
Sunshine Cleaning Systems, Inc. \$327,882
 - 2) Competitive Sealed Proposal Renewal
Vehicle Air Conditioning Repairs - Renewal
Requested by Fire Rescue Services/ Municipal Services
Auto Air of Boca, Inc. & Kramer Auto Electric and AC \$46,000
- e. Sealed Bid Renewals – FY 03/04
- 1) Office Supplies - Renewal
Requested by City Wide
Corporate Express \$175,000
 - 2) Printer Cartridges, Ribbons and Media Supplies - Renewal
Requested by City Wide
Martin Associates, Inc. \$75,000
 - 3) Janitorial Supplies - Renewal
Requested by City Wide
Crown Sanitary Supply \$79,400
 - 4) Industrial Supplies, Miscellaneous Hardware, Paint,
Lumber and Small Hand Tools - Renewal
Requested by City Wide
Deerfield Builders Supply, Home Depot Company,
Industrial Supplies, Maintenance Warehouse, Sewell
Hardware, Sherwin William Paint Company,
& W.W. Grainger \$275,000
 - 5) Lawnmower/Groundskeeping Parts and Supplies - Renewal
Requested by Fire Rescue Services, Municipal Services,
Recreation Services, & Utility Services
Able South, Inc., Boca Raton Small Engines, Inc.,
Kilpatrick Turf Equipment, Inc., Precision Small Engine
Company, Inc., Tesco South, Inc. d/b/a Hector Turf \$94,350
 - 6) Traffic Signs & Marking Items - Renewal
Requested by Municipal Services
Custom Products Corporation, Municipal Supply &
Sign Company, Rocal Inc., Universal Signs & Accessories,
Vulcan Signs, & 3M Company \$53,000

7)	Lighting Repair and Maintenance for Ballfields and Tennis Courts - Renewal Requested by Recreation Services Lectra Living, Inc.	\$90,500
8)	Landscape Maintenance Services for Utility Services Requested by Utility Services Complete Property Services	\$70,746
f.	<u>Intergovernmental Agreements – FY 02/03</u>	
1)	Copier/Scanning System - Replacement Requested by Municipal Services Oce-USA, Inc.	\$28,257
2)	Hughes Park Renovations Requested by Recreation Services Recreational Design & Construction, Inc.	\$205,000
g.	<u>Intergovernmental Agreement – FY 03/04</u>	
1)	Laptop Replacement Program Requested by City Manager IBM Direct, Hewlett-Packard Company, Pomeroy of Jacksonville Florida, Insight Public Sector, GovStreet USA, CompUSA, & PC Universe	\$300,000
2)	Computer Disaster Recovery Services Requested by City Manager SunGard Recovery Services, LP	\$63,476
3)	Tire Services Requested by Municipal Services Pride Enterprises	\$77,000
4)	Tires & Tubes Requested by Municipal Services/Fire Rescue Services Boca Tire, Inc.	\$142,000
5)	Undercover Leased Vehicles Requested by Police Services Mears Motor Leasing	\$90,000
6)	Library Books and Audio Visual Material Requested by Recreation Services/ Library Baker & Taylor, Baker & Taylor Entertainment, Follett Corporation, Ebsco Subscription Services, Gale Group, & Pro Quest Information and Learning	\$234,100

7)	Fire Hydrants Requested by Utility Services Ferguson Underground	\$75,000
8)	Carbon Dioxide Requested by Utility Services Airgas Carbonic, Inc.	\$64,020
9)	Disposal of Wastewater Bio-Solids Requested by Utility Services H & H Liquid Sludge Disposal	\$230,000
10)	Laboratory Supplies Requested by Utility Services Fisher Scientific Company	\$40,000
11)	Corrosion & Odor Control Products Requested by Utility Services U.S. Filter/Davis Process	\$401,500
h.	<u>Sole Source – FY 02/03</u>	
1)	Geographic Information System Applications Requested by City Manager The Omega Group	\$75,391
2)	Updating of Video Street Maps Requested by City Manager Geospan Corporation	\$74,750
3)	Traffic Pre-exemption System Requested by Fire Rescue Services 3M Company	\$185,006
4)	Stormwater Vacuum Jet Truck Repairs Requested by Municipal Services GS Equipment Inc.	\$26,204
i.	<u>Sole Source – FY 03/04</u>	
1)	Maintenance for the IBM AS/400 and Related Equipment Requested by City Manager IBM Corporation	\$35,000
2)	Infinium Payroll/Personnel Software Maintenance and Support Requested by City Manager Infinium Software	\$38,055
3)	Fire Apparatus Repair Parts Requested by Fire Rescue Services Sutphen Corporation	\$30,000

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| 4) | Original Equipment Manufacturer (OEM) for GS Recycling
Truck Bodies and Crane Carrier Trucks
Requested by Municipal Services
Container Systems & Equipment | \$50,000 |
| 5) | Original Equipment Manufacturer (OEM) Parts and Service for
Sterling Trucks (formerly, Ford)
Requested by Municipal Services
Atlantic Truck Center | \$100,000 |
| 6) | Original Equipment Manufacturer (OEM) Parts and Service for
Altec and Aspian Equipment
Requested by Municipal Services
Altec Industries, Inc. | \$30,000 |
| 7) | Fuel for Police Boats
Requested by Municipal Services
Cove Marina, Inc & Delray Harbor Club Marina | \$30,000 |
| 8) | Original Equipment Manufacturer (OEM) for
Petersen Parts & Services
Requested by Municipal Services
Petersen Industries Machinery | \$40,000 |
| 9) | Refuse Packer, Original Equipment Manufacturer (OEM)
Parts and Factory Authorized Repairs for Mack Trucks
Requested by Municipal Services - Fleet
Nextran Truck Center | \$125,000 |
| 10) | Original Equipment Manufacturer (OEM) Parts and Service for
Leach Garbage Trucks and Labrie Recycling Trucks
Requested by Municipal Services - Fleet
Clarke Waste Systems | \$80,000 |
| 11) | Security Management System Services
Requested by Municipal Services/Police Services
Johnson Controls, Inc | \$75,480 |
| 12) | Radio Controlled Irrigation Equipment Maintenance
Requested by Recreation Services
Contemporary Controls & Communication, Inc. | \$45,218 |
| 13) | Water Meters & Parts
Requested by Utility Services
Badger Meter, Inc. | \$275,000 |
| 14) | Lift Station Pumps
Requested by Utility Services
Florida Bearings, Inc. | \$100,000 |

- j. Emergency – FY 02/03
- 1) Variable Frequency Drive Irrigation Pump Station - Replacement
Requested by Recreation Services
Flowtronex PSI \$43,335

k. Resolution No. 160-2003

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an Addendum to a Lease Agreement with Lewis Rental Properties for the purpose of renting space for the Police Athletic League; providing for severability; providing for repealer; providing an effective date

l. Resolution No. 161-2003

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an Addendum to a Lease Agreement with Lewis Rental Properties for the purpose of renting office space; providing for severability; providing for repealer; providing an effective date

m. Resolution No. 162-2003

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 13 with Hazen and Sawyer, P.C. for the purpose of providing engineering services related to design and construction modifications of the existing wastewater treatment solids building; providing for severability; providing for repealer; providing an effective date

n. Resolution No. 163-2003

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an agreement with the New Pines Foundation, Inc., a Florida not for profit corporation for the purpose of assisting with operating costs of the New Pines Neighborhood Center; providing for severability; providing for repealer; providing an effective date

o. Resolution No. 164-2003

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an agreement with the Boca Raton Housing Authority for the purpose of assisting with operating costs of the “CATS” after school and summer camp programs; providing for severability; providing for repealer; providing an effective date

p. Resolution No. 165-2003

A resolution of the City of Boca Raton accepting and approving the final plat known as the 200 East 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 02-05)

q. Resolution No. 166-2003

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a Revocable License Agreement with Mark Washam and Patricia Washam 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

r. Resolution No. 167-2003

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an agreement with Wachovia Bank, N.A., for the purpose of providing banking services; providing for severability; providing for repealer; providing an effective date

s. Resolution No. 168-2003

A resolution of the City of Boca Raton to extend the terms of appointment for the membership of the Downtown Visions Committee; providing for severability; providing for repealer; providing an effective date

t. Resolution No. 169-2003

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 5 with Dubberly Associates, Inc. for the purpose of providing Integrated Library System Automation Consulting Services for the Boca Raton Public Library; providing for severability; providing for repealer; providing an effective date

u. Resolution No. 170-2003

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an Agreement with Alcalde & Fay, Ltd., for the purpose of providing Federal Government Affairs Consulting Services; providing for severability; providing for repealer; providing an effective date

v. Resolution No. 171-2003

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an agreement with Woolpert, LLP for the purpose of providing professional services; providing for severability; providing for repealer; providing an effective date

w. Resolution No. 172-2003

A resolution of the City of Boca Raton updating the pay grade schedule for non-bargaining unit employees for Fiscal Year 2003 – 2004; providing for severability; providing for repealer; providing an effective date

- x. Receive and File Board Orders
 - 1) CEB Case No. 01-4358
 - 2) SM(G) Case No. 02-2809
 - 3) SM(G) Case No. 03-00000973
 - 4) SM(C) 03-1067
 - 5) SM(G) Case No. 03-00001504
 - 6) SM(G) Case No. 03-00001441
 - 7) SM(G) Case No. 03-00001721
 - 8) SM(G) Case No. 03-00001643

- y. Receive and File Board Minutes – September 23, 2003
 - 1) Citizen’s Pedestrian and Bikeway Advisory Board
July 14, 2003

 - 2) Community Appearance Board
August 12, 2003
August 19, 2003
August 26, 2003

 - 3) Parks and Recreation Board
August 5, 2003

 - 4) Pearl City Blue Ribbon Committee
July 24, 2003

 - 5) Physically and mentally Challenged Board
August 14, 2003

 - 6) Planning and Zoning Board
August 7, 2003

 - 7) Special Master
August 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:

4. Resolution No. 156-2003

A resolution of the City of Boca Raton making findings of fact and conclusions of law pertaining to Boca Technology Center, a Development of Regional Impact, and constituting this resolution as an amendment to the original Development Order by the City of Boca Raton in compliance with Section 380.06, Florida Statutes; providing for severability; providing for repealer; providing an effective date

REGULAR BUSINESS – PART III – REGULAR PUBLIC HEARINGS:

5. Ordinance No. 4728 (Continued from the September 10, 2003 meeting)

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

6. Ordinance No. 4730

An ordinance of the City of Boca Raton providing for the vacation and abandonment of a portion of a utility easement, located at 3998 N.W. 5th Avenue, as more specifically described herein; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (EA-03-01)

7. Ordinance No. 4731

An ordinance of the City of Boca Raton providing for the vacation and abandonment of portions of water easements, located on the campus of Pine Crest School at 2700 Saint Andrews Boulevard, as more specifically described herein; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (EA-03-04)

8. Ordinance No. 4734

An ordinance of the City of Boca Raton providing for the voluntary annexation of property generally located south of and including Yamato Road, north of Peppertree of Boca West, west of Woodfield Hunt Club II and east of Boca West and comprising all unincorporated property within such area, as more particularly described herein, to the corporate limits of the City of Boca Raton, Florida, as initiated by all owners of the property proposed for annexation; providing for a revision of the City’s boundaries pursuant to the City Charter to include the property annexed; providing for severability; providing for repealer; providing an effective date

9. Ordinance No. 4735

An ordinance of the City of Boca Raton amending Section 28-60, Code of Ordinances, relating to administrative variances; providing for administrative variances for building heights of single-family residences not exceeding five (5) percent of the maximum building height; providing for severability; providing for repealer; providing for codification; providing an effective date

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.)

10. Ordinance No. 4736

An ordinance of the City of Boca Raton providing for the vacation and abandonment of portions of a non-access easement, being that area identified as the west 125.00 feet of the strip of land identified as the 5 foot non-access easement along Yamato Road as shown and described on the plat of Boca Technology Center Plat 1, as more specifically described herein; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (EA-03-06)

11. Ordinance No. 4737

An ordinance of the City of Boca Raton providing for the vacation and abandonment of easements over areas identified as the Bicycle / Pedestrian Easement, Conservation Easement "B", and the Gopher Tortoise Easement, as shown and described on the plat of Boca Technology Center Plat 1, as more specifically described herein; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (EA-03-07)

12. Ordinance No. 4738

An ordinance of the City of Boca Raton amending Chapter 24, Code of Ordinances, Signs, which amendments include: amending the short title; adding and amending definitions; amending provisions for removal of signs, amending provisions for unlawful signs; clarifying the status of signs made nonconforming pursuant to this ordinance; amending provisions for granting sign variances; amending provisions for exemptions from permitting; amending requirements for a sign permit; amending sign regulations for residential, business, commercial and industrial districts; amending provisions for special signs; providing for severability; providing for repealer; providing for codification; providing an effective date (AM-01-06)

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:

13. Resolution No. 157-2003

A resolution of the City of Boca Raton adopting an amended and restated Boca Raton Municipal Facilities and Services User Fee Schedule; providing for severability; providing for repealer; providing an effective date

14. Resolution No. 158-2003

A resolution of the City of Boca Raton revising the Boca Raton Water and Sewer Fee Schedule; providing for severability; providing for repealer; providing an effective date

PUBLIC HEARING – REQUEST FOR REDUCTION IN CODE ENFORCEMENT LIENS:

(Note: The conduct of this hearing will be governed by the “quasi-judicial procedures” attached to this agenda.)

15. Request for Reduction in Code Enforcement Liens
900 North Federal Highway – Highway Associates
(Trammell Crow – Managing Agent)
Special Master Case #01-5268

CITY MANAGER RECOMMENDATIONS AND REPORTS:

CITY ATTORNEY REPORTS:

MAYOR AND COUNCIL MEMBER REPORTS:

16. Designation of Voting Delegate and Alternate Voting Delegate
Annual Congress of Cities, December 2003, Nashville, Tennessee

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.