

AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON MAY 23, 2006 6:00 PM

INVOCATION:

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL:

Mayor Steven L. Abrams
Deputy Mayor Susan Whelchel
Council Member M. J. Mike Arts
Council Member Peter R. Baronoff
Council Member Bill Hager

AMENDMENTS TO THE AGENDA:

MINUTES:

Minutes of the Regular Workshop Meeting of May 8, 2006
Minutes of the Regular Meeting of May 9, 2006

PROCLAMATIONS/RECOGNITIONS/AWARDS:

Education Advisory Board – Recognition of Teachers of the Year for 2006

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. Aviation Advisory Committee of the Boca Raton Airport Authority – one (1) vacancy, due to the term expiration of Frank Feiler, whose term expires 06/01/06.

1) Resolution No. 69-2006

A resolution of the City of Boca Raton making an appointment to the Aviation Advisory Committee of the Boca Raton Airport Authority, subject to the limitations of authority contained herein; providing for severability; providing for repealer; providing an effective date

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) | Military Trail & Lennox Drive
Traffic Signal Installation
Requested by Municipal Services
Horsepower Electric, Inc. | \$291,192 |
| 2) | Landscape Maintenance Services for
South Section
Requested by Recreation Services
Superior Landscaping & Lawn Service, Inc. | \$216,439 |
| 3) | Landscape Maintenance Services for the
Cemetery & Mausoleums
Requested by Recreation Services
A Cut Above A Lawn & Tree Service | \$39,860 |

b. Competitive Sealed Proposal - Renewal

- | | | |
|----|--|-----------|
| 1) | Vehicle Leasing Services-Renewal
Requested by Police Services
Enterprise Leasing Company | \$101,500 |
|----|--|-----------|

c. Sealed Bid - Renewals

- | | | |
|----|--|----------|
| 1) | Grit Removal Services-Renewal
Requested by Utility Services
Waste Management of Palm Beach | \$66,000 |
| 2) | Generator Repair & Maintenance
Services-Renewal
Requested by Municipal Services
All Power Generators, Corp. | \$31,000 |

- 3) Landscape Maintenance Services for Red Reef Golf Course-Renewal
Requested by Recreation Services
Custom Care, Inc. \$39,540

- d. Intergovernmental Agreement
 - 1) SCBA Airpaks & EZ-Flo Regulators (Replacement)
Requested by Fire Rescue Services
Fisher Scientific Company, LLC \$68,396

- e. Emergency
 - 1) Vehicles for Hurricane Preparedness (Used)
Requested by Municipal Services
Enterprise Equipment Company, Gator Leasing, Inc., Gulf City Body & Trailer Works \$327,250

f. Resolution No. 67-2006

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an agreement with Parker Hannifin Corporation for the purpose of purchasing cartridge filters for the Water Treatment facility; providing for severability; providing for repealer; providing an effective date

g. Resolution No. 68-2006

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to approve and accept a fee simple deed from the School Board of Palm Beach County, Florida for a turn lane on N.W. 12th Avenue at the Boca Raton Middle School; providing for severability; providing for repealer; providing an effective date

h. Resolution No. 70-2006

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a Memorandum of Understanding/Working Agreement with the Palm Beach County Sheriff's Office for the purpose of establishing operational protocols for municipalities and the Sheriff's Office concerning the registering and monitoring of sexual predators and offenders, as well as the enforcement of sexual offender related crimes; providing for severability; providing for repealer; providing an effective date

i. Resolution No. 71-2006

A resolution of the City of Boca Raton approving and accepting an Easement Deed from BRE/Boca Corporate Center, L.L.C., over certain lands located at Boca Technology Center Plat 1; providing for severability; providing for repealer; providing an effective date

j. Resolution No. 72-2006

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an Easement Deed to Florida Power & Light, over certain lands at the South Beach Pavilion located at 2 South Ocean Boulevard; providing for severability; providing for repealer; providing an effective date

k. Resolution No. 74-2006

A resolution of the City of Boca Raton authorizing the City Manager to execute an agreement between the City of Boca Raton and the Palm Beach County Property Appraiser for services relating to the collection of a fire services assessment; providing for severability; providing for repealer; providing an effective date

l. Board Resignations

- 1) Resignation letters from Kim A. Parker and Layla Amjadi from the Education Advisory Board
- 2) Resignation letter from Frank Feiler from the Aviation Advisory Committee

m. Receive and File Board Orders

- 1) SM(C) Case No. 05-00003825
- 2) SM(C) Case No. 06-00000089
- 3) SM(C) Case No. 06-00000090
- 4) SM(G) Case No. 06-00000320

n. Receive and File Board Minutes – May 23, 2006

- 1) Community Appearance Board
April 18, 2006
April 25, 2006
- 2) Executive Employees' Retirement Board
February 21, 2006
- 3) Library Advisory Board
March 15, 2006
- 4) Marine Advisory Board
April 5, 2006
- 5) North Federal Highway Steering Committee
February 7, 2006
March 7, 2006
- 6) Parks and Recreation Board
April 4, 2006
- 7) Planning and Zoning Board
April 6, 2006
- 8) Telecommunications Advisory Board
April 3, 2006
- 9) Zoning Board of Adjustment
February 8, 2006

REGULAR BUSINESS – PART II-A – QUASI-JUDICIAL CONSENT AGENDA:

(Prior to consideration of a motion to approve the quasi-judicial consent agenda, the Mayor shall provide for the opportunity for the public to request removal of any resolution for public hearing.)

(If you are planning to speak during any public hearing under Part II-B, Part III, or Part IV, please state your name and address for the record and limit your remarks to five (5) minutes.) (Note: The conduct of any public hearing under Part II-B will be governed by the “quasi-judicial procedures” attached to this agenda.)

REGULAR BUSINESS – PART II-B – QUASI-JUDICIAL AND RELATED PUBLIC HEARINGS:

REGULAR BUSINESS – PART III – REGULAR PUBLIC HEARINGS:

4. Ordinance No. 4939

An ordinance of the City of Boca Raton amending the Fiscal Year 2005-2006 budget through the Second Quarterly Budget Amendment; providing for severability; providing for repealer; 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.)

5. Ordinance No. 4941

An ordinance of the City of Boca Raton amending the Future Land Use Map of the Comprehensive Plan by redesignating certain property consisting of 23.0 acres, more or less, located at 5051 Broken Sound Boulevard, as more specifically described herein, from Light Industrial (IL) 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 (UC-05-02)

6. Ordinance No. 4940

An ordinance of the City of Boca Raton rezoning a parcel of land consisting of 23.0 acres, more or less, located at 5051 Broken Sound Boulevard, as described more particularly herein, from Light Industrial Research Park (LIRP) to Multi-Family (R-3); providing for the appropriate revisions of the Zoning District Map; providing for severability; providing for repealer; providing an effective date (UC-05-02)

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:

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.