

AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON APRIL 10, 2007 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 March 26, 2007
Minutes of the Regular Meeting of March 27, 2007

PROCLAMATIONS/RECOGNITIONS/AWARDS:

Woodfield Cancer Research Unit Day – April 15, 2007

Water Conservation Month – April 2007 / Drinking Water Week – May 6 - May 12, 2007

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. Advisory Board for the Physically and Mentally Challenged – four (4) vacancies.
- b. Citizens' Pedestrian & Bikeway Advisory Board – two (2) vacancies.
- c. Elder Affairs Advisory Board – one (1) vacancy.
- d. Environmental Advisory Board – two (2) vacancies.
- e. Marine Advisory Board – one (1) vacancy (professional engineer with experience in marine and coastal matters).
- f. Pearl City Blue Ribbon Committee – one (1) vacancy (resident of Dixie Manor, Pearl City, or Lincoln Court).

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 Bid

- 1) Red Reef Park Dune Overwalk Repairs
Requested by Recreation Services
Hartzell Construction \$88,200

b. Sole Source

- 1) Lightning Prediction System
Requested by Recreation Services
Thor Guard, Inc. \$99,475

c. Resolution No. 35-2007

A resolution of the City of Boca Raton authorizing the City Manager to execute a Grant Agreement for an Economic Development Initiative Grant from the United States Department of Housing and Urban Development, pursuant to Resolution 142-2006, for the implementation of streetscape improvements in accordance with the Pearl City Master Plan; authorizing and directing the City Manager to comply with the terms and conditions of said grant; providing for severability; providing for repealer; providing an effective date

d. Resolution No. 36-2007

A resolution of the City of Boca Raton authorizing the City Manager to execute a Grant Agreement for an Economic Development Initiative Grant, pursuant to Resolution 210-2005, for the implementation of streetscape improvements in accordance with the Pearl City Master Plan; authorizing and directing the City Manager to comply with the terms and conditions of said grant; providing for severability; providing for repealer; providing an effective date

e. Resolution No. 37-2007

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute the renewal of the South Florida High Intensity Financial Crimes Area Task Force (SFHIFCATF) Memorandum of Understanding with the Internal Revenue Service (IRS) along with the Office of the State Attorney of Palm Beach County for the purpose of disrupting, dismantling, or rendering ineffective organizations involved in the laundering of proceeds of all financial crimes in the South Florida area; providing for severability; providing for repealer; providing an effective date

f. Resolution No. 38-2007

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 the Bulletproof Vest Partnership 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

g. Resolution No. 39-2007

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute the second amendment to Agreement 02PB1 with the Florida Department of Environmental Protection for the purpose of reimbursable funding for design and permitting, construction and monitoring of the Central Boca Raton Beach Nourishment Project; providing for severability; providing for repealer; providing an effective date

h. Resolution No. 40-2007

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an agreement with Terry Cohen, M.D., for the purpose of providing professional services as medical director for emergency and non-emergency medical services provided by the Fire Rescue Services Department; providing for severability; providing for repealer; providing an effective date

i. Resolution No. 41-2007

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an agreement with Keith and Schnars, P.A. for the purpose of providing professional engineering services; providing for severability; providing for repealer; providing an effective date

j. Resolution No. 42-2007

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 1 with Keith and Schnars, P.A. for the purpose of providing professional engineering services for El Rio Canal Shared Use Pathway between Yamato Road and L-40 Canal; providing for severability; providing for repealer; providing an effective date

k. Resolution No. 43-2007

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. Two, Three, and Four with Renaissance Planning Group for the purpose of providing consulting services and preparing EAR-based Plan Amendments and land development regulations related to the Multimodal Transportation Initiative; providing for severability; providing for repealer; providing an effective date

l. Receive and File Board Minutes – April 10, 2007

- 1) Community Appearance Board
March 6, 2007
- 2) Community Relations Board
February 12, 2007
- 3) Environmental Advisory Board
December 21, 2006
- 4) Historic Preservation Board
February 20, 2007
- 5) Special Master
February 14, 2007

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. 4975

An ordinance of the City of Boca Raton codifying reasonable accommodation procedures pursuant to the Fair Housing Amendments Act and Title II of the Americans with Disabilities Act; 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.)

5. Ordinance No. 4976

An ordinance of the City of Boca Raton providing for the vacation and abandonment of a utility easement at 900 South Ocean Boulevard, as more specifically described herein; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (EA-07-02)

6. Ordinance No. 4977

An ordinance of the City of Boca Raton providing for the vacation and abandonment of an ingress/egress easement at 900 South Ocean Boulevard, as more specifically described herein; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (EA-07-01)

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:

7. Analysis Regarding Widening of NW 12th Avenue
8. Setting Summer Meeting Schedule

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.