

AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON MARCH 27, 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 12, 2007
Minutes of the Regular Meeting of March 13, 2007

PROCLAMATIONS/RECOGNITIONS/AWARDS:

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. General Employees' Pension Board – two (2) vacancies due to term expirations.
- b. Planning and Zoning Board – two (2) vacancies due to term expirations.
- c. Police and Firefighters' Pension Board – two (2) vacancies due to term expirations.
- d. Zoning Board of Adjustment – three (3) vacancies due to term expirations.

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 Proposal

- 1) Property Insurance - Renewal
Requested by Financial Services
Beacon Group, Inc. \$1,684,830

b. Intergovernmental Agreement

- 1) Trailer Mounted Generator (New)
Requested by Recreation Services
Standby Systems Inc. \$63,323
- 2) Mobile Sound Stage Trailer (New)
Requested by Recreation Services
Century Industries \$121,084

c. Resolution No. 33-2007

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a revocable license agreement with Royal Palm Improvement Association, Inc. for the purpose of placing speed humps in City right-of-way of Thatch Palm Drive and Maya Palm Drive in Royal Palm Yacht and Country Club; providing for severability; providing for repealer; providing an effective date

d. Board Resignation

- 1) Resignation of Richard Middlebrook from the Advisory Board of the Physically and Mentally Challenged.

e. Receive and File Board Minutes – March 27, 2007

- 1) Boca Raton Advisory Board for the Physically and Mentally Challenged
February 1, 2007
- 2) Community Appearance Board
February 27, 2007

- 3) Education Advisory Board
January 22, 2007
- 4) Elder Affairs Advisory Board
February 7, 2007
- 5) Executive Employees' Retirement Plan Board of Trustees
April 21, 2006
December 5, 2006
- 6) Financial Advisory Board
January 29, 2007
- 7) Library Advisory Board
January 17, 2007
- 8) Marine Advisory Board
February 7, 2007
- 9) North Federal Highway Steering Committee
February 6, 2007
- 10) Parks and Recreation Board
February 6, 2007
- 11) Planning and Zoning Board
January 4, 2007
January 18, 2007
- 12) Special Master
November 22, 2006
December 13, 2006
- 13) Telecommunications Advisory Board
February 5, 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.)

4. Resolution No. 32-2007

A resolution of the City of Boca Raton accepting and approving the final plat known as the Blue Lake Residential subdivision plat, and authorizing the Mayor and City Clerk to execute the plat and a contract for the construction of required public improvements; providing for severability; providing for repeal; providing an effective date (UC 05-02)

(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:

5. Ordinance No. 4974

An ordinance of the City of Boca Raton providing for the vacation and abandonment of a Lake Maintenance Easement and a Lake Access Easement, located at 1601 Clint Moore Road, as more specifically described herein; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (EA-07-03)

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.)

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:

6. Resolution No. 30-2007

A resolution of the City of Boca Raton amending the Boca Raton Municipal Facilities and Services User Fee Schedule related to advertising fees; providing for severability; providing for repealer; providing an effective date

QUASI-JUDICIAL PUBLIC HEARING/REQUEST FOR VARIANCE FROM CHAPTER 24-SIGN CODE:

CITY MANAGER RECOMMENDATIONS AND REPORTS:

7. Draft Letter to Boca Raton Restaurants regarding Trans Fats

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.