

AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON JANUARY 27, 2004 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:

MINUTES:

Minutes of the Regular Workshop Meeting of January 12, 2004
Minutes of the Regular Meeting of January 13, 2004

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:

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) | Temporary Modular Building - New
Requested by Fire Rescue Services
Advanced Modular Structures, Inc. | \$59,450 |
| 2) | Western Library
Requested by Recreation Services
S.F.C.S., Inc. | \$7,983,400 |

b. Intergovernmental Agreements

- | | | |
|----|---|-----------|
| 1) | Fairway Mower (Replacement)
Requested by Recreation Services
Wesco Turf Supply, Inc. | \$30,472 |
| 2) | Sodium Hypochlorite
Requested by Utility Services
Allied Universal Corporation | \$120,000 |
| 3) | Automatic External Defibrillators
Requested by Fire Rescue Services
Philips Electronics North America,
dba Philips Medical Systems | \$98,963 |
| 4) | Playground Structure
and Swing for Red Reef Park - New
Requested by Recreation Services
American Park and Play | \$48,392 |
| 5) | Self Contained Breathing Apparatus Cylinders
Requested by Fire Rescue Services
Fisher Scientific Company | \$58,799 |

6) Beach Rake (Tractor-Drawn) - Replacement
 Requested by Municipal Services
 Florida Municipal Equipment \$59,670

c. Sole Source

1) Rigid Hull Inflatable Boat - New
 Requested by Fire Rescue Services
 Nautica International, Inc. \$59,680

2) Access Control System for Fire Rescue Station #2
 Requested by Fire Rescue Services
 Johnson Controls, Inc. \$41,895

d. Change Order

1) South Beach Area Park Improvements,
 Requested by Recreation Services
 Centerline Commercial, Inc. \$156,775

e. Resolution No. 14-2004

A resolution of the City of Boca Raton authorizing the City Manager to apply for a grant from the Florida Department of Community Affairs, Division of Emergency Management, pursuant to a Comprehensive Emergency Management Plan; 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

f. Resolution No. 15-2004

A resolution of the City of Boca Raton authorizing the City Manager to apply for a grant from the Federal Emergency Management Agency (FEMA) pursuant to the purchase of equipment, supplies, and printing of materials for the City of Boca Raton Community Emergency Response Team (CERT); authorizing the acceptance of 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. 16-2004

A resolution of the City of Boca Raton authorizing the City Manager to apply for a grant from the United States Department of Homeland Security (DHS) for the funding of a part-time position, advertising, and printing of materials for development and implementation of the City of Boca Raton Citizen Corps; authorizing acceptance of 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

h. Resolution No. 17-2004

A resolution of the City of Boca Raton approving and accepting beach storm damage reduction easement deeds from property owners over certain lands located within the Central Beach Nourishment Project; providing for severability; providing for repealer; providing an effective date

i. Resolution No. 18-2004

A resolution of the City of Boca Raton approving and accepting Easement Deeds from Boca Raton Medical Arts Center, Inc., Boca Linda East Association, Inc. and B & D Associates, LLP over certain lands located at N.W. 13 Street and N.W. 9 Court; providing for severability; providing for repealer; providing an effective date

j. Resolution No. 19-2004

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a revocable license agreement with Boca Technology Center LLC for the purpose of placing trees, pole lights and landscaping in City right-of-way adjacent to 500 T-Rex Avenue; providing for severability; providing for repealer; providing an effective date

k. Board Resignations

- 1) Resignation of Michael Gelfand from the Builders' Board of Adjustment and Appeals
- 2) Resignation of Madeleine Siegel from the Education Advisory Board

l. Receive and File Board Minutes – January 26, 2004

- 1) Citizen's Pedestrian and Bikeway Advisory Board
December 8, 2003
- 2) Community Appearance Board
November 25, 2003
December 2, 2003
December 9, 2003
December 16, 2003
- 3) Environmental Advisory Board
October 16, 2003
- 4) Financial Advisory Board
November 17, 2003
- 5) Marine Advisory Board
November 12, 2003
- 6) Parks and Recreation
December 2, 2003

- 7) Special Master
November 12, 2003
December 10, 2003
- 8) Telecommunications Advisory Board
December 1, 2003
- 9) Zoning Board of Adjustment
November 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:

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

4. Ordinance No. 4760

An ordinance of the City of Boca Raton amending the Future Land Use Map of the Comprehensive Plan by redesignating certain property consisting of 3.95 acres, more or less, located at 6951 North Federal Highway, as more specifically described herein, from C (Commercial) to RM (Residential Medium); providing for the appropriate revisions of the Future Land Use Map; granting a technical deviation for a driveway; providing for severability; providing for repealer; providing an effective date (UC-03-04 SC/ZC/SPA/PUD/SUB)

5. Ordinance No. 4761 *(Revised)*

An ordinance of the City of Boca Raton relating to rezoning; providing for the rezoning of a parcel of land consisting of 3.95 acres, more or less, located at 6951 North Federal Highway, as described more particularly herein, from R-B-1 (Motel Business) and B-4 (General Business) to R-3/PUD (Multifamily Residential/Planned Unit Development); providing for the appropriate revisions of the zoning district map; providing for severability; providing for repealer; providing an effective date (UC-03-04 SC/ZC/SPA/PUD/SUB)

6. Resolution No. 1-2004

A resolution of the City of Boca Raton granting Planned Unit Development master plan approval of the proposed Tuscan Village Planned Unit Development, subject to conditions; providing for severability; providing for repealer; providing an effective date (UC-03-04 SC/ZC/SPA/PUD/SUB)

7. Resolution No. 13-2004

A resolution of the City of Boca Raton granting tentative plat approval to the proposed Tuscan Village Planned Unit Development Plat, subject to conditions; providing for severability; providing for repealer; providing an effective date (UC-03-04 SC/ZC/SPA/PUD/SUB)

REGULAR BUSINESS – PART III – REGULAR PUBLIC HEARINGS:

8. Ordinance No. 4762

An ordinance of the City of Boca Raton amending the Fiscal Year 2003-2004 budget through a budget amendment, relating to annexation; providing for severability; providing for repealer; providing an effective date

9. Ordinance No. 4763

An ordinance of the City of Boca Raton amending the Fiscal Year 2003-2004 budget through the First Quarterly Budget Amendment; providing for severability; providing for repealer; providing an effective date

10. Ordinance No. 4764

An ordinance of the City of Boca Raton relating to front porches; amending Section 28-1354(1), Code of Ordinances, to delete the requirement that front porches shall not occupy more than half of the length of the front plot line; providing for severability; providing for repealer; providing for codification; providing an effective date (AM-00-02-R1)

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.)

11. Ordinance No. 4765

An ordinance of the City of Boca Raton amending conditions of Ordinance No. 4656 which amended the Future Land Use Element of the Comprehensive Plan for a certain property consisting of 12.49 acres, more or less, located at 5580-5798 North Federal Highway, subject to conditions; providing for severability; providing for repealer; providing an effective date (UC-03-06)

12. Ordinance No. 4766

An ordinance of the City of Boca Raton providing for the vacation and abandonment of the north 30 feet of Newcastle Street located between Federal Highway and Keys Drive, as more specifically described herein; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (AB-03-03)

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.