

AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON JANUARY 23, 2002 6:00 PM

INVOCATION:

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL:

Mayor Steven L. Abrams
Deputy Mayor Carol G. Hanson
Council Member Dave Freudenberg
Council Member Bill Glass
Council Member Susan Haynie

AMENDMENTS TO THE AGENDA:

PROCLAMATIONS/RECOGNITIONS:

PRESENTATIONS:

MINUTES:

Minutes of the Regular Workshop Meeting of January 7, 2002
Minutes of the Regular Meeting of January 8, 2002

NOTICE

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 VI or as otherwise directed by the City Council.)

a. Sealed Bid

1) Wellfield Rehabilitation and Improvements
Requested by Utility Services
Florida Design Contractors, Inc. \$2,544,735

b. Sealed Renewals

1) Landscape Maintenance Services for Central Section
Requested by Recreation Services
Complete Property Services \$135,348

2) Landscape Maintenance Services for East Section
Requested by Recreation Services
Lucky Lawns, Inc. \$103,926

3) Landscape Maintenance Services for North Section
Requested by Recreation Services
Lucky Lawns, Inc. \$98,835

4) Landscape Maintenance Services for South Section
Requested by Recreation Services
Custom Care, Inc. \$187,335

5) Landscape Maintenance Services for El Rio
Bicycle/Pedestrian Corridor
Requested by Recreation Services
Lucky Lawns, Inc. \$42,455

6) Landscape Maintenance Services for
Cemetery and Mausoleum
Requested by Recreation Services
Edge & Cut Landscaping \$42,035

7) Landscape Maintenance Services for Downtown Section
Requested by Recreation Services
Custom Care, Inc. \$158,367

8) Westinghouse Electrical Spare Parts
Requested by Utility Services
Erin Electrical Enterprises \$150,000

c. Intergovernmental Agreement

1) Fire Hydrant Audit
Requested by Utility Services
Metro Service Consultants \$112,470

d. Resolution No. 11-2002

A resolution of the City of Boca Raton approving and accepting an easement deed from B R C H Corporation over certain lands located at 600 Glades Road; providing for severability; providing for repealer; providing an effective date

e. Resolution No. 12-2002

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 02-1 with Post, Buckley, Schuh & Jernigan, Inc., for the purpose of providing additional survey and design services for the Pearl City Citizen Master Plan Improvements; providing for severability; providing for repealer; providing an effective date

f. Resolution No. 13-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a Financial Assistance Agreement with Palm Beach County for beautification of the north and south sides of Palmetto Park Road from approximately N.W. 12th Avenue to N.W. 9th Avenue, and the north side of Palmetto Park Road from the El Rio Canal to N.W. 4th Avenue; providing for severability; providing for repealer; providing an effective date

g. Resolution No. 14-2002

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

h. Resolution No. 15-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an agreement with Post, Buckley, Schuh & Jernigan, Inc., for the purpose of providing professional civil engineering services; providing for severability; providing for repealer; providing an effective date

i. Resolution No. 16-2002

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

j. Resolution No. 17-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an agreement with JDR Construction Co., Inc., for the purpose of providing professional civil engineering services; providing for severability; providing for repealer; providing an effective date

k. Resolution No. 18-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a mutual release and settlement agreement with Preferred National Insurance Company (“PNIC”) for the purpose of construction closeout for the Park Ranger/Marine Safety Headquarters; providing for severability; providing for repealer; providing an effective date

l. Resolution No. 19-2002

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, for training and equipping an emergency response team unit; 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

m. Board Resignation

- 1) Resignation of Jose F. Gonzalez-Heres from the Telecommunications Advisory Board
- 2) Resignation of George L. Sigalos from the Zoning Board of Adjustment

n. Receive and File Board Minutes – January 23, 2002

- 1) Community Appearance Board
December 11, 2001
December 18, 2001
- 2) Community Relations
September 19, 2001

- 3) Financial Advisory Board
October 29, 2001
- 4) General Employees Pension Board
November 7, 2001
- 5) Marine Advisory Board
December 19, 2001
- 6) Parks and Recreation Board
December 4, 2001
- 7) Physically and Mentally Challenged Board
December 6, 2001
- 8) Police & Firefighters' Pension Board
November 19, 2001
- 9) Telecommunications Advisory Board
December 17, 2001

(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 the hearing under Part II will be governed by the "quasi-judicial procedures" attached to this agenda.)

REGULAR BUSINESS – PART II – QUASI-JUDICIAL PUBLIC HEARINGS:

REGULAR BUSINESS – PART III – REGULAR PUBLIC HEARINGS:

4. Ordinance No. 4604 *(Second of two required public hearings.) (Requires four votes.)*

An ordinance of the City of Boca Raton amending the City of Boca Raton Comprehensive Plan; creating four new policies and amending two policies in the Transportation Element related to the Thoroughfare Right-of-Way Protection Map, Transportation Concurrency Management and the Constraint of Certain Roadway Facilities, providing for incorporation of the City's Thoroughfare Right-of-Way Map; providing for designation of portions of NW 2nd Avenue, NE 5th Avenue, SW 18th Street and Palmetto Park Road as constrained roadway facilities not to be widened; providing for severability; providing for repealer; providing an effective date (SC-01-08)

5. Ordinance No. 4605 *(Second of two required public hearings) (Requires four votes.)*

An ordinance of the City of Boca Raton amending the Comprehensive Plan; creating a new Public School Facilities Element to provide for countywide school concurrency and a level of service standard for public school facilities; amending the Capital Improvements Element by amending Policy CIE.1.1.3 and Policy CIE.1.3.3 to modify the definition of categories of public facilities relating to public schools and creating Policy CIE.1.4.3 relating to minimum level of service standards established in respective elements of the Comprehensive Plan;

adopting the School District of Palm Beach County Six Year Capital Improvement Schedule; amending the Intergovernmental Coordination Element of the Comprehensive Plan by amending Objective ICE.1.1.0 and Objective ICE.1.4.0 to provide for intergovernmental coordination with the School Board in the siting of schools with planned infrastructure and public facilities and by creating Policy ICE.1.4.9.1, Policy ICE.1.4.9.2, Policy ICE.1.4.9.3, Policy ICE.1.4.9.4, Policy ICE.1.4.9.5, Policy ICE.1.4.9.6, Policy ICE.1.4.9.7, Policy ICE.1.4.9.8, Policy ICE.1.4.9.9, Policy ICE.1.4.9.10, Policy ICE.1.4.9.11, and Policy ICE.1.4.9.12; amending the map appendix of the Comprehensive Plan by creating a new School Concurrency Map Series PS 1.1, PS 2.1, PS 3.1, PS 3.2, PS 3.3, and PS 3.4 relating to public school facilities planning; providing for severability; providing for repealer; providing for codification; providing an effective date (SC-01-07)

6. Ordinance No. 4613

An ordinance of the City of Boca Raton amending Chapter 24, Code of Ordinances, Signs; adding and amending definitions; adding as unlawful signs, exposed neon signs and painted wall signs; adding standards to be used in connection with sign variances; deleting exemptions from permitting for certain banners, certain directional signs, certain real estate signs and certain window signs; clarifying that political and seasonal/holiday signs which are exempt from permitting are temporary signs; amending requirements for temporary banners; changing informational requirements for sign permits; amending Section 24-33, Code of Ordinances, to establish additional standards; amending the free-standing sign setback; providing for real estate signs in certain districts; amending requirements for permitted signs in certain districts; deleting permitted signs in certain districts; amending requirements for project signs; adding permitted directory signs; amending requirements for permitted permanent window signs; amending requirements for changeable copy signs; amending provisions for special event signs; amending provisions for temporary political signs; providing for severability; providing for repealer; providing for codification; providing an effective date

7. Ordinance No. 4626 *(Second of two required public hearings)*

An ordinance of the City of Boca Raton relating to conditional uses in the M-2 General Industrial District; amending Section 28-1098, Code of Ordinances, to establish a maximum gross floor area for retail uses and lumber and building supply sales facilities in the M-2 General Industrial District; providing for severability; providing for repealer; providing for codification; providing an effective date

8. Ordinance No. 4628

An ordinance of the City of Boca Raton providing for the vacation and abandonment of special purpose utility easements, located at 101 N.E. 20th Street, as more specifically described herein; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (E-01-EA-04)

9. Ordinance No. 4629 (As revised 1/23/02)

An ordinance of the City of Boca Raton amending the Fiscal Year 2001-2002 Budget through the First Quarterly Budget Amendment; providing for severability; providing for repealer; providing an effective date

10. Ordinance No. 4630

An ordinance of the City of Boca Raton amending the Procurement Code to provide a local preference of two (2) percent for contracts of at least \$3,000 but not more than \$100,000, to be awarded pursuant to competitive sealed bidding and small purchase procedures; providing for severability; providing for repealer; providing for codification; providing an effective date

REGULAR BUSINESS – PART IV - 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. 4627

An ordinance of the City of Boca Raton amending Section 28-237 Code of Ordinances by amending the standards applicable to certificates of appropriateness and adopting the Secretary of the Interior's standards for rehabilitation and guidelines for rehabilitating historic buildings, sites or structures within a district; providing for severability; providing for repealer; providing for codification; providing an effective date (AM-01-05)

REGULAR BUSINESS - PART V - 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 VI - RESOLUTIONS AND OTHER BUSINESS:

12. a. Discussion of the "active participant" requirement for eligibility to serve on the Canvassing Board

b. Selection of Canvassing Board Member for 2002 Election

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.