

AGENDA

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

INVOCATION:

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL:

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

AMENDMENTS TO THE AGENDA:

PROCLAMATIONS:

National Volunteer Week – April 21 through 27, 2002
Arbor Day – April 26, 2002

AWARDS/RECOGNITIONS:

MINUTES:

Minutes of the Regular Workshop Meeting of April 8, 2002
Minutes of the Regular Meeting of April 9, 2002

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. Environmental Advisory Board – (3) vacancies due to term expirations of Elisabeth Hoffman, Andrew M. Gross, and Gary E. Eichler. Terms expire 04/30/02.

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 Renewals

- | | | |
|----|--|----------|
| 1) | Welding Services
Requested by Municipal Services, Recreation Services
Slim's Welding Inc. | \$62,000 |
| 2) | Maintenance and Testing of
5000 & 480 Volt Equipment
Requested by Utility Services
Electro-Test, Inc. | \$40,825 |

b. Intergovernmental Agreements

- | | | |
|----|--|-----------|
| 1) | Personal Computer Support Services
Requested by City Manager
Teksystems | \$50,000 |
| 2) | Road Construction Materials
Requested by Municipal Services,
Recreation Services and Utility Services
Austin Tupler Trucking, Conrad Yelvington Distributor Inc.
and Hardrives of Delray | \$43,020 |
| 3) | Space Saver Evidence Storage Filing System (New)
Requested by Police Services
United Business Systems | \$28,529 |
| 4) | Sodium Hypochlorite
Requested by Utility Service
Jones Chemical, Inc. | \$289,089 |

5) Speed Monitoring Awareness Radar Trailer (New)
Requested by Police Service
Kustom Signals \$28,412

c. Sole Source

1) Access Control System
Requested by Municipal Services
Johnson Controls, Inc. \$68,287

d. Resolution No. 66-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute the First Amendment to the Agreement with Nutting Engineers of Florida, Inc. for the purpose of extending said Agreement until December 31, 2002; providing for severability; providing for repealer; providing an effective date

e. Resolution No. 67-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a Revocable License Agreement with Bibletown Community Church, Inc. for the maintenance and operation of a parking area in City right-of-way located within the Beulah Heights Subdivision; providing for severability; providing for repealer; providing an effective date

f. Resolution No. 68-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an Agreement with the Florida Department of Environmental Protection for the purpose of providing reimbursement to the City for costs which will be incurred for the design and construction of the Spanish River Park Boat Dock and related amenities; providing for severability; providing for repealer; providing an effective date

g. Resolution No. 69-2002

A resolution of the City of Boca Raton accepting and approving the final plat known as the Boca Grand Subdivision Plat, and authorizing the Mayor and City Clerk to execute the plat; providing for severability; providing for repealer; providing an effective date (SUB 00-07CRP)

h. Resolution No. 70-2002

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 7 with Camp Dresser & McKee Inc. for the purpose of providing professional engineering services for the Wellfield Rehabilitation and Improvement Project; providing for severability; providing for repealer; providing an effective date

i. Resolution No. 71-2002

A resolution of the City of Boca Raton authorizing the City Manager to apply for a grant from the Environmental Protection Agency (EPA) to develop a vulnerability assessment, emergency operations plans, and security enhancement planning for the City's water system; 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

j. Resolution No. 72-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute the Third Amendment to the Agreement with the Department of Environmental Protection for the purpose of reimbursable funding for engineering, permitting, design and construction of beach renourishment projects; providing for severability; providing for repealer; providing an effective date

k. Resolution No. 73-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an Agreement with the State of Florida, Department of Environmental Protection, for the purpose of reimbursable funding for engineering, design and construction of the Central Beach Renourishment Project; providing for severability; providing for repealer; providing an effective date

l. Resolution No. 74-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an Agreement with Architects Design Group, Inc. to provide a Facilities Space Study; providing for severability; providing for repealer; providing an effective date

m. Resolution No. 75-2002

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 1 with Architects Design Group, Inc. for the purpose of providing consultant services for a Facilities Space Study of City Hall and Police Services buildings; providing for severability; providing for repealer; providing an effective date

n. Resolution No. 76-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a contract with The Beacon Group, Inc. for the procurement of flood, property and windstorm coverages/insurance, as needed, providing for severability; providing for repealer; providing an effective date

o. Receive and File Board Minutes – April 23, 2002

- 1) Community Appearance Board
March 19, 2002
- 2) Education Advisory Board
February 25, 2002
- 3) Off Street Parking Committee
February 21, 2002
- 4) Parks and Recreation
March 5, 2002
March 14, 2002 (Public Hearing)
- 5) Pearl City Blue Ribbon Committee
January 24, 2002
- 6) Physically and Mentally Challenged Board
March 7, 2002
- 7) Planning and Zoning Board
February 21, 2002
March 14, 2002
- 8) Police and Firefighters' Pension Board
February 20, 2002
- 9) Special Master
January 23, 2002
March 13, 2002

(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 PUBLIC HEARINGS:

REGULAR BUSINESS – PART III – REGULAR PUBLIC HEARINGS:

4. Ordinance No. 4637 (Second of two required public hearings.)

An ordinance of the City of Boca Raton relating to the height of buildings and nonresidential building heights in single-family residential districts; amending Section 28-2, Code of Ordinances, Definitions, “height of building” to include “height of structures”; amending Section 28-340 “conditional uses”, and Section 28-342, “building height”, Code of Ordinances, to require conditional use approval for nonresidential buildings and structures (including without limitation public utility poles) in excess of fifty feet in height in single-family residential zoning districts and to provide supplemental standards for such conditional uses; providing for severability; providing for repealer; providing for codification; providing an effective date

5. Ordinance No. 4641

An ordinance of the City of Boca Raton authorizing the sale of a parcel of land consisting of approximately 2.48 acres and located between N.W. 15th Avenue and Interstate 95 at the Boca Raton Community High School; providing for severability; providing for repealer; providing an effective date (SC-01-16)

6. Ordinance No. 4642

An ordinance of the City of Boca Raton providing for the vacation and abandonment of platted utility easements, located at N.W. 15th and 16th Streets and N.W. 15th Avenue in Country Club Village Section E, as more specifically described herein; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (E-01-EA-07)

7. Ordinance No. 4643

An ordinance of the City of Boca Raton providing for the vacation and abandonment of a portion of N.W. 16th Street, located between N.W. 15th Avenue and Boca Raton Community High School, as more specifically described herein; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (AB-01-03)

8. Ordinance No. 4644

An ordinance of the City of Boca Raton providing for the vacation and abandonment of a portion of a platted utility easement, located at 7898 North Federal Highway, as more specifically described herein; providing for severability; providing for repealer; providing an effective date (E-00-EA-11)

9. Ordinance No. 4645

An ordinance of the City of Boca Raton providing for the vacation and abandonment of a portion of George A. Long Alley located between S.E. 5th and S.E. 6th Streets, west of Federal Highway in the Downtown Development of Regional Impact, as more specifically described herein; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (AB-00-05CRP)

10. Ordinance No. 4646

An ordinance of the City of Boca Raton providing for the vacation and abandonment of portions of platted utility easements, located at 300 South Federal Highway, as more specifically described herein; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (E-02-EA-01)

11. Ordinance No. 4647

An ordinance of the City of Boca Raton amending Section 19-92(2), Code of Ordinances, which provides that no building permit shall be required for repairs to an existing permitted fence or wall at an existing detached single-family residence which do not exceed \$1,000.00 in total cost, to clarify that work that includes a change of the building materials, width, height or location of a fence or wall shall not be considered a “repair” to the fence or wall, and shall require a building permit; 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.)

12. Ordinance No. 4648

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

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:

APPEAL OF ZONING BOARD OF ADJUSTMENT DECISION:

13. Helena Howe
1357 N.W. 6th Street
Rear Yard Setback Variance – Case No. BA-02-02

CITY MANAGER RECOMMENDATIONS AND REPORTS:

14. 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.