

AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON AUGUST 27, 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:

Ovarian Cancer Awareness Month – September 2002

AWARDS/RECOGNITIONS:

MINUTES:

Minutes of the Council Planning Session of May 1, 2002
Minutes of the Strategic Planning Workshop of May 2, 2002
Minutes of the Regular Workshop Meeting of July 22, 2002
Minutes of the Regular Meeting of July 23, 2002
Minutes of the Budget Workshop Meeting of July 30, 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. Advisory Board for the Physically and Mentally Challenged – one (1) vacancy due to resignation of Alexander Martone, whose term expires 04/23/03.
- b. Community Relations Board – two (2) student vacancies.
- c. Telecommunications Advisory Board – three (3) vacancies, due to term expirations of Arnold Granet, Gene A. Folden, and Claudette Deien, whose terms expire 09/08/02.

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 Bid

- 1) Offsite Water Transmission Mains,
Concentrate Piping & Lift Station Force Main
Requested by Utility Services
Astaldi Construction Corporation \$848,261

b. Competitive Sealed Proposal

- 1) Bi-Directional Tractor (Replacement)
Requested by Recreation Services
Sunrise Tractor And Equipment Inc. \$82,987

c. Sealed Renewal

- 1) Overhead Door, Gate and Operator Maintenance Renewal
Requested by Municipal Services Recreation Services
Electronic Door Lift, Inc. \$53,310

d. Intergovernmental Agreement

- 1) Electric Motor Service Repairs
Requested by Utility Services
Tampa Armature Works, Inc. \$63,641

e. Sole Source

- | | | |
|----|---|-----------|
| 1) | Portable Gas Chromatograph & Mass Spectrometer Unit
Requested by Fire Rescue Services
Inficon | \$122,865 |
| 2) | Radio Communication Device
Requested by Fire Rescue Services
Fisher Scientific Company LLC | \$64,600 |

f. Resolution No. 127-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute the First Amendment to the Agreement with KPMG, LLP for the provision of financial auditing services; providing for severability; providing for repealer; providing an effective date

g. Resolution No. 128-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute the Emergency Services Agreement for mutual assistance and automatic aid with the City of Delray Beach for the purpose of providing and receiving emergency fire rescue services assistance; providing for severability; providing for repealer; providing an effective date

h. Resolution No. 129-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute the Emergency Services Agreement for mutual assistance and automatic aid with the City of Deerfield Beach for the purpose of providing and receiving emergency fire rescue services assistance; providing for severability; providing for repealer; providing an effective date

i. Resolution No. 130-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute the Emergency Services Agreement for mutual assistance and automatic aid with the City of Boynton Beach for the purpose of providing and receiving emergency fire rescue services assistance; providing for severability; providing for repealer; providing an effective date

j. Resolution No. 131-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute the Emergency Services Agreement for mutual assistance and automatic aid with Palm Beach County for the purpose of providing and receiving emergency fire rescue services assistance; providing for severability; providing for repealer; providing an effective date

k. Resolution No. 133-2002

A resolution of the City of Boca Raton authorizing the City Manager to apply for a grant from the National Center for Missing & Exploited Children (NCMEC) for the LOCATER (LOst Child Alert TEchnology Resource) Project; 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

l. Resolution No. 134-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a joint participation agreement with the State of Florida Department of Transportation for the purpose of obtaining reimbursable funding for the installation of Enhanced Traffic Calming Speed Humps on standard local residential streets and to develop traffic calming alternatives for local residential streets which are used routinely by Fire/Rescue vehicles and cannot tolerate vertical deflections; providing for severability; providing for repealer; providing an effective date

m. Resolution No. 135-2002

A resolution of the City of Boca Raton approving and accepting an Easement Deed from the School Board of Palm Beach County, over certain lands located at 103 S.W. 1st Avenue; providing for severability; providing for repealer; providing an effective date

n. Resolution No. 136-2002

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

o. Resolution No. 137-2002

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No.9 with Hazen and Sawyer, P.C. for the purpose of providing consulting engineering services related to the study and evaluation on un-ionized ammonia standards proposed by the State of Florida Department of Environmental Protection; providing for severability; providing for repealer; providing an effective date

p. Resolution No. 138-2002

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 3 with CH2M Hill Inc. for the purpose of providing consulting engineering services related to an evaluation of the wastewater mains crossing the Intracoastal Waterway; providing for severability; providing for repealer; providing an effective date

q. Resolution No. 139-2002

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 8 with Kimley-Horn and Associates, Inc. for the purpose of providing professional engineering services for Spanish River Boulevard Phase II widening capital improvement project; providing for severability; providing for repealer; providing an effective date

r. Resolution No. 140-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a revocable license agreement with Eric and Melissa Zeitlin for the purpose of providing the placement of a fence within the El Rio Canal right-of-way located adjacent to 730 NW 7th Avenue; providing for severability; providing for repealer; providing an effective date

s. Resolution No. 141-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a temporary license agreement with Palm Beach County for the purpose of allowing Palm Beach County to manage, on a temporary basis, certain lands adjacent to the Yamato Road right-of-way, as more particularly described herein; providing for severability; providing for repealer; providing an effective date

t. Resolution No. 142-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an amendment to the Agreement with the Firefighters of Boca Raton, Local 1560, I.A.F.F., Inc., effective October 1, 2002 through September 30, 2005; providing for severability; providing for repealer; providing an effective date

u. Resolution No. 143-2002

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 6 with Kimley-Horn & Associates, Inc. for the purpose of providing consulting engineering services; providing for severability; providing for repealer; providing an effective date (Pertains to Airport Road)

v. Resolution No. 144-2002

A resolution of the City of Boca Raton approving and accepting an Easement Deed from Reverend James Murtagh, as Apostolic Administrator of the Diocese of Palm Beach, over certain lands located at 7250 North Federal Highway; providing for severability; providing for repealer; providing an effective date

w. Resolution No. 145-2002

A resolution of the City of Boca Raton approving and adopting the Goal Setting Session Report of May 2 and 3, 2002 (entitled "Leadership 2002") and the Strategic Plan 2002-2006 Update (including the Action Agenda for 2002-2003); providing for severability; providing for repealer; providing an effective date

x. Initial Assessment Resolution No. 01-I

A resolution of the City of Boca Raton providing for the construction, reconstruction and repair of storm sewers in Royal Palm Yacht & Country Club Subdivision; as more particularly described herein; adopting the assessment plat and plans and specifications submitted by the City Engineer; determining to defray the expense thereof by special assessments against the properties specially benefited thereby; directing the City Engineer to prepare an assessment roll; providing for severability; providing for repealer; providing an effective date

y. Board Resignation

- 1) Resignation of Claudette Deien from the Telecommunications Advisory Board
- 2) Resignation of David Schmidt as Director of Boca Raton Educational Television (B.R.E.T.)

z. Receive and File

Board Orders

- 1) Builders' Board of Adjustment and Appeals
 - a) Case No. BBAA-02-2721
- 2) Special Master
 - a) SM (G) Case No. 2-657
 - b) SM (G) Case No. 1-4864
 - c) SM (G) Case No. 2-749
 - d) SM (G) Case No. 2-1488
 - e) SM (G) Case No. 01-3341
 - f) SM (G) Case No. 00-307
 - g) SM (G) Case No. 2-1494
 - h) SM (G) Case No. 2-1116

Board Minutes – August 27, 2002

- 1) Community Appearance Board
June 25, 2002
June 26, 2002
July 2, 2002
July 9, 2002
July 16, 2002
- 2) Environmental Advisory Board
June 20, 2002
- 3) Financial Advisory Board
May 20, 2002
- 4) General Employees' Pension Board
June 12, 2002
- 5) Marine Advisory Board
June 12, 2002
- 6) Pearl City Blue Ribbon Committee
June 27, 2002
- 7) Physically and Mentally Challenged Advisory Board
June 6, 2002
- 8) Planning and Zoning Board
June 6, 2002
- 9) Planned Unit Development Subcommittee
June 20, 2002
- 10) Police and Firefighters' Pension Board
June 19, 2002
July 2, 2002
- 11) Special Master
April 24, 2002
- 12) Zoning Board of Adjustment
June 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:

REGULAR BUSINESS – PART IV – SETTLEMENTS

4. Settlement of Liability Claim
Case No. AL95-0039-US

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. 4668

An ordinance amending Section 2-285.1, Code of Ordinances, to provide that one member of the Telecommunications Advisory Board shall be the Executive Director of Boca Raton Educational Television, Inc. and such member shall not be required to be a resident of the City; providing for severability; providing for repealer; providing for codification; providing an effective date

6. Ordinance No. 4669

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

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:

7. Resolution No. 114-2002

A resolution of the City of Boca Raton, Florida; to be adopted in connection with the proposed issuance of general obligation bonds in the aggregate principal amount of not exceeding \$17,500,000 for the purpose of financing the renovation and improvement and/or replacement of five (5) existing fire stations and the construction and equipping of two (2) new fire stations and related administration building and support facilities located in the City of Boca Raton, Florida for the purpose of maintaining adequate fire safety facilities, in the City of Boca Raton, Florida; calling for a bond referendum of the qualified electors of the City of Boca Raton, Florida to be held on November 5, 2002, as to whether general obligation bonds for such purpose should be issued; and providing an effective date

7. a) Resolution No. 146-2002

A resolution of the City Council of the City of Boca Raton declaring the City's official intent to seek reimbursement for certain capital expenditures made or to be made with respect to the renovation and improvement and/or replacement of five (5) existing fire stations and the construction and equipping of two (2) new fire stations and related administrative building and support facilities located within the City from the proceeds of its not to exceed \$17,500,000 General Obligation Bond issue; providing for severability; providing for repealer; providing for an effective date

APPEAL OF BOARD DECISIONS:

CITY MANAGER RECOMMENDATIONS AND REPORTS:

8. FPL Update

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.