

# AGENDA

**REGULAR MEETING CITY COUNCIL BOCA RATON SEPTEMBER 10, 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:**

Leukemia & Lymphoma Awareness Month – September 2002

## **AWARDS/RECOGNITIONS:**

Boca Raton Ocean Rescue

## **MINUTES:**

Minutes of the Regular Workshop Meeting of August 26, 2002  
Minutes of the Special Meeting of August 26, 2002  
Minutes of the Regular Meeting of August 27, 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. Code Enforcement Board – four (4) vacancies, due to term expirations of Ron Peasley, Donald Munksgaard, Jack Wall, and Ben Kennedy, Jr., whose terms expire 09/25/02.
- b. Community Appearance Board – five (5) vacancies, due to term expirations of J. Patrick Lynch, Joe Peterson, A. Grant Thornbrough, Patricia Ternus Anderson, and Larry Cellon, whose terms expire 09/20/02.

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) Oak Circle Drainage Improvements  
Requested by Municipal Services  
Asphalt Consultants, Inc. \$206,532
- 2) Interior Renovations to Boca Raton  
Police Services Department  
Requested by Police Services  
Engineered Environments, Inc. \$102,734

b. Intergovernmental Agreement

- 1) Fiber Optic Supply and Installation  
Requested by Municipal Services  
Precision Contracting Services \$56,131
- 2) Firearms Simulator for System Based Training  
Requested by Police Services  
Florida Counter-Drug Procurement Program  
(Section 1122) \$57,615

c. Sole Source

- 1) Video Detection System  
Requested by Municipal Services  
Megan South, Inc. \$39,048

d. Resolution No. 155-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a traffic signal maintenance and compensation agreement with the State of Florida Department of Transportation; providing for severability; providing for repealer; providing an effective date

e. Receive and File Board Minutes – September 9, 2002

- 1) Builders' Board of Adjustment and Appeals  
May 6, 2002
- 2) Code Enforcement Board  
May 21, 2002
- 3) Community Appearance Board  
July 23, 2002  
July 30, 2002  
August 6, 2002
- 4) Community Relations Board  
May 20, 2002
- 5) Downtown Visions Committee  
June 5, 2002
- 6) Environmental Advisory Board  
July 18, 2002
- 7) Financial Advisory Board  
July 29, 2002
- 8) General Employees' Pension Board  
July 3, 2002
- 9) Historic Preservation Board  
May 21, 2002
- 10) Library Advisory Board  
June 19, 2002
- 11) Marine Advisory Board  
July 10, 2002
- 12) Parks and Recreation Board  
July 2, 2002
- 13) Physically and Mentally Challenged Advisory Board  
July 11, 2002

- 14) Planning Unit Development SubCommittee  
July 25, 2002
- 15) Special Master  
July 10, 2002
- 16) Telecommunications Advisory Board  
July 1, 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. 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

5. 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 IV – SETTLEMENTS**

6. Settlement of Liability Claim  
Case No. AL97-0015-FR

**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.)*

7. Ordinance No. 4672

An ordinance of the City of Boca Raton amending Section 23-116, Code of Ordinances, to provide for an increase in the Land Dedication Fee; providing for an automatic annual adjustment in the Land Dedication Fee; providing for severability; providing for repealer; providing for codification; providing an effective date

8. Ordinance No. 4673

An ordinance of the City of Boca Raton providing for the vacation and abandonment of Special Purpose Utility Easements, located at 131 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-02)

9. Ordinance No. 4667

An ordinance of the City of Boca Raton relating to water, sewer, and reclaimed water fees, rates and charges, and impact fees for new water and sewer services; amending Sections 17-45, 17-83, 17-84, 17-161, and 17-206, Code of Ordinances, to delete the fees, rates and charges set forth in said sections and to provide that said fees, rates and charges be set forth in the Boca Raton Water and Sewer Fee Schedule and to eliminate the automatic annual increases to the water and sewer impact fees; repealing Section 17-10, Code of Ordinances, to remove the requirement to provide bacteriological and chemical laboratory services; creating Section 17-58, Code of Ordinances, to provide the establishment of a fee for the relocation of a water service line when requested by a customer; creating a new Subsection 17-6(6), Code of Ordinances, to provide for fees for obtaining and renewing fire hydrant meter permits; providing for codification; providing for severability; providing for repealer; 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:**

10. Resolution No. 156-2002

A resolution of the City of Boca Raton adopting a conceptual development plan for the Boca Technology site; providing for severability; providing for repealer; providing an effective date

**REQUEST FOR VARIANCE FROM CHAPTER 24 – SIGN CODE:**

11. Resolution No. 157-2002

A resolution of the City of Boca Raton granting the request from Michael Sneiderman for variances to construct two additional real estate signs and provide for eight additional square feet of sign face area for the one permitted and the two requested real estate signs at Royal Palm Plaza, 194 S.E. 1<sup>st</sup> Avenue; providing for severability; providing for repealer; providing an effective date (SCV-02-01)

**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.