

AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON SEPTEMBER 24, 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:

AWARDS/RECOGNITIONS:

MINUTES:

Minutes of the Special Meeting of September 4, 2002
Minutes of the Regular Workshop Meeting of September 9, 2002
Minutes of the Regular Meeting of September 10, 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. Telecommunications Advisory Board – one (1) vacancy, due to resignation of Claudette Deien, whose term expired 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 Bids – FY 01/02

- 1) Compact Slip Printers
Requested by Police Services
Pomeroy Computer Resources \$46,890.00

b. Sealed Bids – FY 02/03

- 1) Traffic Signs & Marking Items
Requested by Municipal Services
Custom Products, Corp.; Municipal Supply & Sign Co.;
Rocal Inc.; Universal Signs & Accessories;
Vulcan Signs and 3M Company \$53,000.00

- 2) Lawnmower/Groundskeeping Parts and Supplies
Requested by Recreation Services, Municipal Services,
Utility Services
Able South; Boca Raton Small Engines;
Florida Coast Equipment; Kilpatrick Turf;
Precision Small Engines and Tesco South d/b/a Hector Turf \$96,550.00

c. Competitive Sealed Proposals – FY 01/02

- 1) Large Turf Equipment (New & Replacement)
Requested by Recreation Services
Hector Turf and Kilpatrick Turf \$106,130.00

d. Competitive Sealed Proposal – FY 02/03

- 1) Custodial Maintenance Services
Requested by City Wide
Sunshine Cleaning Systems, Inc. \$325,100.00

e. Sealed Renewals – FY02/03

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| 1) | Printer Cartridges, Ribbons and Media Supplies
Requested by City Wide
Martin Associates, Inc. | \$61,000.00 |
| 2) | Industrial Supplies, Miscellaneous Hardware, Paint,
Lumber and Small Hand Tools
Requested by City Wide
Deerfield Builders Supply; Home Depot Company;
Industrial Supplies; Maintenance Warehouse;
Sewell Hardware; Sherwin William Paint Company
and W.W. Grainger | \$250,000.00 |
| 3) | Janitorial Supplies
Requested by City Wide
Crown Sanitary Supply | \$80,250.00 |
| 4) | Office Supplies
Requested by City Wide
Corporate Express | \$175,000.00 |
| 5) | Emergency Medical Supplies
Requested by Fire Rescue Services
American LaFrance Medic Master; Moore Medical Corp;
PMX Medical; Southeastern Emergency Equipment;
Suncoast Surgical Supply, Inc.
and Tri-anim Health Services | \$37,000.00 |
| 6) | Hydraulic Repairs and Mobile Services
Requested by Municipal Services
Industrial Hose and Hydraulics, Inc. | \$50,000.00 |
| 7) | Sod, Pick-up Only
Requested by Municipal Services, Recreation Services,
Utility Services
Conco Horticulture and Mac's Garden of Eden | \$35,966.00 |
| 8) | Lighting Repair and Maintenance for
Ballfields and Tennis Courts
Requested by Recreation Services
Lectra Living Inc. | \$85,500.00 |
| 9) | Landscape Maintenance Service for Police and Fire Stations
Requested by Recreation Services
Complete Property Services | \$44,546.00 |

10)	Submersible Wastewater Pumps Requested by Utility Services A. Guthrie & Associates and Ellis K. Phelps & Company	\$250,000.00
11)	Landscape Maintenance Services for Lift Stations Requested by Utility Services Custom Care, Inc.	\$31,905.00
f.	<u>Competitive Sealed Proposal Renewals – FY 02/03</u>	
1)	Excess Insurance Requested by Financial Services Arthur J. Gallagher & Co./ North River Insurance Company	\$144,200.00
2)	Vehicle Air Conditioning Repairs Requested by Fire Rescue Services Municipal Services Auto Air Boca Inc. as the Primary award and Kramer Auto Electric and AC as the secondary award.	\$45,000.00
g.	<u>Intergovernmental Agreements – FY 01/02</u>	
1)	Geographic Information System Public Internet/ Intranet Web Site Development Requested by City Manager C & C Solutions, Inc.	\$40,000.00
2)	Geographic Information System Infrastructure Data Conversion Needs Assessment & Implementation Plan Requested by City Manager Woolpert,LLP	\$60,000.00
3)	Video Monitoring Cameras Requested by Municipal Services Mastec ITS of Florida, Inc.	\$59,564.00
4)	Fiber Optic Cable Requested by Municipal Services Accu-Tech Corporation	\$30,520.00
5)	Vehicle (Replacement) Requested by Municipal Services Altec Industries, Inc. and King Truck Center	\$103,050.00
6)	Furniture for Renewal Office Space (New) Requested by Police Services Office Elements Inc.	\$51,483.00

7)	Replacement of High Voltage Cables Requested by Utility Services C.R. Dunn, Inc.	\$34,435.00
h.	<u>Intergovernmental Agreements – FY 02/03</u>	
1)	Personal Computer and Printer Replacement Program Requested by City Manager Compaq of Houston Texas; I.B.M. of Atlanta Georgia; Pomeroy Computer Resources, Inc. (HP Items); Presidio of Lanham Maryland(Nortel/Bay Network items); GovStreet of Clearwater Florida (Enterasys items); CompUSA of Deerfield Beach Florida (Panasonic items) and Comark Government & Education Sales of Lake Wales Florida (Toshiba items)	\$500,000.00
2)	Network Infrastructure Upgrades Requested by City Manager Compaq of Houston Texas; I.B.M. of Atlanta Georgia; Pomeroy Computer Resources, Inc. (HP Items); Presidio of Lanham Maryland(Nortel/Bay Network items); GovStreet of Clearwater Florida (Enterasys items); CompUSA of Deerfield Beach Florida (Panasonic items) and Comark Government & Education Sales of Lake Wales Florida (Toshiba items)	\$130,000.00
3)	Tire Services Requested by Municipal Services Pride Enterprises	\$94,000.00
4)	Tires & Tubes Requested by Municipal Services, Fire-Rescue Services Goodyear Tire & Rubber , d/b/a Boca Tire Inc.	\$107,000.00
5)	Undercover Leased Vehicles Requested by Police Services Mears Motor Leasing	\$68,500.00
6)	Library Books and Audio Visual Material Requested by Recreation Services/Library Baker & Taylor; Baker & Taylor Entertainment; Follett Corporation; Ebsco Subscription Services; Gale Group; Newsbank Inc. and Pro Quest Information and Learning	\$296,945.00
7)	Bioxide Chemical Requested by Utility Services U.S. Filter Davis Process	\$328,500.00

8)	Disposal of Wastewater Bio-Solids Requested by Utility Services H&H Liquid Sludge Disposal, Inc.	\$270,854.00
9)	Sodium Hypochlorite Requested by Utility Services Jones Chemical, Inc.	\$180,000.00
i.	<u>Sole Source – FY 01/02</u>	
1)	Children's Science Explorium Exhibits Requested by Recreation Services Exploratorium	\$44,450.00
j.	<u>Sole Source – FY 02/03</u>	
1)	Infinium Payroll/Personnel Software Maintenance and Support Requested by City Manager Infinium Software	\$31,736.00
2)	HTE Software Maintenance Requested by City Manager HTE Inc.	\$78,871.00
3)	Original Equipment Manufacturer (OEM) Parts and Service for GS Recycling Truck Bodies and Crane Carrier Trucks Requested by Municipal Services Container Systems & Equipment	\$40,000.00
4)	Original Equipment Manufacturer (OEM) for Petersen Parts & Services Requested by Municipal Services Petersen Industries Machinery	\$35,000.00
5)	Original Equipment Manufacturer (OEM) Parts and Service for Sterling Trucks (formerly, Ford) Requested by Municipal Services Atlantic Truck Center	\$85,000.00
6)	Fuel for Police Boats Requested by Municipal Services Cove Marina and Delray Harbor Club Marina	\$30,000.00
7)	Refuse Packer, Original Equipment Manufacturer (OEM) Parts and Factory Authorized Repairs for Mack Trucks Requested by Municipal Services/Fleet Nextran Truck Center	\$120,000.00

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| 8) | Original Equipment Manufacturer (OEM) for
Leach Garbage Trucks and Labrie Recycling Trucks
Requested by Municipal Services/Fleet
Clarke Waste Systems | \$90,000.00 |
| 9) | Epixtech Inc. Software & Hardware Maintenance
Requested by Recreation Services
Epixtech, Inc. | \$45,100.00 |
| 10) | Water Meters & Parts
Requested by Utility Services
Badger Meter, Inc. | \$275,000.00 |

k. Resolution No. 154-2002

A resolution of the City of Boca Raton relating to the levy of special assessments against all lands within the Royal Palm Yacht and Country Club Subdivision, as more particularly described herein, which lands are specifically benefited by the construction, reconstruction and repair of storm sewers; accepting and publishing a preliminary assessment roll; providing for a public hearing, at which the City Council shall act as an equalizing board; providing for the giving of notice to all affected property owners; providing for severability; providing for repealer; providing an effective date

l. Resolution No. 160-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an Addendum to a Lease Agreement with Lewis Rental Properties for the purpose of renting space for the Police Athletic League; providing for severability; providing for repealer; providing an effective date

m. Resolution No. 161-2002

A resolution of the City of Boca Raton authorizing the City Manager to apply for a grant from the Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms pursuant to the City's Gang Resistance Education and Training (G.R.E.A.T.) Program; 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

n. Resolution No. 162-2002

A resolution of the City of Boca Raton authorizing the City Manager to apply for a grant from the Florida Department of Transportation Highway Safety Fund Program pursuant to the City's Child Occupant Safety Program; 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

o. Resolution No. 163-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a Joint Funding Agreement with the Geological Survey, United States Department of Interior, for the purpose of conducting an investigation of water resources; providing for severability; providing for repealer; providing an effective date

p. Resolution No. 164-2002

A resolution of the City of Boca Raton waiving the Payment in Lieu of Taxes for the Boca Raton Housing Authority for fiscal year ending September 30, 2003; providing for severability; providing for repealer; providing an effective date

q. Resolution No. 165-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an agreement with the Boca Raton Housing Authority (“Authority”) for the purpose of assisting with operating costs of the Authority’s “CATS” after school and summer camp programs; providing for severability; providing for repealer; providing an effective date

r. Resolution No. 166-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an agreement with the New Pines Foundation, Inc., a Florida nonprofit corporation for the purpose of assisting with operating costs of the New Pines Neighborhood Center; providing for severability; providing for repealer; providing an effective date

s. Resolution No. 167-2002

A resolution of the City of Boca Raton to extend the terms of appointment for the membership of the Downtown Visions Committee; providing for severability; providing for repealer; providing an effective date

t. Resolution No. 168-2002

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 8 with David Plummer & Associates, Inc. for the purpose of providing traffic engineering and design services to prepare design plans for the turn lane improvements at the intersection of Military Trail and Potomac Road and a new traffic signal at the intersection of NW 13 Street and NW 9 Court; providing for severability; providing for repealer; providing an effective date

u. Resolution No. 169-2002

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 5 with Keith and Schnars, P.A., for the purpose of providing professional engineering services for the El Rio Trail Canal shared use trail crossing at Yamato Road and CSX Railroad; providing for severability; providing for repealer; providing an effective date

v. Resolution No. 170-2002

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 02-5 with Post, Buckley, Schuh & Jernigan, Inc. for the purpose of providing technical assistance, submittal reviews, and construction services for electrical improvements for South Beach Park/Pavilion; providing for severability; providing for repealer; providing an effective date

w. Resolution No. 171-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an Agreement with Alcalde & Fay, Ltd., for the purpose of providing federal government affairs consulting services; providing for severability; providing for repealer; providing an effective date

x. Resolution No. 172-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an Addendum to a Lease Agreement with Lewis Rental Properties for the purpose of renting office space; providing for severability; providing for repealer; providing an effective date

y. Resolution No. 173-2002

A resolution of the City of Boca Raton updating the pay grade schedules for non-bargaining unit employees for Fiscal Year 2002 – 2003; providing for severability; providing for repealer; providing an effective date

z. Receive and File Board Minutes – September 24, 2002

- 1) Community Appearance Board
August 13, 2002
August 20, 2002
- 2) Education Advisory Board
May 23, 2002
July 22, 2002
- 3) General Employees' Pension Board
August 7, 2002

- 4) Parks and Recreation Board
August 6, 2002
- 5) Pearl City Blue Ribbon Committee
July 25, 2002
- 6) Planning and Zoning Board
June 20, 2002
July 18, 2002
- 7) Telecommunications Advisory Board
August 12, 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:

4. Resolution No. 152-2002

A resolution of the City of Boca Raton granting conditional use approval for Fairfield Gardens Hotel/Motel on a parcel of land located at 1330 North Military Trail, as described more particularly herein; providing for severability; providing for repealer; providing an effective date (UC-97-01R4/CA)

a. Resolution No. 153-2002

A resolution of the City of Boca Raton granting the petition of Jeffrey A. Evans, AICP, to amend portions of Resolution No. 149-2000 which granted an extension of the planned commercial development master plan approval for Fairfield Gardens Hotel/Motel, subject to conditions, to permit an additional eighteen months for the filing of a building permit application; providing for severability; providing for repealer; providing an effective date (UC-97-01R4/PCDA)

REGULAR BUSINESS – PART III – REGULAR PUBLIC HEARINGS:

5. 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

a. Resolution No. 150-2002

A resolution of the City of Boca Raton adopting the Boca Raton Water and Sewer Fee Schedule; establishing water and sewer fees, rates and charges; providing that the water and sewer fees, rate and charges provided for in Sections 17-45, 17-84, and 17-206, Code of Ordinances, and set forth in such schedule shall be automatically increased annually by the Consumer Price Index; providing for severability; providing for repealer; providing an effective date

6. 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

7. 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)

8. Resolution No. 151-2002

A resolution of the City of Boca Raton adopting an amended and restated Boca Raton Municipal Facilities and Services User Fee Schedule; providing for severability; providing for repealer; 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.)

9. Ordinance No. 4674

An ordinance of the City of Boca Raton clarifying requirements for traffic engineering studies, updating driveway design standards relating to driveways and off-street parking facilities; amending Section 23-35, Code of Ordinances, relating to traffic engineering studies; amending Section 23-187, Code of Ordinances, to update roadway definitions; amending Section 23-190, Code of Ordinances, to provide separate driveway design standards for downtown and suburban developments, to clarify design requirements, and to modify technical deviation requirements; amending Section 23-191, Code of Ordinances, to consolidate access management standards into one section and provide consistency with State

and County access management standards; amending Section 23-192, Code of Ordinances, to provide consistency with Palm Tran bus shelter design standards; amending Sections 28-1646 and 28-1655, Code of Ordinances, to provide parking requirements for fast food restaurants and to allow mixed use developments to submit a shared parking study; amending 28-1659, Code of Ordinances, to modify technical deviation requirements; providing for severability; providing for repealer; providing for codification; providing an effective date

10. Resolution No. 4675

An ordinance of the City of Boca Raton amending the City's Comprehensive Plan by changing the Capital Improvement Element to include projects which are necessary for the City to continue to meet its adopted level-of-service standards; providing for inclusion in the Comprehensive Plan; 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 BOARD DECISIONS:

11. Zoning Board of Adjustment Decision – Case No. BA-02-05

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.