

AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON APRIL 12, 2005 6:00 PM

INVOCATION:

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL:

Mayor Steven L. Abrams
Deputy Mayor Susan Whelchel
Council Member Peter Baronoff
Council Member Bill Hager
Council Member Susan Haynie

AMENDMENTS TO THE AGENDA:

MINUTES:

Minutes of the Regular Workshop Meeting of March 21, 2005
Minutes of the Regular Meeting of March 22, 2005

PROCLAMATIONS / AWARDS / PRESENTATIONS:

Proclamations: Ron Siegel Day – April 12, 2005
Woodfield Cancer Research Unit Day – April 17, 2005

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 – (3) three vacancies, due to term expirations of Aron Breslow, Rose Lee Archer, and Roslyn K. Rudolph, whose terms expire 04/23/05.
- b. Environmental Advisory Board – (2) two vacancies, due to term expirations of Daniel E. Taylor and Donald Stone, whose terms expire 04/30/05.
- c. Financial Advisory Board – (1) one vacancy, due to resignation of Michael C. Cawley, whose term expires 08/26/07.

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 VII or as otherwise directed by the City Council.)

a. Sealed Bids

- 1) Mobile Wastewater Sludge Dewatering
Requested by Utility Services
Walker Centrifuge Services, L.L.C. \$231,360
- 2) Beautification of Yamato Road (Military Trail to I-95)
Requested by Recreation Services
Landscape Services Professionals, Inc. \$546,096
- 3) Resource Recovery Services
Requested by Municipal Services
Recreation Services
Sun Recycling, L.L.C. \$72,750
- 4) Boca Raton Municipal Golf Course Maintenance
Building Painting, Waterproofing & Repairs
Requested by Recreation Services
Worth Contracting, Inc. \$48,900
- 5) Wash Water Fill Pumps & Motors - Replacement
Requested by Utility Services
Condo Electric Industrial Supply, Inc. \$38,500

b. Intergovernmental Agreements

- 1) Toro Reelmaster 6500 - D Turf Mower - Replacement
Requested by Recreation Services
Wesco Turf Supply, Inc. \$37,701
- 2) Traffic Video Detection System Installation
Requested by Municipal Services
Signal Technology, Inc. \$40,142

- 3) Furniture and Filing Systems (New)
Requested by Development Services
Workscapes South L.L.C. and Tab Products \$149,505
- 4) Sodium Hypochlorite
Requested by Utility Services
Allied Universal Corporation \$40,000

c. Emergency

- 1) Lift Station Repair Services
Requested by Utility Services
W. Jackson & Sons Construction Co. \$53,611
- 2) Lift Station Pumps & Control Panel - Replacement
Requested by Utility Services
Ellis K. Phelps & Company \$59,704

d. Resolution No. 59-2005

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

e. Resolution No. 60-2005

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

f. Resolution No. 61-2005

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

g. Resolution No. 62-2005

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 16 with Coastal Planning and Engineering, Inc. for the purpose of engineering services for storm repair of the Central Boca Raton Beach Nourishment Project; providing for severability; providing for repealer; providing an effective date

h. Resolution No. 63-2005

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 17 with Coastal Planning and Engineering, Inc. for the purpose of engineering services for the South Boca Raton Beach Nourishment Project; providing for severability; providing for repealer; providing an effective date

i. Resolution No. 64-2005

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a subgrant agreement with the State of Florida, State Technology Office, for the purpose of receiving radio communications equipment to improve the capability and coordination of the State of Florida and its local and regional agencies of government to respond to terrorist acts; providing for severability; providing for repealer; providing an effective date

j. Resolution No. 66-2005

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an Agreement with the Palm Beach County Sheriff's Office for formation of a Public Law Enforcement Insurance Combating Auto Theft Task Force; providing for severability; providing for repealer; providing an effective date

k. Receive and File Board Orders

Special Master

- 1) Case No. SM(G) 96-461
- 2) SM (G) Case No. 04-502
- 2) SM (C) Case No. 04-00001690
- 5) SM (G) Case No. 05-00000135

l. Receive and File Board Minutes – April 12, 2005

- 1) Community Appearance Board
February 22, 2005
March 1, 2005
March 8, 2005
March 15, 2005
- 2) Citizen's Pedestrian and Bikeway Advisory Board
January 10, 2005
- 3) Environmental Advisory Board
January 20, 2005
- 4) Executive Employees' Retirement Plan
March 16, 2004
May 19, 2004
September 24, 2004
September 28, 2004
November 10, 2004
December 9, 2004
- 5) General Employees' Pension Board
December 9, 2004
- 6) Historic Preservation Board
February 15, 2005
- 7) Library Advisory Board
February 16, 2005
- 8) Planning and Zoning Board
February 17, 2005

- 9) Police and Firefighters' Pension Board
October 28, 2004 (Special Meeting)
October 28,, 2004 (Regular Meeting)
November 18, 2004
December 6, 2004
December 16, 2004
January 31, 2005
- 10) Telecommunications Advisory Board
February 7, 2005

(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 AND RELATED PUBLIC HEARINGS:

4. Resolution No. 65-2005

A resolution of the City of Boca Raton granting tentative plat approval to the proposed Calusa Estates subdivision plat, subject to conditions; providing for severability; providing for repealer; providing an effective date (SUB-04-10)

The public hearing on Item Nos. 5 through 8 will be conducted contemporaneously, as the petitions are related, and pursuant to quasi-judicial guidelines, as required for Ordinance No. 4854. A separate vote will be taken on each petition.

5. Ordinance No. 4853 (Requires four votes for adoption.)

An ordinance of the City of Boca Raton amending the Future Land Use Map of the Comprehensive Plan by redesignating certain property consisting of 1.23 acres, more or less, located at 300 West Yamato Road (NW 51st Street), as more specifically described herein, from RL (Residential Low) to C (Commercial); providing for the appropriate revisions of the Future Land Use Map; providing for severability; providing for repealer; providing an effective date (UC-03-05 SC/ZC/SPA)

6. Ordinance No. 4854

An ordinance of the City of Boca Raton relating to rezoning; providing for the rezoning of a parcel of land consisting of 1.23 acres, more or less, located at 300 Yamato Road (NW 51st Street), as described more particularly herein, from R-1-D (Single Family Residential) to B-1 (Local Business); providing for the appropriate revisions of the zoning district map; providing for severability; providing for repealer; providing an effective date (UC-03-05 SC/ZC/SPA)

7. Ordinance No. 4855

An ordinance of the City of Boca Raton providing for the vacation and abandonment of an Anchor Easement, located at 382 Yamato Road, as more specifically described herein; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (EA-03-12)

8. Ordinance No. 4856

An ordinance of the City of Boca Raton providing for the vacation and abandonment of a Utility Easement, located at 300 and 316 Yamato Road, as more specifically described herein; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (EA-03-13)

The public hearing on Item Nos. 9 through 11 will be conducted contemporaneously, as the petitions are related, and pursuant to quasi-judicial guidelines, as required for Ordinance No. 4860 and Resolution No. 58-2005. A separate vote will be taken on each petition.

9. Ordinance No. 4859 (Requires four votes for adoption.)

An ordinance of the City of Boca Raton amending the Future Land Use Map of the Comprehensive Plan by redesignating certain property consisting of 9.398 acres, more or less, located at 1601 Clint Moore Road as more specifically described herein, from Light Industrial to Commercial; providing for the appropriate revisions of the Future Land Use Map; providing for severability; providing for repealer; providing an effective date (UC-04-10/SC)

10. Ordinance No. 4860

An ordinance of the City of Boca Raton relating to rezoning; providing for the rezoning of a parcel of land consisting of 9.398 acres, more or less, located at 1601 Clint Moore Road, as described more particularly herein, from Light Industrial Research Park to Professional Office and Institutional; providing for the appropriate revisions of the zoning district map; providing for severability; providing for repealer; providing an effective date (UC-04-10/ZC)

11. Resolution No. 58-2005

A resolution of the City of Boca Raton granting conditional use approval for laboratories for analysis and research on a parcel of land located at 1601 Clint Moore Road, as described more particularly herein; providing for severability; providing for repealer; providing an effective date (UC-04-10/CA)

REGULAR BUSINESS – PART III – REGULAR PUBLIC HEARINGS:

REGULAR BUSINESS – PART IV – REGULAR PUBLIC HEARINGS/SETTLEMENTS:

12. Resolution No. 67-2005

A resolution of the City of Boca Raton authorizing the settlement of a worker's compensation claim for George Goatley, a former Network Crew Member in the Utility Services Department; providing for severability; providing for repealer; providing an effective date

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.)

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:

CITY MANAGER RECOMMENDATIONS AND REPORTS:

CITY ATTORNEY REPORTS:

MAYOR AND COUNCIL MEMBER REPORTS:

13. Metropolitan Planning Organization (MPO) Appointment

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.