

AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON JUNE 14, 2005 6:00 PM

INVOCATION:

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL:

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

AMENDMENTS TO THE AGENDA:

MINUTES:

Minutes of the Regular Workshop Meeting of May 23, 2005
Minutes of the Regular Meeting of May 24, 2005

PRESENTATION:

Legislative Update – Representative Adam Hasner

PROCLAMATIONS:

Paramedic Kevin B. Meehan Day – June 14, 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:

- 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 Bid

- 1) Re-Roofing of Spanish River Park Pavilions
Requested by Municipal Services
MGI-Morgan General Mechanical Group, Inc. \$58,822

- 2) OEM Labor Rates for Chevrolet, Chrysler, Ford
and GMC Vehicles
Requested by Municipal Services
Maroone Chevrolet of Delray, Maroone Dodge
of Delray, and Maroone Ford of Delray \$70,000

- 3) Fence Installation for Sensitive Land
Rosemary Ridge
Requested by Recreation Services
Anything in Fence \$47,022

- 4) OEM Parts for Chevrolet, Chrysler, Ford and
GMC Vehicles
Requested by Municipal Services
Maroone Chevrolet of Delray, Maroone Dodge of
Delray, and Palm Beach Lincoln Mercury \$60,000

b. Intergovernmental Agreement

- 1) Pavement Markings
Requested by Municipal Services
Transmark Inc. and Best Striping Inc. \$25,000

- 2) Parking Lot Sweeper (Replacement)
Requested by Municipal Services
Atlantic Machinery Inc. \$93,799

c. Sole Source

- 1) Portable Firefighting Training Building Simulator
Requested by Fire-Rescue Services
Fireblast 451, Inc. \$330,500

d. Resolution No. 100-2005

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an Agreement with Innovative Interfaces, Inc. for the purpose of replacement of the integrated library system, involving the addition of new hardware, new software, staff training, and migration of data from the current system to the new system; providing for severability; providing for repealer; providing an effective date

e. Resolution No. 101-2005

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 3 with Architects Design Group, Inc. for architectural services for improvements to City facilities; providing for severability; providing for repealer; providing an effective date

f. Resolution No. 102-2005

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 11 with CH2M Hill, Inc. for the purpose of implementing multiple improvements in the area of Spanish Village, Phase II including new sanitary sewer service, replacement and/or upgrade of water mains and storm water improvements; providing for severability; providing for repealer; providing an effective date

g. Resolution No. 103-2005

A resolution of the City of Boca Raton authorizing the City Manager to apply for a grant from the U.S. Department of Justice for the Bulletproof Vest Partnership Grant Program; authorizing the acceptance of said grant, if awarded; authorizing the expenditure of matching funds for 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

h. Resolution No. 104-2005

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 25 with Robert G. Currie Partnership, Inc. for the purpose of providing professional architectural and engineering services for the Boca Raton Fire-Rescue facilities; providing for severability; providing for repealer; providing an effective date

i. Resolution No. 105-2005

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a revocable license agreement with 6751 N. Federal, LLC for the purpose of placing landscaping, decorative lighting and pavers in City right-of-way of Berkeley Street; providing for severability; providing for repealer; providing an effective date

j. Resignation

1) Resignation of Nancy C. Sneider from the Education Advisory Board

k. Receive and File Board Orders

- 1) Special Master
 - a) SM(G) Case No. 04-00003784
 - b) SM(G) Case No. 05-00000856
 - c) SM(G) Case No. 05-00000859
- 2) Zoning Board of Adjustment
 - a) Resolution No. BA-04-12
 - b) Resolution No. BA-04-13
 - c) Resolution No. BA-05-01

l. Receive and File Board Minutes – June 14, 2005

- 1) A1A Landscape Task Force
April 14, 2005
April 27, 2005
May 11, 2005
- 2) Citizen's Pedestrian and Bikeway Advisory Board
April 11, 2005
- 3) Community Appearance Board
May 3, 2005
May 10, 2005
- 4) Education Advisory Board
April 25, 2005
- 5) General Employees' Pension Board
March 10, 2005
- 6) Historic Preservation Board
April 19, 2005
- 7) Library Advisory Board
April 20, 2005
- 8) Planning and Zoning Board
April 7, 2005
April 21, 2005
- 9) Police & Firefighters' Pension Board
January 27, 2005
February 24, 2005
March 29, 2005
- 10) Special Master
August 11, 2004
February 9, 2005
April 27, 2005
- 11) Zoning Board of Adjustment
April 14, 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-A – QUASI-JUDICIAL CONSENT AGENDA:

REGULAR BUSINESS – PART II-B – QUASI-JUDICIAL AND RELATED PUBLIC HEARINGS:

4. Resolution No. 77-2005 *(Continued from the 5/24/05 meeting)*

A resolution of the City of Boca Raton granting conditional use approval for Boca Raton Middle School, an I.T.V. Tower, and technical deviations regarding driveway design and parking stall size, on a parcel of land located at 1251 Northwest Eighth Street, as described more particularly herein; providing for severability; providing for repealer; providing an effective date (CA-04-09)

REGULAR BUSINESS – PART III – REGULAR PUBLIC HEARINGS:

5. Ordinance No. 4875

An ordinance of the City of Boca Raton providing for the vacation and abandonment of a public utility easement, located at 6751 North Federal Highway, as more specifically described herein; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (EA-05-01)

6. Ordinance No. 4877

An ordinance of the City of Boca Raton relating to the Construction and Demolition Debris Roll Off Container Services Franchise Agreements; amending Section 14-17, Code of Ordinances, to extend the term of the Franchise Agreement from one year to five years and include a provision for a performance bond; providing for severability; providing for repealer; providing for codification; providing an effective date

7. Ordinance No. 4878

An ordinance of the City of Boca Raton authorizing and directing the Mayor and City Clerk to execute Construction and Demolition Debris Roll-off Container Service Franchise Agreements with the vendors identified in Exhibit 'A', pursuant to Chapter 14, Code of Ordinances; providing for severability; providing for repealer; providing an effective date

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

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.)

8. Ordinance No. 4879

An ordinance of the City of Boca Raton amending Section 13-100, Code of Ordinances, to revise the definition of "weapon"; providing for severability; providing for repealer; providing for codification; providing an effective date

9. Ordinance No. 4880

An ordinance of the City of Boca Raton amending Chapter 9 of the Code of Ordinances, entitled "Miscellaneous Offenses"; to create Article V to be entitled "Sexual Offenders and Sexual Predators"; to prohibit sexual offenders and sexual predators convicted of crimes under certain Florida Statutes from living within 1,500 feet of specified locations within the City of Boca Raton and providing for penalties; 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:

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.