

AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON JANUARY 11, 2005 6:00 PM

INVOCATION:

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL:

Mayor Steven L. Abrams
Deputy Mayor Bill Hager
Council Member Dave Freudenberg
Council Member Susan Haynie
Council Member Susan Whelchel

AMENDMENTS TO THE AGENDA:

MINUTES:

Minutes of the Regular Workshop Meeting of December 13, 2004
Minutes of the Regular Meeting of December 14, 2004

PROCLAMATIONS / AWARDS / PRESENTATIONS:

Boca Raton Boat Parade 2004 Winners

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. Citizens' Pedestrian and Bikeway Advisory Board – One (1) vacancy, due to resignation of Barbara Safranek, whose term expires 01/12/07.

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) Landscape Maintenance Services for Utility Services
Requested by Utility Services
Custom Care, Inc. \$66,433
 - 2) Tree Relocation Service
Requested by Recreation Services
Tree Movers, Inc. \$90,375

 - b. Competitive Sealed Proposals
 - 1) Fire Rescue Polo Shirts with Custom Embroidery
and Silkscreening
Requested by Fire Rescue Services
Forever Young \$34,660
 - 2) Police Motor Boat - Replacement
Requested by Police Services
Intrepid Southeast, Inc. \$97,000

 - c. Sealed Bid - Renewal
 - 1) Automotive, Light and Heavy Duty Truck Parts - Renewal
Requested by Municipal Services
Boca Raton Auto Parts, Total Truck Parts,
American Battery, Cold Air Distributors,
Florida Brake and Truck Parts, General GMC,
L & L Distributors, NAPA Auto Parts, S & H Distributors, Inc.,
Southern Automotive Products, and Vehicle Maintenance
Program, Inc. \$332,000

 - d. Intergovernmental Agreements
 - 1) Toro Workman 3200 Heavy Duty Utility Vehicle -Replacement
Requested by Municipal Services
Wesco Turf Supply, Inc. \$27,288

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| 2) | John Deere Utility Vehicles - Replacement
Requested by Municipal Services
Wesco Turf Supply, Inc. | \$34,060 |
| 3) | Stainless Steel/Galvanized Park Grills - Replacement
Requested by Recreation Services
Southern Park and Play Systems, Inc. | \$30,000 |
| e. | <u>Change Order – FY 03-04</u> | |
| 1) | Fire Rescue Station #7,
Change Order #2
Requested by Fire Rescue Services
Republic Construction & Development Corp. | \$55,734 |
| f. | <u>Resolution No. 1-2005</u> | |
| | A resolution of the City of Boca Raton announcing the regular election to be held in and for the City of Boca Raton on the 8 th day of March 2005; providing for publication; providing for severability; providing for repealer; providing an effective date | |
| g. | <u>Resolution No. 2-2005</u> | |
| | A resolution of the City of Boca Raton approving and accepting an Easement Deed from Peninsula Corporate, Ltd., over certain lands located at 950 Peninsula Corporate Circle; providing for severability; providing for repealer; providing an effective date | |
| h. | <u>Resolution No. 3-2005</u> | |
| | A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an escrow agreement with the Clerk of the Circuit Court of Palm Beach County for the purpose of the payment of service charges, costs and fees incurred by the City of Boca Raton in the Court Services Division; providing for severability; providing for repealer; providing an effective date | |
| i. | <u>Resolution No. 4-2005</u> | |
| | A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a maintenance agreement with Cagelco Properties, LLC for the purpose of the maintenance of drainage connections, landscaping, irrigation facilities and pavers in City right-of-way located at 197 South Federal Highway; providing for severability; providing for repealer; providing an effective date | |
| j. | <u>Resolution No. 5-2005</u> | |
| | A resolution of the City of Boca Raton amending the names of streets in Boca Bay Colony, Morningside, Boca Harbour and Walker's Cay; providing for conditions to the amendment; providing for severability; providing for repealer; providing an effective date | |
| k. | <u>Resolution No. 6-2005</u> | |
| | A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an Interlocal Agreement with Palm Beach County for reimbursable funding for dredging the Boca Raton Inlet; providing for severability; providing for repealer; providing an effective date | |

l. Resolution No. 7-2005

A resolution of the City of Boca Raton approving and accepting seven (7) County Deeds from Palm Beach County, for certain lands located in the City of Boca Raton; providing for severability; providing for repealer; providing an effective date

m. Resolution No. 8-2005

A resolution of the City of Boca Raton denying approval and acceptance of a County Deed from Palm Beach County, for certain lands known as Conference Lake; authorizing the Mayor and City Clerk to execute a quit claim deed for said lands to Palm Beach County; providing for severability; providing for repealer; providing an effective date

n. Resolution No. 9-2005

A resolution of the City of Boca Raton relating to the levy of special assessments for the construction of a wastewater collection system and other improvements in an area generally known as Area II, as more particularly described herein; providing for a public hearing, at which the City Council shall act as an equalizing board; providing for notice to all affected property owners; providing for severability; providing for repealer; providing an effective date

o. Receive and File Board Orders

- 1) Special Master
 - a) SM(G) Case No. 04-00002056
 - b) SM(G) Case No. 04-0000502

p. Board Resignations

- 1) Resignation of Earl Starkoff from the Parks and Recreation Board

q. Receive and File Board Minutes – January 11, 2005

- 1) Citizens' Pedestrian and Bikeway Advisory Board
October 18, 2004
- 2) Community Appearance Board
November 16, 2004
November 23, 2004
November 30, 2004
December 14, 2004
- 3) Downtown Visions Committee
September 22, 2004
October 27, 2004
- 4) Environmental Advisory Board
November 18, 2004
- 5) Historic Preservation Board
November 16, 2004
- 6) Library Advisory Board
November 17, 2004

- 7) Marine Advisory Board
November 3, 2004
- 8) Parks & Recreation
November 9, 2004
- 9) Physically and Mentally Challenged Advisory Board
November 4, 2004
- 10) Planning and Zoning Board
October 7, 2004
October 21, 2004
- 11) Special Master
November 10, 2004

(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:

REGULAR BUSINESS – PART III – REGULAR PUBLIC HEARINGS:

4. Ordinance No. 4834 *(First of two required public hearings.)*

An ordinance of the City of Boca Raton amending the Future Land Use Map of the Comprehensive Plan by redesignating certain property consisting of 217 acres, more or less, located at Military Trail and Spanish River Boulevard, as more specifically described herein, from IL (Light Industrial) to PI (Public and Private Institutional); providing for the appropriate revisions of the Future Land Use Map; providing for severability; providing for repealer; providing an effective date (SC-04-05)

5. Ordinance No. 4841 *(Continued from the December 14, 2004 meeting.)*

An ordinance of the City of Boca Raton pursuant to Section 13-60, Code of Ordinances, and Section 163.380, Fla. Stat., confirming and approving the disposition of property approved by the Boca Raton Community Redevelopment Agency ("CRA") pertaining to Mizner Park, as follows: (A) an assignment of an existing lease to Mizner Park Cultural Arts Association, Inc. ("Tenant"); and (B) an Amended and Restated Lease Agreement between the CRA and Tenant ("Amended and Restated Lease Agreement"); providing for severability; providing for repealer; providing an effective date

6. Ordinance No. 4842

An ordinance of the City of Boca Raton regarding qualification of candidates for City office; amending Section 6-10, Code of Ordinances, with respect to withdrawal and requalification of candidates; providing for severability; providing for repealer; providing for codification; 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.)

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. Selection of Canvassing Board Member

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.