

AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON JANUARY 25, 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 January 10, 2005
Minutes of the Regular Meeting of January 11, 2005

PROCLAMATIONS / AWARDS / PRESENTATIONS:

Citizens' Recognition for Heroic Act

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)	Sidewalk Repairs Requested by Municipal Services Florida Blacktop, Inc.	\$69,950
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b. Intergovernmental Agreements

1)	High Density Storage System Requested by City Manager Tab Products	\$31,035
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2)	Vehicles Requested by Municipal Services Alan Jay Chevrolet	\$86,060
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c. Sole Source

1)	Marine Hull Insurance Requested by Financial Services The Beacon Group Inc.	\$27,289
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d. Emergency

1)	North Jetty Repairs Requested by Municipal Services Subaqueous Services, Inc.	\$54,500
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e. Resolution No. 12-2005

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an interlocal agreement with the School Board of Palm Beach County, Florida for the development and implementation of certain roadway improvements for Don Estridge Middle School; providing for severability; providing for repealer; providing an effective date

f. Resolution No. 15-2005

A resolution of the City of Boca Raton approving and accepting a quit claim deed from Lake Worth Drainage District for certain land located in the City of Boca Raton; providing for severability; providing for repealer; providing an effective date

g. Resolution No. 16-2005

A resolution of the City of Boca Raton amending Exhibit B of Resolution No. 9-2005; 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 in Resolution No. 9-2005; providing for a correction of the notice of public hearing date; providing for severability; providing for repealer; providing an effective date

h. Resolution No. 17-2005

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a First Amendment to an Interlocal Agreement with Palm Beach County for the purpose of reimbursable funding for the construction of bus user shelters throughout the City; providing for severability; providing for repealer; providing an effective date

i. Receive and File Board Minutes – January 25, 2005

- 1) Citizens' Pedestrian and Bikeway Advisory Board
December 13, 2004
- 2) Community Appearance Board
December 21, 2004
January 4, 2005
- 3) Community Relations Board
November 15, 2004
- 4) General Employees' Pension Board
October 14, 2004
November 18, 2004
- 5) Historic Preservation Board
December 15, 2004
- 6) Marine Advisory Board
December 1, 2004
- 7) Parks & Recreation
December 14, 2004
- 8) Physically and Mentally Challenged Advisory Board
December 2, 2004
- 9) Planning and Zoning Board
December 9, 2004
- 10) Special Master
December 8, 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. 4841 (Continued from the January 11, 2005 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

5. Ordinance No. 4843

An ordinance of the City of Boca Raton related to construction and demolition debris; amending Chapter 14, Code of Ordinances; providing for definitions and non-exclusive franchises for construction and demolition debris roll-off container service; providing regulations and requirements for construction and demolition debris roll-off container service franchises; providing for rates and fees for said franchises; amending Sections 2-92 and 2-113, Code of Ordinances, to provide that violations of said provisions shall be within the jurisdiction of the Special Master; 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.)

6. Ordinance No. 4844

An ordinance of the City of Boca Raton establishing the process and procedure for early voting for the March 8, 2005 election; 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:

7. Resolution No. 11-2005

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

CITY MANAGER RECOMMENDATIONS AND REPORTS:

8. Second Amendment to Alternative Permitting Agreement for 2500 South Ocean Boulevard

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.