

AGENDA

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| REGULAR MEETING | CITY COUNCIL | BOCA RATON | AUGUST 9, 2005 | 6:00 PM |
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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 July 25, 2005
Minutes of the Regular Meeting of July 26, 2005

PROCLAMATIONS/RECOGNITIONS:

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. North Federal Highway Steering Committee – one (1) vacancy, due to resignation of Carrie Lynn, in the category of “Residential Property Owner.”

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) Restoration of the Lime Treatment Unit
Requested by Utility Services
Intrastate Construction Corp. \$674,112

b. Competitive Sealed Proposal

- 1) Uniform Rental Service
Requested by Recreation Services
Municipal Services
Utility Services
Fire Rescue Services
Financial Services
VanDyne Crotty Company d/b/a Spirit
Services Company \$190,557

c. Sealed Bid - Renewal

- 1) Emergency Medical Supplies - Renewal
Requested by Fire Rescue Services
Boundtree Medical, Inc., Southeastern Emergency
Equipment, & Tri-Anim Health Services, Inc. \$95,000

d. Intergovernmental Agreements

- 1) Network Switch - Replacement
Requested by Municipal Services
Datacom Distribution, Inc. \$34,558
- 2) Portable Radios
Requested by Police Services
Motorola \$35,196

e. Resolution No. 132-2005

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute Work Order No. 15 with Kimley-Horn and Associates, P.E. for the purpose of providing professional services to design the Federal Highway bicycle lanes between Glades Road and Yamato Road; providing for severability; providing for repealer; providing an effective date

f. Board Resignations:

- 1) Resignation of Carrie Lynn from the North Federal Highway Steering Committee
- 2) Resignation of Joan Upshaw from the **Community Relations Board**

g. Receive and File Board Minutes – August 9, 2005

- 1) Community Appearance Board
July 5, 2005
July 12, 2005
July 19, 2005
- 2) Education Advisory board
June 27, 2005
- 3) Historic Preservation Board
June 21, 2005
- 4) Pearl City Blue Ribbon Committee
April 28, 2005
- 5) Planning and Zoning Board
June 23, 2005
- 6) Special Master
June 22, 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:

(Prior to consideration of a motion to approve the quasi-judicial consent agenda, the Mayor shall provide for the opportunity for the public to request removal of any resolution for public hearing.)

4. Resolution No. 131-2005

A resolution of the City of Boca Raton granting tentative plat approval for the proposed Boca Lofts subdivision plat, subject to conditions; providing for severability; providing for repealer; providing an effective date (SUB-05-03)

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

REGULAR BUSINESS – PART III – REGULAR PUBLIC HEARINGS:

5. Ordinance No. 4882 (Second of two required public hearings)

An ordinance of the City of Boca Raton amending the Code of Ordinances relating to adult entertainment establishments (“Regulated Uses”); adding Regulated Uses to the list of permitted uses in W-1 and M-3 zoning districts; deleting Regulated Uses from the list of permitted uses in R-B-1, B-1, B-2, B-4, or C-1 zoning districts; amending definitions related to Regulated Uses; establishing intent and purpose and regulations related thereto; providing for severability; providing for repealer; providing for codification; providing an effective date

- a. Ordinance No. 4886

An ordinance of the City of Boca Raton amending the Code of Ordinances relating to the business of adult entertainment establishments; adding definitions related to adult entertainment establishments; establishing requirements and regulations related to individuals managing, operating or working in adult entertainment establishments; providing for severability; providing for repealer; providing for codification; providing an effective date

6. Ordinance No. 4889

An ordinance of the City of Boca Raton authorizing the sale of a parcel of land consisting of approximately 0.0247 acre and located adjacent to 2555 N.W. Boca Raton Boulevard; providing for severability; providing for repealer; providing an effective date (SC-04-19)

7. Ordinance No. 4890

An ordinance of the City of Boca Raton providing for the vacation and abandonment of a Drainage Easement, located at 5255 Deerhurst Crescent Circle, as more specifically described herein; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (EA-05-03)

8. Ordinance No. 4891

An ordinance of the City of Boca Raton providing for the vacation and abandonment of a Drainage Easement, located at 1099 Spanish River Road, as more specifically described herein; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (EA-05-02)

9. Ordinance No. 4892

An ordinance of the City of Boca Raton providing for the vacation and abandonment of Dock Street located south of S.W. 18th Street at the El Rio and Hillsboro Canals, as more specifically described herein; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (AB-05-01)

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.)

10. Ordinance No. 4893

An ordinance of the City of Boca Raton amending Article V, Chapter 9 of the Code of Ordinances, entitled "Sexual Offenders and Sexual Predators"; to prohibit sexual offenders and sexual predators convicted of crimes under certain Florida Statutes from living within 2,500 feet of specified locations; to provide for the annual registration of private school bus stops; providing for a definition of private school bus stops; providing for severability; providing for repealer; providing for codification; providing an effective date

11. Ordinance No. 4895

An ordinance of the City of Boca Raton relating to rezoning; providing for the rezoning of a parcel of land consisting of 1.651 acres, more or less, located at 311 Yamato Road, as described more particularly herein, from R-B-1 (Motel-Business) to PO&I (Professional Office & Institution); providing for the appropriate revisions of the zoning district map; providing for severability; providing for repealer; providing an effective date (UC-04-07/ZC)

12. Ordinance No. 4897

An ordinance of the City of Boca Raton amending Section 2-153, Code of Ordinances, relating to membership of the Community Relations Board; providing for severability; providing for repealer; providing for codification; providing an effective date

13. Ordinance No. 4898

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 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:

**QUASI-JUDICIAL PUBLIC HEARING / REQUEST FOR VARIANCE
FROM CHAPTER 24 – SIGN CODE:**

14. Resolution No. 133-2005

A resolution of the City of Boca Raton granting variances from the provisions of Sections 24-96(b)1 and 24-123, Code of Ordinances, related to height, width, sign face area, number of signs, separation and number of tenant names permitted for a property located at 690 Yamato Road; providing for severability; providing for repealer; providing an effective date (SCV-05-02)

15. Resolution No. 134-2005

A resolution of the City of Boca Raton granting variances from the provisions of Section 24-96(b)1, Code of Ordinances, for a property located at 1200 Yamato Road; providing for severability; providing for repealer; providing an effective date (SCV-05-03)

CITY MANAGER RECOMMENDATIONS AND REPORTS:

- 16. Designation of Voting Delegate & Alternates to the Florida League of Cities
- 17. Naming of the Dog Park

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.