

AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON JUNE 10, 2008 6:00 PM

INVOCATION:

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL:

Mayor Susan Whelchel
Deputy Mayor Peter R. Baronoff
Council Member M. J. Mike Arts
Council Member Bill Hager
Council Member Susan Haynie

AMENDMENTS TO THE AGENDA:

MINUTES:

Minutes of the Regular Workshop Meeting of May 27, 2008
Minutes of the Regular Meeting of May 28, 2008

PROCLAMATIONS/RECOGNITIONS/AWARDS:

Proclamation – Recognition of U.S. Army First Lieutenant Nelson N. D'Antonio
for Service Rendered to His Country

Proclamation – National Recreation and Parks Month (July 2008)

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.)

NOTE

Any person who acts as a lobbyist pursuant to City Code, Article V. Code of Ethics, Division 2, Lobbyist Registration, must register with the City Clerk prior to engaging in lobbying activities before City staff, boards, committees and / or the City Council, or any member thereof. Separate registration is required for each principal / client represented and each City matter. All registrations expire on December 31st of each calendar year and new registration is required. Forms are available from the City Clerk.

REGULAR BUSINESS - PART I:

1. Appointments to the following boards:

- a. Affordable Housing Advisory Committee (Interviews only; appointments will be made under Part III.)
- b. Citizens' Pedestrian and Bikeway Advisory Board – two (2) vacancies.
- c. Community Relations Board – three (3) vacancies.
- d. Education Advisory Board – two (2) vacancies.
- e. Elder Affairs Advisory Board – one (1) vacancy.
- f. Environmental Advisory Board – one (1) vacancy.
- g. Historic Preservation Board – four (4) vacancies.
- h. Pearl City Blue Ribbon Committee – two (2) vacancies.

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) Laptop Computers
Requested by City Manager
Pelican Mobile Computers \$148,740

b. Intergovernmental Agreements

- 1) Sodium Hypochlorite
Requested by Utility Services
Allied Universal Corp. \$150,680
- 2) Water Meter Fittings & Water Line Accessories
Requested by Utility Services
Ferguson Enterprises, Inc. \$120,000

c. Sole Source

- 1) Traffic Signal Pre-Emption System
Requested by Fire Rescue Services
Global Traffic Technologies, LLC \$51,250

d. Resolution No. 64-2008

A resolution of the City of Boca Raton relating to the levy of special assessments against the lands and real estate within the Downtown Special Assessment District of the City specifically benefited by certain capital improvements; accepting and publishing a preliminary assessment roll; providing for a public hearing, at which the City Council shall act as an equalizing board; providing for the giving of notice to all affected property owners; providing for severability; providing for repealer; providing an effective date

e. Resolution No. 77-2008

A resolution of the City of Boca Raton supporting the continued funding of the South Florida Regional Transportation Authority by Palm Beach, Broward and Miami-Dade Counties; providing for severability; providing for repealer; providing an effective date

f. Resolution No. 78-2008

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an Agreement for professional services with TranSystems Corporation for the purpose of providing consulting services to evaluate the City's current camera and security systems and to develop a Citywide video monitoring/transmission plan; providing for severability; providing for repealer; providing an effective date

g. Board Resignations

- 1) Resignation of Michael A. Barbera from the Police & Firefighters' Pension Board

h. Receive and File Board Orders

- 1) BBAA Case No. 08-1250

i. Receive and File Board Minutes – June 10, 2008

- 1) Builders' Board of Adjustment and Appeals
February 28, 2008
- 2) Community Appearance Board
April 29, 2008
May 6, 2008
May 13, 2008
- 3) Community Relations Board
April 14, 2008
- 4) Education Advisory Board
March 24, 2008
April 28, 2008
- 5) Historic Preservation Board
April 15, 2008
- 6) North Federal Highway
April 1, 2008
- 7) Planning and Zoning Board
April 17, 2008

8) Special Master
April 23, 2008

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.)

(If you are planning to speak during any public hearing under Part II-B, Part III, or Part IV, please state your name and address for the record and limit your remarks to five (5) minutes.) (Note: The conduct of any public hearing under Part II-B will be governed by the “quasi-judicial procedures” attached to this agenda.)

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

REGULAR BUSINESS – PART III – REGULAR PUBLIC HEARINGS:

4. Ordinance No. 5036

An ordinance of the City of Boca Raton amending Sections 21-2, Definitions and 21-57, Specific Construction and Improvements Standards, Code of Ordinances; providing for severability; providing for repealer; providing for codification; providing an effective date (AM-08-01)

5. Ordinance No. 5037

An ordinance of the City of Boca Raton providing for the vacation and abandonment of a portion of unimproved right-of-way for N.W. 6th Avenue adjacent to 7598 N.W. 6th Avenue, as more specifically described herein; approving and accepting a utility easement deed, an access easement deed and right-of-way warranty deeds from USF Propco I, LLC, over certain lands located at 7598 N.W. 6th Avenue; approving appropriate real property instruments to establish a bicycle and pedestrian path; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (AB-07-02)

6. Ordinance No. 5038

An ordinance of the City of Boca Raton amending the Fiscal Year 2007-2008 budget through the second quarterly budget amendment; providing for severability; providing for repealer; providing an effective date

7. Ordinance No. 5039

An ordinance of the City of Boca Raton amending Chapter 23 of the City Code of Ordinances; creating Division 2 (Housing) of Article IV, Chapter 23, Code of Ordinances, pursuant to Chapter 420, Florida Statutes, pertaining to the State Housing Initiatives Partnership (SHIP) Program; providing for severability; providing for repealer; providing for codification; providing an effective date

- a. Appointments to the Affordable Housing Advisory Committee
- b. Resolution No. 75-2008

A resolution of the City of Boca Raton appointing members of the Affordable Housing Advisory Committee; 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. 5041

An ordinance of the City of Boca Raton amending the Land Development Code by establishing cost recovery for land development application reviews submitted under Chapters 23, 24, 26, and 28 of the Code; 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:

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

(If you are planning to speak during the following public hearing, please state your name and address for the record and limit your remarks to five (5) minutes.) (Note: The conduct of this hearing will be governed by the “quasi-judicial procedures” attached to this agenda.)

9. Resolution No. 76-2008

A resolution of the City of Boca Raton considering a variance from the provisions of Section 24-96(f), Code of Ordinances, to allow one (1) additional multiple story building identity sign and allow two (2) different identities on the same building, for one (1) building at the Boca Village Corporate Centre, located at 4855 Technology Way; providing for severability; providing for repealer; providing an effective date (SCV-08-04)

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.