

AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON FEBRUARY 12, 2002 6:00 PM

INVOCATION:

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL:

Mayor Steven L. Abrams
Deputy Mayor Carol G. Hanson
Council Member Dave Freudenberg
Council Member Bill Glass
Council Member Susan Haynie

AMENDMENTS TO THE AGENDA:

PROCLAMATIONS/RECOGNITIONS:

Macular Degeneration Awareness Day – May 1, 2002

Wings of Freedom Day – February 17, 2002

PRESENTATIONS:

MINUTES:

Minutes of the Regular Workshop Meeting of January 22, 2002
Minutes of the Regular Meeting of January 23, 2002

NOTICE

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. Builders' Board of Adjustment and Appeals – (1) vacancy, to complete the term of Lee Walker. Term expires 02/15/04.
- b. Citizens' Pedestrian & Bikeway Board – (1) vacancy due to resignation of Constance Scott. Term expires 01/12/04.
- c. Community Relations Board – (1) vacancy due to resignation of Matthew S. Nelles. Term expires 07/25/03.
- d. Telecommunications Advisory Board – (1) vacancy due to resignation of Jose F. Gonzalez-Heres. Term expires 09/08/02.
- e. Zoning Board of Adjustment – (1) vacancy due to resignation of George L. Sigalos. Term expires 04/10/04.

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 VI or as otherwise directed by the City Council.)

a. Sealed Bids

- 1) Fairway Mower and Accessories (Replacement)
Requested by Recreation Services
Hector Turf \$29,029
- 2) Five Gang Rotary Mower (Replacement)
Requested by Recreation Services
Hector Turf \$36,900
- 3) Supply & Installation of a 50 HP Hot Water Boiler (Replacement)
Requested by Utility Services
Enviro-Mechanical, Inc. \$37,200

b. Sealed Renewal

- 1) Water Treatment Plant Corrosion Control Product
Requested by Utility Services
CalciQuest Inc. \$64,218

c. Competitive Sealed Proposal

1) Printing and Mailing of the Recreator
Requested by Recreation Services
Sun Sentinel Direct \$79,948

d. Intergovernmental Agreements

1) IBM AS400 Operating System License
Requested by City Manager
Midrange Support & Services, Inc. \$37,296

2) Automobiles and Trucks
Requested by Municipal Services
Atlantic Truck Sales, Autoway Chevrolet,
Don Reid Ford, Duval Ford, Garber Chevrolet,
Maroone Chevrolet, Maroone Dodge
and Orville Beckford Ford \$2,262,683

3) Lightbars and Sirens
Requested by Municipal Services
Law Enforcement Supply Company \$85,184

e. Resolution No. 22-2002

A resolution of the City of Boca Raton authorizing the Mayor and the City Clerk to execute an agreement with Woodfield Hunt Club Homeowners Association, Inc., for the purpose of providing uniform traffic enforcement; providing for severability; providing for repealer; providing an effective date

f. Resolution No. 23-2002

A resolution of the City of Boca Raton amending the rules of the Boca Raton Code Enforcement Board; providing for severability; providing for repealer; providing an effective date

g. Resolution No. 24-2002

A resolution of the City of Boca Raton approving and accepting an Easement Deed from Vahan Varian & Nancy Varian, over certain lands located at 101 N.E. 20th Street for a water main; providing for severability; providing for repealer; providing an effective date

h. Resolution No. 25-2002

A resolution of the City of Boca Raton approving and accepting an Easement Deed from Vahan Varian & Nancy Varian, over certain lands located at 101 N.E. 20th Street for a public sidewalk; providing for severability; providing for repealer; providing an effective date

i. Resolution No. 26-2002

A resolution of the City of Boca Raton approving and accepting an Easement Deed from Genesis I Associates LLC, over certain lands located at 5600 NW Broken Sound Boulevard; providing for severability; providing for repealer; providing an effective date

j. Resolution No. 27-2002

A resolution of the City of Boca Raton approving and accepting an Easement Deed from G. Robert Sheetz, over certain lands located at 1900 Royal Palm Way; providing for severability; providing for repealer; providing an effective date

k. Resolution No. 28-2002

A resolution of the City of Boca Raton approving and accepting an Easement Deed from Boca Lodging, LLC, over certain lands located at 8201 Congress Avenue; providing for severability; providing for repealer; providing an effective date

l. Resolution No. 29-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a lease with Florida East Coast Railway Company for certain railway right of way areas for parking, sidewalk and beautification; providing for severability; providing for repealer; providing an effective date

m. Resolution No. 30-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a lease with Florida East Coast Railway Company for certain railway right of way for a southbound west right turn lane on Dixie Highway at Glades Road; providing for severability; providing for repealer; providing an effective date

n. Resolution No. 31-2002

A resolution of the City of Boca Raton approving and accepting a quit claim deed for public purposes from the State of Florida Department of Transportation, over certain lands located at West Palmetto Park Road and NW 9th Avenue; providing for severability; providing for repealer; providing an effective date

o. Board Resignation

- 1) Resignation of Judy Myers Anderson from the Education Advisory Board
- 2) Resignation of Veronica Hart from the Boca Raton Housing Authority
- 3) Resignation of Mike Strasser from the General Employees' Pension Board

p. Receive and File Board Orders

- 1) Special Master
 - a) SM(G) Case No. 1-186
 - b) SM(G) Case No. 99-4081
 - c) SM(G) Case No. 1-4750
 - d) SM(G) Case No. 1-4808
 - e) SM(G) Case No. 1-5129
 - f) SM(G) Case No. 1-5194

q. Receive and File Board Minutes – February 12, 2002

- 1) Citizens' Pedestrian and Bikeway Advisory Board
December 13, 2001
- 2) Community Appearance Board
January 8, 2002
- 3) Education Advisory Board
December 3, 2001
December 17, 2001
- 4) Financial Advisory Board
December 3, 2001
- 5) General Employees Pension Board
November 14, 2001
December 12, 2001
- 6) Historic Preservation Board
December 18, 2001
- 7) Library Advisory Board
December 13, 2001
- 8) Pearl City Blue Ribbon Committee
December 13, 2001
- 9) Planning and Zoning Board
December 6, 2001
- 10) Special Master
October 10, 2001
December 12, 2001

(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 the hearing under Part II will be governed by the “quasi-judicial procedures” attached to this agenda.)

REGULAR BUSINESS – PART II – QUASI-JUDICIAL PUBLIC HEARINGS:

(Note: The public hearing on Resolution Nos. 20-2002 and 21-2002 will be conducted concurrently. The conduct of this hearing will be governed by the “quasi-judicial procedures” attached to this agenda.)

4. Resolution No. 20-2002

A resolution of the City of Boca Raton amending portions of Resolution No. 170-97 (Master Plan Approval), and modifying the conditional employee service node use approval for the AMK Gas Station, Convenience Store and Car Wash in the VPC Center located at 801 Yamato Road, as described more particularly herein; providing for severability; providing for repealer; providing an effective date (CA-97-11R1)

5. Resolution No. 21-2002

A resolution of the City of Boca Raton amending portions of Resolution No. 170-98 (Conditional Use Approval), and modifying the approval of conditional employee service node uses for the VPC Center Employee Service Node located at 5101 Congress Avenue, as described more particularly herein; providing for severability; providing for repealer; providing an effective date (CA-97-02R5)

REGULAR BUSINESS – PART III – REGULAR PUBLIC HEARINGS:

6. Ordinance No. 4627

An ordinance of the City of Boca Raton amending Section 28-237 Code of Ordinances by amending the standards applicable to certificates of appropriateness and adopting the Secretary of the Interior’s standards for rehabilitation and guidelines for rehabilitating historic buildings, sites or structures within a district; providing for severability; providing for repealer; providing for codification; providing an effective date (AM-01-05)

7. Ordinance No. 4630

An ordinance of the City of Boca Raton amending the Procurement Code to provide a local preference of two (2) percent for contracts of at least \$3,000 but not more than \$100,000, to be awarded pursuant to competitive sealed bidding and small purchase procedures; providing for severability; providing for repealer; providing for codification; providing an effective date

8. Ordinance No. 4631

An ordinance of the City of Boca Raton amending Chapter 24-2 Definitions, Code of Ordinances, Signs; amending the definition of window sign, permanent; providing for severability; providing for repealer; providing for codification; providing an effective date

REGULAR BUSINESS – PART IV - 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.)

9. Ordinance No. 4632

An ordinance of the City of Boca Raton amending Section 2-68, Code of Ordinances, to specify that decisions of the Civil Service Board shall require majority vote, provided that in the case of a tie vote the appeal will be denied and the action of the City will be upheld, and to delete the requirement for scheduling appeals at a specific time; providing for severability; providing for repealer; providing for codification; providing an effective date

REGULAR BUSINESS - PART V - 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 VI - 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.