

AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON JUNE 11, 2002 6:00 PM

INVOCATION:

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL:

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

AMENDMENTS TO THE AGENDA:

PROCLAMATIONS:

Boca Raton and Florida Atlantic University Amateur Radio Club Field Days – 6/22 & 6/23/02

AWARDS/RECOGNITIONS:

MINUTES:

Minutes of the Regular Workshop Meeting of May 28, 2002
Minutes of the Regular Meeting of May 29, 2002

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. Builders' Board of Adjustment and Appeals – (1) vacancy for a general contractor to complete the term expiring 02/15/04.
- b. Library Advisory Board – (1) vacancy due to resignation of Mary Ann Billing. Term expires 08/10/03.
- c. Noise Compatibility Committee – (2) vacancies, 1-year term. (A new committee established by the Airport Authority).
- d. Pearl City Blue Ribbon Committee – (1) vacancy due to resignation of Bonnie Dearborn, (Historic Preservation Board representative). Term expires 02/13/04.
- e. Special Master – (2) vacancies, due to term expirations of Cormac Conahan and Richard Gescheidt. Terms expired 03/21/02.

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) Hauling & Disposal of Spent Lime
Requested by Utility Services
Soil Tech Distributors, Inc. \$110,350

b. Sealed Renewals

- 1) Tree Trimming/Pruning Services and
Tree Removal/Stump Grinding Services
Requested by Recreation Services
Municipal Services
Arbor Tree & Land, Inc. \$331,833

c. Competitive Sealed Proposals

- 1) Uniform Rental Service
Requested by Recreation Services
Municipal Services, Utility Services, Financial Services
Fire-Rescue Services
Warren Uniform Company \$164,545

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| 2) | Printing and Distribution of Utility Bills
Requested by City Manager
Better Business Forms | \$90,000 |
| 3) | Custodial Maintenance Services
Requested by Municipal Services, Utility Services,
Recreation Services
Cleaning Systems Inc. | \$71,711 |
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| d. | <u>Intergovernmental Agreements</u> | |
| 1) | Installation of Vehicle Detection Loops
Requested by Municipal Services
The Signal Group Inc. | \$30,000 |
| 2) | Pavement Markings
Requested by Municipal Services
United Rentals Highway Technologies, Inc.
and Transmark Inc. | \$66,000 |
| 3) | Batting Cages
Requested by Recreation Services
Recreational Design & Construction, Inc. | \$147,837 |
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| e. | <u>Sole Source</u> | |
| 1) | Radio Controlled Irrigation Equipment
Requested by Recreation Services
Contemporary Controls and Communication, Inc. | \$27,743 |
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| f. | <u>Change Order</u> | |
| 1) | Resource Recovery Services
Requested by Municipal Services
Atlas-Lox-Road, Inc. | \$50,146 |
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| g. | <u>Resolution No. 60-2002</u> | |

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a revocable license agreement with Boca Technology Center, LLC (“BTC”) for the purpose of allowing BTC to construct roadway improvements as contemplated in BTC’s Development Order prior to the conveyance of the property to the Federal Department of Transportation for roadway purposes; providing for severability; providing for repealer; providing an effective date

h. Resolution No. 93-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an agreement with Charles J. Narvin for the purpose of engaging the services of a Tennis Professional at the Swim and Racquet Center; providing for severability; providing for repealer; providing an effective date

i. Resolution No. 94-2002

A resolution of the City of Boca Raton authorizing the City Manager to apply for a grant from the Florida Department of the State, Division of Library and Information Services, for a downtown library; authorizing the Mayor to execute said grant application; authorizing the acceptance of said grant, if awarded; authorizing the expenditure of matching funds for said grant, if awarded; authorizing and directing the City Manager to comply with the terms and conditions of said grant, if awarded; providing for severability; providing for repealer; providing an effective date

j. Resolution No. 95-2002

A resolution of the City of Boca Raton urging the Florida Board of Education to approve, at its June 18-19, 2002, meeting, a Campus Development Agreement between the Florida Board of Education, acting for the benefit of Florida Atlantic University, and the City of Boca Raton, and to authorize the Chancellor to sign and execute the Campus Development Agreement upon its approval by the City; providing for severability; providing for repealer; providing an effective date

k. Receive and File Board Orders

- 1) Code Enforcement Board
 - a) CEB Case No. 90-204E
 - b) CEB Case No. 97-869
 - c) CEB Case No. 98-5458
- 2) Special Master
 - a) SM (G) Case No. 97-5170

l. Receive and File Board Minutes – June 11, 2002

- 1) Community Appearance Board
 - April 30, 2002
 - May 7, 2002
- 2) Community Relations Board
 - March 18, 2002
 - April 15, 2002
- 3) Education Advisory Board
 - April 22, 2002

- 4) Financial Advisory Board
April 1, 2002
- 5) Historic Preservation Board
April 16, 2002
- 6) Pearl City Blue Ribbon Committee
April 25, 2002
- 7) Special Master
April 10, 2002

(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 PUBLIC HEARINGS:

4. Resolution No. 90-2002

A resolution of the City of Boca Raton granting conditional use approval for the Royal Palm Yacht & Country Club Clubhouse located at 199 Royal Palm Way as described more particularly herein; granting a technical deviation for off-street parking; providing for severability; providing for repealer; providing an effective date (CA-02-02)

REGULAR BUSINESS – PART III – REGULAR PUBLIC HEARINGS:

5. Ordinance No. 4638 *(As revised)*

An ordinance of the City of Boca Raton relating to Transportation Demand Management (“TDM”) within the downtown (as defined in Ordinance No. 4035) only; creating a new Division 8 of Chapter 23, Article IV, Code of Ordinances; requiring developments of a specified size to obtain approval of, and to implement, a TDM plan; providing for scope of Division 8; providing for definitions; providing for application for TDM plan approval; providing for contents of application; providing for TDM plan approval; providing for modification of TDM plan approval; providing for exempt developments, enlargement and renovation; providing for fee in lieu of participation, which fee in lieu of participation shall be paid instead of obtaining approval of, and implementing, a TDM plan; providing for severability; providing for repealer; providing for codification; providing an effective date

6. Ordinance No. 4653

An ordinance of the City of Boca Raton amending Section 10-60, Code of Ordinances, entitled "Animal Noises", to provide, in addition to all current remedies, for enforcement by the City Manager based upon one sworn Affidavit of Complaint and a video tape of the activity complained of; providing for severability; providing for repealer; providing for codification; providing an effective date

7. Ordinance No. 4654

An ordinance of the City of Boca Raton creating Section 6-15, Code of Ordinances, to require delivery of copies of state-mandated campaign reports to the City Clerk on filing days; providing for severability; providing for repealer; providing for codification; providing an effective date

8. Ordinance No. 4655

An ordinance of the City of Boca Raton creating Section 13-73, Code of Ordinances; providing that all leases of City property shall contain a clause whereby the lessee affirms that neither: (a) the lessee, nor (b) any current or former officer (if corporation), partner (if partnership) or equivalent authorized person (if other type of legal entity) of lessee, has been convicted of a public entity crime, as defined in Section 287.133, Fla. Stat.; providing that all solicitation of responses involving a lease of City property shall inform potential responders of this requirement; 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. 4656

An ordinance of the City of Boca Raton amending the Future Land Use Map of the Comprehensive Plan by redesignating certain property consisting of 12.08 acres, more or less, located at 5580-5798 North Federal Highway, as more specifically described herein, from C (Commercial) to RM (Residential Medium) granting a technical deviation to Chapter 23, Code of Ordinances; providing for the appropriate revisions of the Future Land Use Map; providing for severability; providing for repealer; providing an effective date (UC-01-02SC)

10. Ordinance No. 4657

An ordinance of the City of Boca Raton relating to rezoning; providing for the rezoning of a parcel of land consisting of 12.08 acres, more or less, located at 5580-5798 North Federal Highway, as described more particularly herein, from R-B-1 (Motel-Business District) to R-3 (Medium Residential); providing for the appropriate revisions of the zoning district map; providing for severability; providing for repealer; providing an effective date (UC-01-02ZC)

11. Ordinance No. 4658

An ordinance of the City of Boca Raton amending the Future Land Use Element of the Comprehensive Plan by amending Policy LU.1.1.1 relating to intensity regulations for commercial and industrial uses; providing for the appropriate revisions to the Comprehensive Plan; providing for severability; providing for repealer; providing an effective date (SC-02-01)

12. Ordinance No. 4659

An ordinance of the City of Boca Raton designating the area generally located north of Northeast 10th Street, south of Northeast 12th Street, east of Dixie Highway and west of Federal Highway, as described more particularly herein, also known as Pearl City, as a historic district; providing for severability; providing for repealer; providing an effective date (SC-01-05)

13. Ordinance No. 4660

An ordinance of the City of Boca Raton amending the Future Land Use Map of the Comprehensive Plan by redesignating certain property consisting of 1.01 acres, more or less, located at 5101 Congress Avenue, as more specifically described herein, from IL (Light Industrial) to N (Conservation); providing for the appropriate revisions of the Future Land Use Map; providing for severability; providing for repealer; providing an effective date (SC-02-03)

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:

APPEAL OF BOARD DECISIONS:

14. Zoning Board of Adjustment Decision – Case No. BA-02-06
Joan and Guy Stavola
601 NW 7th Terrace

CITY MANAGER RECOMMENDATIONS AND REPORTS:

15. Lake Worth Drainage District – Request that City assume canal maintenance obligations and flood protection responsibilities.

CITY ATTORNEY REPORTS:

MAYOR AND COUNCIL MEMBER REPORTS:

16. Request for support of amended drawbridge regulations.

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.