

# AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON JUNE 25, 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:

National Recreation and Parks Month – July 2002

## AWARDS/RECOGNITIONS:

Recognition of Ocean Rescue Staff

## MINUTES:

Minutes of the Regular Workshop Meeting of June 10, 2002  
Minutes of the Regular Meeting of June 11, 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. Community Relations Board– (3) vacancies. Two vacancies due to term expirations of Kathleen M. O’Leary and Bruce P. Foster, whose terms expire 07/25/02; one vacancy to replace student David Tring.
- b. Historic Preservation Board – (4) vacancies. Three vacancies due to term expirations of Howard E. McCall, Merle Haber, and Dr. Donald W. Curl, whose terms expire 07/01/02; one vacancy due to resignation of Bonnie Dearborn, whose term expires 07/01/02.

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) Military Trail Beautification-Hillsboro Canal to Camino Real  
Requested by Recreation Services  
Centerline Commercial, Inc. \$371,353

b. Sealed Renewals

- 1) Weatherproofing  
Requested by Recreation Services  
Hartzell Inc. \$120,856
- 2) Police Uniforms  
Requested by Police Services  
Special Products Group \$52,000

c. Sole Source

- 1) Web Based Software  
Requested by City Manager  
HTE Inc. \$122,345
- 2) Property Insurance  
Requested by Financial Services  
Beacon Group, Inc. \$640,000

- d. Change Order
- 1) Glades Road Water Treatment Plant On-Site  
Sodium Hypochlorite Generation System  
Requested by Utility Services  
The Poole and Kent Company \$59.623
- e. Resolution No. 98-2002
- A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 4 with Coastal Planning and Engineering, Inc. for acquisition of the Department of the Army permit for interior inlet maintenance at Boca Raton Inlet; providing for severability; providing for repealer; providing an effective date
- f. Resolution No. 99-2002
- A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 5 with Coastal Planning and Engineering, Inc. for engineering services for the Department of Environmental Protection permit requirements for project area monitoring and evaluation for the Boca Raton Inlet and adjacent beaches monitoring program; providing for severability; providing for repealer; providing an effective date
- g. Resolution No. 100-2002
- A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 6 with Coastal Planning and Engineering, Inc. for engineering services for the Department of Environmental Protection permit requirements for project area monitoring and evaluation for the North Beach renourishment monitoring program; providing for severability; providing for repealer; providing an effective date
- h. Resolution No. 101-2002
- A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 1 with Flynn Engineering Services, P.A. for the purpose of providing professional engineering services for bike lane designs on SW 13<sup>th</sup> Street/Camino Gardens Boulevard and Southwest 12<sup>th</sup> Avenue; providing for severability; providing for repealer; providing an effective date
- i. Resolution No. 102-2002
- A resolution of the City of Boca Raton supporting the beach and coastal management programs of the Florida Department of Environmental Protection (“State”), subject to the City’s regulatory authority and the Code of Ordinances; advising the State that the City will have the ability to provide local funding share necessary to implement any State beach and coastal management program in which the City elects to participate; authorizing the City Manager to forward a long-term beach funding plan to the State; providing for severability; providing for repealer; providing an effective date

j. Resolution No. 103-2002

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute the First Amendment to the Agreement with William R. Welhaf, M.D., for the purpose of employing a Medical Director for the Advanced and Basic Life Support Services provided by the Fire Rescue Services Department of the City; providing for severability; providing for repealer; providing an effective date

k. Resolution No. 104-2002

A resolution of the City of Boca Raton authorizing the City Manager to apply for a grant from the U.S. Environmental Protection Agency (USEPA) for the membrane softening improvements at the water treatment plant; 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

l. Receive and File Board Minutes – June 25, 2002

- 1) Citizen's Pedestrian and Bikeway Advisory Board  
May 13, 2002
- 2) Community Appearance Board  
May 14, 2002
- 3) Downtown Visions Committee  
May 9, 2002
- 4) General Employees' Pension Board  
May 8, 2002
- 5) Parks and Recreation Board  
May 7, 2002  
May 9, 2002
- 6) Planning and Zoning Board  
April 18, 2002  
May 2, 2002
- 7) Police and Firefighters' Pension Board  
April 17, 2002
- 8) Telecommunications Advisory Board  
May 6, 2002

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*(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:**

**REGULAR BUSINESS – PART III – REGULAR PUBLIC HEARINGS:**

4. Ordinance No. 4656 *(First of two required public hearings.)*

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)

a. Appeal of Land Dedication for Windsor Court at Boca Raton

5. Ordinance No. 4658 *(First of two required public hearings.)*

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)

6. Ordinance No. 4659

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

a. Resolution No. 97-2002

A resolution of the City of Boca Raton adopting the Interim Design Guidelines for the Pearl City Historic District; providing for severability; providing for repealer; providing an effective date

7. 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 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.)*

8. Ordinance No. 4661

An ordinance of the City of Boca Raton amending Section 2-153, Code of Ordinances; modifying the qualifications for membership on the Community Relations Board to allow students in grade 12 to serve on the Board; providing for severability; providing for repealer; providing for codification; providing an effective date

9. Ordinance No. 4662

An ordinance of the City of Boca Raton amending Section 13-73, Code of Ordinances; providing that all agreements for the sale or purchase of property by the City shall contain a clause whereby the purchaser or seller affirms that neither: (A) the purchaser or seller, nor (B) any current or former officer (if corporation), partner (if partnership) or equivalent authorized person (if other type of legal entity) of the purchaser or seller, has been convicted of a public entity crime, as defined in section 287.133, Fla. Stat.; providing that all solicitation of responses involving a sale or purchase of property by the City shall inform potential responders of this requirement; 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:**

10. Tri-County Humane Society – Request for Release of Funds

**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.