

# AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON MAY 9, 2006 6:00 PM

**INVOCATION:**

**PLEDGE OF ALLEGIANCE TO THE FLAG:**

**ROLL CALL:**

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

**AMENDMENTS TO THE AGENDA:**

**MINUTES:**

Minutes of the Regular Workshop Meeting of April 24, 2006  
Minutes of the Regular Meeting of April 25, 2006

**PROCLAMATIONS/RECOGNITIONS/AWARDS:**

***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. Boca Raton Airport Authority – three (3) vacancies due to term expirations of Joseph Bilotti (East – I-95), Harold G. Ingraham, Jr. (At large), and Ben McCaul (East – I-95), whose terms expire 06/01/06.
- b. Boca Raton Advisory Board for the Physically and Mentally Challenged – one (1) vacancy due to the resignation of Joan C. Daly, whose term expires 04/23/09.
- c. Builders’ Board of Adjustment & Appeals – one (1) vacancy due to the resignation of Andrew Conger (At-large member), whose term expires 02/15/08.
- d. Citizens’ Pedestrian and Bikeway Advisory Board – two (2) vacancies due to resignations of Anita Pearson and Ed Rowan, whose terms expire 01/12/07 and 01/02/09, respectively.
- e. Telecommunications Advisory Board – one (1) vacancy due to the resignation of Neil D. Eisner, whose term expires 09/09/08.

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 Bids

- 1) Traffic Sign Restoration  
Requested by Municipal Services  
Transmark Inc. \$43,248
- 2) Sodium Hypochlorite Peristaltic Hose  
Pumps-Replacement  
Requested by Utility Services  
Carter & VerPlanck, Inc. \$43,989
- 3) Exterior Painting of Mausoleum  
Requested by Recreation Services  
Roof Painting by Hartzell Inc. \$91,392

b. Sealed Bids - Renewals

- 1) Janitorial Supplies-Renewal  
Requested by City Wide  
Dade Paper & Bag Company \$78,000
- 2) Annual Traffic Calming, Sidewalk,  
Drainage Improvements & Road  
Construction-Renewal  
Requested by Municipal Services  
Weekley Asphalt Paving, Inc.  
Florida Blacktop, Inc. \$418,000

c. Intergovernmental Agreement

- 1) Rehabilitation of Lift Station #64  
Requested by Utility Services  
TLC Diversified, Inc. \$71,906

d. Sole Source

- 1) Portable Radios  
Requested by Recreation Services  
Motorola \$57,392

e. Resolution No. 63-2006

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an agreement with Chen and Associates Consulting Engineers, Inc. for the purpose of providing engineering services for the City's wastewater pump station transmission and collection system; providing for severability; providing for repealer; providing an effective date

f. Resolution No. 64-2006

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an Easement Deed to Florida Power & Light, over certain lands at the Fire Support and Training Facility located on Banyan Trail; providing for severability; providing for repealer; providing an effective date

g. Resolution No. 65-2006

A resolution of the City of Boca Raton canceling the second workshop and regular meetings in June 2006 and the first workshop and regular meetings in July 2006; providing for severability; providing for repealer; providing an effective date

h. Resolution No. 66-2006

A resolution of the City of Boca Raton authorizing the City Manager to apply for grants from the Palm Beach County Department of Public Safety, Division of Emergency Management, Office of Emergency Medical Services, for the purchase of medical/rescue cardiac equipment for the Fire Rescue Services Department; authorizing the acceptance of 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

i. Receive and File Board Orders

- 1) Special Master  
a) SM(C) Case No. 05-00003825  
b) SM(C) Case No. 06-00000089  
c) SM(C) Case No. 06-00000090  
d) SM(C) Case No. 06-00000320

j. Receive and File Board Minutes – May 9, 2006

- 1) Community Appearance Board  
March 28, 2006  
April 4, 2006  
April 11, 2006
- 2) Community Relations Board  
January 9, 2006  
March 20, 2006
- 3) Education Advisory Board  
March 27, 2006
- 4) Financial Advisory Board  
April 3, 2006
- 5) Historic Preservation Board  
March 28, 2006
- 6) Parks and Recreation Board  
February 7, 2006
- 7) Physically and Mentally Challenged  
March 2, 2006
- 8) Police and Firefighters' Pension Board  
February 23, 2006 (Regular Meeting)  
February 27, 2006 (Special Meeting)
- 9) Special Master  
March 22, 2006

**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.)*

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*(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. 4934 (Second of two required public hearings.)

An ordinance of the City of Boca Raton requiring City Council approval to convert hotel and motel rooms, within hotels/motels that do not qualify as a permitted use, to residential dwelling units; providing for severability; providing for repealer; providing for codification; 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.)*

5. Ordinance No. 4939

An ordinance of the City of Boca Raton amending the Fiscal Year 2005-2006 budget through the Second Quarterly Budget Amendment; 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:**

**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.