

AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON JANUARY 24, 2006 6:00 PM

INVOCATION:

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL:

Mayor Steven L. Abrams
Deputy Mayor Susan Whelchel
Council Member Peter R. Baronoff
Council Member Bill Hager
Council Member Susan Haynie

AMENDMENTS TO THE AGENDA:

MINUTES:

Minutes of the Regular Workshop Meeting of January 9, 2006
Minutes of the Regular Meeting of January 10, 2006

PROCLAMATIONS/RECOGNITIONS/AWARDS:

Proclamation: Dial 2-1-1 Week / February 5 – February 11, 2006

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 & Appeals – one (1) vacancy for an electrical contractor, term to expire 02/15/09.
- b. Citizens' Pedestrian and Bikeway Advisory Board – two (2) vacancies, one for a term to expire 01/12/09, and one (1) to complete a term that will expire 1/12/07.
- c. Community Relations Board – one (1) vacancy for a former student position, term to expire 07/25/07.

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. Intergovernmental Agreements

- 1) Shade Pavilions at Dog Park (New)
Requested by Recreation Services
Hunter-Knepshield Company Inc. \$28,806
- 2) Patch Reef Park Athletic Field & Court
Lighting-Replacement
Requested by Recreation Services
Musco Sports Lighting, LLC \$1,316,706

b. Emergency – Hurricane Wilma (Phase III)

- 1) Disaster Debris Monitoring Services
Requested by Municipal Services
R.W. Beck, Inc. \$2,000,000
- 2) City Wide Disaster Recovery Services
Requested by Municipal Services
Ashbritt, Inc. \$20,000,000
- 3) Security Guard Service at Fire
Station #5
Requested by Municipal Services
Navarro Security Group \$40,000
- 4) Re-Roofing Police Station
Requested by Municipal Services
Weiss & Woolrich Southern
Enterprises, Inc. \$535,475

c. Resolution No. 12-2006

A resolution of the City of Boca Raton authorizing the City Manager to apply for two grants from the State of Florida, Department of Community Affairs for the Emergency Management Preparedness and Assistance Trust Fund Grant Program for the purpose of hardening the Utility Services Emergency Command Center and to purchase fixed generators to power critical pumps needed to maintain water and wastewater services during widespread power outages; authorizing the acceptance of said grants, if awarded; authorizing the expenditure of matching funds for said grants, if awarded; authorizing and directing the City Manager to comply with the terms and conditions of said grants, if awarded; providing for severability; providing for repealer; providing an effective date

d. Board Resignation

- 1) Resignation of Nancy Sneider from the Community Relations Board

e. Receive and File Board Minutes – January 24, 2006

- 1) Community Appearance Board
December 13, 2005
December 20, 2005
January 3, 2006
- 2) Downtown Visions Committee
October 19, 2005
- 3) Marine Advisory Board
November 16, 2005
- 4) North Federal Highway Steering Committee
December 6, 2005
- 5) Parks and Recreation Board
December 6, 2005
- 6) Physically and Mentally Challenged Advisory Board
December 1, 2005
- 7) Planning and Zoning Board
November 17, 2005
December 8, 2005
- 8) Telecommunications Advisory Board
November 14, 2005

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:

4. Ordinance No. 4916 (Requires four votes for adoption.)

An ordinance of the City of Boca Raton amending Exhibit A of Ordinance No. 4859 of the City of Boca Raton which consisted of an amendment to the Future Land Use Map of the Comprehensive Plan that redesignated certain property located at 1601 Clint Moore Road as more specifically described herein, from Light Industrial to Commercial; providing for severability; providing for repealer; providing an effective date (UC-04-10R2/SC)

a. Resolution No. 9-2006

A resolution of the City of Boca Raton amending Resolution No. 58-2005 which granted conditional use approval for laboratories for analysis and research on a parcel of land located at 1601 Clint Moore Road, as described more particularly herein; providing for severability; providing for repealer; providing an effective date (UC-04-10R2/CA)

REGULAR BUSINESS – PART III – REGULAR PUBLIC HEARINGS:

5. Ordinance No. 4915

An ordinance of the City of Boca Raton amending Section 10-116, Code of Ordinances, to revise the definition of inoperable motor vehicle to include motor vehicles with license plates and vehicle registration which were issued for another motor vehicle; providing for severability; providing for repealer; providing for codification; providing an effective date

6. Ordinance No. 4917

An ordinance of the City of Boca Raton establishing the Elder Affairs Advisory Board; providing for the membership, appointment, term, quorum, compensation, powers and duties of the Board; providing for severability; providing for repealer; providing for codification; providing an effective date

7. Ordinance No. 4918

An ordinance of the City of Boca Raton amending Section 2-26, Code of Ordinances, to increase the salary of members of the City Council; providing for submission of the proposed salary increases to the electors of the City at the regular election to be held on March 14, 2006; providing for severability; providing for repealer; providing for codification; providing an effective date

8. Ordinance No. 4919

An ordinance of the City of Boca Raton proposing an amendment to the City Charter extending the length of the terms for the Mayor and City Council Members and reducing the maximum number of permitted consecutive terms; extending the terms of Council Members due to expire in March 2007 by one additional year; providing for submission of the proposed charter amendment to the electors of the City at the regular election on March 14, 2006; 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.)

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.