

AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON JULY 25, 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 June 12, 2006
Minutes of the Regular Meeting of June 13, 2006

PROCLAMATIONS/RECOGNITIONS/AWARDS:

National Night Out – August 1, 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. Citizens' Pedestrian and Bikeway Advisory Board – one (1) vacancy, due to resignation of Anita Pearson whose term expires 01/12/07.
- b. Community Relations Board – one (1) student vacancy, due to resignation of Doug Haskins.
- c. Education Advisory Board – two (2) student vacancies, (1) due to resignation of Alara Aktan; (1) due to open position.
- d. Pearl City Blue Ribbon Committee – one (1) vacancy, due to resignation of Molly Rich from the Housing Authority, whose term expires 01/23/07 (Housing Authority representative).

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) Ammonia Feed Systems-Replacement
Requested by Utility Services
Water Treatment & Controls Company \$68,160
- 2) Emergency Medical Supplies
Requested by Fire Rescue Services
Alliance Medical Inc., Boundtree Medical
LLC, Emergency Medical Supplies, Matrix
Medical Inc.-A Henry Schien Co., Moore
Medical LLC, Southeastern Emergency
Equipment, Tri-Anim Health Services, Inc. \$210,803
- 3) Tree Stump Removal Service
Requested by Recreation Services
The Growing Concern, Inc., Superior
Landscaping & Lawn Service, Tri Brothers
Tree Landscaping, Inc. \$400,000
- 4) Bulk Quicklime
Requested by Utility Services
Carmeuse Lime Sales Corporation \$992,640

b. Sealed Bids - Renewals

- 1) Tennis Balls - Renewal
Requested by Recreation Services
Wilson Racquet Sports \$39,600

2)	Original Equipment Manufacturer (OEM) Parts for Chevrolet, Chrysler, Ford and GMC Vehicles - Renewal Requested by Municipal Services Maroone Chevrolet of Delray, Maroone Dodge of Delray, Delray Lincoln Mercury	\$60,000
3)	Original Equipment Manufacturer (OEM) Labor Rates for Chevrolet, Chrysler, Ford and GMC Vehicles - Renewal Requested by Municipal Services Maroone Chevrolet of Delray, Maroone Dodge of Delray, Maroone Ford of Delray	\$70,000
4)	Fence Install, Replace & Repair -Renewal Requested by Recreation Services Municipal Services Hartzell Construction, Inc., Clipco Inc. d.b.a. Anything in Fence, Accurate Tennis Courts, Inc.	\$106,476
c.	<u>Intergovernmental Agreements</u>	
1)	Carbon Dioxide Requested by Utility Services Airgas Carbonic, Inc.	\$33,750
2)	Dry Digital Printer Requested by Police Services Noritsu America Corporation	\$39,754
3)	Automobiles and Light Trucks (New & Replacement) Requested by Municipal Services Duval Ford, & Orville Beckford Ford	\$69,648
4)	Bleachers at Patch Reef (New) Bleachers for Various City Parks (Replacement & Repairs) Requested by Recreation Services Seating Constructors USA, Inc.	\$126,031
d.	<u>Sole Source</u>	
1)	Grit Collectors (Replacement) Requested by Utility Services Smith & Loveless, Inc.	\$73,120
e.	<u>Change Order</u>	
1)	Spanish River Boulevard Widening - Phase II, Change Order #1 Requested by Utility Services Hardrives, Inc.	\$186,030

- f. Exempt
- 1) Movie Film for Motion Based
Minidome Simulator Exhibit (New)
Requested by Recreation Services
Imagicon, Inc. \$50,000
- g. Resolution No. 96-2006
- A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a joint project agreement with Palm Beach County for the purpose of improving the intersection of Military Trail at Yamato Road by adding a southbound right turn lane; providing for severability; providing for repealer; providing an effective date
- h. Resolution No. 97-2006
- A resolution of the City of Boca Raton approving and accepting a warranty deed from Country Club Maintenance Association, Inc. over certain lands located within a portion of Section 11, Township 47 South, Range 42 East and within a portion of the Arvida Country Club Plat One of University Park; providing for severability; providing for repealer; providing an effective date
- i. Resolution No. 98-2006
- A resolution of the City of Boca Raton approving and accepting an Easement Deed from James H. Batmasian and Marta Batmasian, over certain lands located at Royal Palm Plaza Phase II; providing for severability; providing for repealer; providing an effective date
- j. Resolution No. 99-2006
- A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 24 with Coastal Planning & Engineering, Inc., for the purpose of Post-Construction Physical Monitoring Program; providing for severability; providing for repealer; providing an effective date
- k. Resolution No. 100-2006
- A resolution of the City of Boca Raton authorizing the submission of an Annual Consolidated Action Plan for Program Year 2006-07 to the United States Department of Housing and Urban Development; designating the City Manager as the Chief Executive Officer for the purpose of the Community Development Block Grant Program; authorizing the City Manager to execute all applications, certifications and documents related to said program; providing for severability; providing for repealer; providing an effective date
- l. Resolution No. 101-2006
- A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an Interlocal Agreement with the City of Delray Beach for coordinated opposition to Palm Beach County's funding of County-Wide Fire Rescue Dispatch Services; providing for severability; providing for repealer; providing an effective date

m. Resolution No. 105-2006

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 23 with Coastal Planning & Engineering, Inc. for the purpose of Boca Raton Inlet North Jetty rehabilitation; construction, engineering and observation; providing for severability; providing for repealer; providing an effective date

n. Resolution No. 106-2006

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an agreement with Ultimate Catering Inc. for the purpose of providing concession services to the City of Boca Raton Municipal Golf Course; providing for severability; providing for repealer; providing an effective date

o. Resolution No. 107-2006

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 1 with Mathews Consulting, Inc. for the purpose of providing professional engineering services for preliminary and final design, public participation meetings, permitting and bidding services for the Hidden Valley Water and Wastewater Improvements project; providing for severability; providing for repealer; providing an effective date

p. Board Resignations

- 1) Resignation of student member Alara Aktan from the Education Advisory Board.

q. Receive and File Board Minutes – July 25, 2006

- 1) Builders' Board of Adjustment
December 5, 2005 (Workshop Meeting)
- 2) Building Height Sub-Committee
January 27, 2006
February 9, 2006
- 3) Citizen's Pedestrian and Bikeway Advisory Board
February 13, 2006
March 13, 2006
- 4) Community Appearance Board
May 23, 2006
May 30, 2006
June 6, 2006
June 13, 2006
June 20, 2006
June 27, 2006
- 5) Community Relations Board
May 15, 2006
- 6) Elder Affairs Advisory Board
May 3, 2006 (Strategic Planning Meeting)
May 3, 2006

- 7) Financial Advisory Board
April 17, 2006
- 8) General Employees' Pension Board
April 24, 2006
- 9) Library Advisory Board
April 19, 2006
May 17, 2006
- 10) Marine Advisory Board
May 3, 2006
- 11) North Federal Highway Steering Committee
May 2, 2006
- 12) Parks and Recreation Board
May 2, 2006
June 6, 2006
- 13) Pearl City Blue Ribbon Committee
July 28, 2005
December 1, 2005
- 14) Physically and Mentally Challenged
April 6, 2006
May 4, 2006
- 15) Planning and Zoning Board
May 4, 2006
May 18, 2006
May 26, 2006 (Special Orientation Meeting)
- 16) Police and Firefighters' Pension Board
March 27, 2006
April 17, 2006 (Investment Committee Meeting)
April 19, 2006
- 17) Special Master
May 10, 2006
- 18) Zoning Board of Adjustment
April 27, 2006
May 11, 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.)

4. Resolution No. 102-2006

A resolution of the City of Boca Raton granting tentative plat approval to the proposed Addison Park Townhomes subdivision plat, subject to conditions; providing for severability; providing for repealer; providing an effective date (SUB-06-03)

5. Resolution No. 103-2006

A resolution of the City of Boca Raton accepting and approving the final plat known as the Ravella Townhomes subdivision plat, and authorizing the Mayor and City Clerk to execute the plat; providing for severability; providing for repealer; providing an effective date (SUB 05-05)

a. Resolution No. 104-2006

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a contract for construction of required improvements with APK Homes, L.L.P., for the purpose of ensuring timely and complete construction of subdivision improvements to the Ravella Townhomes; providing for severability; providing for repealer; providing an effective date (SUB-05-05)

(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:

6. Ordinance No. 4943

An ordinance of the City of Boca Raton amending Section 24-96, Code of Ordinances related to flat signs; providing for severability; providing for repealer; providing for codification; providing an effective date (AM-06-01)

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.)

7. Ordinance No. 4944

An ordinance of the City of Boca Raton rezoning a parcel of land consisting of 0.89 acres, more or less, located at 5440 Glades Road, as described more particularly herein, from Palm Beach County Neighborhood Commercial (CN) to Palm Beach County General Commercial (CG); providing for the appropriate revisions of the zoning district map; providing for severability; providing for repealer; providing an effective date (UC-05-03/ZC/CA)

8. Ordinance No. 4945

An ordinance of the City of Boca Raton granting the petition of Camino Investments Holdings, LP, amending the Boca Raton Downtown Development of Regional Impact Development Order to permit the office allocation in Subarea E to be reduced by up to ninety percent (90%); determining that the revision does not constitute a substantial deviation requiring further Development of Regional Impact review, subject to conditions; providing for severability; providing for repealer; providing for an effective date (SC-06-06)

9. Ordinance No. 4946

An ordinance of the City of Boca Raton amending the housing element of the Comprehensive Plan to support the provision of workforce housing; providing for severability; providing for repealer; providing an effective date (SC-06-05)

10. Ordinance No. 4947

An ordinance of the City of Boca Raton providing for the vacation and abandonment of a Non-Access Easement, located in Arvida Park of Commerce Plats 10 and 11, as more specifically described herein; providing for severability; providing for repealer; providing an effective date (EA-06-02)

11. Ordinance No. 4948

An ordinance of the City of Boca Raton providing for the vacation and abandonment of a portion of a Lake Easement, located within Parcel 2, Boca Technology Center Plat 1, as more specifically described herein; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (EA-05-05)

12. Ordinance No. 4949

An ordinance of the City of Boca Raton providing for the vacation and abandonment of all Platted and Deeded Public Utility Easements, located at 2100 N.W. 5th Avenue, as more specifically described herein; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (EA-06-01)

13. Ordinance No. 4950

An ordinance of the City of Boca Raton providing for the vacation and abandonment of a Special Purpose Utility Easement, located at 131 South Federal Highway, as more specifically described herein; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (EA-06-04)

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:

14. Commercial Solid Waste Collection Franchise Agreement

PUBLIC HEARING - REQUEST FOR REDUCTION IN CODE ENFORCEMENT LIEN

(If you are planning to speak during the following public hearing, please state your name and address for the record and limit your remarks to five (5) minutes.)

15. Resolution No. 108-2006

A resolution of the City of Boca Raton granting the application of James Calhoun and Julaine Calhoun for a reduction in the amount of the Code Enforcement Lien imposed in Special Master Case Number 04-3362; providing for severability; providing for repealer; providing an effective date

QUASI-JUDICIAL PUBLIC HEARING – APPEAL OF BOARD DECISION:

(If you are planning to speak during the following public hearing, please state your name and address for the record and limit your remarks to five (5) minutes.) (Note: The conduct of this hearing will be governed by the “quasi-judicial procedures” attached to this agenda.)

16. Resolution No. 109-2006

A resolution of the City Council of the City of Boca Raton considering the appeal of Eric Newmark, Mary Ellen Harrison, Paul Garber, Joel Shumrak, Malcolm Gulden, Milton Gilbert, Shirley Ferro and Jerry Newberg; relating to the decision of the Community Appearance Board to approve main entrance and guardhouse renovations, at 5200 Saint Andrews Boulevard, pursuant to Permit No. 06-3752; providing for severability; providing for repealer; providing an effective date

CITY MANAGER RECOMMENDATIONS AND REPORTS:

- 17. Millage Notification to the Property Appraiser and Tax Collector
- 18. Fire Services Assessment Rate Notification to the Property Appraiser and Tax Collector
- 19. Workforce Housing Update
- 20. Request to use the City Seal – Sally J. Ling

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.