

AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON AUGUST 8, 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 July 24, 2006
Minutes of the Regular Meeting of July 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:

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 Bid

1)	Street Resurfacing Program Requested by Municipal Services Weekley Asphalt Paving, Inc.	\$815,835
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b. Sealed Bid Renewal

1)	Hauling & Disposal of Spent Lime-Renewal Requested by Utility Services Stanford & Sons Truck Corp.	\$126,001
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c. Emergency

1)	Emergency Rehabilitation of Lift Station 215 Requested by Utility Services W. Jackson & Sons Construction Co.	\$83,740
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2)	Rental of Emergency Power Generators Requested by Utility Services Sunbelt Rentals, Inc.	\$76,954.
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d. Waiver of Procurement Procedures

1)	Diesel and Unleaded Fuel Requested by Municipal Services Amerada Hess Corporation & BV Oil	\$878,400
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e. Resolution No. 112-2006

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute the FIRST Amendment to Agreement 03PB1 with the Florida Department of Environmental Protection for the purpose of reimbursable funding for the design and permitting of the North Boca Raton Beach Renourishment Project; providing for severability; providing for repealer; providing an effective date

f. Resolution No. 114-2006

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an agreement for consulting services and authorizing Work Order Number One with the Renaissance Planning Group for the purpose of providing consulting services related to the Evaluation and Appraisal Report; providing for severability; providing for repealer; providing an effective date

g. Receive and File Board Minutes – August 8, 2006

- 1) Community Appearance Board
July 11, 2006
July 18, 2006
- 2) Elder Affairs Advisory Board
June 7, 2006
- 3) General Employees' Pension Board
May 17, 2006
- 4) Library Advisory Board
June 21, 2006
- 5) North Federal Highway Steering Committee
June 6, 2006
- 6) Physically and Mentally Challenged
June 1, 2006
- 7) Planning and Zoning Board
June 8, 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.)

(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:

(The public hearing on Items 4 and 4.a. will be conducted contemporaneously, as the petitions are related, and pursuant to quasi-judicial guidelines. A separate vote will be taken on each petition.)

4. 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)

a. Resolution No. 110-2006

A resolution of the City of Boca Raton granting conditional use approval for the BP Amoco gas station on a parcel of land located at 5440 Glades Road, as described more particularly herein; providing for severability; providing for repealer; providing an effective date (UC-05-03/ZC/CA)

5. 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)

(The public hearing on Items 6 and 6.a. will be conducted contemporaneously, as the petitions are related, and pursuant to quasi-judicial guidelines. A separate vote will be taken on each petition.)

6. 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)

a. Resolution No. 113-2006

A resolution of the City of Boca Raton accepting and approving the final plat known as the Summit Boca Raton subdivision plat, and authorizing the Mayor and City Clerk to execute the plat; authorizing the Mayor and City Clerk to execute the contract for construction of required improvements; providing for severability; providing for repealer; providing an effective date (SUB-04-03)

REGULAR BUSINESS – PART III – REGULAR PUBLIC HEARINGS:

7. 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)

8. 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)

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.)

9. Ordinance No. 4951

An ordinance of the City of Boca Raton amending the Future Land Use Element of the Comprehensive Plan; amending Policy LU.1.1.2: to provide for an intensity standard for neighborhood retail uses within the Residential High Future Land Use category; adding Objective LU.1.14.0 to promote the redevelopment of the East Palmetto Park Road Corridor as a seaside village; adding Policy LU.1.14.1 to permit neighborhood retail uses in the High Density Residential Future Land Use category located in the East Palmetto Park Road Corridor and make appropriate amendments to the land development regulations; providing for severability; providing for repealer; providing an effective date (SC-06-07)

10. Ordinance No. 4952

An ordinance of the City of Boca Raton, Florida, providing for neighborhood retail as a conditional use within the R-5 zoning district adjacent to Palmetto Park Road east of the Intracoastal Waterway; providing for appropriate revisions to the sign regulations in the R-5 zoning district; providing for severability; providing for repealer; providing for codification; providing an effective date (AM-05-07)

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.