

# AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON JUNE 12, 2007 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 May 21, 2007  
Minutes of the Regular Meeting of May 22, 2007

**PROCLAMATIONS/RECOGNITIONS/AWARDS:**

National Recreation and Parks Month – July 2007

***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 Housing Authority – one vacancy (must be a resident or engaged in business within the City of Boca Raton).
- b. Builders' Board of Adjustment & Appeals – one vacancy (at-large).
- c. Citizens' Pedestrian & Bikeway Advisory Board – one vacancy.
- d. Community Relations Board – two vacancies.
- e. Education Advisory Board – four vacancies.
- f. Elder Affairs Advisory Board – two vacancies.
- g. Historic Preservation Board – two vacancies (at-large) and one vacancy (must be recommended by the Boca Raton Historical Society).
- h. Library Advisory Board – three vacancies.
- i. Parks and Recreation Board – three vacancies.
- j. Pearl City Blue Ribbon Committee – one vacancy (must be a resident of Dixie Manor, Pearl City, or Lincoln Court).

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) Preventive Maintenance and Repairs for  
Air Conditioning Systems  
Requested by Recreation Services  
Johnson Controls Inc. \$63,223
- 2) Screenings and Grit Removal Services  
Requested by Utility Services  
Waste Management Inc. of Florida \$77,970

b. Intergovernmental Agreements

- 1) Furniture (Replacement)  
Requested by Police Services  
Workscapes South LLC \$79,986

2)	Water Meter Fittings and Water Line Accessories Requested by Utility Services Ferguson Enterprises, Inc.	\$143,000
3)	Golf Course Equipment (Replacement) Requested by Recreation Services Wesco Turf Supply, Inc.	\$131,295
4)	Storage Area Network Requested by Police Services Champion Solutions Group	\$174,358
5)	Sodium Hypochlorite Requested by Utility Services Allied Universal Corporation	\$179,000
6)	Heavy Duty Trucks (Replacement) Requested by Municipal Services Atlantic Truck Center	\$406,045
7)	Furniture (New) Requested by Recreation Services Library Interiors of Florida, Inc. and Workscapes South LLC	\$1,200,000
c.	<u>Sole Source</u>	
1)	Automatic Vehicle Locator Software Requested by Police Services Sungard THE Inc.	\$78,030
2)	Surveillance Equipment (Replacement) Requested by Police Services International Surveillance Technology	\$141,501
d.	<u>Waiver of Procurement Procedures</u>	
1)	Diesel and Unleaded Fuel Requested by Municipal Services Amerada Hess Corporation and BV Oil	\$2,900,000
e.	<u>Resolution No. 60-2007</u>	

A resolution of the City of Boca Raton relating to the levy of special assessments against the lands and real estate within the Downtown Special Assessment District of the City specifically benefited by certain capital improvements; accepting and publishing a preliminary assessment roll; providing for a public hearing, at which the City Council shall act as an equalizing board; providing for the giving of notice to all affected property owners; providing for severability; providing for repealer; providing an effective date

f. Resolution No. 70-2007

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an Agreement with Public Resource Management Group for the purpose of providing professional services in connection with the utility rate sufficiency analysis and financial consulting services; providing for severability; providing for repealer; providing an effective date

g. Resolution No. 71-2007

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute the First Amendment to a Joint Project Agreement with Palm Beach County and the City of Boca Raton for the purpose of extending contract dates and deadlines; providing for severability; providing for repealer; providing an effective date

h. Resolution No. 72-2007

A resolution of the City of Boca Raton authorizing the submission of an Annual Consolidated Action Plan for Program Year 2007-08 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

i. Resolution No. 73-2007

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a Memorandum of Understanding with the Federal Bureau of Investigation to be a participating agency in the Joint Terrorism Task Force for the purpose of deterring, defeating, and responding vigorously to terrorism in the United States; providing for severability; providing for repealer; providing an effective date

j. Resolution No. 74-2007

A resolution of the City of Boca Raton establishing the Northwest Subdistrict Working Group; providing for severability; providing for repealer; providing an effective date

k. Resolution No. 75-2007

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 9 with David Plummer & Associates, Inc. for the purpose of providing professional services for a Multimodal Transit Feasibility and Funding Study; providing for severability; providing for repealer; providing an effective date

l. Resolution No. 76-2007

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an agreement with Integrian, Inc. for the purpose of purchasing Law Enforcement Compatible In-Car Digital Video systems; providing for severability; providing for repealer; providing an effective date

m. Board Resignations

- 1) Resignation of Dorothy Guinn from the Library Advisory Board

- n. Receive and File Board Minutes – June 12, 2007
- 1) Community Appearance Board  
May 1, 2007  
May 8, 2007  
May 15, 2007
  - 2) Community Relations Board  
April 16, 2007
  - 3) Education Advisory Board  
April 23, 2007
  - 4) General Employees' Pension Board  
April 12, 2007
  - 5) Historic Preservation Board  
March 20, 2007  
April 17, 2007
  - 6) Parks and Recreation Board  
April 10, 2007
  - 7) Pearl City Blue Ribbon Committee  
February 22, 2007
  - 8) Physically and Mentally Challenged Board  
April 12, 2007
  - 9) Police and Firefighters' Pension Board  
February 16, 2007 (Administrative Committee)  
March 22, 2007
  - 10) Telecommunications  
April 9, 2007

**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. 68-2007

A resolution of the City of Boca Raton accepting and approving the final plat known as the Advent Lutheran Church subdivision plat, and authorizing the Mayor and City Clerk to execute the plat; providing for severability; providing for repealer; providing an effective date (SUB-02-03)

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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:**

5. Resolution No. 67-2007

A resolution of the City of Boca Raton granting conditional use approval for First Presbyterian Church Enrichment Center on a parcel of land located at 600 W. Camino Real, as described more particularly herein; providing for severability; providing for repealer; providing an effective date (CA-07-03/SPA-07-03)

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

6. Ordinance No. 4979

An ordinance of the City of Boca Raton amending the Fiscal Year 2006-2007 budget through the Second Quarterly Budget Amendment; providing for severability; providing for repealer; 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.)*

7. Ordinance No. 4986

An ordinance of the City of Boca Raton authorizing the sale of a parcel of land consisting of approximately 0.085 acres and located adjacent to 3499 N.W. 2<sup>nd</sup> Avenue; providing for severability; providing for repealer; providing an effective date (SC-06-09)

8. Ordinance No. 4987

An ordinance of the City of Boca Raton amending the Future Land Use Map of the Comprehensive Plan by redesignating certain property consisting of 29.580 acres, more or less, located at 5800 Northwest 2<sup>nd</sup> Avenue, from Recreation and Open Space (PR) to Residential Medium (RM); providing for the appropriate revisions of the Future Land Use Map; providing for severability; providing for repealer; providing an effective date (UC-06-04/SC{3})

9. Ordinance No. 4988

An ordinance of the City of Boca Raton rezoning a parcel of land consisting of 29.580 acres, more or less, located at 5800 Northwest 2<sup>nd</sup> Avenue, from Recreational (REC) to Multifamily Residential (R3); providing for the appropriate revisions of the Zoning District Map; providing for severability; providing for repealer; providing an effective date (UC-06-04/ZC{3})

10. Ordinance No. 4989

An ordinance of the City of Boca Raton amending the Future Land Use Map of the Comprehensive Plan by redesignating certain property consisting of 3.094 acres, more or less, located at 5800 Northwest 2 Avenue, from Recreation and Open Space (PR) to Residential High (RH); providing for the appropriate revisions of the Future Land Use Map; providing for severability; providing for repealer; providing an effective date (UC-06-04/SC{2})

11. Ordinance No. 4990

An ordinance of the City of Boca Raton rezoning a parcel of land consisting of 3.094 acres, more or less, located at 5800 Northwest 2 Avenue, from Recreational (REC) to Multifamily Residential (R4); providing for the appropriate revisions of the Zoning District Map; providing for severability; providing for repealer; providing an effective date (UC-06-04/ZC{2})

12. Ordinance No. 4991

An ordinance of the City of Boca Raton amending the Transportation Element of the Comprehensive Plan to implement interim concurrency measures for constrained roadways; providing for severability; providing for repealer; providing for codification; providing an effective date (SC-07-01)

13. Ordinance No. 4992

An ordinance of the City of Boca Raton amending the Housing Element and the Future Land Use Element of the Comprehensive Plan to support a Workforce Housing Program; providing for severability; providing for repealer; providing an effective date (SC-06-05)

14. Ordinance No. 4993

An ordinance of the City of Boca Raton authorizing the Mayor and City Clerk to execute an amended and restated lease agreement with the Children's Museum, Inc. for the City-owned property located at 498 Crawford Boulevard; providing for severability; providing for repealer; providing an effective date (SC-07-04)

**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:**

**CITY MANAGER RECOMMENDATIONS AND REPORTS:**

15. Millage Notification to the Property Appraiser and Tax Collector

16. Fire Services Assessment Fee

**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.