

AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON SEPTEMBER 25, 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 September 10, 2007
Minutes of the Regular Meeting of September 11, 2007
Minutes of the Tentative Budget Meeting of September 10, 2007
Minutes of the Final Budget Meeting of September 17, 2007

PROCLAMATIONS/RECOGNITIONS/AWARDS:

Recognition of CCR (Consumer Confidence Report) Contest Winners

Haven Heroes – Presentation of Pins

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 Bids FY 06/07

- | | | |
|----|--|----------|
| 1) | Air Conditioning Replacement at Library
Requested by Municipal Services
Advanced Roofing, Inc. | \$93,000 |
| 2) | American Disabilities Act (ADA)
Upgrades at City Hall, Community
Center and Old Town Hall
Requested by Municipal Services
Spades Contractors Corp. | 235,000 |
| 3) | Laptops-Replacement
Requested by City Manager
Prosys Information Systems | 247,288 |

b. Sealed Bids FY 07/08

- | | | |
|----|--|---------|
| 1) | Westinghouse Electrical Parts
Requested by Utility Services
Erin Electrical Enterprises Inc., Rexel
Consolidated, World Electric Supply Inc. | 60,000 |
| 2) | Sod: Supply, Deliver, Remove, and/or Install
Requested by Recreation Services
Utility Services
Conco Horticulture, Meyer's Turf, Tropic
Landscaping and Lawn Maintenance,
W.S. Sod, Mullings Engineering Services | 147,245 |

c. Competitive Sealed Proposals FY 07/08

- | | | |
|----|---|---------|
| 1) | Printing and Distribution of Utility
Services Billing
Requested by City Manager
Data Prose, Inc. | 96,525 |
| 2) | Excess Insurance
Requested by Financial Services
Arthur J. Gallagher & Co. | 202,250 |

- d. Intergovernmental Agreements FY 07/08
- 1) Office Supplies
Requested by City Wide
Office Depot 325,000
 - 2) Corrosion & Odor Control Products
Requested by Utility Services
Siemens Water Technologies 425,225

- e. Sole Source FY 07/08
- 1) Payroll/Personnel Software
Maintenance and Support
Requested by City Manager
Infor Global Solutions (Michigan) Inc. 51,773
 - 2) Lift Station Pump Repairs
Requested by Utility Services
Florida Bearings, Inc. 70,000
 - 3) HTE Software Maintenance
Requested by City Manager
Sungard HTE Inc. 103,049
 - 4) Software Maintenance for Police
Public Safety System
Requested by City Manager
Sungard HTE Inc. 198,941
 - *5) **(*Contingent upon adoption of Resolution No. 104-2007, Item 3.g.)**
Motorola Handheld Radio System
P-25 Technology Upgrade
Requested by Police Services
Motorola 530,416

- f. Change Order FY 06/07
- 1) Yamato Road at Military Trail Right
Turn Lane
Requested by Municipal Services
Hardrives, Inc. 191,692

- g. Resolution No. 104-2007
- A resolution of the City of Boca Raton authorizing the City Manager or designee to execute a Reconfiguration Implementation Agreement, Phase I and II, with Motorola for the purpose of rebanding the City of Boca Raton's radio system; providing for severability; providing for repealer; providing an effective date

- h. Resolution No. 105-2007
- A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 3 with Greenhorne & O'Mara, Inc. for the purpose of consulting services for Countess DeHoernle Park; providing for severability; providing for repealer; providing an effective date

i. Resolution No. 106-2007

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute the first Amendment to Agreement with the Federal Emergency Management Agency Long Term Recovery Office for the purpose of funding participation in the Public Safety Complex Wind Retrofit Project; providing for severability; providing for repealer; providing an effective date

j. Resolution No. 107-2007

A resolution of the City of Boca Raton accepting a sovereignty submerged lands easement modification, to include all current jetty restorations/survey areas, to be used for the repair of the Boca Raton North Jetty; providing for severability; providing for repealer; providing an effective date

k. Board Resignations

- 1) Resignation of Robert Murstein from the Education Advisory Board

l. Receive and File Board Minutes – September 25, 2007

- 1) Community Appearance Board
August 21, 2007
- 2) Downtown Boca Raton Advisory Committee
March 28, 2007 (Special Meeting)
April 4, 2007
May 1, 2007 (Workshop)
- 3) Education Advisory Board
June 25, 2007
- 4) Library Advisory Board
July 18, 2007
- 5) Planning and Zoning Board
July 19, 2007
- 6) Telecommunications Advisory Board
May 7, 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.)

(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. 4998 (Revised 9/25/07) (Second of two required public hearings.)

An ordinance of the City of Boca Raton amending Sections 28-977 and 28-981, Code of Ordinances, relating to the Light Industrial and Research Park zoning district; providing for severability; providing for repealer; providing for codification; providing an effective date (AM-07-02)

5. Ordinance No. 5001

An ordinance of the City of Boca Raton authorizing and directing the Mayor and City Clerk to execute non-exclusive Construction and Demolition Debris Roll-off Container Service Franchise Agreements with the vendors identified in Exhibit "A", pursuant to Chapter 14, Code of Ordinances; providing for severability; providing for repealer; providing an effective date

6. Ordinance No. 5002

An ordinance of the City of Boca Raton renaming the Boca Raton Advisory Board for the Physically and Mentally Challenged as the Boca Raton Advisory Board for People with Disabilities; providing for severability; providing for repealer; providing for codification; providing an effective date

7. Resolution No. 102-2007

A resolution of the City of Boca Raton adopting an amended and restated Boca Raton Municipal Facilities and Services User Fee Schedule; providing for severability; providing for repealer; providing an effective date

8. Resolution No. 103-2007

A resolution of the City of Boca Raton, pursuant to Chapter 166, Florida Statutes, determining whether the City holds title to any real property that is appropriate for use as affordable housing; 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.)

9. Ordinance No. 5003

An ordinance of the City of Boca Raton authorizing and directing the Mayor and City Clerk to execute non-exclusive Commercial Solid Waste Collection Services Franchise Agreements with the vendors identified in Exhibit "A", pursuant to Chapter 14, Code of Ordinances; 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.