

AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON FEBRUARY 26, 2008 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 February 11, 2008
Minutes of the Regular Meeting of February 12, 2008

PROCLAMATIONS/RECOGNITIONS/AWARDS:

American Red Cross Month – March 2008

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.)

NOTE

Any person who acts as a lobbyist pursuant to City Code, Article V. Code of Ethics, Division 2, Lobbyist Registration, must register with the City Clerk prior to engaging in lobbying activities before City staff, boards, committees and / or the City Council, or any member thereof. Separate registration is required for each principal / client represented and each City matter. All registrations expire on December 31st of each calendar year and new registration is required. Forms are available from the City Clerk.

REGULAR BUSINESS - PART I:

1. Appointments to the following boards:

- a. Citizens' Pedestrian and Bikeway Advisory Board – two (2) vacancies.
- b. Code Enforcement Board – one (1) vacancy.
- c. Elder Affairs Advisory Board – one (1) vacancy.
- d. Marine Advisory Board – three (3) vacancies.
- e. Pearl City Blue Ribbon Committee – one (1) vacancy.
- f. Special Master – two (2) vacancies.

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) Advance Traffic Management System Implementation:
CCTV Expansion
Requested by Municipal Services
Precision Contracting Services, Inc. \$443,300
- 2) Submersible Well Pump Motors - Replacement
Requested by Utility Services
Condo Electric Industrial Supply, Inc. \$86,304

b. Resolution No. 27-2008

A resolution of the City of Boca Raton approving and accepting an Easement Deed from Camino Gardens Association, Inc., over certain lands located at Camino Gardens Boulevard; providing for severability; providing for repealer; providing an effective date

c. Resolution No. 28-2008

A resolution of the City of Boca Raton supporting the proposed "County Initiated Future Land Use Amendment, (LGA 2008-020), for City owned property currently occupied by the Tri-County Humane Society, located in unincorporated Palm Beach County at 21287 Boca Rio Road"; providing for severability; providing for repealer; providing an effective date

d. Resolution No. 29-2008

A resolution of the City of Boca Raton authorizing the City Manager to execute a Second Amendment to an Agreement with the State of Florida, Department of Environmental Protection for the purpose of extending the current contract for the El Rio Shared Use Trail; providing for severability; providing for repealer; providing an effective date

e. Resolution No. 30-2008

A resolution of the City of Boca Raton authorizing amendments to the Community Development Block Grant Program Annual Consolidated Action Plans for 2006-07, 2005-06, 2004-05, 2003-04 and 2002-03; authorizing the City Manager to execute a certification for the amendments; authorizing the Community Improvement Administrator to submit the amendments to the United States Department of Housing and Urban Development; providing for severability; providing for repealer; providing an effective date

f. Initial Assessment Resolution No. 05-1

A resolution of the City of Boca Raton relating to the levy of special assessments for the construction of a wastewater collection system and other improvements in an area generally known as Hidden Valley, as more particularly described herein, which lands are specifically benefited by the construction; providing for severability; providing for repealer; providing an effective date

g. Receive and File Board Minutes – February 26, 2008

- 1) Citizen's Pedestrian and Bikeway Advisory Board
October 9, 2007
- 2) Community Appearance Board
January 15, 2008
- 3) Community Relations Board
January 14, 2008
- 4) Education Advisory Board
December 18, 2007
- 5) Financial Advisory Board
November 7, 2007
- 6) Library Advisory Board
October 17, 2007
November 14, 2007
- 7) Marine Advisory Board
January 2, 2008
- 8) Parks and Recreation Board
January 8, 2008
- 9) People with Disabilities
January 3, 2008
- 10) Planning & Zoning
December 6, 2007

- 11) Special Master
December 12, 2007
- 12) Telecommunications Advisory Board
January 7, 2008

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. 5029

An ordinance of the City of Boca Raton amending certain sections of the Code of Ordinances relating to the Police and Firefighters’ Retirement System; implementing provisions of the collective bargaining agreement between the City of Boca Raton and the Fraternal Order of Police concerning police pensions; 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:

QUASI-JUDICIAL PUBLIC HEARING – APPEAL OF BOARD DECISION:

CITY MANAGER RECOMMENDATIONS AND REPORTS:

5. Board Attendance Report (2007)
6. Palm Beach County League of Cities – Committee Vacancies

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.