

AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON JULY 8, 2003 6:00 PM

INVOCATION:

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL:

Mayor Steven L. Abrams
Deputy Mayor Susan Whelchel
Council Member Dave Freudenberg
Council Member Bill Hager
Council Member Susan Haynie

AMENDMENTS TO THE AGENDA:

PROCLAMATIONS/PRESENTATIONS:

MINUTES:

Minutes of the Regular Workshop Meeting of June 23, 2003
Minutes of the Regular Meeting of June 24, 2003

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. Community Relations Board – two (2) vacancies due to term expirations of Leslie Scheper and Deborah A. Carman, whose terms expire 07/25/03.
- b. Education Advisory Board – six (6) vacancies: three (3) due to term expirations of Kim Parker, Cleveland Peoples, and Madeleine Siegel, whose terms expire 07/28/03; and three (3) due to resignations of student “ex officio” members Stephanie Haskins and Abraham Ovadia and appointment of student “ex officio” member Yuri Konnikov to that of a voting Board member.
- c. Parks and Recreation Board – three (3) vacancies due to term expirations of Ronald L. Better, Earl Starkoff, and Donna M. Virostek, whose terms expire 07/31/03.

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) Irrigation Supplies - Renewal
Requested by Recreation Services
Hughes Supply, Boynton Pump and Irrigation Supply,
Hector Turf, Professional Pump Corp.
DBA Professional Supply \$147,956

b. Intergovernmental Agreement

- 1) Sodium Hypochlorite
Requested by Utility Services
Allied Universal Corporation \$73,265

c. Sole Source

- 1) Portable Firefighting Training Building Simulator
Requested by Fire-Rescue Services
Fireblast 451, Inc. \$344,500

d. Emergency

- 1) Emergency Sewer Line Repair
Requested by Utility Services
Coastal Pipeline, Inc. \$30,595

e. Change Order

- 1) Wellfield Rehabilitation and Improvements,
Change Order #1
Requested by Utility Services
Florida Design Contractors, Inc. \$116,459

f. Exempt

- 1) Diversity Training
Requested by City Manager
Dale Carnegie Training \$35,000

g. Resolution No. 113-2003

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 improvement; 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

h. Resolution No. 121-2003

A resolution of the City of Boca Raton authorizing the City Manager to apply for a grant from the Palm Beach County Department of Environmental Resources Management for removal and control of invasive non-native vegetation on environmentally sensitive City land; authorizing the acceptance of said grant, if awarded; authorizing the expenditure of matching funds for said grant, if awarded; authorizing and directing the City Manager to comply with the terms and conditions of said grant, if awarded; providing for severability; providing for repealer; providing an effective date

i. Resolution No. 122-2003

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a Revocable License Agreement with Royal Oak Hills Association, Inc. for the purpose of placing a subdivision sign and sabal palm tree within City right-of-way; providing for severability; providing for repealer; providing an effective date

j. Resolution No. 123-2003

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an Interlocal Agreement with Palm Beach County for the purpose of reimbursing the City of Boca Raton for a portion of the engineering, permitting, design, construction and mitigation costs of the Central Boca Raton Nourishment Project; providing for severability; providing for repealer; providing an effective date

k. Receive and File Board Orders

Special Master and Code Enforcement

- 1) SM (G) Case No. 02-00003981
- 2) SM (G) Case No. 03-00000827
- 3) SM (G) Case No. 03-00000844

l. Receive and File Board Minutes – July 7, 2003

- 1) Citizens Pedestrian and Bikeway Advisory Board
May 12, 2003
- 2) Community Appearance Board
May 27, 2003
June 3, 2003
- 3) Environmental Advisory Board
May 15, 2003
- 4) Historic Preservation Board
May 8, 2003 – Special Meeting
May 20, 2003
- 5) Marine Advisory Board
May 14, 2003
- 6) Planning and Zoning Board
May 22, 2003
- 7) Special Master
May 14, 2003
- 8) Zoning Board of Adjustment
May 15, 2003

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

REGULAR BUSINESS – PART II – QUASI-JUDICIAL AND RELATED PUBLIC HEARINGS:

4. Ordinance No. 4713

An ordinance of the City of Boca Raton relating to rezoning; providing for the rezoning of a parcel of land consisting of 0.275 acres, more or less, located at 2501 North Ocean Blvd., as described more particularly herein, from R3E Residential District to R5 Residential District; providing for the appropriate revisions of the zoning district map; providing for severability; providing for repealer; providing an effective date (UC-02-02)

a. Resolution No. 103-2003

A resolution of the City of Boca Raton granting planned unit development master plan approval of the proposed Mizner Del Mar Planned Unit Development, subject to conditions; providing for severability; providing for repealer; providing an effective date (UC-02-02)

5. Resolution No. 118-2003

A resolution of the City of Boca Raton granting conditional use approval for Fire Station No. 2 on a vacant parcel of land located at 903 West Palmetto Park Road, as described more particularly herein; providing for severability; providing for repealer; providing an effective date (CA-03-07)

REGULAR BUSINESS – PART III – REGULAR PUBLIC HEARINGS:

6. Ordinance No. 4717 *(First of two required public hearings.)*

An ordinance of the City of Boca Raton providing for the involuntary annexation of property generally located south of Glades Road, east of Saint Andrews Boulevard, north of Lake Worth Drainage District Canal No. L-46 west of Military Trail and north of Lake Worth Drainage District Canal No. L-47 east of Military Trail and comprising all unincorporated property within such area, as more particularly described herein, to the corporate limits of the City of Boca Raton, Florida, as initiated by the City of Boca Raton; providing for a referendum on the question of annexation for the registered electors within the property proposed for annexation; providing for a revision of the City's boundaries pursuant to the City Charter to include the property annexed; providing for severability; providing for repealer; providing an effective date

7. Ordinance No. 4718 *(First of two required public hearings.)*

An ordinance of the City of Boca Raton providing for the involuntary annexation of property generally located south of Town Center Mall, east of Saint Andrews Boulevard, north of West Palmetto Park Road and west of Military Trail and comprising all unincorporated property within such area, as more particularly described herein, to the corporate limits of the City of Boca Raton, Florida, as initiated by the City of Boca Raton; providing for a referendum on the question of annexation for the registered electors within the property proposed for annexation; providing for a revision of the City's boundaries pursuant to the City Charter to include the property annexed; providing for severability; providing for repealer; providing an effective date

8. Ordinance No. 4719 *(First of two required public hearings.)*

An ordinance of the City of Boca Raton providing for the involuntary annexation of property generally located north of Glades Road and east of Powerline Road and comprising all currently unincorporated property in the Santa Barbara residential community, as more particularly described herein, to the corporate limits of the City of Boca Raton, Florida, as initiated by the City of Boca Raton; providing for a referendum on the question of annexation for the registered electors within the property proposed for annexation; providing for a revision of the City's boundaries pursuant to the City Charter to include the property annexed; 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. 4720

An ordinance of the City of Boca Raton authorizing the Mayor and City Clerk to execute a 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-03-06)

10. Ordinance No. 4721

An ordinance of the City of Boca Raton amending Sections 19-71 through 19-75, Code of Ordinances, relating to appeals from fire and building codes; creating Sections 19-76 and 19-77, Code of Ordinances, relating to variances to Chapter 22, Code of Ordinances; amending Sections 22-56 through 22-65, Code of Ordinances, relating to marine structures; creating Section 22-66, Code of Ordinances relating to non-conforming structures; renumbering Section 22-67, Code of Ordinances, creating Section 22-68, Code of Ordinances, relating to the granting of variances; amending Section 28-1486, Code of Ordinances, relating to mooring; providing for severability; providing for repealer; providing for codification; 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:

11. Selection of Voting Delegate for Florida League of Cities Annual Conference

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.