

AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON JANUARY 9, 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 December 11, 2006
Minutes of the Regular Meeting of December 12, 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. Sole Source

- | | | |
|----|---|-----------|
| 1) | Software Licenses for Police Mobile Dispatch System
Requested by Police Services
Sungard HTE Inc. | \$208,500 |
|----|---|-----------|

b. Resolution No. 2-2007

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an agreement with Bermello Ajamil & Partners, Inc. for the purpose of consulting services for the Downtown Library; providing for severability; providing for repealer; providing an effective date

c. Resolution No. 3-2007

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute the First Amendment to Agreement 05PB3 with the Florida Department of Environmental Protection for the purpose of reimbursable funding for the design and permitting, construction and monitoring of the South Boca Raton Beach Nourishment Project; providing for severability; providing for repealer; providing an effective date

d. Board Resignations

- 1) Resignation of Joan U. Upshaw from the Education Advisory Board
- 2) Resignation of Yuri Konnikov from the Education Advisory Board

e. Receive and File Board Minutes – January 9, 2007

- 1) Citizen's Pedestrian and Bikeway Advisory Board
November 13, 2006
- 2) Community Appearance Board
November 14, 2006
November 21, 2006
November 28, 2006
December 5, 2006
December 12, 2006
- 3) Community Relations Board
September 18, 2006
October 23, 2006 (Joint Meeting With Education Advisory Board)

- 4) Downtown Visions Committee
September 13, 2006
- 5) Education Advisory Board
October 3, 2006
- 6) Elder Affairs Advisory Board
November 1, 2006
- 7) Environmental Advisory Board
September 21, 2006
- 8) Executive Employees' Retirement Plan Board
September 27, 2006
- 9) Financial Advisory Board
October 16, 2006
- 10) Historic Preservation Board
October 4, 2006 (Workshop)
October 17, 2006
- 11) Library Advisory Board
October 18, 2006
- 12) Marine Advisory Board
November 1, 2006
- 13) Parks and Recreation Board
November 8, 2006
- 14) Physically and Mentally Challenged Board
November 2, 2006
- 15) Special Master
June 14, 2006
October 25, 2006
- 16) Telecommunications Advisory Board
November 6, 2006
- 17) Zoning Board of Adjustment
October 12, 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:

4. Resolution No. 1-2007

A resolution of the City of Boca Raton granting conditional use approval for LA Fitness athletic facility on a parcel of land located at 4950 Technology Way; providing for severability; providing for repealer; providing an effective date (CA-06-07)

REGULAR BUSINESS – PART III – REGULAR PUBLIC HEARINGS:

5. Ordinance No. 4964 *(Requires four votes for adoption.)*

An ordinance of the City of Boca Raton amending the Future Land Use Map of the Comprehensive Plan by redesignating certain property consisting of 1.4 acres, more or less, located at 1800 N. Military Trail, as more specifically described herein, from Commercial (C) to Conservation (N); providing for the appropriate revisions of the Future Land Use Map; providing for severability; providing for repealer; providing an effective date (SC-06-13)

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:

CITY MANAGER RECOMMENDATIONS AND REPORTS:

6. Request to Commence Procedure for Removal of Board Member.

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.