

# AGENDA

REGULAR MEETING CITY COUNCIL BOCA RATON JANUARY 8, 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 December 10, 2007  
Minutes of the Regular Meeting of December 11, 2007

**PROCLAMATIONS/RECOGNITIONS/AWARDS:**

***NOTICE***

*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 31<sup>st</sup> of each calendar year and new registration is required. Forms are available from the City Clerk.*

*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

- |    |   |             |
|----|---|-------------|
| 1) | Water Treatment Plant<br>Gravity Filters Rehabilitation<br>Requested by Utility Services<br>Cardinal Contrators, Inc. | \$5,074,800 |
| 2) | Laptops – Replacement<br>Requested by City Manager<br>Prosys Information Systems                                      | \$ 350,588  |

b. Intergovernmental Agreement

- |    |   |            |
|----|---|------------|
| 1) | Anaerobic Digester Cleaning<br>Requested by Utility Services<br>Settled Solids Management, Inc. | \$ 378,000 |
|----|---|------------|

c. Resolution No. 1-2008

A resolution of the City of Boca Raton announcing the regular election to be held in and for the City of Boca Raton on the 11<sup>th</sup> Day of March 2008; providing for publication; providing for severability; providing for repealer; providing an effective date

d. Resolution No. 2-2008

A resolution of the City of Boca Raton authorizing the City Manager to execute an agreement with Boca Raton Champions Golf Charities, Inc. d/b/a Allianz Championship for the purpose of providing a PGA Golf Champions Tour Golf Tournament in Boca Raton; providing for severability; providing for repealer; providing an effective date

e. Resolution No. 4-2008

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 7 with Eckler Engineering, Inc. for the purpose of providing professional engineering services for the design, and construction phases for the expansion of reclaimed water at the Water Treatment Plant; providing for severability; providing for repealer; providing an effective date

f. Resolution No. 5-2008

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an agreement with Documed Systems International, Inc., for the purpose of purchasing a license for Emergency Pro, EMS reporting software; providing for severability; providing for repealer; providing an effective date

g. Resolution No. 6-2008

A resolution of the City of Boca Raton affirming the decision of the City Manager to offer a reward in the amount of \$350,000 in connection with a recent homicide case; authorizing the City Manager to offer additional rewards in cases as determined necessary by the City Manager; requiring the City Manager to inform the City Council after offering such rewards; providing for severability; providing for repealer; providing an effective date

h. Receive and File Board Orders

Special Master

- 1) SM(C) 06-3977
- 2) SM(G) 07-00003645
- 3) SM(C) 07-00005422

i. Receive and File Board Minutes – January 8, 2008

- 1) Community Appearance Board  
November 13, 2007  
November 20, 2007
- 2) Community Relations Board  
November 19, 2007
- 3) Education Advisory Board  
October 22, 2007  
November 26, 2007
- 4) Elder Affairs Advisory Board  
October 3, 2007
- 5) Executive Employees' Retirement Plan  
August 21, 2007
- 6) General Employees' Pension Board  
November 7, 2007 (Disability Committee Meeting)  
November 8, 2007 (Regular Meeting)
- 7) Historic Preservation Board  
October 16, 2007  
November 20, 2007
- 8) Parks and Recreation Board  
November 6, 2007
- 9) Pearl City Blue Ribbon Committee  
October 25, 2007

- 10) People With Disabilities  
November 1, 2007
- 11) Police & Firefighters' Pension Board  
October 25, 2007
- 12) Special Master  
November 14, 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.)*

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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:**

4. Ordinance No. 5023 *(Revised 12/20/07.) (First of two public hearings.)*

An ordinance of the City of Boca Raton approving an Amended and Restated Memorandum of Agreement with the Boca Raton Airport Authority; establishing conditional uses for non-aviation land at the Boca Raton Airport; providing for severability; providing for repealer; providing an effective date

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

5. Ordinance No. 5014 *(First of two public hearings.)*

An ordinance of the City of Boca Raton amending Chapter 28, Code of Ordinances to provide for uniform treatment of places of public assembly; adding places of worship as permitted uses in single family zoning districts; providing for severability; providing for repealer; providing for codification; providing an effective date (AM-07-04)

6. Ordinance No. 5022

An ordinance of the City of Boca Raton establishing the process and procedure for early voting for the March 11, 2008 regular election; providing for severability; providing for repealer; providing an effective date

7. Ordinance No. 5024

An ordinance of the City of Boca Raton amending the Code of Ordinances relating to the Police and Firefighters' Retirement System by amending Section 12-132, "Optional Forms of Retirement Benefits"; 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.)*

8. Ordinance No. 5025

An ordinance of the City of Boca Raton providing for the vacation and abandonment of a Public Utility Easement, located at 1071 N.W. 4<sup>th</sup> Street, as more specifically described herein; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (EA-07-08)

9. Ordinance No. 5026

An ordinance of the City of Boca Raton providing for the vacation and abandonment of a Public Utility Easement, located at 48 East Royal Palm Road, as more specifically described herein; providing conditions for vacation and abandonment; providing for severability; providing for repealer; providing an effective date (EA-06-09)

**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:**

10. Selection of Canvassing Board Member for March 11, 2008 Election

**QUASI-JUDICIAL PUBLIC HEARING – APPEAL OF BOARD DECISION:**

**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.