



AGENDA
BOCA RATON CITY COUNCIL

REGULAR
MEETING

AUGUST 11, 2015

06:00 PM

1. INVOCATION:

2. PLEDGE OF ALLEGIANCE TO THE FLAG:

3. ROLL CALL:

Mayor Susan Haynie
Deputy Mayor Robert S. Weinroth
Council Member Michael Mullaugh
Council Member Jeremy Rodgers
Council Member Scott Singer

4. AMENDMENTS TO THE AGENDA:

5. MINUTES:

A. Minutes of the Workshop Meeting of July 27, 2015

 [Minutes](#)

B. Minutes of the Regular Meeting of July 28, 2015

 [Minutes](#)

6. PROCLAMATIONS/PRESENTATIONS:

7. BOARD

APPOINTMENTS

(Prior to consideration of motions to approve board appointments, the Mayor shall provide for public comment.)

A. Community Relations Board

 [Vacancy Sheet and Applications](#)

B. Education Advisory Board

 [Vacancy Sheet](#)

C. Financial Advisory Board

 [Vacancy Sheet and Applications](#)

D. Green Living Advisory Board

 [Vacancy Sheet and Applications](#)

E. Library Board

 [Vacancy Sheet and Application](#)

8. RESPONSES TO WORKSHOP INFORMATION REQUESTS:

9. 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 immediately following the vote on the Consent Agenda or as otherwise directed by the City Council.)

A. Intergovernmental Agreements

- 1) Electrical Supplies & Equipment; Requested by Municipal Services, Utility Services; HD Supply Power Solutions, LTD., Palm Beach Battery Ventures; LLC dba Batteries Plus Bulbs, Graybar Electric Co., World; Electric Supply, Mayer Electric Supply Company, Inc.; \$350,500
- 2) Dump Trucks (Replacements); Requested by Municipal Services; Duval Ford; \$244,988
- 3) Microsoft Licensing; Requested by City Manager; SHI International Corp.; \$208,402
- 4) Water Meter Fittings and Water Line Accessories; Requested by Utility Services; Ferguson Enterprise, Inc., HD Supply Waterworks, LTD.; Lehman Pipe & Plumbing Supply Co.; \$139,764
- 5) Vehicle Leasing Services; Requested by Police Services; 2nd Chance Holdings dba Budget Car Rental; \$88,000
- 6) Telephone Maintenance and Support; Requested by City Manager; Unify, Inc. dba Unify Enterprise Communications, Inc.; \$58,013

- 7) Supply and Install Flooring at City Hall Annex; Requested by Municipal Services; Shaw Industries, Inc.; \$53,247

 [Bids](#)

- B. Resolution No. 80-2015

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 improvements; 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

 [Resolution No. 80-2015](#)

- C. Resolution No. 88-2015

A resolution of the City of Boca Raton considering acceptance of a water easement from Gerald M. Barbarito, DD, JCL, Bishop of Diocese of Palm Beach for water lines at St. Joan of Arc Church located at 370 Southwest 3rd Street; providing for severability; providing for repealer; providing an effective date

 [Resolution No. 88-2015](#)

- D. Resolution No. 89-2015

A resolution of the City of Boca Raton supporting the beach and coastal management programs of the Florida Department of Environmental Protection, subject to the City's regulatory authority and Code of Ordinances; advising the State that the City will have the ability to provide the local funding share necessary to implement the state beach and coastal management programs in which the City elects to participate; authorizing the City Manager to forward a long-term beach funding plan to the State; providing for severability; providing for repealer; providing an effective date

 [Resolution No. 89-2015](#)

- E. Resolution No. 90-2015

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a Combined Mutual Aid Agreement with the Broward Sheriff's Office for the purpose of providing shared law enforcement assistance; providing for severability; providing for repealer; providing an effective date

 [Resolution No. 90-2015](#)

- F. Resolution No. 91-2015

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an economic development agreement with Yachtico, Inc; providing for severability; providing for repealer; providing an effective date

 [Resolution No. 91-2015](#)

G. Resolution No. 92-2015

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an economic development agreement with Avid Technology, Inc.; providing for severability; providing for repealer; providing an effective date

 [Resolution No. 92-2015](#)

H. Resolution No. 93-2015

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute an agreement with Arthur J. Gallagher Risk Management Services, Inc. for the purpose of broker services for excess and casualty insurance; providing for severability; providing for repealer; providing an effective date

 [Resolution No. 93-2015](#)

I. Board Resignation

1) Joe Panella from the Zoning Board of Adjustment

 [Resignation](#)

J. Board Minutes Received

1) Business Improvement District (BID) Steering Committee June 24, 2015

2) Community Appearance Board June 23, 2015 June 30, 2015

3) Downtown Boca Raton Advisory Committee April 15, 2015

4) Executive Employees' Retirement Plan June 24, 2015

5) Planning and Zoning Board May 7, 2015 May 21, 2015 June 4, 2015

6) Police and Firefighters' Pension Board June 18, 2015 June 24, 2015 Executive July 13, 2015 Special

 [Minutes](#)

10. 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; the conduct of same will be governed by the quasi-judicial procedures attached to this agenda.)

(If you are planning to speak during any public hearing under listed under Numbers. 11, 12, or 13, please state your name and address for the record and limit your remarks to five (5) minutes. The conduct of any public hearing under Number 11 will be governed by the "quasi-judicial procedures" attached to this agenda.)

11. QUASI-JUDICIAL AND RELATED PUBLIC HEARINGS:

12. REGULAR PUBLIC HEARINGS
(Prior to consideration of a motion to approve any matter on the Regular Public Hearings section of the agenda, the Mayor shall provide for public comment.)

13. REGULAR PUBLIC HEARINGS
(Prior to consideration of a motion to approve any matter on the Regular Public Hearings section of the agenda, the Mayor shall provide for public comment.)

14. 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.)

A. Ordinance No. 5313

An ordinance of the City of Boca Raton amending the permitted uses and square footage set forth in Exhibit A of Ordinance No. 4554 of the City of Boca Raton which consisted of an amendment to the Future Land Use Map of the Comprehensive Plan that redesignated certain property of 0.85 acres, more or less, located at 2595 Northwest Boca Raton Boulevard, as more particularly described herein, from Residential Low (RL) to Commercial (C); providing for severability; providing for repealer; providing an effective date (UC-00-03/R2)

 [Ordinance No. 5313](#)

 [Plans](#)

B. Ordinance No. 5314

An ordinance of the City of Boca Raton adopting final millage rates and levying ad valorem taxes for the fiscal year beginning October 1, 2015 and ending September 30, 2016; stating the percentage by which the millage to be levied exceeds the “rolled-back rate”; directing the City Manager or the Office of Management and Budget Director to adjust the adopted millage rates in the event of changes in the assessment roll and taxable value; providing for severability; providing for repealer; providing an effective date

 [Ordinance No. 5314](#)

C. Ordinance No. 5315

An ordinance of the City of Boca Raton adopting a final budget and appropriating funds for the fiscal year beginning October 1, 2015 and ending September 30, 2016; providing for severability; providing for repealer; providing an effective date

 [Ordinance No. 5315](#)

D. Ordinance

No.

5316

An ordinance of the City of Boca Raton relating to Utility Services; amending Chapter 17, Article I, to exempting certain reclaimed water consumers from a surcharge for service delivered outside of city limits; amending Chapter 17, Article II, updating administrative procedures relating to water service; amending Chapter 17, Article IV, revising prohibited discharge standards; repealing Chapter 17, Article VI and adopting a new Article VI, establishing minimum criteria for the City's cross-connection control and backflow protection policy; amending Chapter 17, Article VII, revising prohibitions on use of reclaimed water; providing for severability; providing for repealer; providing for codification; providing an effective date

 [Ordinance No. 5316](#)

15. 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.)

16. RESOLUTIONS AND OTHER BUSINESS:
(Prior to consideration of a motion to approve any matter on the Resolutions and Other Business section of the agenda, the Mayor shall provide for public comment.)

A. Resolution No. 81-2015

A resolution of the City of Boca Raton considering the application of Atlantic Landscape of So. Fla. Inc. for a reduction in the amount of the code enforcement lien imposed in Special Magistrate Case Number 13-3077; providing for severability; providing for repealer; providing an effective date

 [Resolution No. 81-2015](#)

17. QUASI-JUDICIAL PUBLIC HEARINGS/VARIANCES & APPEALS
(If you are planning to speak during any of the public hearings under section 17, please state your name and address for the record and limit your remarks to five (5) minutes. The conduct of these hearings will be governed by the quasi-judicial procedures attached to this agenda.)

(Prior to consideration of a motion to approve any matter presented under Sections 18, 19 or 20 of the agenda, the Mayor shall provide for public comment.)

18. CITY MANAGER RECOMMENDATIONS AND REPORTS:

19. CITY ATTORNEY REPORTS:

20. MAYOR AND COUNCIL MEMBER REPORTS:

NOTICES

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. This 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.

Pursuant to Chapter 2 (Administration), Article VIII (Lobbyist Registration), Sections 2-351 through 2-357, Palm Beach County, Florida, Code of Ordinances, any person who acts as a lobbyist must register at Palm Beach County's Lobbyist Registration site, www.pbcgov.com/legislativeaffairs/lobbying.htm, prior to engaging in lobbying activities before City of Boca Raton staff, boards, committees and/or the City Council, or any member thereof.

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/petitioner 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 applicant/petitioner will then make a presentation. During the staff and applicant/petitioner's presentation, only the members of the City Council are permitted to ask questions.*
- 6. After the applicant/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. No person may give/yield time to any other person. During this time, only the members of the City Council are permitted to ask questions.*

7. After the staff, the applicant/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 applicant/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.

10. For purposes of an appeal to the City Council filed by a third party (a party other than the initial applicant), the following clarification is provided: both the appellants (the party who filed the appeal) and the appellee (the party whose interest has been challenged by the appeal) shall be afforded the same rights to an initial presentation, cross-examination and rebuttal as provided to the “applicant/petitioner” described above. The time allotted to the appellee shall be equal to the total time allotted to the appellants.