



AGENDA BOCA RATON CITY COUNCIL

REGULAR
MEETING

MAY 24, 2016

06:00 PM

1. INVOCATION:

2. PLEDGE OF ALLEGIANCE TO THE FLAG:

3. ROLL CALL:

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

4. AMENDMENTS TO THE AGENDA:

5. MINUTES:

A. Minutes of the Workshop Meeting of May 9, 2016

 [Minutes](#)

B. Minutes of the Regular Meeting of May 10, 2016

 [Minutes](#)

6. PROCLAMATIONS/PRESENTATIONS:

7. BOARD

APPOINTMENTS

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

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. Sealed Bid

- 1) Tennis Court Maintenance Equipment Supplies & Accessories; Requested by Recreation Services; BSN Sports, LLC dba BSN Sports, Passon's Sports, &; US Games, Welch Tennis Courts, Inc.; \$59,988

 [Bid](#)

B. Intergovernmental Agreements

- 1) Horticultural Chemicals; Requested by Recreational Services; Helena Chemical Company, SiteOne Landscape Supply; Howard Fertilizer & Chemical Company; Diamond R. Fertilizer Co., Inc.; \$337,318
- 2) Office Furniture and Workstations (New); Requested by City Manager; Maxon Furniture, Inc.; JSI, Division of Jasper Seating Company, Inc.; \$120,000
- 3) Locate and Mark Underground Utilities; Requested by Utility Services; Caltrap Corporation; \$90,000
- 4) Surf Rake (Replacement); Requested by Municipal Services; H. Barber & Sons, Inc.; \$54,253

 [Bids](#)

C. Change Orders

- 1) Replacement of Sodium Hydroxide Tanks and; Chemical Systems Improvements; Requested by Utility Services; Florida Design Contractors, Inc.; \$404,540
- 2) Roof Maintenance and Repairs; Requested by Municipal Services; Advanced Roofing, Inc.; \$80,000
- 3) Exotic Vine Removal Services; Requested by Recreation Services; Lake and Wetland Management, Inc.; \$61,306
- 4) Water Treatment Chemicals; Requested by Utility Services; Lonnie Dearth LLC dba Tropichem Enterprises; \$23,060

 [Bids](#)

D. Resolution

No.

46-2016


A resolution of the City of Boca Raton authorizing the City Manager to execute an agreement with Citgo

Petroleum Corporation for the purpose of securing fuel terminal access; providing for severability; providing for repealer; providing an effective date

 [Resolution No. 46-2016](#)

E. Resolution No. 47-2016

A resolution of the City of Boca Raton authorizing the City Manager to execute an agreement and an addendum with Marathon Petroleum Company LP for the purpose of securing fuel terminal access; providing for severability; providing for repealer; providing an effective date

 [Resolution No. 47-2016](#)

F. Resolution No. 48-2016

A resolution of the City of Boca Raton authorizing the City Manager to execute Work Order No. 9 with Hazen and Sawyer, P.C. for the purpose of professional engineering services for the water and wastewater telemetry reliability upgrade; providing for severability; providing for repealer; providing an effective date

 [Resolution No. 48-2016](#)

G. Resolution No. 49-2016

A resolution of the City of Boca Raton authorizing the City Manager to execute agreements with Unify, Inc. for the purpose of telephone hardware and software maintenance; providing for severability; providing for repealer; providing an effective date

 [Resolution No. 49-2016](#)

H. Resolution No. 50-2016

A resolution of the City of Boca Raton authorizing the City Manager to execute an Assignment and Assumption Agreement for the purpose of providing disaster debris monitoring services; providing for severability; providing for repealer; providing an effective date

 [Resolution No. 50-2016](#)

I. Board Resignations

- 1) Vaughan Dugan from the Green Living Advisory Board
- 2) Monica Mayotte from the Green Living Advisory Board

 [Resignations](#)

J. Board Minutes Received

- 1) Citizens' Pedestrian and Bikeway Advisory Board March 14, 2016 April 11, 2016

- 2) Community Advisory Panel April 14, 2016
- 3) Community Appearance Board April 19, 2016 Workshop
- 4) General Employees' Pension Board April 13, 2016
- 5) Library Board March 23, 2016
- 6) Police and Firefighters' Retirement System March 24, 2016 March 24, 2016 Investment Committee

 [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.)

- A. Ordinance No. 5342 (Second of two public hearings. Requires 4 votes for adoption.)

An ordinance of the City of Boca Raton considering an amendment to its Comprehensive Plan to update the City's 10-Year Water Supply Facilities Work Plan; amending the Conservation, Infrastructure, Intergovernmental Coordination Elements, and map series of the City's Comprehensive Plan related to the 10-Year Water Supply Facilities Work Plan Update; providing for severability; providing for repealer; providing an effective date (SC-15-01)

 [Ordinance No. 5342](#)

- B. Ordinance No. 5345**

An ordinance of the City of Boca Raton to amend Chapter 28 "Zoning," City's Code of Ordinances, relating to building height and height provisions; amending Section 28-391 to delete allowance for additional building height in the R-2 Zoning District; amending Sections 28-451, 28-481, and 28-511 to set the maximum height for accessory structures at 25 feet (and delete allowance for additional height) in the R-3-A, R-3-B, and R-3-C Zoning Districts; amending Section 28-780 to delete allowance for additional building height in the B-1 Zoning District; amending Sections 28-874, 28-983, 28-1074, and 28-1099 to delete the reference to "stories" and retain measurement of height in feet in the C-1, LIRP Employee Service Node, M-1 and M-2 Zoning Districts;

amending Section 28-1126 to delete allowance for additional height for accessory structures in the M-3 Zoning District; providing for severability; providing for repealer; providing for codification; providing an effective date (AM-15-14)

 [Ordinance No. 5345](#)

C. Ordinance No. 5348

An ordinance of the City of Boca Raton providing for the vacation and abandonment of portions of a water easement located at 6101 Park of Commerce Boulevard, as more specifically described herein; approving and accepting a replacement water easement deed over certain lands located at 6101 Park of Commerce Boulevard; providing for severability; providing for repealer; providing an effective date (EA-16-06)

 [Ordinance No. 5348](#)

D. Ordinance No. 5349

An ordinance of the City of Boca Raton providing for the vacation and abandonment of a portion of a public utility easement located at 6700 Congress Avenue, as more specifically described herein; providing for severability; providing for repealer; providing an effective date (EA-15-05)

 [Ordinance No. 5349](#)

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. 5350

An ordinance of the City of Boca Raton amending Section 3.08 of the Charter of the City of Boca Raton to amend the method for filling vacancies on the City Council, including the office of Mayor; providing that vacancies shall be filled by special election; providing for the submission of the proposed Charter Amendment to the electors of the City at a special election to be held on August 30, 2016 (the date of the Primary Election); amending Section 6-4, Code of Ordinances, to delete a provision rendered obsolete and establish minimum requirements for the qualification period for special elections; providing for severability; providing for repealer; providing for revision to the City Charter and for codification in the Code of Ordinances; providing an effective date

 [Ordinance No. 5350](#)

B. Ordinance No. 5351

An ordinance of the City of Boca Raton providing for the vacation and abandonment of a portion of a public

utility and drainage easement located at 284 Northeast 7th Street, as more specifically described herein; providing for severability; providing for repealer; providing an effective date (EA-15-04)

 [Ordinance No. 5351](#)

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.)

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:

21. ADJOURNMENT:

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.*

