AGENDA

REGULAR MEETING BOCA RATON CITY COUNCIL MAY 27, 2020 6:00 PM

* ***Prior to the meeting, the City Clerk will query Council Members as to who would like to do the invocation (first answered, first selected) and will inform you who will do so.***

**Statement of the Chair**

**Welcome to a Regular City Council Meeting of the City of Boca Raton.**

**Pursuant to Executive Order No. 20-69, issued by the Office of Governor Ron DeSantis on March 20, 2020, and extended by Executive Order No. 20-112, municipalities may conduct meetings of their governing boards without having a quorum of its members present physically or at any specific location, and utilizing communications media technology such as telephonic or video conferencing, as provided by Section 120.54(5)(b)2, Florida Statutes.**

**The following meeting will be conducted in accordance with the Virtual Meeting Procedures established by the City pursuant to Emergency Order 2020-02 and the detailed procedures dated April 23, 2020 in effect adopting rules for use of communications media technology, as well as in accordance with all applicable laws.**

**The Virtual Meeting Procedures provide for real-time participation in the Virtual Meeting via computer using GoToWebinar software, as well as for viewing and/or listening to the meeting via television, radio and telephone. Public comment is accepted via email or by voicemail up until 2 hours prior to the commencement of the meeting. Emails and voicemails are reviewable by the City Council members as part of the meeting record.**

**The Virtual Meeting Procedures and Instructions for using GoToWebinar are attached to the Agenda.**

**The Procedures are published on the City’s website and a copy is available from the City Clerk.**

**The members of the City Council appearing remotely for this meeting are: myself, Mayor Scott Singer, Deputy Mayor Jeremy Rodgers, Council Member Monica Mayotte, Council Member Andrea Levine O’Rourke and Council Member Andy Thomson. City Manager Leif Ahnell and City Attorney Diana Grub Frieser are also in attendance remotely.**

* ***CALL THE MEETING TO ORDER, NOTING THE DATE AND TIME.***

1. **INVOCATION:**

* ***After calling the meeting to order, ask the designated Council Member to give the invocation.***

1. **PLEDGE OF ALLEGIANCE TO THE FLAG:**

* ***Ask everyone to recite the Pledge of Allegiance.***

**3.** **ROLL CALL: *Ask the Clerk to call the roll.***

Mayor Scott Singer

Deputy Mayor Jeremy Rodgers

Council Member Monica Mayotte

Council Member Andrea Levine O’Rourke

Council Member Andy Thomson

***If a Member is absent, you may wish to note it for the record.***

1. **AMENDMENTS TO THE AGENDA:**

***Prior to the meeting, the Clerk will provide you and the other Members a list of any known Amendments to the Agenda and where they should be placed on the Agenda.***

* ***Reference the items on the Amendments to the Agenda list. If the Consent Agenda is being amended, ask the Clerk to read the title(s) for those items now.***
* ***Ask the Council Members and the City Manager if there are any other Amendments to the Agenda.***
* ***Ask for a MOTION AND A SECOND to amend the agenda (VOICE VOTE). Request that all those in***

***favor say “Aye”; Ask for any opposed. Announce the results; If any members are opposed, note***

***that for the record.***

**5.** **MINUTES:**

* ***Ask if there are any corrections to the minutes.***
* ***REQUEST A MOTION AND A SECOND to approve the minutes as presented or as corrected, whichever the case may be (VOICE VOTE). Request that all those in favor say “Aye; Ask for any opposed. Announce the results; if any members are opposed note that for the record.***

1. Minutes of the Special Workshop Meeting of May 5, 2020
2. Minutes of the Workshop Meeting of May 11, 2020
3. Minutes of the Regular Meeting of May 27, 2020

**6.** **PROCLAMATIONS/PRESENTATIONS:**

***Announce that there are no proclamations or presentations.***

**7.** **BOARD APPOINTMENTS:**

***\*\*\*\*Ask if any member of the public wishes to comment on any board appointment.\*\*\*\****

1. Boca Raton Airport Authority

* ***Invite anyone present who has submitted an application to come forward to be interviewed.***
* ***After each applicant introduces themselves and makes comments, ask if there are any questions of the applicant from the Council Members.***
* ***OPEN THE FLOOR FOR A MOTION TO APPOINT OR FOR NOMINATIONS.***

***--(CONTINUED ON NEXT PAGE)--***

* + - ***For appointment:***
* ***(If there is a motion to appoint, ask for a second. CAN BE A VOICE VOTE.)***
  + - ***For nominations:***
  + ***If nominations are made, allow all members the opportunity to nominate. When no further nominations are forthcoming, nominations should be closed by motion and a second.***
* ***If more nominations are made than positions, ask the Clerk to do a ROLL CALL VOTE.***
* ***If nominations equal the number of open positions, a voice vote can be taken.***

1. Boca Raton Housing Authority

* ***Invite anyone present who has submitted an application to come forward to be interviewed.***
* ***After each applicant introduces themselves and makes comments, ask if there are any questions of the applicant from the Council Members.***
* ***OPEN THE FLOOR FOR A MOTION TO APPOINT OR FOR NOMINATIONS.*** 
  + - ***For appointment:***
* ***(If there is a motion to appoint, ask for a second. CAN BE A VOICE VOTE.)***
  + - ***For nominations:***
  + ***If nominations are made, allow all members the opportunity to nominate. When no further nominations are forthcoming, nominations should be closed by motion and a second.***
* ***If more nominations are made than positions, ask the Clerk to do a ROLL CALL VOTE.***
* ***If nominations equal the number of open positions, a voice vote can be taken.***

1. Builders’ Board of Adjustment and Appeals

* ***Invite anyone present who has submitted an application to come forward to be interviewed.***
* ***After each applicant introduces themselves and makes comments, ask if there are any questions of the applicant from the Council Members.***
* ***OPEN THE FLOOR FOR A MOTION TO APPOINT OR FOR NOMINATIONS.*** 
  + - ***For appointment:***
* ***(If there is a motion to appoint, ask for a second. CAN BE A VOICE VOTE.)***
  + - ***For nominations:***
  + ***If nominations are made, allow all members the opportunity to nominate. When no further nominations are forthcoming, nominations should be closed by motion and a second.***
* ***If more nominations are made than positions, ask the Clerk to do a ROLL CALL VOTE.***
* ***If nominations equal the number of open positions, a voice vote can be taken.***

1. Environmental Advisory Board

* ***Invite anyone present who has submitted an application to come forward to be interviewed.***
* ***After each applicant introduces themselves and makes comments, ask if there are any questions of the applicant from the Council Members.***
* ***OPEN THE FLOOR FOR A MOTION TO APPOINT OR FOR NOMINATIONS.***

***--(CONTINUED ON NEXT PAGE)--***

* + - ***For appointment:***
* ***(If there is a motion to appoint, ask for a second. CAN BE A VOICE VOTE.)***
  + - ***For nominations:***
  + ***If nominations are made, allow all members the opportunity to nominate. When no further nominations are forthcoming, nominations should be closed by motion and a second.***
* ***If more nominations are made than positions, ask the Clerk to do a ROLL CALL VOTE.***
* ***If nominations equal the number of open positions, a voice vote can be taken.***

**8. RESPONSES TO WORKSHOP INFORMATION REQUESTS:**

***Ask the City Manager if he has any responses to information requests that were made at the Workshop Meeting.***

**9. CONSENT AGENDA:**

* ***Ask if any Council Member wishes to remove any item(s) from the Consent Agenda and, if so, note at what point on the Agenda the item(s) will be considered (usually moved to Item 16, but sometimes considered immediately after approval of the Consent Agenda).***
* ***Ask if any Council Member of the public wishes to comment on any item on the Consent Agenda.***
* ***Ask members of the public participating by GoToWebinar to raise their hand using the software if they wish to comment on any Consent Agenda item. If any, the Organizer will unmute them – advise that to give their name and address and that they have 5 minutes to comment.***
* ***Ask the City Clerk if there any GoToWebinar questions or comments that have been received commenting on the Consent Agenda. If any, the City Clerk will read the questions or comments into the record.***
* ***ASK FOR A MOTION AND A SECOND TO APPROVE THE CONSENT AGENDA (AS AMENDED, if appropriate) (ROLL CALL OR VOICE VOTE). If a Voice Vote, request that those in favor say “aye;” request that any opposed say no; announce the results, noting any no votes.***

A. Sealed Bid

1) Exotic Vine, Plant and Tree Removal Services;

Requested by Recreation Services;

EarthBalance Corporation; $186,250

B. Intergovernmental Agreements

1) Vehicle Lighting and Accessories;

Requested by Municipal Services, Fire Rescue Services;

Spartan Upfit Services, Inc. dba Strobes-R-US; $582,000

2) City Hall Broadcast Center/East Offices Renovation;

Requested by Municipal Services;

Shiff Construction & Development, Inc.; $264,283

3) Chain Link and Picket Fence Installation and Repairs;

Requested by City Wide;

Tropic Fence, Inc.; $169,600

C. Change Order

1) Tire Services;

Requested by Municipal Services;

Goodyear Tire and Rubber Company; $83,000

D. Resolution No. 64-2020

A resolution of the City of Boca Raton authorizing the Mayor and City Clerk to execute a revocable land use agreement for a community garden with the Junior League of Boca Raton, Inc.; providing for severability; providing for repealer; providing an effective date

E. Resolution No. 65-2020

A resolution of the City of Boca Raton authorizing the Mayor to execute an agreement with the State of Florida, Department of Emergency Management to receive Federal Emergency Management Agency and State funds for Hurricane Dorian recovery; providing for repealer; providing an effective date

F. Resolution No. 66-2020

A resolution of the City of Boca Raton authorizing the Mayor to execute an agreement with the State of Florida, Department of Emergency Management to receive Federal Emergency Management Agency and State funds for Hurricane Irma recovery; providing for repealer; providing an effective date

**10.** **QUASI-JUDICIAL CONSENT AGENDA:**

***Advise that there are no items for consideration.***

1. **QUASI-JUDICIAL AND RELATED PUBLIC HEARINGS:**

**Announce that the public hearings on items A. and B. will be conducted contemporaneously as the petitions are related. A separate vote will be taken on the ordinance and the resolution. Should item A. not be approved, item B. will not be considered.**

A. Ordinance No. 5523

An ordinance of the City of Boca Raton considering a universal conditional (UC) rezoning, pursuant to Article VI, Chapter 23, Code of Ordinances, of property consisting of approximately 4.984 acres, generally located at 1489 and 1499 West Palmetto Park Road, from Motel-Business (R-B-1) to Professional, Office and Institutional (POI), subject to conditions; providing for the appropriate revision of the Zoning District Map; providing for repealer; providing an effective date (UC-19-02/ZC)

B. Resolution No. 63-2020

A resolution of the City of Boca Raton considering an amendment to an approved site plan (Planning and Zoning Resolution No. 83-33R), pursuant to a universal conditional (UC) rezoning request, to authorize the construction of an additional 16,296 square feet of office space, on an approximately 4.984 acre property generally located at 1489 and 1499 West Palmetto Park Road; providing for repealer; providing an effective date (UC-19-02/SPA)

* ***Announce that the Virtual Quasi-Judicial Hearing will be conducted according to the Virtual Quasi-Judicial Procedures.***
* ***Ask the City Attorney to review the quasi-judicial procedure that will govern the Public Hearing***.
* **The City Attorney will read the following:**

“Hearing(s) on the following application(s) will be conducted in accordance with the Virtual Quasi-Judicial Hearing Procedures established by the City pursuant to Emergency Order 2020-02 adopting rules for use of communications media technology in accordance with Executive Order No. 20-69, issued by Florida Governor Ron DeSantis on March 20, 2020 and extended by his Executive Order No. 20-112 on April 29, 2020, as well as in accordance with all applicable laws.

The Virtual Quasi-Judicial Hearing Procedures provide for real-time participation via computer using GoToWebinar software, as well as for viewing and/or listening to the meeting via television, radio, and telephone. Public comment is accepted via email and voice mail until 2 hours prior to the commencement of the meeting, or through the use of GoToWebinar during the meeting.

The Virtual Quasi-Judicial Hearing Procedures and Instructions for using GoToWebinar are attached to the Agenda and published on the City’s website, and copies are available from the City Clerk.

Each applicant requesting approval, relief or other action from the City Council 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.”

* ***Ask persons who wish to speak to take the oath which the City Clerk will administer.***
* ***Ask the Council Members if they have any ex parte disclosures.***
* ***Recognize the City Manager who will introduce the staff person making the presentation.***
* ***After the staff presentation, ask if Members have any questions for staff.***
* ***OPEN THE PUBLIC HEARING Ask the applicant to make their presentation (twenty (20) minutes is usually allotted, but can be increased up to one hour at Council’s discretion).***
* ***Ask the applicant to state their name and address for the record.***
* ***Ask Council Members if they have any questions for the applicant.***
* ***Ask the City Clerk and Staff if comments in support of or in opposition to the Application that were timely received prior to the hearing were made available for review by the City Council and have been made part of the record (Clerk and Staff to answer YES).***
* ***Ask if any other group or opposing side has a representative (e.g., an attorney or the president of an association). If so, advised that their presentation shall be limited to twenty (20) minutes. Ask the representative to state their name and address for the record.***
* ***Ask Council Members if they have any questions for the representative.***
* ***Ask if anyone else wishes to speak. Advise that they may use the “raise your hand” function of the GoToWebinar software to be recognized to speak or the “ask a question” to submit a comment that will be read by the City Clerk. (If there are groups present such as members of HOAs, you may wish to ask if a representative wishes to speak for the group.) Ask speakers to state their name and address for the record. Advise they have 5 minutes to speak and that comments submitted by the “ask a question” function will be limited to 500 words. Remind them that they have only one opportunity to comment.***
* ***Ask the City Clerk if there are any “ask a question” comments and, if so, have the Clerk read them into the record.***
* ***Allow one more opportunity for persons who have not already provided comment to speak via “raise your hand” or submit a comment by “ask a question”.***
* ***Ask if Staff or the Applicant wishes to cross-examine anyone who presented spoken testimony through the webinar (can only be related to testimony given and should be done in the order in which the individuals testified).***
* ***Allow staff an opportunity for final argument.***
* ***Allow the applicant the opportunity for final argument/rebuttal and advise they have 10 minutes***
* ***CLOSE THE PUBLIC HEARING.***
* ***ASK FOR A MOTION AND A SECOND TO ADOPT ORDINANCE NO. 5523.***
* ***Council discussion occurs.***
* ***If there is an amendment(s) to the main motion, the vote on an amendment(s) is typically done by voice vote.***
* ***Ask the Clerk to do a ROLL CALL VOTE on the main motion (as amended, if applicable).***
* ***Announce the outcome of the vote.***
* ***ASK FOR A MOTION AND A SECOND TO ADOPT RESOLUTION NO. 63-2020.***
* ***Council discussion occurs.***
* ***If there is an amendment(s) to the main motion, the vote on an amendment(s) is typically done by voice vote.***
* ***Ask the Clerk to do a ROLL CALL VOTE on the main motion (as amended, if applicable).***
* ***Announce the outcome of the vote.***

1. **REGULAR PUBLIC HEARINGS:**

***Ask the City Clerk to read the title of Ordinance No. 5522.***

A. Ordinance No. 5522

An ordinance of the City of Boca Raton authorizing a Tenth Amendment to the Agreement for Purchase and Sale dated November 27, 2017, by and between the City of Boca Raton and G.L. Acquisitions Corporation for the purchase and sale of the City of Boca Raton Municipal Golf Course West, as authorized by Ordinance No. 5410; authorizing a tenth extension of the inspection period, a modification of the closing date, modifications of the dates by which potential additional modifications of the closing date and the purchase price may be elected and become effective; providing for severability; providing for repealer; providing an effective date

* ***Recognize the City Manager who will introduce the staff person making the presentation.***
* ***After the presentation, ask if Council Members have any questions for staff.***
* ***OPEN THE PUBLIC HEARING.***
* ***Ask persons attending the virtual meeting by GoToWebinar who wish to speak to raise their hands using the software****;* ***If any, the Organizer will unmute them – advise each person to state their name and address and that they have 5 minutes to provide their comment.***
* ***Ask the City Clerk if there any GoToWebinar*** ***comments or questions, submitted via the “ask a question function”, for this Public Hearing. If any, the Clerk will read the comments or questions into the record.***
* ***Ask if there are any additional GoToWebinar comments or real-time comments not already heard. If any, the Organizer will unmute, or the City Clerk will read the comment into the record.***
* ***CLOSE THE PUBLIC HEARING***
* ***ASK FOR A MOTION AND A SECOND TO ADOPT ORDINANCE NO. 5522.***
* ***Council discussion occurs.***
* ***If there is an amendment(s) to the main motion, the vote on an amendment(s) is typically done by voice vote.***
* ***Ask the Clerk to do a ROLL CALL VOTE on the main motion (as amended, if applicable).***
* ***Announce the outcome of the vote.***

**13. REGULAR PUBLIC HEARINGS/SETTLEMENTS:**

***Advise that there are no items for consideration.***

**14. PUBLIC REQUESTS:**

* ***Open the floor for Public Requests.***
* ***Ask persons attending the virtual meeting by GoToWebinar who wish to speak to raise their hands using the software****;* ***If any, the Organizer will unmute them – advise each person to state their name and address and that they have 5 minutes to provide their comment.***
* ***Ask the City Clerk if there any GoToWebinar comments or questions, submitted via the “ask a question function”, for Public Requests. If any, the City Clerk will read the comments or questions into the record.***
* ***Ask if there are any additional public requests by GoToWebinar comments or questions or real-time comments not already heard. If any, the Organizer will unmute, or the City Clerk will read the comments or questions into the record.***
* ***Announce the close of Public Requests.***

**15. INTRODUCTION OF ORDINANCES:**

***Ask the City Clerk to read the title of Ordinance No. 5517.***

A. Ordinance No. 5517

An ordinance of the City of Boca Raton relating to the Sign Code of the City; repealing Chapter 24, “Signs,” Code of Ordinances, in its entirety; adopting a new Chapter 24, “Signs,” Code of Ordinances; repealing Section 302.1.3, “Signs,” of the “Supplemental Criteria and Procedural Rules of the Community Appearance Board,” as enacted by Ordinance No. 2110, and as subsequently amended; repealing the “Sign Design Criteria: A Guideline to Acceptable Sign Design” in its entirety, as enacted by Ordinance No. 3796, and as subsequently amended; amending Chapter 28, Zoning, Article XI, “Business and Commercial Districts,” Division 11, “City CG Commercial General,” and Division 12, “City CHO Commercial High Office,” Sections 28-933 and 28-939, to provide for the regulation of noncommercial temporary signs in such zoning districts; providing for severability; providing for repealer; providing for codification; providing an effective date

* ***Ask who wishes to introduce the ordinance (there is no discussion on items at the time of introduction).***
* ***Thank the Council Member who introduced the ordinance.***

***Ask the City Clerk to read the title of Ordinance No. 5518.***

B. Ordinance No. 5518

An ordinance of the City of Boca Raton creating Chapter 28, “Zoning,” Article XV, Division 1, Section 28-1313, “Flags and Flag Poles,” Code of Ordinances, to provide regulations for flags and flag poles; amending Chapter 28, “Zoning,” Article I, Section 28-2, “Definitions,” Code of Ordinances, to add a definition of “Flag”; amending Chapter 26, “Subdivision Regulations,” Article III, Division 1, Section 26-102, “Median Strip Beautification and Use,” Section 26-103, “Placement, Location of Subdivision Entrance Signs,” and Section 26-104, “Optional City Responsibility for Maintenance of Subdivision Entrance Signs,” Code of Ordinances, to update the terminology relating to subdivision entrance features and delete provisions relating to the placement and location of subdivision entrance signs creating Chapter 28, “Zoning,” Article XII, Division 7, “M-2 General Industrial District,” Section 28-1111, “Signage; Student Housing,” Code of Ordinances, relating to signage for uses accessory to a student housing facility; providing for severability; providing for repealer; providing for codification; providing an effective date

* ***Ask who wishes to introduce the ordinance (there is no discussion on items at the time of introduction).***
* ***Thank the Council Member who introduced the ordinance.***

***Ask the City Clerk to read the title of Ordinance No. 5523.***

C. Ordinance No. 5523

An ordinance of the City of Boca Raton considering a universal conditional (UC) rezoning, pursuant to Article VI, Chapter 23, Code of Ordinances, of property consisting of approximately 4.984 acres, generally located at 1489 and 1499 West Palmetto Park Road, from Motel-Business (R-B-1) to Professional, Office and Institutional (POI), subject to conditions; providing for the appropriate revision of the Zoning District Map; providing for repealer; providing an effective date (UC-19-02/ZC)

* ***Ask who wishes to introduce the ordinance (there is no discussion on items at the time of introduction).***
* ***Thank the Council Member who introduced the ordinance.***

**16. RESOLUTIONS AND OTHER BUSINESS:**

***Ask the City Clerk to read the title of Resolution No. 61-2020.***

A. Resolution No. 61-2020

A resolution of the City of Boca Raton considering the application of 111 Glouchester St, LLC, for a settlement and reduction of one (1) Code Enforcement lien imposed against property located at 111 Glouchester St; providing for severability; providing for repealer; providing an effective date

* ***Recognize the City Manager who will provide comment or introduce the staff person making the presentation.***
* ***Ask persons attending the virtual meeting by GoToWebinar who wish to speak to raise their hands using the software****;* ***If any, the Organizer will unmute them – advise each person to state their name and address and that they have 5 minutes to provide their comment.***
* ***Ask the City Clerk if there any GoToWebinar comments or questions, submitted via the “ask a question function”, for this Public Hearing. If any, the Clerk will read the comments or questions into the record.***
* ***ASK FOR A MOTION AND A SECOND TO ADOPT THE RESOLUTION.***
* ***Council discussion occurs.***
* ***If there is an amendment(s) to the main motion, the vote on an amendment(s) is typically done by voice vote.***
* ***Ask the Clerk to do a ROLL CALL VOTE on the main motion (as amended, if applicable).***
* ***Announce the outcome of the vote.***
  1. **QUASI-JUDICIAL PUBLIC HEARINGS/VARIANCES & APPEALS:**

***Advise that there are no items for consideration.***

1. **CITY MANAGER RECOMMENDATIONS AND REPORTS:**

***Ask the City Manager if he has any recommendations or reports.***

***If there is a motion to approve any matter presented, ask if any member of the public wishes to comment.***

**19. CITY ATTORNEY REPORTS:**

***Ask the City Attorney if she has any recommendations or reports.***

***If there is a motion to approve any matter presented, ask if any member of the public wishes to comment.***

**20. MAYOR AND COUNCIL MEMBER REPORTS:**

***One by one, ask the Council Members if they have any reports.***

***If there is a motion to approve any matter presented, ask if any member of the public wishes to comment.***

**21.ADJOURNMENT:**

* ***Ask for a MOTION AND A SECOND to adjourn. (VOICE VOTE) Request that all those in favor say “Aye”; Ask for any opposed. If any members are opposed, note that for the record.***
* *Announce that the meeting is adjourned and note the time*.