CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
SPECIAL CITY COUNCIL MEETING MINUTES
WEDNESDAY, FEBRUARY 22, 2012 AT 5:00 P.M.
MUNICIPAL COMPLEX CITY COUNCIL CHAMBERS

(The following may contain unintelligible or misunderstood words due to the recording quality.)

CHAIRPERSON DAVIS: Okay. Good evening, everyone. Welcome to our special city council meeting. Madam Clerk, please call the roll.

DEPUTY CITY CLERK ANTHONY: Mayor Thomas Masters? Chairperson Judy Davis?

CHAIRPERSON DAVIS: Here.

DEPUTY CITY CLERK ANTHONY: Chair Pro-Tem Billie Brooks?

CHAIR PRO TEM BROOKS: Here.

DEPUTY CITY CLERK ANTHONY: Councilperson Cedrick Thomas?

COUNCILPERSON THOMAS: Here.

DEPUTY CITY CLERK ANTHONY: Councilperson Dawn Pardo?

COUNCILPERSON PARDO: Present.

DEPUTY CITY CLERK ANTHONY: Councilperson Shelby Lowe? City Manager Ruth Jones?

CITY MANAGER JONES: Present.

DEPUTY CITY CLERK ANTHONY: Deputy City Clerk Claudene Anthony is present. City Attorney Pamala Ryan?

CITY ATTORNEY RYAN: Present.

CHAIRPERSON DAVIS: Okay. Let's all stand for moment of silence and the pledge led by Mrs. Brooks.

CHAIR PRO TEM BROOKS: Let's say the pledge. (Everyone stood for a Moment of Silence with the Pledge of Allegiance being led by Councilperson Brooks).

CHAIRPERSON DAVIS: Okay. Is there any additions/deletions, Mrs. Jones?

CITY MANAGER JONES: No, Madam Chair.

CHAIRPERSON DAVIS: Okay. Is there a motion to adopt the agenda?

COUNCILPERSON: So moved.

COUNCILPERSON PARDO: So moved.

COUNCILPERSON: Second.

CHAIRPERSON DAVIS: Okay. Madam Clerk?

DEPUTY CITY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK ANTHONY: Pro-Tem Brooks?

CHAIR PRO TEM BROOKS: Yes.

DEPUTY CITY CLERK ANTHONY: Chair Davis?

CHAIRPERSON DAVIS: Yes.

DEPUTY CITY CLERK ANTHONY: Unanimous vote.

CHAIRPERSON DAVIS: Item 1, new business. I'm sorry. We're now down to a consent agenda. Is there a motion to adopt consent?

COUNCILPERSON PARDO: So moved.

COUNCILPERSON: Second.

CHAIRPERSON DAVIS: Okay. Madam Clerk?

DEPUTY CITY CLERK ANTHONY: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK ANTHONY: Pro-Tem Brooks?

CHAIR PRO TEM BROOKS: Yes.

DEPUTY CITY CLERK ANTHONY: Chair Davis?

CHAIRPERSON DAVIS: Yes.

DEPUTY CITY CLERK ANTHONY: Unanimous vote.

CHAIRPERSON DAVIS: Okay. Regular business, Item 2. Mrs. Jones?

DEPUTY CITY CLERK ANTHONY: (Unintelligible) read the rest of this.

CITY MANAGER JONES: Yes, I –

DEPUTY CITY CLERK ANTHONY: Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, approving an inter-local agreement by and among the City of Riviera Beach, City of West Palm Beach and Port of Palm Beach district regarding Port property and providing effective date.

CHAIRPERSON DAVIS: Is there a motion?

COUNCILPERSON: So moved.

COUNCILPERSON PARDO: So moved. Second.

COUNCILPERSON: Second.

CHAIRPERSON DAVIS: Okay. We have thinkers-alike here. Mrs. Jones?

CITY MANAGER JONES: Members of Council, this item -- if you will recall -- was held at our meeting on February the 15th for the special meeting that we're having now, in order to allow the residents and the businesses the opportunity to have public comment to you as it relates to this issue. If you desire an additional presentation or a presentation again, Miss McKinney, Director of Community Development, is available to do so. Otherwise, we will move to public comments and entertain your questions.

CHAIRPERSON DAVIS: Okay. Any questions from the board or -- anybody?

COUNCILPERSON PARDO: I'd like to make a statement –

CHAIRPERSON DAVIS: Okay.

COUNCILPERSON PARDO: -- but after public comment.

CHAIRPERSON DAVIS: Okay. Let's go to public comments. Gary Ward and then Marty Murphy.

GERALD WARD: Good evening. Gerald Ward, 31 W. 20th Street. This issue goes back to the mid-1990s when the Port hired a new executive director and -- and decided to do the crazy Skypass.

Before each of you -- and I will give to the staff a copy also -- is a 5-page sheet, which the front sheet defines the -- the Port had to modify their comprehensive plan to accomplish that, which was then contrary to the City of Riviera Beach's desires to have a dedicated roadway westward with two-lane access, like a similar frontage road around the airports of this country, Palm Beach International in one. The 30 million dollar Skypass truncated the access to the only built section of State Road 710.

And the Port, unbeknownst to most of the businesses and -- and the citizens of Riviera Beach, has been working to get rid of a condemned piece of property that, in large part, was condemned in August of 2001 from a trailer park owner and the Oriental restaurant which is out at the east end; and -- and I appreciate somebody bringing a good aerial, 'cause I brought one in case you didn't have one. The square to the east is the -- is the Oriental restaurant. And I would tell you that this is well-needed.

The handout, which is Exhibit 2 -- or Exhibit 1, is a traffic impact analysis, and on pages 1 and 3 defines the problem that occurred. We obviously have an issue that needs to go to the planning board, state statutes require that because this is effectively a development order. Look at paragraphs 2 through 7 and you'll see all kinds of details of fences and -- and set-backs and -- and development issues.

The City has not done its job on this. You are not going to be on solid ground. It is contrary to the Port's master plan. Paragraph 8 needs to be revised to strike anything that -- other than the recorded deed -- recorded quitclaim of 2 December 2011. The DOT gave them a limited revocable use for rolling stock and bulk material storage. I would say that they -- the Port has just minimal interest in this property.

The City needs this connection. We have serious problems. And obviously three minutes, Madam Chair, on a specially-called meeting is inappropriate.

CHAIRPERSON DAVIS: Thank you, sir. Mr. Murphy?

MARTIN MURPHY: Evening. Martin Murphy, 1071 Grand Bahama, Riviera Beach, Florida. Uh, to report on my attendance to the business meeting held by the Port of Palm Beach after last Wednesday's meeting that -- that the City Manager talked about, after the tabling, the Port gave the same presentation that it basically gave the night of the 15th to us.

Went over everything that they were gonna use the property for again and opened a meeting for the -- for questions. I asked a few questions and I basically was directed again that the reason they were having the meeting was to cover things that were on the inter-local. We spent a lot of time discussing history. I don't know if you guys want to go over that again. I'm like Gary; there just isn't enough time.

The bottom line was that I was asked what the -- I thought the Port could do. There's two or three suggestions that I made that I don't think the Port were happy

about, and I sat down. One of the suggestions was -- the first suggestion was open Port Road 710 back up to U.S. 1 and the truck route would be -- could be handled that way. The other was get another connection somewhere else, other than 13th Street, because 13th Street would work now on a short-term basis but on a long-term basis, if the development in the CRA was completed, would just be a chaos.

It was my expression that it would be like a Band-Aid now. It would take care of what we need, yes, but later on somebody in the Council or in the Planning Department is gonna have troubles. We talked about then the improvements that would be needed at 13th Street and discussed a lot about that; and it was always the discussion who's gonna do this, how's it gonna be done, who's gonna direct it, who's gonna do the engineering?

Really, we -- we left with no understanding. I kinda hope tonight that I hear something from the Planning Department about an understanding. I don't know what the City staff reported back to you guys, and that's what I'm here for tonight.

CHAIRPERSON DAVIS: Okay. Thank you, sir. John Sprague.

JOHN SPRAGUE: Good evening. I'm here tonight representing the Marine Industry Association of Palm Beach County. We attended the Port meeting yesterday and heard the same presentation that Mr. Murphy and Mr. Ward alluded to earlier. One of our big -- actually, we have two major concerns. Number one is the short-term that if you look at the ability to have trucks, semi-trucks, enter downtown to service our business community, we got a big problem. The grade at 13th Street is not sufficient. Secondly, with the redevelopment plans, I don't think we want a whole bunch of trucks coming down 13th.

If you come down Blue Heron Boulevard to U.S. 1, you can't turn south unless you're gonna back a minimum of the turn lane up, as well as -- depending upon how the truck turns -- the actual western northbound lane has to back up, as well. If you look at the re-doing of the plans that DOT is going to do, you will not be able to back up those trucks because the curbing is gonna go in at that intersection. So we're kinda stuck with a downtown and a business community that needs trucks in order to operate. So that's the number one problem.

The number two problem is this feeder road at the south end was also going to be a traffic reliever for not only trucks, but as you move forward later on with development and we get into traffic issues on how many entry roads we have coming into the new development area, we may or may not have issues with, well, who's gonna pay for the road improvements at that point in time?

I don't think any of us have any problem with the Port going forward with this piece of property over the next two years to build the power plant. But I do believe at least the Marine Industry Association is gonna be working with the City over the next two years because we believe that the City needs to take the stance that after that two years the Port of Palm Beach, working in coordination with DOT, has got to solve this problem at their expense. And before you give any further permissions beyond building the power plant that that stance needs to be taken for redevelopment of our downtown, jobs and supporting our businesses. Thank you.

CHAIRPERSON DAVIS: Okay. Miss Pardo?
COUNCILPERSON PARDO: I attended the meeting yesterday with the businesses and the Port. And I think we had six or seven businesses there, and they were the businesses on Broadway and east of Broadway, along the water: Newport Cove was there, Rybovich, Cracker Boy, the Marine Industry Association and several other businesses. And Mr. Ward was in attendance also, along with Jeff Gannon [phonetic]. And, you know, the first thing I'd like to report is all of the businesses are in favor of moving forward right now with this project, allowing the Port to lease that property for the next two years.

CHAIRPERSON DAVIS: Uh-huh.

COUNCILPERSON PARDO: But at the end of the meeting, we all agreed that I think the City needs to have a meeting with FDOT as soon as possible, and I had proposed maybe we can do something about Blue Heron and U.S. 1. I guess to get the trucks to be able to turn south on Blue Heron and Broadway, the radius needs to be increased, and it would probably mean possibly taking some of Walgreens' property. But, you know, that's I guess something for the engineers to look at.

So I said that I would ask the council and staff to -- or have the council immediately direct staff to get a meeting together with FDOT and let them be aware of the problems that the businesses along Broadway are going to have. And, you know, I'm the first to admit -- I think I -- I attended one or maybe two of these meetings that FDOT had the past couple years on the -- the Broadway corridor, and I was just under the assumption that the businesses were gonna be taken care of and everything was gonna be okay, but, you know, I -- I learned differently.

So I think that the -- our board needs to direct staff, get hold of FDOT. The Port needs to be at the table with us, along with the businesses, and see what we can do there. The second thing, we did have the discussion about 13th Street. And, you know, at first I was totally against doing anything on 13th Street because of our redevelopment plan.

And Mr. Murphy, you know, hit the nail on the head when he said 13th Street right now seems like a temporary fix; because if you look at our, you know, 15, 20 year plan for the City, 13th Street is definitely the -- the -- the gateway to the Marina District. There's been proposals of, you know, possibly putting condominiums around the marina and other businesses, and do we really want truck traffic coming down, you know, the gateway to the Marina District?

After the meeting ended, a lot of us were standing around the map and -- and a -- a couple of the gentlemen were pointing out, you know, maybe we can go down, you know -- partly down 13th Street and cut over and whatever.

So what I think we really need to do and, um -- is to have staff, again, meet with the businesses, get FDOT at the table, get the Port at the table, and try to come up with a solution sooner than later. Because as we all know, two years goes very, very quickly, and I don't think we wanna be in this position two years from now where we're still figuring out what we're gonna do; the Port wants to move forward and the businesses are still stuck.

Lastly, we need to remember that Newport Cove has made a commitment that they are going to expand their business. Rybovich has made a commitment; they are expanding their business and that's going much quickly than any of us anticipated. So this is something that needs to have our attention and we really need to get moving on this immediately.

CHAIRPERSON DAVIS: Let the record reflect that Mr. Lowe is at the dais. Any other comments from the board?

CHAIR PRO TEM BROOKS: Madam Chair?

CHAIRPERSON DAVIS: Miss Brooks?

CHAIR PRO TEM BROOKS: And I wanna say that the positives from -- from all of this is that we now have identified areas that need -- of -- of concern –

CHAIRPERSON DAVIS: Correct.

CHAIR PRO TEM BROOKS: -- that need to be addressed right away. So I see the good as coming from that.

CHAIRPERSON DAVIS: Uh-huh.

CHAIR PRO TEM BROOKS: And given that we have this two-year period, I agree with you, Councilperson Pardo, that we need to be proactive right now. And I hope that we will take from the minutes exactly what you have suggested here so that we will know some of the directives that we are to follow.

And also, you know, when we were in Tallahassee and we met with the Lieutenant Governor and we met with -- there was a senator that was gonna bring someone -- bring the department –

CHAIRPERSON DAVIS: Sachs.

COUNCILPERSON PARDO: Maria Sachs.

CHAIR PRO TEM BROOKS: It was Sachs.

COUNCILPERSON PARDO: Uh-huh.

CHAIR PRO TEM BROOKS: So since we have a friend who is sensitive to what is going on in here, I think we need to move forward with that. And she said that she would ensure that she would bring him here –

COUNCILPERSON PARDO: Correct.

CHAIR PRO TEM BROOKS: -- the director. So we've already opened up the doors

here for people to hear us in Tallahassee, so –
CHAIRPERSON DAVIS: Uh-huh.

CHAIR PRO TEM BROOKS: -- I think whatever we can do on our side here, and then the staff on their side -- there's gotta be a plan.

COUNCILPERSON PARDO: Absolutely.

CHAIR PRO TEM BROOKS: What are the needs and who we need to have come to the table, and get everybody at the table at the same time.

COUNCILPERSON PARDO: Absolutely.

CHAIR PRO TEM BROOKS: So –

COUNCILPERSON PARDO: And, you know, just so everyone is aware, the Port agreed that they need to be at the table with us and whatever they –

CHAIR PRO TEM BROOKS: Uh-huh.

COUNCILPERSON PARDO: -- need to do that –

CHAIR PRO TEM BROOKS: Uh-huh.

COUNCILPERSON PARDO: -- they would be there also.

CHAIR PRO TEM BROOKS: Uh-huh.

COUNCILPERSON PARDO: You know, we're all in this together: the businesses, the Port, and the City of Riviera Beach.

CHAIR PRO TEM BROOKS: Absolutely. Okay. That's it for me.

CHAIRPERSON DAVIS: Any other comments? Okay. Madam Clerk?

DEPUTY CITY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.
DEPUTY CITY CLERK ANTHONY: Pro-Tem Brooks?

CHAIR PRO TEM BROOKS: Yes.

DEPUTY CITY CLERK ANTHONY: Chair Davis?

CHAIRPERSON DAVIS: Yes.

DEPUTY CITY CLERK ANTHONY: Unanimous vote.

CHAIRPERSON DAVIS: Okay. Item, um -- we are at discussion and deliberation, Item 3. (Unintelligible).

COUNCILPERSON THOMAS: It's a community benefits request for a Night of Elegance honoring our seniors, $1,000 from Councilperson Pardo.

COUNCILPERSON PARDO: Yes, and I guess it was our last meeting, I committed to Councilman Thomas if he was able to get the Port -- excuse me -- if he was able to get the Port to waive the $3,000 fee to have the event there, that I would support $1,000 toward it. He was successful, so I am -- out of the District 4's account, we're giving $1,000 to the Night of Elegance.

CHAIRPERSON DAVIS: Okay.

COUNCILPERSON THOMAS: Thank you for that. Move approval on that.

CHAIR PRO TEM BROOKS: Second.

CHAIRPERSON DAVIS: Okay. Madam Clerk?

DEPUTY CITY CLERK ANTHONY: Councilperson Lowe?

COUNCILPERSON LOWE: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Pardo?

COUNCILPERSON PARDO: Yes.

DEPUTY CITY CLERK ANTHONY: Councilperson Thomas?

COUNCILPERSON THOMAS: Yes.

DEPUTY CITY CLERK ANTHONY: Pro-Tem Brooks?

CHAIR PRO TEM BROOKS: Yes.

DEPUTY CITY CLERK ANTHONY: Chair Davis?

CHAIRPERSON DAVIS: Yes.

DEPUTY CITY CLERK ANTHONY: Unanimous vote.

CHAIRPERSON DAVIS: Okay. That concludes our meeting. Anything else from the board? Any comments or questions or statements?

COUNCILPERSON THOMAS: Yes, just something real quick. I just wanna, first of all, thank -- thank you, Councilwoman Pardo, for that. It is definitely a great need. We're receiving responses quite rapidly. But for those of you who are sending in these responses, there's a little section of it that says for a minimum -- I mean, a maximum of 2. We kinda need you to honor that so that we can get an actual number.

So there is individuals sending in three and four. We just kinda want you to send in two and because the Port needs to have the names for their security measures, you have to send in the person that will be accompanying you as well. And I'll make that announcement again. So thank you.

CHAIRPERSON DAVIS: Yep. Is that it? Is there a motion for adjournment?

COUNCILPERSON PARDO: So moved.

CHAIR PRO TEM BROOKS: So moved.

CHAIRPERSON DAVIS: Okay. Wonderful.

ADJOURNMENT

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS DULY ADJOURNED AT 6:30 P.M.

PLEASE NOTE: A COMPLETE AGENDA PACKAGE AND RECORDING IS ON FILE IN THE OFFICE OF THE CITY CLERK.

APPROVED:

THOMAS A. MASTERS
MAYOR

BILLIE E. BROOKS
CHAIRPERSON

ATTEST:

CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK

DAWN S. PARDO
CHAIR PRO TEM

CEDRICK A. THOMAS
COUNCILPERSON

JUDY L. DAVIS
COUNCILPERSON

SHELBY L. LOWE
COUNCILPERSON

MOTIONED BY: D. PARDO

SECONDED BY: J. DAVIS

B. BROOKS AYE

D. PARDO AYE

C. THOMAS AYE

J. DAVIS AYE

S. LOWE AYE

DATE APPROVED: 05/02/2012