

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, APRIL 18, 2012 AT 6:30 P.M.
MUNICIPAL COMPLEX CITY COUNCIL CHAMBERS**

ANY PERSON WHO WOULD LIKE TO SPEAK ON AN AGENDA ITEM (NON-CONSENT ITEMS ONLY), PLEASE FILL OUT A PINK PUBLIC COMMENT CARD LOCATED IN THE BACK OF THE COUNCIL CHAMBERS AND GIVE IT TO THE LEGISLATIVE ASSISTANT PRIOR TO THE BEGINNING OF THE MEETING. IN NO EVENT WILL ANYONE BE ALLOWED TO SPEAK ON AN AGENDA ITEM AFTER THE RESOLUTION IS READ OR ITEM CONSIDERED.

CALL TO ORDER

Chair Pro Tem Pardo was present and presided. Upon a roll call by City Clerk Ward, the following were present: Mayor Thomas A. Masters; Chair pro tem Dawn S. Pardo; Councilperson Judy L. Davis; Councilperson Cedrick A. Thomas; Also present were: City Manager Ruth C. Jones; City Clerk Carrie E. Ward, MMC; and City Attorney Pamala Ryan.

Councilperson Brooks was absent and Councilperson Lowe was tardy.

Invocation/Pledge of Allegiance

Everyone stood for a Moment of Silence and the Pledge of Allegiance led by Chair pro tem Pardo

Additions, Deletions, Substitutions

City Manager Jones made the following revisions to the agenda: additions – presentation by Riviera Beach YouthBuild; presentation by Representative Mackenson Bernard, Senator Chris Smith, and city lobbyist Sean Pittman; and a presentation by Richard Radcliffe, Palm Beach County League of Cities; she continued with deleting No 4B – Community Benefit Funds Request from Mary McLeod Bethune Elementary School.

Disclosure by Council

(If any Council Member has anything to disclose regarding any item on the Agenda, please do so at this time.) No disclosure stated.

Adoption of Agenda

A motion was made by **Councilperson Thomas** and seconded by **Councilperson Davis** to approve the agenda as amended.

MOTION

Upon a roll call vote by City Clerk Ward, the vote was unanimous.

MOTION APPROVED

CONSENT AGENDA

ALL MATTERS LISTED UNDER THIS ITEM ARE CONSIDERED TO BE ROUTINE AND ACTION WILL BE TAKEN BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCILPERSON SO REQUESTS, IN WHICH EVENT, THE ITEM WILL BE REMOVED FROM THE GENERAL ORDER OF BUSINESS AND CONSIDERED IN ITS NORMAL SEQUENCE ON THE AGENDA.

MINUTES

NONE

RESOLUTIONS

NONE

END OF CONSENT AGENDA

PETITIONS AND COMMUNICATIONS FOR FILING

NONE

AWARDS AND PRESENTATIONS

1. **PRESENTATION BY NOVUSOLUTIONS OF TAMPA, FL REGARDING THE CITY'S UPCOMING PAPERLESS AGENDA PROJECT.**

John Kercher, Novusolutions, gave an overview of the paperless agenda process which the city would be implementing within the next few months.

- 1(A) **PRESENTATION BY RIVIERA BEACH YOUTHBUILD TO SHERWIN WILLIAMS PAINTS AND FLORIDA POWER & LIGHT COMPANY FOR PROVIDING PAINT AND VOLUNTEERS FOR HOME MAKEOVERS FOR RIVIERA BEACH SENIOR RESIDENTS.** **ITEM ADDED TO AGENDA**

Tamar Reno, President Riviera Beach YouthBuild, stated on March 26th the organization partnered with Florida Power & Light to renovate six homes of senior citizens in Monroe Heights; she then stated that Sherwin Williams donated the paint for the homes and that the manager was unable to attend the meeting. A token of appreciation was presented to Florida Power & Light representative Ethel Williams, Esq., Regional Director of External Affairs.

- 1(B) **PRESENTATION BY REP. MACKENSON "MACK" BERNARD, SENATOR CHRIS SMITH AND SEAN PITTMAN ON LEGISLATIVE APPROPRIATIONS.**

ITEM ADDED TO AGENDA

Representative Bernard, Senator Smith, and Sean Pittman, Esq., presented a \$500,000 check for the 13th Street Road Improvement project. Each of the gentlemen provided legislative updates involving the state and the City.

1(C) PRESENTATION BY RICHARD RADCLIFFE, PALM BEACH COUNTY LEAGUE OF CITIES. **ITEM ADDED TO AGENDA**

Richard Radcliffe, Palm Beach County League of Cities Executive Director, commended the elected officials for being involved in the affairs affecting the city and the county. He also announced that the Elected Officials Workshop was scheduled for April 25, 2012.

PUBLIC HEARINGS

ORDINANCES ON SECOND READING

2. **ORDINANCE NO. 4012 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ENACTING A MORATORIUM FOR UP TO ONE-YEAR AS TO THE FILING AND/OR RECEIVING OF ANY APPLICATION FOR THE ESTABLISHMENT OF ADULT ARCADE AMUSEMENT FACILITIES, FREQUENTLY REFERRED TO AS INTERNET CAFES; PROVIDING FOR LEGISLATIVE FINDINGS, INTENT AND PURPOSE; PROVIDING FOR A DEFINITION OF ADULT ARCADE AMUSEMENT FACILITY; PROVIDING FOR THE BOUNDARIES SUBJECT TO THE MORATORIUM; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

City Clerk Ward read the aforementioned ordinance into the record and announced that it was published in the April 8, 2012 edition of the Palm Beach Post.

A motion was made by **Councilperson Davis** to adopt Ordinance No. 4012.

MOTION FAILED FOR LACK OF SECOND

ORDINANCES ON FIRST READING

NONE

COMMENTS FROM THE PUBLIC – 8:00 PM*¹ – Non Agenda or Consent Item Speakers (Three Minute Limitation).

Please be reminded that the City Council has adopted a set of "Rules of Decorum Governing Public Conduct during Official Meetings", which has been posted at the entrance of the Council Chambers. In an effort to preserve order, if any of the rules are not adhered to, the Council Chair may have any disruptive speaker removed from the podium, from the meeting and/or the building, if necessary. Please govern yourselves accordingly.

Vivian Havener, E 25th Street, reminded everyone of the Great American Cleanup scheduled for April 21, 2012 in Monroe Heights beginning at 8:00 a.m.

Margaret Shepherd, Blue Heron Blvd., stated that the National Victim's Crime banquet would be held at the Botanical Gardens on April 24th beginning at 1:00 p.m.

Public Comments shall begin at 8:00 PM unless there is no further business of the City Council, which in that event, it shall begin sooner. In addition; however, if an item is being considered at 8:00 PM, then public comments shall begin immediately after the item has been concluded.

REGULAR

3. **RESOLUTION NO. 48-12 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE PURCHASING DIRECTOR TO PUBLICLY SOLICIT A REQUEST FOR QUALIFICATIONS (RFQ NO. 353-12) FOR PROFESSIONAL PLAN ADMINISTRATORS TO ESTABLISH A DEFINED CONTRIBUTION RETIREMENT PLAN FOR NEW EMPLOYEES; AUTHORIZING THE GENERAL TERMS AND CONDITIONS, SPECIAL CONDITIONS, SCOPE OF SERVICES, MINIMUM QUALIFICATIONS AND SELECTION CRITERIA FOR SAME; AND PROVIDING AN EFFECTIVE DATE.**

City Clerk Ward read the aforementioned resolution into the record.

A motion was made by **Councilperson Lowe** and seconded by **Councilperson Davis** to approve the aforementioned resolution.

MOTION

Upon a roll call vote by City Clerk Ward, the motion was approved with Councilperson Thomas out.

MOTION APPROVED

DISCUSSION & DELIBERATION

4. COMMUNITY BENEFITS REQUEST

- A. **RIVIERA BEACH PUBLIC LIBRARY - \$800- SHELBY L. LOWE**
Municipal Library to host a series of free jazz concerts during the month of April as part of the national celebration of Jazz Appreciation Month.

A motion was made by **Councilperson Lowe** and seconded by **Councilperson Davis** to approve the Community Benefits Funds request for the Riviera Beach Public Library.

MOTION

Upon a roll call vote by City Clerk Ward, the motion was approved with Councilperson Thomas out.

MOTION APPROVED

- B. **DR. MARY McLEOD BETHUNE ELEMENTARY SCHOOL - \$700 – SHELBY L. LOWE**
Defray costs associated with trip for student, Lamar Turner to attend the Junior National Young Leaders Conference in Washington.

ITEM DELETED

- C. **“THE NEW” NEW BETHEL. P.B.C., INC. - \$500 – SHELBY L. LOWE**
Youth Anger Management Mentors Program.

A motion was made by **Councilperson Lowe** and seconded by **Councilperson Davis** to approve the Community Benefits Funds request from the “New” New Bethel Primitive Baptist Church, Inc.

MOTION

Upon a roll call vote by City Clerk Ward, the motion was approved with Councilperson Thomas out.

MOTION APPROVED

- D. **BLACK EDUCATORS CAUCUS OF PALM BEACH COUNTY – \$300 - SHELBY L. LOWE**
Funds support the scholarship fund to help send a worthy student to college. (DESCRIPTION CORRECTED)

A motion was made by **Councilperson Lowe** and seconded by **Councilperson Davis** to approve the Community Benefits Funds request from the Black Educators Caucus of Palm Beach County.

MOTION

Upon a roll call vote by City Clerk Ward, the motion was approved with Councilperson Pardo dissenting. Councilperson Thomas out

MOTION APPROVED

- E. **JESUS AND YOU MINISTRY (J.A.Y. MINISTRY) - \$500 – JUDY L. DAVIS**
Seniors Ministry helps in recovering lives, restoring families and revitalizing neighborhoods affected by drug and alcohol addiction.

A motion was made by **Councilperson Davis** and seconded by **Councilperson Lowe** to approve the Community Benefits Funds request from the Jesus and You Ministry.

MOTION

Upon a roll call vote by City Clerk Ward, the motion was approved with Councilperson Thomas out.

MOTION APPROVED

- F. **YOUTH RECREATION ASSOCIATION - \$1,000 – JUDY L. DAVIS**
Various activities for teenagers, young adults and seniors during the 2012 spring and summer months.

A motion was made by **Councilperson Lowe** and seconded by **Councilperson Davis** to approve the Benefits Fund Request from the Youth Recreation Association.

MOTION

Upon a roll call vote by City Clerk Ward, the motion was approved with Councilperson Thomas out.

MOTION APPROVED

- G. **MINORITY INITIATIVE NETWORK, INC. (M.A.I.N. Inc) - \$300 – JUDY L. DAVIS**
Support the Community Health Fair Event in recognition of National HIV Testing Day, June 27, 2012 for the education/prevention outreach programs.

A motion was made by **Councilperson Lowe** and seconded by **Councilperson Davis** to approve the Benefits Fund Request from the Minority Initiative Network.

MOTION

Upon a roll call vote by City Clerk Ward, the motion was approved with Councilperson Thomas out.

MOTION APPROVED

BOARD APPOINTMENT(S)

NONE

DISCUSSION BY THE CITY MANAGER

City Manager Jones stated that the city was moving forward with coming into compliance with the Palm Beach County Ethics requirements. She announced that official diagrams were received from Florida Department of Transportation detailing that the slated improvements for Australian Avenue would not be encroaching upon the cemetery.

LEGAL DISCUSSION/REQUEST

City Attorney Ryan stated that she would be attending mediation on the city's behalf regarding the Inspector General litigation.

CITY COUNCIL COMMITTEE REPORT(S)

NONE

STATEMENTS BY THE MAYOR AND CITY COUNCIL

Councilperson Davis announced that Palm Beach County Commissioner Priscilla Taylor was hosting a job expo on April 27th at the Airport Hilton. She stated that at that meeting held with Florida Department of Transportation, the Port of Palm Beach, and the Florida East Coast railroad system, it was announced that the scale State Road 710 and Australian Avenue road improvement project was reduced so that there would be no encroachment on the cemetery.

Mayor Masters announced that his office would be holding a press conference outlining initiatives in an attempt to address violence within the community; he continued with reading a portion of an article that was published in the US Today newspaper. Mayor Masters stated that he was advised that some contracts generated by various departments were not being signed for legal sufficiency and requested that the city manager and city attorney investigate and address the rumor. He stated that he wanted to see all contracts related to Jazz After Dark and he wanted a report at the next meeting.

Chair pro tem Pardo stated that she had a meeting with the secretary for the Department of Environmental Protection to discuss the beach erosion on Singer Island and a commitment was made to bring the eroded beaches back to a healthy state beginning in November; she stated that a workshop needed to be conducted regarding the bond issue. She stated that she received a letter regarding a sailboat anchored next to the building located at 1025 Sugar Sands Boulevard; she then stated that she would be speaking with the chief of police as well as Florida Inland Navigation District regarding the issue.

ADJOURNMENT

There being no further business the meeting was duly adjourned at 8:10 p.m.

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

APPROVED:

Thomas A. Masters
THOMAS A. MASTERS
MAYOR

Billie E. Brooks
BILLIE E. BROOKS
CHAIRPERSON

ATTEST:

C. E. Ward
CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK

Dawn S. Pardo
DAWN S. PARDO
CHAIR/PRO TEM

Cedrick A. Thomas
CEDRICK A. THOMAS
COUNCILPERSON

Judy L. Davis
JUDY L. DAVIS
COUNCILPERSON

Shelby L. Lowe
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