

CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, MAY 2, 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

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

Councilperson Thomas was tardy.

Invocation/Pledge of Allegiance

Everyone stood for a Moment of Silence and the Pledge of Allegiance led by Councilperson Davis.

AGENDA Approval:

Additions, Deletions, Substitutions

City Manager Jones made the following revisions to the agenda: revision to the No. 8 – resolution regarding ladder truck for the Fire Department; deleted 8A – resolution regarding Architect Design Group; and added 10A – resolution regarding crime prevention initiatives.

Disclosure By Council

(If any Council Member has anything to disclose regarding any item on the Agenda, please do so at this time.)

NONE

Adoption of Agenda

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

1. MINUTES OF THE SPECIAL CITY COUNCIL MEETING HELD FEBRUARY 22, 2012.
2. MINUTES OF THE CANVASSING BOARD MEETING HELD APRIL 4, 2012.
3. MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD APRIL 4, 2012.
4. MINUTES OF THE REGUAR CITY COUNCIL MEETING HELD APRIL 18, 2012.

RESOLUTIONS

NONE

END OF CONSENT AGENDA

A motion was made by **Chair pro tem Pardo** and seconded by **Councilperson Davis** to approve the Consent Agenda.

MOTION

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

MOTION APPROVED

PETITIONS AND COMMUNICATIONS FOR FILING

NONE

AWARDS AND PRESENTATIONS

5. PROCLAMATION FROM THE OFFICE OF THE MAYOR PROCLAIMING MAY 19 – 25, 2012, AS “NATIONAL BOATING WEEK” IN THE CITY OF RIVIERA BEACH PROMOTING YEAR ROUND SAFE BOATING.

Mayor Masters read the proclamation recognizing National Boating Week into the record.

The proclamation was received by representatives from the US Coast Guard.

6. PROCLAMATION FROM THE OFFICE OF THE MAYOR PROCLAIMING MAY 7–11, 2012, AS “SENIOR CORPS VOLUNTEER WEEK” IN THE CITY OF RIVIERA BEACH RECOGNIZING THE POSITIVE IMPACT AND VALUE OF THE SENIOR CORPS’ PROGRAMS AND VOLUNTEERS, AGE 55 AND OLDER TO THE CITY AND ITS RESIDENTS.

Mayor Masters read the proclamation recognizing Senior Corps Volunteer Week into the record.

PUBLIC HEARINGS

ORDINANCES ON SECOND READING

NONE

ORDINANCES ON FIRST READING

7. ORDINANCE NO. 4013 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 14 ENTITLED PENSIONS AND RETIREMENT PROGRAMS ARTICLE III ENTITLED FIREFIGHTERS PENSION PROGRAM OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES BY ESTABLISHING SECTION 14-62 TO BE ENTITLED “SHARE PLAN”; PROVIDING FOR CODIFICATION, SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned ordinance into the record.

A motion was made by **Chair pro tem Pardo** and seconded by **Councilperson Lowe** to approve Ordinance No. 4013 on First Reading.

MOTION

Fred Angelo, Congress Avenue, expressed words of appreciation for the assistance given in an effort in moving the Ordinance forward.

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

MOTION APPROVED

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.

Abram Elam, Team Elam, announced that T.E.A.M. Elam "Day In the Park" would be held on June 9th at Dan Calloway Amphitheater beginning at 11:00 a.m. and encouraged everyone to come out and participate.

Margaret Shepherd, W Blue Heron Blvd, stated that individuals were constantly questioning the purpose of Spanish Courts and giving ideas on how the facilities could be utilized. She expressed appreciation to the elected officials for their efforts in trying to move the city forward.

Williams Burrs, Canterbury Dr S, stated that his concern was not regarding the response he got regarding a public records request he submitted to the City Attorney's Office but the way in which he was provided the response. He stated that he made a public records request in writing and that he was offended that the response was provided in writing on the same document on which he submitted his request. Rev. Burrs stated that he felt that if the response was being provided to anyone else other than him, it would have been provided in a different format i.e. on letterhead and he felt that it should have been provided in a more professional manner.

Tanya Hicks, Riviera Beach Maritime Academy, and various students from the school gave an update on awards recently won in a boat building contest. Ms. Hicks announced that an Open House was scheduled for May 9th beginning at 6:00 p.m. and graduation was scheduled for June 2nd.

David Rollins, W 1st Street, stated that there was a coalition of concerned citizens at the last MPO meeting to voice their concerns regarding the forthcoming eminent domain procedures and the road projects for Dr. Martin Luther King, Jr. Boulevard and Australian Avenue. He encouraged the elected officials to be the voice for their constituents as residents effortlessly address the issues affecting their community. Mr. Rollins inquired as to who was responsible for the upkeep of Australian Avenue.

Bruce Guyton, encouraged all residents Democrat or Republican to get involved with caucuses; he stated that it was important to get involved at the grass root level and it was possible to vote for more than one individual. He stated that individuals could only vote for individuals within the district in which they reside.

†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

- 8. RESOLUTION NO. 49-12 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING FIRE RESCUE TO PURCHASE ONE (1) 75 FOOT PIERCE LADDER TRUCK**

UNDER THE STATE OF FLORIDA SHERIFFS ASSOCIATION PURCHASING CONTRACT #11-10-1202, FROM PIERCE MANUFACTURING, INC., IN THE TOTAL AMOUNT OF \$690,050.69; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A SEVEN (7) YEAR LEASE/PURCHASE AGREEMENT UPON REVIEW OF THE CITY ATTORNEY; AUTHORIZING THE MAYOR AND INTERIM FINANCE DIRECTOR TO MAKE PAYMENT FROM ACCOUNT NUMBER 303-0920-522-0-6451 IN THE AMOUNT OF \$98,578.67 PER YEAR; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned resolution into the record.

A motion was made by **Councilperson Thomas** and seconded by **Chair pro tem Pardo** to approve Resolution No. 49-12.

MOTION

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

MOTION APPROVED

DISCUSSION & DELIBERATION

9. COMMUNITY BENEFITS REQUEST

A. LINCOLN ELEMENTARY SCHOOL - \$1,365– SHELBY L. LOWE *Pay cost of caps and gowns for 5th Grade graduation.*

A motion was made by **Councilperson Thomas** and seconded by **Chair pro tem Pardo** to approve the Community Benefits Request from Lincoln Elementary School.

MOTION

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

MOTION APPROVED

BOARD APPOINTMENT(S)

10. APPOINT MEMBERS TO THE PLANNING AND ZONING BOARD AND ZONING BOARD OF ADJUSTMENT.

A motion was made by **Chair pro tem Pardo** and seconded by **Councilperson Thomas** to re-appoint Lashea Brooks to the Planning and Zoning Board, appoint Tradrick McCoy to Planning and Zoning Board as regular members, and reappoint James Griffin and John Midgette to the Zoning Board of Adjustment as regular members.

MOTION

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

MOTION APPROVED

10A. RESOLUTION NO. 51-12 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, PARTNERING WITH THE OFFICE OF THE MAYOR AND RESIDENTS IN SPECIFIED NEIGHBORHOODS IN ESTABLISHING MORE NEIGHBORHOOD CRIME WATCH AND CRIME PREVENTION INITIATIVES, INCLUDING SHORT NEIGHBORHOOD WALKS AND SECURITY CAMERAS; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned resolution into the record.

A motion was made by **Councilperson Davis** and seconded by **Councilperson Lowe** to approve Resolution No. 51-12.

MOTION

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

MOTION APPROVED

DISCUSSION BY THE CITY MANAGER

City Manager Jones stated that as a result of meeting with City Clerk Ward, she felt that it was appropriate to inquire as to whether or not the City Council desired to conduct early voting for the Primary Election to be held in August and the General Election to be held in November. She stated that city hall was an early voting site in 2008 and it was necessary to know the desire of the City Council so that the appropriate resolution could be presented for consideration.

City Clerk Ward stated that she needed to know the desire of the City Council on whether or not to host early voting at city hall. She stated that there were currently 14 early voting sites slated for Palm Beach County and a site here would not only be for Riviera Beach residents but for residents throughout the state of Florida. She continued with stating the various activities conducted encouraging registered voters to participate in early voting. She stated that HB1355 was a directive that went into effect May 2011 which stated that early voting would be conducted 10 days prior to the election and would end the third day prior to an election. City Clerk Ward announced that early voting would be conducted from August 4, 2012 through August 11, 2012 for the Primary Election beginning at 10:00 a.m. and ending at 6:00 p.m. daily and for the General Election early voting would commence October 27, 2012 through November 3, 2012 beginning at 7:00 a.m. until 7:00 p.m.

There was a consensus of the City Council directing the city clerk to generate an item for consideration at the next City Council Meeting.

Chairperson Brooks inquired about the report and recommendation provided for Jazz After Dark that they received from staff.

Councilperson Thomas stated that he had a concern with the recommendation to suspend conducting the event effective June 1st until other funding sources were obtained.

A lengthy discussion ensued amongst the city manager and city council.

LEGAL DISCUSSION/REQUEST

NONE

CITY COUNCIL COMMITTEE REPORT(S)

Councilperson Thomas stated that he'd been dealing with calls regarding area children not being accepted into the magnet programs throughout the county. He stated that in being the liaison for the Palm Beach County School Board, the effectiveness has not been at the desired level because their meetings were being held on the same day as the city conducts its meetings. He stated that efforts were being vamped and he would provide a report on those efforts.

Councilperson Davis stated that at the last Metropolitan Planning Organization meeting, it was decided that the Florida Department of Transportation (FDOT) would not touch the cemetery located on Australian Avenue and further reductions were being considered for the planned improvements along SR 710. Councilperson Davis stated that there was discussion regarding parking along US 1 wherein there was confusion on what was discussed with FDOT.

STATEMENTS BY THE MAYOR AND CITY COUNCIL

Chair pro tem Pardo stated that efforts were successful in getting National Marine Fisheries to walk the municipal beach within the next week.

Chairperson Brooks stated that it was time for the annual evaluation of the city manager and city attorney. She stated that a form was created but each elected official conducted their evaluation as they desired and thusly she was leaving it to each individual on how they wanted to proceed with the final results being presented at the June City Council Meeting. Chairperson Brooks expressed words of appreciation to all who participated in and/or supported Relay for Life.

Councilperson Davis stated that she needed volunteers to assist in planting 1500 flags in the grassy frontage area from Avenue H West to the Utility District which would be held on May 21st beginning at 8:30 a.m. in honor of the soldiers, firefighters, and police officers who have lost their lives in the line of duty. She announced that she had submitted her name to participate in the Democratic National Convention and voting would take place at the West Palm Beach Library on May 4th and Santaluces High School on May 5th and requested support from everyone.

Councilperson Lowe expressed words of appreciation to everyone who assisted in making the jazz concert held April 29th a success.

Councilperson Thomas stated that his name was also on the ballot as a democratic delegate and encouraged the support of everyone. He stated that you could vote for more than one individual.

Chairperson Brooks expressed words of appreciation to all the vendors that supported the raffle for Relay for Life and proceeded to have the winners drawn for each prize, tickets were pulled by Mayor Masters.

Mayor Masters announced that the campaign office for President Obama was in the Winn Dixie Plaza. He expressed words of appreciation to the manager of Winn Dixie for committing to hire city residents. He stated that he and others recently went to the Bahamas in an effort to move forward with encouraging the sister city relationship. Mayor Masters encouraged the elected officials to keep the current form of government for the city which he felt was based upon the federal government model.

ADJOURNMENT

There being no further business the meeting was duly adjourned at 8:20 p.m.

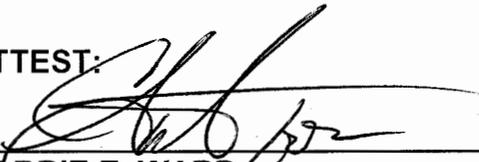
PLEASE NOTE: A COMPLETE AGENDA PACKAGE AND RECORDING IS ON FILE IN THE OFFICE OF THE CITY CLERK.

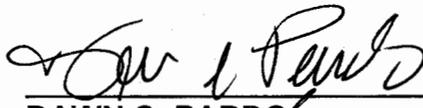
APPROVED:

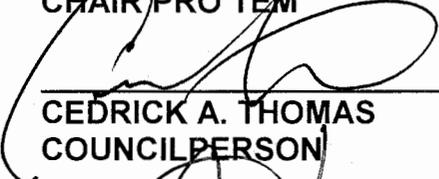

THOMAS A. MASTERS
MAYOR


BILLIE E. BROOKS
CHAIRPERSON

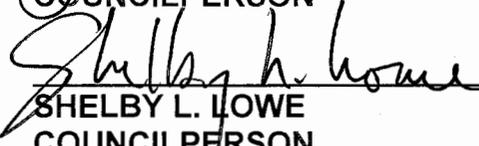
ATTEST:


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: C. THOMAS

B. BROOKS AYE

D. PARDO AYE

C. THOMAS AYE

J. DAVIS AYE

S. LOWE AYE

DATE APPROVED: 05/16/2012