

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, MARCH 2, 2011 AT 6:30 P.M.**

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.

CITY CLERK CALLS TO ORDER

Roll Call

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

Councilperson Brooks was tardy.

Invocation/Pledge of Allegiance

Everyone stood for a Moment of Silence and the Pledge of Allegiance led by Chairperson Pardo.

AGENDA Approval:

Additions, Deletions, Substitutions

City Manager Jones made the following revisions to the agenda: deletion No. 6 – resolution reference contract with the Government Services Group.

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

A motion was made by **Councilperson Thomas** and seconded by **Chair pro tem Davis** to approve the agenda.

MOTION

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

MOTION APPROVED

Disclosure By Council

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

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 FROM THE REGULAR CITY COUNCIL MEETING HELD FEBRUARY 2, 2011.**
2. **MINUTES FROM THE REGULAR CITY COUNCIL MEETING HELD FEBRUARY 16, 2011.**

RESOLUTIONS

3. **RESOLUTION NO. 23-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING SETTLEMENT IN THE MATTER OF CAROLYN GOLDBERG, VS. THE CITY OF RIVIERA BEACH, CASE NO.: 502007CA 005978XXXMBAB, IN THE TOTAL AMOUNT OF \$30,000; AUTHORIZING GALLAGHER BASSETT TO MAKE PAYMENT ON BEHALF OF THE CITY; AND PROVIDING AN EFFECTIVE DATE.**
4. **RESOLUTION NO. 24-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING COMPLETE SETTLEMENT IN THE MATTER OF WILLIE MAE SCOTT AND LETICIA SCOTT, AS PARENT AND NATURAL GUARDIAN OF KENNEDY CRAWFORD, A MINOR, VS. THE CITY OF RIVIERA BEACH, CASE NO.: 502009CA009629XXXX MB AG, IN THE TOTAL AMOUNT OF \$42,500; AUTHORIZING GALLAGHER BASSETT TO MAKE PAYMENT ON BEHALF OF THE CITY; AND PROVIDING AN EFFECTIVE DATE.**

5. RESOLUTION NO. 25-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDED BID NO. 292-11 TO HIMES ELECTRIC COMPANY, INC., OF LUTZ, FLORIDA FOR THE INSTALLATION OF DECORATIVE STREET LIGHTS ON PINE POINT ROAD IN THE AMOUNT OF \$126,570.00; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE CONSTRUCTION SERVICES CONTRACT; AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO TEN PERCENT (10%); AUTHORIZING THE INTERIM FINANCE DIRECTOR TO MAKE PAYMENT FOR SAME FROM ACCOUNT 310-1127-541-0-6355 AND PROVIDING AN EFFECTIVE DATE.

END OF CONSENT AGENDA

A motion was made by Councilperson Thomas and seconded by Chair pro tem 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

NONE

PUBLIC HEARINGS

ORDINANCES ON SECOND READING

NONE

ORDINANCES ON FIRST READING

NONE

COMMENTS FROM THE PUBLIC – 8:00 PM*¹ WILL NOT BE TELEVISED – 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.*

Lynne Hubbard, W 23rd Street, stated that establishing a new tax was not the appropriate way of generating additional revenue. She stated that the question was asked as to what type of ideas individuals had in an effort to generate additional revenue; she proceeded with providing some ideas.

Vivian Havener, E 25th Street, encouraged residents to exercise their right to vote.

Bonnie Larson, W 27th Street, stated that depriving residents to hear public comments during City Council Meetings were not appropriate. She stated that she was disappointed with the workshop held with the architectures for the redevelopment of the marina.

Norma Duncombe, Lake Shore Drive, stated that the amount of money spent on legal fees on the cases involving the Task Force was ridiculous. She stated that censoring public comments were not appropriate.

Mayor Masters asked if discussion on televising public comments could be added to the current agenda.

City Attorney Ryan stated that a decision was made at the last City Council Meeting to discontinue televising public comments. She stated that this was not new and there were other governmental entities that did not televise public comments. She stated that of the 38 municipalities within Palm Beach County, only six municipalities, including the City of Riviera Beach, televised their meetings. City Attorney Ryan stated that the meetings, in the view of others, were a circus and that other recommendations by staff were provided in a memo dated February 23, 2011 to the city council.

Chair pro tem Davis requested that discussion regarding televising public comments be added to the agenda of the March 21st workshop.

There was a consensus of the city council to add the discussion to the agenda.

Fane Lozman, E 13th Street, stated on behalf of Stacy McKindles, owner of Buddy's Café, he was requesting that a motion to reconsider the extended license application based upon the fact that her checks were submitted in a timely fashion but were not cashed by the city and she had complied with the requirements previously set forth by the city council for a 60 day timeframe. He stated that public comments could not be censored.

Sylvia Blue, W 1st Street, stated that she was on the council when it was decided to televise the meetings as a result of the channel being available through the cable company and she regretted the decision because the meetings had become a circus.

David Cross, Sugar Sands Blvd, provided an update on the Marketing Advisory Board. He stated that he desired for the city council to address the issue of double dipping by recently retired employees. Mr. Cross stated that the first newsletter had been distributed and was hopeful that everyone took the time to read the information it contained.

Michael Sloser, N Ocean Drive, stated that the referendum question on the ballot regarding the marina was clear and it meant what was stated. He stated that there was a need to market the positive aspects of the community and the marina was a golden opportunity.

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

6. **RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT WITH GOVERNMENT SERVICES GROUP (GSG) FOR THE ANALYSIS AND DEVELOPMENT OF A FIRE ASSESSMENT FEE AS A MORE EQUITABLE ALTERNATIVE METHOD FOR FUNDING FIRE SUPPRESSION SERVICES BY PIGGYBACKING ON THE CITY OF WEST PALM BEACH CONTRACT IN RESPONSE TO RFP 07/08-104 AT A COST NOT TO EXCEED \$59,000; PAYMENT TO BE MADE FROM THE CONTRACT SERVICES-OTHER ACCOUNT NO. 001-0203-519-0-3406; AND PROVIDING AN EFFECTIVE DATE.**

ITEM DELETED

DISCUSSION & DELIBERATION

7. **LEGISLATIVE PRIORITIES TO BE RANKED BY IMPORTANCE OF FUNDING.**

City Manager Jones stated that the item was placed on the agenda at the request of the state lobbyist. She requested that the city council rank the appropriations request.

Asst. City Manager Shuttlesworth reviewed the priorities submitted in the backup information.

Chair pro tem Davis submitted her handwritten priority ranking to the city manager.

Chairperson Pardo stated that her priorities were the moving of all lines and cable along Broadway underground; the double tracking railroad project; and the Stormwater Master Plan.

BOARD APPOINTMENT(S)

NONE

DISCUSSION BY THE CITY MANAGER

City Manager Jones stated that a budget workshop was scheduled for March 21st at 6:30 p.m. with the next workshop scheduled for April 18th at 6:30 p.m. in the Council Chambers. She stated that the grant application for the marina construction in the amount of \$1.8 million was received and returned and that an item would be on the agenda for the next meeting authorizing the submittal of a grant application for additional funding for work on the sea walls and docks.

LEGAL DISCUSSION/REQUEST

NONE

DISCUSSION AND RECOMMENDATIONS BY CITY COUNCIL

Mayor Masters stated that the flier being distributed stating that he was sleep on the job was not him. He advised that a robo-call was going around advising people not to give him their absentee ballot because he would change it was not true and that the Palm Beach Post should be ashamed of placing a picture of his personal car on top of a curb in its gossip section. He announced that he would be distributing certificates to the doctors and nurses that accompanied him to Haiti as well as the missionary airline that provided the transportation at no charge. He also stated that he would be providing a Certificate of Appreciation to the US Census Bureau for conducting a job fair at Newcomb Hall which allowed 400 residents to be hired during the census period.

Chair pro tem Davis stated that the partnership between the city and Habitat for Humanity, Youth Build, and Duquesne University had begun and extended an invitation for others to stop by and participate if they so desired.

Councilperson Thomas requested an update on the 185 funds. He requested an update on the RFP for the banking services.

Councilperson Lowe stated that there was concern that the fire station on Singer Island would be closed and requested a response from the city manager. He encouraged the residents to vote on March 8, 2011.

City Manager Jones stated that a proposal was not on the table to close any fire stations.

Chairperson Pardo announced that the dune restoration project was complete. She reminded residents of a meeting scheduled for March 15th at 7:30 p.m. at the Palm Beach Shores Community Center wherein she and Palm Beach County Commissioner Marcus would be providing an update on status of the breakwater project and on March 22nd at 9:30 a.m. the Palm Beach County Commission would be hosting a workshop to discuss the county's beach erosion problem as well as the breakwater project. Chairperson Pardo requested that the agreement for the Ocean Mall be reviewed for information regarding paid parking.

Mayor Masters requested a report on the reduction of crime within the city from the chief of police.

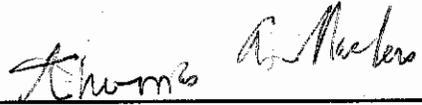
Clarence Williams, Chief of Police, provided a update on the reduction of crime within the city.

ADJOURNMENT

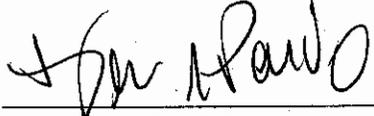
There being no further business, the meeting was duly adjourned at 7:55 p.m.

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

APPROVED:



THOMAS A. MASTERS
MAYOR



DAWN S. PARDO
CHAIRPERSON

ATTEST:



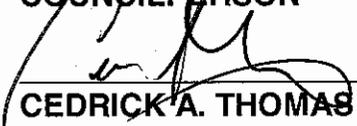
CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK

ABSENT

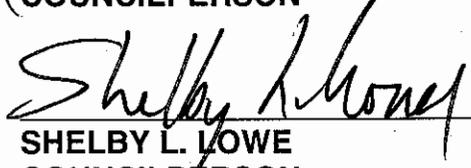
JUDY L. DAVIS
CHAIR PRO TEM



BILLIE E. BROOKS
COUNCILPERSON



CEDRICK A. THOMAS
COUNCILPERSON



SHELBY L. LOWE
COUNCILPERSON

MOTIONED BY: B. BROOKS
SECONDED BY: C. THOMAS

D. PARDO AYE
J. DAVIS ABSENT
B. BROOKS AYE
C. THOMAS AYE
S. LOWE AYE

DATE APPROVED: 03/16/2011