

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
SWEARING IN CEREMONY AND
REGULAR CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, APRIL 6, 2011 AT 6:30 P.M.**

THE SWEARING IN CEREMONY FOR THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA OF THE NEWLY ELECTED OFFICIALS AS A RESULT OF THE MARCH 8, 2011 MUNICIPAL GENERAL ELECTIONS AND THE MARCH 22, 2011 MUNICIPAL RUNOFF ELECTIONS

CITY CLERK SWEARS IN THE NEWLY ELECTED MAYOR AND CITY COUNCIL TO EACH RESPECTIVE SEAT AND ADMINISTERS & PRESENTS THE OATH OF OFFICE; PRESENTS EACH OFFICIAL WITH THE CITY OF RIVIERA BEACH ELECTION CERTIFICATE; A SET OF THE CODE OF ORDINANCES OF THE CITY OF RIVIERA BEACH; THE CITY'S CHARTER; THE ROBERT'S RULES OF ORDER NEWLY REVISED; THE 2011 FLORIDA COMMISSION ON ETHICS GUIDE TO THE SUNSHINE AMENDMENT AND CODE OF ETHICS FOR PUBLIC OFFICERS & EMPLOYEES; AND THE FLORIDA MUNICIPAL OFFICIAL'S MANUAL TO EACH SUCCESSOR IN THEIR REPSECTIVE SEAT.

City Clerk Ward announced, although each of the seats had received the official above-mentioned tools that she would again present each with the current modifications and revisions to assist and to guide in preparation to serve in their official elected capacity.

1) City Council District 1

City Clerk Ward administered and presented Councilperson elect Billie E. Brooks with the Oath of Office, the Election Certificate, a set of the Code of Ordinances, the City's Charter, the Robert's Rules of Order edition 10, The 2011 Florida Commission of Ethics for Public Officers & Employees, and the Florida Municipal Official's Manual.

2) City Council District 3

City Clerk Ward administered and presented Councilperson elect Cedrick A. Thomas with the Oath of Office, the Election Certificate, a set of the Code of Ordinances, the City's Charter, the Robert's Rules of Order edition 10, The 2011 Florida Commission of Ethics for Public Officers & Employees, and the Florida Municipal Official's Manual.

3) City Council District 5

City Clerk Ward administered and presented Councilperson elect Shelby L. Lowe with the Oath of Office, the Election Certificate, a set of the Code of Ordinances, the City's Charter, the Robert's Rules of Order edition 10, The 2011 Florida Commission of Ethics for Public Officers & Employees, and the Florida Municipal Official's Manual.

4) Mayor

City Clerk Ward administered and presented Mayor elect Thomas A. Masters with the Oath of Office, the Election Certificate, a set of the Code of Ordinances, the City's Charter, the Robert's Rules of Order edition 10, The 2011 Florida Commission of Ethics for Public Officers & Employees, and the Florida Municipal Official's Manual.

She then congratulated each in their respective seat and advised the newly elected officials to take their seats on the dais to proceed with the nominations of city officials for the year 2011 thru 2012.

CITY CLERK WARD REQUESTED NOMINATIONS FROM THE CITY COUNCIL OFFICIALS TO ELECT A COUNCIL CHAIR TO SERVE A (1) ONE YEAR TERM COMMENCING APRIL, 2011 TO MARCH/APRIL, 2012

City Clerk Ward requested nominations from the city council for a council chair to serve April 2011 through March/April 2012.

Councilperson Pardo nominated Councilperson Davis as chairperson.

There being no further nominees, City Clerk Ward announced Councilperson Davis as chairperson to serve from April 2011 through March/April 2012. She then stated that she now relinquish the gavel to Chairperson Davis.

II. CITY COUNCIL CHAIR DAVIS REQUESTED NOMINATIONS FROM THE CITY COUNCIL OFFICIALS TO ELECT A CHAIR PRO-TEM TO SERVE A (1) ONE YEAR TERM COMMENCING APRIL, 2011 TO MARCH/ APRIL, 2012

Chairperson Davis requested nominations from the city council for a council chair pro-tem to serve April 2011 through March/April 2012.

Councilperson Lowe nominated Councilperson Brooks as chair pro-tem.

There being no further nominees, Councilperson Brooks was nominated chair pro tem for the City Council to serve April 2011 through March/April 2012.

III. PUBLIC COMMENTS

Janie Banks Johnson congratulated the mayor and city council persons who were re-elected to their respective seats. She proceeded with a poem that she wrote for Councilperson Thomas, her son. She continued with her love, respect and admiration for him and congratulated him on his reelection to serve the residents of the city for a third term.

Thomas Masters, Jr., expressed words of encouragement to the city council and to his father Mayor Masters.

Cora Masters Barry, Washington D. C., expressed words of encouragement to Mayor Masters, her brother, on behalf of his family and stated that his mother was especially proud of his accomplishments.

Elder Lonnie Lovett, New Bethel Primitive Baptist Church, expressed words of gratitude on behalf of the swearing-in ceremony. He further quoted parables from the Holy Bible and acknowledged that until elected officials, the administration, and the staff do what was is right in God's sight, all would fail.

Rev. William Burrs, S Canterbury Dr, congratulated the elected officials in their respective race. He then reminded the officials although they represent districts within the city, their decisions affected the city as whole.

Gerald Ward, W 20th Street, stated that he would take each of the elected officials back to the words they repeated in the oath given by City Clerk Ward. He reminded Chairperson Davis that it was now her responsibility to make sure meetings began and ended in a timely fashion and advised her to work with the city manager to obtain a well prepared agenda without the last minute interruptions.

Elder Haywood Williams, Original Tabernacle of Prayer, expressed words of support for the newly elected officials.

Mary Brabham, W 9th Street, expressed words of support to the elected officials and encouraged everyone to do better.

Barbara Watson, S Congress Avenue, stated that on behalf of the employees who worked to keep the city clean, that they were committed to working with the elected officials but wanted the mayor and city council to do what was right.

Norma Duncombe, Lake Shore Drive, expressed words of support to the newly elected officials. She then encouraged the city council and asked that discontinue blacking out the public comment portion of the city council meetings.

IV. MAYOR AND CITY COUNCIL COMMENTS AND REMARKS

Mayor Masters expressed words of appreciation to everyone who supported him during his election campaigning.

Councilperson Lowe expressed words of appreciation to everyone who supported him during his election campaigning.

Councilperson Thomas expressed words of appreciation to everyone who supported him during his election campaigning.

Chair pro tem Brooks expressed words of appreciation to everyone who supported her during her election campaigning.

Chairperson Davis expressed words of support to her fellow elected officials. She then stated that she would like to attend the Department Head Meeting scheduled for April 7th. City Manager Jones advised of the time being 9:30 a.m.

Councilperson Pardo expressed words of support to her fellow elected officials, and further thanked each for their support while she served as council chair for the past 2 years.

V. ADJOURNMENT SINE DIE

City Clerk Ward announced that the swearing-in ceremony had concluded and the City Council would now proceed with its Regular Agenda.

AGENDA APPROVAL:

Additions, Deletions, Substitutions

City Manager Jones made the following revisions to the agenda: addition No. 5A – resolution reference grant application for \$1.5 million; No. 17 – resolution reference permitting for breakwater system; and deleted No. 13 – discussion on Singer Island Erosion Control Project.

Disclosure By Council

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

Adoption of Agenda

A motion was made by **Councilperson Pardo** and seconded by **Chair pro tem Brooks** 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

1. **MINUTES FROM THE REGULAR CITY COUNCIL MEETING HELD MARCH 16, 2011.**

RESOLUTIONS

2. **RESOLUTION NO. 33-11 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE THIRD AMENDMENT TO THE GRANT AGREEMENT BY AND BETWEEN PALM BEACH METROPOLITAN PLANNING ORGANIZATION (MPO) AND THE CITY OF RIVIERA BEACH EXTENDING THE COMPLETION DATE FOR A WATER TAXI DOCKING FACILITY TO NOVEMBER 30, 2011; AND PROVIDING AN EFFECTIVE DATE. PULLED FOR DISCUSSION**

City Clerk Ward read the aforementioned resolution into the record.

A motion was made by **Chair pro tem Brooks** and seconded by **Councilperson Pardo** to approve Resolution No. 33-11.

MOTION

Gerald Ward, W 20th Street, stated that process and procedure was not being followed. He stated that the project had not been presented to the Waterfront Advisory Board nor the Planning and Zoning Board and the parking issues had not been vetted.

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

MOTION APPROVED

3. **RESOLUTION NO. 34-11 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING A PROPOSAL FROM JACOBS ENGINEERING GROUP INC. FOR PROVIDING POST DESIGN SERVICES RELATED TO THE STATE ROAD**

A1A IMPROVEMENT PROJECT IN THE AMOUNT OF \$11,000.00; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE CONTRACT; AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

4. RESOLUTION NO. 35-11 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING A PROPOSAL FROM TECHNO ENGINEERING GROUP, INC. FOR PROVIDING POST DESIGN ELECTRICAL ENGINEERING SERVICES RELATED TO THE STATE ROAD A1A IMPROVEMENT PROJECT IN THE AMOUNT OF UP TO \$12,500.00; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE CONTRACT; AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENTS; AND PROVIDING AN EFFECTIVE DATE.
5. RESOLUTION NO. 36-11 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, EXPRESSING SUPPORT FOR THE FLORIDA DEPARTMENT OF TRANSPORTATION'S SOUTH FLORIDA EAST COAST CORRIDOR PROJECT (FROM JUPITER TO MIAMI) AND ITS AFFILIATED REGIONAL AND COUNTY TRANSPORTATION AGENCIES; ACKNOWLEDGING POTENTIAL STATION LOCATIONS; AND ACKNOWLEDGING THE CITY OF RIVIERA BEACH'S COMMITMENT TO THE PROJECT TO ENHANCE MOBILITY IN THE SOUTHEAST FLORIDA REGION; AND PROVIDING AN EFFECTIVE DATE.
- 5A RESOLUTION NO. 42-11 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY MANAGER TO SUBMIT A GRANT APPLICATION FOR \$1.5 MILLION DOLLARS FOR MUNICIPAL MARINA REMEDIATION FOR CONSTRUCTION PHASE TWO, UNDER THE FLORIDA INLAND NAVIGATION DISTRICT WATERWAYS ASSISTANCE PROGRAM; AND UPON NOTIFICATION OF AWARD, ACCEPT THE GRANT AND AUTHORIZE THE INTERIM FINANCE DIRECTOR TO ESTABLISH THE BUDGET; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned resolution into the record.

A motion was made by **Chair pro tem Brooks** and seconded by **Councilperson Pardo** to approve Resolution No. 42-11.

MOTION

Gerald Ward, W 20th Street, stated that references to the Florida Administrative Code were made in the resolution so there was data as to when the decision had to be made for the proposed project. He stated that once again there was no input from the Waterfront Advisory Board nor the Planning and Zoning Board.

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

MOTION APPROVED

END OF CONSENT AGENDA

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

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

6. **ORDINANCE NO. 3088 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ENACTING A MORATORIUM FOR UP TO TWO-YEARS AS TO THE FILING AND/OR RECEIVING OF ANY APPLICATION FOR THE ESTABLISHMENT OF PAIN MANAGEMENT CLINICS; PROVIDING FOR LEGISLATIVE FINDINGS, INTENT AND PURPOSE; PROVIDING FOR A DEFINITION OF PAIN MANAGEMENT CLINIC; 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.

A motion was made by **Councilperson Pardo** and seconded by **Chair Davis** to adopt Ordinance No. 3088.

MOTION

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

MOTION APPROVED

7. **ORDINANCE NO. 3089 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; 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,

A motion was made by **Councilperson Pardo** and seconded by **Councilperson Lowe** to adopt Ordinance No. 3089.

MOTION

Councilperson Thomas requested that information be provided on the same type of establishment that was currently operating within the city.

Mary McKinney, Community Development Director, stated there was an establishment that was currently operating that had been erroneously provided a license by an employee. However, that employee was no longer employed by the city.

Bonnie Larson, W 27th Street, stated that the business that was currently operating under a license that was not proper was illegal should be dealt with accordingly. She stated that it needed to be determined whether or not the city wanted this type of business within its boundaries before dealing with the other issues that could possibly be attached to the business.

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

MOTION APPROVED

ORDINANCES ON FIRST READING

8. **ORDINANCE NO. 3090 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31 OF THE CODE OF ORDINANCES ENTITLED "ZONING" BY AMENDING ARTICLE I ENTITLED "IN GENERAL" SECTION 31-1 ENTITLED "DEFINITIONS" AND AMENDING ARTICLE VI ENTITLED "SUPPLEMENTAL DISTRICT REGULATIONS" SECTION 31-544 ENTITLED "DAYCARE AND OTHER PRESCHOOL FACILITIES"; PROVIDING FOR SEVERABILITY, CODIFICATION AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

City Clerk Ward read the aforementioned ordinance into the record.

A motion was made by **Chair pro tem Brooks** and seconded by **Councilperson Thomas** to approve Ordinance No. 3090.

MOTION

After the presentation given by Jeff Gagnon, Councilperson Thomas requested that a directive be given from the dais, directing staff to go beyond what had been provided in an effort to accommodate the request.

Kimberly Allison, W 26th Court, stated that this was a need in the city because it would assist parents who did not work the hours of 9:00 a.m. until 5:00 p.m., Monday through Friday.

A discussion ensued amongst members of staff and the city council

Councilperson Thomas amended the motion to state that a two year trial period would be included for the specific zones that were not included in RL-12 and RM-15. Amendments were seconded by Councilperson Pardo.

AMENDED MOTION

A motion was made by **Councilperson Lowe** and seconded by **Chair pro tem Brooks** to postpone approval of the proposed ordinance.

MOTION TO POSTPONE

Councilperson Thomas requested that the maker of the motion place a 30 day time limit on staff re-submit the proposed ordinance.

Councilperson Lowe amended the motion to postpone including the 30 day time limit for staff to re-submit the proposed ordinance.

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

MOTION APPROVED

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.*

Gerald Ward, W 20th Street, stated that new population numbers were available and the realigning of district boundaries needed to be done as promised approximately three years ago. He stated that add-ons should be placed on the agenda only in emergency situations. He also stated that as elected officials, it was the city council's responsibility to follow the code.

Vivian Havener, E 25th Street, announced that the Great American Cleanup would be held April 16, 2011, 8:00 a.m. until 12 o'clock noon, at Monroe Heights Park located on 25th Street and Avenue M. She extended a word of thanks to the individual who donated \$300 to the project.

David Cross, Sugar Sands Blvd, read the comments of Norma Duncombe into the record and stated that he too agreed and reiterated same that the city council reconsider the interruption of telecasting public comments during the council meetings and requested that the decision to this be reconsidered.

Carol Strick, Whitehall Drive, stated that a legal ad was placed in the Palm Beach Post advising that anyone who had a comment regarding the new facility had 30 days to submit their comment. She stated that the pollutants would be dumped into the intercostals which was already in a fragile state and urged individuals to write to the Department of Environmental Protection, 400 N Congress Avenue, West Palm Beach, FL 33401 and request a public hearing to discuss the new FP &L facility being built within Riviera Beach.

Bonnie Larson, W 27th Street, stated that add-ons should be done away with because it was unfair for elected officials and the public to review items not presented in a timely fashion. She stated that she attended the workshop held to discuss the proposed changes to US 1 and not only was there a concern for public safety as it related to Police and Fire reaching residents in a timely manner but it was being proposed to place lighting on one side of the street. Ms Larson inquired as to whether or not the water and electrical for the Tikki Restaurant and Bar was separated and if so how much was the city receiving.

Michael Mahoney, Broadway, requested that the issue regarding parking along US 1 be revisited.

Robert Hinton, Lochmore Road, announced that the Buffalo Soldier Motorcycle Club of South Florida would be hosting a benefit for the Sickle Cell Foundation at the Dan Calloway Complex at Tate Recreation Center on April 8th and 9th. He invited the elected officials, administrative staff, and residents to participate in the scheduled events.

Pamela Williams, W 33rd Street, expressed appreciation to those who exercised their right to vote during the election. She congratulated the winners of the election and stated that there was a lot of work to do.

Nora Mahoney, Broadway, stated that the Planning and Zoning Board Meetings needed to be televised. She requested that the elected officials empty their voicemails. She stated that funding for new audio equipment needed to be budgeted. Mrs. Mahoney reminded the city council that the evaluations for the city manager and city attorney were due soon and past due. She also inquired as to when Bicentennial Park would be reopened to the public.

Bruce Guyton, W 26th Court, extended congratulations to the elected officials and expressed words of appreciation to those who supported him during his election campaigning.

Solomon Burgess, Freeport Drive, read an ad that would be published in the Palm Beach Post April 11th and 12th. He stated that a rally would be held on April 13th at 7:00 a.m. in front of the County Building regarding jobs being provided to out of state vendors instead of local vendors.

Artis Reaves, E 21st Street, requested assistance from his city council representative regarding a construction project that was currently in progress next to his home which involved the destruction of some his property.

Cynthia Phillips, E 21st Street, stated that she was not happy with the construction that was occurring next to her residence especially when it affected her property and way of living. She stated that the waterfronts of other municipalities were beautified but the city was turning their waterfront into a working waterfront.

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.

The requests were referred to the city manager for resolution.

REGULAR

9. **RESOLUTION NO. 37-11 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A PIGGYBACK AGREEMENT FOR THE FIREFIGHTER MEDICAL PHYSICALS WITH CONCENTRA OF WEST PALM BEACH, FLORIDA; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE PIGGYBACK AGREEMENT WITH CONCENTRA FOR SAME; AUTHORIZING THE MAYOR AND INTERIM FINANCE DIRECTOR TO MAKE PAYMENT FOR SAME FROM ACCOUNT NUMBER 001-0920-522-0-3102 IN AN AMOUNT NOT TO EXCEED \$72,000.00; 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 **Chair pro tem Brooks** to approve Resolution No. 37-11.

MOTION

Nora Mahoney, Broadway, inquired as to whether or not this service could be provided as part of the health insurance.

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

MOTION APPROVED

10. **RESOLUTION NO. 38-11 A RESOLUTION OF THE CITY COUNCIL OF**

THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AMENDMENT 001 TO THE AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND PALM BEACH COUNTY EXTENDING THE DEADLINE FOR THE COMPLETION OF THE CITY'S NEIGHBORHOOD STABILIZATION PROGRAM FROM MARCH 31, 2011 TO OCTOBER 31, 2011; AUTHORIZING THE MAYOR AND THE CITY CLERK TO EXECUTE THE AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned resolution into the record.

A motion was made by **Chair pro tem Brooks** and seconded by **Councilperson Lowe** to approve Resolution No. 38-11.

MOTION

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

MOTION APPROVED

11. RESOLUTION NO. 39-11 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING STAFF'S RECOMMENDATION RANKING BB&T AS THE #1 RANKED PROPOSER TO PROVIDE THE CITY'S BANKING SERVICES AND AUTHORIZING STAFF TO NEGOTIATE A CONTRACT FOR THREE (3) YEARS WITH AN OPTION TO RENEW FOR AN ADDITIONAL THREE (3) YEAR TERM 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 **Chair pro tem Brooks** to approve Resolution No. 39-11.

MOTION

Bonnie Larson, W 27th Street, inquired as to whether or not the city would be saving money and asked the location of the bank.

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

MOTION APPROVED

12. RESOLUTION NO. 40-11 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE CITY CLERK'S BUDGET BY ADDING ONE PART TIME OFFICE ASSISTANT (TELEPHONE OPERATOR) POSITION AND TRANSFERRING \$8,942 FOR SAME; 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 Brooks** to approve Resolution No. 40-11.

MOTION

Nora Mahoney, Broadway, stated that additional code enforcement officers instead of an additional operator was necessary

Bonnie Larson, W 27th Street, inquired as to whether or not the current employee in the position would be eliminated.

City Manager Jones commented.

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

MOTION APPROVED

DISCUSSION & DELIBERATION

13. **DISCUSSION OF THE PROPOSED SINGER ISLAND EROSION CONTROL PROJECT.**

ITEM DELETED

BOARD APPOINTMENT(S)

14. **REAPPOINTMENT OF BRUCE GUYTON TO THE RIVIERA BEACH POLICE PENSION BOARD.**

A motion was made by **Chair pro tem Brooks** and seconded by **Councilperson Thomas** to reappoint Bruce Guyton to the Police Pension Board.

MOTION

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

MOTION APPROVED

15. **REAPPOINTMENT OF BESSIE BROWN TO THE RIVIERA BEACH GENERAL EMPLOYEES PENSION BOARD.**

A motion was made by **Councilperson Thomas** and seconded by **Councilperson Pardo** requiring all pension board appointees to enroll in the very next certification course and continue until they obtain their certification.

MOTION

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

MOTION APPROVED

A motion was made by **Chair pro tem Brooks** and seconded by **Councilperson Lowe** to reappoint Bessie Brown to the General Employee Pension Board with the previously approved requirements.

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 a workshop would be held on April 11th at 4:00 p.m. for the city council to discuss fire assessment and future funding for the CRA development project. She also announced that the city council agreed to schedule a Closed Executive Session, April 21st at 6:00 p.m. to discuss litigation and labor matters.

LEGAL DISCUSSION/REQUEST

City Attorney Ryan stated that a Closed Executive Session was scheduled to discuss the matter of Louis Rose vs the City of Riviera Beach, Case # 10-CV-80040-MARRA/JOHNSON and the special counsel would be Lara Donlon, Esq. and Glen Torcivia, Esq. with the city council, herself, and City Manager Jones being in attendance. She stated that it would be held at 6:00 p.m. in the City Council Chambers.

City Attorney Ryan stated that she provided a Community Benefits Policy for the elected officials to review and provide feedback; she would be placing the item on the agenda for the next City Council Meeting for approval.

DISCUSSION AND RECOMMENDATIONS BY CITY COUNCIL

16. **RESOLUTION NO. 41-11 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, SUPPORTING THE "KEEP AMERICA BEAUTIFUL" CAMPAIGN BY SPONSORING A CLEAN-UP IN MONROE HEIGHTS ON APRIL 16, 2011, TO PROMOTE LITTER REDUCTION, SUPPORT RECYCLING, PRESERVE AND PROTECT OUR ENVIRONMENT AND HELP MAKE OUR NEIGHBORHOODS MORE LIVABLE, AND PROVIDING AN EFFECTIVE DATE.**

City Clerk Ward read the aforementioned resolution into the record.

A motion was made by **Chair pro tem Brooks** and seconded by **Councilperson Thomas** to approve Resolution No. 41-11,

MOTION

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

MOTION APPROVED

17. **RESOLUTION NO. 43-11 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, SUPPORTING RECONSIDERATION OF FUNDING BY THE PALM COUNTY BOARD OF COUNTY COMMISSIONERS FOR THE PERMITTING OF A BREAKWATER SYSTEM TO PROTECT THE PROPERTY AND THE TURTLE NESTING AREA AT THE NORTHERN END OF SINGER ISLAND, RIVIERA BEACH; AND PROVIDING AN EFFECTIVE DATE.**

City Clerk Ward read the aforementioned resolution into the record.

A motion was made by **Councilperson Pardo** and seconded by **Councilperson Thomas** to approve Resolution No. 43-11.

MOTION

Gerald Ward, N Ocean Drive, stated that this was not something the city council needed to do. He stated that notice had been provided to the city reference the county wanting another 1 million cubic yards of sand.

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

MOTION APPROVED

Councilperson Lowe stated that the First Annual Miss Riviera Beach USA Pageant was held over the weekend and he felt that it was the start of something positive for the city.

Councilperson Thomas expressed words of appreciation to those who supported him during his election campaigning.

Councilperson Pardo announced that Johnny Longboats was hosting a South Florida Strongest Man Competition April 9th and 10th, 10:00 a.m. until 4:00 p.m. She stated that she was in the process of scheduling a workshop with South Florida Water Management District and the University of Florida Agricultural Department to discuss water conservation and xeriscaping.

Chair pro tem Brooks stated as a result of the trip she and the mayor took to the Bahamas, a number of educators plan to visit the city in June and hopefully after that some of the religious community would come for a visit.

Chairperson Davis announced that the Riviera Beach Maritime Academy and Youth Build would be hosting a fair and yard sale April 9th 9:00 a.m. until 3:00 p.m. at 251 W 11th Street. She announced that there was a new business in the city, Chelsea's Caribbean Restaurant located on US1 where Ming's Chinese Restaurant was formerly located. She announced that a Community Connections Day would be held April 15th at Newcomb Hall from 10:00 a.m. until 1:00 p.m. Chairperson Davis stated that as a result of the Town Hall Meeting held March 30th, a volunteer application has been prepared and will be placed

throughout the city for residents to pickup and a link would be placed on the city's website.

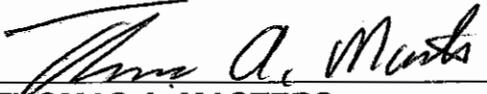
Mayor Masters requested that a listing of new businesses and organizations be placed on the website. He announced that a new gas station was open at the corner of 13th Street and Broadway. Mayor Masters requested that all elected officials be supportive of the events sponsored by each other. He announced that in conjunction with the Palm Beach County Health Department, a He Said She Said workshop would be held in the City Council Chambers on April 7th at 7:00 p.m.

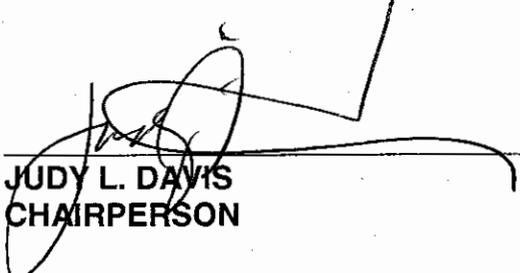
ADJOURNMENT

There being no further business, the meeting was duly adjourned at 11:06 p.m.

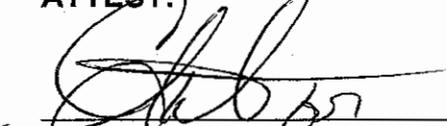
PLEASE NOTE: A COMPLETE RECORDING AND AGENDA PACKAGE IS AVAILABLE IN THE OFFICE OF THE CITY CLERK.

APPROVED:


THOMAS A. MASTERS
MAYOR

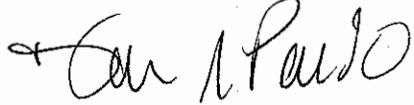

JUDY L. DAVIS
CHAIRPERSON

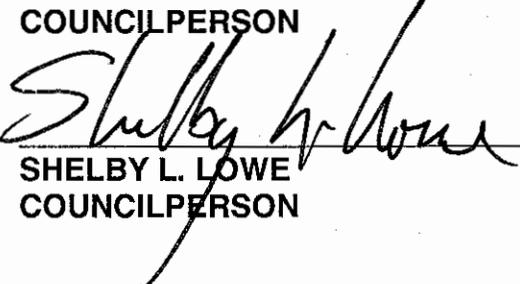
ATTEST:


CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK

ABSENT
BILLIE E. BROOKS
CHAIR PRO TEM

ABSENT
CEDRICK A. THOMAS
COUNCILPERSON


DAWN S. PARDO
COUNCILPERSON


SHELBY L. LOWE
COUNCILPERSON

MOTIONED BY: S. LOWE

SECONDED BY: D. PARDO

J. DAVIS AYE

B. BROOKS ABSENT

C. THOMAS ABSENT

D. PARDO AYE

S. LOWE AYE

DATE APPROVED: 04/20/2011