

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
CITY COUNCIL SPECIAL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
MAY 23, 2011, AT 6:00 PM**

ROLL CALL

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

Councilperson Brooks was absent and Councilperson Lowe was tardy.

INVOCATION AND PLEDGE OF ALLEGIANCE

Everyone stood for a Moment of Silence with the Pledge of Allegiance led by Councilperson Pardo.

City Manager Jones stated that a copy of the executed contract for No. 1 was provided and the date was changed in No. 2 from July 31, 2012 to September 30, 2012.

A motion was made by Councilperson Pardo and seconded by Councilperson Thomas to approve the agenda.

MOTION

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

MOTION APPROVED

REGULAR

- 1. RESOLUTION NO. 71-11 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDED BID NO. 303-11 FOR THE CONSTRUCTION OF 754 FEET OF NEW SEAWALL AND RELATED DEMOLITION AT THE CITY MARINA TO THE MURPHY CONSTRUCTION CO., INC. OF WEST PALM BEACH, FLORIDA, THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER IN THE AMOUNT OF \$1,324,404.00; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE PROPOSED CONSTRUCTION SERVICES CONTRACT; AUTHORIZING THE INTERIM FINANCE DIRECTOR TO ESTABLISH A BUDGET AND MAKE PAYMENTS FOR SAME; AND PROVIDING AN EFFECTIVE DATE.**

City Clerk Ward read the aforementioned resolution into the record.

A motion was made **Councilperson Pardo** and seconded by **Councilperson Thomas** to approve the aforementioned resolution.

MOTION

City Manager Jones stated that the lowest bidder was not recommended for the bid award because they did not provide the type of background experience required in the specifications. She stated that it was recommended that the lowest bid be rejected due to the lack of experience in constructing the length of seawall indicated as well as the type of construction used and award the bid to the second lowest bidder. She acknowledged that an inquiry was received from Coston Marine Services and she and staff responded to the inquiry. City Manager Jones stated that upon award of the bid, the seawall project would be completed in 120 days which was the first step in the marina redevelopment.

City Attorney Ryan stated that a copy of the memorandum from the city manager to the purchasing director and the letter sent by the purchasing director to Mr. Coston explaining why the bid was rejected was part of the backup information.

Councilperson Thomas stated that he wanted to make sure that by allowing Mr. Coston to make comments on his behalf would not affect any legal standing that may come as a result of the board's actions.

City Attorney Ryan read into the record Sec. 8-101 (2) of Ordinance No. 2412 entitled "Stay of Procurements During Protests". She stated that the first scenario outlined in the section related to the situation with the award of the waste contract and the second scenario outlined in the section related to the award of bid that was on agenda due to the fact that the city was in jeopardy of losing funding; however, the city council could choose to allow the vendor to go through the entire bid protest proceedings.

Dan Coston, Coston Marine Services, stated that he received the call stating that his bid was being rejected and inquired as to why but was advised that the letter would outline the reason for the decision. He stated that he strongly disagreed with the letter and felt that his company could provide the services necessary to complete the project and have it completed within the necessary timeframe and that he felt that the letter was subjective.

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

MOTION APPROVED

2. **RESOLUTION NO. 72-11 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AUTHORIZING THE CITY MANAGER TO ENTER INTO DISCUSSIONS WITH PALM BEACH COUNTY TO MODIFY "AMENDMENT NUMBER 1" TO THE INTERLOCAL AGREEMENT, BETWEEN THE CITY AND THE COUNTY, FOR MARINA IMPROVEMENTS UNDER THE COUNTY'S 2004 BOND ISSUE FOR**

WATERFRONT ACCESS PROJECTS, TO INCLUDE THE USE OF THE BALANCE OF FUNDS IN THE GRANT FOR MARINA REPLACEMENT INSTEAD OF REPAIRS; REQUEST TO EXTEND THE PROJECT COMPLETION DATE TO SEPTEMBER 30, 2012; 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. 72-11.

MOTION

A presentation was given by City Manager Jones.

Gerald Ward, W 20th Street, stated that the funding was in jeopardy and that it was important that all members of the city council be present at the meeting with the county.

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

MOTION APPROVED

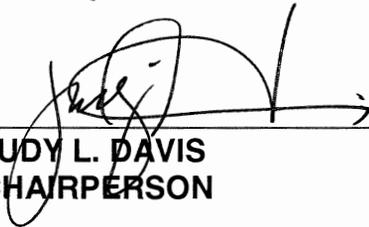
ADJOURNMENT

There being no further business, the meeting was duly adjourned at 6:40 p.m.

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

APPROVED:

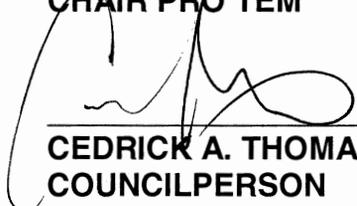

THOMAS A. MASTERS
MAYOR


JUDY L. DAVIS
CHAIRPERSON

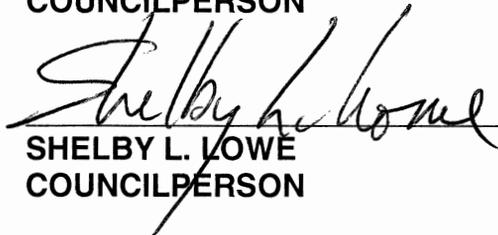
ATTEST:


CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK


BILLIE E. BROOKS
CHAIR PRO TEM


CEDRICK A. THOMAS
COUNCILPERSON


DAWN S. PARDO
COUNCILPERSON


SHELBY L. LOWE
COUNCILPERSON

MOTIONED BY: B. BROOKS

SECONDED BY: S. LOWE

J. DAVIS AYE

B. BROOKS AYE

C. THOMAS AYE

D. PARDO AYE

S. LOWE AYE

DATE APPROVED: 07/06/2011