

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, JULY 20, 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 Davis was present and presided. Upon a roll call by City Clerk Ward, the following were present: Chairperson Judy Davis, Chair pro tem Billie E. and Councilperson Shelby L. Lowe. Also present were: City Manager Ruth Jones; City Clerk Carrie E. Ward, Master Municipal Clerk; and City Attorney Pamala H. Ryan.

Councilperson Thomas was absent. Mayor Masters was tardy.

Invocation/Pledge of Allegiance

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

AGENDA Approval:

Additions, Deletions, Substitutions

NONE

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 **Chair pro tem Brooks** and seconded by **Councilperson Lowe** to approve the agenda.

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. CITY COUNCIL SPECIAL MEETING HELD, NOVEMBER 8, 2010.
2. CITY COUNCIL BUDGET WORKSHOP HELD, APRIL 25, 2011.
3. CITY COUNCIL BUDGET WORKSHOP HELD, MAY 23, 2011.
4. CITY COUNCIL REGULAR MEETING HELD, JULY 6, 2011.

RESOLUTIONS

5. RESOLUTION NO. 93-11 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDED A CONTRACT TO GREAT DANE PETROLEUM CONTRACTORS INC. OF POMPANO BEACH, FLORIDA FOR EMERGENCY REPLACEMENT OF THE MARINA'S DAMAGED AND AGED DIESEL FUEL LINE, IN THE AMOUNT OF \$24,954; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE CONTRACT AND AUTHORIZING THE INTERIM FINANCE DIRECTOR TO ESTABLISH A BUDGET AND MAKE PAYMENTS FOR SAME; AND PROVIDING AN EFFECTIVE DATE.

END OF CONSENT AGENDA

A motion was made by **Chair pro tem Brooks** and seconded by **Councilperson Lowe** to approve the 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

6. PRESENTATION - INTRODUCTION OF THE MAYOR'S ECONOMIC DEVELOPMENT TEAM BY MAYOR THOMAS A. MASTERS.

Mayor Masters stated that his office heard from residents around the city requesting that the mayor be more involved in economic development within the city and in an effort to get assistance an economic development team was put together. He presented the economic development team and Evelyn Flores, co-chairperson provided the mission of the team. The following were some of the members of the team: Debbie Thompson, Access Benefits Group; Lisa Kaplan, Michael Redding and Associates; Evelyn Flores, financial advisor; Carolyn Patties, youth enrichment; Dellessa Johnson, Ritz Carlton Golf Club and Spa and Ritz Carlton Singer Island Residence; LaShawn Floyd, Palm Beach County School Board; Rabbi Gavriel Ogugua, Key of David Community and Economic Development; Ron Wornieke, retiree; Alan Goldberg, real estate broker.

7. PRESENTATION - DONATION FROM RALPH CAMPBELL, PRESIDENT OF MCKINLEY FINANCIAL SERVICES, TO COUNCILPERSON BILLIE BROOKS' SCHOLARSHIP FUND.

Ralph Campbell, McKinley Financial Services, presented a donation of \$1,500 per year for the next four years to the scholarship fund. He then stated that one of the healthcare providers would be matching their donation for the next four years.

8. PRESENTATION BY FIRE RESCUE HIGHLIGHTING THE FIRE EXPLORER PROGRAM; RECOGNIZING DRIVER ENGINEER TIMOTHY ALVIN, PROGRAM COORDINATOR, AND INDIVIDUAL MEMBERS FOR THEIR DEDICATION AND ACHIEVEMENT.

Peter LeDuc, Interim Fire Chief, recognized Timothy Alvin for his dedication to the Fire Explorer Program.

Timothy Alvin, Driver Engineer, recognized the following members of the Fire Explorer Program: Marquese McCoy and Kristen Kinsey. He then acknowledged other members of the program.

PUBLIC HEARINGS

ORDINANCES ON SECOND READING

9. ORDINANCE NO. 3098 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 12 ENTITLED "OFFENSES" OF THE CITY'S CODE OF ORDINANCES BY CREATING ARTICLE V ENTITLED "RED LIGHT ENFORCEMENT PROGRAM", PROVIDING FOR RECORDED IMAGE MONITORING AND ENFORCEMENT OF RED LIGHT VIOLATIONS

**CONSISTENT WITH GENERAL LAW; PROVIDING FOR SEVERABILITY;
CONFLICTS AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

City Clerk Ward read the aforementioned ordinance into the record and stated that it was published in the July 10, 2011 edition of the Palm Beach Post.

A motion was made by **Chair pro tem Brooks** and seconded by **Councilperson Lowe** to adopt Ordinance No. 3098.

MOTION

Gerald Ward, W 20th Street, stated that Section 1 of the ordinance referred to the "Whereas" clauses of the ordinance and stated that it was a part of the ordinance upon its adoption but in past years it was always stated that these clauses were for informational purposes only. He stated that in reviewing the additional sections of the ordinance it appeared that staff was only required to bring back the proposed vendor for approval which was contrary to the city council's request for additional information.

Norma Duncombe, Lake Shore Drive, stated that if the ordinance was created to increase revenue for the city, it should be stated. She further stated that she felt that this action was a form of entrapment.

A discussion ensued amongst the mayor, city council, and Clarence Williams, Chief of Police.

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

MOTION APPROVED

10. **ORDINANCE NO. 3099 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE 2011 AMENDED CITY OF RIVIERA BEACH REDEVELOPMENT PLAN; FINDING THAT THE PLAN CONFORMS TO SECTIONS 163.360, 163.361, 163.362, AND 166.041, FLORIDA STATUTES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CONFLICTS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

City Clerk Ward read the aforementioned ordinance into the record and stated that it was published in the July 10, 2011 edition of the Palm Beach Post.

A motion was made by **Chair pro tem Brooks** and seconded by **Councilperson Lowe** to adopt Ordinance No. 3099.

MOTION

Gerald Ward, W 20th Street, stated that a copy of the plan was not available to the public. He stated that process for submittal to the various boards was poorly done and that redevelopment plans were not devised to be revised at whim.

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

MOTION APPROVED

ORDINANCES ON FIRST READING

11. **ORDINANCE NO. 4000 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 14, ARTICLE IV, SEC. 14-76 (6) ENTITLED RETIREMENT MONTHLY INCOME, OF THE CODE OF ORDINANCES OF THE CITY OF RIVIERA BEACH RELATING TO THE POLICE PENSION PLAN BY PROVIDING FOR A SUPPLEMENTAL RETIREMENT BENEFIT FOR ACTIVE POLICE OFFICERS AND RETIREES; PROVIDING FOR AMENDMENT TO SECTION 14-84; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A REPEALER; AND PROVIDING FOR 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 Lowe** to approve Ordinance No. 4000 on first reading.

MOTION

A presentation was given by **Ken Harrison, Sugarman Susskind and Associates, the attorney representing the plan,**

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.

Bonnie Larson, W 27th Street, stated that façade improvements were being made to the plaza on Broadway where CitiTrends was located and it would have been nice if the residents were notified of the improvements. She inquired as to whether or not a chain link fence needed to be erected at the former location of Wide World Gifts. She inquired as to when the Schooner Inn would be demolished. She then stated that in 2008 she brought in photographs of the flooding that occurred on her street and as of to date the problem had not been corrected and the flooding was worse; she wanted to know when improvements were going to be made to the street to correct the problem.

Gerald Ward, W 20th Street, stated that he filed an objection to No. 5 – resolution reference the replacement of diesel fuel lines at the marina. He announced that discussion regarding Broadway would be on the agenda for the Metropolitan Planning Organization Meeting scheduled for July 21st beginning at 9:00 a.m.

Norma Duncombe, Lake Shore Drive, thanked the Council who supported reinstating televising public comments. She inquired as to who was responsible for the lighting on the bridge and the side streets.

Chair pro tem Brooks stated that Florida Department of Transportation was responsible for maintaining the lighting on the bridge and they were aware of the problem and a work order had been processed to possibly correct the problem. She stated that a bicycle lane was available on the bridge, however, bicyclist were utilizing the sidewalk which posed a safety hazard.

Roseanne Brown, co-chair Riviera Beach Education Advisory Committee, stated that 38 scholarship applications were received and 26 qualified. She stated that funding was in place for 21 scholarships and that additional funds were needed for the other five qualified applicants.

Bill Contole, Grand Bahama, stated that the Youth Build Program was a national program that provided necessary assistance to youth as well as homeowners within the city. He stated that the board was currently looking for business partners to keep the program moving forward.

Xavier Davis, stated that he was a participant in the Youth Build program and had benefitted tremendously from it.

Tamar Reno, Youth Build Boardmember, stated that she enjoy working with the youth in the program and urged the businesses of the city and the potential vendors and businesses of the city to support the program.

Tanya Brown, Riviera Beach Maritime Academy, appealed for promotional support from the mayor and city council and administrative staff. She stated that the mayor previously inquired about the number of students pursued careers in the marine industry; she announced that of the students that graduated from the academy, 87% had enrolled in a college or technical school while holding a full or part time job in the marine industry. She encouraged the elected officials to forward the email she sent to at least three parents of high school aged students or individuals who work with such students.

Alex Ring, Florida Public Services Union, stated that he looked forward to meeting with the elected officials and administrative staff as the city proceeded in the contract negotiation process.

Donna Kirk, W 1st Street, inquired as to whether or not there was assistance available for cleaning the breezeways in her neighborhood. She inquired as to the city council being more visible in the community.

Theresa Miller, W 1st Street, stated that assistance was needed in cleaning her neighborhood in an effort to detour criminal activity.

†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

- 12. RESOLUTION NO. 94-11 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH BRANCH BANKING & TRUST (BB&T) TO PROVIDE BANKING/DEPOSITORY SERVICES FOR THE CITY FOR A PERIOD OF THREE (3) YEARS, WITH ANNUAL RENEWALS AT THE CITY'S OPTION 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 Davis** to approve Resolution No. 94-11.

MOTION

A presentation was given by Karen Hoskins, Interim Finance Director.

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

MOTION APPROVED

- 13. RESOLUTION NO. 95-11 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE INTERIM FINANCE DIRECTOR TO MAKE PAYMENT FROM OTHER GRANTS AND AIDS ACCOUNT NUMBER 001-0203-519-0-8301 FOR THE RIVIERA BEACH YOUTH AND RECREATION OUTSIDE AGENCY FUNDING PROGRAM RECIPIENTS IN THE AMOUNT OF \$18,243 TO ASSIST NON-CITY AGENCIES IN BROADENING THE ARRAY OF WHOLESOME SUMMER ACTIVITIES AVAILABLE TO CITY YOUTH; AND AUTHORIZING THE AGENCIES' DESCRIPTION OF THE SCOPE OF SERVICES; 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. 95-11.

MOTION

A presentation was given by Roseanne Brown, Committee Chairperson for the Riviera Beach Youth and Recreation Outside Agency Funding Program.

LaTisha Rolle, committee member, stated that all funds were not expended and the committee was recommending that \$3,300 be designated to the library for the arts and craft classes provided to city youth during the week and \$3,300 be donated the Parks and Recreation Department for swim lessons for youth of the city.

Bonnie Larson, W 27th Street, stated that the wording regarding duplication of services indicated on the agenda item summary and what was indicated in the resolution was not clear.

An amended motion was made by **Chair pro tem Brooks** and seconded by **Councilperson Lowe** to evenly distribute the remaining funds between the Library for the arts and craft program and the Parks and Recreation Department for two weeks of free swim lessons for youth of the city.

AMENDED MOTION

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

AMENDED MOTION APPROVED

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

MOTION APPROVED

DISCUSSION & DELIBERATION

NONE

BOARD APPOINTMENT(S)

14. CITY COUNCIL TO APPOINT OR RE-APPOINT MEMBERS TO THE POLICE PENSION BOARD.

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

MOTION

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

MOTION APPROVED

DISCUSSION AND RECOMMENDATIONS BY CITY COUNCIL

NONE

MAYOR AND CITY COUNCIL REPORT(S)

NONE

DISCUSSION BY THE CITY MANAGER

City Manager Jones stated that a response was submitted to Congressman Allen West's office for the names of Civil Rights pioneers to be submitted to the Congressional Black Caucus for their luncheon they would be hosting for the unveiling of the Martin Luther King, Jr. monument on August 25th in Washington D.C. She stated that there were inquiries as to when the building where Sea Chest Salvage was located would be demolished; the Florida Department of Transportation's asbestos survey had not been completed but once completed then the process would proceed in obtaining a price for demolishing the building. Ms Jones provided a status report on the Earl Pleasant project; the groundbreaking was scheduled for August 15th and construction was scheduled to begin August 25th. She stated that the ribbon cutting ceremony for the Lighthouse Marina would be held in August but a date had not been set. She announced that home repairs and solicitation of bids had been approved by Palm Beach County for the renovation of Mr. Dixon's home, the 104 year old resident whose caretaker previously spoke before the city council. She stated that construction was scheduled to commence August 20th. She stated that a request was made as to status of the homes the city had for sale; a buyer was approved for the purchase of the final home which sold for \$110,000.

City Manager Jones stated that at the last City Council Meeting, there was concern raised regarding the activities of the Sheriff Department as it related to ticketing; Police Chief Williams held a meeting with Deputy Sheriff Gauger and in that discussion it was stated that numerous complaints were received regarding speeding along Silver Beach Road which caused them to beef up their enforcement activity.

LEGAL DISCUSSION/REQUEST

City Attorney Ryan stated that at the last city council meeting, it was decided to resume televising public comments and it was requested that a section be added to the rules of decorum to address Police Chief Williams' issue regarding their ability to arrest someone. She stated that she still needed to have discussion with the mayor and two councilpersons and upon doing so a resolution would be presented for approval. She introduced Valencia Stubbs, Assistant City Attorney.

STATEMENTS BY THE MAYOR AND CITY COUNCIL

Chair pro tem Brooks expressed appreciation to Commander Regina Price for her assistance to the residents in District 1. She announced that the Voter's League meeting scheduled for July 21st was cancelled and the next meeting was scheduled for August 18th. She announced that applications were still being accepted for the Senior Utility Assistance Program. She announced that the next cleanup effort within the city would be held in September and participation of students was needed for those in need of community service hours.

Chairperson Davis announced that a Metropolitan Planning Organization meeting was scheduled for July 21st and there was still an issue of the Port of Palm Beach coming before the city council. She stated that in doing some research, the area that the port wanted to utilize for storage was originally slated to be used as a street to travel from

Old Dixie Highway to Broadway when the Skypass was completed. She announced that the Roosevelt Full Service was now housed at the old Inlet Grove location but they no longer wanted to call it Roosevelt Full Service and the name Riviera Beach Preparatory Academy was being recommended to the board. She stated that she hoped that all of the elected officials would encourage the local businesses to support city initiatives and include support of Youth Build in the solicitation process.

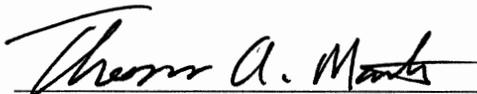
Mayor Masters reported that four homes were purchased with a grant from the Housing Urban Development. He announced that A&A Associates were responsible for hiring cafeteria workers and that calls were currently being made to bring people in for training. He announced that the economic empowerment summit would be held July 28th at 5:00 p.m. at Newcomb Hall.

ADJOURNMENT

There being no further business, the meeting was duly adjourned at 8:55 p.m.

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

APPROVED:



THOMAS A. MASTERS
MAYOR



JUDY L. DAVIS
CHAIRPERSON

ATTEST:



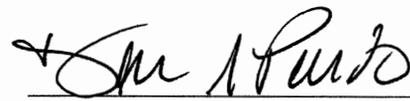
CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



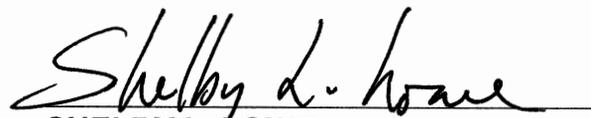
BILLIE E. BROOKS
CHAIR PRO TEM



CEDRICK A. THOMAS
COUNCILPERSON



DAWN S. PARDO
COUNCILPERSON



SHELBY L. LOWE
COUNCILPERSON

MOTIONED BY: _____

SECONDED BY: _____

J. DAVIS _____

B. BROOKS _____

C. THOMAS _____

D. PARDO _____

S. LOWE _____

DATE APPROVED: 07/20/2011

MOTIONED BY: B. Brooks

SECONDED BY: D. Pardo

J. DAVIS aye

B. BROOKS aye

C. THOMAS absent

D. PARDO aye

S. LOWE aye

DATE APPROVED: 08/17/2011