

**CITY OF RIVIERA BEACH  
PALM BEACH COUNTY, FLORIDA  
REGULAR CITY COUNCIL MEETING MINUTES  
MUNICIPAL COMPLEX COUNCIL CHAMBERS  
WEDNESDAY, JANUARY 6, 2010 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: Chairperson Dawn S. Pardo; Chair pro-tem Judy L. Davis; Councilperson Billie E. Brooks; Councilperson Tonya Davis Johnson; and Councilperson Shelby L. Lowe. Also present were: City Manager Ruth Jones; City Clerk Carrie E. Ward, MMC, and City Attorney Pamala H. Ryan.

Mayor Masters 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: deleted No. 5 – presentation to Amaris Graham and corrected the date for No. 9 – resolution reference the Port of Palm Beach – date corrected to read January 6, 2010 through September 30, 2013.

**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 Davis** and seconded by **Councilperson 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 DECEMBER 16, 2009.**

## **RESOLUTIONS:**

2. **RESOLUTION NO. 1-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING STAFF TO NEGOTIATE AN AGREEMENT WITH THE ARCHITECTS DESIGN GROUP (ADG) OF WINTER PARK, FLORIDA FOR PROFESSIONAL ARCHITECTURAL DESIGN SERVICES FOR DEVELOPMENT OF DESIGN SPECIFICATIONS, CONSTRUCTION DOCUMENTS AND RELATED SERVICES FOR A NEW RIVIERA BEACH POLICE COMPLEX AND VARIOUS IMPROVEMENTS TO EXISTING BUILDINGS LOCATED ON THE MUNICIPAL CAMPUS; AND PROVIDING AN EFFECTIVE DATE.**
3. **RESOLUTION NO. 2-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE USE OF \$3,000 FROM THE DONATION TRUST FUND TO PROVIDE THREE \$1,000 SCHOLARSHIPS FOR THE 2009-2010 SCHOOL YEAR; AUTHORIZING THE FINANCE DIRECTOR TO APPROPRIATE \$3,000 FROM THE DONATION TRUST FUND ACCOUNT NO. 130-0203-519-0-5521; AND PROVIDING AN EFFECTIVE DATE.**

4. RESOLUTION NO. 3-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE PURCHASE OF FURNITURE CONSISTING OF TABLES, STUDY TABLES, AND CHAIRS FOR THE NEW LIBRARY INTERNET CAFÉ, AND OTHER PUBLIC SEATING FROM KI FURNITURE IN THE AMOUNT OF \$26,258; PAYMENT TO BE MADE FROM LIBRARY IMPACT FEES, ACCOUNT NO. 303-00-271013; AND PROVIDING AN EFFECTIVE DATE.

#### END OF CONSENT AGENDA

A motion was made by **Chair pro tem Davis** and seconded by **Councilperson Davis Johnson** 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. PRESENTATION COMMENDING 13 YEAR-OLD MS. AMARIS GRAHAM FOR WINNING THE FLORIDA VOTER'S LEAGUE ORATORICAL CONTEST FOR FIVE CONSECUTIVE YEARS.
6. PRESENTATION BY MR. SHAHID FREEMAN UPDATING THE CITY COUNCIL ON DOT'S SUCCESS ACADEMY, INC.

**Mr. Shahid Freeman** and **Mrs. Dorothy McKinon** reported on the success of the academy and expressed appreciation to the city for its support and the parents who ensure that their children arrive on time on Saturday mornings.

7. PRESENTATION BY BOB BALDWIN, PRESIDENT/CEO OF CITY SKETCHES, INC. OF CORTLANDT MANOR, NY, ABOUT A SERIES OF MUSIC RELATED EVENTS IN THE COMMUNITY REDEVELOPMENT AREA (CRA).

**Bob Baldwin** reported to the city council possible exposure of the city to different parts of the world through his proposed musical efforts. He stated that event information would be advertised via his radio program that is heard throughout the nation as well as on the internet.

**Kenny Burgess, 1651 W 11<sup>TH</sup> Street**, stated that he provided proposals for the last two years for a similar event to be held at the amphitheatre at Tate Recreation Center and would like for the city council to investigate why the proposal was not considered.

**PUBLIC HEARINGS:**

NONE

**ORDINANCES ON SECOND READING:**

NONE

**ORDINANCES ON FIRST READING:**

NONE

**COMMENTS FROM THE PUBLIC – 8:00 PM\*<sup>1</sup> – 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.*

**Angela Wynn, W 35<sup>th</sup> Street**, made comments reference the deplorable condition of the building that houses the Public Works Department.

**Amie Souder, Palm Beach Lakes High School**, requested support from the city and its residents for the science camp currently being conducted at Palm Beach Lakes High School.

**Staci Campbell, 117 Ibisca Terrace**, made comments reference the positive effect of the science camp at Palm Beach Lakes High School on her education.

**Vidal Hernandez, 1016 Indian Trace Circle**, made comments reference the positive effect of the science camp at Palm Beach Lakes High School on her education.

**Margaret Shepherd, West Palm Beach, FL**, urged the citizens to vote in the March 9, 2010 election.

**James Harper, 4 Cloister Circle**, announced that he would be spearheading the efforts of the American Cancer Society’s Relay For Life in the City of Riviera Beach and was looking forward to working with the city.

**Gerald Ward, 31 W 20<sup>th</sup> Street**, made comments reference the application filed by the county to expand westward towards the city's beach for the mining of sand. He continued with comments reference the necessity to fill the vacant positions on the Planning and Zoning Board. Mr. Ward stated that the city had an agreement with a company to produce and transmit energy from the Florida current three miles offshore which would result in the city receiving revenue.

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. 4-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, PURCHASING A WIRELESS GUNSHOT LOCATION SYSTEM FOR \$300,000 FROM SHOTSPOTTER, INC.; AUTHORIZING THE MAYOR AND THE CHIEF OF POLICE TO EXECUTE THE GENERAL TERMS & CONDITIONS AGREEMENT, SOFTWARE LICENSE AGREEMENT AND ANNUAL SUPPORT & MAINTENANCE AGREEMENT ON BEHALF OF THE CITY OF RIVIERA BEACH; AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT IN THE AMOUNT OF \$300,000 TO SHOTSPOTTER, INC.; AND PROVIDING AN EFFECTIVE DATE.**

**City Clerk Ward** read the aforementioned Resolution into the record.

A motion was made by **Chair pro tem Davis** and seconded by **Councilperson Davis Johnson** to approve Resolution No. 4-10.

**MOTION**

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

**MOTION APPROVED**

9. **RESOLUTION NO. 5-10 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 THREE (3) YEAR INTERLOCAL AGREEMENT TO PROVIDE POLICE SERVICES TO THE PORT OF PALM BEACH COMMENCING JANUARY 6, 2010 TO SEPTEMBER 30, 2013; AUTHORIZING THE FINANCE DIRECTOR TO ACCEPT QUARTERLY PAYMENTS IN AN AMOUNT OF \$31,185.98 FOR THE TOTAL AMOUNT OF \$124,743.91 AND PROVIDING AN EFFECTIVE DATE.**

**City Clerk Ward** read the aforementioned resolution into the record.

A motion was made by **Chair pro tem Davis** and seconded by **Councilperson Davis Johnson** to approve Resolution No. 5-10.

**MOTION**

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

**MOTION APPROVED**

**10. UPDATE ON CONFLICT ASSESSMENT WITH THE SCHOOL DISTRICT OF PALM BEACH COUNTY SCHOOL BOARD.**

**Paul White, Assistant City Manager, and City Attorney Ryan** updated the city council on the conflict assessment with Palm Beach County School Board as it related to providing water and sewer permits for the new high school. He stated that the permit was being held because of staff's concern with traffic concurrency.

**Gerald Ward, 31 W 20<sup>th</sup> Street**, stated that there was a lack of communication in regards to relaying information to the city council and suggested that a member from the city council be appointed to work with staff during the mitigation process.

**BOARD APPOINTMENT(S):**

**NONE**

**DISCUSSION BY THE CITY MANAGER:**

**City Manager Jones** announced that a workshop for the Utility Special District Board of Directors was scheduled for January 14, 2010 at 6:30 p.m. City Manager Jones requested that Roseanne Brown, Chief of Staff, provide information on the activities for the Martin Luther King, Jr. Celebration.

**Roseanne Brown, Chief of Staff**, announced the activities for the Martin Luther King, Jr. Celebration. She also announced that the venue for the Gospel Gala was changed from the amphitheatre at Tate Recreation Center to Suncoast High School.

**LEGAL DISCUSSION/REQUEST:**

**City Attorney Ryan** reported on the federal case involving the vessel owned by Fane Lozman in which the federal court ruled in favor of the city.

## **DISCUSSION AND RECOMMENDATIONS BY CITY COUNCIL:**

### **11. DISCUSSION: CITY MANAGER'S EVALUATION**

**Councilperson Davis Johnson** recommended that components from the Treasure Coast Regional Planning Council's evaluation tool be tailored to suit the needs for the city manager's evaluation. She stated that she would have it done and distributed to the city council by January 8<sup>th</sup>. Ms Davis Johnson continued with inquiring as to who would be responsible for averaging the evaluation scores.

**City Attorney Ryan** stated that the process needed to be determined by the city council as to whether or not they wanted to conduct the entire process in an open meeting or appoint one person to average the scores and report back to the city council at an open meeting. She reminded the city council that there could not be any discussion amongst themselves in private.

**Chair pro tem Davis** requested that the process be completed and on the agenda for the January 20<sup>th</sup> Regular City Council Meeting.

**City Manager Jones** stated that she had set aside January 11<sup>th</sup> and January 12<sup>th</sup> for evaluation from the city council.

**Norma Duncombe, 3560 Lake Shore Drive**, stated that the city council should ensure that the evaluation is fair and conducive for six months of employment.

**Councilperson Lowe** requested a report on the removal of two banyan trees from Tate Recreation Center. He requested a report on the proposal submitted by Kenny Burgess for the utilization of the amphitheatre at Tate Recreation Center. Councilperson Lowe extended a welcome to Mr. Bob Baldwin and encouraged the city council to do whatever it could in assisting Mr. Baldwin's efforts in hosting his event.

**Councilperson Davis Johnson** announced that a Super Bowl camp would be held in Riviera Beach as part of the Palm Beach County Super Bowl festivities. She reported on her efforts in establishing a functional youth council for the city. Councilperson Davis Johnson inquired as to when the city council would be revisiting the organization of the legislative department and its staff. She urged communication amongst staff and the city manager and collaborative work efforts amongst the city council.

**Councilperson Brooks** announced that plans were being made to rename the municipal complex after the late former mayor Bobby Brooks in February in commemoration of Black History month. She also announced that staff was working on having a program in place that would assist senior and disabled citizens, that have a fixed income, with their water bill. Councilperson Brooks

appealed to the residents and business owners in the city to assist R.J. Hendley Christian School especially financially.

**Chair pro tem Davis** expressed appreciation to the Park Manor Homeowner Association for their monetary contribution for the purchase of toys that were given away for Christmas. She announced that fliers were on the table regarding FP&L's efforts to do 50 energy home makeovers within the city.

**Chairperson Pardo** requested that a report be provided on Jazz After Dark for the past three months. She requested that Bicentennial Park be added to the list of workshops that needed to be scheduled and that the city council be polled regarding the FP&L ordinance. Chairperson Pardo expressed appreciation to the homeowners and condominium associations on Singer Island for their donation of toys to the toy drive for distribution throughout the city.

**Mayor Masters** expressed appreciation to Bob Baldwin for his desire to bring his musical endeavor to the city. He expressed appreciation to City Attorney Ryan for her victory in the case involving a vessel owned by Fane Lozman and the precedent that was set as a result of the ruling. Mayor Masters announced that testing for Census 2010 would be held January 10<sup>th</sup> at Hurst Chapel AME Church at 2:00 p.m.

### **ADJOURNMENT**

**There being no further business, the meeting was duly adjourned at 9:00 p.m.**

APPROVED:

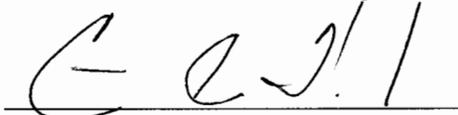


THOMAS A. MASTERS  
MAYOR



DAWN S. PARDO  
CHAIRPERSON

ATTEST:



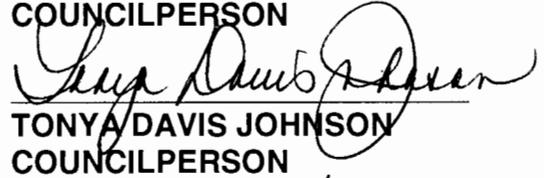
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK



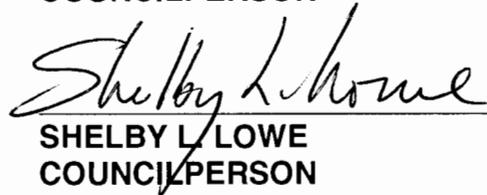
JUDY L. DAVIS  
CHAIR PRO TEM



BILLIE E. BROOKS  
COUNCILPERSON



TONYA DAVIS JOHNSON  
COUNCILPERSON



SHELBY L. LOWE  
COUNCILPERSON

MOTIONED BY: \_\_\_\_\_  
SECONDED BY: \_\_\_\_\_

D. PARDO	_____	Aye
J. DAVIS	_____	Aye
B. BROOKS	_____	Aye
T. D. JOHNSON	_____	Aye
S. LOWE	_____	Aye

DATE APPROVED: 01/20/2010