CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, FEBRUARY 17, 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: Mayor Thomas A. Masters; 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.

Invocation/Pledge of Allegiance

Everyone stood for a Moment of Silence and the Pledge of Allegiance led by Chair pro tem Davis.

AGENDA Approval:

Additions, Deletions, Substitutions

City Manager Jones made the following revisions to the agenda: added proclamation for Bobbie E. Brooks week; added approval of recommendation of the International Harbor at Riviera Beach Conceptual Development Plan; and deleted No. 4 – proclamation for Pastor Adams and No. 8 – resolution reference state legislative priorities.

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 Davis Johnson** 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 FEBRUARY 3, 2009.

RESOLUTIONS:

END OF CONSENT AGENDA

A motion was made by **Councilperson Davis Johnson** 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:

2. PRESENTATION OF THE COMBAT CROSS TO OFFICER ROTT AND CORPORAL AGUIRRE FOR THEIR HEROIC ACTIONS.

Commander Mitchell read the citation regarding the actions of Officer Rott and Corporal Aguirre.

Chief of Police Williams presented the Combat Cross to Officer Rott, Corporal Aguirre, and Sgt. Gary Wilson.

3. PROCLAMATION DESIGNATING FEBRUARY 23, 2010 AS FPL HOME ENERGY MAKEOVER DAY.

Chair pro tem Davis read the proclamation into the record.

4. PROCLAMATION PRESENTING A KEY TO THE CITY AND PROCLAIMING JANUARY 17, 2010 AS PASTOR JAMES E. ADAMS DAY. **ITEM DELETED**

5. PRESENTATION BY SHANDRA DAWKINS, EXECUTIVE DIRECTOR, FLORIDA RESOURCE CENTER FOR WOMEN AND CHILDREN, INC. ON SUPPORTING THE HEALTH AND WELL-BEING (SHAW) PROJECT THEY WOULD LIKE TO IMPLEMENT IN RIVIERA BEACH.

5A. PROCLAMATION PROCLAIMING THE WEEK OF FEBRUARY 21-27, 2010 AS MAYOR BOBBIE E. BROOKS' WEEK IN THE CITY OF RIVIERA BEACH.

Mayor Masters read the proclamation into the record.

PUBLIC HEARINGS:

ORDINANCES ON SECOND READING:

NONE

ORDINANCES ON FIRST READING:

6. ORDINANCE NO. _3075_ AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ENACTING A ONE-YEAR MORATORIUM 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; CONFLICTS AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned ordinance into the record.

A motion was made by **Chair pro tem Davis** and seconded by **Councilperson Davis Johnson** to approve Ordinance No. 3075 on first reading.

MOTION

Dr. Angela Wynn, W 35th Street, made comments in support of 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] – 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.*

Michael Goelz, 2100 Broadway, made comments reference the status of the conceptual development plan within a three year timeframe.

Fane Lane, 2100 Broadway, made comments reference his call for an investigation into the lease agreement for the Tikki Bar and Restaurant. He continued with comments reference how he was handled versus other tenants within the marina who owed the city money for nonpayment of slip rental.

Carol Mahoney, 737 SW 1st Avenue, extended an invitation to the mayor and city council to attend the Heritage Festival, February 19th, 6:00 p.m. until 9:00 p.m. at the Ezelle Hester Center in Boynton Beach.

Brealauna Leassear, 4031 #C Palm Bay Circle, recited the "I Have A Dream" speech written by Dr. Martin Luther King, Jr.

Joseph Anderson, 331 W 16th Way, expressed words of appreciation to the elected officials for their attendance at the Meet and Greet gala hosted by the Voters League of the Palm Beaches on February 13th and he thanked City Clerk Ward for the presentation on the 2010 Election update.

Angela Wynn, W 35th Street, made comments in support of the conceptual development plan. She also encouraged the residents to exercise their right to vote March 9th.

Amon Yis-rael, 1133 W 26th Court, made comments reference the interest of some residents in having the Palm Beach County Sheriff's Office provide law enforcement to the city.

1Public 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:

7. **RESOLUTION NO. 20-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE IMPLEMENTATION OF A CODE ENFORCEMENT AMNESTY PROGRAM TO ENCOURAGE PROPER HOME AND PROPERTY MAINTENANCE AND COMPLIANCE WITH CITY CODES AND ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.**

   City Clerk Ward read the aforementioned resolution into the record.

   A motion was made by **Councilperson Davis Johnson** and seconded by **Councilperson Lowe** to approve Resolution No. 20-10.

   MOTION

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

   MOTION APPROVED

   Staff was directed to provide a list of properties with code violations to the City Council for review with a workshop being scheduled at a future date.

8. **RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING STAFF'S RECOMMENDATIONS OF STATE LEGISLATIVE PRIORITIES FOR FISCAL YEAR 2010; AND PROVIDING AN EFFECTIVE DATE.**

   ITEM DELETED

9. **RESOLUTION NO. 21-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REAFFIRMING THE PLACEMENT OF LEGISLATIVE EMPLOYEES UNDER THE SUPERVISION OF THE CITY MANAGER; 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. 21-10.

MOTION

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

MOTION APPROVED

10. CITY COUNCIL TO APPROVE THE STAFF RECOMMENDATION OF THE INTERNATIONAL HARBOR AT RIVIERA BEACH CONCEPTUAL DEVELOPMENT PLAN.

City Manager Jones stated that the plan was adopted at a previous CRA Meeting and staff was directed to place the item on the agenda for the City Council Meeting.

Ethel Isaacs Williams, Esq., made comments on behalf of her clients Viking Developers.

Carlos Videura, representing Rybovich, displayed the conceptual development plan for the marina district.

Molly Douglas, City of West Palm Beach, made comments in support of the conceptual development plan.

Fane Lozman, 2100 Broadway, made comments against the conceptual development plan.

Michael Goelz, 2100 Broadway, made comments against the conceptual development plan.

Vivian Havener, 245 E 25th Street, made comments in support of the conceptual development plan.

Mike Tarlitz, 3600 Broadway, made comments in support of the conceptual development plan.

Gary Barrette, 2870 Antietam Lane, made comments in support of the conceptual development plan.

James Williams, 1191 Morse Boulevard, made comments in support of the conceptual development plan.

City Manager Jones stated that a question and answer session would be held February 23rd, 1:00 p.m. until 7:00 p.m. at Newcomb Hall for residents to view the plan and participate in dialogue.

A motion was made by **Chair pro tem Davis** and seconded by **Councilperson Davis Johnson** to accept the conceptual development plan as presented.

MOTION

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

MOTION APPROVED

BOARD APPOINTMENT(S):

NONE

DISCUSSION BY THE CITY MANAGER:

City Manager Jones made comments reference information contained on the US Conference of Mayors' website regarding the various cities mobilizing to assist with the Haiti relief.

LEGAL DISCUSSION/REQUEST:

NONE

DISCUSSION AND RECOMMENDATIONS BY CITY COUNCIL:

Chair pro tem Davis solicited the continued support of Officer DeSantis and his family as he prepares to be deployed.

Councilperson Brooks made comments reference a workshop being held regarding the local preference ordinance. She continued with comments regarding a meeting she attended with members of staff reference the current water rates. Councilperson Brooks read an invitation into the record inviting everyone to attend a reception honoring the city's first black mayor February 19, 2010 at 5:30 p.m.

Councilperson Davis Johnson expressed words of appreciation to the employees of the Parks and Recreation Department for the success of NFL Skills Day held February 6th.

Chairperson Pardo announced that the Parent and Student Association of Suncoast High School would be hosting a Community Health Fair in the courtyard of City Hall, February 18, 2010 beginning at 5:00 p.m. She announced that she was unopposed for her re-election representing District 4.

Mayor Masters announced that a blood drive would be held and sponsored by the Martin Luther King, Jr Legacy Committee, February 27, 2010 at Currie Park. He stated that the Census Bureau was in the process of hiring and proceeded

with providing a contact number for individuals and those who took the test and passed. He announced that individuals possessing black history art could put it on display in the lobby of city hall if so desired.

ADJOURNMENT

There being no further business, the meeting was duly adjourned at 9:05 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

JUDY L. DAVIS
CHAIR PRO TEM

BILLIE E. BROOKS
COUNCILPERSON

TONYA DAVIS JOHNSON
COUNCILPERSON

SHELBY L. LOWE
COUNCILPERSON

MOTIONED BY: J. DAVIS
SECONDED BY: T. JOHNSON

D. PARDO	AYE
J. DAVIS	AYE
B. BROOKS	AYE
T. D. JOHNSON	AYE
S. LOWE	ABSENT

DATE APPROVED: 03/03/2010