

**CITY OF RIVIERA BEACH  
PALM BEACH COUNTY, FLORIDA  
REGULAR CITY COUNCIL MEETING MINUTES  
MUNICIPAL COMPLEX COUNCIL CHAMBERS  
WEDNESDAY, SEPTEMBER 15, 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 Cedrick A. Thomas; Councilperson Billie E. Brooks; 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 Councilperson Davis.

**AGENDA Approval:**

**Additions, Deletions, Substitutions**

**City Manager Jones** made the following revisions to the agenda: deleted the following – No. 6 – presentation to Ms Cynthia Morrow; No. 7 – presentation to Mrs. Rose Anne Brown; No. 10 – proclamation for Domestic Violence Awareness Month; and No. 14 – resolution reference Pine Point Road; and added No. 17 – resolution reference health insurance.

**Chairperson Pardo** stated that the resolution reference healthcare would be 13A and discussed in conjunction with Nos. 12 – resolution reference life insurance and 13 – resolution reference supplemental vision coverage.

**Mayor Masters** requested Nos. 15 – resolution regarding Viking Developers and 16 – resolution regarding Rybovich Riviera Beach LLC be moved up on the agenda due to the number of senior residents in the audience interested in speaking on the items.

**Chairperson Pardo** stated that as a result, Nos. 15 and 16 would be discussed at the beginning of the Regular agenda.

**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 **Councilperson Brooks** and seconded by **Chair pro tem Davis** 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 SEPTEMBER 1, 2010.

**RESOLUTIONS:**

2. RESOLUTION NO. 105-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING PAYMENT IN THE AMOUNT OF \$20,220 TO MCNAUGHTON FOR SERVICE OF NEW AND POPULAR LEASED BOOKS, DURING THE PERIOD OF OCTOBER 1, 2010 THROUGH SEPTEMBER 30, 2011; AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT FOR SAME FROM ACCOUNT NUMBER 001-1336-571-0-6101, AND PROVIDING AN EFFECTIVE DATE.

3. RESOLUTION NO. 106-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AUTHORIZING THE FINANCE DEPARTMENT TO MAKE PAYMENT IN THE AMOUNT OF \$6,200.00 TO PROMOTIONAL CONSULTING UNLIMITED AS PAYMENT FOR PROVIDING SERVICE AND TESTING MATERIALS FOR THE RANK OF POLICE COMMANDER; AND PROVIDING AN ADDITIONAL PAYMENT NOT TO EXCEED \$2,100.00 FOR A TOTAL OF SIX (6) CANDIDATES TESTING AT A COST OF \$350.00 FOR EACH CANDIDATE; AND PROVIDING AN EFFECTIVE DATE.
  
4. RESOLUTION NO. 107-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, UPDATING THE FURLOUGH POLICY FOR FISCAL YEAR 2010-2011; AND PROVIDING AN EFFECTIVE DATE.
  
5. RESOLUTION NO. 108-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDED PROFESSIONAL SERVICES AGREEMENT AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH O'BRIEN'S RESPONSE MANAGEMENT INC., OF MAITLAND, FLORIDA BY PIGGYBACKING FROM COOPER CITY RFP #2009-7 TO PROVIDE DEBRIS MONITORING SERVICES ON AN AS-NEEDED BASIS AS MAYBE REQUIRED BY THE CITY OF RIVIERA BEACH; AND PROVIDING AN EFFECTIVE DATE.

**END OF CONSENT AGENDA**

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

6. PRESENTATION – RECOGNITION OF CYNTHIA MORROW FOR HER YEARS OF SUPPORT AS A MEMBER OF THE LIBRARY ADVISORY BOARD.

**ITEM DELETED**

7. PRESENTATION – RETIREMENT MEMENTO PRESENTED TO ROSE ANNE BROWN, EMPLOYED FROM AUGUST 4, 1997 THROUGH AUGUST 31, 2010, TOTALING THIRTEEN (13) YEARS OF DEDICATED SERVICE TO THE CITY MANAGER’S OFFICE AND THE CITIZENS OF RIVIERA BEACH.

**ITEM DELETED**

8. PRESENTATION BY REGAIN AMERICAN JOBS REGARDING AN EMPLOYMENT EXPO, “PUTTING AMERICA BACK TO WORK” TO BE HELD AT THE PALM BEACH COUNTY CONVENTION CENTER, SEPTEMBER 28-29, 2010.

A presentation was given by Eddie Beverly, Senior Marketing and Sales Coordinator.

9. PROCLAMATION – DECLARING THE MONTH OF SEPTEMBER AS “NATIONAL SICKLE CELL AWARENESS MONTH” ON BEHALF OF THE SICKLE CELL FOUNDATION OF PALM BEACH COUNTY AND TREASURE COAST, INC.

Mayor Masters presented the proclamation for National Sickle Cell Awareness Month.

10. PROCLAMATION – DECLARING THE MONTH OF OCTOBER AS “DOMESTIC VIOLENCE AWARENESS MONTH” ON BEHALF OF THE FLORIDA RESOURCE CENTER FOR WOMEN AND CHILDREN, INC. ITEM DELETED

**PUBLIC HEARINGS:**

**ORDINANCES ON SECOND READING:**

NONE

**ORDINANCES ON FIRST READING:**

11. ORDINANCE NO. 3082 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE CITY OF RIVIERA BEACH COMPREHENSIVE PLAN, CAPITAL IMPROVEMENT ELEMENT FOR THE CITY’S FIVE YEAR CAPITAL PROJECTS PLAN FOR FISCAL YEARS 2010/2011 THROUGH 2014/2015, 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 **Chair pro tem Davis** and seconded by **Councilperson Brooks** to approve Ordinance No. 3082 on First Reading.

**MOTION**

**Karen Hoskins, Interim Finance Director**, requested that the motion be amended to include funding for the replacement of the air conditioning unit in city hall in the capital project plan.

**Chair pro tem Davis** moved to approve the capital improvement with the additional \$280,000 for the replacement of the hvac system in city hall.

**Councilperson Thomas** seconded.

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

**MOTION APPROVED**

**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.*

**William Wallace, 371 W 21<sup>st</sup> Street**, encouraged the city council to move forward with negotiations with WastePro.

**Chip Armstrong, 4240 Delmora Court**, encouraged the city council to move forward with the proposed project for the marina. He stated that it was an economic benefit to the city.

**Ed Chase, Northern Palm Beach County Chamber of Commerce**, introduced himself as the new president for the chamber of commerce and stated that the mayor gave a favorable presentation on the city of the Before Business Breakfast held earlier in the day. He announced that a meet and greet would be held on October 5<sup>th</sup> for the Riviera Beach Business Council and that invitations would be provided.

**Fane Lozman, E 13<sup>th</sup> Street**, stated that the city council had broken the law by approving the assignment agreement without going through competitive bidding process. He stated that as a result of what has happen, signatures were going to be gathered to replace all five councilpersons.

**Bernice Wooten, on behalf of Neighbors United**, announced that the International Coastal Cleanup would be held September 25<sup>th</sup> and the meeting host site for dissemination would be Monroe Heights Park and George Street Park. She encouraged the support of residents and business owners and anyone desiring to participate to pre-register.

**Emma Bates, 1218 W 26<sup>th</sup> Street**, encouraged the residents to exercise their right to vote on November 2<sup>nd</sup>. She stated that the task force had a plan that they would be introducing at the first city council meeting in October. She stated that the residents have been misrepresented and disrespected and as elected officials the concerns of the citizens in each district has not been listened to nor taken into consideration as it related to the proposed improvements to the marina.

**Philip Dukes, 1129 23<sup>rd</sup> Street**, read comments made by Councilperson Lowe at an August 25<sup>th</sup> CRA meeting. He stated that the proposals currently being considered by the city council benefited the developer and its assignee not the city. He stated that the garbage contract should have never been privatized and that those services needed to be brought back to the city and that there was a lack of trust of the city council felt by the citizens.

**Lynne Hubbard** stated that the elected officials do not take advantage of putting the unemployed residents of the city back to work. She stated that the city council was continuously saying that a local participation policy would be established but it had not occurred as of todate. She stated that the jobs for residents that were included in the proposal from WastePro were necessary and any other employment opportunities by way of city projects.

**Bonnie Larson** inquired as to why Broadway had not been cleaned up. She stated that it was important that for the residents to be kept abreast of what was going on in the city.

**Michael Mahoney, 2120 Broadway**, stated that the trash can in front of Bank Atlantic was overflowing with trash. He stated that parking issue next to a business located on Broadway needed to be enforced.

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. 109-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE RENEWAL OF LIFE INSURANCE COVERAGE WITH RELIANCE STANDARD LIFE INSURANCE COMPANY TO PROVIDE LIFE INSURANCE FOR CITY EMPLOYEES FOR THE POLICY YEAR 2010-2011 AND AUTHORIZING THE INTERIM FINANCE DIRECTOR TO MAKE PAYMENTS FROM VARIOUS CITY DEPARTMENTAL ACCOUNTS IN THE ESTIMATED AMOUNT NOT EXCEEDING \$79,000 FOR THE POLICY YEAR; AND PROVIDING AN EFFECTIVE DATE.**

**APPROVAL RESCHEDULED FOR SEPTEMBER 22, 2010 SPECIAL CITY COUNCIL MEETING**

13. RESOLUTION NO. 110-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING SOLSTICE BENEFITS, INC., 7901 S.W. 6<sup>TH</sup> COURT, SUITE 400, PLANTATION, FL 33324, TO OFFER SUPPLEMENTAL VISION COVERAGE TO CITY EMPLOYEES BEGINNING IN THE POLICY YEAR 2010-2011 AND AUTHORIZING THE INTERIM FINANCE DIRECTOR TO FACILITATE ALL EMPLOYEE PAYMENTS THROUGH PAYROLL DEDUCTIONS; AND PROVIDING AN EFFECTIVE DATE.

**APPROVAL RESCHEDULED FOR SEPTEMBER 22, 2010 SPECIAL CITY COUNCIL MEETING**

14. RESOLUTION NO. 111-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING THE DESIGN PLANS FOR PINE POINT ROAD LIGHTING IMPROVEMENTS AS DESIGNED BY THE FIRM OF TECHNO ENGINEERING; AUTHORIZING THE PURCHASING DIRECTOR TO SOLICIT BIDS FOR SAME; AND PROVIDING AN EFFECTIVE DATE.

**ITEM DELETED**

15. RESOLUTION NO. 112-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE ASSIGNMENT AGREEMENT BETWEEN VIKING DEVELOPERS, LLC, AND SUB-DEVELOPER, RYBOVICH RIVIERA BEACH LLC, AS IT RELATES TO THE DEVELOPMENT OF CERTAIN PROPERTY LOCATED WITHIN THE CITY'S MARINA DISTRICT; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

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

A motion was made by **Councilperson Brooks** and seconded by **Chair pro tem Davis** to approve Resolution No. 112-10.

**MOTION**

**Councilperson Lowe** inquired as to how an assignment could be discussed when the developer was not present.

**City Attorney Ryan** stated that this was previously presented and that Viking and Rybovich currently had assignment agreements but needed the city to agree with it. She stated that if the city agrees, she would bring them in separately and at that time the city would sign off on individual agreements.

**Michael Haygood, CRA Attorney,** stated that it was not necessary for the developer to be present.

A presentation was made by **Arnold Broussard, Palm Beach Consulting Group, LLC** and **Carlos Vidueira, Rybovich Riviera Beach LLC.**

**Mr. Vidueira** stated for the record that his company had no involvement with the city marina and that they would not be building it, running it, setting the rate, or determining who would be occupants; they would simply be a neighbor.

**Mike Mahoney, 2120 Broadway,** stated that he felt that the city should wait until the outcome of the referendum being that, if the item was approved but the referendum was approved, the vote tonight would be null and void.

**Lynne Hubbard, 1405 W 23<sup>rd</sup> Street,** stated that residents were in favor of redeveloping the marina but were not interested in giving it away, contamination, and not being an economic engine for the residents. She stated that the amount of money recommended in the contract was chump change for waterfront property. She stated that residents wanted what was previously discussed in 2008 which was the plan that included retail.

**B. G. Sykes, 333 E 24<sup>th</sup> Street,** stated that the rent amount included in the contract was fair and was based upon the formula utilized to determine rental rates. He stated that individuals needed to understand the rate of return and research the track record of the company's various locations as it related to contamination and how contamination caused by them would mean financial devastation.

**Fane Lozman, 200 E 13<sup>th</sup> Street,** stated that the revenue currently received for wet and dry slips exceeded the amount of revenue the city would receive from the proposed agreement. He stated that the elected officials have violated their oath by taking the recreational RFP for the marina and allowing a substantial change to be made to include an industrial boatyard without going out for a new bid. He stated that moving forward the proposals would be against the utilization intent of Charles Newcomb when he gave the city the property.

**Bonnie Larson, W 27<sup>th</sup> Street,** stated that the document still included 19 elements which were supposed to be removed.

**Elizabeth Wade, 1571 W 13<sup>th</sup> Street,** stated that language needed to be included in the contract stating that the city would be held harmless regardless of the outcome for the referendum. She stated that the city had been shown disrespect as it related to the developer not being in attendance to the meeting. She stated that if the dedicated document written by Mr Newcomb was read, it would be known that he wanted it to be utilized by the everyday person not just the super rich.

**James L. Williams, 1191 Morse Blvd,** stated that the financial part of the issue needed to be seriously considered especially with current economic conditions. He stated that the city needed to move forward with the project and that the Waterfront Advisory Board had supported the city on the project twice.

**Alyssa Freeman, 1940 Broadway,** read letters of support into the record from Marine Industries of Palm Beach County, Murrelle Marine of the Palm Beaches, Marine Education Foundation, Beard Marine of the Palm Beaches, SeaTow Services, Riviera Beach Maritime Academy, Riviera Beach Youth Build, and LagoonKeepers.org.

**Carol Strick, 3516 Whitehall Dr,** stated that there was no mention of the environmental and marine life impact from the proposed project and the cost of the mega yachts. She stated that the revenue the company would receive from boat repairs would allow them to payout their rent in no time and the rest would be profit. She stated that funds being spent on this project should be utilized for youth and senior programs.

**Ed Chase, 800 US Hwy 1,** encouraged the city council to move forward on the proposed project.

**Bruce Guyton, 1247 W 26<sup>th</sup> Ct,** stated that he was a former elected official and he was familiar with how the marina was subsidized by city funds. He stated that the argument was about a facility that a number of residents do not utilize. He stated that he received figures from the Finance Department and according to the figures provided, it was funding that the city would have to cover instead of expending on other programs i.e. youth and senior programs. He stated that private investment was needed for economic viability.

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

**MOTION APPROVED**

**Chairperson Pardo** stated that she had received an email and she read it into the record, a message she received from Mike Clark, Viking Yachts President.

16. **RESOLUTION NO. 113-10 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 25 YEAR SUBMERGED AND UPLAND LANDS LEASE WITH RYBOVICH RIVIERA BEACH LLC, THE RIVIERA BEACH COMMUNITY REDVELOPMENT AGENCY, AND THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO FACILITATE THE TERMS OF THE LEASE; 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 Davis** to approve Resolution No. 113-10.

**MOTION**

**Fane Lozman, E 13<sup>th</sup> Street**, stated that any action taken by the city council at tonight's meeting would be in violation of the law.

**David Cross, 1030 Sugar Sands**, stated that he heard the opposition but had not heard of a viable alternative. He encouraged the city council to support the proposed project.

**Ronnie Felder, 1653 W 27<sup>th</sup> Street**, stated that in talking with his father the statement was made about saving the marina and Newcomb Hall and no one was talking about saving the children. He stated that he felt that jobs would be available for the residents of the city however; we needed to make the necessary preparations for them.

**Dionco Bedford, 1218 W 23<sup>rd</sup> Street**, stated that he was in support of the proposed project because of the economic opportunities it would provide. He stated that this was an opportunity to provide training and other avenues for youth to spend their down time.

**Bonnie Larson, W 27<sup>TH</sup> Street**, stated that there were a number of things in the contract that she felt needed to be corrected. She stated that according to the contract, the boundary lines include Bicentennial Park which could not happen, the contract stated that the lease was approved by the state, and that was not so. She stated that the agreement allows for a mortgage to be placed against the property and that the leasee determined who would be the occupants. She stated that the referendum had not been voted upon and if the city council approved the agreement, the city was being subjected to a lawsuit.

**Pamela Williams, 1572 W 33<sup>rd</sup> Street**, encouraged the city council to vote in support of the proposed project. She stated that the project provided a viable economic opportunity for the city.

**James L. Williams, 1191 Morse Blvd**, encouraged the city council to support the proposed project. He stated that this would be a good partnership and that this was an opportunity for the city to be revitalized.

**Bruce Herring, 1372 W 33<sup>rd</sup> Street**, stated that the responsibility of an elected official was tremendous. He stated that individuals were watching the meetings to see what was going to happen with this project and how the city conducts itself with various city projects. He stated that once individuals understood the

financial impact of the proposed project, then it was possible that the referendum would not pass.

**Amon Yisrael, 1133 W 26<sup>th</sup> Court**, read a statement into the record outlining the city's assets such as the Port of Palm Beach; the beach; and one of the top ranked high schools in the nation. His statement continued with how the proposed project would be an additional asset to the city.

**Elizabeth Wade, 1571 W 13<sup>th</sup> Street**, stated that when the city council reviewed the procurement code, as it related to minority participation, there was a need to address citizens making deals with potential vendors who obtain copies of any rfp's.

**Chairperson Pardo** stated that the following individuals did not wish to speak but were in favor of the marina project: Nelkens Dorvil, Frenel Cassagnol, Keisha Akins, Benjamin Goldwire, Albert Williams, Dale Redden, Pauline Drummond, George Alexandre, and Sean McSweeney.

Councilperson Lowe reviewed concerns he had with the background summary as well as contents of the agreement.

A lengthy discussion ensued amongst the city council and Michael Haygood, CRA Attorney, the city manager, and Mr. Arnold Broussard.

**Mayor Masters** asked Mr. Haygood the following questions: whether or not the action the CRA board authorized him to file was a dec action; when it would be filed; would it be filed before the referendum; if filed before the referendum and the suit was a success would that eliminate the people from voting on the issue; and who would he be suing.

**Mr. Haygood** answered that it would probably a dec action; the he did not know when the action would be filed; however, the action would be filed prior to the referendum; he did not know what remedy the court would fashion, but imagined if the judge agreed with the opposition it would not appear on the November ballot; and there would probably be named parties in the suit and others.

**Mayor Masters** asked City Clerk Ward whether or not it was unusual for a city council to take action on a matter that was two months away from being on a referendum.

**City Clerk Ward** stated to the mayor that he should probably direct that question at the city council instead of her because she found nothing unusual to happen in situations.

**Mayor Masters** stated that he questioned if in fact there was a scheduled referendum and the supervisor of elections stated on the record that the ballots

were printed and would be mailed October 1<sup>st</sup> to absentee voters. He inquired as to the purpose of voting on the issue when ballots would be mailed, and there was a pending lawsuit, and there was no approval from the state. He stated that, the prudent thing to do would be to wait and see the outcome of the referendum. Mayor Masters read a letter into the record received from Bob Ballard, Deputy Secretary Land & Recreation Florida Department of Environmental Protection.

A discussion ensued amongst Mayor Masters and Mr. Vidueira, Mr. Broussard, and Atty. Haygood.

**Councilperson Lowe** inquired as to which elements the lease covered.

**Mr. Broussard** stated that the lease covered all of the elements but primarily dealt with element 13 working waterfront in phase 1 but included the consideration for element 14 which was the workshop area and phase 2 working waterfront in terms of the option.

**Councilperson Lowe** inquired as to whether or not there would be separate leases.

**Mr. Broussard** answered no because once it got to the point where the property would be leased, then a similar process would take place just as was done for the proposed lease agreement wherein an appraisal, evaluation, and rent determination would be conducted.

**Councilperson Lowe** stated that he had a problem with that because the elements were separate and should be covered under separate leases because there was potential to get a better deal on the additional leases.

**City Attorney Ryan** stated for the record that the proposed was an overall lease but there would have to be amendments because there was no way of determining what the price would be. A lengthy discussion ensued.

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

**MOTION APPROVED**

At this point attention was drawn to the remaining agenda due to the lateness of the hour, and Chair pro tem Davis inquired as to what would happen if the resolutions regarding the insurance were not acted upon.

**City Manager Jones** stated that the services would automatically rollover to Cigna with over a 20% increase.

A motion was made by **Councilperson Brooks** seconded by **Councilperson Thomas** to schedule a Special City Council Meeting, September 22, 2010 immediately following the CRA Meeting to consider Items 13, 14, and 17.

**MOTION**

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

**MOTION APPROVED**

**RESOLUTION NO. \_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING PLACEMENT OF HEALTH INSURANCE COVERAGE WITH COVENTRY HEALTH CARE OF FLORIDA INC. 1340 CONCORD TERRACE SUNRISE, FLORIDA 33323 TO PROVIDE MEDICAL INSURANCE FOR CITY EMPLOYEES FOR THE POLICY YEAR 2010-2011 AND AUTHORIZING THE INTERIM FINANCE DIRECTOR TO MAKE PAYMENTS FROM THE VARIOUS CITY DEPARTMENTAL ACCOUNTS IN THE ESTIMATED AMOUNT OF \$3,731,875.20 FOR HEALTH INSURANCE; AND PROVIDING AN EFFECTIVE DATE.**

**ITEM ADDED TO AGENDA  
APPROVAL RESCHEDULED FOR SEPTEMBER 22, 2010**

**BOARD APPOINTMENT(S):**

NONE

**DISCUSSION BY THE CITY MANAGER:**

NONE

**LEGAL DISCUSSION/REQUEST:**

NONE

**DISCUSSION AND RECOMMENDATIONS BY CITY COUNCIL:**

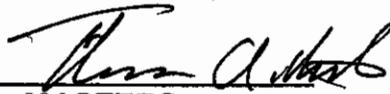
NONE

**ADJOURNMENT**

**There being no further business, the meeting was duly adjourned at 10:55 p.m.**

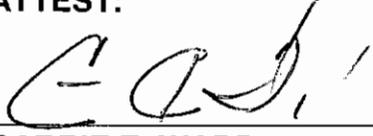
PLEASE NOTE: A COMPLETE RECORDING AND AGENDA PACKAGE IS AVAILABLE IN THE OFFICE OF THE CITY CLERK.

APPROVED:

  
\_\_\_\_\_  
THOMAS A. MASTERS  
MAYOR

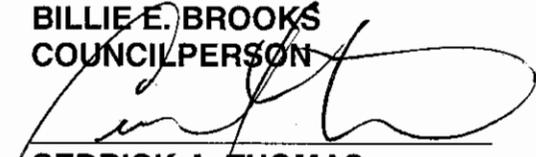
  
\_\_\_\_\_  
DAWN S. PARDO  
CHAIRPERSON

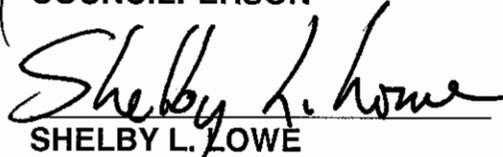
ATTEST:

  
\_\_\_\_\_  
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

  
\_\_\_\_\_  
JUDY L. DAVIS  
CHAIR PRO TEM

ABSENT  
\_\_\_\_\_  
BILLIE E. BROOKS  
COUNCILPERSON

  
\_\_\_\_\_  
CEDRICK A. THOMAS  
COUNCILPERSON

  
\_\_\_\_\_  
SHELBY L. LOWE  
COUNCILPERSON

MOTIONED BY: J. DAVIS  
SECONDED BY: C. THOMAS

D. PARDO AYE  
J. DAVIS AYE  
B. BROOKS ABSENT  
C. THOMAS AYE  
S. LOWE AYE

DATE APPROVED: 10/06/2010