

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, OCTOBER 20, 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 Chairperson Pardo.

AGENDA Approval:

Additions, Deletions, Substitutions

City Manager Jones stated that the following were deleted from the agenda: No. 5 – resolution reference an unclassified position; No. 7 – presentation to Cynthia Morrow; and No. 9 – presentation of the 2008/2009 Fiscal Audit.

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 OCTOBER 6, 2010.

RESOLUTIONS:

2. RESOLUTION NO. 131-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH GALLAGHER BASSETT SERVICES AND AUTHORIZING THE INTERIM FINANCE DIRECTOR TO MAKE MONTHLY PAYMENTS FROM THE INSURANCE LIABILITY FUND ACCOUNT NO. 602-0539-513-0-3101 UP TO THE AMOUNT OF \$84,759.00 FOR CLAIMS ADMINISTRATION; AND PROVIDING AN EFFECTIVE DATE.
3. RESOLUTION NO. 132-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE INTERIM FINANCE DIRECTOR TO REDUCE THE UTILITY ACCOUNTS RECEIVABLE BALANCE AND THE ALLOWANCE FOR BAD DEBTS BY THE AMOUNT OF \$91,600.02; AND PROVIDING AN EFFECTIVE DATE.
4. RESOLUTION NO. 133-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDED THE BID FOR THE WEST 32ND STREET DRAINAGE REPAIR PROJECT TO MIGUEL LOPEZ JR INC. IN THE AMOUNT OF \$110,680.00; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE CONTRACT; AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT FOR SAME; AND PROVIDING FOR AN EFFECTIVE DATE.

5. RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE ADMINISTRATIVE SALARY SCHEDULE OF THE JOB CLASSIFICATION LIST BY CREATING THE UNCLASSIFIED POSITION OF ASSISTANT TO THE CITY MANAGER; AND PROVIDING AN EFFECTIVE DATE. DELETED

6. RESOLUTION NO. 134-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING THE GRANT FUNDS FROM THE OFFICE OF THE ATTORNEY GENERAL – VICTIMS OF CRIME ACT (VOCA) FOR THE VICTIM ADVOCATE PROGRAM IN THE AMOUNT OF \$45,000; TO CONTINUE WITH CRISIS RESPONSE SERVICES FOCUSING IN AREAS OF HOMICIDE, DOMESTIC VIOLENCE, CHILD DEATHS, AND ELDERLY VICTIMIZATION; AUTHORIZING THE MAYOR TO EXECUTE CERTIFICATE OF ACCEPTANCE OF SUB GRANT AWARD; AUTHORIZING THE FINANCE DIRECTOR TO SET-UP THE BUDGET IN FUND 125 AND PROVIDING AN EFFECTIVE DATE.

END OF CONSENT AGENDA

A motion was made by **Councilperson Brooks** and seconded by **Councilperson Thomas** to approve the Consent Agenda as amended.

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:

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

8. PRESENTATION – RETIREMENT MEMENTO PRESENTED TO ROSE ANNE BROWN, EMPLOYED FROM AUGUST 4, 1997 THROUGH AUGUST 31, 2010.

Doretha Perry, Human Resources Director and Mayor Masters presented retired memento to Rose Anne Brown for 12 years of service to the residents of the City of Riviera Beach.

Mrs. Brown expressed words of appreciation.

Mayor Masters proclaimed October 23, 2010 as Rose Anne Brown Day and

urged the residents to do the same.

Gerald Ward, 31 W 20th Street, expressed accolades for the service Mrs. Brown provided the city and encouraged the city manager to employ more than one person to provide these services as time continues.

Herman McCray, expressed words of appreciation and accolades for the services provided by Mrs. Brown.

9. PRESENTATION OF THE 2008-2009 FISCAL YEAR AUDIT FOR THE CITY OF RIVIERA BEACH.

DELETED

PUBLIC HEARINGS:

NONE

ORDINANCES ON SECOND READING:

10. **ORDINANCE NO. 3083 AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE CITY CODE OF ORDINANCES (THE "CITY CODE") TO IMPLEMENT CERTAIN ELECTION RELATED PROVISIONS OF THE CITY CHARTER AS AMENDED AT THE MARCH 11, 2008 CHARTER AMENDMENT ELECTION, AND TO CONFORM EXISTING CITY CODE PROVISIONS CONCERNING ELECTIONS AND ELECTED OFFICIALS TO THE AMENDED CHARTER; AMENDING CHAPTER 2 "ADMINISTRATION" OF THE CITY CODE TO PROVIDE PROCEDURES FOR FILLING VACANCIES IN ELECTED CITY OFFICE; AMENDING CHAPTER 5 "ELECTIONS" OF THE CITY CODE TO REVISE CITY ELECTION DATES AND PROCEDURES TO CONFORM TO THE AMENDED CHARTER AND TO CONFIRM ADOPTION OF 83-498, LAWS OF FLORIDA (1983) CONCERNING UNIFORM ELECTION DATES; CONFIRMING APPLICATION OF STATE ELECTION LAWS AND ELECTORAL DUTIES OF CITY CLERK; REVISING CANDIDATE QUALIFYING PROCEDURES; PROVIDING PROCEDURE FOR FILLING ANY VACANCY IN CITY ELECTIVE OFFICE CANDIDACY; CONFIRMING DATE FOR COMMENCEMENT OF CITY ELECTIVE TERMS; PROVIDING FOR REPEAL OF ARTICLE II "INSPECTORS AND CLERKS" OF CHAPTER 5 "ELECTIONS" AS REDUNDANT TO EXISTING AUTHORITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR EFFECTIVE DATE.**

City Clerk Ward read the aforementioned ordinance into the record and announced that it was published in the October 10, 2010 edition of the Palm Beach Post.

A motion was made by **Chair pro tem Davis** and seconded by **Councilperson Thomas** to adopt Ordinance No. 3083.

MOTION

Fane Lozman, inquired as to the procedure for filling of vacancies according to Section 2-30 in the ordinance if all five council people were successfully recalled.

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

MOTION APPROVED

11. **ORDINANCE NO. 3084 AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 22, ENTITLED "BUILDINGS AND BUILDING REGULATIONS," BY ADOPTING A NEW ARTICLE V, ENTITLED "BOARDING OF VACANT BUILDINGS OR STRUCTURES;" PROVIDING FOR REGULATIONS AND ENFORCEMENT; PROVIDING FOR SEVERABILITY, CONFLICTS, AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

City Clerk Ward read the aforementioned ordinance into the record and announced that it was published in the October 10, 2010 edition of the Palm Beach Post.

A motion was made by **Chair pro tem Davis** and seconded by **Councilperson Brooks** to adopt Ordinance No. 3084.

MOTION

Bonnie Larson, W 27th Street, inquired as to whether or not the ordinance addressed properties currently boarded in a haphazard manner and if property owners were unwilling to comply how it would be enforced.

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

MOTION APPROVED

ORDINANCES ON FIRST READING:

NONE

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.*

Nora Mahoney, Broadway, stated that the last Planning and Zoning Meeting she attended was not well attended by the public. She suggested that more marketing efforts be put forth by the Community Development to encourage public participation. She stated that funds needed to be allocated to replace the microphone system within the chambers.

Michael Mahoney, Broadway, stated that the city council needed to address the parking issue adjacent to the BoatHouse. He stated that the city needed to enforce whatever law was on the book regarding the parking issues or any other matters.

Herman McCray, Avenue S, stated that the parking issue for businesses along Broadway was nothing new and that maybe the same thing should be done in the city like in Delray wherein US 1 was a one way street and do the same for Avenue E; by doing so it would eliminate the parking issue. He stated that as far as the solid waste contract, there was going to be a lawsuit no matter what and that as elected officials, the city council should attempt to error on the side of what's right. He urged the city council to do the best job for the people.

Elizabeth Wade, W 13th Street, stated that if a contract presented outlined several entities, it was the responsibility of the city council to be aware of the contents of the document. She stated that when funds were expended to suit residents over the marina issue it was nothing to expend funds for dismissing proposals submitted for the RFP and starting the process over.

Bruce Herring, stated that the elected officials had a tough job but were doing a good job. He stated that he was in support of leasing the marina and for those who were in support of the leasing should vote no on the question.

Fane Lozman stated that a recall was taking place because of the action by the city council regarding leasing of the marina. He stated that beginning October 28th the collection of signatures would began for the recall of the entire council. He stated that the agreement was signed by Councilperson Pardo not the mayor in spite of him being able to operate in his capacity.

Phillip Dukes stated that the contract for the marina was not for the benefit of the city. He stated that the city needed to run its own marina.

Bonnie Larson, W 27th Street, stated that there was a need to discontinue additions and deletions to the agenda. She then stated that candidate signs were located on various city properties and needed to be removed; and that the esthetics of various city owned properties along Broadway was appalling and the city needed to cleanup its property.

William Burrs, Canterbury Drive S, asked where the amendments to the solid waste contract were; and that the city council did not have to accept staff's recommendation as it related to the solid waste contract and that the decision should be based upon

what was in the best interest of the citizens and business owners.

Pamela Williams, W 33rd Street, expressed appreciation to the city council for moving forward with approving the proposed project for the marina in spite of the adversity. She stated that there were members of the community that supported the elected officials and would do whatever they could to assist in getting the truth dispersed.

George Carter, Palm Drive, announced that the maritime academy would be shortening its school week to four days. He stated that Fridays would be utilized for part-time employment and vocational training if students were eligible academically and for those who were not, Friday would be their day for intensive tutoring to assist them in the areas in which they were non-proficient.

Amon Yisrael, stated the following assets exist in the city: an international port; best police department in the county with technology second to none; the best beach; the best fire department; the best water treatment facility; and one of the best high schools in the nation; he continued with naming additional assets within the community. He stated that the city council had the support of many residents and that they needed to continue the course upon which they were on in redeveloping the marina.

Rodney Roberts stated that the city council snubbed its nose at those who signed the petition and sided with a vendor who was suing one of its residents. He stated that although it was mentioned that Rybovich would be leased the property for 25 years, they were guaranteed 50 years. He stated that with all the accolades mentioned by the previous speaker that was an indication that the property was worth more than the \$4.8 per square foot offered in the contract. He stated that it was rumored that Councilperson Thomas had family ties with individuals involved with one of the RFP proposals submitted for the solid waste contract and other previous business deals with the city and that the information was not disclosed openly.

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. 135-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE DISMISSAL OF RFP #246-09 FOR PROVIDING SOLID WASTE COLLECTION SERVICES; AUTHORIZING A BID SOLICITATION FOR SAME; 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. 135-10.

MOTION

Fane Lozman inquired as to the accountability for the RFP process. He stated that he did not have confidence that the city manager was capable of successfully working through the process.

Bonnie Larson, W 27th Street, stated that the city should ensure that the vendor not be allowed to start service prior to 7:00 a.m. She stated that something should be put in place to address the problem of when services were not provided.

Russell Mackie, Tall Pines Road, stated that his company wrote letters, submitted protests, and that he and/or his attorney has attended meetings as well as made telephone calls and there was no response from the city. He stated that the city had spoken with SWS as well as Waste Management while he still awaits a response. He stated that negotiations needed to began with WastePro who followed the process and won.

Bruce Herring, 1372 W 33rd Street, stated that as elected officials they were not obligated to approve the highest bidder. He stated that if the city council were interested in looking out for its citizens, then the vendor offering which charges the least to the residents and business owners needed to be considered. He stated that elected officials were accountable to their residents and business owners not to vendors who contribute to various city based non-profit organizations, etc.

Sylvester McKinon, stated that the request was to negotiate with the number one ranked vendor. He stated that his company had lost quite a bit of time and money through the process. He stated that due process was required but had not taken place.

Anthony Badala, Lantana, FL, stated that his company submitted a RFP which was less than the number one ranked firm. He stated that a bid protest was submitted and his company won two of the protests submitted which meant that WastePro was no longer ranked number one. He stated that he was the owner of his company and no other vendor could make that statement and that the jobs listed in his RFP would go to Riviera Beach residents only.

Joe Goldstein, E Broward Blvd, representing SWS, stated that on behalf of his client, they respectfully requested that staff's recommendation to reject all submitted RFP's be denied. He stated that RFP process for the contract was done because of the cost and pricing involved as well as experience. He stated that although the city council could reject all bids, it could award the RFP and be legal. He stated that even if SWS was chosen, the city should move forward with choosing a vendor.

Patti Hamilton, representing Southern Waste Systems, encouraged the city council contact their current customers regarding the type of service provided to residents and business owners. She stated that the company was not a subsidiary of another vendor located out of state but was rooted in South Florida.

David Unversaw, Republic Services, encouraged the city council to choose Republic Services for the following reasons: best value in franchise fees; minority participation; local participation; and experience. He stated that the city council should not reject the submitted proposals and that the process was fair.

Herman McCray, Avenue S, stated there was a lot of money to be made in the garbage business. He stated that there was no doubt that everyone who submitted a proposal were capable of doing the job because the end result would be the same an empty garbage can. He stated that it was not about the city but what was the lowest price for the residents. He stated that the city council should award the bid to the lowest bidder at this time.

Andrew DeGraffenreidt, representing WastePro, stated that he needed to establish for the record if it was the city's position that the two protest filed by his client were not recognized under the city's procurement code. He stated that he was told that the protest would not be heard or considered and he was just wanted to get it on the record.

In response to his inquiry, **City Attorney Ryan** stated that it was on the record that a letter was sent to Mr. DeGraffenreidt and that he did not have to pose questions to the council individually.

Mr. DeGraffenreidt asked her if it was her opinion that the protest was not recognized under the procurement ordinance.

City Attorney Ryan stated that she had advised that a protest could not be done against a protest.

Mr. DeGraffenreidt advised that was not his question, and stated that the city had a procurement code that contained language which addressed the issues that the city council was not following.

City Attorney Ryan stated that the letter spoke for itself.

Atty. DeGraffenreidt stated that a resolution was adopted which set forth criteria that would be a guide in determining the best solid waste provider for the residents. He stated that this fiasco was not at the fault of staff who did yeomen's job in following instructions implicitly and explicitly. He stated that his client was ranked number one because they gave what was asked for by the city council through staff. He stated that it was clear that no one wanted their submitted proposals thrown out and the process began again. He challenged the elected

officials to follow the city's procurement ordinance.

William Burrs, Canterbury Drive S, stated that the city bid should be awarded to the lowest bidder. He stated that he obtained copies of the contracts and upon comparing them, SWS provided the lowest price for residents as well as businesses so they should be awarded the bid. He stated that the city manager had not been here long enough to get clarity on all city contracts but was basing her decision on what she felt was right.

Elizabeth Wade, W 13th Street, stated that she hoped that the city council would follow the city manager's recommendation because the process was tainted by the city council not by staff. She stated that there was a need to register lobbyist.

At this point Chairperson Pardo passed the gavel to Chair pro tem Davis and moved to postpone the item until the special meeting on Wednesday to listen to each vendor and decide at that time whether to choose a vendor and approve the city manager's recommendation to dismiss all submittals. Seconded by Councilperson Thomas.

City Attorney Ryan stated that the city council needed to consider time allotment for each presentation since there were four submittals.

There was a consensus of the city council directing staff to review the calendars for each councilperson as well as the vendors to determine the date for a special meeting.

A lengthy discussion ensued amongst the city council.

Councilperson Thomas inquired as to whether or not it was appropriate for the city council to listen to the vendors who submitted proposals and make a decision.

City Attorney Ryan stated that there was a necessity for a process and if the city council wanted to create one for themselves, the process conducted by staff could be rejected and start over again. She stated that the council did not have to take the city manager's recommendation for a straight bid. She stated that the city council could state that it wants a RFP and this was the criteria. She stated that the criterion was set and that the council was bound by the adopted criteria; however, the adopted criteria could be rejected and new guidelines set.

Councilperson Thomas inquired as to whether or not at the special meeting, the city council could score the vendors based upon how they felt and not how the vendors were rated by the committee.

City Attorney Ryan answered that was correct as long as the scoring was articulated at the meeting. She stated that the city council did not have to

approve staff's recommendation; the recommendation was only to assist the city council in its decision.

Councilperson Thomas stated that a copy of each proposal should have been provided to the city council; and that he would like copies distributed before lunch on Thursday.

City Attorney Ryan stated that the process for bids and the process for RFP's were being confused; bids were awarded based upon the lowest price.

A lengthy discussion continued amongst the city council, the city attorney, and the purchasing director.

At this point Councilperson Pardo restated her motion to schedule a special meeting, listen to each respondent, each respondent would have 20 minutes, and then the city council would make a decision. Seconded by Councilperson Thomas.

MOTION

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

MOTION APPROVED

13. ITEM REMOVED PRIOR TO PRINTING.

14. ITEM REMOVED PRIOR TO PRINTING.

15. **RESOLUTION NO. 136-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, GRANTING THE PETITION OF THE SONOMA BAY COMMUNITY DEVELOPMENT DISTRICT TO EXERCISE SECURITY POWER WITHIN DISTRICT BOUNDARIES AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A THREE (3) YEAR AGREEMENT TO PROVIDE POLICE SERVICES TO THE SONOMA BAY COMMUNITY DEVELOPMENT FROM JANUARY 2011 THROUGH DECEMBER 2014; AUTHORIZING THE FINANCE DIRECTOR TO ACCEPT QUARTERLY PAYMENTS IN THE AMOUNT OF \$22,500.87 FOR THREE YEARS; AND PROVIDING FOR 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. 136-10.

MOTION

Jeanne Kulick, Alamanda Way, encouraged the approval of the proposed

resolution.

Rodney Roberts, W 14th Street, inquired as to whether or not the service would be a 24 hour service, the number of officers assigned to the area, who would be responsible for insurance payments, and would the police officers also have patrol cars.

Bonnie Larson, W 27th Street, stated that funding for security services were paid through association fees and she could not understand how the city could provide an officer for that area alone.

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

MOTION APPROVED

BOARD APPOINTMENT(S):

16. APPOINTMENTS BY THE CITY COUNCIL TO THE WATERFRONT ADVISORY BOARD.

Chair pro tem Davis stated that two of the applicants did not reside within the city and requested additional time to provide an appointee from District 2.

A motion was made by **Chair pro tem Davis** and seconded by **Councilperson Thomas** to table appointments to the Waterfront Advisory Board until the next City Council Meeting.

MOTION

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

MOTION APPROVED

DISCUSSION BY THE CITY MANAGER:

City Manager Jones stated at the request of the city council, a workshop was scheduled for November 2, 2010 at 6:30 p.m. to discuss the 2008/2009 Fiscal Year Audit in the City Council Chambers.

LEGAL DISCUSSION/REQUEST:

NONE

DISCUSSION AND RECOMMENDATIONS BY CITY COUNCIL:

Councilperson Thomas encouraged residents to contact the city council, at 845-4095, regarding any questions or concerns they may have in reference to anything they may have heard. He stated that any concerns regarding water bills should be directed to the Utility Billing Department first; however, water rates have increased. He stated that

there was an increase in the business tax license and it was significant due to the new rate structure. He stated that the rate structure needed to be revisited or a breakdown provided to the city council for discussion so it could be determined whether or not fees were being duplicated. He stated that he received complaints reference some parking issues at Marsh Harbour and that "No Parking" signs would be installed in the near future which would assist the police department in enforcing the regulation. He announced that a meeting would be held in Turtle Cay at the clubhouse on October 21st at 6:30 to discuss the facts about the portion of the marina that would be leased.

Chairperson Pardo stated that there was a RFQ for a financial advisor and she would like for the city to advertise an addendum to the RFQ since the CRA was also interested in obtaining a financial advisor.

A motion was made by **Chair pro tem Davis** and seconded by **Councilperson Brooks** directing staff to advertise the addendum to the RFQ.

MOTION

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

MOTION APPROVED

Chairperson Pardo stated that she had received calls from residents on Singer Island reference the road construction; she stated that the residents were forewarned about the length of the project and the disruption in traffic flow and there was nothing that could be done.

Councilperson Brooks announced that the water bill assistance program for seniors was still in place and that individuals would be knocking on doors starting in Monroe Heights. She requested a copy of the performance guidelines for evaluating the city attorney.

City Attorney Ryan stated that she provided an evaluating tool she obtained from the League of Cities that was utilized by their organization and others but she would provide another copy.

Chair pro tem Davis stated that she received a telephone call regarding the condition of the bridge where fishing was occurring. She suggested that if individuals were not going to clean behind themselves, then maybe the city council should revisit the issue on allowing fishing from the bridge. She stated that she met with members of staff and Mr. Yassine reference the parking issue that Mr. Mahoney constantly complained about and that it was realized that the city's right of way was in the middle of the parking spots. She continued with stating that prior to the current business, another business was located there and there were no complaints she reduces the complaints down to a clash of personalities and that the business owners needed to find a way to coexist.

Councilperson Davis expressed words of appreciation to those who assisted in making Community Day for Seniors and White Cane Day a success.

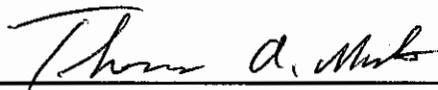
Mayor Masters stated that he would be meeting with Mr. Carter to discuss how to get more students from Riviera Beach to attend the Maritime Academy. He stated that it was shameful that a vendor desiring to do business with the city was suing one of its residents. He stated that there were discrepancies in the fliers being distributed by Rybovich regarding the number of jobs the project would create.

ADJOURNMENT

There being no further business, the meeting was duly adjourned at 10:40 p.m.

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

APPROVED:



THOMAS A. MASTERS
MAYOR

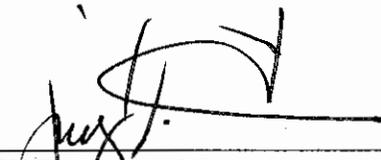


DAWN S. PARDO
CHAIRPERSON

ATTEST:



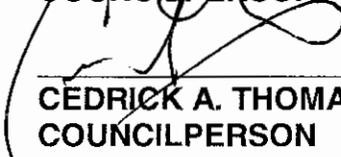
CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



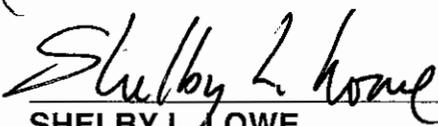
JUDY L. DAVIS
CHAIR PRO TEM



BILLIE E. BROOKS
COUNCILPERSON



CEDRICK A. THOMAS
COUNCILPERSON



SHELBY L. LOWE
COUNCILPERSON

MOTIONED BY: B. Brooks
SECONDED BY: S. Lowe

D. PARDO absent
J. DAVIS aye
B. BROOKS aye
C. THOMAS aye
S. LOWE aye

DATE APPROVED: 11/03/2010