

CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, APRIL 15, 2009 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; and Councilperson Shelby L. Lowe. Also present were Interim City Manager Gloria Shuttlesworth; City Clerk Carrie E. Ward, MMC; and Assistant City Attorney Rachel Johnson.

Councilperson Brooks was absent.

Invocation/Pledge of Allegiance

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

AGENDA APPROVAL:

Additions, Deletions, Substitutions

Interim City Manager Shuttlesworth stated that there were no revisions to the agenda.

Adoption of Agenda

A motion was made by Councilperson Thomas and seconded by Chair pro tem Davis to approve the agenda.

MOTION

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

MOTION APPROVED

CONSENT AGENDA:

ALL MATTERS USTED 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 OF THE REGULAR CITY COUNCIL MEETING HELD ON JANUARY 21,2009.
2. MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD ON FEBRUARY 4, 2009.
3. MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD ON FEBRUARY 18 2009.
4. MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD ON MARCH 18,2009.

RESOLUTIONS:

NONE

PETITIONS AND COMMUNICATIONS FOR FILING:

NONE

END OF CONSENT AGENDA

A motion was made by Councilperson Thomas 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

PUBLIC HEARINGS:

ORDINANCES ON SECOND READING:

NONE

ORDINANCES ON FIRST READING:

5. ORDINANCE NO. 3059 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 10, ENTITLED "MOBILE VENDOR ORDINANCE"; ESTABLISHING PURPOSES; ESTABLISHING LOCATIONS; ESTABLISHING HOURS OF OPERATION; ESTABLISHING SIGNAGE REQUIREMENTS; ESTABLISHING EXEMPTIONS AND RESTRICTIONS; PROVIDING FOR LICENSING REQUIREMENTS; ESTABLISHING PARKING CRITERIA; 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 Councilperson Thomas and seconded by Chair pro tern Davis to approve Ordinance No. 3059 on first reading.

MOTION

A presentation was provided by Jerrell Harris, Planning and Zoning Administrator.

Herman McCray, 2315 Avenue S, made comments against the proposed ordinance.

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

MOTION APPROVED

AWARDS AND PRESENTATIONS

6. PRESENTATION OF PROCLAMATION PROCLAIMING APRIL, 2009 AS LIBRARY APPRECIATION MONTH.

Mayor Masters read and presented the proclamation proclaiming April 2009 as Library Appreciation Month.

7. PRESENT AND WELCOME NEW EMPLOYEES OF THE CITY OF RIVIERA BEACH FOR THE MONTH OF MARCH, 2009.

Doretha Perry, Human Resources Director, presented the following new employees for the month of March: Acedy Cherrelus (Police) and Christopher Chase (Police).

8. PRESENTATION BY MAYOR THOMAS A. MASTERS TO THE DEPARTMENT OF PUBLIC WORKS' EMPLOYEES IN CONJUNCTION WITH THE PROCLAMATION FOR NATIONAL PUBLIC WORKS WEEK, MAY 17-23, 2009.

Mayor Masters read and presented the proclamation proclaiming the week of May 17-23, 2009 as National Public Works Week.

- 8A. PRESENTATION OF A PROCLAMATION BY MAYOR THOMAS A. MASTERS FOR MUNICIPAL CLERKS WEEK MAY 3-9,2009.

Mayor Masters read and presented the proclamation proclaiming the week of May 3-9, 2009 as Muncipal Clerks Week.

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 silence all audio devices to avoid interference with recording equipment. Please govern yourselves accordingly.*

Herman McCray, 2315 Avenue S, made comments reference the proposed request to increase water rates. He also made comments reference the Code Enforcement Division.

Fane Lozman, Riviera Beach Marina, made comments reference the city turning off power to his boat.

Bobby Powell, Jr., 1442 W 32nd Street, made comments reference redevelopment within the city.

Bonnie Larson, W 27th Street, made comments reference discussion at a previous Planning and Zoning meeting regarding a recycling plant.

Lonnie Lovett, made comments reference a carjacking that occurred April 10th involving his nephew.

Tony Brown, 3601 Avenue R, made comments reference the ordinance related to mobile vendors.

¹ Public Comments will begin at 8:00 PM or if an item is already in progress at 8:00 PM, Public Comments will begin immediately after the item has concluded.

Gerald Ward, 31 w 20th Street, made comments reference the request to increase water rates. He also made comments reference the historical committee meeting scheduled for April 16th at 6:30 p.m.

Elizabeth Robinson, Comprehensive AIDS Program, presented the City Council with tokens of appreciation for their support of HIV/AIDS Awareness events.

REGULAR:

9. RESOLUTION NO. 37-09 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 TO PROVIDE POLICE SERVICES TO THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA); AUTHORIZING THE FINANCE DIRECTOR TO ACCEPT TWO EQUAL PAYMENTS IN THE AMOUNT OF \$67,583.94 FOR THE REMAINDER OF THE 2009 FISCAL YEAR; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned resolution into the record.

A motion was made by Chair pro tern Davis and seconded by Councilperson Thomas approve Resolution No. 33-09.

MOTION

Gerald Ward, 31 W 20th Street, made comments in support of the proposed resolution.

Bonnie Larson, W 27th Street, made comments reference the utilization of TIFF funds.

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

MOTION APPROVED

10. RESOLUTION NO. 34-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING APPROPRIATION OF \$25,000 FROM THE LAW ENFORCEMENT TRUST FUND ACCOUNT NO. 150-00-271-002 TO COVER THE COST OF CANINE RELATED SERVICES FOR FISCAL YEAR 2009; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned resolution into the record.

A motion was made by Chair pro tern Davis and seconded by Councilperson Thomas to approve Resolution No. 34-09.

MOTION

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

MOTION APPROVED

11. RESOLUTION NO. 35-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE SALE AND TRANSFER OF RETIRED K-9 POLICE DOG, "ENZO", IN THE AMOUNT OF \$1; AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE; 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 Thomas to approve Resolution No. 35-09.

MOTION

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

MOTION APPROVED

12. RESOLUTION NO. 36-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING THE FINANCE DIRECTOR'S RECOMMENDATION FOR ESTABLISHMENT OF AN AUDIT COMMITTEE TO COMPLY WITH THE REQUIREMENTS OF FLORIDA STATUTE 218.391; 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 Councilperson Thomas to approve Resolution No. 36-09.

MOTION

Councilperson Thomas stated that he would be the City Council's representative on the committee.

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

MOTION APPROVED

BOARD APPOINTMENT:

NONE

DISCUSSION BY THE CITY MANAGER:

Interim City Manager Shuttlesworth distributed a memorandum regarding the firefighters/paramedics union contract negotiation. She also requested that a Closed Executive Session be scheduled to discuss the Professional Managers and Supervisors Association Bargaining Unit.

LEGAL DISCUSSION/REQUEST:

City Attorney Ryan provided an overview of the informational meeting that was held April 14th regarding the FPL Riviera Beach Energy Center. She also stated that a proposed ethics policy was provided to the City Council for review and that a resolution adopting the policy would be placed on the agenda for the May 6th City Council Meeting.

DISCUSSION AND RECOMMENDATIONS:

Councilperson Thomas made comments reference Antwain Miller, a student at John F. Kennedy Middle School, submitting a request to the Tom Joyner Morning Show for instruments for the school's band in which the request was granted.

Chair pro tern Davis made comments reference the following issues: Comeast painting Noah's Ark School on April 17th; increase police presence in the Garden Road area; and the municipal complex study.

Chairperson Pardo provided an update on the dredging project.

Mayor Masters made comments reference the following issues: scheduling a town hall meeting with the residents of Woodbine; Relay for Life scheduled for April 17th and 18th at Suncoast High School; and the ob fair scheduled for April 16th in the City Council Chambers. He requested support from the community April 22nd at the North County Courthouse for the saggy pants ordinance.

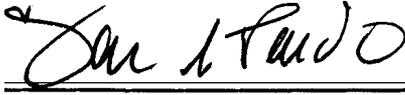
ADJOURNMENT

There being no further business, the meeting was duly adjourned at 9:04 p.m.

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

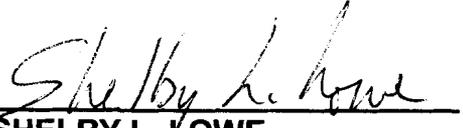
ATTEST:


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: C. THOMAS

SECONDED BY: B. BROOKS

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

DATE APPROVED: 05/06/2009 ✓