

CITY OF RIVIERA BEACH  
PALM BEACH COUNTY, FLORIDA  
REGULAR CITY COUNCIL MEETING MINUTES  
MUNICIPAL COMPLEX COUNCIL CHAMBERS  
WEDNESDAY, JUNE 3, 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 Billie E. Brooks; and Councilperson Shelby L. Lowe. Also present were: Interim City Manager Gloria Shuttlesworth; City Clerk Carrie E. Ward, Master Municipal Clerk; and City Attorney Pamala H. Ryan.

Councilperson Thomas was absent.

Invocation/Pledge of Allegiance

Everyone stood for a Moment of Silence and the Pledge of Allegiance led by Mayor Masters.

AGENDA APPROVAL:

Additions, Deletions, Substitutions

Interim City Manager Shuttlesworth made the following revisions to the agenda: No. 3 - corrected resolution reference Sun Up Enterprises; added No. 15 – Resolution reference Trak Fuel Management System and No. 16 - Resolution reference Gordian Group and contract with vendor's signature; and provided additional back-up information for No.8 - Outside Youth and Recreation Grant Funding.

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 OF THE REGULAR CITY COUNCIL MEETING HELD MAY 6, 2009.
2. MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD MAY 20, 2009.

RESOLUTIONS:

3. RESOLUTION NO. 56-09 A RESOLUTION AWARDDING THE BID FOR RECONSTRUCTION OF WEST 23RD STREET TO SUN UP ENTERPRISES, INC. IN THE AMOUNT OF \$625,078.47; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE CONTRACT; AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENTS FOR SAME; AND PROVIDING FOR AN EFFECTIVE DATE.

**ITEM PULLED FOR DISCUSSION**

City Clerk Ward read the aforementioned into the record.

A motion was made by Councilperson Lowe and seconded by Chair pro tern Davis to approve Resolution No. 56-09.

MOTION

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

MOTION APPROVED

4. RESOLUTION NO. 57-09 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, "ADAM", IN THE AMOUNT OF \$1.00 AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE; AND PROVIDING AN EFFECTIVE DATE.

PETITIONS AND COMMUNICATIONS FOR FILING:

NONE

END OF CONSENT AGENDA

A motion was made by Chair pro tern Davis and seconded by Councilperson Brooks to approve the Consent Agenda as amended.

MOTION

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

MOTION APPROVED

**PUBLIC HEARINGS:**

5. ORDINANCE NO. 3061 AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 10, "LICENSES AND BUSINESS REGULATIONS", ARTICLE V, SECTION 10-150 ENTITLED "CLASSIFICATIONS AND RATE STRUCTURE" OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Ordinance into the record.

A motion was made by Councilperson Lowe and seconded by Councilperson Brooks to approve Ordinance No. 3061 on First Reading.

MOTION

A presentation was given by Mary McKinney, Community Development Director.

Gerald Ward, 31 W 20<sup>th</sup> Street, made comments in support of the 5% increase in the aforementioned Ordinance but opposed the 20% increase recommended in the two ordinances to follow. He also stated that whenever increases in fees were recommended, they should become effective September 30<sup>th</sup>.

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

MOTION APPROVED

6. ORDINANCE NO. 3062 AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31, SECTION 31-692 ENTITLED "LAND DEVELOPMENT APPLICATION FEE SCHEDULE" OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned into the record.

A motion was made by Chair pro tern Davis and seconded by Councilperson Brooks to approve Ordinance No. 3062 on First Reading.

MOTION

A presentation was given by Mary McKinney, Community Development Director.

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

MOTION APPROVED

7. ORDINANCE NO. 3063 AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 22, "BUILDINGS AND BUILDING REGULATIONS", ARTICLE II, "BUILDING AND TECHNICAL CODES", OF THE CITY CODE OF ORDINANCES BY UPDATING AND REVISING SECTION 22-33, "SCHEDULE OF PERMIT FEES" OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned into the record.

A motion was made by Councilperson Lowe and seconded by Chair pro tern Davis to approve Ordinance No. 3063 on First Reading.

MOTION

A presentation was given by Mary McKinney, Community Development Director.

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

MOTION APPROVED

ORDINANCES ON SECOND READING:

NONE

ORDINANCES ON FIRST READING:

NONE

AWARDS AND PRESENTATIONS

8. BRIEF PRESENTATION ON THE IMPLEMENTATION OF THE RIVIERA BEACH YOUTH AND RECREATION OUTSIDE AGENCY FUNDING PROGRAM.

Paul White, Assistant City Manager, stated that the committee was requesting approval of the recommendations submitted in the backup information.

A presentation was given by Latisha Rolle, committee member.

Bill Contole, 1030 Grand Bahama, made comments in support of funding the program.

Councilperson Lowe requested that the balance be given to the Voter's League who would be taking 15 kids to an oratorical contest.

A motion was made by **Chair pro tem Davis** and seconded by Councilperson **Brooks** approving the committee's recommendations and giving the remaining balance to the Voter's League.

**MOTION**

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

**MOTION APPROVED**

**9. PRESENTATION BY C. SHAHID FREEMAN - SATURDAY MORNING READING PROGRAM AT INLET GROVE HIGH SCHOOL, RIVIERA BEACH.**

A presentation was given by Shahid Freeman.

**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.*

**Fane Lozman, 200 E 13<sup>th</sup> Street**, made comments reference the case involving his house boat.

**Margaret Shepherd, 441 W 32<sup>nd</sup> Street**, expressed a word of thanks to the elected officials for approving the building of the new Boys and Girls Club. She also expressed words of appreciation on behalf of her granddaughter Som'er.

**Mary Brabham, 1564 W 9<sup>th</sup> Street**, made comments reference rehiring employees that participate in the DROP plan.

**Randy Graham, 1516 W 30<sup>th</sup> Street**, made comments reference the customer service provided by the Utility Billing Department.

**Rev. William Burrs, 1500 W 30<sup>th</sup> Street**, made comments reference the Brooks Subdivision project being placed on the agenda for the next City Council Meeting.

**Adrienne Rutledge, 1219 W 6<sup>th</sup> Street**, made comments reference an incident that occurred on Avenue S and how it was being handled by the Police Department.

REGULAR:

10. RESOLUTION NO. 58-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE INTERIM CITY MANAGER AND CITY CLERK TO EXECUTE AN AGREEMENT COMMENCING OCTOBER 1, 2008 TO SEPTEMBER 30, 2009 BETWEEN THE CITY OF RIVIERA BEACH AND THE INTERNATIONAL UNION OF POLICE ASSOCIATION (IUPA) AN ORGANIZATION REPRESENTING THE POLICE OFFICERS AND SERGEANTS OF THE CITY OF RIVIERA BEACH; THAT THE FINANCE DIRECTOR IS AUTHORIZED TO TRANSFER \$155,421 FROM GENERAL FUND CONTINGENCY ACCOUNT; PROVIDING FOR 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 Lowe to approve Resolution No. 58-09.

MOTION

Angela Wynn, W 35<sup>th</sup> Street, made comments in support of the proposed Resolution.

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

MOTION APPROVED

11. RESOLUTION NO. 59-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A THREE (3) YEAR AGREEMENT COMMENCING JUNE 4, 2009 - JUNE 4, 2012 WITH WORK-FORCE ALLIANCE, INC., TO PERMIT THE CITY OF RIVIERA BEACH TO BE A HOST WORKSITE FOR THE SUMMER JOBS PROGRAM FOR YOUTH AND YOUNG ADULTS AGES 18 - 24; 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 Brooks to approve Resolution No. 59-09.

MOTION

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

MOTION APPROVED

12. RESOLUTION NO. 60-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A TWO YEAR EMPLOYMENT AGREEMENT WITH RUTH C. JONES AS CITY MANAGER, SAID EMPLOYMENT TO BEGIN ON JUNE 22, 2009 THROUGH

JUNE 21, 2011; 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 Lowe and seconded by Chair pro tern Davis to approve Resolution No. 60-09.

MOTION

A presentation was given by Pamala Ryan, City Attorney.

Angela Wynn, W 35<sup>th</sup> Street, made comments in support of the proposed contract.

Norma Duncombe, Lake Shore Drive, made comments reference the salary for the incoming city manager.

Margaret Shepherd, 441 W 32<sup>nd</sup> Street, made comments reference the salary for the incoming city manager.

Randy Graham, 1516 W 30<sup>th</sup> Street, made comments reference the evaluation process for the incoming city manager.

An amended motion was made by Chair pro tern Davis and seconded by Councilperson Lowe setting the city manager's salary at \$150,000 with a 7% increase upon a satisfactory six months evaluation and \$15,000 for relocation expenses.

AMENDED MOTION

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

MOTION APPROVED

13. FINANCE DIRECTOR'S SEMI-ANNUAL FINANCIAL REPORT.

A presentation was given by Jeffery Williams, Finance Director.

14. RESOLUTION NO. 61-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE PURCHASE OF FURNITURE FOR LIBRARY COMPUTER LAB FROM JC WHITE QUALITY OFFICE FURNITURE IN THE AMOUNT OF \$12,396.28, AND FOR WIRING INSTALLATION OF CAT5E DONE BY BURG & CJ COMMUNICATIONS OF RIVIERA BEACH, FLORIDA IN THE AMOUNT OF \$4,979.28 AND CMI CUSTOM MECHANICAL, INC. OF LAKE PARK, FLORIDA TO RELOCATE 8 RECEPTACLES CIRCUITS IN THE AMOUNT OF \$630.00; PAYMENT TO BE MADE FROM LIBRARY IMPACT FEES; ACCOUNT NO. 303-00-271013 AUTHORIZING THE PURCHASE OF

ADDITIONAL COMPUTERS AS NEEDED IN AN AMOUNT NOT TO EXCEED \$17,000.00 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 Chair pro tern Davis to approve Resolution No. 61-09.

MOTION

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

MOTION APPROVED

15. RESOLUTION NO. 62-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDED THE CONTRACT FOR THE UPGRADE OF THE EXISTING TRAK FUEL MANAGEMENT SYSTEM AT THE PUBLIC WORKS-VEHICLE MAINTENANCE FACILITY TO TRAK ENGINEERING, INC OF TALLAHASSEE, FLORIDA BEING A SOLE SOURCE PROVIDER OF THE SYSTEM IN THE AMOUNT OF \$50,858.75; AUTHORIZING THE CITY MANAGER TO MAKE AND INITIATE CHANGE ORDERS UP TO TEN PERCENT (10%); AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE CONTRACT WITH TRAK ENGINEERING, INC.; AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT FROM ACCOUNT #308-1129-519-0-6405; AND PROVIDING AN EFFECTIVE DATE.

**ITEM ADDED TO AGENDA**

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Chair pro tern Davis and seconded by Councilperson Brooks to approve Resolution No. 62-09.

MOTION

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

MOTION APPROVED

16. RESOLUTION NO. 63-09 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 WITH THE GORDIAN GROUP INC. OF MAULDIN, SOUTH CAROLINA FOR SCOPE DEVELOPMENT AND CONSTRUCTION ESTIMATING SERVICES AND LICENSING FEES FOR USE OF ITS PROPRIETARY JOB ORDER CONTRACTING (JOC) DATABASE FOR SELECTED PROPERTY MAINTENANCE AND CAPITAL CONSTRUCTION PROJECTS BY PIGGYBACKING TERMS AND CONDITIONS FROM PALM BEACH COUNTY CONTRACT #R2005 1489; AUTHORIZING THE MAYOR

**AND CITY CLERK TO EXECUTE A THREE YEAR CONTRACT COMMENCING JUNE 3, 2009; AND PROVIDING AN EFFECTIVE DATE.**

**ITEM ADDED TO AGENDA**

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

A motion was made by Councilperson **Brooks** and seconded by Councilperson **Lowe** to approve Resolution No. 63-09.

**MOTION**

**Ezra Saffold, 390 W 18<sup>th</sup> Street**, made comments in support of the proposed Resolution.

**Gerald Ward, 31 W 20<sup>th</sup> Street**, made comments against the proposed Resolution.

An amended motion was made by **Chair pro tem Davis** and seconded by **Councilperson Lowe** to change the expiration of the contract to September 30, 2010.

**AMENDED MOTION**

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 work calendar to the Mayor and City Council as requested to assist with scheduling meetings. She also requested a Closed Executive Session reference the supervisor's union for June 15<sup>th</sup> at 6:00 p.m.

There was a consensus of the City Council to schedule a Closed Executive Session for June 15<sup>th</sup> at 6:00 p.m.

**LEGAL DISCUSSION/REQUEST:**

**NONE**

**DISCUSSION AND RECOMMENDATIONS:**

**Chair pro tem Davis** congratulated the members of staff responsible for upgrading the website. She announced that volunteers were needed for the painting of a home on 1<sup>st</sup> Street and a home on 32<sup>nd</sup> Street on June 6<sup>th</sup>. She also expressed words of appreciation to Councilperson Lowe for the reception and participation in the National League of Cities' Committee held May 27<sup>th</sup> through May 30<sup>th</sup>.

**Councilperson Brooks** made comments reference the Education Committee not being able to fund 30 scholarship applications received from qualified applicants.

Councilperson **Lowe** made comments reference five scholarships being available for 9-10 year olds to participate in the summer program at McArthur Park. He proceeded with the following announcements: a senior's dance was scheduled for June 6<sup>th</sup> at the Lindsey Davis Center sponsored by the Historical Society; the availability of discount prescription cards at city hall; and a free jazz concert on the 1<sup>st</sup> Sunday for the month of June and July in the courtyard at city hall hosted by the library.

**Chairperson Pardo** requested a Closed Executive Session be scheduled for the end of June once the new city manager started to discuss the firefighter's labor negotiations. She also requested that each councilperson provided a brief report on discussions held at the committee meetings each member was appointed to.

**Mayor Masters** announced that a job fair would be held June 4<sup>th</sup> at Hurst Chapel. He made comments reference speaking with residents of the southside as it related to the murders that had taken place in the past two months and that a rally was being scheduled.

## **ADJOURNMENT**

**There being no further business, the meeting was duly adjourned at 9:42 p.m.**

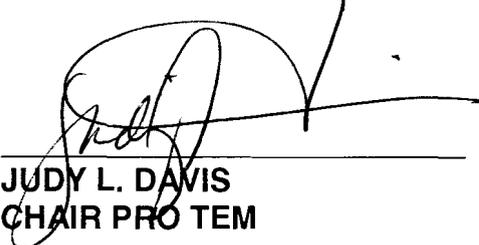
APPROVED:

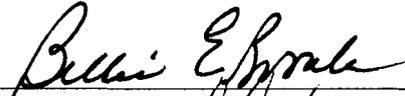
  
THOMAS A. MASTERS  
MAYOR

  
DAWN S. PARDO  
CHAIRPERSON

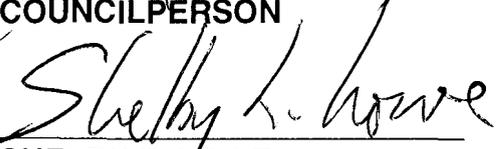
ATTEST:

  
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

  
JUDY L. DAVIS  
CHAIR PRO TEM

  
BILLIE E. BROOKS  
COUNCILPERSON

  
CEDRICK A. THOMAS  
COUNCILPERSON

  
SHELBY L. LOWE  
COUNCILPERSON

MOTIONED BY: B. Brooks  
SECONDED BY: J. Davis

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

DATE APPROVED: 06/17/2009