

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, AUGUST 5, 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 Cedric A. Thomas. Also present were: City Manager Ruth Jones; City Clerk Carrie E. Ward, Master Municipal Clerk; and City Attorney Pamala H. Ryan.

Councilperson Lowe was tardy.

Invocation/Pledge of Allegiance

Everyone stood for a Moment of Silence and the Pledge of Allegiance led by Councilperson Brooks.

AGENDA Approval:

Additions, Deletions, Substitutions

City Manager Jones deleted Item 2 –Resolution reference discretionary sales surtaxes and Item 8 – Resolution declaring a vacancy on the City Council.

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 ON JULY 15, 2009.

RESOLUTIONS:

2. RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ENDORSING SENATE BILL 1000/HOUSE BILL 365 ENTITLED, "AN ACT RELATING TO DISCRETIONARY SALES SURTAXES AND OFFSETTING THE AD VALOREM PROPERTY TAXES"; AND PROVIDING AN EFFECTIVE DATE. **DELETED**

3. RESOLUTION NO. 85-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE PURCHASE AGREEMENT FOR THE PURCHASE OF POLICE PERSONNEL UNIFORMS FROM J. R. MANNO INC. OF LAKE WORTH, FLORIDA IN AN AMOUNT NOT TO EXCEED \$83,425; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT; AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT FROM ACCOUNT NO. 001-0817-521-0-5209; AND PROVIDING AN EFFECTIVE DATE.

4. RESOLUTION NO. 86-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDDING RFP NO. 193-08 AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE SERVICE AGREEMENTS WITH THE FOLLOWING TOW COMPANIES: KAUFF'S OF THE PALM BEACH INC., OF MANGONIA PARK, FLORIDA; LAKE PARK TOWING OF LAKE PARK, FLORIDA; PALM BEACH GARDENS TOWING OF LAKE WORTH, FLORIDA; AND SHEEHAN'S TOWING OF WEST PALM BEACH, FLORIDA, TO PROVIDE TOWING AND STORAGE SERVICES; AND PROVIDING AN EFFECTIVE DATE.

5. RESOLUTION NO. 87-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDING THE BID FOR TRAFFIC CALMING PHASE IV TO S GROUP, INC. IN THE AMOUNT OF \$85,943.03; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE CONTRACT; AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT FOR SAME; AND PROVIDING AN EFFECTIVE DATE.
6. RESOLUTION NO. 88-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING A WORK ORDER FOR THE GORDIAN GROUP TO CALCULATE THE PRICE AND VERIFY THE COSTS OF CONSTRUCTION SERVICES FOR THE ADDITION TO THE LINDSEY DAVIS COMMUNITY CENTER UNDER THE JOB ORDER CONTRACTING SYSTEM; AND PROVIDING AN EFFECTIVE DATE.
7. RESOLUTION NO. 89-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING SETTLEMENT IN THE MATTER OF MARY McMAHON V. THE CITY OF RIVIERA BEACH AND JENNIFER NUBIN, CASE NO. 08-80499 CIV MIDDLEBROOKS AND CASE NO. 09-10795BB; AUTHORIZING GALLAGHER BASSETT TO MAKE PAYMENT IN THE AMOUNT OF \$75,000 ON BEHALF OF THE CITY; AND PROVIDING AN EFFECTIVE DATE.
8. RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, DECLARING A VACANCY IN DISTRICT 3 ON THE CITY COUNCIL AND AUHORIZING THE APPOINTMENT THEREOF, IN ACCORDANCE WITH CITY CHARTER AND POLICY; AND PROVIDING AN EFFECTIVE DATE.
DELETED
9. RESOLUTION NO. 90-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING STAFF TO SOLICIT BIDS FOR THE COST OF DEMOLITION OF THE OLD CITY HALL COMPLEX LOCATED AT 2214 AVENUE "E"; AND PROVIDING AN EFFECTIVE DATE.
10. RESOLUTION NO. 91-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING FUNDS IN THE AMOUNT OF \$329,884 FROM THE DEPARTMENT OF JUSTICE OFFICE OF JUSTICE PROGRAMS UNDER THE RECOVERY ACT JUSTICE ASSISTANCE GRANT PROGRAM; AUTHORIZING THE CITY MANAGER TO EXECUTE THE GRANT AGREEMENT AND THE FINANCE DIRECTOR TO SET UP A BUDGET FOR THE SAME; AND PROVIDING AN EFFECTIVE DATE.

11. RESOLUTION NO. 92-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REQUESTING THE ASSISTANCE OF GOVERNOR CRIST AND THE FLORIDA LEGISLATURE IN ORDER TO PROVIDE ADEQUATE FUNDING AND STRONGER LEGISLATION DIRECTED TOWARD SOLUTIONS FOR THE ENORMOUS PROBLEM OF BEACH EROSION WITHIN THE STATE OF FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

PETITIONS AND COMMUNICATIONS FOR FILING:

NONE

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

PUBLIC HEARINGS:

ORDINANCES ON SECOND READING:

12. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 14 ENTITLED "PENSIONS AND RETIREMENT PROGRAMS", ARTICLE II ENTITLED "GENERAL EMPLOYEES", SECTION 14-26 ENTITLED "OPTIONAL FORMS OF RETIREMENT BENEFITS" OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES RELATING TO THE RETIREMENT SYSTEM FOR GENERAL EMPLOYEES BY PROVIDING FOR A DEFERRED RETIREMENT OPTION PROGRAM (DROP); PROVIDING FOR CONFLICTS, SEVERABILITY, AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Ordinance into the record and stated that it was advertised in the July 26, 2009 edition of the Palm Beach Post.

A motion was made by **Chair pro tem Davis** and seconded by **Councilperson Brooks** to adopt Ordinance No. 3065.

MOTION

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

MOTION APPROVED

ORDINANCES ON FIRST READING:

NONE

AWARDS AND PRESENTATIONS:

13. PRESENTATION BY CHAIR PRO-TEM JUDY S. DAVIS OF COMPUTERS TO TWO (2) LOCAL YOUTH KEVIN CUMMINGS AND Je'QUORI CARGILL WHO WON LOCAL ESSAY CONTEST.

Chair pro tem Davis presented Je'Quori Cargill, who will be attending John F. Kennedy Middle School, and Kevin Cummings, who is attending Howell L. Watkins Middle School, with a laptop computer donated by Dr. Carol Springer.

Sylvia Blue read comments from Dr. Carol Springer into the record commending the winners of the essay contest.

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.*

Sylvia Blue, 748 W 1st Street, made comments reference Code Enforcement activities.

Inda Spencer, Weed and Seed Coordinator, introduced Jazlyn Lovely, 1st place winner of the Weed and Seed National Poster Contest.

Kristen Puhalainen, Palm Beach County League of Cities, announced that the website for the League of Cities was an excellent resource for information and that they were available on tweeter.

Bettye Hodges, Harmony Heights, made comments reference the need for cutting hedges that obscure the sidewalk at 808 Avenue U and the corner of 13th Street and Avenue U. She stated that the house located at 1605 W 10th Street was vacant and that neighborhood youth were hanging out there; she requested that the police show presence in the area. She also requested that striping be redone for school crosswalks prior to the new school year beginning.

Mary Brabham, 1564 W 9th Street, made comments reference departmental presentations during the budget workshops. She also made comments reference reconsideration of the water/sewer rate increase.

Gary Nemitz, Lake Wales, made comments reference the police department harassing him about parking under the bridge.

Emmett Gates, 3900 W Industrial Way, made comments reference being harassed by Kenny Payne while utilizing the gym.

Garrick Larson, 1820 W 12th Street, made comments against members of the Police Department.

Mervin Saffold, Sr., 1600 W 15th Street, made comments against the Code Enforcement Division and the Police Department.

Bessie Brown, 391 W 35th Street, requested that the City Council reconsider the water/sewer rate increase.

Nora Mahoney, 2120 Broadway, made comments reference negotiations with Viking Yachts. She also made comments in support of demolishing old city hall.

Mike Mahoney, 2120 Broadway, made comments reference Code Enforcement and the lack of enforcement of the saggy pants during the taping of BET Spring Bling.

Elizabeth Wade, 1571 W 13th Street, made comments reference the budget and encouraged the City Council to reconsider the water/sewer rate increase adopted July 15, 2009.

The following residents of Marsh Harbour made comments reference the lack of parking within the development, criminal activity, and the increase in district fees:

Marie Allsopp, 1921 Marsh Harbour Dr.

Mayor Masters requested that the City Council vote upon whether or not he could address Ms. Allsopp.

The City Council voted to uphold the request of the chairperson to address the concerns of residents during discussion by the Mayor and City Council.

Elaine Espinoe, 1933 Marsh Harbour Drive

Louis Emilio, 1948 Marsh Harbour Drive

Patricia Makarowa, 1950 Marsh Harbour Drive

Calslynn Slydell, 1943 Marsh Harbour Drive

Fiona Walker, 1951 Marsh Harbour Drive

Judith Thomas, 1312 Lucaya Dr, made comments reference services provided by city employees.

Milton Brown, 625 W 10th Street, made comments reference educating youth before they get in trouble.

Sean Mitchell, 1001 W 15th Street, made comments reference a responsible wages and benefits policy.

Tina White, 888 W 1st Street, made comments reference reconsidering the previously approved water/sewer rate increase.

Lynne Hubbard, 1405 W 23rd Street, made comments reference demolishing the dry storage facility. She also made comments reference the city reconsidering the previously approved water/sewer rate increase.

Fane Lozman, Riviera Beach Marina, made comments reference the case involving his house boat.

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.

REGULAR:

14. RESOLUTION NO. 93-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AMENDMENT 002 TO THE AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND PALM BEACH COUNTY EXTENDING THE DEADLINE FOR COMPLETION OF THE CITY'S DISASTER RECOVERY INITIATIVE FROM AUGUST 15, 2009 TO FEBRUARY 15, 2010 AND INCREASING THE CEILING ON THE FUNDING LIMITS FROM \$22,000 TO \$45,000; EXTENDING THE TIMEFRAME FOR THE RETENTION OF THE TWO PART-TIME EMPLOYEES; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AMENDMENT; 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 Brooks** to approve Resolution No. 93-09.

MOTION

A presentation was given by John Green, Housing Coordinator.

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

MOTION APPROVED

- 15. RESOLUTION NO. 94-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING PLACEMENT OF HEALTH INSURANCE COVERAGE WITH CIGNA INSURANCE TO PROVIDE MEDICAL INSURANCE FOR CITY EMPLOYEES FOR THE POLICY YEAR 2009-2010; AND AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENTS FROM THE VARIOUS CITY DEPARTMENTAL ACCOUNTS IN THE ESTIMATED AMOUNT OF \$4,605,413 FOR HEALTH INSURANCE.**

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. 94-09.

MOTION

A presentation was given by Paul White, Assistant City Manager.

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

MOTION APPROVED

- 16. RESOLUTION NO. 95-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY OF RIVIERA BEACH PURCHASING DEPARTMENT TO PARTICIPATE IN THE SOUTHEAST FLORIDA GOVERNMENTAL PURCHASING CO-OP, NATIONAL JOINT ALLIANCE CO-OP, U.S. COMMUNITIES CO-OP, GOVERNMENT PURCHASING ALLIANCE AND STATE OF FLORIDA TERM CONTRACTS FOR FISCAL YEARS 2009-2011 BY PIGGYBACKING AVAILABLE CONTRACTS FOR THE PURCHASE OF ANNUALLY BUDGETED OPERATIONAL SUPPLIES, SERVICES AND EQUIPMENT FOR VARIOUS USER DEPARTMENTS; 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. 95-09.

MOTION

A presentation was given by Ben Guy, Purchasing Director.

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

MOTION APPROVED

- 17. RESOLUTION NO. 96-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDBING BID NO. 229-09 TO FENCE CRAFTERS, INC. OF RIVIERA BEACH, FLORIDA, THE LOW RESPONSIVE AND RESPONSIBLE BIDDER FOR THE FENCE INSTALLATION PROJECT FOR DAN CALLOWAY SPORTS COMPLEX AND MONROE HEIGHTS PARK FOR PARKS AND RECREATION AT A COST OF \$103,921.65; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE PROPOSED PURCHASE AGREEMENT; AND AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENTS FROM THE APPROPRIATE ACCOUNT; 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 **Councilperson Brooks** to approve Resolution No. 96-09.

MOTION

A presentation was given by Ben Guy, Purchasing Director.

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

MOTION APPROVED

- 18. RESOLUTION NO. 97-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY MANAGER OR DESIGNEE TO SUBMIT A GRANT APPLICATION TO THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION BOATING INFRASTRUCTURE GRANT PROGRAM UP TO \$2,000,000 AND COMMITTING TO MAINTAIN THE IMPROVEMENTS FOR TWENTY (20) YEARS; 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 Brooks** to approve Resolution No. 97-09.

MOTION

A presentation was given by Paul White, Assistant City Manager.

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

MOTION APPROVED

BOARD APPOINTMENT(S):

19. REQUEST OF CITY COUNCIL TO APPROVE AN APPOINTMENT OF A MEMBER TO THE POLICE PENSION BOARD.

A motion was made by **Chair pro tem Davis** and seconded by **Councilperson Brooks** to reappoint Juan Atkins and appoint Bruce Guyton to the Police Pension Board.

MOTION

Upon a roll call vote, the motion was approved with Councilperson Thomas out.

MOTION APPROVED

DISCUSSION BY THE CITY MANAGER:

20. DISCUSSION REGARDING RECOMMENDATION FOR THE RIVIERA BEACH MARINA'S DRY STORAGE FACILITY.

A presentation was given by City Manager Jones.

A financial report was given by Jeff Williams, Finance Director.

Elizabeth Wade, 1571 W 13th Street, made comments against demolishing the Marina's dry storage facility.

Tina White, 888 W 1st Street, made comments against demolishing the Marina's dry storage facility.

Richard Winston, 35 Dunbar Road, made comments against demolishing the Marina's dry storage facility.

Fane Lozman, 200 E 13th Street, made comments reference customer service or the lack thereof provided by certain Marina staff members. He also made comments reference the insurance requirement adopted by the City Council for customers leasing space at the marina.

A motion was made by **Chair pro tem Davis** and seconded by **Councilperson Brooks** directing staff to meet with Viking and bring back their ideas as to how they see moving forward with the dry storage available by the next City Council Meeting.

COUNCIL DIRECTIVE
MOTION

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

MOTION APPROVED

LEGAL DISCUSSION/REQUEST:

NONE

DISCUSSION AND RECOMMENDATIONS:

Councilperson Thomas stated that he would like to experience first hand the activities which the residents of Marsh Harbour have presented so he would be willing to stay in the home of any of the residents that were willing to open their doors for one night.

Councilperson Lowe stated that he understood what the residents were speaking of and that he would lend support to whatever actions necessary to assist in alleviating the problem.

Councilperson Brooks made comments reference an email received from a resident in Sonoma Bay. She also expressed words of appreciation to the department heads for their efforts in submitting budget reductions as required.

Chair pro tem Davis made comments reference the cellphone campaign that would assist in raising additional funds for the scholarship fund. She requested a status report on the entryway sign into the city.

Mayor Masters stated that he would assist in all ways possible the residents of Marsh Harbour just as he did with the residents of Sonoma Bay. He announced that the job fair would be held August 7th at 12 noon at the Community Action Center located at 1440 Martin Luther King, Jr. Blvd. Mayor Masters requested the effective date of the vacancy that would be occurring on the City Council and inquired as to whether or not a date was set for an appointment to the seat.

Councilperson Thomas stated that his resignation letter was on file in the Office of the City Clerk and the effective date was September 22, 2009.

City Manager Jones stated that direction from the City Council had not been received and whenever the City Council decided discussion would be placed on the agenda.

Chairperson Pardo stated that she was endorsing Councilperson Thomas for District 84 representative.

ADJOURNMENT

There being no further business, the meeting was duly adjourned at 10:04 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

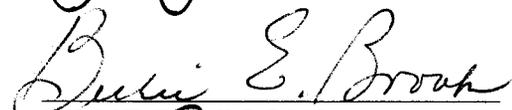
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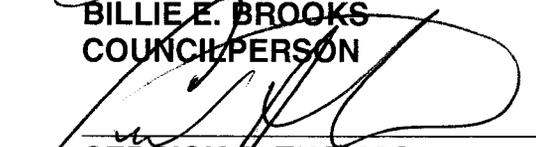
CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



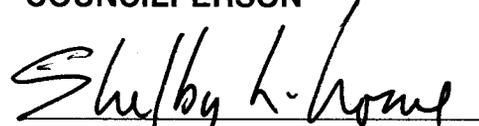
JUDY L. DAVIS
CHAIR PRO TEM



BILLIE E. BROOKS
COUNCILPERSON



CEDRICK A. THOMAS
COUNCILPERSON



SHELBY L. LOWE
COUNCILPERSON

MOTIONED BY: _____
SECONDED BY: _____

S. LOWE	<u>AYE</u>
B. BROOKS	<u>AYE</u>
J. DAVIS	<u>AYE</u>
D. PARDO	<u>AYE</u>
C. THOMAS	<u>AYE</u>

DATE APPROVED: 08/19/2009