

**CITY OF RIVIERA BEACH  
PALM BEACH COUNTY, FLORIDA  
REGULAR CITY COUNCIL MEETING MINUTES  
MUNICIPAL COMPLEX COUNCIL CHAMBERS  
WEDNESDAY, AUGUST 19, 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: Chairperson Dawn S. Pardo; Chair pro-tem Judy L. Davis; Councilperson Billie E. Brooks; Councilperson Cedrick A. Thomas; and Councilperson Shelby L. Lowe. Also present were: City Manager Ruth Jones; City Clerk Carrie E. Ward, Master Municipal Clerk; and City Attorney Pamala H. Ryan.

Mayor Masters was tardy.

**Invocation/Pledge of Allegiance**

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

**AGENDA APPROVAL:**

**Additions, Deletions, Substitutions**

**City Manager Jones** made the following revisions to the agenda: additional information provided for No. 15 – Funding request for DOT's Success Academy.

**City Clerk Ward** stated that she received a request from the Supervisor of Elections office reference waiving the facility usage fee for Newcomb Hall for the August 25<sup>th</sup> Special Election for State House of Representative, district 84.

**Chairperson Pardo** stated that it would be discussed at the end of the agenda.

## **Adoption of Agenda**

A motion was made by **Councilperson Thomas** and seconded by **Councilperson Lowe** 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 AUGUST 5, 2009.**

## **RESOLUTIONS:**

2. **RESOLUTION NO. 98-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING FUNDS IN THE AMOUNT OF \$1,283,556 FROM THE DEPARTMENT OF JUSTICE OFFICE OF COMMUNITY ORIENTED POLICING SERVICES HIRING RECOVERY PROGRAM OVER A THREE (3) YEAR PERIOD; AUTHORIZING THE MAYOR AND THE CHIEF OF POLICE TO EXECUTE THE GRANT CONTRACT ON BEHALF OF THE CITY OF RIVIERA BEACH; AUTHORIZING THE FINANCE DIRECTOR TO SET UP A BUDGET FOR THE SAME; AND PROVIDING AN EFFECTIVE DATE.**
3. **RESOLUTION NO. 99-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDED BID NO. 231-09 AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE PROPOSED CONSTRUCTION SERVICES CONTRACT WITH ROSSO PAVING AND DRAINAGE, INC., OF WEST PALM BEACH, FLORIDA FOR DRAINAGE IMPROVEMENTS TO AVENUE "R" IN THE AMOUNT OF \$49,835; AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO TEN PERCENT (10%); AND AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT FOR SAME FROM ACCOUNT NO. 460-1127-541-0-6355; AND PROVIDING AN EFFECTIVE DATE.**

4. **RESOLUTION NO. 100-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE INTERLOCAL AGREEMENT BETWEEN THE TOWN OF MANGONIA PARK AND THE CITY, PERMITTING SAID TOWN TO DISCHARGE 70 CFS OF STORMWATER RUNOFF INTO THE CITY'S RC-2C CANAL; FURTHER AUTHORIZING THE CITY TO INVOICE THE TOWN FOR TWENTY PERCENT (20%) OF MAINTENANCE COSTS AND ANY NECESSARY CAPITAL IMPROVEMENTS TO THE CANAL WITH THE SAID PERCENTAGE REPRESENTING THE TOWN'S CONTRIBUTION OF 78.8 ACRES TO THE CANAL WHICH HAS A TOTAL AREA OF 384 ACRES; AND PROVIDING AN EFFECTIVE DATE.**

**ITEM PULLED FOR DISCUSSION**

**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. 100-09.

**MOTION**

Vincent Akhimie, Public Works Director gave an overview of the request from the town to discharge stormwater runoff into the city's canal.

**Mary Brabham, 1564 W 9th Street**, urged the City Council not to approve the proposed Resolution to allow the town to proceed with the request as presented.

**Tina White, 800 W 1st Street**, urged the City Council not to approve the proposed Resolution to allow the town to proceed with the request as presented.

**Gerald Ward, 31 W 20th Street**, made comments reference contract/project management; permitting for the project; and the proposed improvements to the RC-2C canal included in the Stormwater Master Plan.

A lengthy discussion ensued amongst the City Council and Lee Leffingwell, Town Manager for Mangonia Park. She encouraged council's participation.

A motion was made by **Councilperson Thomas** to table discussion of Resolution No. 100-09.

**MOTION DIED FOR LACK OF SECOND**

Upon a roll call vote by City Clerk Ward, on the main motion, it was approved with Councilperson Thomas dissenting.

**MOTION APPROVED**

5. **RESOLUTION NO. 101-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A LEASE AGREEMENT FOR THE RENTAL OF SPACE ON THE CITY'S 911**

COMMUNICATION TOWER, WITH THE NEW CINGULAR WIRELESS PCS, LLC OF ATLANTA, GA, IN THE AMOUNT OF \$18,000 WITH ANNUAL INCREASES OF 3% OVER THE TERM OF THE CONTRACT; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE SAME; AND PROVIDING AN EFFECTIVE DATE.

6. RESOLUTION NO. 102-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN ADDENDUM TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND THE BOARD OF COUNTY COMMISSIONERS, PALM BEACH COUNTY, INCREASING FUNDING IN THE AMOUNT OF \$8,100 FOR THE PURCHASE OF SIX (6) LAPTOPS FOR THE CITY OF RIVIERA BEACH JUSTICE SERVICE CENTER'S REENTRY PROGRAM; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE ADDENDUM TO THE INTERLOCAL AGREEMENT; AUTHORIZING THE FINANCE DIRECTOR TO EXPEND FUNDS FROM ACCOUNT NO. 151-0202-569-2-5201; AND PROVIDING AN EFFECTIVE DATE.
7. RESOLUTION NO. 103-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, DECLARING A VACANCY IN DISTRICT 3 OF THE CITY OF RIVIERA BEACH; AUTHORIZING THE APPOINTMENT THEREOF IN ACCORDANCE WITH THE CITY CHARTER; AND PROVIDING AN EFFECTIVE DATE.

**ITEM PULLED FOR DISCUSSION**

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

A motion was made by **Councilperson Thomas** and seconded by **Councilperson Lowe** to approve Resolution No. 103-09.

**MOTION**

**Councilperson Thomas** stated that whoever is appointed to fill the vacancy for District 3 needed to be a resident of the district and requested that the residency requirement be implemented as part of the approval.

**Chair pro tem Davis** inquired as to whether or not guidelines could be put in place at this time.

**City Attorney Ryan** stated that guidelines could be put in place at this time but to make them permanent and to revise the charter, she stated it should be done by ordinance.

**City Clerk Ward requested to speak** in her official capacity as city clerk and stated voters voted years ago to accept the state's uniform date for elections and as a result she stated the city is subject to comply with the applicable laws and procedures as an outlined by Florida law. However, if the city has a procedure in

place in accordance to home rule it may be applied and when the charter is silent on a issue you must follow the state procedures. She continued to cite, whenever a vacancy shall occur it shall be filled by appointment by the city council and the mayor in case of a tie vote. The term of the appointment shall only be until the next general election and at that time filled by the voters. She further stated, historically, there had not been an official record on file wherein the city council ever declared a vacancy although the city had filled several vacancies there was no official procedure in place. In accordance with FS. 166.031 (6) each municipality shall by ordinance or charter provision provide procedures for filling a vacancy in office caused by death, resignation, or removal from office; and that the first amendment adopted by the voters in 2008 further provided guidance; it was an amendment to comprehensively amend to reflect the creation of a new charter including changes made for style, clarity, and consistency and amendments confirming and updating the charter to conform with state law and to delete articles covered and may be covered by city ordinances. The amendment was approved by the voters by a 2,752 vote. She concluded by stating, on the August 5<sup>th</sup> regular City Council agenda, she provided for council's consideration a procedure drafted on the basis of applicable law that included identical residential requirement that are consistent with those of the city council requiring the person to be a bona fide resident and of the district in which he lives for one year he intends to represent and also to be a registered voter. Furthermore, in the contents of the procedure, It covered all vacancies as required by Florida statute.

**Lynne Hubbard, 1405 W 23rd Street**, stated that the attorney for the Charter Review Board advised the City Council prior to the amendments being voted on and after they were approved, that policy and procedures would have to be put in place for follow up enactments.

**City Attorney Ryan** stated that the information that appeared online as the city charter was not the same as what the voters approved at the March 11, 2008 Municipal Election.

**Tina White, 800 W 1st Street**, stated that she opposed anyone being appointed that did not reside in District 3 and had not resided there for at least one year. She stated they could not provide adequate representation to the residents of that district.

Councilperson Lowe motioned to table. Motion died for lack of a second.

A point of order was declared by Councilperson Thomas where in he cautioned council not to state individual names during discussion that in fact had not applied for the appointment.

**Margaret Shepherd, 441 32nd Street**, stated that the appointee should live within the district. She further stated her high regards for Ms. Ward.

**Mary Brabham, 1564 W 9th Street**, stated that the appointee should live within the district. She also stated that no matter how many times various city departments had been reported on, the office of the City Clerk has never appeared in the news in a negative manner. She then encouraged approval of the language as prepared by the City Clerk.

**William Burrs, 1500 W 30th Street**, thanked Councilperson Thomas for pulling the item for consideration, and stated his frustration with the item as it appeared on the agenda compared with the procedures as outlined and was deleted from the August 5<sup>th</sup> agenda as presented by the City Clerk. He encouraged support of the procedure that included residential requirements and continued with comments in support of City Clerk Ward.

**Norma Duncombe**, inquired as to whether or not Mr. Thomas could vote if a vacancy was declared. She also expressed words of appreciation to City Clerk Ward, and the entire Charter Review Advisory Board and its attorney.

**Fane Lozman, 200 E 13th Street**, made comments in support of the procedure put forth by City Clerk Ward. He further stated he conferred with 2 outside attorneys and they agreed the procedure to appoint should be consistent with that of elected officials. He encouraged city council to move forward and to fulfill the request of the people; further to respect the authority of the City Clerk in her area of expertise.

**Councilperson Pardo** stated that she would have been quite annoyed if when the appointment to fill the vacancy for District 4 was filled by someone other than a representative of that District. She further encouraged support to fill the position with a qualified resident of the applicable District.

Councilperson Brooks stated that the people had spoken and the city council should abide and make the appointment as they so desire, appoint from the respective district. At this point an amended motion was made by **Councilperson Brooks** and seconded by **Chair pro tem Davis** declaring the vacancy effective September 22nd for District 3, and that the vacancy will be filled within 30 days after the effective date of the resignation of Mr. Thomas and that the appointee must be a resident of the district for the one year and must be a registered voter.

**AMENDED MOTION**

**Chair pro tem Davis** inquired as to whether or not the appointee will be seated until the March 2010 or March 2011.

**City Clerk Ward** clarified that the person will be in the seat until March 2010 and at that particular time the other two candidates for District 2 and District 4 would be on the ballot as a regular election and that District 3 would be listed as a special election.

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

**MOTION APPROVED**

**Chairperson Pardo** stated that at this time the scholarships would be presented.

**PETITIONS AND COMMUNICATIONS FOR FILING:**

**NONE**

**END OF CONSENT AGENDA**

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

**APPROVED**

**PUBLIC HEARINGS:**

**ORDINANCES ON SECOND READING:**

**NONE**

**ORDINANCES ON FIRST READING:**

8. **ORDINANCE NO. 3066 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE ADOPTED COMPREHENSIVE PLAN BASED ON THE RECOMMENDATIONS OF THE 2007 EVALUATION AND APPRAISAL REPORT INCLUDING AMENDMENTS TO THE MAP SERIES, THE TEXT OF THE FUTURE LAND USE, HOUSING, TRANSPORTATION, INFRASTRUCTURE, RECREATION AND OPEN SPACE, CONSERVATION, COASTAL MANAGEMENT, INTERGOVERNMENTAL COORDINATION, AND CAPITAL IMPROVEMENT ELEMENTS AND ADDING DEFINITIONS, IN ACCORDANCE WITH CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; 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 **Councilperson Brooks** to approve Ordinance No. 3066 on First Reading.

**MOTION**

A presentation was given by Mary McKinney, Community Development Director and Jarell Harris, Planning and Zoning Administrator.

**Mary Brabham, 1564 W 9th Street**, urged the City Council to review the comprehensive plan thoroughly prior to adoption.

**Gerald Ward, 31 W 20th Street**, made comments reference the handout he provided and urged the City Council to review the backup information. He further stated he had provided a copy for the records.

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

**MOTION APPROVED**

9. **ORDINANCE NO. 3067 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, GRANTING TO FLORIDA POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC FRANCHISE; IMPOSING PROVISIONS AND CONDITIONS RELATING THERETO; PROVIDING FOR MONTHLY PAYMENTS TO THE CITY OF RIVIERA BEACH; PROVIDING FOR LIMITED SEVERABILITY; PROVIDING FOR CONFLICTS; 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 Ordinance No. 3067 on First Reading.

**MOTION**

**City Attorney Ryan** stated that staff negotiated the franchise renewal with FPL over a period of years and it's been in the last several months that they've been really serious. The current franchise agreement was approved in 1982 and it expires in 2012, therefore, there were approximately three years left on the franchise agreement. She stated that this would be a new 30 year agreement that would end 2039. The new franchise agreement reduced the rate from 6% to 5.9%.

**Tina White, 800 W 1st Street**, made comments against the proposed ordinance as presented with the stipulations outlined by FPL. She further stated she felt further negotiations should occur to enact a more amicable agreement for the residents of the city.

**Gerald Ward, 31 W 20th Street**, made comments against the proposed ordinance.

**Tony Newbold, representative for FPL**, stated that the 5.9% rate was as a result of the new formula which benefited the city as a result of some terms and conditions being removed that were in the current franchise agreement. Although \$1 million was provided by the finance director, the true amount would be determined by the terms of the agreement from the stand point of how ad valorem taxes were currently being dealt with versus how they would be dealt with in the future. Mr. Newbold continued with explaining the less write-offs clause within the proposed agreement, how it was determined, and how it affects the amount of franchise fees the city

collects or has to return to FPL. He also provided information on the section of the Florida Administrative Code and the Public Service Commission that dealt with franchise fees.

A discussion ensued amongst the City Council, Tony Newbold of Florida Power and Light, and staff.

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

**MOTION APPROVED**

**AWARDS AND PRESENTATIONS:**

**10. PRESENTATION OF CERTIFICATES OF AWARD TO FOUR (4) ADDITIONAL 2009-2010 SCHOLARSHIP WINNERS.**

**Cynthia Becton, Mayor Masters, and Police Chief Williams** presented the following 2009-2010 Scholarship Winners: Jasmine Darville, Travis Mickens, and Shelly Schoberg.

**11. PRESENTATION OF COUNCIL AWARD BY COUNCILPERSON CEDRICK A. THOMAS TO DISTRICT 3 POLICE COMMANDER DAVID TORRES.**

**Councilperson Thomas** presented Commander Torres with the Council Award for outstanding service in District 3.

**12. PRESENTATION BY THE POLICE PENSION BOARD TO COUNCILPERSON BILLIE E. BROOKS.**

**Juan Atkins, Interim Chairperson Police Pension Board,** presented Councilperson Brooks for her service on the Police Pension Board.

**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.*

**Wayne Govan,** on behalf of Abram Elam, presented Asst. City Manager Paul White, Parks and Recreation Director John Williams, Police Chief Clarence Williams, and Fire Chief Troy Perry a certificate for their support in Team Elam Day in the Park.

**Somér Shepherd Thomas, 5206 Eadie Place,** expressed her appreciation for those who supported her for Miss Fashionetta.

**Margaret Shepherd, 441 32<sup>nd</sup> Street,** expressed her appreciation for those who supported her granddaughter Somér for Miss Fashionetta.

**Sylvia Lee Blue, 748 W 1<sup>st</sup> Street,** stated that she was not interested in being appointed to the seat being vacated by Councilperson Thomas.

**Charles Lupo, 2328 S Congress Avenue,** expressed words of appreciation for the efforts put forth by the city in providing a contract for the firefighters which was ratified.

**Mary Brabham, 1564 W 9<sup>th</sup> Street,** made comments reference the listing of individuals on the purge list from the Palm Beach County Supervisor of Elections Office. She encouraged the residents to review the list to ascertain if their name was included and if so to take the necessary steps to update their record. She also invited attention reference the subject matter of Trade Mark Metal being on the agenda in September.

**Tina White, 800 W 1<sup>st</sup> Street,** made comments reference concerns that were made as it related to various actions by the marina director.

**William Burrs, 1500 W 30<sup>th</sup> Street,** expressed words of appreciation to the members of the Fire Department for their efforts in the care provided to his mother during a time of accident at home.

**Gerald Ward, 31 W 20<sup>th</sup> Street,** announced that Florida Department of Transportation would be holding a meeting August 27<sup>th</sup> regarding State Road A1A in Juno Beach. He announced that the Department of Environmental Protection would be hosting a meeting August 26<sup>th</sup>, in the City Council Chambers regarding beach erosion control line. Mr. Ward made comments reference a letter being sent from a department head to South Florida Water Management District regarding the city encumbering and devaluing the value of the Ocean Mall property.

**Charles Agee, 3542 Oleander Terrace,** made comments reference crime control and eradication in Sonoma Bay.

**Elaine Espinoza, 1933 Marsh Harbour,** made comments reference the proposed increase of community development district taxes for the residents of Marsh Harbour.

**Judy Briggs, 2005 Nassau Drive,** made comments reference the criminal activity within Marsh Harbour.

**Marie Allsopp, 1921 Marsh Harbour Drive,** made comments reference the issues the residents of Marsh Harbour are faced with.

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

**Norma Duncombe**, made comments in support of the Police Department. She also made comments reference the city being included in the study that was currently being conducted in the acreage as it relates to the city's concern with its water supply.

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:**

**13. RESOLUTION NO. 104-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE CITY OF RIVIERA BEACH PUBLIC LIBRARY'S PATRON CODE OF CONDUCT; 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. 104-09.

**MOTION**

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

**MOTION APPROVED**

**14. RESOLUTION NO. 105-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE ADOPTION OF THE CITY'S STORMWATER MASTER PLAN INCLUDING THE HIGH PRIORITY AND CAPITAL IMPROVEMENT PROJECTS WITH THEIR RESPECTIVE SCHEDULES; 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. 105-09.

**MOTION**

A presentation was given by Vincent Akhimie, Public Works Director.

**Mary Brabham, 1564 W 9<sup>th</sup> Street**, made comments reference the retention pond indicated in the plan near Stony Brooks Apartments and the lack of notification to residents in the area. She stated residents should be notified all times when their residential area is to be affected.

**Gerald Ward, 31 W 20<sup>th</sup> Street**, made comments reference the backup information provided for the proposed resolution.

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

**MOTION APPROVED**

**BOARD APPOINTMENT(S):**

NONE

**DISCUSSION BY THE CITY MANAGER:**

**City Manager Jones** announced that the budget workshops would continue August 24<sup>th</sup> at 6:30 p.m. and if necessary August 27<sup>th</sup>. She also announced that a workshop was scheduled for September 8<sup>th</sup> with Florida Department of Transportation regarding renovations to US scheduled to begin in 2012.

**LEGAL DISCUSSION/REQUEST:**

NONE

**DISCUSSION AND RECOMMENDATIONS BY CITY COUNCIL:**

**15. COUNCIL CHAIR PARDO - FUNDING REQUEST FROM DOT'S SUCCESS ACADEMY TO SUPPORT READING PROGRAM.**

**Chairperson Pardo** stated that she would request support from the City Council in bringing DOT'S Success Academy into the city. She stated that funding was available in the Community Benefits Program.

A presentation of the activities for the program was given by Dorothy McKinon, founder of DOT's Success Academy.

**Tina White, 800 W 1<sup>st</sup> Street**, made comments reference programs that previously came before the City Council requesting funds and they were not considered. She also made comments reference the reading program available through the Palm Beach County School Board.

**Mary Brabham, 1564 W 9<sup>th</sup> Street**, inquired as to the age limit for the program and the sites for each grade level.

**Sylvester McKinon, 1461 N Mangonia Drive**, made comments reference the difference between the programs available through the Palm Beach County School Board and DOT's Success Academy.

**Fred Angelo, Palm Beach County Professional Firefighters Paramedics**, made comments in support of utilizing funds from the Community Benefit Program to assist DOT's Success Academy.

After a discussion, a motion was made by **Councilperson Brooks** and seconded by **Councilperson Thomas** to provide \$20,000 in funds for DOT's Success Academy.

**MOTION**

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

**MOTION APPROVED**

**Councilperson Thomas** apologized for the comments he made regarding the mayor earlier in the meeting.

**Mayor Masters** announced that the residents of Marsh Harbour would be holding a march on August 22<sup>nd</sup> at 6:00 p.m. He also announced that the job fair would be held Friday in Sonoma Bay at 12 o'clock noon.

### **ADJOURNMENT**

**There being no further business, the meeting was duly adjourned at 11:30 p.m.**

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

APPROVED:

Thomas A. Masters  
THOMAS A. MASTERS  
MAYOR

Dawn S. Pardo  
DAWN S. PARDO  
CHAIRPERSON

ATTEST:

Carrie E. Ward  
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

Judy L. Davis  
JUDY L. DAVIS  
CHAIR PRO TEM

Billie E. Brooks  
BILLIE E. BROOKS  
COUNCILPERSON

Cedrick A. Thomas  
CEDRICK A. THOMAS  
COUNCILPERSON

Shelby L. Lowe  
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: 09/02/2009