

CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, MAY 7, 2008 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.

I. CITY CLERK CALLS TO ORDER

Roll Call

Chairperson Thomas was present and presided. Upon a roll call by City Clerk Ward the following were present: Chairperson Cedrick A. Thomas; Chair pro tem Dawn S. Pardo; Councilperson Lynne L. Hubbard; and Councilperson Shelby L. Lowe.

Councilperson Davis was absent.

Invocation/Pledge of Allegiance

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

II. AGENDA APPROVAL:

1) Additions, Deletions, Substitutions

City Manager Wilkins made the following revisions to the agenda: added Item No. 8A - Resolution reference Amendment 002 to an agreement with Palm Beach County; Item No. 13 - Resolution reference Summer Food Service Program; Item No. 14 - Resolution reference Hall of Fame banquet; and revised Resolution for Item No. 10 - to include the amount being appropriated for those attending the National Conference On Preventing Crime In the Black Community in the heading of the resolution.

Chairperson Thomas added receipt of \$2,000 from the Law Enforcement Trust Fund.

Mayor Masters added appointments to the Riviera Beach Housing Authority under board appointments.

2) Adoption of Agenda

There was a consensus of the board to adopt the agenda as amended.

III. AWARDS AND PRESENTATIONS

ITEM NO.1

PRESENTATION OF RETIREMENT MEMENTOS TO BE PRESENTED TO CECIL BELL FOR TWENTY (20) YEARS OF DEDICATED SERVICE TO THE PARKS DIVISION OF THE PARKS AND RECREATION DEPARTMENT AND THE CITIZENS OF RIVIERA BEACH.

Doretha Perry, Human Resources Director, presented retirement mementos to Cecil Bell for 20 years of dedicated service to the City of Riviera Beach and its citizenry.

Mr. Bell expressed words of appreciation.

The city council commended Mr. Bell for his exceptional services to the city during his tenure.

ITEM NO.2

PRESENTATION BY THE PUBLIC WORKS DEPARTMENT ABOUT NATIONAL PUBLIC WORKS WEEK.

Vincent Akimihe, Public Works Director, read the proclamation proclaiming May 18-24, 2008 as Public Works Week.

IV. COMMENTS FROM THE PUBLIC -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.*

Chantee Kirk, 1975 Marsh Harbour Drive stated problems residents are experiencing in Marsh Harbour.

Bonnie Larson, W 27th Street, made comments reference improving the appearance of the city.

Michael Goelz, Palm Beach County, made comments reference the Tiki Bar/Restaurant and an informational package he put together for the City Council.

Margaret Shepherd, 2003 W 17th Ct #104, made comments reference the Read Palm Beach County project "The Memory Keeper".

Anthony Gigliotti, 245 Claramont Drive, made comments reference the Music Festival.

Gerald Ward, 31 W 20th Street, announced that a proposed project would be considered at the May 8th Planning and Zoning Meeting. He also announced that a charette would be held at Palm Beach Atlantic sponsored by the Metropolitan Planning Organization.

Paul Cameron, Palm Beach Gardens, made comments reference services being provided at the marina.

Lloyd Brown, 1464 W 35th Street, made comments reference the music festival.

Milton Brown, Riviera Beach, made comments reference the music festival

V. 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:

ITEM NO.3
MINUTES OF THE CANVASSING BOARD MEETING HELD MARCH 19,2008.

ITEM NO.4
MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD MARCH 19, 2008.

ITEM NO.5
MINUTES OF THE CITY COUNCIL AGENDA REVIEW HELD APRIL 14, 2008 FOR THE APRIL 16,2008 REGULAR CITY COUNCIL MEETING.

RESOLUTIONS:

ITEM NO.6

RESOLUTION NO. 49-08 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY OF RIVIERA BEACH FOR PARTICIPATION IN THE URBAN COUNTY PROGRAM FOR FISCAL YEARS 2009 THRU 2011 IN ORDER TO RECEIVE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME FUNDS; AUTHORIZING THE MAYOR AND CITY CLERK TO SIGN THE AGREEMENT; 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 Lowe and seconded by Councilperson Hubbard to approve Resolution No. 49-08.

MOTION

Fane Lozman, Riviera Beach Marina, reference the meaning of CDSG and Home funds.

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

MOTION APPROVED

ITEM NO.7

RESOLUTION NO. 50-08 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE CONVEYANCE OF AN 1,800 SQUARE FOOT (0.04 ACRE) PARCEL OF CITY OWNED PROPERTY LOCATED ON WEST 7TH STREET, PCN 56-43-42-32-01-045-0170, TO SIMPSON MEMORIAL CHURCH, LOCATED AT 1144 WEST 6TH STREET, RIVIERA BEACH, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

ITEM NO.8

RESOLUTION NO. 51-08 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 AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY OF RIVIERA BEACH FOR THE 8TH ANNUAL RIVIERA BEACH MUSIC FESTIVAL ON THE BEACH AND ACCEPT FUNDS IN AN AMOUNT NOT TO EXCEED \$50,000 TO OFFSET COSTS ASSOCIATED WITH THE 8TH ANNUAL RIVIERA BEACH MUSIC FESTIVAL ON THE BEACH; APRIL 11-13, 2008; FURTHER DIRECTING THE FINANCE DIRECTOR TO DEPOSIT FUNDS IN THE RIVIERA BEACH MUSIC FESTIVAL

SPECIAL REVENUE FUND (135); AND PROVIDING AN EFFECTIVE DATE.

ITEM NO. SA

RESOLUTION NO. 52-OS A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AMENDMENT 002 TO THE AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND PALM BEACH COUNTY TO RECEIVE \$416,115 FROM PALM BEACH COUNTY IN PLACE OF \$235,115 FOR RECONSTRUCTING WEST 32ND STREET BETWEEN AVENUE "O" AND AVENUE "R"; AND PROVIDING AN EFFECTIVE DATE. ITEM ADDED TO AGENDA

PETITIONS AND COMMUNICATIONS FOR FILING:

NONE

ENDOFCONSENTAGENDA

A motion was made by Councilperson Lowe and seconded by Chair pro tem Pardo to approve the Consent Agenda as amended.

MOTION

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

MOTION APPROVED

VI. PUBLIC HEARINGS:

NONE

ORDINANCES ON SECOND READING:

NONE

ORDINANCES ON FIRST READING:

NONE

VII. REGULAR:

ITEM NO. 09

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ITEM NO. 10

RESOLUTION NO. 53-oS A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING

THE FINANCE DIRECTOR TO APPROPRIATE FUND BALANCES IN THE AMOUNT OF \$10,154 FROM THE LAW ENFORCEMENT TRUST FUND NO. 150-00-399999 TO EXPENDITURE ACCOUNT NO. 150-0817-521-0-4001 TO COVER THE SPONSORSHIP OF A GROUP OF YOUTH, A CITY BUS DRIVER, CHAPERONES, AND CITY COUNCIL PERSONS TO ATTEND THE 23RD ANNUAL NATIONAL CONFERENCE ON PREVENTING CRIME IN THE BLACK COMMUNITY; TO BE HELD JUNE 19-22, 2008 IN TAMPA, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Councilperson Hubbard and seconded by Chair pro tem Pardo to approve Resolution No. 53-08.

MOTION

Fane Lozman, Riviera Beach Marina, made comments reference the youth selection attending the conference.

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

MOTION APPROVED

ITEM NO. 11

RESOLUTION NO. 54-0S A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE CREATION OF AND THE SELECTION CRITERIA FOR AN AUDIT COMMITTEE, AND APPROVING THE ISSUANCE OF A REQUEST FOR PROPOSAL FOR AN INTERNAL AUDIT FUNCTION TO PERFORM MANAGEMENT AUDITS OF SELECTED AREAS OF THE CITY'S DEPARTMENTS AND DEFINING THE PROCEDURES AND REPORTING RESPONSIBILITIES; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Councilperson Hubbard and seconded by Councilperson Lowe to postpone approval of the aforementioned Resolution.

MOTION

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

MOTION APPROVED

ITEM NO. 12

RESOLUTION NO. 55-0S A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS RECREATION ASSISTANCE PROGRAM (RAP) FUNDS IN THE AMOUNT OF \$5,000 FOR COSTS ASSOCIATED WITH THE 2007 ANNUAL WINTER WONDERLAND TOY GIVE-A-

WAY; 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 Hubbard to approve Resolution No. 55-08.

MOTION

Fane Lozman, Riviera Beach Marina, made comments reference funding for the Winter Wonderland.

Mary Brabham, W 9th Street, made comments reference funding for additional youth oriented programs.

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

MOTION APPROVED

ITEM NO. 13

RESOLUTION NO. 56-0S A RESOLUTION OF THE CITY COUNCIL OF RIVIERA BEACH RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SUBMISSION OF THE GRANT APPLICATION TO PARTICIPATE IN THE FLORIDA DEPARTMENT OF EDUCATION SUMMER FOOD SERVICE PROGRAM COMMENCING JUNE 9, 200S THROUGH AUGUST 15, 200S; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY OF RIVIERA BEACH; AND AUTHORIZING THE FINANCE DIRECTOR TO SET UP A BUDGET IN THE AMOUNT OF \$46,103 IN THE SUMMER FOOD **GRANT FUND** (137); 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 Hubbard and seconded by Chair pro tem Pardo to approve Resolution No. 56-08.

MOTION

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

MOTION APPROVED

ITEM NO. 14

RESOLUTION NO. 57-0S A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE ACTIVITIES FOR THE 2ND ANNUAL SPORTS HALL OF FAME BANQUET AND AUTHORIZING THE FINANCE DIRECTOR TO ESTABLISH A BUDGET IN THE AMOUNT OF \$34,350; FURTHER AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER \$34,350 FROM THE GENERAL FUND FUND BALANCE ACCOUNT NO.

001-00-39999 TO THE SPORTS HALL OF FAME FUND; 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 Lowe and seconded by Chair pro tem Pardo to approve Resolution No. 57-08.

MOTION

Fane Lozman, Riviera Beach Marina, made comments in reference to inductees mentoring youth of the community.

Upon a roll call vote by City Clerk Ward, the motion failed with Councilpersons Lowe, Pardo, and Hubbard dissenting.

MOTION FAILED

A motion was made by Councilperson Lowe and seconded by Councilperson Hubbard to refer the aforementioned proposed resolution back to staff to be brought back before the City Council at a later date.

MOTION

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

MOTION APPROVED

Chairperson Thomas stated that as previously noted the 8th graders of John F. Kennedy Middle School would not be able to go on their annual trip. He stated that he was making an appeal to the board for their support by requesting Police Chief Williams to contribute \$2,000 from the Law Enforcement Trust Fund in an effort to aid the students in going on their annual trip.

A motion was made by Chair pro tem Pardo and seconded by Councilperson Hubbard directing Police Chief Williams to contribute \$2,000 from the Law Enforcement Trust Fund, if it could be done, to John F. Kennedy Middle School to assist with the cost of the annual trip for the 8th graders.

MOTION

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

MOTION APPROVED

VIII. BOARD APPOINTMENT:

Mayor Masters appointed Ron Porporta and Jerome Taylor to the Riviera Beach Housing Authority.

A motion was made by Chair pro tern Pardo and seconded by Councilperson Lowe ratifying the mayor's appointment to the Riviera Beach Housing Authority.

MOTION

Sylvia Blue, 1516 Broadway, made comments in support of the board appointments.

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

MOTION APPROVED

IX. DISCUSSION BY THE CITY MANAGER:

City Manager Wilkins requested a workshop be scheduled to discuss the beach erosion occurring on Singer Island May 27th at 6:00 p.m.

Gerald Ward, 1150 Coral Way, stated this would be a repeat workshop and that the county did not have its way previously; therefore, they wanted the city to entertain. And he encouraged the council not to commit to any funding, due to recent cuts in state funding.

There was a consensus of the City Council directing the City Manager to schedule the workshop in June, depending upon the council's schedule.

City Manager Wilkins requested that the City Council schedule a budget retreat follow-up for May 15th at 5:00 p.m.

There was a consensus of the City Council directing the City Manager to schedule the retreat for another date due to the council's prior schedule.

City Manager Wilkins stated that there was a request by the Youth Empowerment Council to discuss the topics that were talked about at their meeting with the City Council; and that they would like for the meeting to be scheduled any day prior to the end of school and after 4:30 p.m.

City Manager Wilkins stated that an organization was contacted to represent supervisory employees who are not exempt. He stated that he was passing down to the council a memo outlining the request. He further stated that he was prOviding a summary on the new Marriott project issues as request by Chair pro tern Pardo.

X. LEGAL DISCUSSION/REQUEST:

NONE

XI. DISCUSSION AND RECOMMENDATIONS:

Mayor Masters announced that on May 10th at 11:00 a.m. at Cunningham Park the Youth Recreation Association would be celebrating the residents of Riviera Beach. He

appealed to those who would be attending to bring supplies for the emergency relief for residents of Haiti. He announced that Winn Dixie on 45th Street and Australian Avenue were hiring baggers starting at the age of 14 years of age. He made further statements in opposition to the city staff being responsible for the music festival and the city funding same.

Councilperson Lowe stated that he viewed the music festival as a relief to the residents of the city while in a hard economic situation and that he felt it was a positive gift to the residents.

Councilperson Hubbard made comments reference the MarriottYates project and requested that a workshop be scheduled with the parties involved to discuss various concerns surrounding the community residents participation.

There was a consensus of the City Council **directing the City Manager as soon as possible to schedule a workshop with the entities involved in the MarriottYates project.**

Chair pro tem Pardo made comments reference her tours of various city departments in preparation of the budget sessions. She also announced that she would be composing a newsletter that would be distributed electronically and that anyone interested in receiving it should email heratdpardo@rivierabch.com.

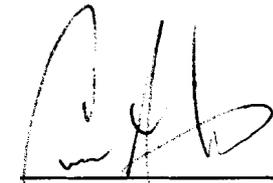
Chairperson Thomas thanks the city staff for their support and stated that the meetings would start on time and without a shadow of doubt, he would not tolerate staff being abused

XII. ADJOURNMENT

There being no further business, the meeting was duly adjourned at 9:00 p.m.

APPROVED:


THOMAS A. MASTERS
MAYOR


GEDRICK A. THOMAS
CHAIRPERSON

ATTEST:


CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK


DAWN S. PARDO
CHAIR PRO TEM


JUDY L. DAVIS
COUNCILPERSON


LYNNE L. HUBBARD
COUNCILPERSON


SHELBY L. LOWE
COUNCILPERSON

MOTIONED BY: J. Davis
SECONDED BY: D. Pardo

S. LOWE aye
L. HUBBARD aye
J. DAVIS aye
D. PARDO aye
C. THOMAS aye

DATE APPROVED: 05/21/08