

**CITY OF RIVIERA BEACH  
PALM BEACH COUNTY, FLORIDA  
REGULAR CITY COUNCIL MEETING MINUTES  
MUNICIPAL COMPLEX COUNCIL CHAMBERS  
WEDNESDAY, FEBRUARY 7, 2007 AT 7:30 P.M.**

**I. CITY CLERK CALLS TO ORDER:**

**Roll Call**

Chairperson Iles was present and presided. Upon roll call by City Clerk Ward, the following were present: Mayor Michael D. Brown, Council Chair Ann Iles, Chair pro tem Vanessa Lee, Councilperson Norma Duncombe, Councilperson Elizabeth "Liz" Wade; and Councilperson James "Jim" Jackson. Also present were City Manager William E. Wilkins, City Clerk Carrie E. Ward, MMC, and City Attorney Pamala Hanna Ryan.

**Invocation & Pledge of Allegiance**

Everyone stood for a Moment of Silence and the Pledge of Allegiance.

**II. AGENDA APPROVAL**

**1) Additions, Deletions, Substitutions**

**City Manager Wilkins** made the following revisions to the agenda: added a presentation by Councilperson Lee; deleted Item No. 4 – Ordinance reference roll-off procedures; and added discussion by the Mayor reference scheduling a Devin Hester Day. He stated that a revised resolution was provided for Item No. 9 – Resolution reference the Academic Summer Camp; Item No. 10 – Resolution reference education scholarship; and provided backup for Item No.11 – discussion on expanding and renovating the marina.

**2) Adoption of Agenda**

A motion was made by **Chair pro tem Lee** and seconded by **Councilperson Wade** to approve the agenda as amended.

**MOTION**

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

**MOTION APPROVED**

III. AWARDS AND PRESENTATIONS

PRESENTATION BY PALM BEACH LAKES HIGH SCHOOL PRINCIPAL, MR. NATE COLLINS TO POLICE CHIEF CLARENCE D. WILLIAMS FOR THEIR OUTSTANDING SUPPORT.

**ITEM ADDED TO AGENDA**

Nate Collins, Principal of Palm Beach Lakes High School, presented a plaque of appreciation to the police department for their outstanding support of the school.

PRESENTATION BY CHAIR PRO TEM VANESSA LEE

Chair pro tem Lee presented what she envisioned for the training program to be established from the seed money to be provided by Rybovich.

IV. COMMENTS FROM THE PUBLIC -Non Agenda Item Speakers (Two Minute Limitation)

Allan Rubin, Esq., Shutts & Bowen, made comments on behalf of True Faith Church and Bishop Jack Williams as it relates to the eminent domain procedures being processed by the school board.

A motion was made by Councilperson Duncombe and seconded by Councilperson Wade to allow Mayor Brown to ask questions of Attorney Rubin.

MOTION

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

MOTION APPROVED

Mayor Brown questioned Attorney Rubin about the school board's assistance in relocating the church. Attorney Rubin responded to Mayor Brown's inquiries.

Barbara Ciggs, 1111 Centerstone Lane, made comments reference the lack of departmental assistance in locating property within the municipal boundaries for the relocation of the church.

The following made comments urging the City's support of the church's efforts to relocate within the city:

Olivia Butler, 3825 Heath Circle South  
Margie Carnegia, 5150 Elmhurst Rd  
Neville Mitchell, 5803 Bermuda Circle  
Sharion Gilbert, 2316 Avenue Z

Reginald Bryant, 4139 Amelia Way  
Curtis Ambrister, 471 W 30<sup>th</sup> Street  
Lasagna Hardy, 471 W 30<sup>th</sup> Street  
Margaret Shepherd, 2003 W 17<sup>th</sup> Ct #104

Inda Spencer, 1550 W 28<sup>th</sup> Street, announced that Unity Day would be held February 17, 2007 Dan "Tate" Calloway Amphitheater.

Michael Hudson, 180 NE 123<sup>rd</sup> Street, reiterated the activities that would be taking place at Unity Day to be held February 17, 2007.

Mary Gilbert, 2617 Avenue Q, made comments in reference to the convenience store located at the corner of W 29<sup>th</sup> Street and Avenue S.

Fane Lozman, City Marina, made comments in reference to the eviction lawsuit currently in process between him and the city. He also made comments reference security being provided by persons who are not US citizens.

Donald Duncombe, 1357 W 28<sup>th</sup> Street, made comments in reference to the article he read in the paper regarding the hearing the state had on the findings of the city's audit.

Elizabeth Robinson, 620 W 34<sup>th</sup> Street, announced that a health fair would be held at Barracuda Bay on February 11<sup>th</sup> from 2 p.m. until 4 p.m.

Bonnie Larson, W 27<sup>th</sup> Street, made comments reference Bernard Kinsey's contract.

Bishop Thomas Masters, 601 w 36<sup>th</sup> Street, made comments in support of True Faith Church relocating within the city. He also made comments reference the request for the enactment of a juvenile curfew ordinance.

Lynne Hubbard, 1405 W 23<sup>rd</sup> Street, announced that the last day for registering to vote in the March Election was February 13<sup>th</sup> and that she would be running for City Council District 1.

Judy Davis, 341 W 22<sup>nd</sup> Street, made comments reference adding to the agenda Disclosure by the City Council as a result of the incidences occurring with Palm Beach County officials.

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. ANY PERSON WHO WOULD LIKE TO SPEAK ON AN AGENDA ITEM, PLEASE FILL OUT A PINK PUBLIC COMMENT CARD LOCATED IN THE BACK OF THE COUNCIL CHAMBERS AND GIVE IT TO THE COUNCIL CHAIR OR THE LEGISLATIVE ASSISTANT, PRIOR TO THE BEGINNING OF THE MEETING.**

1) MINUTES:

ITEM NO.1

MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD ON JANUARY 17,2007.

RESOLUTIONS:

ITEM NO.2

RESOLUTION NO. 15-07 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE NATIONAL VILLAGE REPLAT; AUTHORIZING THE MAYOR, CITY CLERK, AND CITY ENGINEER TO SIGN THE SAID REPLAT; AND PROVIDING AN EFFECTIVE DATE.

2) PETITIONS AND COMMUNICATIONS FOR FILING:

NONE

END OF CONSENT AGENDA

A motion was made by Councilperson Wade and seconded by Councilperson Duncombe to approve the Consent Agenda.

MOTION

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

MOTION APPROVED

Pamala Ryan, City Attorney, introduced Glen Torcivia who would be working on her behalf while she's out on maternity leave.

VI. PUBLIC HEARINGS:

ITEM NO.3

ORDINANCE NO. 3024 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 14-27 ADMINISTRATION, SUBSECTION (2) OF ARTICLE IV, CHAPTER 14, OF THE CITY'S CODE OF ORDINANCES RELATING TO THE GENERAL EMPLOYEES PENSION PLAN TO PROVIDE FOR THE EXCHANGE OF WORDS FROM "MAY" TO "SHALL" BE RESIDENTS;

PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Ordinance into the record and stated that it was published in the January 21, 2007 edition of the Palm Beach Post.

A motion was made by Councilperson Wade and seconded by Chair pro tem Lee to adopt Ordinance No. 3024.

MOTION

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

MOTION APPROVED

1) ORDINANCES ON FIRST READING:

ITEM NO.4

ORDINANCE AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 17.5, ENTITLED "SOLID WASTE MANAGEMENT" OF THE CITY'S CODE OF ORDINANCES BY CREATING A NEW SECTION TO BE ENTITLED "ROLL-OFF ENFORCEMENT"; PROVIDING FOR SEVERABILITY, CONFLICTS AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

~~ITEM DELETED~~

VII. REGULAR:

ITEM NO.5

PRESENTATION BY THE SCHOOL DISTRICT STAFF REGARDING THE NEW SUNCOAST HIGH SCHOOL AND THE NEW RIVIERA BEACH HIGH SCHOOL.

Randall Granberry, Palm Beach County School Board, made a presentation.

A discussion ensued amongst the Mayor, City Council, and the representatives from the Palm Beach County School Board.

Gerald Ward, 31 W 20<sup>th</sup> Street, made comments reference the meetings held regarding the conceptual plans for the new school.

Dr. Debra Robinson, Palm Beach County School Board, made comments reference her efforts in addressing the concerns of residents who will be affected by the process for the new school. She also made comments reference student population.

ITEM NO.6

RESOLUTION NO. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE FINANCE DIRECTOR TO APPROPRIATE GENERAL

FUND-FUND BALANCE IN THE AMOUNT OF \$341,690 FOR THE PURCHASE OF TEN (10) FULLY EQUIPPED POLICE VEHICLES; AND AUTHORIZING THE PURCHASE OF SAID VEHICLES FROM DUVAL FORD OF JACKSONVILLE, FLORIDA THROUGH FLORIDA SHERIFF'S BID #06-14-0821; AND AUTHORIZING THE PURCHASE OF IN-CAR VIDEO SYSTEMS FROM MOTOROLA CORPORATION; AND AUTHORIZING THE FINANCE DIRECTOR TO PAY \$245,220 TO DUVAL FORD AND \$111,156 TO MOTOROLA FROM MOTOR VEHICLE ACCOUNT NO. 001-0822-521-0-6451; AND PROVIDING AN EFFECTIVE DATE. **MOVED TO THE NEXT AGENDA**

ITEM NO.7

RESOLUTION NO. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ADOPTING RULES OF DECORUM GOVERNING PUBLIC CONDUCT DURING OFFICIAL MEETINGS IN THE CITY OF RIVIERA BEACH; AND PROVIDING AN EFFECTIVE DATE. **MOVED TO THE NEXT AGENDA**

ITEM NO.8

RESOLUTION NO. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ADOPTING A CODE OF CONDUCT GOVERNING ELECTED OFFICIALS DURING OFFICIAL MEETINGS IN THE CITY OF RIVIERA BEACH; AND PROVIDING AN EFFECTIVE DATE. **MOVED TO THE NEXT AGENDA**

ITEM NO.9

RESOLUTION NO. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING ACADEMIC SUMMER CAMP '07 TO BE HELD JUNE 18-JULY 27, 2007, ON THE CAMPUS OF JOHN F. KENNEDY MIDDLE MAGNET SCHOOL; TRANSFERRING \$55,809 FROM THE GENERAL FUND AND SETTING UP A BUDGET IN THE AMOUNT OF \$205,809 FOR THE SIX WEEK AND SELECT CAMP STAFF; AND PROVIDING AN EFFECTIVE DATE. **MOVED TO THE NEXT AGENDA**

ITEM NO. 10

RESOLUTION NO. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING APPROPRIATION OF FUNDS FOR 2007-2008 EDUCATION SCHOLARSHIP PROGRAM.

RESOLUTION NO. 19-07 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE USE OF \$5,000 FROM THE LAW ENFORCEMENT TRUST FUND, \$9,000 IN DONATIONS FROM PALM BEACH PRINCESS CASINO CRUISE LINE, \$1,000 FROM THE MASUD TEMPLE #69, \$1,000 FROM THE CUNNINGHAM FAMILY AND A \$4,000 IN DONATIONS FROM OTHER CITY BUSINESS PARTNERS TO PROVIDE TWENTY (20) \$1,000

SCHOLARSHIPS FOR THE 2007-2008 SCHOOL YEAR; AUTHORIZING THE RIVIERA BEACH EDUCATION ADVISORY BOARD TO ADVERTISE THE AVAILABILITY OF, ACCEPT APPLICATIONS FOR, AND ESTABLISH A REVIEW BOARD TO SELECT THE RECIPIENTS; AUTHORIZING THE INTERIM FINANCE DIRECTOR TO APPROPRIATE \$5,000 OF FUND BALANCE IN THE LAW ENFORCEMENT TRUST FUND AND DISBURSE FUNDS FROM THE LAW ENFORCEMENT TRUST FUND SCHOLARSHIP ACCOUNT NO. 001-0817-5210-5521; AUTHORIZING THE INTERIM FINANCE DIRECTOR TO APPROPRIATE FUND BALANCE IN THE AMOUNT OF \$15,000 AND DISBURSE FUNDS FROM ACCOUNT NO. 130-0203-519-0-5521; AND PROVIDING AN EFFECTIVE DATE. **REVISED RESOLUTION**

A motion was made Chair pro tern Lee and seconded by Councilperson Wade to approve Resolution No. 19-06.

MOTION

Cinthia Becton, 500 W 24<sup>th</sup> Street, thanked the City Council for their support.

Warrie Leonard, 1901 W 23<sup>rd</sup> Street, read a poem into the record entitled "The City".

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

MOTION APPROVED

ITEM NO. 11

DISCUSSION AND CONCEPTUAL APPROVAL OF MARINA EXPANSION AND RENOVATION PROPOSAL TO BE SUBMITTED FOR PALM BEACH COUNTY WATER ACCESS BOND GRANT.

City Manager Wilkins stated that Palm Beach County approved \$50 million for marina public access. He stated that the purpose was to ensure that residents continue to have access to waterfront and marina facilities which has been a problem in Palm Beach County. He stated that Palm Beach County staff was preparing to submit their recommendations in March.

A discussion ensued amongst the Mayor, City Council, and staff.

A motion was made by Councilperson Wade and seconded by Councilperson Duncombe to conceptually approve the marina expansion and renovation proposal.

MOTION

Fane Lozman, City Marina, made comments against the conceptual plan.

Gerald Ward, 31 W 20<sup>th</sup> Street, made announced that the Florida Inland Navigation District had a deadline of March 31<sup>st</sup> associated with this project.

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

MOTION APPROVED

Chairperson lies stated that Item Nos. 6, 7, 8, and 9 needed to be moved to next City Council Agenda.

1) BOARD APPOINTMENT:

NONE

2) DISCUSSION BY THE CITY MANAGER:

NONE

VIII. LEGAL DISCUSSION/REQUEST:

City Attorney Ryan requested a Closed Executive Session to be held February 8<sup>th</sup> at 11 a.m. regarding City of Riviera Beach vs. Dawn Pardo and Dawn Pardo vs. James Jackson et al cases.

There was a consensus of the City Council to schedule a Closed Executive Session for February 8<sup>th</sup>.

City Atty. Ryan stated that the following would be present: the City Council, City Manager William Wilkins, special counsel Brian Joslyn, Richard Jarolem.

IX. DISCUSSION AND RECOMMENDATIONS:

Mayor Brown requested that staff be directed to schedule a Devin Hester Day in the city and to contact his parents for availability.

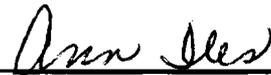
X. ADJOURNMENT

There being no further business, the meeting was duly adjourned at 11:16 p.m.

**APPROVED:**



**MICHAEL D. BROWN**

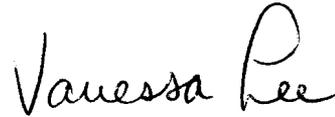


**ANN ILES  
CHAIRPERSON**

**ATTEST:**



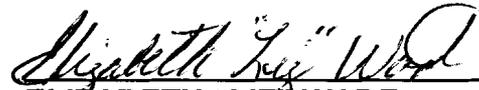
**CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK**



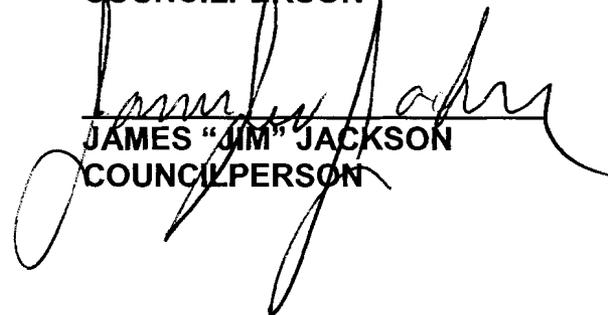
**VANESSA LEE  
CHAIR PRO TEM**



**NORMA DUNCOMBE  
COUNCILPERSON**



**ELIZABETH "LIZ" WADE  
COUNCILPERSON**



**JAMES "JIM" JACKSON  
COUNCILPERSON**

**MOTIONED BY:** V. Lee

**SECONDED BY:** N. Duncombe

**J. JACKSON** aye

**A. ILES** aye

**V. LEE** aye

**N. DUNCOMBE** aye

**E. WADE** out

**DATE APPROVED:** 02/21/2007