

CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, FEBRUARY 21, 2007 AT 7:30 P.M.

I. CITY CLERK CALLS TO ORDER:

Roll Call

Chairperson lies was present and presided. Upon roll call by City Clerk Ward, the following were present: Mayor Michael D. Brown, Council Chair Ann lies, 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 Acting City Attorney Glen Torcivia.

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 presentation from the Maribeth Norma, United States Post Office; and a presentation from Friends of the Library. The following were also added: Item No. 12 - Resolution reference Referendum questions and Item No. 13 - Sponsorship Report of 2007 Jazz & Blues Festival. Backup provided for Item No. 10 - Resolution reference West Construction. Item NO.3 - Ordinance reference Nuisance Abatement.

2) Adoption of Agenda

A motion was made by Councilperson Wade and seconded by Councilperson Duncombe 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

ITEM NO.1

PRESENTATION AND WELCOME NEW EMPLOYEES OF THE CITY OF RIVIERA BEACH FOR THE MONTH OF JANUARY, 2007

Doretha Perry, Human Resources Director, presented the following new employees for the month of January: Eureka Irvin (Human Resources); Roosevelt Kingdom (Utility District); Rosemond Wright (Public Works); Eric Kerbo (Public Works); Brian Ross (Recreation & Parks); Carlton Willis (Public Works); Dana Glorit (Police); and Dominic Ford (Recreation & Parks).

ITEM NO. 1A

PRESENTATION BY THE U.S. POSTAL SERVICE COMMEMORATING ELLA FITZGERALD **ITEM ADDED TO AGENDA**

Maribeth Norman, Officer-in-Charge U.S. Postal Service, presented and unveiled the mounted stamp commemorating Ella Fitzgerald.

Mayor Brown expressed words of appreciation and stated that it would be on display during the month of February and March.

PRESENTATION BY FRIENDS OF THE **LIBRARY TO ISABELLA CUNNINGHAM** **ITEM ADDED TO AGENDA**

Margaret Shepherd, Friends of the Library, made a presentation to Isabella Cunningham.

Mrs. Isabella Cunningham, gave an overview of her accomplishments and the accomplishments of her family.

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

Allan Rubin, representing True Faith Church, stated that a meeting was set with the attorneys representing the school board to accelerate the process.

Barbara Ciggs, 1111 Centerstone Lane, read a letter into the records regarding a request to the City Council.

Gloria Rease, 1016 9th Street, requested the support of the city in the relocation of True Faith Church.

Earl Davis, 1001 W 4th Street, made comments reference concerns of his neighborhood.

Max Olivier, Singer Island, made a public apology to the community for a prank he committed on his neighbors.

Cameron Fockler, Singer Island, made a public apology to the community for a prank he committed on his neighbors.

Fane Lozman, Riviera Beach Marina, made comments reference various concerns of the city.

Bishop Thomas Masters, 601 W 36th Street, announced that a job fair would be held February 24th and a second job fair would be held March 17th.

Bonnie Larson, W 27th Street, made comments reference setting deadlines for agenda items.

Gerald Ward, 31 W 20th Street, made comments reference funding for a Planning & Design Environmental Study.

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:

MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD ON FEBRUARY 7, 2007. ITEM NO.2

RESOLUTIONS:

NONE

2) PETITIONS AND COMMUNICATIONS FOR FILING:

NONE

END OF CONSENT AGENDA

A motion was made by Chair pro tem Lee and seconded by Councilperson Duncombe to approve the Consent Agenda.

MOTION

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

MOTION APPROVED

VI. PUBLIC HEARINGS:

NONE

1) ORDINANCES ON FIRST READING:

ITEM NO.3

ORDINANCE NO. 2950 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 11, ARTICLE V, ENTITLED "PUBLIC NUISANCE ABATEMENT" OF THE CODE OF ORDINANCES OF THE CITY OF RIVIERA BEACH, FLORIDA; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY AND CONFLICT CLAUSE; AND PROVIDING AN EFFECTIVE DATE. ~~ITEM DELETED~~

VII. REGULAR:

ITEM NO.4

RESOLUTION NO. 20-07 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; AUTHORIZING THE PURCHASE OF SAID VEHICLES FROM DUVAL FORD OF JACKSONVILLE, FLORIDA THROUGH FLORIDA SHERIFF'S BID #06-14-0821; 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.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Councilperson Duncombe and seconded by Chair pro tem Lee to approve Resolution No. 20-07.

MOTION

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

MOTION APPROVED

ITEM NO.5

RESOLUTION NO. 21-07 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.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Councilperson Duncombe and seconded by Councilperson Wade to approve Resolution No. 21-07.

MOTION

A motion was made by Chair pro tem Lee and seconded by Councilperson Wade to discuss Item Nos. 5 and 6 at a workshop.

MOTION

Fane Lozman, made comments against the proposed Resolution.

Margaret Shepherd, 2003 W 17th Court #104, made comments reference the proposed Resolution.

Gerald Ward, 31 W 20th Street, made comments reference NO.5 of Item NO.5 and No.7 of Item NO.6 on the agenda.

A lengthy discussion ensued amongst the Mayor and City Council.

Chair pro tem Lee withdrew her motion. Councilperson Wade withdrew her second.

MOTION WITHDRAWN

A motion was made by Councilperson Wade and seconded by Councilperson Duncombe to approve Resolution No. 21-07 with the exception of NO.5.

MOTION

Chairperson lies requested that the words "and argumentative" be added to number 4. She also requested that number 8 be added stating that all members of the public should vacate the building immediately after a meeting ends.

There was a consensus of the City Council to accept the changes made by Chairperson lies.

Acting City Attorney Torcivia advised the City Council that the rules presented by City Attorney Ryan were appropriate and permissible when conducting a meeting.

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

MOTION APPROVED

ITEM NO.6

RESOLUTION NO. 22-07 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.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Chair pro tern Lee and seconded by Councilperson Duncombe to approve Resolution No. 22-07.

MOTION

Councilperson Wade requested that No.7 be deleted.

Fane Lozman, City Marina, made comments against the proposed Resolution.

There was a consensus of the City Council to omit No.7.

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

MOTION APPROVED

ITEM NO.7

RESOLUTION NO. 23-07 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 CONTINGENCY ACCOUNT TO THE ACADEMIC SCHOOL CAMP FUND; TRANSFERRING AND SETTING UP A BUDGET IN THE AMOUNT OF \$205,809 FOR THE SIX WEEK ACADEMIC SUMMER CAMP FOR MIDDLE SCHOOL STUDENTS; \$100,000 BY THE KNIGHT FOUNDATION AND \$50,000 FUNDED BY CHILDREN SERVICES WILL BE TRANSFERRED BACK TO THE GENERAL FUND WHEN REIMBURSEMENT REQUESTS HAVE BEEN PROCEESED; AUTHORIZING STAFF TO ADVERTISE AND SELECT CAMP STAFF; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Councilperson Wade and seconded by Chair pro tern Lee to approve Resolution No. 23-07.

MOTION

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

MOTION APPROVED

ITEM NO.8

RESOLUTION NO. 24-07 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 EMERGENCY SERVICES AGREEMENT FOR MUTUAL ASSISTANCE, AUTOMATIC AID, AND DISPATCH SERVICES BETWEEN THE CITY OF RIVIERA BEACH AND PALM BEACH COUNTY FOR THE PROVISION OF FIRE AND EMERGENCY MEDICAL DISPATCH SERVICES; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Councilperson Duncombe and seconded by Chair pro tem Lee to approve Resolution No. 24-07.

MOTION

A discussion ensued amongst the City Council and staff.

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

MOTION APPROVED

ITEM NO.9

RESOLUTION NO. 25-07 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE PURCHASE OF ELEVEN (11) TRUCKS, THREE (3) SUV'S, AND ONE (1) VAN FROM DUVAL FORD OF JACKSONVILLE, FLORIDA IN THE AMOUNT OF \$305,821 BY PIGGY-BACKING FROM SHERIFFS' ASSOCIATION OF COUNTIES PURCHASING CONTRACT NO. 06-14-0821; AUTHORIZING THE INTERIM FINANCE DIRECTOR TO PAY \$305,821 TO DUVAL FORD FROM THE FOLLOWING CAPITAL MOTOR VEHICLES ACCOUNT NUMBERS FOR EACH DEPARTMENT; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Chair pro tem Lee and seconded by Councilperson Duncombe to approve Resolution No. 25-07.

MOTION

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

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

MOTION APPROVED

ITEM NO. 10

RESOLUTION NO. 26-07 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING THE PROPOSAL OF AND AWARDDING THE CONTRACT FOR BID NO. 149-07 TO WEST CONSTRUCTION OF LANTANA, FLORIDA; AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE PROPOSED CONSTRUCTION CONTRACT FOR THE CONSTRUCTION OF FOUR (4) FULL LENGTH BASKETBALL COURTS FOR PHASE II IMPROVEMENTS FOR THE DAN CALLOWAY RECREATIONAL COMPLEX IN THE AMOUNT OF \$347,298; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Chair pro tern Lee and seconded by Councilperson Wade to approve Resolution No. 26-07.

MOTION

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

MOTION APPROVED

ITEM NO. 11

DISCUSSION: REQUEST CITY COUNCIL TO APPROVE THE POLICE DEPARTMENT TO EMPLOY/PROMOTE INDIVIDUALS TO FILL THE FOUR (4) POSITIONS OF POLICE COMMANDER STARTING AT THE MIDPOINT OF THE SALARY RANGE.

A motion was made by Chair pro tern Lee and seconded by Councilperson Wade to approve staffs request.

MOTION

A discussion ensued amongst the City Council and staff.

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

MOTION APPROVED

ITEM NO. 12

RESOLUTION NO. 27-07 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE PROVISION OF INFORMATION AND EDUCATION TO CITY RESIDENTS REGARDING TWO REFERENDUM QUESTIONS ON THE MARCH 13,2007 CITY ELECTION BALLOT; TRANSFERRING \$20,000 FROM FUND BALANCE ACCOUNT TO THE SPECIAL PROJET ADMINISTRATION ACCOUNT AND SETTING UP A BUDGET IN THE AMOUNT OF \$20,000 FOR THE INFORMATION AND EDUCATION PROJECT; 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 Wade and seconded by Chair pro tem Lee to approve Resolution No. 27-07.

MOTION

A discussion ensued amongst the City Council.

At this point, City Clerk Ward announced that the courts ruled on the ballot language as it should appear on the official ballot and that it had been processed and was currently being prepared for the voting equipment.

Upon a roll call vote by City Clerk Ward, the motion was approved with Councilpersons Jackson and Lee dissenting.

MOTION APPROVED

ITEM NO. 13

UPDATE ON SPONSORSHIP FOR THE 2007 RIVIERA BEACH JAZZ. AND BLUES FESTIVAL

City Manager Wilkins gave a report on the sponsorship commitments received as of to date and the continued sponsorship efforts being put forth by staff.

A discussion ensued amongst the City Council and staff.

1) BOARD APPOINTMENT:

NONE

2) DISCUSSION BY THE CITY MANAGER:

REQUEST FOR A SPECIAL CITY COUNCIL MEETING

City Manager Wilkins requested that a special meeting be scheduled for Wednesday prior to the CRA meeting to discuss the contract with BET. He also stated that he received information that the State Department of Community Affairs intended to issue on Friday a Finding of Compliance for Palm Beach County's request for the TCEA that the city had been disputing and it would be included on the agenda.

There was a consensus of the City Council to schedule a Special City Council Meeting at 6:00 p.m.

VIII. LEGAL DISCUSSION/REQUEST:

NONE

IX. DISCUSSION AND RECOMMENDATIONS:

Councilperson Wade asked Acting City Attorney Torcivia to legally research to insure the city was protected from the statement made by the mayor at the last meeting to the residents regarding eminent domain proceedings with Palm Beach County School Board.

Chair pro tem Lee commended the staff members who were responsible for putting the Family Unity Day event together.

Chairperson Iles requested to receive details of the information stated by employees of not receiving performance evaluations in a timely manner; the Police Department not having significant evidence for cases; and the voting precinct for Singer Island.

X. ADJOURNMENT

There being no further business, the meeting was duly adjourned at 11:35 p.m.

APPROVED:



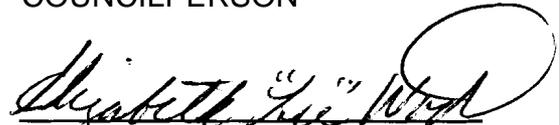
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CHAIRPERSON



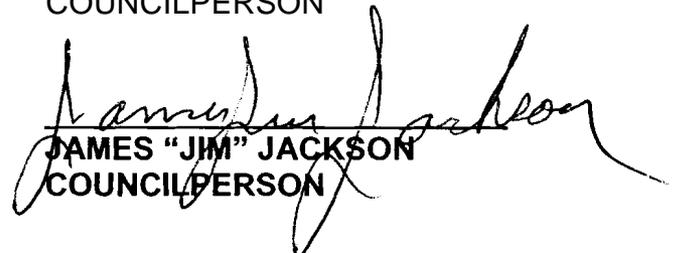
VANESSA LEE
CHAIR PRO TEM



NORMA DUNCOMBE
COUNCILPERSON



ELI BETH "LIZ" WADE
COUNCILPERSON



JAMES "JIM" JACKSON
COUNCILPERSON

MOTIONED BY: E. WADE
SECONDED BY: N. DUNCOMBE

J. JACKSON AYE
A.ILES AYE
V.LEE AYE
N. DUNCOMBE AYE
E. WADE AYE

DATE APPROVED: 03/07/2007