

CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, OCTOBER 17, 2007 AT 6:32 P.M.

I. CITY CLERK CALLS TO ORDER:

Roll Call

Chairperson Lowe was present and presided. Upon roll call by City Clerk Ward, the following were present: Mayor Thomas Masters, Chairperson Shelby L. Lowe, Chair Pro Tem Lynne L. Hubbard, Councilperson Norma Duncombe, Councilperson Cedrick Thomas; and Councilperson James "Jim" Jackson. Also present were City Manager William E. Wilkins, City Clerk Carrie E. Ward, MMC, and City Attorney Pamala H. Ryan.

Invocation & Pledge of Allegiance

Everyone was invited to stand for a moment of silence and the Pledge of Allegiance led by Councilperson Jackson.

II. AGENDA APPROVAL

1) Additions, Deletions, Substitutions

An additions, deletions, substitutions and revisions sheet was provided by City Manager Wilkins.

There were no items added to the agenda; items # 11 and #14 were deleted; backup was provided for items #3 and #4; and revised backup was provided for item #8.

2) Adoption of Agenda

A motion was made by Councilperson Jackson and seconded by Chair Pro Tem Hubbard to adopt 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

PRESENT AND WELCOME NEW EMPLOYEES OF THE CITY OF RIVIERA BEACH FOR THE MONTH OF SEPTEMBER, 2007.

Human Resources Director Doretha Perry announced that the Human Resources Department relocated to 2051 Martin Luther King Jr. Blvd.

She presented the following new employees for the month of September: Jerrell Harris (Community Development) and Jeffrey Gagnon (Community Development).

ITEM NO.2

PRESENTATION TO ST. GEORGE CENTER CHURCH BY MAYOR THOMAS A. MASTERS, IN RECOGNITION OF THE CENTER'S COMMITMENT TO CITIZENS OF THE COMMUNITIES OF PALM BEACH COUNTY.

Mayor Masters presented a Certificate of Appreciation to the 81. George's Center, in recognition of their contributions to the community. He stated existing programs were daily feedings and an out of school/after school center. The out-of-school/after school program has four components. All components include tutoring, homework assistance, character development (each session starts with prayer), self-esteem lessons, and team building assignments. St. George's center, inc. mission statement is "to improve the quality of life for people in need by providing human services and opportunities to grow in dignity and self-sufficiency; and, to become aware of god's love in action."

ITEM NO.3

PRESENTATION OF A "COUNCIL AWARD" BY COUNCILPERSON CEDRICK A. THOMAS TO MS. MONTENIQUE HAYWOOD, A 9 YEAR OLD PARTICIPANT IN THE CITY'S WEED AND SEED PROGRAM FOR BEING AN OUTSTANDING EXAMPLE FOR OTHER YOUNG PEOPLE TO FOLLOW.

ADDITIONAL BACKUP PROVIDED

Councilperson Thomas recognized and awarded 9 year old Montenique Haywood from the Weed and Seed Program for being an example among her peers and an outstanding citizen in the City of Riviera Beach.

City Manager Wilkins informed the Council and the public that a Town Hall Meeting was scheduled for Saturday, October 20th, 9:00 a.m. to 3:30 p.m. with the City of Riviera Beach Community Redevelopment Agency. He stated that the purpose of the meeting was to review the City's redevelopment plans and to give

the citizens an opportunity to provide input into the review.

City Manager Wilkins also announced that The Kick-off Design Workshop would be held Saturday, October 20th at 9:00 a.m. in City Hall; refreshments would be provided; and on Sunday, October 21st through Thursday, October 25th "Work In Progress Sessions" would be held 9 a.m. to 10.a.m. in the Utility District conference room. He stated that the sessions would provide the public an opportunity to come in and look at the plans for redevelopment and provide their input.

City Manager Wilkins then stated that Mr. Floyd Johnson, the CRA Executive Director indicated that either he or Scott Evans, the CRA's Senior Planner could be contacted at 561-844-3408 for more information about these meetings. He also stated that the sessions were being conducted by the Treasure Coast Regional Planning Council who would in turn forward any input to the CRA and the City Council for the development of the revised CRA plan.

ITEM NO.4

PRESENTATION OF A "COUNCIL AWARD" BY COUNCILPERSON CEDRICK A. THOMAS TO POLICE OFFICER TRACY BOGGS IN RECOGNITION OF EXCEPTIONAL SERVICE-AS REPORTED BY COMMUNITY RESIDENTS. ADDITIONAL IS/ALL INFORMATION

Roseanne Brown, City's Chief of Staff, explained the "Council Award" that was initiated by Councilperson Thomas, was designed to recognize citizens who demonstrate extraordinary significance in the community, as reported by other citizens in the community.

Councilperson Thomas explained that each Councilperson would get an opportunity to present their award, once they selected a citizen to be recognized.

Vivian Havener who serves as a Citizen on Patrol in the area, informed the Council that Officer Boggs recently spoke at a meeting at the Port Road, and at that meeting exemplified excellent service, representing the City of Riviera Beach.

Councilperson Thomas recognized and awarded Officer Tracy Boggs for demonstrating extraordinary services to the residents of our community. He stated that a petition, including a list of names from members in the community was distributed, requesting that Officer Boggs be honored for the excellent work she is doing in the community.

Councilperson Duncombe also commended Officer Boggs, and admonished her to continue being an example to other young ladies in the community.

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 govern yourselves accordingly.*

Chris Smith, Candidate for State Senate District 29, which will encompass Riviera Beach, formally introduced himself to the Council and the public.

Randy Graham, 1516 West 30th Street addressed the Council regarding Inlet Grove High School's football program, and their "Wish List" for sponsorship for football equipment.

Richard Jackson, 1021 West 10th Street, commented on the neighborhood watch program that the Council has asked Citizens to start in their communities.

Richard Wester, 331 West 23rd Street, expressed his opposition to the proposed recycling facility, and also stated that Ave. S needed to be paved.

Tyrone McCloud, 4661 Dyer Blvd. addressed the Council in favor of the proposed recycling facility, and stated that it will be a state of the art facility. He offered his assistance and telephone number (561)662-0502, to interested citizens who wanted to tour the property to see a layout of the proposed plant.

Fane Lozeman, 200 East 13th Street, addressed the Council addressing the Sunshine Laws, as related to public meetings, and the rights of citizens in those meetings.

Eleanor DeNoble, 2026 Oakhurst Way addressed the Council regarding the issues and problems facing the homeowners in the Thousand Oaks development, and reminded the Council that the citizens in that community are expecting a meeting with the City Manager and Council.

Bonnie Larson, West 27th Street, addressed the Council and citizens regarding the CRA Town Hall Meeting scheduled for October 20. She admonished the citizens to attend and provide their input to the redevelopment plan.

Gerald Ward, 31 West 20th Street, addressed the City Manager and Council regarding the oppression and obstruction caused by FPL while working in the area. He also admonished the citizens to attend the town hall meeting scheduled for this weekend and provide their input to the redevelopment plan.

Louise Dawkins, 756 West 3rd Street, inquired on the procedure to have someone or an item added to the agenda.

Councilperson Duncombe read a letter emailed from Lisa Doherty 3855, North Ocean Blvd., into the records regarding the City Marina and the conduct of the City Council.

Chairperson Lowe responded that he also received a copy of the letter via email, and contacted Mrs. Doherty, and addressed her concerns.

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.

1) MINUTES:

ITEM NO.5

MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD OCTOBER 3, 2007.

ITEM NO.6

MINUTES OF THE AGENDA REVIEW HELD ON SEPTEMBER 17, 2007.

RESOLUTIONS:

NONE

2) PETITIONS AND COMMUNICATIONS FOR FILING:

NONE

END OF CONSENT AGENDA

A motion was made by Councilperson Thomas and seconded by Chair pro tern Hubbard to approve the Consent Agenda.

MOTION

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

MOTION APPROVED

VI. PUBLIC HEARINGS:

NONE

1) ORDINANCES ON FIRST READING:

NONE

VII. REGULAR:

ITEM NO.7

RESOLUTION NO. 145-07 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING THE GRANT FUNDS FROM THE OFFICE OF THE ATTORNEY GENERAL-VICTIMS OF CRIME ACT (VOCA) FOR THE VICTIM ADVOCATE PROGRAM IN THE AMOUNT OF \$38,832; TO CONTINUE WITH CRISIS RESPONSE SERVICES FOCUSING IN AREAS OF HOMICIDE, DOMESTIC VIOLENCE, CHILD DEATHS, AND ELDERLY VICTIMIZATION; AUTHORIZING THE MAYOR TO EXECUTE CERTIFICATE OF ACCEPTANCE OF SUB GRANT AWARD; AUTHORIZING THE FINANCE DIRECTOR TO SET-UP THE BUDGET IN FUND 125; 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 Jackson to approve Resolution No. 145-07.

MOTION

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

MOTION APPROVED

ITEM NO.8

RESOLUTION NO. 146-07 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO RELEASE LIEN AND TO ISSUE A RELEASE OF CODE ENFORCEMENT LIEN ON PROPERTY LOCATED AT 1546 MARTIN LUTHER KING, JR. BOULEVARD FOR VIOLATIONS THAT ARE NOW IN COMPLIANCE FOR THE AMOUNT OF \$20,000; AND PROVIDING AN EFFECTIVE DATE. [REDACTED]

[REDACTED]

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Councilperson Thomas and seconded by Chair pro tem Hubbard to approve Resolution No. 146-07 for discussion.

MOTION

Natalie Moore, Code Enforcement Administrator addressed the Council and explained the information entailed in the revised backup provided.

The following members from the public commented on Item No.8:

Angela Wynn, West 35th Street.
Tina White, 808 1st Street West
Fane Lozman, 200 East 13th Street.

Councilperson Thomas presented a presentation with pictures of the properties in question that were not being maintained by the Department Of Transportation.

Councilperson Jackson expressed his opposition to releasing the liens imposed on the properties that were not in compliance.

Councilperson Duncombe addressed the representatives from the Department Of Transportation regarding property acquisition. She then advised the citizens that they had the right to an attorney expenses covered by the Department Of Transportation, to ensure that they receive proper compensation for their property.

A representative from the Department of Transportation stated that he would inform his department of the City's request for expedited services in getting the properties up to standard.

Mayor Masters informed the public that those in need of legal assistance while dealing with investors should contact Attorney Maurice Hall, who volunteered to provide legal advice free of charge to the residents.

The following Investors/Contractors related to the properties in question addressed the Council:

Sandra Porter, 5051 45th Road, Lake Worth
Chris Punai, 5051 45th Road, Lake Worth

A discussion ensued amongst the Council and Mr. Punai.

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

MOTION FAILED

ITEM NO.9

RESOLUTION NO. 147-07 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING ARTHUR J. GALLAGHER & COMPANY - MIAMI TO PLACE THE APPROPRIATE COVERAGES; AND AUTHORIZING THE INTERIM FINANCE DIRECTOR TO MAKE PAYMENTS FROM THE INSURANCE LIABILITY FUND ACCOUNT NO. 602-0539-513-0-4501 UP TO THE AMOUNT OF \$3,388,411 TO ARTHUR J. GALLAGHER & CO. - MIAMI FOR RISK PACKAGE FIXED COSTS; 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 Jackson to approve Resolution No. 147-07.

MOTION

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

MOTION APPROVED

ITEM NO. 10

RESOLUTION NO. 148-07 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE JOB CLASSIFICATION LISTS BY CREATING, REGRADING AND DELETING CERTAIN CLASSIFIED AND UNCLASSIFIED POSITIONS, PURSUANT TO THE 2007-2008 FISCAL BUDGET; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Chair pro tem Hubbard and seconded by Councilperson Thomas to approve Resolution No. 148-07.

MOTION

Councilperson Duncombe questioned Doretha Perry, Human Resources Director in regards to a position not being listed under the City Manager.

Mrs. Perry responded that she was not for certain whether or not the position would be listed under the City Manager.

Councilperson Duncombe stated that she held the City Manager responsible for all employees and did not want to vote until she knew for certain if the position was listed under the City Manager.

City Manager Wilkins responded that the Charter stated that all employees should report to the City Manager and if a notice went out that did not indicate such then it was an error.

Upon a roll call vote by City Clerk Ward, the vote passed with **Councilperson Jackson** and **Councilperson Duncombe** dissenting.

MOTION APPROVED

ITEM NO. 11

RESOLUTION NO. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING FUNDING FROM PALM BEACH COUNTY TO THE NEW COMMUNITY DEVELOPMENT GROUP, INC. ON BEHALF OF THE MONROE HEIGHTS NEIGHBORHOOD FOR THE DESIGN, CONSTRUCTION, AND INSTALLATION OF A MONUMENT SIGN; AND DIRECTING THE INTERIM FINANCE DIRECTOR TO TRANSFER FUNDS IN THE AMOUNT OF \$8,000 FROM THE GENERAL FUND CONTINGENCY FUND ACCOUNT NO. 001-0203-519-0-5999 TO THE GENERAL ADMINISTRATION'S ACCOUNT NO. 001-0203-519-0-6351 AS MATCHING FUNDS FOR THE MONROEHEIGHTS NEIGHBORHOOD; AND PROVIDING AN EFFECTIVE DATE. ~~ITEM DELETED~~

ITEM NO. 12

DISCUSSION: REQUEST CITY COUNCIL TO APPOINT A VOTING DELEGATE AND ALTERNATE FOR THE NATIONAL LEAGUE OF CITIES ANNUAL BUSINESS MEETING TO BE HELD ON NOVEMBER 17, 2007 IN NEW ORLEANS, LOUISIANA.

Chair Pro Tem Hubbard nominated **Chairperson Lowe** as the voting delegate for the National League of Cities.

Councilperson Duncombe stated for the record, that she sat on the Board for the local League of Cities and felt that it was appropriate that she represented the City as the voting delegate at the National League of Cities.

A brief discussion ensued amongst the Council.

Chairperson Lowe withdrew his name from nomination.

A motion was made by **Councilperson Jackson** and seconded by Councilperson **Thomas** to appoint **Councilperson Duncombe** as the voting delegate for the National League of Cities.

MOTION

Mayor Masters commented on **Chairperson Lowe's** display of unity, and recommended that he be selected as alternate.

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

MOTION APPROVED

Chairperson Lowe nominated Councilperson Jackson as the alternate voting delegate.

Councilperson Jackson respectfully declined.

A motion was made by Councilperson Jackson and seconded by Chair Pro Tem Hubbard to nominated Councilperson Thomas as the alternate.

MOTION

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

MOTION APPROVED

ITEM NO. 13

DISCUSSION: MOVING "COMMENTS BY THE PUBLIC" TO FOLLOW
"DISCUSSION BY THE CITY MANAGER" ON THE CITY COUNCIL AGENDA.

The following members of the public commented on Item #13:

Cynthia Becton, 500 West 24th Street
Rev. William Burrs, 1500 West 30th Street
Bonnie Larson, West 27th Street
Nora Mahoney, 2120 Broadway
Fane Lozman, 200 East 13th Street
Margaret Shepard, 2003 West 17th Court, Apt. 104.
Tina White, 808 1st Street.
Mike Mahoney, 2120 Broadway.
Mary Brabham, 1564 West 9th Street.
Angela Wynn, West 35th Street.
Randy Graham, 1516 West 30th Street.
Betty Hodges, Harmony Heights Neighborhood association.
Elizabeth Robinson, 620 West 34th Street

Councilperson Jackson stated that if the people were not in favor of moving the public comment to the end of the meeting, that he would not support moving the public comments to the end of the agenda.

Councilperson Thomas stated that this was a discussion and a decision had not been made in moving the public comment to the end of the meeting.

A brief discussion ensued amongst the Council.

Mayor Masters presented his findings as to where the public comments were placed on the agenda in other Cities.

Chair Pro Tern Hubbard and Chairperson Lowe addressed the public in response to their comments opposing moving the public comment to the end of the agenda.

A motion was made by Councilperson Jackson and seconded by Chair Pro Tern Hubbard to keep the public comment at its original location on the agenda.

MOTION

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

MOTION APPROVED

ITEM NO. 14

DISCUSSION: ESTABLISHMENT OF INSURANCE REQUIREMENTS FOR TENANTS OF THE RIVIERA BEACH **MARINA. ITEM DELETED**

BOARD APPOINTMENT:

NONE

DISCUSSION BY THE CITY MANAGER:

City Manager Wilkins informed the Council that the second meeting in November was scheduled the day before Thanksgiving, and inquired as to whether or not the Council had travel plans for that period or wanted to proceed with the meeting as scheduled.

The Council agreed to go ahead with the scheduled meeting.

Assistant City Manager Paul White provided an update on the closure of Blue Heron Blvd. as related to FPL working in the area.

A brief discussion ensued amongst the Council.

VIII. LEGAL DISCUSSION/REQUEST:

City Attorney Ryan addressed the Council in regards to public participation at agenda review. She explained that there was no binding law to permitting public comments at agenda review and that she checked with other municipalities and public participation was not allowed during Agenda Review.

A discussion ensued amongst the Council.

IX. DISCUSSION AND RECOMMENDATIONS:

Councilperson Duncombe informed the public that a circular was being distributed with her name on it, without her permission, endorsing the car shredder. She also commented on the Boys and Girls Club. She requested that the City Manager provide the Council with a regular update on the proceedings for the project.

Councilperson Duncombe also addressed an article in the Post regarding the proposed high school for the area. The article suggested that considerations were being made to reduce the size of the high school. She requested a consensus of the Board directing the City Manager to write a letter to the School Board informing them of the need for the school to be the original proposed size with all the amenities that were included in the schools out west, because our children deserved it.

A consensus was given by the City Council.

Mayor Masters announced that young people between the ages of 16-25, seeking a job opportunity, should meet him Thursday, October 18th, at 11 :a.m. at Hurst Chapel on the corner of Avenue S and Silver Beach Road. He informed the public that arrangements were made with Palm Tran to pick-up and transport interested individuals to the Job Fair being hosted at the Convention Center, and that the opportunity was also extended to ex-felons.

Mayor Masters also commented on his support and respect for the wishes of the people. He explained that at the end of the day, government must always be by the people, for the people, and of the people, and explained that he is with the people.

Mayor Masters announced that the Code Enforcement Division in partnership with Lowes, launched a Pride Homes Partnership, and Lowes' was offering a 10% discount on home maintenance, lawn and garden supplies, and home security items to Riviera Beach citizens, effective September 1-November 30. He also announced that the Young Professionals of the Urban League was in partnership with The Solid Waste Authority in a "Paint your Heart Out" effort, and would be assisting residents who were in need of help painting their homes. Residents interested in having their names added to the list to be a volunteer, or needed help with painting their homes, could contact Latoya Ricketts at 561-632-6528.

Councilperson Jackson informed the public that he would be accessible while his colleagues are out of town.

X. ADJOURNMENT

There being no further business, the meeting was duly adjourned at 10:15 p.m.

APPROVED:


THOMAS A. MASTERS
MAYOR


SHELBY . LOWE
CHAIRPERSON

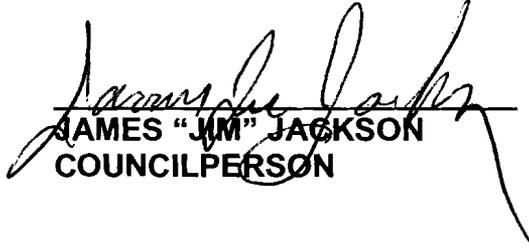
ATTEST:


CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK


LYNNE L. HUBBARD
CHAIR PRO TEM


NORMA DUNCOMBE
COUNCILPERSON


CEDRICK THOMAS
COUNCILPERSON


JAMES "JIM" JACKSON
COUNCILPERSON

MOTIONED BY: N. DUNCOMBE
SECONDED BY: C. THOMAS

S. LOWE AYE
L. HUBBARD AYE
J. JACKSON AYE
N. DUNCOMBE AYE
C. THOMAS AYE

DATE APPROVED: NOVEMBER 7, 2007