

CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, JANUARY 18, 2006 AT 7:30 P.M.

1. CITY CLERK CALLS TO ORDER:

Roll Call

Chairperson Wade was present and presided. Upon roll call by City Clerk Ward, the following were present: Chair Pro Tem Ann lies, Councilperson Vanessa Lee, Councilperson Judy L. Davis, and Councilperson Edward Rodgers. Also present were City Manager William E. Wilkins, City Clerk Carrie E. Ward, Master Municipal Clerk, and City Attorney Pamala Hanna Ryan.

Mayor Brown arrived immediately after roll call.

Invocation & Pledge of Allegiance

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

2. ADDITIONS, DELETIONS AND SUBSTITUTIONS

City Manager Wilkins made the following revisions to the agenda: added Item No. 58 – recognition of the Weed and Seed All Star graduates; Item No. 5C - presentation regarding the Stop The Violence task force; and Item No. BC - Resolution regarding the Municipal Election; additional backup provided for Item No. 118 - Ordinance regarding street design; Item No. 12A – Ordinance regarding resort hotel zoning; and deleted Item No. 13A - Resolution regarding FP&L; and Item No. 138 - discussion regarding waiving of facility usage fee for Newcomb Hall.

3. ADOPTION OF THE AGENDA

A motion was made by Councilperson Davis and seconded by Chair pro tem lies to adopt the agenda as amended.

MOTION

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

MOTION APPROVED

4. UNFINISHED BUSINESS

NONE

5. AWARDS AND PRESENTATIONS

A. PRESENT AND WELCOME NEW EMPLOYEES OF THE CITY OF RIVIERA BEACH FOR THE MONTH OF DECEMBER, 2005.

Doretha Perry, Human Resources Director, presented the following new employee for the month of December: Julian Deleon (Utility District).

B. PRESENTATION OF THE WEED AND SEED ALL STAR GRADUATES
ITEM ADDED TO AGENDA

Inda Spencer, Weed and Seed Coordinator, presented the graduates of the Palm Beach County Weed and Seed All Star Program; and announced that a poetry contest would be held for middle and high school students during Black History month.

C. PRESENTATION OF THE STOP THE VIOLENCE CAMPAIGN
ITEM ADDED TO AGENDA

Bishop Thomas Masters, made a presentation on behalf of the Palm Beach County Coalition to Stop the Violence and announced that the next Town Hall meeting would be held on February 3rd at New Bethel Baptist Church in West Palm Beach.

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

Cynthia Becton, 500 W 24th Street, former City Councilperson, stated because of the contributions and legacy that is a part of the library left behind by her sister, the family requested that donations be sent to the Riviera Beach Library Friends of the Library in memory of her sister Berthel Becton and that a memoriam be place in the library in honor of her memory.

A motion was made by Councilperson Rodgers and seconded by Councilperson Davis to set aside one of the reading rooms in the library and to setup an endowment in memory of Berthel Becton.

MOTION

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

MOTION APPROVED

Margaret Shepherd, 2003 W 17th Ct #104, expressed words of thanks to the supporters of the Friends of the Library, and the activities for senior citizens of the City, and the cleaning of the area in front of Ivey Green.

Jim Jackson, 1250 Sugar Sands Blvd., read a letter into the record on behalf of

the Clean Air Coalition and spoke in opposition to the deletion of the resolution regarding FP&L.

Harvey Rosenfeld, 1200 Bear Island Dr, announced that he included the monthly fishing club sponsored by the Parks and Recreation in the January edition of the Nautical Notebook.

Artie Williams, Vice President of Mothers Against Murders Association, made comments regarding the Midnight Basketball Program being held at Tate Recreation Center.

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.

7. MINUTES

MINUTES OF THE CITY COUNCIL MEETING HELD ON JANUARY 4, 2006.

8. RESOLUTIONS:

- A. RESOLUTION NO. 6-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING SETTLEMENT IN THE MATTER OF PAUL FRIEDMAN AND SANDRA FRIEDMAN VS. THE CITY OF RIVIERA BEACH, CASE NO. CA-502003 011637-AH, IN THE 15TH JUDICIAL CIRCUIT, IN AND FOR PALM BEACH COUNTY, FLORIDA; AUTHORIZING THE MAYOR TO EXECUTE A SETTLEMENT AGREEMENT; AUTHORIZING GALLAGHER BASSETT AND LEXINGTON INSURANCE COMPANY TO MAKE PAYMENT OF \$75,000; AND PROVIDING AN EFFECTIVE DATE.
- B. RESOLUTION NO. 7-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE USE OF \$10,000 FROM THE LAW ENFORCEMENT TRUST FUND AND A TOTAL OF \$11,000 IN DONATIONS FROM PALM BEACH PRINCESS CASINO CRUISE LINE, KDW WEST PALM BEACH FISHING CLUB, RG GROUP, INC., AND MASUD TEMPLE #69 TO PROVIDE

TWENTY-ONE (21) \$1,000 SCHOLARSHIPS FOR THE 2006-2007 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 FINANCE DIRECTOR TO APPROPRIATE \$10,000 OF FUND BALANCE IN THE LAW ENFORCEMENT TRUST FUND AND DISBURSE FUNDS FROM THE LAW ENFORCEMENT TRUST FUND SCHOLARSHIP ACCOUNT NO. 150-0817-521-0-5521; AUTHORIZING THE FINANCE DIRECTOR TO APPROPRIATE FUND BALANCE IN THE AMOUNT OF \$21,000 AND DISBURSE FUNDS FROM ACCOUNT NO. 130-0203-519-0-5521; AND PROVIDING AN EFFECTIVE DATE.

- C. RESOLUTION NO. 8-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, DIRECTING THE CITY CLERK TO NOTICE AND PREPARE FOR THE MUNICIPAL ELECTION TO BE HELD TUESDAY, MARCH 14, 2006; AND RUN-OFF ELECTION IF NECESSARY, TUESDAY, MARCH 28, 2006. BOTH ELECTIONS SHALL BE HELD WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY BETWEEN THE HOURS OF 7:00 A.M. UNTIL 7:00 P.M. TO FILL THE EXPIRED SEATS TO WIT: COUNCIL DISTRICT (2); AND COUNCIL DISTRICT (4) RESPECTIVELY; AND PROVIDING AN EFFECTIVE DATE.

ITEM ADDED TO AGENDA

END OF CONSENT AGENDA

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

MOTION

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

MOTION APPROVED

9. PETITIONS AND COMMUNICATIONS FOR FILING

NONE

10. PUBLIC HEARINGS:

NONE

11. ORDINANCES ON SECOND READING

- A. ORDINANCE NO. 3001 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, GRANTING THE PETITION OF RANDOLPH/CORNERSTONE JOINT VENTURE, LLC, TO ESTABLISH THE "MEDITERRANEA COMMUNITY DEVELOPMENT DISTRICT" BOUNDARIES

FOR REAL PROPERTY COMPRISING OF 69.25 ACRES; NAMING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS OF THE DISTRICT; DESIGNATING THE PURPOSE OF THE DISTRICT; DESIGNATING THE POWERS OF THE DISTRICT; PROVIDING FOR SEVERABILITY, CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Ordinance into the record.

A motion was made by Councilperson Davis and seconded by Chair pro tern lies to adopt Ordinance No. 3001.

MOTION

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

MOTION APPROVED

- B. ORDINANCE NO. 3002 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, AMENDING CHAPTER 29, STREETS AND SIDEWALKS BY ADDING SECTIONS 29-65 STREET DESIGN STANDARDS FOR THE COMMUNITY REDEVELOPMENT AREA OF THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY, CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Ordinance into the record.

A motion was made by Chair pro tern lies and seconded by Councilperson Lee to adopt Ordinance No. 3002.

MOTION

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

MOTION APPROVED

12. ORDINANCES ON FIRST READING

- A. ORDINANCE NO. 3003 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, AMENDING SECTION 31-527 ENTITLED "DEFINITIONS" OF THE RESORT HOTEL ZONING DISTRICT IN CHAPTER 31 OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY, CONFLICTS, AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Ordinance into the record.

A motion was made by Chair pro tern lies and seconded by Councilperson Davis to approve Ordinance No. 3003 on First Reading.

MOTION

Gerald Ward, 31 W 20th Street, made comments in support of the proposed Ordinance.

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

MOTION APPROVED

13. REGULAR

- A. RESOLUTION NO. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REQUESTING FLORIDA POWER AND LIGHT TO CONVERT ITS RIVIERA BEACH PLANT TO A CLEANER GENERATION TECHNOLOGY; ENCOURAGING FEDERAL AND STATE ELECTED OFFICIALS TO ENACT ANTI-POLLUTION LEGISLATION; AND PROVIDING AN EFFECTIVE DATE.

ITEM DELETED

City Manager Wilkins announced that the joint meeting to be held with the Board of County Commissioners is scheduled for January 24th instead of January 26th. He also announced that the library would be hosting a book fair on Saturday, 10 a.m. until 6 p.m.

14. LEGAL DISCUSSION/REQUESTS

City Attorney Ryan requested a Closed Executive Session to discuss the City of Riviera Beach vs Town of Palm Beach Shores and that the special counsel for this case would be available January 26th or 27th.

There was a consensus of the City Council to schedule a Closed Executive Session January 27th at 5:00 p.m.

City Attorney Ryan announced that the following would be in attendance to the Closed Executive Session: City Council, Susan Kornspan, Esq., City Manager William E. Wilkins, and City Attorney Pamala H. Ryan.

15. REQUEST TO CITY COUNCIL AND RECOMMENDATIONS OR DISCUSSIONS FROM THE MAYOR & CITY COUNCIL

Councilperson Lee commended staff on the successful activities during the Martin Luther King, Jr. Celebration and requested an update on the Jazz Festival, the Charter Review Committee, and Wells Gym.

Councilperson Davis questioned whether or not the funds set aside for beach restoration could be used for other projects.

City Manager Wilkins stated that the funds were available and could be used for other projects.

Chairperson Wade announced that a press conference would be held on Thursday morning regarding land availability for the Scripps project; and made comments regarding insufficient lighting in the parking lot of City Hall.

16. ADJOURNMENT

There being no further business, the meeting was duly adjourned at 8:40 p.m.

APPROVED:



**MICHAEL D. BROWN
MAYOR**

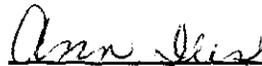


**ELIZABETH "LIZ" WADE
CHAIRPERSON**

ATTEST:



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



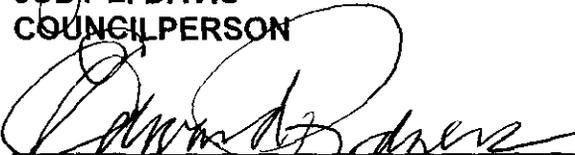
**ANN ILES
CHAIR PRO TEM**



**VANESSA LEE
COUNCILPERSON**



**JUDY L. DAVIS
COUNCILPERSON**



**EDWARD RODGERS
COUNCILPERSON**

MOTIONED BY: A. ILES
SECONDED BY: J. DAVIS

E. RODGERS AYE
A.ILES AYE
V.LEE ABSENT
J. DAVIS AYE
E. WADE AYE

DATE APPROVED: 02/01/06