

CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, FEBRUARY 15, 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: Mayor Michael D. Brown, 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 Parnala Hanna Ryan.

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. 5B – presentation on the Trade Mission to Barbados; and backup was provided for Item No. 13D - Resolution regarding the Community Redevelopment Agency; Item No. 13E - discussion on the proposed charter amendment; and Item No. 13F - Resolution regarding the \$7 million bond. He also stated that a memorandum packet was provided that included memos regarding three agenda items and the additional memos were reports on inquiries made by the City Council.

3. ADOPTION OF THE AGENDA

A motion was made by Councilperson Lee and seconded by Chair pro tem lies to approve 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 JANUARY, 2006.

Doretha Perry, Human Resources Director, presented the following new employees for the month of January: Michael Russell (Public Works); Sylvester Johnson (Parks & Recreation); Michael Williams (Community Development); and the following employees were hired for the Utility District - Noel Dueno, Timothy Cox, Demetrius Philmore, Garrett Bell, and Nathaniel Whitty.

B. PRESENTATION ON THE TRADE MISSION IN BARBADOS.

Lori Baer, Port of Palm Beach Executive Director, gave a brief overview on the trade mission that was attended by Mayor Brown, Councilpersons Wade and lies, and Assistant City Manager White in conjunction with port officials.

A brief report involving the nature of the mission trade was given by Assistant City Manager Paul White.

Wayne Richards, Port Commissioner, gave an overview of the trade mission held in Barbados.

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

Gertrude Battle, 600 W 37th Street, announced that the Park Manor Homeowners Association would be sponsoring a candidate's debate would be held February 17th at 7 p.m. in the Council Chambers and also sponsoring a beautification program.in their area.

Dennis Widlansky, 1206 Coral Way, made comments regarding a memorandum he received referenced signs in the right of way fro City Manager Wilkins.

City Manager Wilkins responded to Mr. Widlansky's comments at the request of the City Council.

There was a consensus of the City Council to allow political signs to remain unless they interfere with maintenance and address the ordinance at a later date.

Wayne Richard, Port of Palm Beach Commissioner, presented a \$10,000 sponsorship from Rybovich Boat for the Jazz Festival.

Gerald Ward, 31 W 20th Street, made comments regarding the Community Redevelopment Agency meeting to be held on Thursday evening.

Ronnie Larson, 25 W 27th Street, made comments regarding a house located at 42 W 27th Street.

Tina White, 808 1st Street, made comments regarding a meeting that was held with the residents around Fire House Park and Chair pro tem lies and CRA Director Floyd Johnson. She also asked about the participation of minority owned businesses during post hurricane cleanup.

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 REGULAR CITY COUNCIL MEETING HELD ON FEBRUARY 1, 2006.

8. RESOLUTIONS:

- A. RESOLUTION NO. 14-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR, CITY MANAGER, AND POLICE CHIEF TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN PALM BEACH COUNTY LAW ENFORCEMENT AGENCIES AND THE CITY OF RIVIERA BEACH, TO PARTICIPATE IN THE PALM BEACH COUNTY MULTI-AGENCY VIOLENT CRIMES TASK FORCE UNDER THE CURRENT COMBINED MUTUAL AID AGREEMENT; SAID AGREEMENT SHALL TAKE EFFECT UPON APPROVAL AND SIGNATURES OF THE OFFICIALS REPRESENTING PARTICIPATING AGENCIES AND WILL REMAIN IN EFFECT UNLESS AND UNTIL AN AGENCY RESCINDS THEIR PARTICIPATION IN THE VCTF (VIOLENT CRIMES TASK FORCE) UPON THIRTY (30) DAYS WRITEN NOTICE TO THE BOARD OF ADVISORS.
- B. RESOLUTION NO. 15-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARING THE CONTRACT FOR BID NO. 10605 - FRANCHISE FOR

RENTAL OF BEACH EQUIPMENT AND BEACH CLEANING SERVICE, ANNUAL CONTRACT TO SOUTHERN BREEZE BEACH SERVICES OF RIVIERA BEACH, FLORIDA, AT A TOTAL REVENUE OF \$24,000 PER YEAR PAYABLE TO THE CITY IN TWELVE (12) MONTHLY INSTALLMENTS OF \$2,000; ALL TERMS AND CONDITIONS IN ACCORDANCE WITH BID NO. 10605 OPENED NOVEMBER 30, 2005; AND AUTHORIZING THE MAYOR AND THE CITY CLERK TO EXECUTE THE CONTRACT AGREEMENT, WHICH FORMS A PART OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

- C. RESOLUTION NO. 16-06 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 003 TO THE AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND PALM BEACH COUNTY TO RECEIVE \$363,806 IN PLACE OF THE RECENTLY APPROVED \$274,806 FOR RECONSTRUCTING WEST 32ND AND WEST 33RD STREETS BETWEEN AVENUE "S" AND AVENUE "R"; AND PROVIDING AN EFFECTIVE DATE.
- D. RESOLUTION NO. 17-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SONOMA BAY PLAT; AUTHORIZING THE MAYOR, CITY CLERK AND THE CITY ENGINEER TO SIGN THE PLAT; AND PROVIDING AN EFFECTIVE DATE.
- E. RESOLUTION NO. 18-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE LEWIS TERMINALS DISTRIBUTION CENTER REPLAT; AUTHORIZING THE MAYOR, CITY CLERK, AND CITY ENGINEER TO SIGN THE SAID REPLAT; AND PROVIDING AN EFFECTIVE DATE.
- F. RESOLUTION NO. 19-06 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 INTERLOCAL AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND PALM BEACH COUNTY FOR THE SHARING OF GEOGRAPHIC AND LAND INFORMATION ON AN ONGOING BASIS; AND PROVIDING AN EFFECTIVE DATE.

END OF CONSENT AGENDA

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

MOTION

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

MOTION APPROVED

9. PETITIONS AND COMMUNICATIONS FOR FILING

NONE

10. PUBLIC HEARINGS:

NONE

11. ORDINANCES ON SECOND READING

NONE

12. ORDINANCES ON FIRST READING

- A. ORDINANCE NO. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, CONSIDERING THE CITY OF RIVIERA BEACH COMPREHENSIVE PLAN LAND USE MAP AMENDMENT APPLICATION SUBMITTED BY EDWARD ROBY FOR PROPERTY LOCATED ON THE WEST SIDE OF NORTH OCEAN DRIVE BETWEEN NORTH HARBOR DRIVE AND YACHT HARBOR DRIVE; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Ordinance into the record.

A motion was made by Chair pro tem Lee and seconded by Councilperson Lee to approve.

MOTION

Mary McKinney, Community Development Director, gave a brief overview of the proposed project and the regulations regarding same. She also stated that letters were received from residents objecting to the proposed project as well as signed petition.

Ann Marie Delgado, representing the applicant, made a presentation regarding the proposed project.

The following individuals spoke in opposition to the proposed ordinance:

Gerald Ward, 1150 Coral Way and 3930 N Ocean Drive.

Carole Donohoo, 1190 Sugar Sands Blvd, President of Singer Island Civic Association.

Roland Ricci, 2800 Park Avenue.

Marilyn McCullen, 1215 Yacht Harbor Drive.

Barbara Mathison, 3001 North Ocean Drive.
Draga Lindblom, 1201 North Harbor Drive and submitted a letter of opposition.
Joann Barnhart, 1200 Yacht Harbor Drive.
Susan Stoneham, 1217 Surf Road.
Glenna Hilling, 1271 Yacht Harbor Drive.
Joanne Walsh, 1272 Yacht Harbor Drive.
David Walsh, 1272 Yacht Harbor Drive.
Kenneth Baghdoian, 1260 North Harbor Drive.
Robert Nevins, 1080 Morse Boulevard.
Henry Johnson, 1248 North Harbor Drive.
Dianne Johnson, 1248 North Harbor Drive.

Jonathan Herring, land use planner, made a presentation on behalf of the applicant.

Upon deliberation amongst the City Council, Chair pro tem lies withdrew her motion.

MOTION WITHDRAWN

A motion was made by Councilperson Rodgers to accept staffs recommendation to deny the proposed land use amendment. Seconded by Councilperson Lee.

MOTION

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

MOTION APPROVED

- B. ORDINANCE NO. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, APPROVING THE REZONING APPLICATION SUBMITTED BY EDWARD ROBY FOR PROPERTY LOCATED ON THE WEST SIDE OF NORTH OCEAN DRIVE BETWEEN NORTH HARBOR DRIVE AND YACHT HARBOR DRIVE; AND PROVIDING AN EFFECTIVE DATE. **NO ACTION REQUIRED**

13. REGULAR

- A. RESOLUTION NO. 20-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROPRIATING IMPACT FEES COLLECTED IN THE IMPACT FEE FUND (303) FOR THE RIVIERA BEACH PUBLIC LIBRARY IN THE AMOUNT OF \$30,000 TO PURCHASE TWENTY DELL OPTIPLEX COMPUTERS; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by **Councilperson Lee** and seconded by **Chair pro tem lies** to approve Resolution No. 20-06.

MOTION

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

MOTION APPROVED

- B. RESOLUTION NO. 21-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR TO SIGN THE 2007 FEDERAL FUNDING REQUESTS LETTER; AND AUTHORIZE STAFF TO SUBMIT SAID LETTER TO THE CITY'S CONGRESSIONAL DELEGATION; AND PROVIDING AN EFFECTIVE DATE.**

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Councilperson **Lee** and seconded by **Councilperson Davis** to approve Resolution No. 21-06.

MOTION

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

MOTION APPROVED

- C. RESOLUTION NO. 22-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, URGING MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT THE FOLLOWING ISSUES DURING THE 2006 LEGISLATIVE SESSION; AND PROVIDING AN EFFECTIVE DATE.**

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by **Councilperson Davis** and seconded by **Chair pro tem lies** to approve Resolution No. 22-06.

MOTION

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

MOTION APPROVED

- D. RESOLUTION NO. 23-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENGAGE NABORS, GIBLIN, & NICKERSON AS SPECIAL COUNSEL WITH RESPECT TO THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY MATTERS; AUTHORIZING THE FINANCE DIRECTOR TO APPROPRIATE GENERAL FUND BALANCE IN ACCOUNT NO. 001-00-399999 AND INCREASE THE**

LEGAL DEPARTMENT BUDGET ACCOUNT NO. 001-0613-514-0-3106 IN THE AMOUNT OF \$50,000; AUTHORIZING PAYMENT IN AN AMOUNT NOT TO EXCEED \$50,000; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by **Chair pro tern lies** and seconded by Councilperson **Lee** to approve Resolution No. 23-06.

MOTION

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

MOTION APPROVED

E. DISCUSSION: PROPOSED CHARTER AMENDMENT PROVIDING FOR A 99 YEAR LEASE ON MUNICIPAL POLICY.

City Manager Wilkins made a presentation on the purpose of the proposed charter amendment.

A motion was made by **Chair pro tern lies** and seconded by **Councilperson Lee** directing staff to move forward in preparing an ordinance to amend the charter providing for a 99 year lease to be returned for Council's consideration.

MOTION

Gerald Ward, 1150 Coral Way, made comments against staffs recommendation.

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

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

MOTION APPROVED

F. REQUEST TO AUTHORIZE STAFF TO PROCEED WITH FINANCIAL PLANNING TO ASSIST THE CRA TO SATISFY \$7 MILLION BOND ANTICIPATION NOTES DUE JULY, 2006.

RESOLUTION NO. 24-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY MANAGER TO PROCEED WITH STEPS NECESSARY FOR REFINANCING OF THE COMMUNITY REDEVELOPMENT AGENCY'S DEBT REPAYMENT IN THE AMOUNT OF APPROXIMATELY \$7,000,000; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Councilperson Davis and seconded by Councilperson Lee to approve Resolution No. 24-06.

MOTION

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

MOTION APPROVED

City Manager Wilkins expressed words of appreciation to staff for the assistance provided to ABC's Extreme Home Makeover. He also expressed words of appreciation to the staff of the Community Development Department for their efforts in completing the report for the Scripps project.

14. LEGAL DISCUSSION/REQUESTS

NONE

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

Councilperson Davis inquired about the various recreational activities currently being provided for the youth.

John Williams, Parks & Recreation Director, responded to Councilperson Davis inquiry.

Chairperson Wade expressed words of appreciation to staff for their assistance with the Extreme Makeover Project and the trade mission to Barbados.

16. ADJOURNMENT

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

APPROVED:



**MICHAEL D. BROWN
MAYOR**



**ELIZABETH "LIZ" WADE
CHAIRPERSON**

ATTEST:

C. E. Waro
CARRIE E. WARO
MASTER MUNICIPAL CLERK
CITY CLERK

1/-

3/01/2006

Ann Iles
ANN ILES
CHAIR PRO TEM

Vanessa Lee
VANESSA LEE
COUNCIL PERSON

Judy L. Davis
JUDY L. DAVIS
COUNCILPERSON

Edward Rodgers
EDWARD RODGERS
COUNCILPERSON

MOTIONED BY: A. Iles
SECONDED BY: J. Davis

E. RODGERS aye
A. ILES aye
V. LEE aye
J. DAVIS aye
E. WADE aye

DATE APPROVED: 03/01/06