

CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, MARCH 1, 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 Pamala 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 a presentation regarding the Jazz and Blues Festival; additional backup and revised resolution provided for Item No. 130 – Resolution regarding Catalfumo Construction; and deleted Item No. 13C - Resolution regarding the International Afro-centric Circus. He also added a request for a Special City Council Meeting.

Chair pro tern lies added a presentation from Howell Watkins Middle School under Awards and Presentations.

3. ADOPTION OF THE AGENDA

A motion was made by Chair pro tern lies and seconded by Councilperson Lee 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. PRESENTATION - NEW BEGINNING PENTECOSTAL MINISTRY
ITEM ADDED TO AGENDA

Debbie Noel, New Beginning Pentecostal Ministry, made a presentation, the Children of Judah Youth Ministry and requested financial support.

B. PRESENTATION - HOWELL L. WATKINS MIDDLE SCHOOL
ITEM ADDED TO AGENDA

Chair pro tem lies presented a Certificate of Appreciation to City Manager Wilkins received from Howell L. Watkins Middle School for sponsorship of the FCAT Kickoff Party.

City Manager Wilkins stated that the certificate was for the City for its efforts in supporting the schools during FCAT testing.

C. PRESENTATION - CLASS C-1 PRODUCTION

Jesse Graves made a presentation on the status of the 6th Annual Jazz and Blues Festival.

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

Krystal Dublin read into the record a letter of apology to Major David Torres for her actions toward him at the 2006 Martin Luther King, Jr. Parade.

Joey Eichner, Catalfumo Construction, presented a sponsorship check to the City for the 6th Annual Jazz and Blues Festival in the amount of \$25,000.

Chairperson Wade stated that she received a check from PSA for sponsorship of the 6th Annual Jazz and Blues Festival in the amount of \$5,000.

Mike Clark, Viking Yachts, presented a sponsorship check to the City for the 6th Annual Jazz and Blues Festival in the amount of \$30,000.

Bill Contole, 1030 Grand Bahama Way, announced that a candidate forum would be held March 6th at 7 p.m. at the Crowne Plaza Hotel.

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 15, 2006.

8. RESOLUTIONS:

- A. RESOLUTION NO. 25-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A CONTRACT BETWEEN THE CITY OF RIVIERA BEACH AND AMERICAN CONSULTING ENGINEERS OF FLORIDA, LLC. TO PROVIDE PLANS AND SPECIFICATIONS FOR OLD DIXIE LANDSCAPING PROJECT; AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER \$75,000 FROM THE CAPITAL ACQUISITION CASH MATCH ACCOUNT NO. 310-0717-541-6-6351 TO THE CAPITAL ACQUISITION PROFESSIONAL SERVICES ENGINEERING ACCOUNT NO. 310-0717-541-6-3103, MAKE PAYMENT FOR SAME; AND PROVIDING AN EFFECTIVE DATE.

END OF CONSENT AGENDA

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

MOTION

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

MOTION APPROVED

9. PETITIONS AND COMMUNICATIONS FOR FILING

City Clerk Ward announced that any resident desiring to vote prior to election day would be able to do so at the Supervisor of Elections Office, 240 S Military Tr or 3188 PGA Blvd., Monday thru Friday, 8:30 a.m. until 5:00 p.m., and Saturday, March 4th and 11th, 9:00 a.m. until 4:00 p.m. She also stated that absentee

ballots could be mailed by calling the Supervisor of Elections Office at 656-6200, submitting a written request to the Supervisor of Elections Office, or completing the form on the website at www.pbcelections.org.

City Clerk Ward also announced that Friend of the Riviera Beach Public Library would be hosting the 1st Annual National Women's History Month Luncheon on March 25 at 12:12 p.m.

10. PUBLIC HEARINGS:

NONE

11. ORDINANCES ON SECOND READING

NONE

12. ORDINANCES ON FIRST READING

- A. ORDINANCE NO. 3004 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, AMENDING SECTION 14-72 (DEFINITIONS) OF ARTICLE IV., CHAPTER 14, OF THE CITY'S CODE OF ORDINANCES RELATING TO THE POLICE OFFICERS' PENSION PLAN TO PROVIDE FOR THE DELETION OF THE EXPIRED SPECIFIC RETIREMENT INCENTIVE RELATING TO ACCRUED UNUSED VACATION AND/OR SICK LEAVE; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION; 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 approve Ordinance No. 3004 on First Reading.

MOTION

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

MOTION APPROVED

- B. ORDINANCE NO. 3005 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, ASSIGNING A MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL (UP TO 15 UNITS PER ACRE) FUTURE LAND USE MAP DESIGNATION FOR 7.1 ACRES LOCATED ON THE SOUTH SIDE OF LEO LANE ADJACENT TO INTERSTATE 95; DIRECTING THE DIRECTOR OF COMMUNITY DEVELOPMENT TO UPDATE THE CITY OF RIVIERA BEACH FUTURE LAND USE MAP; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

City Clerk Ward read the aforementioned Ordinance into the record.

A motion was made by Councilperson Lee and seconded by Chair pro tem lies to approve Ordinance No. 3005 on First Reading.

MOTION

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

MOTION APPROVED

- C. ORDINANCE NO. 3006 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, UPDATING THE ZONING MAP OF THE CITY OF RIVIERA BEACH BY ASSIGNING A ZONING CLASSIFICATION OF LOW DENSITY MULTIPLE FAMILY RESIDENTIAL DWELLING DISTRICT (RML-12) TO 7.1 ACRES LOCATED ON THE SOUTH SIDE OF LEO LANE ADJACENT TO INTERSTATE 95; DIRECTING THE DIRECTOR OF COMMUNITY DEVELOPMENT TO UPDATE THE CITY OF RIVIERA BEACH ZONING MAP; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

A motion was made by Councilperson Lee and seconded by Chair pro tem lies to approve Ordinance No. 3006 on First Reading.

MOTION

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

MOTION APPROVED

13. REGULAR

- A. RESOLUTION NO. 26-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE JOB CLASSIFICATION LIST BY CREATING THE UNCLASSIFIED POSITION OF ASSISTANT CITY ENGINEER IN THE COMMUNITY DEVELOPMENT DEPARTMENT AND AUTHORIZING THE FINANCE DIRECTOR TO APPROPRIATE GENERAL FUND FUND BALANCE IN THE AMOUNT OF \$73,697 AND INCREASING THE GENERAL FUND COMMUNITY DEVELOPMENT ENGINEERING BUDGET FOR COSTS RELATED TO ADDING THE POSITION OF ASSISTANT CITY ENGINEER; 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. 26-06.

MOTION

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

MOTION APPROVED

- B. RESOLUTION NO. 27-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A SITE PLAN APPLICATION FROM RIVIERA LAKESHORE, LLC FOR AN EIGHTEEN STORY, THIRTY UNIT MULTI-FAMILY RESIDENTIAL CONDOMINIUM BUILDING ON PROPERTY LOCATED AT 3140 LAKE SHORE DRIVE; PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Chair pro tem lies and seconded by Councilperson Lee to approve Resolution No. 27-06.

MOTION

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

MOTION APPROVED

- C. RESOLUTION NO. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A SPECIAL EVENT APPLICATION FROM GARY NELSON TO HOST THE INTERNATIONAL AFRO-CENTRIC CIRCUS AT THE DAN CALLOWAY RECREATION CENTER ON MARCH 18, 19, 20, AND 21, 2006; AND PROVIDING AN EFFECTIVE DATE. ~~ITEM DELETED FROM AGENDA~~

- D. RESOLUTION NO. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING AN INDEMNITY AND WAIVER AGREEMENT FROM CATALFUMO CONSTRUCTION AND DEVELOPMENT, INC. AS IT RELATES TO THE OCEAN MALL; AND AUTHORIZING THE CHAIRPERSON OF THE CITY COUNCIL TO EXECUTE A LETTER ON THE CITY'S BEHALF THREATENING CONDEMNATION OF THE OCEAN MALL LEASE AGREEMENT. ~~ITEM REVISED~~

RESOLUTION NO. 28-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING AN INDEMNITY AND WAIVER AGREEMENT FROM CATALFUMO CONSTRUCTION AND DEVELOPMENT, INC., AS IT RELATES TO THE OCEAN MALL; 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. 28-06.

MOTION

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

MOTION APPROVED

E. THIS ITEM LEFT BLANK INTENTIONALLY.

RESOLUTION NO. 29-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CHAIRPERSON OF THE CITY COUNCIL TO EXECUTE A LETTER ON THE CITY'S BEHALF THREATENING CONDEMNATION OF OTHE OCEAN MALL LEASE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE. ITEM ADDED TO AGENDA

A motion was made by **Chair pro tern lies** and seconded by Councilperson **Lee** to approve Resolution No. 29-06.

MOTION

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

MOTION APPROVED

F. BOARD APPOINTMENT: REQUEST CITY COUNCIL TO APPROVE THE APPOINTMENT OF THE FIFTH POLICE PENSION BOARD MEMBER.

A motion was made by **Chair pro tern lies** and seconded by **Councilperson Davis** to reappoint Ron Reilly to the Police Pension Board.

MOTION

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

MOTION APPROVED

City Manager Wilkins requested a special meeting for March 6th at 6 p.m. to consider an interlocal agreement related to the establishment of the biotech cluster to be located in North County.

There was a consensus of the City Council to schedule a special meeting for March 6th at 6:00 p.m.

14. LEGAL DISCUSSION/REQUESTS

NONE

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

Councilperson Lee announced that a Neighborhood Celebration and Peace Rally would be held March 11th at 12:30 at Goodmark Park. She also inquired about the selection process for students to participate in the Nealia Cunningham Day on Peanut Island.

Mayor Brown gave an overview of the selection process.

Councilperson Davis announced that she would be sponsoring a day in the park on March 4th at Shultz Park. She also inquired about paying municipal bills online.

Gwen Herbert, Finance Director, gave an overview on the process for providing the service to the residents.

Councilperson **Davis** also made remarks regarding various purchases on the City's credit card and unused plane tickets.

There was a discussion amongst the City Council and staff regarding unused plane tickets and the use of the City's credit card.

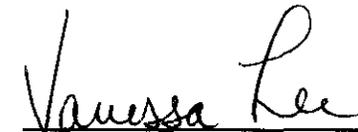
16. ADJOURNMENT

There being no further business, the meeting was duly adjourned at 9:25 p.m.

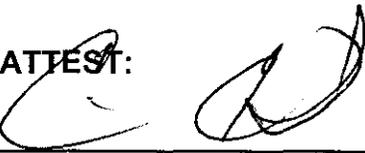
APPROVED:



MICHAEL D. BROWN
MAYOR



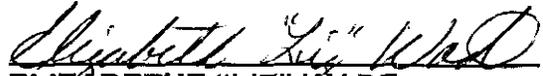
VANESSA LEE
COUNCILPERSON

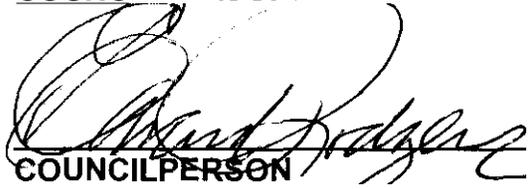
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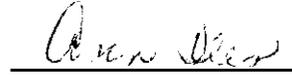
CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



COUNCILPERSON


ELIZABETHE "LIZ" WADE
COUNC RSON


COUNCILPERSON


ANNILES
COUNCILPERSON

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

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

DATE APPROVED: 0315/06