

CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, APRIL 5, 2006 AT 7:30 P.M.

THE CITY OF RIVIERA BEACH CANVASSING BOARD CONVENED AT 7:00 PM

1. CITY CLERK CALLS TO ORDER

Roll Call

City Clerk Ward was present and presided. Upon a roll call by City Clerk Ward the following were present: Mayor Michael D. Brown, Councilperson Vanessa Lee; Councilperson Elect Norma Duncombe; Councilperson Elizabeth "Liz" Wade; Councilperson Elect James "Jim" Jackson; and Councilperson Ann lies. Also present were City Manager William E. Wilkins; City Clerk Carrie E. Ward, MMC, and City Attorney Pamala Hanna Ryan.

Invocation and Pledge of Allegiance

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

2. CITY CLERK SWEARS IN NEWLY ELECTED COUNCILPERSONS & PRESENTS OATH OF OFFICE, ELECTION CERTIFICATE, RIVIERA BEACH CODE OF ORDINANCES, CITY CHARTER, GUIDE TO THE SUNSHINE AMENDMENT AND CODE OF ETHICS FOR PUBLIC OFFICERS, & FLORIDA MUNICIPAL OFFICIAL'S MANUAL TO:

A. Council District 2

City Clerk Ward administered the Oath of Office to Norma Duncombe, Councilperson District 2, and presented her with her Certificate of Election, a copy of the Riviera Beach Code of Ordinances, the City Charter, the Guide to the Sunshine Amendment and Code of Ethics for Public Officers, and the Florida Municipal Officials' Manual.

B. Council District 4

City Clerk Ward administered the Oath of Office to James "Jim" Jackson, Councilperson District 4, and presented him with his Certificate of Election, a copy of the Riviera Beach Code of Ordinances, the City Charter, the Guide to the Sunshine Amendment and Code of Ethics for Public Officers, and the Florida Municipal Officials' Manual.

3. CITY CLERK REQUESTS NOMINATIONS FOR CITY COUNCIL CHAIR

City Clerk Ward opened the floor for city council chairperson nominations.

Councilperson Duncombe nominated Vanessa Lee.

Councilperson Lee declined the nomination for chairperson and nominated Councilperson lies.

Councilperson Wade requested to close on the nomination of Councilperson lies as chairperson.

City Clerk Ward closed the floor to council chairperson nominations and announced that Councilperson lies was declared nominated as Council Chair for 2006/2007. City Clerk Ward then relinquished the gavel to the newly elected Chair.

4. CHAIR REQUESTS NOMINATIONS FOR CHAIR PRO-TEM

Councilperson Wade nominated Councilperson Lee for chair pro tem. There were no other nominees.

Chairperson lies closed the floor for chair pro tem nominations and announced that Councilperson Lee was the chair pro tem for 2006/2007.

5. MAYOR AND CITY COUNCIL COMMENTS AND REMARKS

Chairperson lies welcomed the newly elected councilpersons.

Councilperson Wade made a presentation to former Councilpersons Judy Davis and Edward Rodgers.

Chair pro tem Lee expressed words of appreciation to former Councilpersons Judy Davis and Edward Rodgers.

Councilperson Jackson expressed words of appreciation to former Councilperson Edward Rodgers.

Councilperson Duncombe expressed words of appreciation to everyone that supported her during her election campaign.

Mayor Brown welcomed the newly elected Councilpersons.

6. AGENDA APPROVAL:

A. ADDITIONS, DELETIONS AND SUBSTITUTIONS

City Manager Wilkins made the following revisions to the agenda: revised Resolution for Item No. 160 - Resolution regarding Port Commerce Center; revised Resolution and additional backup for Item No. 16E – Resolution regarding Daniel and Elizabeth LLC; revised Resolution for Item No. 16F - Resolution regarding the bond counsel; additional backup provided for Item No. 16H - Resolution regarding the Maritime Academy; and additional backup provided for Item No. 16J – Bioscience Land Advisory Board.

B. ADOPTION OF THE AGENDA

A motion was made by Councilperson Wade and seconded by Chair pro tem Lee to approve the agenda as amended.

MOTION

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

MOTION APPROVED

7. UNFINISHED BUSINESS

NONE

8. AWARDS AND PRESENTATIONS

NONE

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

Erica Gonder, 1761 W 13th Street, made comments regarding the condition of W. 13th Street.

Sylvia Blue, 6285 Chasewood Dr, congratulated the newly elected officials and made comments opposing the approved increase to the City Council in the line of City Council car allowance.

Randy Graham, 1516 W 30th Street, made comments regarding the negative publicity surrounding the Jazz Festival; he then stated consideration should be granted to those persons waiting time at the Utilities Division.

Gerald Ward, 31 W 20th Street, made comments regarding training of new councilpersons, and provided the date for the scheduled training provided by the League of Cities and he encouraged each of the newly elected and the current Council to attend. He then commented regarding the action taken by the County Commissioners on the comprehensive plan amendment 061.

Fane Lozman, 200 E 13th Street, made comments regarding the time limit for public comments and that he felt the time limit should be extended to possible three (3) minutes.

Gordon Johnson, 3500 Whitehall Dr., made comments regarding the development of the beach front.

Victor Cook, 2525 Lake Drive, made comments regarding the City's bid process.

Tina White, 808 1st Street, made comments regarding the bidding for trash pickup services.

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.

10. MINUTES

MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD ON MARCH 15,2006.

11. RESOLUTIONS:

- A. RESOLUTION NO. 37'(06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDED BID NO. 11706 TO NATIONAL GENERATORS OF MIAMI FLORIDA IN THE AMOUNT OF \$133,000; AUTHORIZING THE FINANCE DIRECTOR TO APPROPRIATE \$167,000 FROM THE CAPITAL IMPACT FEE PUBLIC BUILDINGS ACCOUNT (303) TO FINANCE THE PURCHASE OF ONE EMERGENCY STANDBY POWER SYSTEM AND PAY RELATED COST

INCLUDING INSTALLATION, A CEMENT FOUNDATION AND LANDSCAPING; ESTABLISHING A BUDGET AND PROVIDING AN EFFECTIVE DATE.

- B. RESOLUTION NO. 38-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER \$12,000 FROM GENERAL FUND CONTINGENCY TO THE GENERAL FUND SPECIAL EVENT ACCOUNT NO. 001-0203-519-0-5507 TO COVER ADDITIONAL COSTS RELATED TO THE NEALIA B. CUNNINGHAM DAY CELEBRATION; AND PROVIDING AN EFFECTIVE DATE.

END OF CONSENT AGENDA

A motion was made by Councilperson Wade and seconded by Chair pro tem Lee approve the Consent Agenda as presented.

MOTION

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

MOTION APPROVED

12. PETITIONS AND COMMUNICATIONS FOR FILING

NONE

13. PUBLIC HEARINGS:

NONE

14. ORDINANCES ON SECOND READING

NONE

15. ORDINANCES ON FIRST READING

NONE

16. REGULAR

- A. RESOLUTION NO. 39-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE LIBRARY DEPARTMENT'S 2005-2006 FISCAL YEAR BUDGET BY DELETING ONE LIBRARY ASSISTANT POSITION WITH THE NEWLY CREATED POSITION OF LIBRARY COMMUNICATIONS TECHNICIAN AND BY AMENDING THE JOB CLASSIFICATION LIST BY

INCLUDING THE CLASSIFIED POSITION ON THE JOB CLASSIFICATION LIST; 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. 39-06.

MOTION

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

MOTION APPROVED

- B. RESOLUTION NO. 40-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, RECLASSIFYING THE CLASSIFIED POSITION OF OFFICE ASSISTANT TO THE CLASSIFIED POSITION OF OFFICE ASSISTANT, SENIOR IN THE 2005/2006 OFFICE OF THE CITY CLERK RECORDS DIVISION BUDGET; AND DELETING THE CLASSIFIED POSITION OF OFFICE ASSISTANT IN THE 2005/2006 OFFICE OF THE CITY CLERK RECORDS DIVISION BUDGET; 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. 40-06.

MOTION

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

MOTION APPROVED

- C. RESOLUTION NO. 41-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SITE PLAN APPLICATION FROM WAH VENTURES FOR 30 NEW TOWN HOMES LOCATED AT 4142 LEO LANE; PROVIDING SPECIFIC CONDITIONS; 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 Councilperson Duncombe to approve Resolution No. 41-06.

MOTION

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

MOTION APPROVED

- D. RESOLUTION NO. 42-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A SITE PLAN APPLICATION FROM STEVE HOLSTE AND THE PORT COMMERCE CENTER, LLC TO BUILD TWO NEW OFFICE/WAREHOUSE BUILDINGS TOTALING 117,600 SQUARE FEET, LOCATED ON 7.23 ACRES ON THE NORTHWEST CORNER OF 13TH STREET AND OLD DIXIE HIGHWAY; AND PROVIDING AN EFFECTIVE DATE. **REVISED RESOLUTION**

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Chair pro tem Lee and seconded by Councilperson Wade to approve Resolution No. 42-06.

MOTION

Mary McKinney, Community Development Director, stated that the applicant, upon approval from its board, would donate \$25,000 toward the Beautification Project.

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

MOTION APPROVED

- E. RESOLUTION NO. 43-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A SITE PLAN APPLICATION FROM DANIEL AND ELIZABETH LLC FOR A 28,500 SQUARE FOOT TIRE RECONDITIONING AND SERVICE FACILITY LOCATED ON THE SOUTH SIDE OF 13TH STREET BETWEEN AUSTRALIAN AVE AND OLD DIXIE HIGHWAY; PROVIDING SPECIFIC CONDITIONS; AND PROVIDING AN EFFECTIVE DATE. **REVISED RESOLUTION**

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. 43-06.

MOTION

Mary McKinney, Community Development Director, stated the following conditions, which were included in the Resolution, for the record, resulting from discussion by the City Council at the Agenda Review Meeting: maximum height of 10' for tires stored outside in a designated area on storage racks; tires would not be visible from 13th Street; stored tires would be kept a minimum set-back of 10' from the property line; maximum of 400 tires could be stored in the outside designated area; tire shavings would be temporarily kept in special containers, and the side and rear fence would be a privacy fence with an increased height of 8'. She also stated that the project was a recipient of the Palm Beach County

Development Regions Grant and that the applicant agreed to dedicate 29' right of way to the City.

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

MOTION APPROVED

- F. RESOLUTION NO. 44-06 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 FOR A FEE OF \$3,500, PLUS OUT-OF-POCKET EXPENSES NOT TO EXCEED \$1,000 TO ACT AS BOND COUNSEL TO ASSIST WITH THE PROPOSED FINANCING OF THE COMMUNITY REDEVELOPMENT AGENCY'S OUTSTANDING BOND ANTICIPATING NOTES MATURING JULY 5, 2006 AND AUTHORIZING PAYMENT OF SAME; AND PROVIDING AN EFFECTIVE DATE. **RESOLUTION REVISED**

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Chair pro tem Lee and seconded by Councilperson Wade to approve Resolution No. 44-06.

MOTION

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

MOTION APPROVED

- G. RESOLUTION NO. 45-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING GRANT FUNDS FROM THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT - OFFICE OF CRIMINAL JUSTICE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) IN THE AMOUNT OF \$18,500; AUTHORIZING THE CITY MANAGER TO EXECUTE THE GRANT; AND AUTHORIZING THE FINANCE DIRECTOR TO ESTABLISH A BUDGET; 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 Wade to approve Resolution No. 45-06.

MOTION

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

MOTION APPROVED

- H. RESOLUTION NO. 47-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A LEASE

AGREEMENT WITH THE RIVIERA BEACH MARITIME ACADEMY CORPORATION; 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 Councilperson Duncombe to approve Resolution No. 47-06.

MOTION

Gerald Ward, 31 W 20th Street, made comments regarding the proposed Resolution and agreement.

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

MOTION APPROVED

I. DISCUSSION: CITY COUNCIL COMMITTEE ASSIGNMENTS TO THE CITY BOARDS.

Appointment to the various Boards discussion ensued amongst the Council, subsequently Chairperson lies announced the following appointments: Councilperson Jackson liaison for the Palm Beach County Community Action Program; Chair pro tem Lee the liaison for the Palm Beach County School District, the Port of Palm Beach, and the Riviera Beach Education Advisory Board; Councilperson Wade liaison for the Metropolitan Planning Organization and was selected to the Palm Beach County League of Cities Board; and that she would be the liaison for the Beaches and Shores Committee and the Palm Beach County League of Cities General Membership.

J. BOARD APPOINTMENT: APPOINTMENT TO THE BIOSCIENCE LAND ADVISORY BOARD.

City Manager Wilkins stated that the board was being created to support the North County Scripps Biotech Proposal and would be responsible for helping to protect the biotech overlay properties.

Chairperson lies stated that Councilperson Wade would be the liaison and Councilperson Duncombe would be the alternate.

17. LEGAL DISCUSSION/REQUESTS

NONE

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

Councilperson Wade requested that a letter be sent to County Commissioner Karen Marcus on her behalf for their cooperation.

Chair pro tern Lee made comments regarding receiving agenda books one week prior to the meeting and commended the success of the jazz festival. She also commended all candidates involved in the election for the prompt removal of their signs.

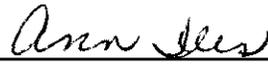
19. ADJOURNMENT

There being no further business, the meeting was duly adjourned at 9:10 p.m.

APPROVED:

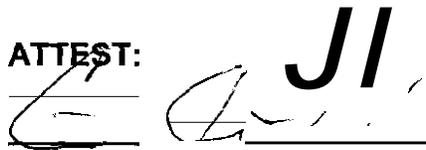


MICHAEL D. BROWN
MAYOR

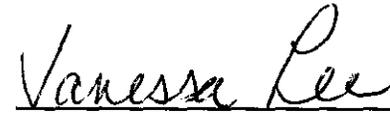


ANN ILES
CHAIRPERSON

ATTEST:



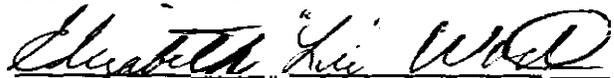
CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



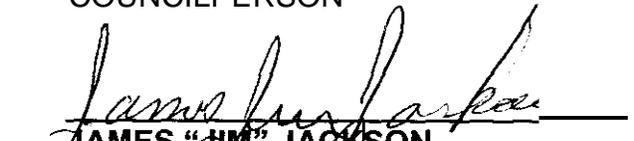
VANESSA LEE
CHAIR PRO TEM



NORMA DUNCOMBE
COUNCILPERSON



ELIZABETH "LIZ" WADE
COUNCILPERSON



JAMES "JIM" JACKSON
COUNCILPERSON

MOTIONED BY: E. Wade
SECONDED BY: V. Lee

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

DATE APPROVED: 04/19/06

CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
CANVASSING BOARD MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, APRIL 5, 2006 AT 7:00 P.M.

1. CITY CLERK CALLS TO ORDER

Roll Call

City Clerk Ward was present and presided. Upon a roll call by City Clerk Ward the following were present: Councilperson Vanessa Lee; Councilperson Elizabeth "Liz" Wade; and Councilperson Ann lies. Also present was City Clerk Carrie E. Ward, MMC.

Invocation

Everyone stood for a Moment of Silence.

City Clerk Ward announced the purpose of the Canvassing Board Meeting was to accept the results of the March 14th Municipal General Election certified by the Palm Beach County Supervisor of Election as certified by the Riviera Beach City Clerk.

2. AGENDA:

RESOLUTION NO. 46-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, DECLARING THE RESULTS OF THE MARCH 14, 2006 MUNICIPAL GENERAL ELECTION NAMING THE RECIPIENTS FOR, DISTRICT 2 AND DISTRICT 4, RESPECTIVELY; 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 Councilperson lies to approve Resolution No. 46-06.

MOTION

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

MOTION APPROVED

3. ADJOURNMENT

There being no further business, the meeting was duly adjourned at 7:25 p.m.

APPROVED:

Michael D. Brown
MICHAEL D. BROWN
MAYOR

Ann Iles
ANNILES
CHAIRPERSON

ATTEST:

Carrie E. Ward
CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK

Vanessa Lee
VANESSALEE
CHAIR PRO TEM

Norma Duncombe
NORMA DUNCOMBE
COUNCILPERSON

Elizabeth "Liz" Wade
ELIZABETH "LIZ" WADE
COUNCILPERSON

James "Jim" Jackson
JAMES "JIM" JACKSON
COUNCILPERSON

MOTIONED BY: E. Wade
SECONDED BY: V. Lee

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

DATE APPROVED: 04/19/06