

CITY OF RIVIERA BEACH  
PALM BEACH COUNTY, FLORIDA  
REGULAR CITY COUNCIL MEETING MINUTES  
MUNICIPAL COMPLEX COUNCIL CHAMBERS  
WEDNESDAY, MAY 17, 2006 AT 7:30 P.M.

1. CITY CLERK CALLS TO ORDER:

Roll Call

Chairperson lies was present and presided. Upon roll call by City Clerk Ward, the following were present: Mayor Michael D. Brown, Council Chair Ann lies, Chair Pro Tern Vanessa Lee, Councilperson Norma Duncombe, Councilperson Elizabeth "Liz" Wade, and Councilperson James "Jim" Jackson. 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 request for a Closed Executive Session.

3. ADOPTION OF THE AGENDA

A motion was made by Councilperson Wade 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. PRESENT AND WELCOME NEW EMPLOYEES TO THE CITY OF RIVIERA BEACH FOR THE MONTH OF APRIL, 2006.

Doretha Perry, Human Resources Director, presented the following new employee for the month of April: Cathy Watkins (Community Development).

B. PRESENTATION OF 2006-2007 CITY OF RIVIERA BEACH EDUCATION SCHOLARSHIP WINNERS.

Roseanne Brown, Chief of Staff, stated that 24 \$1,000 scholarships were being awarded with assistance from the Palm Beach Princess, the family of the late Nealia B. Cunningham, and former scholarship recipient Jason Young.

Chairperson lies recessed the meeting at 8:45 p.m. and called the meeting back to order at 8:52 p.m.

C. PRESENTATION OF COMMENDATION TO MS. GEORGIA MAE DAVIS.

Assistant Chief of Police Danny Jones read letter of citation in her behalf and stated that Ms. Davis' flowers would be delivered to her.

D. PRESENTATION TO DR. GLORIA CRUTCHFIELD COMMENDING SUNCOAST HIGH SCHOOL'S ACCOMPLISHMENTS.

Councilperson Duncombe presented a plaque to Dr. Crutchfield, principal for Suncoast Community High School, for the school's accomplishment of ranking # 7 in the nation amongst public high schools. Dr. Crutchfield acknowledged and stated words of gratitude toward the success of the students.

Chairperson lies announced that Relay For Life would be held May 19<sup>th</sup> & 20<sup>th</sup> at Suncoast High School football field starting at 5 p.m.

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

Michael Mahoney, 2120 Broadway, made comments regarding a letter he received referenced his property being taken away..

Margaret Shepherd, 2003 W 17<sup>th</sup> Street # 104, made comments regarding street signs being down.

Deborah Hall, 1271 W 3'd Street, announced that Family Day has been planned for May 21<sup>st</sup> at 2 p.m at McCray's Backyard II, located on 45<sup>th</sup> Street in honor of Ms Georgia Davis and the family of Brittany Haines.

Dennis Widlansky, 1206 Coral Way, made comments regarding the easement south of Martinique Condominiums.

Gerald Ward, 31 W 20<sup>th</sup> Street, made comments regarding the condition of Bicentennial Park as discussed at the last Waterfront Advisory Board meeting.

Bonnie Larson, 25 W 27<sup>th</sup> Street, made comments regarding an abandoned house in her neighborhood.

Fane Lozman 200 E 13<sup>th</sup> Street requested that Chairperson lies resign as a city councilmember by noon Thursday or a committee would proceed with the recall process.

Randy Graham, 1516 W 30<sup>th</sup> Street, made comments that the time limit for the public comments should be extended.

Bishop Thomas Masters, 601 W 36<sup>th</sup> Street, made comments regarding the city having additional hurricane distribution centers and the Relay For Life activities.

Tony Gigliotti, 245 Claremont Lane, made comments against the city undertaking a 99 year lease for the redevelopment of the Ocean Mall project.

Rodney Roberts, 1581 W 14<sup>th</sup> Street, made comments regarding the city's form of government. He also made comments referenced receiving home deliveries from UPS and FedEx in the Federal Gardens area.

Bernard Kinsey, Los Angeles, CA, stated that he would like to assist the city in achieving its full potential and overcoming the problems it is currently experiencing in the way of redevelopment and he encouraged the Council to solicit his knowledge as consultant to accomplish the task.. He also announced the dedication date for U. B. Kinsey Palmview Elementary.

Judy Davis, 341 W 22<sup>nd</sup> Street, made comments against the city retaining Mr. Kinsey as a consultant.

#### 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 MAY 3, 2006.

8. RESOLUTIONS:

- A. RESOLUTION NO. 60-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE REPLAT ENTITLED "MARSH HARBOUR"; AUTHORIZING THE MAYOR, CITY CLERK AND THE CITY ENGINEER TO SIGN THE PLAT; AND PROVIDING AN EFFECTIVE DATE.
- B. RESOLUTION NO. 61-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REQUESTING THE CITY COUNCIL ACCEPT A CONTRIBUTION OF \$10,000 FROM SOUTH FLORIDA MATERIALS FOR DISTRICT 3 NEIGHBORHOOD IMPROVEMENT FUND; AND AUTHORIZING THE FINANCE DIRECTOR TO DEPOSIT THE \$10,000 CONTRIBUTION INTO THE DISTRICT #3 NEIGHBORHOOD IMPROVEMENT ACCOUNT NO. 109-00-220175; AND PROVIDING AN EFFECTIVE DATE.

END OF CONSENT AGENDA

A motion was made by Councilperson Wade and seconded by Councilperson Duncombe 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

NONE

10. PUBLIC HEARINGS:

NONE

11. ORDINANCES ON SECOND READING

NONE

12. ORDINANCES ON FIRST READING

- A. ORDINANCE NO. 3007 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP FROM INDUSTRIAL TO UTILITY DESIGNATION FOR 6.0 ACRES LOCATED AT 100 BROADWAY; 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 Chair pro tem Lee and seconded by Councilperson Duncombe to approve Ordinance No. 3007 on First Reading.

MOTION

Mary McKinney, Community Development Director, made a presentation on the proposed amendment to the comprehensive plan.

Gerald Ward, 31 W 20<sup>th</sup> Street, stated that he submitted a letter to the City Clerk to be made a part of the record as his comments opposing the proposed ordinance.

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

MOTION APPROVED

- B. ORDINANCE NO. 3008 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE ZONING MAP OF THE CITY OF RIVIERA BEACH FROM TRANSITIONAL LIMITED INDUSTRIAL TO UTILITY CLASSIFICATION FOR 6.0 ACRES LOCATED AT 100 BROADWAY; 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.

City Clerk Ward read the aforementioned Ordinance into the record.

A motion was made by Chair pro tem Lee and seconded by Councilperson Wade to approve Ordinance No. 3008 on First Reading.

MOTION

Gerald Ward, 31 W 20<sup>th</sup> Street, made comments against the proposed Ordinance.

Ethel Isaacs Williams, 2655 N Ocean Drive, representing Florida Power & Light, made comments regarding steps that the applicant had taken at the request of staff for approval of their request.

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

MOTION APPROVED

13. REGULAR

- A. RESOLUTION NO. 62-06 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 FY 2006 PALM BEACH COUNTY DEVELOPMENT REGIONS GRANT AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY OF RIVIERA BEACH FOR FUNDING IN THE AMOUNT OF \$108,544; AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER REQUIRED MATCH OF \$46,197 FROM GENERAL FUND CONTINGENCY AND \$32,269 FROM DISTRICT THREE NEIGHBORHOOD IMPROVEMENT TO THE DEVELOPMENT REGIONS GRANT FUND (140); AUTHORIZING THE FINANCE DIRECTOR TO SET UP A BUDGET FOR THE DEVELOPMENT REGIONS GRANT (140) IN THE AMOUNT OF \$187,010; AUTHORIZING STAFF TO SUBSEQUENTLY NEGOTIATE AND FINALIZE SUB-GRANTEE AGREEMENTS WITH SAID BUSINESSES TO PERFORM ECONOMIC DEVELOPMENT BUSINESS PROJECTS; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Chair pro tern Lee and seconded by Councilperson Duncombe to approve Resolution No. 62-06.

MOTION

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

MOTION APPROVED

- B. FINAL REPORT OF SIXTH ANNUAL RIVIERA BEACH JAZZ AND BLUES FESTIVAL HELD MARCH 24 AND 25, 2006.

Gloria Shuttlesworth, Assl. City Manager, addressed the Mayor and Council and stated the final report for the festival had been provided and that staff was requesting \$630,050 be appropriated to cover the deficit; and that \$660,000 was budgeted in October but not appropriated.

Tony Gigliotti, 245 Claremont Lane, made comments regarding discontinuing the festival.

Mike Mahoney, 2120 Broadway, made comments regarding the festival's admission price and the non-use of local vendors.

Tina White, 808 1<sup>st</sup> Street, recommended that the city discontinue having the jazz festival.

Randy Graham, 1516 W 30<sup>th</sup> Street, made comments regarding reorganizing the efforts for sponsoring the festival.

Bonnie Larson, 25 W 27<sup>th</sup> Street, made comment regarding discontinuing the festival.

Margaret Shepherd, 2003 17<sup>th</sup> Court #104, stated that she enjoyed the festival but that the city should consider scaling it back.

Bishop Thomas Masters, 601 W 36<sup>th</sup> Street, made comments in support of the festival and stated that he would like a gospel component added.

Jesse Graves, Class C-1 Production, addressed the Mayor and City Council regarding the final report provided by the City's staff and stated that he vehemently oppose to the report and that upon him receiving appropriate documentation from the City he would complete a report and report back to the Council;.however he was not certain of a date.

A discussion ensued amongst the City Council and Mr. Graves.

A motion was made by Councilperson Duncombe and seconded by Councilperson Jackson to terminate the contract with Class C-1 Productions.

MOTION

City Attorney Ryan stated that staff would send a letter of termination giving 30 days notice as required by the contract.

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

An amended motion was made by Councilperson Duncombe and seconded by Councilperson Jackson to terminate the contract with Class C-1 Production and take them to court to sue them for monies owing to the City.

AMENDED MOTION

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

MOTION APPROVED

**City Manager Wilkins** requested a Closed Executive Session on May 24<sup>th</sup> at 6 p.m. to discuss items for negotiation with the police union that represents the lieutenants.

There was a consensus of the City Council to schedule a Closed Executive Session on May 18<sup>th</sup> at 6:00 p.m.

**City Manager Wilkins** made the following announcements: the City Council Retreat/Workshop would be held May 19<sup>th</sup>, 1 p.m. until 6 p.m. in the Utilities Conference Room and May 20<sup>th</sup>, 8 a.m. until 5 p.m. at the Florida Fish and Wildlife Conservation Commission Office, located at 8335 Northlake Boulevard; the passing of John H. Perry, Jr. on Saturday at the age of 89; that he and Councilperson lies would be in Washington D.C. on May 23<sup>rd</sup> on the city's annual lobbying trip; and that Councilperson Lee and Assistant Parks & Recreation Director Janet Levine would be attending the National League of Cities' National Cities After School Summit May 22<sup>nd</sup> through May 24<sup>th</sup>.

**14. LEGAL DISCUSSION/REQUESTS**

**NONE**

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

**Chair pro tern Lee** requested that Mr. Wilkins give a report on the outcome of the meeting that he had with Mr. Kinsey and Floyd Johnson, the CRA director.

**City Manager Wilkins** stated that an amicable meeting was held with Mr. Kinsey and Mr. Johnson and that Mr. Kinsey would provide consulting services based upon the following: a salary of \$3,000 per day; would be available a minimum of 10 days per month; contract be for a minimum of six months with the opportunity for a six month extension; that lodging expenses be paid and the use of a vehicle; and a per diem of \$75 per day. He also stated that Mr. Kinsey requested that he reports directly to the city council and that all consultants involved in the projects report directly to him.

A discussion ensued amongst the Mayor, City Council, and Mr. Bernard Kinsey regarding consultant fees and benefits.

**Mayor Brown** asked the City Clerk to notice a special meeting to be held at 9:00 a.m., Thursday to address retaining the services of Bernard Kinsey as consultant for the City's redevelopment project.

The City Clerk responded in the affirmative.

16. ADJOURNMENT

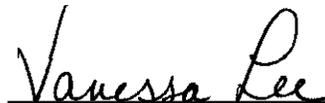
There being no further business, the meeting was duly adjourned at 11:20 p.m.

APPROVED:

  
absent  
\_\_\_\_\_  
MICHAEL D. BROWN  
MAYOR

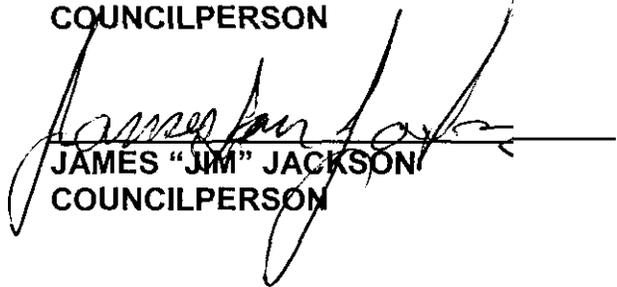
  
\_\_\_\_\_  
ANN ILES  
CHAIRPERSON

**ATTEST:**  
  
\_\_\_\_\_  
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

  
\_\_\_\_\_  
VANESSA LEE  
CHAIR PRO TEM

  
\_\_\_\_\_  
NORMA DUNCOMBE  
COU CILPERSON

  
ELIZABETH "LIZ" WADE  
COUNCILPERSON

  
\_\_\_\_\_  
JAMES "JIM" JACKSON  
COUNCILPERSON

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

A. ILES	aye
V. LEE	aye
N. DUNCOMBE	aye
E. WADE	aye
J. JACKSON	<u>nay</u>