

CITY OF RIVIERA BEACH  
PALM BEACH COUNTY, FLORIDA  
REGULAR CITY COUNCIL MEETING MINUTES  
MUNICIPAL COMPLEX COUNCIL CHAMBERS  
WEDNESDAY, JULY 5, 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 (arrived at 7:50 p.m.), 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 Assistant City Attorney Andrienne Gordon.

Mayor Michael D. Brown arrived later.

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: deleted Item No. 13A - Resolution regarding the Community Redevelopment Agency; and an updated Resolution provided for Item No. 13B - Resolution regarding Waste Management.

3. ADOPTION OF THE AGENDA

A motion was made by Councilperson Wade and seconded by Chair pro tern 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

NONE

—

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

Bonnie Larson, 25 W 27<sup>th</sup> Street, questioned dissemination of the minutes of meetings.

Fane Lozman, 200 E 13<sup>th</sup> Street, made comments regarding actions of the Mayor.

.. He also made comments regarding the response provided by the special counsel hired. by the city to handle the case file.d by him and Ms. Merchant.

Rev. William Burrs, 1500 W 30<sup>th</sup> Street, made cOl:nnments regarding the response he received referenced his concerns on the General Employees Pension Board.

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 JUNE 21, 2006.

8. RESOLUTIONS:

- A. RESOLUTION NO. 87-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING THE RECOMMENDATION OF STAFF AND AUTHORIZING STAFF TO NEGOTIATE AN AGREEMENT WITH JORDAN, JONES & GOULDING INC. OF PALM BEACH GARDENS FOR PROFESSIONAL SERVICES RELATED TO CIVIL ENGINEERING, ARCHITECTURE, ENVIRONMENTAL ENGINEERING, PLANNING AND CONSULTING SERVICES AS PER THEIR PROPOSAL SUBMITTED APRIL 17, 2006.

END OF CONSENT AGENDA

A motion was made by Councilperson Wade and seconded by Chair pro tern Lee 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. 3010 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 26, ENTITLED, "MINORITY EMPLOYMENT AND AFFORDABLE HOUSING OPPORTUNITY PLAN" OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES; 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 Wade and seconded by **Chair** pro tern Lee to approve Ordinance No. 3010 on first reading.

MOTION

Judith Thomas, Planning and Zoning Administrator, made a presentation on the proposed ordinance.

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

Councilperson Wade stated between first and second reading, she wanted staff to address local, as well as, minority participation.

Councilperson Jackson stated that he did have a problem with the density but it was explained to him thoroughly.

Chairperson lies stated that she mentioned at Agenda Review that she had a problem with Section 26-6 and that a policy needed to be devised so that applicants would understand that this was strictly a voluntary process.

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

MOTION APPROVED

- B. ORDINANCE NO. 3011 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ABANDONING 145 FEET OF AVENUE "C" AND 92 FEET OF EAST 17<sup>TH</sup> STREET LYING FROM THE NORTHWEST CPRNER OF LOT 1 BLOCK 7 INLET GROVE SUBDIVISION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Ordinance into the record.

A motion was made by Councilperson Wade and seconded by Chair pro tem Lee to table Ordinance No. 3011 to the next regular City Council Meeting.

MOTION TO TABLE

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

MOTION APPROVED

- C. RESOLUTION NO. 88-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING A CONTRIBUTION IN THE AMOUNT OF \$180,676.45 FOR THE PURCHASE OF THE ABANDONED PORTIONS OF AVENUE "C" AND EAST 17<sup>TH</sup> STREET RIGHT-OF-WAY; 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 table Resolution No. 88-06 until the next regular City Council Meeting.

MOTION TO TABLE

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, AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER \$30,000 FROM GENERAL FUND CONTINGENCY ACCOUNT TO THE GENERAL ADMINISTRATION DEBT SERVICE COST ACCOUNT TO PAY FOR FEES

RELATED TO THE REFINANCING OF THE COMMUNITY REDEVELOPMENT AGENCY'S OUTSTANDING BOND ANTICIPATION NOTES THAT MATURES ON JULY 5, 2006; AND APPROVAL OF ADDITIONAL FEES TO THE BOND COUNSEL OF NABORS, GIBLIN, & NICKERSON; AND PROVIDING AN EFFECTIVE DATE. ~~ITEM DELETED~~

- B. RESOLUTION NO. 89-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXTEND THE FIRST AMENDMENT TO THE SOLID WASTE AND RECYCLING COLLECTION AGREEMENT WITH WASTE MANAGEMENT FOR A SECONP AMENDMENT FOR AN ADDITIONAL FIVE (5) YEARS AS PROVIDED IN THE INITIAL AGREEMENT TO EXTEND THE TERM, MODIFY THE ENFORCEMENT PROVISIONS AND INCREASE CERTAIN SERVICES COMMENCING JULY 1, 2006 AND ENDING SEPTEMBER 2010, AT THE CURRENT RATES AS MODIFIED; 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 tem Lee to approve for discussion Resolution No. 89-06.

MOTION

Gloria Shuttlesworth, Assistant City Manager, provided an overview of the language included in the proposed amended contract.

Jeff Sabin, representing Waste Management, made comments regarding the proposed contract.

Gerald Foland, 900 W 13<sup>th</sup> Street, made comments in support of the proposed contract.

Tina White, 808 W 1<sup>st</sup> Street, made comments against the proposed contract.

Fane Lozman, 200 E 13<sup>th</sup> Street, made comments against the process for awarding the proposed contract.

George Murphy, 1291 Bimini Lane, made comments against the process for awarding the proposed contract.

Joanne Stanley, representing Republic Services, made comments regarding putting the waste and trash pickup service out for re-bid.

Bonnie Larson, 25 W 27<sup>th</sup> Street, made comments regarding the process in which the City handled awarding of the contract.

Margaret Shepherd, 2003 W 17<sup>th</sup> Ct # 104, made comments against the services provided by Waste Management.

Gerald Ward, 31 W 20<sup>th</sup> Street, made comments regarding the services provided by Waste Management.

A lengthy discussion ensued amongst the Mayor and City Council.

After discussion held by the Mayor and City Council, Chair pro tem Lee rescinded her second to the motion to approve for discussion Resolution No. 89-06. As a result, the motion made by Councilperson Wade to approve Resolution No. 89-06, died for lack of a second.

MOTION DIED FOR LACK OF SECOND

A motion was made by Chair pro tem Lee and seconded by Councilperson Duncombe authorizing the City Manager to extend the residential solid waste, recycling, commercial and industrial roll-off contract agreements with Waste Management for an additional 16 months retro to March 31, 2006 and ending September 30, 2007 at the current rate structure as modified but not to exceed the applicable 3% cpi.

MOTION

Jeff Sabin, Waste Management representative, stated that he would have to get authorization to agree to the terms stated in the motion. He stated that he could commit to continue to be engaged in good faith negotiations with the city for 30 days and participate in a workshop session.

An amended motion was made by Councilperson Wade authorizing staff to negotiate with Waste Management for the next 30 days and schedule a workshop and that if negotiations are not completed within the time frame set forth then the city would request a continuation. Seconded by Councilperson Jackson.

AMENDED MOTION

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

AMENDED MOTION APPROVED

Upon a roll call vote by City Clerk Ward, the motion failed unanimously.

MOTION FAILED

Chairperson lies called for a five minute recess at 10:00 p.m. and called the meeting back to order at 10:10 p.m.

C. PRESENTATION BY O'CAMPO AND ASSOCIATES OF PHASE II DESIGN AND REVITALIZATION OF DAN CALLOWAY RECREATIONAL COMPLEX.

Paul White, Assistant City Manager, stated that a master plan for all municipal parks was approved in 2003. He also stated that a public meeting was scheduled at the George Street Park, July 10<sup>th</sup> at 6 p.m. to make the residents aware of the planned activities for George Street Park.

Raul O'Campo, O'Campo and Associates, gave a presentation on the plans for phase II of Dan Calloway Recreational Complex.

Gerald Ward, 31 W 20<sup>th</sup> Street, stated that a public meeting should be held regarding the plans for phase II of the Dan Calloway Recreational Complex.

D. WORKSHOP: SCHEDULING OF BUDGET WORKSHOPS FOR JULY 24-25, & 27, 2006 FROM 6:00 PM - 10:00 PM IN THE CITY COUNCIL CHAMBERS TO DISCUSS THE CITY MANAGER'S RECOMMENDED BUDGET FOR FISCAL YEAR 2006-07.

Gerald Ward, 31 W 20<sup>th</sup> Street, stated that public comments should be allowed during the budget workshop sessions.

There was a consensus of the City Council to set the budget workshops for the aforementioned dates.

14. LEGAL DISCUSSION/REQUESTS

NONE

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

Chair pro tem Lee made comments regarding the usage of temporary speed bumps in those areas of serious concerns within the vicinity of Monroe Heights neighborhood.

Councilperson Wade requested clarification of the statement of the minutes being distributed.

City Manager Wilkins clarified the statement of the minutes and stated City Council Meeting Minutes are current and a copy is provided in the two agenda packets placed in the back for public view; and the Mayor and City Council are provided a copy in their agenda packet; the originals are presented on the agenda for Council's approval; and the minutes are included on the City's website for view.

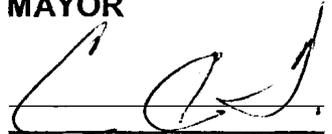
16. ADJOURNMENT

There being no further business, the meeting was duly adjourned at 10:30 p.m.

APPROVED:



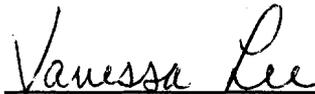
MICHAEL D. BROWN  
**MAYOR**



CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK



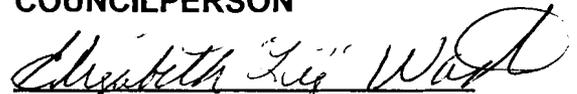
ANN ILES  
CHAIRPERSON



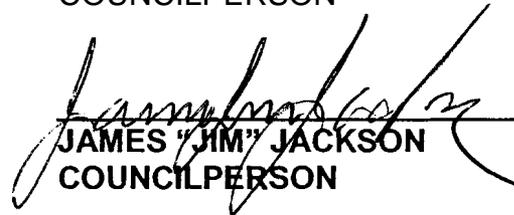
VANESSA LEE  
CHAIR PRO TEM



NORMA DUNCOMBE  
COUNCILPERSON



ELIZABETH "LIZ" WADE  
COUNCILPERSON



JAMES "JIM" JACKSON  
COUNCILPERSON

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

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

DATE APPROVED: 07/19/2006