

CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, OCTOBER 18, 2006 AT 7:30 P.M.

I. 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 Tem 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.

II. AGENDA APPROVAL

1) Additions, Deletions, Substitutions

City Manager Wilkins made the following revisions to the agenda: deleted Item No. 8A - Resolution reference eminent domain; and substituted Item No. 7 - Resolution reference solar heaters - for a presentation.

Councilperson Wade added comments regarding the MPO meeting under council comments.

2) Adoption of Agenda

A motion was made by Councilperson Duncombe and seconded by Councilperson Wade to approve the agenda as amended.

MOTION

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

MOTION APPROVED

III. AWARDS AND PRESENTATIONS

ITEM NO.1

PRESENTATION BY GEORGE CARTER, MARINA DIRECTOR, THE ANNUAL PALM BEACH COUNTY KDW CLASSIC 2006 FISHING TOURNAMENT.

Tom Tywford, Executive Director of the West Palm Beach Fishing Club, made a presentation to Mayor Brown and announced a \$2,000 contribution to the city's scholarship program.

ITEM NO.2

PRESENT AND WELCOME NEW EMPLOYEES OF THE CITY OF RIVIERA BEACH FOR THE MONTH OF SEPTEMBER, 2006.

Doretha Perry, Human Resources Director, presented the following new employees for the month of September: Donald Edman (IT); Terry Wells (Community Development); Carlos Lamadrid (Utility District); Kermit Torres (Utility District); Dorrette Nelson (Recreation and Parks); and JoAnn Cloud (Library).

ITEM NO.3

PRESENTATION OF PROCLAMATION DESIGNATING OCTOBER 27, 2006 AS MRS. GWENDOLYN B. RODGERS DAY IN RIVIERA BEACH IN HONOR OF HER WORK WITH CANCER RESEARCH THROUGH THE CHARMETIES, INC. ORGANIZATION FOR WHICH SHE WAS THE CO-FOUNDER.

Mayor Brown read the proclamation into the record designating October 27, 2006 as Mrs. Gwendolyn B. Rodgers Day.

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

Mary Cannon, 1145 Avenue H, made comments reference her inability to utilize her property.

Fane Lozman, Riviera Beach Marina, made comments reference campaign contributions by developers. He also made comments reference marina revenue.

Gerald Ward, 31 W 20th Street, made comments reference usage of beach by the developer of 2700 N Ocean Drive.

Bonnie Larson, W 27th Street, made comments reference lighting in the city's parking lot.

Corey Harvey, Public Works Department, made comments reference the City's United Way Campaign and announced that a Barbecue Bash would be held October 20th at the Public Works Department as a fund raiser.

Marina Daniels, 810 W Tiffany Dr. #1, made comments reference the law as it relates to vehicular homicide by individuals driving under the influence.

Keith Smellie, 734 52nd Street, presented a book written by his sister about their mother.

Bishop Thomas Masters, 748 W 9th Street, made comments against eminent domain.

Margaret Shepherd, 2003 W 17th Ct #104, made comments reference the membership drive for the library board.

Martha Babson, 156 E 21st Street, made comments reference the invoices and backup information for Mr. Kinsey.

Macqua Woodside, 1655 W 32nd Street, made comments reference the meeting held with state and regional FDOT representative regarding the fatal accident on the bridge.

V. 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.

1. MINUTES:

ITEM NO.4
MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD ON OCTOBER 4,2006.

RESOLUTIONS:

ITEM NO.5

RESOLUTION NO. 154-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING THE RECOMMENDATION OF STAFF AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT WITH JORDAN, JONES AND GOULDING INC. OF PALM BEACH GARDENS FOR PROFESSIONAL SERVICES RELATED TO CIVIL, TRANSPORTATION AND ENVIRONMENTAL ENGINEERING, ARCHITECTURAL, LANDSCAPE ARCHITECTURAL AND PLANNING CONSULTING SERVICES.

ITEM NO. 5A

RESOLUTION NO. 155-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDING THE CONTRACT TO CIRCLE OF ONE MARKETING OF MIAMI, FLORIDA FOR MARKETING CONSULTANT SERVICES FOR THE CITY OF RIVIERA BEACH SEVENTH ANNUAL JAZZ AND BLUES FESTIVAL AT A COST NOT TO EXCEED \$85,000; AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT; AND FURTHER AUTHORIZING THE INTERIM FINANCE DIRECTOR TO MAKE PAYMENT FROM ACCOUNT NO. 135-0202-572-0-4904; 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. 155-06.

MOTION

Bonnie Larson, W **27th** Street, requested information on the services to be provided by Circle of One and the recouping of funds from last year's event.

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

MOTION APPROVED

2) PETITIONS AND COMMUNICATIONS FOR FILING

NONE

END OF CONSENT AGENDA

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

MOTION

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

MOTION APPROVED

VI. PUBLIC HEARINGS:

NONE

1) ORDINANCES ON FIRST READING:

NONE

VII. REGULAR:

ITEM NO.6

RESOLUTION NO. 156-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE INTERIM FINANCE DIRECTOR TO APPROPRIATE GENERAL FUND, FUND BALANCE AND INCREASE THE RECREATION AND PARKS CAPITAL BUILDING ACCOUNT NO. 001-1234-572-0-6251 IN THE AMOUNT OF \$25,300 TO PAY FOR THE REPAIR AND RE-INSTALLATION OF 32 COMMERCIAL GRADE, IMPACT RESISTANT WINDOWS FOR THE GYM AT WELLS RECREATION CENTER AND PROVIDE A PROJECT CONTINGENCY; AUTHORIZING THE CITY MANAGER TO EXECUTE THE APPROPRIATE CONTRACT UPON REVIEW AND APPROVAL OF THE CITY ATTORNEY; AUTHORIZING THE INTERIM FINANCE DIRECTOR TO MAKE PAYMENT TO THE WINDOW DOCTOR OF LAKE PARK, FLORIDA IN THE AMOUNT OF \$22,400; 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 Resolution No. 156-06.

MOTION

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

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

MOTION APPROVED

ITEM NO.7

PRESENTATION ON THE INCLUSION OF SOLAR WATER HEATERS IN THE BROOKS SUBDIVISION SINGLE FAMILY HOUSING DEVELOPMENT AND OTHER HOUSING DEVELOPMENTS WITHIN THE CITY SUPPORTING

SUSTAINABLE DEVELOPMENT AND AFFORDABLE HOUSING; AND PROVIDING AN EFFECTIVE DATE. **ITEM REVISED**

Assistant City Manager White made a presentation in conjunction with Darrell Gilbert (FP&L), David Bates (FP&L), and James Husbands (Solar Dynamics).

A discussion ensued amongst the Mayor, City Council, the representatives of FP& L and Mr. Husbands.

ITEM NO.8

RESOLUTION NO. 158-06 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING PAVING AND DRAINAGE SITE WORK WITHIN THE RYBOVICH RIVIERA BEACH YACHT CENTER (RBY) LOCATED ON THE SOUTH SIDE OF 20TH STREET; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT AND AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Councilperson Wade and seconded by Councilperson Jackson to approve Resolution No. 158-06.

MOTION

Mary McKinney, Community Development Director, made a presentation reference the proposed Resolution.

Gerald Ward, 31 W 20th Street, made comments in favor of the proposed Resolution.

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

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

MOTION APPROVED

ITEM NO. SA

RESOLUTION NO. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, STATING AFFIRMATIVELY THAT THE CITY INTENDS TO USE THE POWER OF EMINENT DOMAIN ONLY FOR THOSE PURPOSES SET OUT IN STATE AND FEDERAL LAWS; AND PROVIDING AN EFFECTIVE DATE. **ITEM DELETED**

ITEM NO.9

DISCUSSION: EXTENSION OF THE 7TH ANNUAL CITY OF RIVIERA BEACH JAZZ AND BLUES FESTIVAL TO THREE DAYS TO INCLUDE SUNDAY GOSPEL FESTIVAL FEATURING DR. BOBBY JONES.

Asst. City Manager Shuttlesworth stated that staff was looking for direction from the City Council.

A lengthy discussion ensued amongst the mayor and city council.

Margaret Shepherd, 2003 W 17th Court, made comments reference having local artist for the gospel portion of the festival.

Bonnie Larson, W 27th Street, made comments against spending taxpayer funds on a gospel event.

There was a consensus of the City Council directing staff to include a day of gospel without extra expense.

ITEM NO. 10

DISCUSSION: REQUEST FOR CONFIRMATION OF APPOINTMENT OF MR. VINCENT O. AKHIMIE TO THE POSITION OF DIRECTOR OF PUBLIC WORKS AND APPROVING A SALARY OF \$92,500 WHICH IS IN EXCESS OF THE CITY MANAGER'S AUTHORITY TO APPROVE.

City Manager Wilkins gave an overview of the qualification of Mr. Vincent Akhimie for the Public Work's Director's position.

A motion was made by Councilperson Wade and seconded by Councilperson Jackson to approve the City Manager's recommendation.

MOTION

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

MOTION APPROVED

1) BOARD APPOINTMENT:

ITEM NO. 11

APPOINTMENT OF THREE (3) MEMBERS AND REAPPOINTMENT OF FOUR (4) MEMBERS TO THE LIBRARY BOARD.

Councilperson Wade stated that Ms. Morrow address was not on 13th Street and that Ms. Swan did not live in her district.

A motion was made by Councilperson Wade and seconded by Councilperson Jackson to approve staff's recommendation for the appointment of three members and the reappointment of four members to the Library Board.

MOTION

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

MOTION APPROVED

City Manager Wilkins stated that individual briefings had begun on the OMRD negotiations and that the information would be provided for the inquiries that were made during each session. He stated that the item would be presented for official action approximately November 15th. He also announced that he would not be in the office Thursday, Friday, and Monday.

VIII. LEGAL DISCUSSION/REQUESTS:

NONE

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

Councilperson Wade stated that on Thursday morning at 9 a.m., at the McEadie Conference Room located downtown, the MPO would be conducting its regular meeting and that the Port of Palm Beach corridor analysis was on the agenda with a presentation from FOOT. She stated that she did not agree with the wall that was displayed in the drawings and urged support from the Mayor and City Council as well as residents in the affected areas.

Gerald Ward, 31 W 20th Street, made comments reference the corridor analysis to be presented at the MPO meeting.

Mayor Brown stated that if the community and municipality go on record objecting to being walled in, if procedures are properly followed, the complaint can be registered which would block being walled in or force them to accommodate the municipality and its residents. He also made comments reference the school district's attempts at causing the Riviera Beach Charter School built by Viking Yachts to fail.

X. ADJOURNMENT

There being no further business, the meeting was duly adjourned at 10:50 p.m.

APPROVED:

Michael D. Brown

MICHAEL D. BROWN
MAYOR

Carrie E. Ward

CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK

Ann Iles

ANN ILES
CHAIRPERSON

Vanessa Lee

VANESSA LEE
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

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

DATE APPROVED: 11/01/2006