

CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX, COUNCIL CHAMBERS
WEDNESDAY, AUGUST 3, 2005 AT 7:30 P.M.

1. CITY CLERK CALLS TO ORDER

Upon roll call by City Clerk Ward the following were present, Mayor Michael D. Brown, Council Chair Elizabeth "Liz" Wade, Council Chair Pro tem Ann Iles, Councilperson Vanessa Lee, Councilperson Judy L. Davis, and Councilperson Edward Rodgers was absent; Administration, City Manager William E. Wilkins, City Clerk Carrie E. Ward, Master Municipal Clerk and City Attorney Pamala Hanna Ryan.

Invocation and Pledge of Allegiance

Everyone stood for the pledge of allegiance and a moment of silence.

2. ADDITIONS, DELETIONS AND SUBSTITUTIONS

City Manager Wilkins added the presentation from the owner of Tiki Bar

3. ADOPTION OF THE AGENDA

A motion was submitted by Councilperson Iles seconded by Councilperson Davis to approve the agenda as modified.

MOTION

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

MOTION APPROVED

4. UNFINISHED BUSINESS

NONE

5. AWARDS AND PRESENTATIONS

Bob Gregory, owner of Tiki Bar, addressed Mayor and Council then presented Mayor and Council a check in the amount of \$3,000 to provide charity at their discretion to a deserving family.

A. PRESENTATION BY FLORIDA DEPARTMENT OF TRANSPORTATION CONCERNING THE CONSTRUCTION PROJECT AT 1-95 AND BLUE HERON BOULEVARD.

Scott Cavendish, Senior Project Engineer, Frank White, Project Administrator and Andrea Pacini, Public Information Officer, the CEI firm hired by FDOT to oversee the construction and widening of 1-95 between PGA and Gateway Blvd. addressed the Council to express their purpose was to inform the residents of the new construction and the affected impact.

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

The following persons spoke:

Randy Graham, 1516 West 30th Street addressed the Mayor and Council regarding division between the elected officials.

David Davis, 1113 West 26th Court, addressed Mayor and Council opposing the Marriott Plan for redevelopment.

Deondra Jones, 587 West 3rd Street, addressed Mayor and Council opposing the current redevelopment project and requested redevelopment status for the west side.

Gwendolyn Myers, 3020 Avenue O, addressed Mayor and Council opposing the current proposal for the redevelopment plan and requested the status of the overpass.

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 JULY 20, 2005.

8. RESOLUTIONS:

- A. RESOLUTION NO. 127-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING TOTAL SETTLEMENT OF THE MATTER OF TIMOTHY GRADER V. CITY OF RIVIERA BEACH AND APPROVING THE TOTAL SETTLEMENT AMOUNT OF \$100,000 AS COMPLETE AND FINAL SETTLEMENT OF INDEMNITY COMPENSATION, FURTHER LIABILITY FOR FUTURE MEDICAL CARE AND REHABILITATION TO THE CLAIMANT, INCLUSIVE OF ATTORNEY'S FEES AND COSTS; FURTHER AUTHORIZING THE CITY'S INSURANCE ADMINISTRATORS, GALLAGHER BASSETT SERVICES, TO PAY THIS AMOUNT TO THE **CLAIMANT/CLAIMANT'S** ATTORNEY FROM THE CITY'S WORKERS' COMPENSATION SETTLEMENT ACCOUNT NO. **602-0539-513-0-1405**; AND PROVIDING AN **EFFECTIVE** DATE.
- B. RESOLUTION NO. 128-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING TOTAL SETTLEMENT OF THE MATTER OF CONRAD JONES V. CITY OF RIVIERA BEACH AND APPROVING THE TOTAL SETTLEMENT AMOUNT OF \$65,000 AS COMPLETE AND FINAL SETTLEMENT OF INDEMNITY COMPENSATION, FURTHER LIABILITY FOR FUTURE MEDICAL CARE AND REHABILITATION TO THE CLAIMANT, INCLUSIVE OF ATTORNEY'S FEES AND COSTS; FURTHER AUTHORIZING THE CITY'S INSURANCE ADMINISTRATORS, GALLAGHER BASSETT SERVICES, TO PAY THIS AMOUNT TO THE CLAIMANT/CLAIMANT'S ATTORNEY FROM THE CITY'S WORKERS' COMPENSATION SETTLEMENT ACCOUNT NO. **602-0539-513-0-1405**.
- C. RESOLUTION NO. 129-05 A RESOLUTION OF THE **CITY** COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING TOTAL SETTLEMENT OF THE MATTER OF CHARLES SEAY V. **CITY** OF RIVIERA BEACH AND APPROVING THE TOTAL SETTLEMENT AMOUNT OF \$60,000 AS COMPLETE AND FINAL SETTLEMENT OF INDEMNITY COMPENSATION, FURTHER **LIABILITY** FOR FUTURE MEDICAL CARE AND REHABILITATION TO THE CLAIMANT, INCLUSIVE OF ATTORNEY'S FEES AND COSTS; FURTHER AUTHORIZING THE CITY'S INSURANCE ADMINISTRATORS, GALLAGHER BASSETT SERVICES, TO PAY THIS AMOUNT TO THE CLAIMANT/CLAIMANT'S ATTORNEY FROM THE CITY'S WORKERS' COMPENSATION SETTLEMENT ACCOUNT NO. **602-0539-513-0-1405**.

- D. RESOLUTION NO. **130-05** A RESOLUTION OF THE **CITY** COUNCIL OF THE **CITY OF RIVIERA BEACH**, PALM BEACH COUNN, FLORIDA, APPROVING TOTAL SETTLEMENT OF THE MATTER OF PHILIP E. PREDDY V. **CITY OF RIVIERA BEACH** AND APPROVING THE TOTAL SETTLEMENT AMOUNT OF \$100,000 AS COMPLETE AND FINAL SETTLEMENT OF INDEMNIN COMPENSATION, FURTHER LIABILITY FOR FUTURE MEDICAL CARE AND REHABILITATION TO THE CLAIMANT, INCLUSIVE OF ATTORNEY'S FEES AND COSTS; FURTHER AUTHORIZING THE CITY'S INSURANCE ADMINISTRATORS, GALLAGHER BASSETT SERVICES, TO PAY **THIS** AMOUNT TO THE **CLAIMANT/CLAIMANT'S** ATTORNEY FROM THE CITY'S WORKERS' COMPENSATION SETTLEMENT ACCOUNT NO. **602-0539-513-0-1405**.
- E. RESOLUTION NO. **131-05** A RESOLUTION OF THE **CITY** COUNCIL OF THE **CITY OF RIVIERA BEACH**, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT BETWEEN THE **CITY OF RIVIERA BEACH** AND PALM BEACH COUNTY FOR RECEIVING DISCRETIONARY FUNDS IN THE AMOUNT OF \$98,000 FOR INSTALLATION OF DECORATIVE STREET LIGHTS ON WEST **31ST** STREET BETWEEN AVENUE "R" AND AVENUE "**O**"; AUTHORIZING THE FINANCE DIRECTOR TO SET UP A BUDGET; AND PROVIDING AN EFFECTIVE DATE.
- F. RESOLUTION NO. **132-05** A RESOLUTION OF THE **CITY** COUNCIL OF THE **CITY OF RIVIERA BEACH**, PALM BEACH COUNTY, FLORIDA, APPROVING THE PARKWAY ASPHALT **REPLAT** OF TRACT '**B**'; AUTHORIZING THE MAYOR, **CITY** CLERK AND THE **CITY** ENGINEER TO **SIGN** THE PLAT; AND PROVIDING AN EFFECTIVE DATE.
- G. RESOLUTION NO. **133-05** A RESOLUTION OF THE **CITY** COUNCIL OF THE CITY OF **RIVIERA BEACH**, PALM BEACH COUNN, FLORIDA, AUTHORIZING THE PARKS AND RECREATION DEPARTMENT TO PURCHASE FOOTBALL EQUIPMENT AND SUPPLIES FROM SAL **MATTEIS** COMPANY OF BOYNTON BEACH, FLORIDA IN THE AMOUNT OF \$83,000 FOR THE **CITY'S** YOUTH FOOTBALL PROGRAM; AND TRANSFER \$4,000 FROM THE GENERAL FUND CONTINGENCY ACCOUNT NO. **001-0203-519-0-5999** TO RECREATION FOOTBALL ACCOUNT NO. **001-1232-572-0-5504** AND MAKE PAYMENT FOR SAME; AND PROVIDING AN EFFECTIVE DATE.
RESOLUTION PULLED FOR DISCUSSION.

Resolution pulled by Chair Wade at the request of a resident.

Motion submitted by Councilperson Lee and seconded by Councilperson Davis to approve Resolution as submitted.

MOTION

Public comments:

Carole Donohoo, **1190** Sugar Sands Blvd.

Randy Graham, **1516** West **30th** Street

Lengthy discussion ensued amongst the Mayor Council and administrative staff. Afterwards, the motion was unanimously approved.

MOTION APPROVED

END OF CONSENT AGENDA

Motion submitted by Councilperson **Iles**, seconded by Councilperson Davis to adopt the consent agenda as modified.

MOTION

The motion was unanimously approved.

MOTION APPROVED

9. PETITIONS AND COMMUNICATIONS FOR FILING

NONE

10. PUBLIC HEARINGS

NONE

11. ORDINANCES ON SECOND READING

NONE

12. ORDINANCES ON FIRST READING

NONE

13. REGULAR

- A. RESOLUTION NO. **134-05** 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 MEMORANDUM OF UNDERSTANDING **WITH** JOHNSON CONTROLS, INC. TO PROVIDE AN ORGANIZATIONAL ANALYSIS TO DETERMINE POSSIBLE EFFICIENCIES AND COST SAVINGS AT NO COST TO THE CITY; PROVIDING AN EFFECTIVE DATE.

Motion submitted by Councilperson Davis, seconded by Councilperson Lee.

MOTION

Motion unanimously approved.

MOTION APPROVED

- B. DISCUSSION: CITY COUNCIL TO DESIGNATE A VOTING DELEGATE TO REPRESENT THE CITY OF RIVIERA BEACH AT THE FLORIDA LEAGUE OF CITIES' 74TH ANNUAL CONFERENCE IN ORLANDO, FL AUGUST 18-20, 2005.**

Motion submitted by Councilperson Davis, seconded by Councilperson Lee to appoint Chair Pro tem Iles as the voting delegate.

MOTION

Motion was unanimously approved.

MOTION APPROVED

14. LEGAL DISCUSSION/REQUESTS

REQUEST FOR A CLOSED EXECUTIVE SESSION IN THE CASE OF **HIGHTOWER VS. CITY OF RIVIERA BEACH, CASE NO. 2003CA004000 AN.**

Item was acted upon at the 7:00 pm scheduled hour.

Attorney Ryan requested a closed executive session to discuss the case of Michael D. Brown v each individual City Council in their capacity; and immediately following would be the CRA Board members in their capacity. The meeting was scheduled to be held, Wednesday, August 10, at 5:30 pm.

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

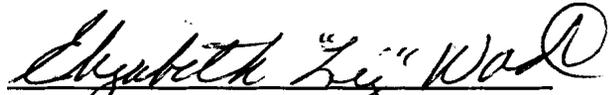
16. ADJOURNMENT

There being no further business, the meeting duly adjourned at 8:45 pm.

APPROVED:

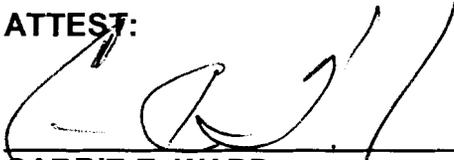


MICHAEL D. BROWN
MAYOR

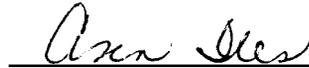


ELIZABETH "LIZ" WADE
CHAIRPERSON

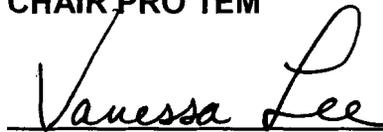
ATTEST:



CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



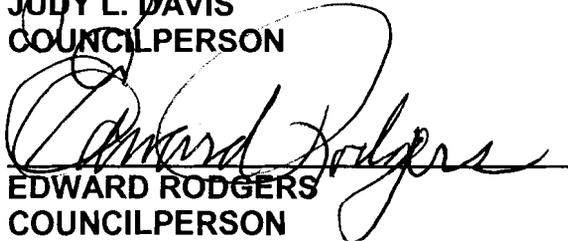
ANN ILES
CHAIR PRO TEM



VANESSA LEE
COUNCILPERSON



JUDY L. DAVIS
COUNCILPERSON



EDWARD RODGERS
COUNCILPERSON

MOTIONED BY: A. Iles
SECONDED BY: V. Lee

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

DATE APPROVED: 08/17/05