

CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, OCTOBER 5,2005 AT 7:30 P.M.

1. CITY CLERK CALLS TO ORDER:

Roll Call

Chairperson Wade was present and presided. Upon roll call by City Clerk Ward, the following were present: Mayor Michael D. Brown, Chair Pro Tem Ann Iles, Councilperson Vanessa Lee, Councilperson Judy L. Davis; and Councilperson Edward Rodgers. 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: revised resolution for Item No. 8C – Resolution regarding stipulation of settlement agreement; and added Item No. 13B – Resolution regarding addendum to the interlocal agreement with Community Redevelopment Agency.

Chairperson Wade also added Item No. 13C – request from the south side park.

3. ADOPTION OF THE AGENDA

A motion was made by Councilperson Davis and seconded by Councilperson Lee to approve the agenda as amended.

4. UNFINISHED BUSINESS

NONE

5. AWARDS AND PRESENTATIONS

NONE

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

David Davis, 1113 W 26th Ct., stated that he is not a member of ACORN and that when he requests information on various projects it's for informational purposes.

Margaret Shepherd, 2003 W 17th Ct. #104, made comments regarding information she saw in previous newsletter.

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 SEPTEMBER 21,2005.

8. RESOLUTIONS:

- A. RESOLUTION NO. 173-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND PALM BEACH COUNTY FOR RECEIVING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN THE AMOUNT OF \$240,000; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT; AUTHORIZING THE FINANCE DIRECTOR TO SET UP A BUDGET AND APPROPRIATE FUND BALANCE IN THE PAVING AND DRAINAGE CONSTRUCTION FUND IN THE AMOUNT OF \$260,000; AND PROVIDING AN EFFECTIVE DATE.
- B. RESOLUTION NO. 174-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA. ACCEPTING AND AWARDED THE BID SUBMITTED BY ELECTRICAL CONSULTING SERVICES, INC. FOR INSTALLATION OF DECORATIVE

STREET LIGHTS ON WEST 1ST STREET BETWEEN AUSTRALIAN AVENUE AND AVENUE "J" IN THE AMOUNT OF \$31,970; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE CONTRACT; AND PROVIDING AN EFFECTIVE DATE.

- C. RESOLUTION NO. 175-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING SETTLEMENT IN THE MATTER OF **HIGHTOWER** AND DAVIS VS. THE CITY OF RIVIERA BEACH, CASE NO. CA 03-004000 AN, IN THE 15TH JUDICIAL CIRCUIT IN AND OF PALM BEACH COUNTY, FLORIDA; AUTHORIZING THE EXECUTION OF A STIPULATION OF SETTLEMENT AGREEMENT; AUTHORIZING STAFF TO PURCHASE PROPERTY USING FUNDS FROM THE PARKS AND RECREATION IMPACT FEE CAPITAL BUDGET AUTHORIZING THE FINANCE DIRECTOR TO APPROPRIATE FUND BALANCE AND AMEND THE BUDGET IN THE PARKS & RECREATION IMPACT FEE CAPITAL BUDGET, FUND 303 IN THE AMOUNT OF \$133,000 AND MAKE PAYMENT FOR SAME; AND PROVIDING AN EFFECTIVE DATE.

END OF CONSENT AGENDA

A motion was made by Councilperson Davis and seconded by Chair Pro **Tem Iles** 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

- A. ORDINANCE NO. 2997 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 14, ARTICLE II, **SEC.** 14-21 ENTITLED "DEFINITIONS" OF THE CODE OF ORDINANCES OF THE CITY OF RIVIERA BEACH RELATING TO THE RETIREMENT SYSTEM FOR GENERAL EMPLOYEES BY PROVIDING FOR PURCHASE OF CONTINUOUS SERVICE FOR PRIOR MILITARY SERVICE; PROVIDING FOR CODIFICATION, **SEVERABILITY** AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Ordinance into the record.

A motion was made by Councilperson Davis and seconded by Chair Pro Tern **lles** to adopt Ordinance No. 2997.

MOTION

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

MOTION APPROVED

12. ORDINANCES ON FIRST READING

NONE

13. REGULAR

- A. RESOLUTION NO. 177-05 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 SIX (6) MONTH PERIOD COMMENCING OCTOBER 1, 2005 AND ENDING MARCH 31, 2006 AT THE CURRENT RATES AS MODIFIED BY THE APPLICABLE 3.0% CPI (CONSUMER PRICE INDEX); AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Councilperson Davis and seconded by Chair Pro Tern **lles** to approve Resolution No. 176-05.

MOTION

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

MOTION APPROVED

- B. RESOLUTION NO. 176-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN ADDENDUM TO AN **INTERLOCAL** AGREEMENT **WITH** THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY PROVIDING FOR A NEW LOAN OF \$425,000; AUTHORIZING THE FINANCE DIRECTOR TO APPROPRIATE FUND BALANCE IN THE GENERAL FUND IN THE AMOUNT OF \$425,000 FOR A LOAN TO THE CRA; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE ADDENDUM; AND **PROVIDING AN EFFECTIVE DATE. ITEM ADDED TO AGENDA**

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by **Chair Pro Tern Iles** and seconded by **Councilperson Davis** to approve Resolution No. 176-05.

MOTION

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

MOTION APPROVED

C. REQUEST FOR PARK EVENT ON THE SOUTH SIDE

Councilperson Wade requested approval for expending \$1,000 for a day at the park on the south side. She stated that Ms. Dawson would be chairing the event and the tentative date has been set for October 22nd.

A motion was made by **Councilperson Davis** and seconded by **Councilperson Lee** to allocate \$4,000 for park events to be held in each district.

MOTION

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

MOTION APPROVED

14. LEGAL DISCUSSION/REQUESTS

NONE

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

Councilperson Lee stated that information was provided from the Florida League of Cities regarding the Charter Review Committee.

Councilperson Davis inquired about the start time for the paving of West 22nd Street.

Chair Pro Tern Iles made comments regarding the response received from the Mayor referenced expenditure of funds. She stated that a policy and procedure was put in place for usage of the credit card which excluded no one.

Chairperson Wade made comments regarding the response received from the Mayor referenced expenditure of funds and stated that if necessary, the policy and procedure needed to be re-examined, re-written, and adhered to by everyone.

Mayor Brown stated for the record that he created a memo to the City Manager responding to points that were raised during his absence at the last City Council Meeting. He stated that he provided an additional memo regarding absence of documentation and explanation of expenditures as indicated at the last meeting.

Councilperson Davis made comments regarding the response received from the Mayor use of the City's credit card.

Councilperson Lee made comments regarding the response received from the Mayor use of the City's credit card.

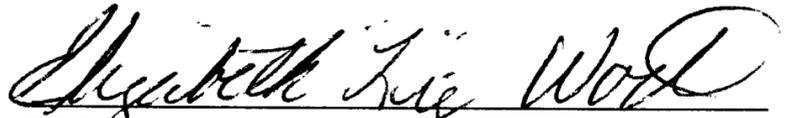
16. **ADJOURNMENT**

The meeting was duly adjourned at 8:40 p.m.

APPROVED:

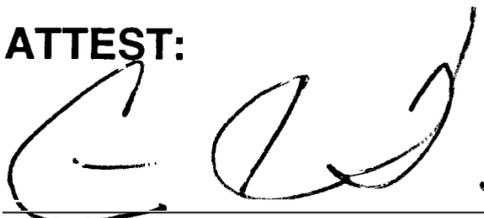


MICHAEL D. BROWN
MAYOR

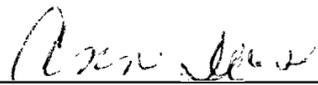


ELIZABETH "LIZ" WADE
CHAIRPERSON

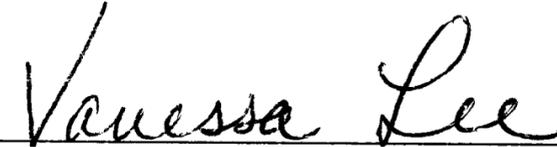
ATTEST:



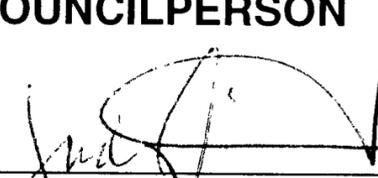
CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



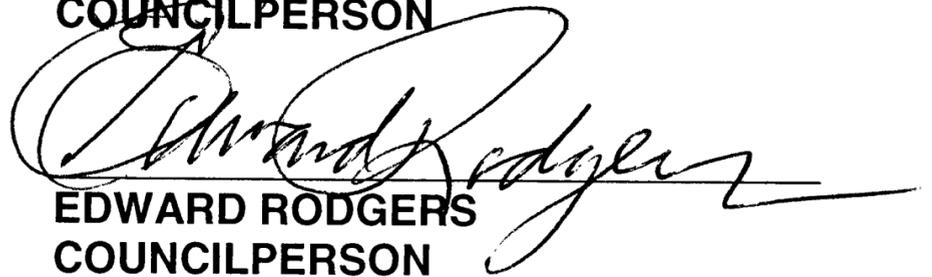
ANN ILES
CHAIR PRO TEM



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: 10119/05