

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, DECEMBER 21, 2005 AT 7:30 P.M.**

1. CITY CLERK CALLS TO ORDER:

Roll Call

Chairperson Wade was present and presided. Upon roll call by Deputy City Clerk Robinson, the following were present: Mayor Michael D. Brown, Chair Pro Tem Ann Iles, Councilperson Vanessa Lee, Councilperson Edward Rodgers, and Councilperson Judy L. Davis. Also present were City Manager William E. Wilkins, Deputy City Clerk Claudene Robinson, 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 backup provided for Item No. 10A – Resolution regarding CWM Ministries; Item No. 10B. – Ordinance regarding Mediterranean Community Development District; and Item No. 13I – appointment of Zoning Board Adjustment members; and backup provided for Item No. 13E – Resolution regarding salaries of administrative, supervisory and confidential employees. The following items were added to the agenda: Item No. 13J – Resolution regarding the city manager accepting the donation of a Boyertown Street Trolley; and Item No. 13K – Resolution approving the city manager's contract.

3. ADOPTION OF THE AGENDA

A motion was made by **Councilperson Lee** and seconded by **Chair pro tem Iles** to approve the agenda as amended.

MOTION

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

MOTION APPROVED

4. UNFINISHED BUSINESS

NONE

5. AWARDS AND PRESENTATIONS

A. PRESENT AND WELCOME NEW EMPLOYEES OF THE CITY OF RIVIERA BEACH FOR THE MONTH OF NOVEMBER. 2005.

Doretha Perry, Human Resources Director, presented the following new employees for the month of November: Ericka Gonzalez (Police); Roland Paicely (Public Works); Roosevelt Maggitt (Marina); and Anthony Williams (Public Works).

B. RECOGNITION OF THE 2005 STATE CHAMPIONSHIP **SUNCOAST HIGH SCHOOL GIRLS VOLLEYBALL TEAM.**

City Manager Wilkins presented Gina Jacobellis, Girls Volleyball Coach, Dr. Gloria Crutchfield, Principal, and the members of the 2005 State Champion Girls Volleyball Team.

Mayor Brown presented Dr. Crutchfield and the team members with certificates for their accomplishments.

Chairperson Wade stated that if the team wanted letter jackets to inform the city manager.

C. PRESENTATION IN MEMORY OF AIRMAN 1ST CLASS ELIZABETH JACOBSON TO MRS. SONDR **MILLMAN** AND FAMILY.

Mayor Brown read into the record a resolution and presented it to the family of Airman 1st Class Elizabeth Jacobson. He also stated that a memorial would be established in her honor as all other residents that lost their lives while in Iraq.

Councilperson Davis presented a plaque to the family of Airman 1st Class Elizabeth Jacobson.

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

William H. Burrs, 1500 W 30th Street, made comments regarding 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 SPECIAL CITY COUNCIL MEETING HELD ON DECEMBER 1,2005.

8. RESOLUTIONS:

- A. RESOLUTION NO. 214-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE PURCHASE OF TWO VEHICLES TO BE USED BY THE RIVIERA BEACH POLICE DEPARTMENT'S **VICE** UNION; AND AUTHORIZING THE FINANCE DIRECTOR TO APPROPRIATE LAW ENFORCEMENT TRUST FUND FUND BALANCE IN THE AMOUNT OF **\$36,260**, INCREASING THE LAW ENFORCEMENT TRUST FUND CAPITAL MOTOR VEHICLES ACCOUNT NO. **150-0822-521-0-6451** IN THE AMOUNT OF **\$36,260**, APPROVE THE PURCHASE FROM HERTZ SALES WHO SUBMITTED THE LOWEST AND MOST FAVORABLE PROPOSAL TO THE CITY; AND AUTHORIZE THE FINANCE DIRECTOR TO MAKE PAYMENT FOR SAME FROM ACCOUNT NO. **150-0822-521-0-6451**.
- B. RESOLUTION NO. 215-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING **FIRE** RESCUE TO PURCHASE SEVENTY (**70**) SETS OF FIREFIGHTER PROTECTIVE CLOTHING UNDER THE SOUTHEAST FLORIDA PURCHASING COOPERATIVE CONTRACT FROM FISHER SCIENTIFIC COMPANY OF TAMPA, FLORIDA, IN THE AMOUNT OF **\$99,525**; AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO MAKE PAYMENT FOR SAME FROM ACCOUNT NO. **305-0920-522-0-5205** AND **001-0920-522-0-5205**.
- C. RESOLUTION NO. 216-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING **FIRE** RESCUE TO PURCHASE TWO (**2**) TAYLOR MADE AMBULANCES IN THE AMOUNT OF **\$246,000** FROM TAYLOR MADE AMBULANCES OF **NEWPORT**, ARKANSAS; AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO MAKE PAYMENT FROM ACCOUNT NO. **310-0920-522-0-6451** FOR SAME; AND PROVIDING AN EFFECTIVE DATE.

D. RESOLUTION NO. 217-05 A RESOLUTION OF THE **CITY** COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY MANAGER TO SUBMIT, ON BEHALF OF THE CITY OF RIVIERA BEACH, AN APPLICATION TO PALM BEACH COUNTY FOR RECEIVING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR RECONSTRUCTION OF WEST **32ND** STREET BETWEEN AVENUE "O" AND AVENUE "R" IN THE AMOUNT OF \$240,000 FOR **FISCAL** YEAR 2006-07; AND PROVIDING AN EFFECTIVE DATE.

E. RESOLUTION NO. 218-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE TRANSFER OF \$50,000 FROM ACCOUNT NO. **001-0203-519-0-5999**, GENERAL FUND CONTINGENCY TO ACCOUNT NO. **001-0613-514-0-3101**, CONTRACT SERVICES TO FUND THE FORECLOSURE OF CERTAIN PROPERTIES IN THE CITY OF RIVIERA BEACH; AND PROVIDING AN EFFECTIVE DATE.

END OF CONSENT AGENDA

A motion was made by Councilperson Davis and seconded by Councilperson Lee to approve the Consent Agenda.

MOTION

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

MOTION APPROVED

9. PETITIONS AND COMMUNICATIONS FOR FILING

NONE

10. PUBLIC HEARINGS:

A. RESOLUTION NO. 219-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, DENYING THE SPECIAL EXCEPTION APPLICATION FROM CWM MINISTRIES FOR AN ADULT COMMUNITY HOUSING FACILITY FOR ELDERLY, DISABLED AND DISADVANTAGED MEN TO BE LOCATED AT 1141, 1145, 1149, 1157, 1165 WEST **31ST** STREET; AND PROVIDING AN **EFFECTIVE** DATE.

Deputy City Clerk Robinson read the aforementioned Resolution into the record.

A motion was made by Chair pro **tem** **Iles** and seconded by Councilperson Lee to approve Resolution No. 219-05.

MOTION

Mary **McKinney**, Community Development Director, made a presentation. She also stated that a resolution for approval of the special exception with conditions was provided should the City Council decided to approve the request.

Clarence Williams, Chief of Police, made comments on safety concerns and the increased workload that would occur if the special exception was granted.

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

The following individuals made comments opposing the proposed special exception: Margaret Shepherd, **2003 W 17th Ct #104**, **Isabella** Cunningham, **1301 W 31st** Street, and **Lizzie** Harrell, **1264 W 31st** Street.

Chairperson Wade read into the record a letter of opposition received from the owner of Jackson Day Care Center.

Rev. Cedric Mays, founder and owner of CWM Ministries, made comments regarding the operations of his program and the clients.

Chairperson Wade questioned whether or not there would be a voting conflict, on her behalf, due to the close relationship between her and the family of Reverend Mays.

Chair pro tem **Iles** withdrew her motion to approve the resolution denying the special exception application submitted by CWM Ministries. Councilperson Lee withdrew her second.

MOTION WITHDRAWN

RESOLUTION NO. 219-05 A RESOLUTION OF THE CITY COUNCIL OF THE **CITY OF RIVIERA BEACH**, PALM BEACH COUNTY, FLORIDA, APPROVING THE SPECIAL EXCEPTION APPLICATION FROM CWM MINISTRIES FOR AN ADULT COMMUNITY HOUSING FACILITY FOR ELDERLY, DISABLED AND DISADVANTAGED MEN TO BE LOCATED AT **1141, 1145, 1149, 1157, 1165 WEST 31ST STREET WITH** SPECIFIC CONDITIONS AND PROVIDING FOR AN EFFECTIVE DATE.

Deputy City Clerk Robinson read the aforementioned Resolution into the record.

A motion was made by Chair pro tem **Iles** and seconded by Councilperson Rodgers to approve Resolution No. 219-05.

MOTION

Upon a roll call vote by Deputy City Clerk Robinson, the motion was approved with Councilperson Davis dissenting.

MOTION APPROVED

- B. ORDINANCE NO. 3001 AN ORDINANCE OF THE C I N COUNCIL OF THE **CITY** OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, GRANTING THE PETITION OF **RANDOLPH/CORNERSTONE** JOINT VENTURE, LLC., TO ESTABLISH THE "MEDITERRANEA COMMUNITY DEVELOPMENT DISTRICT" BOUNDARIES FOR REAL PROPERTY COMPRISING OF **69.25** ACRES; NAMING THE **INITIAL** MEMBERS OF THE BOARD OF SUPERVISORS OF THE DISTRICT; DESIGNATING THE PURPOSE OF THE DISTRICT; DESIGNATING THE POWERS OF THE DISTRICT; PROVIDING FOR SEVERABILIN, CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

Deputy City Clerk Robinson read the aforementioned Ordinance into the record.

A motion was made by Chair pro **tem lles** and seconded by Councilperson Rodgers to approve Ordinance No. 3001 on First Reading.

MOTION

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

MOTION APPROVED

11. ORDINANCES ON SECOND READING

- A. ORDINANCE NO. 2998 AN ORDINANCE OF THE **CITY** COUNCIL OF THE **CITY** OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE FUTURE LAND USE MAP LAND USE DESIGNATION FROM COMMERCIAL TO MEDIUM **DENSITY** MULTI-FAMILY RESIDENTIAL (UP TO **15** UNITS PER ACRE) FOR 1.52 ACRES LOCATED AT 4444 LEO LANE; DIRECTING THE DIRECTOR OF COMMUNITY DEVELOPMENT TO AMEND THE **CITY** OF RIVIERA BEACH FUTURE LAND USE MAP; AND PROVIDING AN EFFECTIVE DATE.

Deputy City Clerk Robinson read the aforementioned Ordinance into the record and announced that it was published in the December 11, 2005 edition of the Palm Beach Post.

A motion was made by Chair pro **tem lles** and seconded by Councilperson Davis to adopt Ordinance 2998.

MOTION

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

MOTION APPROVED

- B. ORDINANCE NO. 2999 AN ORDINANCE OF THE C I N COUNCIL OF THE C I N OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, UPDATING THE ZONING MAP OF THE **CITY** OF RIVIERA BEACH BY ASSIGNING A

ZONING CLASSIFICATION OF LOW DENSITY MULTIPLE-FAMILY DWELLING DISTRICT (RML-12) ON A 1.52 ACRE PROPERTY LOCATED AT 4444 LEO LANE; DIRECTING THE DIRECTOR OF COMMUNITY DEVELOPMENT TO UPDATE THE CITY OF RIVIERA BEACH ZONING MAP; AND PROVIDING AN EFFECTIVE DATE.

Deputy City Clerk Robinson read the aforementioned Ordinance into the record and announced that it was published in the December 11, 2005 edition of the Palm Beach Post.

A motion was made by Councilperson Davis and seconded by Councilperson Lee to adopt Ordinance No. 2999.

MOTION

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

MOTION APPROVED

- C. ORDINANCE NO. 3000 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, IMPOSING AN IMPACT FEE ON LAND DEVELOPMENT IN THE CITY OF RIVIERA BEACH FOR ADDITIONAL ROAD CAPACITY; PROVIDING ALTERNATIVE TRANSPORTATION MODES; PROVIDING **MULTIMODAL** DESIGN STANDARDS, AND RELATED FACILITIES NECESSITATED BY NEW CONSTRUCTION AND REDEVELOPMENT; STATING THE AUTHORITY FOR ADOPTION OF THE ORDINANCE; PROVIDING DEFINITIONS; PROVIDING FINDINGS AND DECLARATIONS OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH; PROVIDING FOR THE PAYMENT AND **TIME** OF PAYMENT OF THE ROAD IMPACT FEE; PROVIDING FOR REVIEW AND ADJUSTMENT OF THE ROAD IMPACT FEES AND THE FEE SCHEDULES; PROVIDING FOR THE ESTABLISHMENT OF ROAD IMPACT FEE DISTRICTS; PROVIDING FOR THE PLACEMENT OF REVENUE COLLECTED FROM ROAD IMPACT FEES INTO ROAD IMPACT FEE TRUST FUNDS ESTABLISHED FOR THAT PURPOSE; PROVIDING FOR EXEMPTIONS AND CREDITS; PROVIDING FOR REFUND OF UNEXPENDED FUNDS; PROVIDING FOR USE OF FUNDS DERIVED FROM ROAD IMPACT FEES; PROVIDING THAT ROAD IMPACT FEES MAY BE PLEDGED TOWARD PAYMENT OF BOND ISSUES AND SIMILAR DEBT INSTRUMENTS; PROVIDING FOR CREDITS AGAINST IMPACT FEES FOR DONATIONS; PROVIDING FOR AUTOMATIC ADJUSTMENT OF IMPACT FEES; PROVIDING FOR APPEALS OF IMPACT FEES; PROVIDING FOR PENALTIES FOR VIOLATION OF **THIS** ORDINANCE; PROVIDING FOR SEVERABILIN, AND PROVIDING AN EFFECTIVE DATE.

Deputy City Clerk Robinson read the aforementioned Ordinance into the record and announced that it was published in the December 11, 2005 edition of the Palm Beach Post.

A motion was made by Councilperson Davis and seconded by Councilperson Lee to adopt Ordinance No. 3000.

MOTION

Gerald Ward, 31 W 20th Street, made comments regarding the proposed Ordinance.

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

MOTION APPROVED

12. ORDINANCES ON FIRST READING

- A. ORDINANCE NO. 3002 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 29, STREETS AND SIDEWALKS BY ADDING SECTIONS 29-65 STREET DESIGN STANDARDS FOR THE COMMUNITY REDEVELOPMENT AREA OF THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY, CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

Deputy City Clerk Robinson read the aforementioned Ordinance into the record.

A motion was made by Councilperson Davis and seconded by Councilperson Lee to approve Ordinance No. 3002 on First Reading.

MOTION

Gerald Ward, 31 W 20th Street, made comments regarding the proposed Ordinance.

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

MOTION APPROVED

13. REGULAR

- A. RESOLUTION NO. 220-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN **INTERLOCAL** AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND THE CRIMINAL JUSTICE COMMISSION OF PALM BEACH COUNTY IN THE AMOUNT OF **\$100,000** FOR THE CONTINUATION OF WEED AND SEED; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE **INTERLOCAL** AGREEMENT; AND **AUTHORIZING** THE FINANCE DIRECTOR TO SET UP THE BUDGET; AND PROVIDING AN EFFECTIVE DATE.

Deputy City Clerk Robinson read the aforementioned Resolution into the record.

A motion was made by Councilperson Lee and seconded by Councilperson Davis to approve Resolution No. 220-05.

MOTION

Upon a roll call vote by Deputy City Clerk Robinson, the motion was approved with Councilperson Wade out.

MOTION APPROVED

- B. RESOLUTION NO. 221-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ADOPTING A NEW AMBULANCE TRANSPORT FEE SCHEDULE FOR RIVIERA BEACH **FIRE** RESCUE EMERGENCY MEDICAL SERVICES; AND PROVIDING AN EFFECTIVE DATE.

Deputy City Clerk Robinson read the aforementioned Resolution into the record.

A motion was made by Councilperson Davis and seconded by Councilperson Lee to approve Resolution No. 221-05.

MOTION

Upon a roll call vote by Deputy City Clerk Robinson, the motion was approved with Councilperson Wade out.

MOTION APPROVED

- C. RESOLUTION NO. 222-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE COLLECTIVE BARGAINING AGREEMENT COMMENCING OCTOBER **1, 2005** TO SEPTEMBER **30, 2008** BETWEEN THE NATIONAL CONFERENCE OF FIREMEN AND OILERS, LOCAL 1227 REPRESENTING GENERAL EMPLOYEES OF THE CITY OF RIVIERA BEACH; AND PROVIDING AN EFFECTIVE DATE.

Deputy City Clerk Robinson read the aforementioned Resolution into the record.

A motion was made by Councilperson Davis and seconded by Councilperson Lee to approve Resolution No. 222-05.

MOTION

Upon a roll call vote by Deputy City Clerk Robinson, the motion was approved with Councilperson Wade out.

MOTION APPROVED

- D. RESOLUTION NO. 223-05 A RESOLUTION OF THE **CITY** COUNCIL OF THE **CITY** OF **RIVIERA** BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE JOB CLASSIFICATION **LIST** BY INCREASING THE SALARY OF GENERAL EMPLOYEES REPRESENTED BY THE NATIONAL CONFERENCE OF FIREMEN & OILERS AND **LIST** BY CREATING JOB CLASSIFICATION FOR FISCAL YEAR 2005-2006; AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER \$504,114 FROM RELATED CONTINGENCY ACCOUNTS; AND AUTHORIZING THE FINANCE DIRECTOR TO APPROPRIATE MARINA FUND FUND BALANCE IN THE AMOUNT OF \$27,002 FOR SAME; AND PROVIDING AN EFFECTIVE DATE.

Deputy City Clerk Robinson read the aforementioned Resolution into the record.

A motion was made by Councilperson Davis and seconded by Councilperson Lee to approve Resolution No. 223-05.

MOTION

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

MOTION APPROVED

- E. RESOLUTION NO. 224-05 A RESOLUTION OF THE **CITY** COUNCIL OF THE **CITY** OF **RIVIERA** BEACH, PALM BEACH COUNTY, FLORIDA, INCREASING THE SALARIES OF ADMINISTRATIVE, SUPERVISORY AND CONFIDENTIAL EMPLOYEES BY **FIVE** PERCENT (5%) FOR FISCAL YEAR 2005-2006 AND PROVIDING FOR UP TO A TWO PERCENT (2%) MERIT INCREASE FOR THESE EMPLOYEES ON THEIR ANNIVERSARY DATE; AND AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER \$401,093 FROM VARIOUS RELATED CONTINGENCY ACCOUNT NUMBERS TO ALL RELATED SALARY ACCOUNTS; AND AUTHORIZING THE FINANCE DIRECTOR TO APPROPRIATE MARINA FUND FUND BALANCE IN THE AMOUNT OF \$12,626 FOR SAME; AND PROVIDING AN EFFECTIVE DATE.

Deputy City Clerk Robinson read the aforementioned Resolution into the record.

A motion was made by Councilperson Lee and seconded by Councilperson Davis to approve Resolution No. 224-05.

MOTION

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

MOTION APPROVED

- F. RESOLUTION NO. 225-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF **RIVIERA** BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE COMMUNITY DEVELOPMENT DEPARTMENT TO SECURE **BIDS** FOR THE IMPLEMENTATION OF PHASE **II** OF TRAFFIC CALMING PROJECT; AUTHORIZING THE FINANCE DIRECTOR TO SET UP A BUDGET IN THE AMOUNT OF \$120,000 FROM CAPITAL ACQUISITION FUND ACCOUNT NO. **310-0716-519-0-6355**; AND PROVIDING AN EFFECTIVE DATE.

Deputy City Clerk Robinson read the aforementioned Resolution into the record.

A motion was made by Councilperson Lee and seconded by Councilperson Davis to approve Resolution No. 225-05.

MOTION

Mary **McKinney**, Community Development Director, made a presentation.

Gerald Ward, 1150 Coral Way, made comments regarding the proposed Resolution and the backup provided.

A motion was made by Councilperson Lee and seconded by Chair pro **tem lles** to table the aforementioned Resolution.

MOTION TO TABLE

Upon a roll call vote by Deputy City Clerk Robinson, the motion was approved with Councilperson Rodgers dissenting.

MOTION APPROVED

- G. RESOLUTION NO. 226-05 A RESOLUTION OF THE CITY COUNCIL OF THE **CITY OF RIVIERA** BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE **SITE** PLAN APPLICATION FOR NORTRAX EQUIPMENT COMPANY LOCATED AT 3933 DR. MARTIN LUTHER KING, JR. BOULEVARD (S.R. 710); AND PROVIDING AN EFFECTIVE DATE.

Deputy City Clerk Robinson read the aforementioned Resolution into the record.

A motion was made by Chair pro tem **lles** and seconded by Councilperson Davis to approve Resolution No. 226-05.

MOTION

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

MOTION APPROVED

- H. RESOLUTION ITEM FOR MARTIN LUTHER KING, JR. BIRTHDAY OBSERVANCE ACTIVITIES **WILL** BE SENT UNDER SEPARATE COVER.

RESOLUTION NO. 227-05 A RESOLUTION OF THE **CITY** COUNCIL OF THE CITY OF **RIVIERA** BEACH, PALM BEACH COUNTY, FLORIDA, ESTABLISHING A BUDGET IN THE AMOUNT OF \$47,000 FOR THE ANNUAL DR. MARTIN LUTHER KING, JR. BIRTHDAY OBSERVANCE ACTIVITIES; AUTHORIZING THE TRANSFER OF \$5,000 FROM THE GENERAL FUND CONTINGENCY ACCOUNT **#001-0203-519-0-5999** TO THE APPROPRIATE ACCOUNT FOR TRANSFER TO THE DONATIONS FUND (130); AND PROVIDING AN EFFECTIVE DATE.

Deputy City Clerk Robinson 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. 227-05.

MOTION

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

MOTION APPROVED

- I. BOARD APPOINTMENT: REQUEST **CITY** COUNCIL TO APPOINT MEMBERS TO THE ZONING BOARD OF ADJUSTMENT.

A motion was made by Councilperson Rodgers and seconded by Chair pro tern Iles to appoint Mrs. Dawn Pardo as a regular member to the Zoning Board of Adjustment.

MOTION

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

MOTION APPROVED

A motion was made by Chair pro tern Iles and seconded by Councilperson Davis appointing Mr. Donald Lanman as second alternate to the Zoning Board of Adjustment.

MOTION

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

MOTION APPROVED

A motion was made by Chair pro **tem** Iles and seconded by Councilperson Lee to reappoint Ms. Laura Barber, Ms. Lynne Hubbard, and Mr. Jessie Corbin (1st Alternate) to the Zoning Board of Adjustment.

MOTION

Gerald Ward, 31 W 20th Street, made comments regarding the filling of board vacancies.

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

MOTION APPROVED

- J. RESOLUTION NO. 228-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF **RIVIERA** BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY MANAGER TO ACCEPT DONATION OF A BOYERTOWN STREET TROLLEY FROM SAM DOSDOURIAN VALUED AT \$77,000; AND PROVIDING AN EFFECTIVE DATE. **ITEM ADDED TO AGENDA**

Deputy City Clerk Robinson read the aforementioned Resolution into the record.

A motion was made by Chair pro **tem lles** and seconded by Councilperson Davis to approve Resolution No. 228-05.

MOTION

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

MOTION APPROVED

- K. RESOLUTION NO. 229-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE RENEWAL OF THE CONTRACT FOR WILLIAM E. **WILKINS** AS CITY MANAGER FOR THE CITY OF **RIVIERA** BEACH; EFFECTIVE NOVEMBER 1, 2005 THROUGH OCTOBER 31, 2008 FOR A PERIOD OF THREE YEARS; PROVIDING AN **EFFECTIVE** DATE. **ITEM ADDED TO AGENDA**

Deputy City Clerk Robinson read the aforementioned Resolution into the record.

A motion was made by Councilperson Lee and seconded by Councilperson Rodgers to approve Resolution No. 229-05.

MOTION

A motion was made by Councilperson Davis and seconded by Councilperson Lee to table the Resolution.

MOTION TO TABLE

Upon a roll call vote by Deputy City Clerk Robinson, the motion was approved with Councilpersons Rodgers and Wade dissenting.

MOTION APPROVED

A motion was made by Chair pro tern **Iles** to place discussion of the City Manager's contract on the agenda for the next City Council Meeting.

An amended motion was made by Councilperson Davis to schedule a special meeting for Wednesday at 6:30 p.m. to discuss the city manager's contract. Seconded by Councilperson Lee.

MOTION

Upon a roll call vote by Deputy City Clerk Robinson, the motion was approved with Councilpersons Rodgers and Wade dissenting.

MOTION APPROVED

City Manager Wilkins gave an update on the information requested regarding the Scripps project. He also stated that Palm Beach County Commissioner Karen Marcus and staff wanted to present the findings of the North End Housing Task Force on January 18th at 5:30 p.m.

There was a consensus of the City Council to meet with Commissioner Marcus on January 18th and that the Agenda Review for January 2nd was cancelled.

14. LEGAL DISCUSSION/REQUESTS

NONE

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

Councilperson Lee commended those who were instrumental in organizing the Winter Wonderland Toy Giveaway.

Councilperson Davis commended those who were instrumental in organizing the Winter Wonderland Toy Giveaway.

Chair pro tern **Iles** commended those who were instrumental in organizing the Winter Wonderland Toy Giveaway. She also announced that the first day of the Kwanza celebration would be held in the City Council Chambers on December 26th, 6:00 p.m. until 10:00 p.m.

16. ADJOURNMENT

There being no further business the meeting was duly adjourned at 10:19 p.m.

APPROVED:



MICHAEL D. BROWN
MAYOR

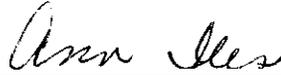


ELIZABETH "LIZ" WADE
CHAIRPERSON

ATTEST:



CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



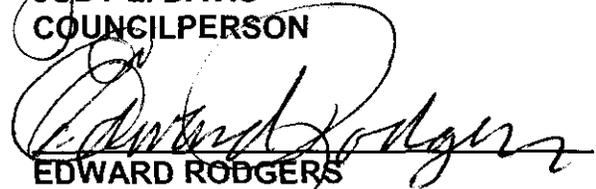
ANN ILES
CHAIR PRO TEM



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: 01/04/06