CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, MARCH 17,2004 AT 7:30 P.M.

I. CITY CLERK CALLS TO ORDER:

City Clerk Ward was present and called the meeting to order.

Invocation/Pledge of Allegiance

Everyone stood for a moment of silence and the Pledge of Allegiance.

CITY CLERK SWEARS IN NEWLY ELECTED COUNCILPERSONS FOR DISTRICT 2 AND DISTRICT 4, AND PRESENTS THE OATH OF OFFICE, ELECTION CERTIFICATE, RIVIERA BEACH CODE OF ORDINANCES, CITY CHARTER, GUIDE TO THE SUNSHINE AMENDMENT AND CODE OF ETHICS FOR PUBLIC OFFICERS, AND FLORIDA MUNICIPAL OFFICIAL'S MANUAL, and THE 10TH EDITION OF ROBERT RULES OF ORDER. :

City Clerk Ward administered the oath of office to Judy L. Davis as Councilperson representing District 2, commencing March 2004 thru March 2006. She then presented her with an Election Certificate acknowledging her position as a result of an uncontested election. In conclusion, City Clerk Ward announced she was providing her with municipal tools to assist in decision-making.

City Clerk Ward administered the oath of office to David G. Schnyer as Councilperson representing District 4, commencing March 2004 thru March 2006. She then presented him with an Election Certificate acknowledging his position as a result of an uncontested election. In conclusion, City Clerk Ward announced she was providing him with municipal tools to assist in decision-making.

Seating of the Newly Elected Council

At this point, City Clerk Ward asked that the newly elected Council be seated until further business was properly handled, then they would be appointed seats accordingly.

II. CITY CLERK REQUEST NOMINATIONS FOR CITY COUNCIL CHAIR

City Clerk Ward opened the floor for nominations for the Council Chair for year 2004 thru 2005.

Councilperson Wilson nominated Councilperson Schnyer as the Chairperson.

Councilperson lies seconded the nomination.

City Clerk Ward announced there being no further nominations, Councilperson Schnyer was unanimously nominated as the chairperson for the City Council.

City Clerk Ward then relinquished the gavel to Council Chair David G. Schnyer for year 2004 thru 2005.

CHAIR REQUEST NOMINATIONS FOR CHAIR PRO·TEM:

Chairperson Schnyer opened the floor for nominations for the Chair Pro-tem for year 2004 thru 2005.

Councilperson Davis nominated Councilperson lies as the Chair Pro tem. Councilperson Wade seconded the nomination.

There being no further nominations, Councilperson lies was unanimously nominated as the chair pro-tem for the City Council.

Roll Call

Upon a roll call by City Clerk Ward, the following were present: Chairperson David G. Schnyer, Chair Pro Tem Ann lies, Councilperson Donald R. Wilson, Councilperson Elizabeth "Liz" Wade, and Councilperson Judy L. Davis. Also present were City Manager William E. Wilkins, City Clerk Carrie E. Ward, Master Municipal Clerk, and City Attorney Pamala Hanna Ryan.

III. PRESENTATIONS

Mayor Brown made a presentation to former Councilperson Sylvia Lee Blue from the Mayor and City Council.

City Manager Wilkins made a presentation to former Councilperson Sylvia Lee Blue from the administration.

Chief of Staff Roseanne Brown made a presentation to former Councilperson Sylvia Lee Blue from the Legislative Department.

Former Councilperson Sylvia Lee Blue expressed words of appreciation.

Michelle Andrewin, on behalf of PSA, made a presentation to Councilperson Davis, Councilperson Schnyer, and former Councilperson Sylvia Lee Blue.

IV. COMMENTS FROM MAYOR AND COUNCIL

The Mayor and City Council made comments.

VI. AGENDA APPROVAL

1) Additions, Deletions, Substitutions

City Manager Wilkins made the following revisions to the agenda: provided additional information on Item No. 11 - Resolution regarding Lifespan; backup provided for Item No. 13 - discussion regarding Greenberg Traurig and Item No. 15 -- discussion regarding the proposed school site. He also added to the agenda: Item No. 16 - a sponsorship request for the Albert Sweitzter Basketball Tournament and Item No. 17 - discussion regarding Ivey Green. He stated that Item No. 14 - Memorandum of Understanding from the Port of Palm Beach.

City Clerk Ward made the following addition to the Consent Agenda under Petitions and Communications for Filing: Proclamation proclaiming March 4, 2004 as Mary Hooks Day. She stated that it was presented to the family from the City of Riviera Beach Mayor and City Council during her home going services.

2) Adoption of Agenda

A motion was made by **Councilperson Wade** and seconded by **Chair Pro Tem lies** to adopt the agenda as amended.

MOTION

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

MOTION APPROVED

VII. AWARDS AND PRESENTATIONS:

ITEM NO.1

PRESENTATION OF PLAQUE TO MS. INERIA HUDNELL TO SHOW APPRECIATION FOR SHARING HER HISTORICAL EXHIBIT OF BLACKS IN PALM BEACH COUNTY FEBRUARY 27, 2004.

Councilperson Wilson made a presentation to Ms. Ineria Hudnell.

Ms. Hudnell expressed words of expression.

ITEM NO.2

PRESENT AND WELCOME NEW EMPLOYEES OF THE CITY OF RIVIERA BEACH FOR THE MONTH OF FEBRUARY 2004.

Aaron Fields, Human Resources Administrator, presented the following new employee for the month of February - Daryl Cameron (Police).

VIII. STATEMENTS FROM THE PUBLIC (TWO MINUTES LIMITATION):

Ali Saadeh, 2531 Old Dixie Highway, made comments regarding a pharmacy that wanted to locate next to his store.

Margaret Shepherd, 2003 W 17th Ct, #104, made comments regarding the living conditions in Ivey Green.

Susan Bennett, 3000 N Ocean Dr, #10H, expressed words of appreciation for the proper street lighting.

Edward Rodgers, 1170 Bimini Lane, expressed words of appreciation to the Mayor and City Council.

Sylvia Lee Blue, 300 W 25th Street, gave words of encouragement to the Mayor and City Council.

IX. 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 COUNCIL MEMBER OR A PERSON 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 AIDE. CARDS MUST BE SUBMITTED BEFORE THE ITEM IS DISCUSSED.

MINUTES:

ITEM NO.3

MINUTES OF THE REGULAR COUNCIL MEETING HELD ON FEBRUARY 18, 2004.

RESOLUTIONS:

ITEM NO.4

RESOLUTION NO. 30-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE

AMENDMENTS TO THE AGREEMENT WITH PALM BEACH COUNTY FOR RECEIVING ADDITIONAL FUNDING IN THE AMOUNT OF $111,236 FOR RECONSTRUCTING WEST 25TH STREET BETWEEN OLD DIXIE HIGHWAY AND AVENUE "M"; AND PROVIDING AN EFFECTIVE DATE.

ITEM NO.5

RESOLUTION NO. 31-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE HAVERHILL BUSINESS PARK PLAT; AUTHORIZING THE MAYOR, CITY CLERK AND THE CITY ENGINEER TO SIGN THE PLAT; AND PROVIDING AN EFFECTIVE DATE.

ITEM NO.6

RESOLUTION NO. 32-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING THE TERMS AND CONDITIONS OF THE FLORIDA EMERGENCY MEDICAL SERVICES COUNTY GRANT AWARD C3050 FOR THE FISCAUYEAR 2003-04, TO EXPAND AND/OR IMPROVE THE CITY'S EMERGENCY MEDICAL SERVICES DELIVERY; AUTHORIZING THE FINANCE DIRECTOR TO SET UP A BUDGET IN THE STATE EMS GRANT FUND (107) IN THE AMOUNT OF $83,800; TO PURCHASE FOUR (4) ETC02 L1FEPAK 12 UPGRADES AND TWO (2) MED JOCKEY MOBILE RESPONSE VEHICLES; PAYMENT FROM ACCOUNT NO. 107-0921-526-0-6405 AND 107·0921-526-0-6455; AND PROVIDING AN EFFECTIVE DATE.

ITEM NO.7

RESOLUTION NO. 33-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING $31,502 IN STATE AID FUNDS FROM THE FLORIDA STATE DEPARTMENT DIVISION OF LIBRARY AND INFORMATION SERVICES, TO ENCOURAGE THE ESTABLISHMENT AND DEVELOPMENT OF ENHANCED LIBRARY SERVICES AND SETTING UP A BUDGET FOR SAME; AND PROVIDING AN EFFECTIVE DATE.

ITEM NO.8

RESOLUTION NO. 34-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDING THE CONTRACT FOR EMERGENCY REPLACEMENT OF THE ROOFING SYSTEM FOR OFFICES AT 200 WEST 12TH STREET TO LLOYD ROOFING OF RIVIERA BEACH IN THE AMOUNT OF $12,500; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE SAID AGREEMENT; AUTHORIZING THE REALLOCATION OF BUILDING/ROOFING REPAIR FUNDS; AND AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT FROM ACCOUNT NO. 308-0203-519-0-4602; AND PROVIDING AN EFFECTIVE DATE.

ITEM NO.9

RESOLUTION NO. 35-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDING THE CONTRACT FOR THE PURCHASE OF PRE-OWNED VEHICLES TO HERTZ CAR SALES OF POMPANO BEACH IN THE AMOUNT OF $27,929; AUTHORIZING THE MAYOR AND CITY CLERK TO SIGN SAID AGREEMENT; AND AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT FROM ACCOUNT NO. 149-0822-521-0-6405; AND PROVIDING AN EFFECTIVE DATE.

1) PETITIONS AND COMMUNICATIONS FOR FILING:

END OF CONSENT AGENDA

A motion was made by Councilperson Wade and seconded by Councilperson Wilson to approve the Consent Agenda.

MOTION

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

MOTION APPROVED

X. PUBLIC HEARING:

None

1) ORDINANCES ON SECOND READING:

None

XI. REGULAR:

ITEM NO. 10

ORDINANCE NO. 2964 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT POLICY 1.12.3 OF THE CITY OF RIVIERA BEACH COMPREHENSIVE PLAN, RESULTING FROM A STIPULATED SETTLEMENT AGREEMENT ADOPTED BY RESOLUTION 131-03; DIRECTING THE COMMUNITY DEVELOPMENT DIRECTOR TO AMEND THE COMPREHENSIVE PLAN; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Ordinance into the record.

A motion was made by Councilperson Wilson and seconded by Councilperson Wade to approve Ordinance No. 2964 on First Reading.

MOTION

Mary McKinney, Community Development Director, made a presentation.

City Clerk Ward stated that correspondence had been received from the Palm Beach County School Board referencing the item.

Although, the correspondence was not in reference to the aforementioned Ordinance it was accepted as a record.

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

MOTION APPROVED

ITEM NO. 11

RESOLUTION NO. 36-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SITE PLAN AMENDMENT APPLICATION FROM LIFESPAN DAYCARE TO INSTALL TWO 964 SQUAREFOOT PORTABLE CLASSROOMS LOCATED AT 1400 CONGRESS AVENUE; PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Councilperson Wilson and seconded by Councilperson Wade to approve Resolution No. 36-04.

MOTION

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

MOTION APPROVED

ITEM NO. 12

RESOLUTION NO. 37-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SPECIAL EXCEPTION AND SITE PLAN APPLICATION TO EXPAND AN EXISTING CHURCH BUILDING LOCATED AT 635 WEST 6TH STREET WITH TWO OFF-SITE PARKING LOTS ON 6TH AND 7TH STREET; PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by Councilperson Wilson and seconded by Councilperson Wade to approve Resolution No. 37-04.

MOTION

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

MOTION APPROVED

ITEM NO. 13

REQUEST CITY COUNCIL FOR AUTHORIZATION TO EXECUTE A WAIVER OF CONFLICT ("WAIVER") FOR THE LAW FIRM OF GREENBERG TRAURIG.

City Manager Wilkins introduced the item for discussion.

A motion was made by Councilperson **Wade** and seconded by Councilperson **Wilson** authorizing staff to execute the Waiver of Conflict.

MOTION

Former Councilperson **Edward Rodgers, 1170 Bimini Lane,** made comments against approval.

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. 14

DISCUSSION ON PROPOSED MEMORANDUM OF UNDERSTANDING WITH PORT OF PALM BEACH DISTRICT. ITEM DELETED FROM AGENDA

ITEM NO. 15

STATUS REPORT ON PROPOSED ALTERNATE SCHOOL SITE FOR HIGH SCHOOL "MMM".

City Manager Wilkins introduced the item for discussion. He stated that the letter received from the school board requested that the City respond no later than March 22, 2004. He further stated that staff would be communicating with the school board to advise the allotted time was not sufficient and he stated it would be a response in a meticulous manner.

ITEM NO. 16

DISCUSSION SPONSORSHIP OF THE ALBERT SWEITZCHER BASKETBALL TOURNAMENT ITEM ADDED TO AGENDA

Mayor Brown provided background information on the tournament and its purpose. He stated that in addition to soliciting sponsorship he felt that the City should sponsor two American Military Veterans who fought in the Iraqi war and a guest to visit the City and he requested that they be accommodated with housing at one of the hotels on Singer Island as well as pay for their airfare.

Mayor Brown then stated that he would like for recognition to be given to the basketball team of Dwyer High School at the next City Council Meeting.

DISCUSSION OF ACTIVITIES IN IVEY GREEN AND RELATED NEWSPAPER ARTICLES

Mayor Brown gave an overview of the actions taken by the State Attorney's Office as it relates to the shooting incident that happened in the Ivey Green Complex in February and the actions of the media. He further suggested consensus of the City Council to provide him assistance as he approach the state attorney's office in dealing with Riviera Beach residents in crisis. He stated the intent was to show support on behalf of the citizens.

A discussion ensued amongst the Mayor and City Council.

A motion was made by **Chairperson Schnyer** and seconded by **Councilperson Wade** directing the City Manager to appoint one of the assistant city managers to prepare and provide to the City Council a study of the problems in the Ivey Green complex and recommend subsequent action the City could make.

MOTION

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

MOTION APPROVED

BOARD APPOINTMENT:

NONE

XII. CITY AITORNEY'S REPQRT:

NONE

XIII. RECOMMENDATIONS AND DISCUSSION§ FROM MAYOR & COUNCIL:

Comments were made by the City Council.

City Manager Wilkins announced that there would be a Special City Council Meeting on March 22^{00} at 7:00 p.m. and that a presentation would be made to the Education Advisory Board on March 23rd regarding the proposed school site.

XIV. ADJOURNMENT

There being no further business the meeting was adjourned at 9:30 PM.

APPROVED:

MICHAEL D. BROWN
MAYOR

DAVID G. SCHNYER
CHAIRPERSON

ATTEST:

CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK

ANN ILES
CHAIR PRO TEM

absent
DONALD R. WILSON
COUNCILPERSON

JUDY L. DAVIS
COUNCILPERSON

ELIZABETH "LIZ" WADE
COUNCILPERSON

MOTIONED BY: E. Wade
SECONDED BY: A. Iles

D. SCHNYER	aye
A. ILES	aye
D. WILSON	absent
J. DAVIS	aye
E. WADE	aye

DATE APPROVED: 04/07/04

CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA
CANVASSING BOARD MEETING
MUNICIPAL COMPLEX COUNCIL CHAMBERS
MARCH 17, 2004 AT 7:20 PM

1). CITY CLERK CALLS TO ORDER:

City Clerk Ward was present and called the meeting to order.

Upon a roll call by City Clerk Ward, the following were present: Councilperson Ann lies, Councilperson Donald R. Wilson, Councilperson Elizabeth "Liz" Wade, Councilperson Sylvia Lee Blue, and Deputy City Clerk Claudene Robinson.

2) Invocation/Pledge of Allegiance

Everyone stood for a moment of silence and the Pledge of Allegiance.

3) Confirmation of the 2004 Municipal General Election

RESOLUTION NO. 29-04 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, DECLARING THE RESULTS OF THE MARCH 9, 2004 MUNICIPAL GENERAL ELECTION AND NAMING THE REPRESENTATIVES FOR DISTRICT 2 AND DISTRICT 4 RESPECTIVELY; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record in its entirety.

A motion was made by Councilperson Wade and seconded by Councilperson Wilson to approve Resolution No. 29-04.

MOTION

The vote was unanimous.

MOTION APPROVED

4) Adjournment of the Canvassing Board Meeting 7:30 PM

There being no further business the meeting was duly adjourned at 7:30 PM.

APPROVED:

MICHAEL D. BROWN
MAYOR

DAVI G.SCHNYER
CHAIRPERSON

ATTEST:

CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK

ANNILES
CHAIR PRO TEM

absent
DONALD R. WILSON
COUNCILP. RSO

JUDY L. DAVIS
COUNCILPERSON

ELIZABETH "LIZ" WADE
COUNCILPERSON

MOTIONED BY: E. Wade
SECONDED BY: A. IIes

D.SCHNYER	aye
A.ILES	aye
D. WILSON	absent
J. DAVIS	aye
E. WADE	aye

DATE APPROVED:04/07/04