

**CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA  
REGULAR CITY COUNCIL MEETING  
MUNICIPAL COMPLEX COUNCIL CHAMBERS  
WEDNESDAY, FEBRUARY 5, 2003 AT 7:30 P.M.**

**I. CALLS TO ORDER:**

**Roll Call**

Chairperson David G. Schnyer was present and presided. Upon a roll call by City Clerk Carrie E. Ward, the following were present: Mayor Michael D. Brown, Chair Pro Tem Sylvia Lee Blue, Councilperson Donald R. Wilson, Councilperson Elizabeth "Liz" Wade, 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.

**City Manager Wilkins** stated that in lieu of the general opening, a brief memorial service would be held in honor of the astronauts of the space shuttle Columbia crew.

A Presentation of Colors was given by the Riviera Beach Police Department Color Guard with "The Star Spangled Banner" sung by Monica Daniels from the Office of the City Manager.

**Invocation/Pledge of Allegiance**

Everyone stood for a Moment of Silence and the Pledge of Allegiance to the flag.

Words of Reflection were given by Rev. Tony Drayton, Pastor of the St. James Missionary Baptist Church with "Amazing Grace" sung by Shirley Green from the Public Works Department.

**II. AGENDA APPROVAL:**

**Additions, Deletions, Substitutions**

**City Manager Wilkins** stated the following revisions to the agenda: Item No. 4 – revisions were made to the resolution regarding storm water activities; Item No. 9 – revisions were made to page 2 of the ordinance regarding special meritorious increase; added discussion for a Closed Executive Session regarding the matter of Dery-Griffin v. City of Riviera Beach under the City Attorney's Report; Item No. 7 – revisions were made to the resolution regarding the site plan application for the Congress Avenue community plan; a revised cost estimate for the Sugar Hill Cemetery; and Item No. 24 – revisions to the resolution regarding request for eminent domain.

**City Clerk Ward** advised of an amendment to the minutes of January 21, 2003 Special City Council Meeting.

**Adoption of Agenda**

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

**Wilson** to approve the agenda with the stated revisions.

**MOTION**

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

**MOTION APPROVED**

**III. AWARDS AND PRESENTATIONS:**

**ITEM NO. 1**

**PRESENTATION OF RETIREMENT MEMENTO TO LARRY MCCRAY FOR OVER THIRTY-ONE YEARS OF DEDICATED SERVICE TO THE CITIZENS OF RIVIERA BEACH.**

**Councilperson Wilson** presented a retirement memento to Mr. Larry McCray for over 31 years of dedicated service to the City's Public Works Department.

**Larry McCray** expressed words of gratitude for his tenure at the City of Riviera Beach.

**IV. STATEMENTS FROM THE PUBLIC (TWO MINUTES LIMITATION):**

**Rev. William Burrs, 1500 W 30<sup>th</sup> Street**, made comments regarding actions of the Police Department.

**Roscoe James, 142 W 34<sup>th</sup> Street**, made comments regarding concerns within his neighborhood.

Cynthia Becton, 500 W 24<sup>th</sup> Street, made comments regarding the availability of property on Congress Avenue.

Jacob Williams, 172 W 34<sup>th</sup> Street, made comments regarding concerns within his neighborhood.

Gerald Ward, 31 W 20<sup>th</sup> Street, made comments regarding the agenda and meeting notification.

Jackie Harris, 1343 W 36<sup>th</sup> Street, made comments regarding concerns within his neighborhood.

Discussion ensued amongst the Mayor, City Council and staff.

Rev. Lessye Charlow, 1241 W 33<sup>rd</sup> Street, made comments on behalf of the positive actions of the City Council and staff.

Herman McCray, 2325 Avenue S, made comments regarding the actions of the City Council and staff.

**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 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 PINK PUBLIC COMMENT CARD LOCATED IN THE BACK OF THE COUNCIL CHAMBERS AND GIVE TO THE COUNCIL CHAIR OR THE LEGISLATIVE AIDE. CARDS MUST BE SUBMITTED BEFORE ITEM IS DISCUSSED.***

**1) MINUTES:**

**ITEM NO. 2**

MINUTES OF THE REGULAR COUNCIL MEETING HELD ON JANUARY 15, 2003 AND THE MINUTES FROM THE SPECIAL MEETING HELD ON JANUARY 21, 2003.

**2) RESOLUTIONS:**

**ITEM NO. 3**

**RESOLUTION NO. 13-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE PAYMENT TO THE NORTHERN PALM BEACH COUNTY IMPROVEMENT DISTRICT, 357 HIATT DRIVE, PALM BEACH GARDENS, FLORIDA FOR NPDES SERVICES FROM OCTOBER 1, 2002 THROUGH SEPTEMBER 30, 2003 IN THE AMOUNT OF \$10,270; PAYMENT TO BE MADE FROM THE PUBLIC WORKS STORMWATER PROFESSIONAL SERVICES FUND ACCOUNT NO. 460-1127-5410-3106; AND PROVIDING AN EFFECTIVE DATE.**

**ITEM NO. 4**

**RESOLUTION NO. 14-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE FINANCE DIRECTOR TO APPROPRIATE FUND BALANCE IN THE GENERAL FUND IN THE AMOUNT OF \$230,000; AND AUTHORIZING THE TRANSFER OF SAID FUNDS TO FUND 460, THE STORMWATER UTILITY FUND; AND PROVIDING AN EFFECTIVE DATE.**

**3) PETITIONS AND COMMUNICATIONS FOR FILING:**

**City Clerk Ward** announced the continued efforts of informing the public of the upcoming General Municipal Election and the efforts to encourage the participation of the Haitian community by way of participating on radio talk shows and visiting various churches. She also announced that the registration books for voting in the March 11<sup>th</sup> Election would close February 10<sup>th</sup> at 5:00 p.m. and that the voting equipment was available for demonstration at the Municipal Complex until March 11<sup>th</sup>.

**END OF CONSENT AGENDA**

A motion was made by **Councilperson Wilson** and seconded by **Chair Pro Tem Blue** to approve the Consent Agenda.

**MOTION**

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

**MOTION APPROVED**

**VI. PUBLIC HEARING:**

**ITEM NO. 5**

**RESOLUTION NO. 15-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SPECIAL EXCEPTION APPLICATION FOR THE MODIFICATION OF WETLANDS AND A SITE PLAN APPLICATION FROM SINGER ISLAND LAND CO., LLC TO ALLOW A PROPOSED SIX (6) UNIT TOWNHOUSE DEVELOPMENT ON 4.09 ACRES AT 5050 N. OCEAN DRIVE, IN A RM-20 ZONING DISTRICT; 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 Blue** to approve Resolution No. 15-03.

**MOTION**

A presentation was made by Mary McKinney, Community Development Director.

**Gerald Ward, 1150 Coral Way**, made comments regarding the above resolution.

**Stuart Cunningham, 1300 Manor Drive**, made comments regarding the above resolution.

A discussion ensued amongst the City Council.

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

**MOTION APPROVED**

**ORDINANCES ON SECOND READING:**

**ITEM NO. 6**

**ORDINANCE NO. 2935 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, UPDATING THE ZONING MAP OF THE CITY OF RIVIERA BEACH BY ASSIGNING A ZONING CLASSIFICATION OF RPUD-1 TO APPROXIMATELY 101 ACRES OF LAND LOCATED ON THE WEST SIDE OF CONGRESS AVENUE SOUTH OF SILVER BEACH ROAD; DIRECTING THE DIRECTOR OF COMMUNITY DEVELOPMENT TO UPDATE THE CITY OF RIVIERA BEACH ZONING MAP; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND PROVIDING AN EFFECTIVE DATE.**

City Clerk Ward read the aforementioned ordinance into the record and announced that it was published in the January 22, 2003 edition of the Palm Beach Post.

A motion was made by **Councilperson Wilson** and seconded by **Chair Pro Tem Blue** to approve and adopt Ordinance No. 2935.

**MOTION**

**Gerald Ward, 31 W 20<sup>th</sup> Street**, made comments regarding the above ordinance.

**Stuart Cunningham, 1300 Manor Drive**, made comments regarding the above ordinance.

**Herman McCray, 2315 Avenue S**, made comments regarding the above ordinance.

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

**MOTION APPROVED**

**ITEM NO. 7**

**RESOLUTION NO. 16-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE PUD MASTER SITE PLAN APPLICATION FOR A 101 ACRE PARCEL LOCATED ON THE WEST SIDE OF CONGRESS AVENUE SOUTH OF SILVER BEACH ROAD; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.**

**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. 16-03.

**MOTION**

A presentation was made by Mary McKinney, Community Development Director.

**Herman McCray, 2315 Avenue S**, made comments regarding the above resolution.

A discussion ensued amongst the City Council.

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

**MOTION APPROVED**

**VII. REGULAR:**

**ORDINANCES ON FIRST READING**

**ITEM NO. 8**

**ORDINANCE NO. 2936 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY,**

**FLORIDA, AMENDING CHAPTER 19, ENTITLED “TRAFFIC AND MOTOR VEHICLES”, ARTICLE III, SECTION 19-72(A) FAILURE TO COMPLY WITH NOTICE OR CITATION ATTACHED TO VEHICLE OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES, BY INCREASING PARKING FINES FROM TEN DOLLARS TO TWENTY-FIVE DOLLARS; PROVIDING FOR PENALTY, SEVERABILITY AND CONFLICTS; PROVIDING FOR CODIFICATION AND 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. 2936 on first reading.

**MOTION**

**Gerald Ward, 31 W 20<sup>th</sup> Street**, made comments regarding the above ordinance.

A discussion ensued amongst the City Council and staff.

There was a consensus of the City Council directing staff to notify the business owners in the area that would be affected by the proposed ordinance.

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

**MOTION APPROVED**

**ITEM NO. 9**

**ORDINANCE NO. 2937 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 2, ENTITLED “ADMINISTRATION”, ARTICLE VI, CITY EMPLOYEES, (DIVISION 3), SALARY PLAN, SECTION 2-106.1(d) OF RIVIERA BEACH CODE OF ORDINANCES BY INCLUDING A SUBSECTION, ENTITLED “SPECIAL MERITORIOUS INCREASE”, PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION; 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 **Chair Pro Tem Blue** to approve Ordinance No. 2937 on first reading.

**MOTION**

A lengthy discussion ensued amongst the City Council and staff.

Upon a roll call by City Clerk Ward, the vote failed with Chairperson Schnyer, Chair Pro Tem Blue, Councilperson Wilson, Councilperson Wade, and Councilperson Rodgers dissenting.

**MOTION FAILED**

**RESOLUTIONS:**

**ITEM NO. 10**

**RESOLUTION NO. 17-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING AN AMENDMENT TO THE JOB CLASSIFICATION BY REGRADING THE ADMINISTRATIVE POSITION OF ASSISTANT DIRECTOR OF FINANCE, BY DELETING THE ADMINISTRATIVE POSITION OF BUDGET & MANAGEMENT SPECIALIST, CREATING THE ADMINISTRATIVE POSITION OF BUDGET & MANAGEMENT ADMINISTRATOR, DELETING THE GENERAL EMPLOYEE POSITION OF ACCOUNTANT FROM THE GENERAL EMPLOYEES SALARY SCHEDULE AND PLACING THE POSITION UNDER THE SUPERVISORY/CONFIDENTIAL SALARY SCHEDULE AND ADDING THE WORD "SENIOR" TO THE POSITION OF ACCOUNTANT; AND 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. 17-03.

**MOTION**

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

**MOTION APPROVED**

**ITEM NO. 11**

**RESOLUTION NO. 18-03 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 AGREEMENT COMMENCING OCTOBER 1, 2002 TO SEPTEMBER 30, 2005 BETWEEN THE INTERNATIONAL UNION OF POLICE ASSOCIATION (IUPA) AN ORGANIZATION REPRESENTING POLICE OFFICERS AND SERGEANTS OF POLICE OF THE CITY OF RIVIERA BEACH AND THAT THE FINANCE DIRECTOR IS AUTHORIZED TO TRANSFER FUNDS IN THE AMOUNT OF \$146,364 FOR THE FIRST YEAR COST FROM CONTINGENCY TO THE APPROPRIATE DEPARTMENTAL ACCOUNT NUMBERS; PROVIDING AN EFFECTIVE DATE.**

**City Clerk Ward** read the aforementioned resolution into the record.

A motion was made by **Chair Pro Tem Blue** and seconded by **Councilperson Wilson** to approve Resolution 18-03.

**MOTION**

An overview was given by City Manager Wilkins.

Upon a roll call by City Clerk Ward, the vote was 4 with Councilperson Rodgers out.

**MOTION APPROVED**

**ITEM NO. 12**

**RESOLUTION NO. 19-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE PAY AND CLASSIFICATION SCHEDULES BY INCREASING THE SALARY OF SWORN POLICE OFFICERS AND SERGEANTS REPRESENTED BY THE INTERNATIONAL UNION OF POLICE ASSOCIATION BARGAINING AGREEMENT FOR FISCAL YEARS 2002, 2003, AND 2004; 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 **Councilperson Wilson** to approve Resolution No. 19-03.

**MOTION**

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

**MOTION APPROVED**

**ITEM NO. 13**

**RESOLUTION NO. 20-03 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, 2002 TO SEPTEMBER 30, 2005 BETWEEN THE NATIONAL CONFERENCE OF FIREMEN AND OILERS, LOCAL #1227 REPRESENTING GENERAL EMPLOYEES OF THE CITY OF RIVIERA BEACH; AND AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER FUNDS IN THE AMOUNT OF \$174,375 FOR THE FIRST YEAR COST FROM CONTINGENCY TO THE APPROPRIATE DEPARTMENTAL ACCOUNT NUMBERS; 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. 20-03.

**MOTION**

**Rev. William Burrs, 1500 W 30<sup>th</sup> Street**, made comments regarding the above resolution.

An overview was given by City Manager Wilkins.

Upon a roll call by City Clerk Ward, the vote 4 with Councilperson Wade out.

**MOTION APPROVED**

**ITEM NO. 14**

**RESOLUTION NO. 21-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE PAY AND CLASSIFICATION SCHEDULES BY INCREASING THE MINIMUM AND MAXIMUM PAY GRADES FOR FISCAL YEARS 2002, 2003, AND 2004 FOR GENERAL EMPLOYEES REPRESENTED BY THE NATIONAL CONFERENCE OF FIREMEN AND OILERS, LOCAL #1227; AND PROVIDING AN EFFECTIVE DATE.**

**City Clerk Ward** read the aforementioned resolution into the record.

A motion was made by **Councilperson Wilson** and seconded by **Chair Pro Tem Blue** to approve Resolution No. 21-03.

**MOTION**

Upon a roll call by City Clerk Ward, the vote was 4 with Councilperson Wade out.

**MOTION APPROVED**

**ITEM NO. 15**

**RESOLUTION NO. 22-03 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 THREE YEAR AGREEMENT FOR FISCAL YEARS 2002, 2003, AND 2004 WITH THE INTERNATIONAL UNION OF POLICE ASSOCIATION (IUPA), AN ORGANIZATION REPRESENTING LIEUTENANT OF POLICE EMPLOYEES OF THE CITY OF RIVIERA BEACH; AND AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER FUNDS IN THE AMOUNT OF \$22,156 FOR THE FIRST YEAR COST FROM CONTINGENCY TO THE APPROPRIATE DEPARTMENTAL ACCOUNT NUMBERS; AND PROVIDING AN EFFECTIVE DATE.**

**City Clerk Ward** read the aforementioned resolution into the record.

A motion was made by **Councilperson Wilson** and seconded by **Chair Pro Tem Blue** to approve Resolution No. 22-03.

**MOTION**

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

**MOTION APPROVED**

**ITEM NO. 16**

**RESOLUTION NO. 23-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE PAY AND CLASSIFICATION SCHEDULES BY INCREASING THE SALARY OF LIEUTENANT OF POLICE EMPLOYEES REPRESENTED BY THE INTERNATIONAL UNION OF POLICE ASSOCIATION (IUPA) BARGAINING AGREEMENT FOR FISCAL YEARS 2002, 2003, AND 2004; 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 Blue** to approve Resolution No. 23-03.

**MOTION**

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

**MOTION APPROVED**

**ITEM NO. 17**

**RESOLUTION NO. 24-03 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 ADDENDUM TO THE CURRENT BARGAINING AGREEMENT COMMENCING OCTOBER 1, 2001 TO SEPTEMBER 30, 2004 BETWEEN THE RIVIERA BEACH ASSOCIATION OF FIREFIGHTERS (RBAF), AN ORGANIZATION REPRESENTING UNIFORM FIREFIGHTERS OF THE CITY OF RIVIERA BEACH; AND AUTHORIZING THE FINANCE DIRECTOR TO APPROPRIATE FUND BALANCE IN THE GENERAL FUND IN THE AMOUNT OF \$93,197 FOR THE COST OF THE COLA; AND PROVIDING AN EFFECTIVE DATE.**

City Clerk Ward read the aforementioned resolution into the record.

A motion was made by **Chair Pro Tem Blue** and seconded by **Councilperson Wade** to approve Resolution No. 24-03.

**MOTION**

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

**MOTION APPROVED**

**ITEM NO. 18**

**RESOLUTION NO. 25-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE PAY AND CLASSIFICATION SCHEDULES FOR EMPLOYEES COVERED UNDER THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND THE RIVIERA BEACH ASSOCIATION OF FIREFIGHTERS, IAFF LOCAL 1621; AND 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. 25-03.

**MOTION**

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

**MOTION APPROVED**

**ITEM NO. 19**

**RESOLUTION NO. 26-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY TO ADVERTISE A REQUEST FOR PROPOSALS FOR CIVIL, TRANSPORTATION AND ENVIRONMENTAL ENGINEERING SERVICES; AND PROVIDING FOR 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 Blue** to approve Resolution No. 26-03.

**MOTION**

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

**MOTION APPROVED**

**ITEM NO. 20**

**RESOLUTION NO. 27-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARD THE CONTRACT TO MARTIN FENCE COMPANY TO INSTALL A DECORATIVE ALUMINUM FENCE AT THE SUGAR HILL MEMORIAL PARK AT A COST OF \$33,744; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE CONTRACT; AND AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT FROM ACCOUNT NO. 305-0717-519-0-4603; AND PROVIDING AN EFFECTIVE DATE.**

**City Clerk Ward** read the aforementioned resolution into the record.

A motion was made by **Chair Pro Tem Blue** and seconded by **Councilperson Wilson** to approve Resolution No. 27-03.

**MOTION**

An overview was given by City Manager Wilkins.

**Cinthia Becton, 500 W 24<sup>th</sup> Street**, made comments regarding the above resolution.

A lengthy discussion ensued amongst the City Council and staff.

Chair Pro Tem Blue and Councilperson Wilson rescinded the motion and second to approve Resolution No. 27-03.

**MOTION RESCINDED**

There was a consensus of the City Council directing staff to provide a plan on the timeline and cost for completing the Sugar Hill Memorial Park and the implementation of a restoration fund.

**ITEM NO. 21**

**RESOLUTION NO. 28-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A SITE PLAN APPLICATION FROM ISG RESOURCES, INC. TO BUILD AN ASH TRANSFER FACILITY ON 5.67 ACRES AT THE SOUTH TERMINUS POINT OF AVENUE "S" IN AN "IG" ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.**

**City Clerk Ward** read the aforementioned resolution into the record.

A motion was made by **Chair Pro Tem Blue** and seconded by **Councilperson Wade** to approve Resolution No. 28-03.

**MOTION**

A review was given by Mary McKinney, Community Development Director.

**Bettye Hodges, 817 Avenue S**, made comments regarding the above resolution.

**Herman McCray, 2315 Avenue S**, made comments regarding the above resolution.

The City Council advised staff to review the possibility of aligning the access road with Avenue U.

**Mary McKinney, Community Development Director**, stated that she would review and address the possibility of aligning the access road.

Upon a roll call by City Clerk Ward, the vote was 4 with Chairperson Schnyer out.

**MOTION APPROVED**

**ITEM NO. 22**

**RESOLUTION NO. 29-03 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 ACCEPTING FUNDS IN THE AMOUNT OF \$74,184 FROM THE PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS (BCC), THE EDWARD BYRNE MEMORIAL STATE AND LOCAL LAW ENFORCEMENT FORMULA**

**GRANT; AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER CASH MATCH TALLING \$24,728 FROM THE POLICE FORFEITURE FUND ACCOUNT NO. 150-0817-581-0-0148 TO THE BYRNE GRANT ACCOUNT NO. 148-00-381150; AND 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. 29-03.

**MOTION**

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

**MOTION APPROVED**

**ITEM NO. 23**

**RESOLUTION NO. 30-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDED THE CONTRACT AGREEMENT TO CPM GROUP OF JUPITER, FLORIDA, FOR MARKETING CONSULTING SERVICES FOR THE CITY OF RIVIERA BEACH THIRD ANNUAL JAZZ AND BLUES FESTIVAL AT A COST NOT TO EXCEED \$50,000; AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE CONTRACT AGREEMENT; AND AUTHORIZING THE 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 Blue** and seconded by **Councilperson Wilson** to approve Resolution No. 30-03.

**MOTION**

**David Cross, 1030 Sugar Sands Blvd.,** made comments regarding the above resolution.

**Dawn Pardo, 1251 Singer Dr.,** made comments regarding the above resolution.

Upon a roll call by City Clerk Ward, the vote was 4 with Councilperson Wade out.

**MOTION APPROVED**

**ITEM NO. 24**

**RESOLUTION NO. 31-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE BOARD OF**

**COMMISSIONERS OF THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) TO ACQUIRE FEE SIMPLE TITLE TO PROPERTY BY EMINENT DOMAIN, GIFT OR PURCHASE OF CERTAIN PROPERTY LOCATED WITHIN THE BOUNDARY OF THE REDEVELOPMENT PROJECT AREA; SETTING FORTH THE BOUNDARY AND SCOPE OF THE REDEVELOPMENT AREA; FINDING THAT PROPERTY WITHIN THE BOUNDARY OF THE REDEVELOPMENT AREA IS NECESSARY FOR THE PUBLIC PURPOSE OF REDEVELOPMENT IN ACCORDANCE WITH THE INLET HARBOR CITY OF RIVIERA BEACH COMMUNITY REDEVELOPMENT PLAN MODIFICATION 2001; PROVIDING FOR AN EFFECTIVE AND FOR OTHER PURPOSES.**

City Clerk Ward read the aforementioned resolution into the record.

A motion was made by **Councilperson Wilson** and seconded by **Chair Pro Tem Blue** to approve Resolution No. 31-03.

**MOTION**

**Gerald Ward, 31 W 20<sup>th</sup> Street**, made comments regarding the above resolution.

**Martha Babson, 156 E 21<sup>st</sup> Street**, made comments regarding the above resolution.

**Al Loriol, 127 E 21<sup>st</sup> Street**, made comments regarding the above resolution.

**Jacque Loriol, 127 E 21<sup>st</sup> Street**, made comments regarding the above resolution.

**Herman McCray, 2315 Avenue S**, made comments regarding the above resolution.

**Stuart Cunningham, 1300 Manor Dr.**, made comments regarding the above resolution.

**Cinthia Becton, 500 W 24<sup>th</sup> Street**, made comments regarding the above resolution.

A lengthy discussion ensued amongst the City Council.

Upon a roll call by City Clerk Ward, the vote was 4-1 with Councilperson Wade dissenting.

**MOTION APPROVED**

**VIII. CITY ATTORNEY'S REPORT:**

- 1. DISCUSSION OF GRANTING WAIVERS TO THE FOLLOWING LAW FIRMS: CARLTON FIELDS AND RUDEN McCLOSKEY.**

An overview was given by City Attorney Pamala Ryan.

**2. REQUEST FOR A CLOSED EXECUTIVE SESSION.**

**City Attorney Ryan** requested that a Closed Executive Session be held on February 13<sup>th</sup>.

There was a consensus of the City Council to hold a Closed Executive Session on February 13<sup>th</sup> at 4:00 p.m.

**IX. RECOMMENDATIONS AND DISCUSSIONS FROM MAYOR & COUNCIL:**

**NONE**

**X. ADJOURNMENT:**

There being no further business the meeting was duly adjourned at 11:15 p.m.

APPROVED:

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MICHAEL D. BROWN  
MAYOR

dschnyer.gif (881 bytes)



DAVID G. SCHNYER  
CHAIRPERSON

ATTEST:

cward.gif (643 bytes)



CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

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SYLVIA LEE BLUE  
CHAIR PRO TEM

dwilson.gif (865 bytes)



DONALD R. WILSON  
COUNCILPERSON

ewade.gif (1297 bytes)



MOTIONED BY: S. Blue  
SECONDED BY: E. Wade

D. SCHNYER: aye  
S. BLUE: aye  
D. WILSON: aye  
E. WADE: aye  
E. RODGERS: aye

ELIZABETH "LIZ" WADE  
COUNCILPERSON



EDWARD RODGERS

COUNCILPERSON

DATE  
APPROVED: 02/19/2002