

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

I. CALL TO ORDER:

Roll Call

Chair Pro Tem Sylvia Lee Blue was present and presided. Upon a roll call by City Clerk Ward the following were present: Councilperson Donald R. Wilson, and Councilperson Edward Rodgers. Also present were Asst. City Manager Gloria Shuttlesworth, City Clerk Carrie E. Ward, Master Municipal Clerk, and City Attorney Pamala Hanna Ryan.

The following Councilpersons were absent Chairperson David Schnyer and Councilperson Elizabeth Wade.

Mayor Brown was tardy.

Invocation/Pledge of Allegiance

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

II. AGENDA APPROVAL:

1) Additions, Deletions, Substitutions

Asst. City Manager Shuttlesworth stated that Item No. 16 – resolution regarding a landlord consent agreement with Fidelity Federal Bank and Life Span – was deleted.

2) Adoption of Agenda

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Rodgers** to approve the agenda as amended.

MOTION

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

MOTION APPROVED

III. AWARDS AND PRESENTATIONS:

NONE

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

Terri Mitchell, 1682 W 17th Street, made comments regarding Life Span and facilitating the landlord consent form with Fidelity Federal.

Gerald Ward, 31 W 20th Street, made comments regarding a proposed homeless shelter by the county, the proposed location for the new high school, and compliance with comprehensive plan settlements.

Jackie Harris, 1343 W 36th Street, made comments regarding the park located between 35th and 36th Street.

Elizabeth Mann, 1125 W 26th Street, made comments regarding illegal activity occurring in her neighborhood.

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. 1

MINUTES OF THE REGULAR COUNCIL MEETING HELD ON FEBRUARY 19, 2003,
MINUTES OF SPECIAL MEETING HELD ON FEBRUARY 13, 2002 AND MINUTES OF
SPECIAL MEETING HELD ON SEPTEMBER 11, 2002.

RESOLUTIONS:

ITEM NO. 2

THIS ITEM HAS BEEN DELETED

ITEM NO. 3

RESOLUTION NO. 46-03 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 PAVING AND DRAINAGE CONSTRUCTION ACCOUNT NO. 301-0716-519-0-3103 IN THE AMOUNT OF \$30,000 FOR CIVIL, TRAFFIC AND TRANSPORTATION RELATED ENGINEERING SERVICES; AND PROVIDING AN EFFECTIVE DATE.

**ITEM
NO. 4**

THIS ITEM HAS BEEN DELETED

ITEM NO. 5

RESOLUTION NO. 47-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE PROPOSAL FROM R.C.T. ENGINEERING, INC., TO PERFORM PROFESSIONAL ENGINEERING SERVICES, TO CONDUCT A STUDY AND ENGINEERING EVALUATION OF THE UTILITIES DEPARTMENT'S LIFT STATIONS; IN AN AMOUNT NOT TO EXCEED \$57,092; AND AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT FROM ACCOUNT NO. 407-1437-533-0-3103; AND PROVIDING AN EFFECTIVE DATE.

ITEM NO. 6

RESOLUTION NO. 48-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXTEND AN EXISTING CONTRACT FOR A PERIOD OF ONE YEAR, COMMENCING MARCH 22, 2003 THROUGH MARCH 21, 2004, BETWEEN THE CITY OF RIVIERA BEACH AND R.C.T. ENGINEERING, INC., CONSULTING ENGINEERING FIRM OF WEST PALM BEACH, FLORIDA, TO PROVIDE GENERAL PROFESSIONAL ENGINEERING SERVICES TO THE UTILITIES DEPARTMENT FOR WATER TREATMENT, DISTRIBUTION, SEWER COLLECTION PLANNING AND DESIGN SERVICES; AND PROVIDING AN EFFECTIVE DATE.

2) PETITIONS AND COMMUNICATIONS FOR FILING:

END OF CONSENT AGENDA

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

MOTION

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

MOTION APPROVED

VI. PUBLIC HEARING:

1) ORDINANCES ON SECOND READING:

ITEM NO. 7

ORDINANCE NO. 2936 AN ORDINANCE 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. She stated that the ordinance was advertised on February 12, 2003 edition of the Palm Beach Post.

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Rodgers** to adopt Ordinance No. 2936.

MOTION

Gerald Ward, 1150 Coral Way, made comments against Ordinance No. 2936.

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

MOTION APPROVED

ITEM NO. 8

ORDINANCE NO. 2938 AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31, SECTION 31-692 ENTITLED "LAND DEVELOPMENT APPLICATION FEE SCHEDULE" OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY, CONFLICTS, AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Ordinance into the record. She stated that the Ordinance was published in the February 23, 2003 edition of the Palm Beach Post.

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Rodgers** to adopt Ordinance No. 2938.

MOTION

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

MOTION APPROVED

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

VII. REGULAR:

ORDINANCES ON FIRST READING:

NONE

RESOLUTIONS:

**ITEM
NO. 9**

RESOLUTION NO. 49-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDING THE FIREFIGHTER MEDICAL PHYSICALS CONTRACT TO PINECREST OCCUPATIONAL CENTER OF WEST PALM BEACH; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT AGREEMENT WITH PINECREST OCCUPATIONAL FOR SAME; AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER \$28,050 FROM GENERAL FUND CONTINGENCY ACCOUNT NO. 001-0203-519-0-5999 TO THE FIRE DEPARTMENT'S PROFESSIONAL SERVICES MEDICAL, DENTAL ACCOUNT NO. 001-0920-522-0-3102; FURTHER AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO MAKE PAYMENT FOR SAME FROM ACCOUNT NO. 001-0920-522-0-3102 IN AN AMOUNT NOT TO EXCEED \$28,050; AND PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Rodgers** to approve Resolution No. 49-03.

MOTION

Councilperson Rodgers commented leading into further staff discussion.

Brief discussion ensued as if the vote had been stated. The consensus of the City Council was clarified in the affirmative.

**ITEM
NO. 10**

RESOLUTION NO. 50-03 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 C2050 FOR THE FISCAL YEAR 02-03, WITH PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS, TO EXPAND AND/OR IMPROVE THE CITY'S EMERGENCY MEDICAL SERVICES DELIVERY; AUTHORIZING THE FINANCE DIRECTOR TO SET UP A BUDGET IN FUND NO. 107-00-337206 IN THE AMOUNT OF \$23,761.30; TO PURCHASE TWENTY-FOUR CPR MANIKINS IN THE AMOUNT OF \$5,839.20, TWO LIFEPAK 500 AED TRAINERS IN THE AMOUNT OF \$796, PAYMENT FROM ACCOUNT NO. 107-0921-526-0-5206; PURCHASE ONE JAWS OF LIFE EXTRICATION SYSTEM IN THE AMOUNT OF \$17,126.10, PAYMENT FROM ACCOUNT NO. 107-0921-526-0-6405; 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 Rodgers** to approve Resolution No. 50-03.

MOTION

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

MOTION APPROVED

ITEM NO. 11

RESOLUTION NO. 51-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING FIRE RESCUE TO ESTABLISH A CPR FEE SCHEDULE AND COLLECT FUNDS TO ASSIST TO OFFSET THE COST OF CPR SUPPLIES AND MATERIALS; AUTHORIZING THE FINANCE DIRECTOR TO SET UP A BUDGET IN FUND NO. 001-00-346901; AUTHORIZING THE FINANCE DIRECTOR TO INCREASE THE BUDGET OF EXPENDITURE ACCOUNT NO. 001-0921-526-0-5206 IN THE AMOUNT OF \$5,000; 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 Rodgers** to approve Resolution No. 51-03.

MOTION

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

MOTION APPROVED

**ITEM
NO. 12**

RESOLUTION NO. 52-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND PALM BEACH COUNTY TO RECEIVE ADDITIONAL FUNDING IN THE AMOUNT OF \$50,000 FOR THE WEST 26TH STREET PROJECT; AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AMENDMENT.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Rodgers** to approve Resolution No. 52-03.

MOTION

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

MOTION APPROVED

**ITEM
NO. 13**

RESOLUTION NO. 53-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE CONTRACT WITH CHARLES S. WHITESIDE, INC., BY ACCEPTING A PROPOSAL FOR INSTALLING

TWO CONCRETE SPEED HUMPS ON WEST 25TH STREET BETWEEN AVENUE "H" AND AVENUE "F" AT A COST OF \$8,800; AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE ORDER FOR SAME.

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Rodgers** to approve Resolution No. 53-03.

MOTION

Gerald Ward, 31 W 20th Street, made comments regarding the placement of speed bumps.

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

MOTION APPROVED

ITEM NO.
14

RESOLUTION NO. 54-03 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR A TRANSPORTATION CONCURRENCY EXCEPTION AREA COMPREHENSIVE PLAN AMENDMENT TO PALM BEACH COUNTY; 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 Rodgers** to approve Resolution No. 54-03.

MOTION

A presentation was made by Mary McKinney, CDEC Director.

A presentation was made by representatives from Kimley Horne.

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

Gerald Ward, 3930 N Ocean Dr., made comments regarding the proposed resolution.

A discussion ensued amongst the Mayor, City Council, the representatives from Kimley Horne, and staff.

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

MOTION APPROVED

ITEM NO. 15

RESOLUTION NO. _55-03_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE EMERGENCY PURCHASE OF 2000 LINEAR FEET OF MODULAR FENCING WITH GATES AND HARDWARE FROM NATIONAL CONSTRUCTION RENTALS FOR TEMPORARY FENCING FOR VARIOUS SPECIAL EVENTS; FOR PRICE NOT TO EXCEED \$15,000; PAYMENT TO BE MADE FROM THE PUBLIC WORKS PROPERTY MAINTENANCE DIVISION ACCOUNT NO. 001-1128-5190-6405; 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 Rodgers** to approve Resolution No. 55-03.

MOTION

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

MOTION APPROVED

**ITEM
NO. 16**

RESOLUTION NO. _____ 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 LANDLORD CONSENT AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH, FIDELITY FEDERAL BANK AND TRUST AND LIFE SPAN OF PALM BEACH COUNTY A/K/A LIFE SPANN, INC. F/K/A THE ULTIMATE CHILDREN'S LEARNING ADVENTURE, INC.; AND PROVIDING AN EFFECTIVE DATE. **ITEM DELETED**

DISCUSSION AND DELIBERATION:

BOARD APPOINTMENT:

NONE

VIII. CITY ATTORNEY'S REPORT:

City Atty. Ryan stated that she would have a report for the City Council at the next meeting regarding a discussion that she would be having with DCA.

IX. RECOMMENDATIONS AND DISCUSSIONS FROM MAYOR & COUNCIL:

Mayor Brown announced that a Winn Dixie Supermarket will be constructed at the corner of Silver Beach Road and US 1.

X. ADJOURNMENT

There being no further business, the meeting was duly adjourned at 8:40 p.m.

APPROVED:

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MICHAEL D. BROWN
MAYOR

CHAIRPERSON

ATTEST:

cward.gif (643 bytes)



CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK

CHAIR PRO TEM



COUNCILPERSON

dwilson.gif (865 bytes)



MOTIONED BY:
SECONDED BY:

D. Wilson
A. Iles

COUNCILPERSON

D. SCHNYER:
S. BLUE:
D. WILSON:
E. WADE:
A. ILES:

aye
absent
aye
aye
aye



COUNCILPERSON

DATE APPROVED:

03/19/2003