

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, AUGUST 7, 2002 AT 7:30 P.M.**

I. CALL TO ORDER:

Roll Call

Chairperson David G. Schnyer was present and presided. Upon a roll call by Deputy City Clerk Claudene Robinson the following were present: 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, and City Attorney Pamala H. Ryan.

Mayor Brown arrived at 8:15 p.m.

Invocation/Pledge of Allegiance

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

II. AGENDA APPROVAL:

Additions, Deletions, Substitutions

City Manager Wilkins read the Additions, Deletions, Substitutions, & Revisions into the record. He stated that a memorandum was provided for additional backup for Item No. 14 – Assignment of Purchase Option within the 13th Street Interlocal Agreement and Speedy Tires. He also stated that he would be announcing his appointment for Finance Director.

Chair Pro Tem Blue stated that she wanted to make comments under Recommendations and Discussion from the Mayor and City Council.

City Manager Wilkins deleted Item No. 1 – presentation of retirement memento to Carl Staley, Senior Buyer for over fifteen years of dedicated service to the citizens of Riviera Beach.

Adoption of Agenda

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

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

III. AWARDS AND PRESENTATIONS:

ITEM NO. 1

PRESENTATION OF RETIREMENT MEMENTO TO CARL STALEY, SENIOR BUYER FOR OVER FIFTEEN YEARS OF DEDICATED SERVICE TO THE CITIZENS OF RIVIERA BEACH. ITEM DELETED

ITEM NO. 2

PRESENTATION OF RECOGNITION TO THE CITY OF RIVIERA BEACH GIVEN BY THE JUVENILE DIABETES RESEARCH FOUNDATION INTERNATIONAL FOR THE CITY'S PARTICIPATION IN THE "WALK TO CURE DIABETES".

Don Jacobavitz, Public Works Director, gave a brief review of the fund raising activities and stated that the City received the Silver Award for its participation.

ITEM NO. 3

PRESENTATION OF CERTIFICATE OF APPRECIATION BY ELIZABETH ROBINSON TO WILLIAM E. WILKINS, CITY MANAGER ON BEHALF OF THE CITY OF RIVIERA BEACH FOR ITS PARTICIPATION IN "HIV/AIDS PRE-POST TEST AND COUNSELING ON NATIONAL TESTING DAY."

Ms Robinson was not present for this presentation.

ITEM NO. 3(1)

PRESENTATION OF OFFICER OF THE YEAR CERTIFICATE PRESENTED BY MAYOR MICHAEL D. BROWN TO POLICE OFFICER ALEXANDER FREEMAN BY THE VICTIMS RIGHTS COALITION OF PALM BEACH COUNTY FOR HIS DEDICATION TO DUTY.

Chair Pro Tem Blue presented Detective Freeman with a Certificate of Appreciation for his dedication to citizens within the City.

Det. Freeman expressed a word of thanks to the City and family members that were present.

IV. STATEMENTS FROM THE PUBLIC (TWO MINUTES):

Warrie Leonard, 1901 W 23rd Street, made comments referenced the Crime Prevention Activities. She discussed grants for homeowners association; the Weed and Seed Final Urban Charet; and the Riviera Beach Crime Prevention Board of Directors.

Gerald Ward, 31 W 20th Street, made comments regarding the Crime Prevention activities; landscaping at the entrance of Palm Beach Isles, and agendas for the Planning and Zoning Board meeting.

Al Loriol, 1217 E 21st Street, made comments regarding equipment located on 21st Street.

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. 4

MINUTES OF THE REGULAR COUNCIL MEETING HELD ON JULY 17, 2002

2) RESOLUTIONS:

ITEM NO. 5

RESOLUTION NO. 129-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY

OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE USE OF FACILITIES AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY TO PROVIDE HOT PREPARED MEAL SERVICES TO THE CITY'S SENIOR PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

ITEM NO.6

RESOLUTION NO. 130-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA ACCEPTING FUNDS IN THE AMOUNT OF \$23,748.00 FROM THE FLORIDA DEPARTMENT OF JUVENILE JUSTICE UNDER THE JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT PROGRAM AND AUTHORIZING THE FINANCE DIRECTOR TO SET UP A BUDGET FOR SAME.

ITEM NO. 7

RESOLUTION NO. 131-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE INTERIM FINANCE DIRECTOR TO MAKE FINAL PAYMENT IN AN AMOUNT NOT TO EXCEED \$25,000.00 TO THE LAW FIRM OF GREENBERG TRAUIG, P.A. FOR LEGAL SERVICES RENDERED TO THE CITY DEFENDING THE ADMINISTRATIVE CHALLENGES TO THE CITY'S AMENDED COMPREHENSIVE PLAN; SAID PAYMENT TO BE MADE FROM ACCOUNT NO.: 001-0613-514-0-3101; AND PROVIDING AN EFFECTIVE DATE. ITEM PULLED BY CHAIR PRO TEM BLUE

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

Chair Pro Tem Blue stated that she wanted Atty. Malefatto to state the total cost for defending these proceedings for the record.

Al Malefatto, Esq. stated the cost for the CRA area was \$111,000 and the estimated cost for the P-4 case was \$34,000 with a total cost for both cases being \$145,000.

A motion was made by Councilperson Rodgers and seconded by Councilperson Wade to approve Resolution No. 131-02. **MOTION**

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

3) 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 with Item No. 7 pulled for discussion.

MOTION

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

VI. PUBLIC HEARING:

ITEM NO. 8

RESOLUTION NO. 132-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SPECIAL EXCEPTION AND SITE PLAN APPLICATION FROM BLUE HERON SHOPPES INCORPORATED FOR A 5 ACRE PARCEL LOCATED ON THE NORTH SIDE OF BLUE HERON BOULEVARD ONE PARCEL EAST OF CONGRESS

AVENUE; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Deputy City Clerk Robinson 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. 132-02 **MOTION**

Mary McKinney, CDEC Director, gave an overview of the special exception and site plan application.

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

A discussion ensued.

Upon a roll call by Deputy City Clerk Robinson, the vote was 4-1 with Councilperson Rodgers dissenting. **MOTION APPROVED**

ITEM NO. 9

RESOLUTION NO. 133-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SPECIAL EXCEPTION AND SITE PLAN APPLICATION FROM HURST AFRICAN METHODIST EPISCOPAL CHAPEL FOR A 1.6 ACRE PARCEL LOCATED ON THE SOUTH SIDE OF SILVER BEACH ROAD AND WEST OF AVENUE "S"; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

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

A motion was made by **Councilperson Wade** and seconded by **Councilperson Wilson** to approve Resolution No. 133-02. **MOTION**

Mary McKinney, CDEC Director, gave an overview of the special exception and site plan application.

A discussion ensued.

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

ORDINANCES ON SECOND READING:

NONE

VII. ORDINANCES ON FIRST READING:

ITEM NO. 10

ORDINANCE NO. 2921 AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING A PETITION FOR VOLUNTARY ANNEXATION FROM JOHN SKEFFINGTON, WITH LAND LOCATED IN THE UNINCORPORATED AREA OF PALM BEACH COUNTY, FLORIDA, CONTAINING 2.8 ACRES, LYING ON THE NORTH EAST CORNER OF DR. MARTIN LUTHER KING, JR. BOULEVARD AND INTERSTATE 95, CONTIGUOUS TO THE PRESENT BOUNDARIES TO INC LUDE SAID LAND; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE THEREOF; AND FOR OTHER PURPOSES IN ACCORDANCE WITH SECTION 171.046, FLORIDA STATUTES.

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

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Wade** to approve Ordinance No. 2921 on first reading. **MOTION**

A discussion ensued.

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

VIII. CITY MANAGER'S DISCUSSION:

ITEM NO.11

RESOLUTION NO. 134-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN EMERGENCY SERVICES AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND PALM BEACH COUNTY FOR THE PROVISIONS OF MUTUAL AID ASSISTANCE AND AUTOMATIC AID; AND PROVIDING AN EFFECTIVE DATE.

Deputy City Clerk Robinson 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. 134-02. **MOTION**

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

ITEM NO. 12

RESOLUTION NO. 135-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE EXTENSION OF TERM OF NPDES INTERLOCAL AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

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

A motion was made by **Councilperson Wilson** and seconded **Chair Pro Tem Blue** to approve Resolution No. 135-02. **MOTION**

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

ITEM NO. 13

RESOLUTION NO. 136-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROPRIATING GENERAL FUND BALANCE IN THE AMOUNT OF \$51,900 AS RECOMMENDED BY THE CITY MANAGER; AND AUTHORIZING THE INTERIM FINANCE DIRECTOR TO INCREASE THE PUBLIC WORKS PROFESSIONAL ENGINEERING SERVICES ACCOUNT NO. 001-1123-5340-3103 FOR SAME TO PAY FOR PHASE 1 OF A STORM WATER MANAGEMENT UTILITY STUDY TO BE CONDUCTED BY R.C.T. ENGINEERING; AND PROVIDING AN EFFECTIVE DATE.

Deputy City Clerk Robinson 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. 136-02. **MOTION**

Gerald Ward, 31 W 20th Street, made comments regarding the scope of services and existing storm water utilities.

A discussion ensued.

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

ITEM NO. 14

RESOLUTION NO. 137-02 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ASSIGNING TO THE CRA THE CITY'S RIGHT TO PURCHASE "OUTSIDE PROPERTY" PER SECTION 10 B. OF THE INTERLOCAL AGREEMENT BETWEEN THE CITY, THE COUNTY, AND THE PORT REGARDING 13TH STREET AND OTHER ROADWAY IMPROVEMENTS; AND PROVIDING AN EFFECTIVE DATE.

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

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Wade** to approve Resolution No. 137-02. **MOTION**

Gerald Ward, 31 W 20th Street, stated that the word board needed to be inserted after CRA in section 1 of the resolution.

An amended motion was made by Councilperson Wilson and seconded by Councilperson Wade to insert the word board after CRA in section 1 of the resolution. **MOTION AMENDED**

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

ITEM NO. 15

DISCUSSION REGARDING CITY COUNCIL APPOINTING SEVEN MEMBERS TO THE WATERFRONT ADVISORY BOARD.

City Manager Wilkins presented the district appointments and stated that the motion should be, to make the district appointments as recommended by the Councilmembers and two at large members. Appointments as follows: Rufus Wright (District 1 – Councilperson Wilson), Tara Pressey (District 2 – Chair Pro Tem Blue), Gerald Ward (District 3 – Councilperson Wade), James Williams (District 4 – Chairperson Schnyer), Zell Davis, Jr. (District At Large – Councilperson Rodgers), Ivan Richardson (nominated by Chair Pro Tem Blue) and George Quick (nominated by Councilperson Rodgers) as members to the Waterfront Advisory Board.

A motion was made by Councilperson Wade and seconded by Councilperson Wilson to make the appointments as announced by City Manager Wilkins and to include the two nominations by the councilmembers for the at large seats. **MOTION**

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

ITEM NO. 16

TRANSMITTAL OF MEMORANDUM REGARDING TERMS AND CONDITIONS OF THE CITY MANAGER'S CONTRACT.

A motion was made by **Councilperson Wade** and seconded by **Councilperson Wilson** to appoint Mayor Brown and Chairperson Schnyer as the liaisons for negotiating a contract with the City Manager. **MOTION**

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

A motion was made by **Chair Pro Tem Blue** and seconded by **Councilperson Wade** to set a time to discuss future goals and expectations of the city manager and city attorney. **MOTION**

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

City Manager Wilkins announced his appointment of Gwendolyn Herbert as the Finance Director at a salary of \$80,000 and requested that the City Council confirm his appointment.

A motion was made by **Chair Pro Tem Blue** and seconded by **Councilperson Wade** to approve the City Manager's appointment. **MOTION**

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

City Manager Wilkins gave a review of the memorandum he provided to the City Council regarding Speedy Tires.

A discussion ensued.

IX. CITY ATTORNEY'S REPORT:

NONE

X. RECOMMENDATIONS AND DISCUSSION FROM MAYOR & COUNCIL:

Councilperson Rodgers made comments regarding demographically disadvantaged businesses.

A motion was made by **Councilperson Rodgers** and seconded by **Councilperson Wade** directing staff to place city signs identifying Riviera Beach in swale areas located in front of demographically disadvantaged businesses. **MOTION**

A discussion ensued.

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

Councilperson Wilson requested that staff ensure that proper lighting is in place from Blue Heron Blvd. to 27th Street, from Old Dixie Hwy. to Avenue O.

Councilperson Wade thanked staff for their assistance in the Crime Watch Night Out activities and wanted to give special recognition to those residents/business owners that provided assistance at the next City Council meeting.

Chair Pro Tem Blue thanked staff for their assistance in the Crime Watch Night Out activities. She made comments on employee training and the boundaries of the Weed and Seed area. She also made comments regarding a dog attack on another dog in her neighborhood and the need for an ordinance addressing dangerous animals; and a permit that was issued for a party held at the Fire House Park.

Chairperson Schnyer thanked staff for their assistance in the Crime Watch Night Out activities and the Singer Island Civic Association for their participation and support of the events.

XI. ADJOURNMENT:

There being no further business the meeting was duly adjourned at 9:45 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, CMC/AAE
CITY CLERK**

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SYLVIA LEE BLUE, CHAIR PRO-TEM

dwilson.gif (865 bytes)



**DONALD R. WILSON
COUNCILPERSON**

MOTIONED BY: D. Schnyer
SECONDED BY: E. Wade

ewade.gif (1297 bytes)



**ELIZABETH "LIZ" WADE
COUNCILPERSON**

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



**EDWARD RODGERS
COUNCILPERSON**

DATE APPROVED: 08/21/2002