

**CITY OF RIVIERA BEACH, FLORIDA
REGULAR CITY COUNCIL MEETING
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, JUNE 20, 2001, 7:30 P.M.**

I. CALL TO ORDER:

Roll Call

The regular meeting of the City of Riviera Beach City Council was called to order at 7:35 p.m. The following were present: Mayor Michael D. Brown, Chairperson Edward Rodgers, Chair Pro-Tem David G. Schnyer, Councilperson Donald Wilson, Councilperson Sylvia Lee Blue, and Councilperson Elizabeth "Liz" Wade. Also present were City Manager William Wilkins, City Clerk Carrie E. Ward, and City Attorney Pamala H. Ryan.

Invocation/Pledge of Allegiance

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

II. PETITIONS AND COMMUNICATIONS FOR FILING:

III. AGENDA APPROVAL:

1) Additions, Deletions, Substitutions

Chair Pro-Tem Schnyer stated that he wanted to add the announcement of the retirement party for Police Chief Jerry Poreba on June 28th.

Respectively, City Manager Wilkins stated additions, deletions, and substitutions to the agenda. (Copy attached) He also stated that the ordinances on First Reading would be discussed after discussion of items 14(6), 14(7), & 14(8).

2) Adoption of Agenda

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

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

IV. AWARDS AND PRESENTATIONS:

ITEM NO. 1

PRESENTATION OF COMMEMORATIVE PLAQUE BY MAYOR MICHAEL D. BROWN TO CAROL GRANT OF THE FLORIDA REEF FOUNDATION AND PALM BEACH COUNTY COMMISSIONER ADDIE L. GREENE FOR THEIR SUPPORT OF THE "HEALTHY EARTH & OCEAN FAIR".

Mayor Brown presented awards to Commissioner Addie Greene and Michelle Grant for their support in this event.

ITEM NO. 2

PRESENTATION BY WANDA AKINS, DIRECTOR OF GIRL'S WORLD SPORTS, INC./WAVERUNNERS REGARDING THEIR ACTIVITIES AND THE 2000-2001 NATIONALS STARTING JUNE 30, 2001.

Presentation was made by Wanda Akins requesting that the city provide assistance to them in attending the YBLA National Basketball Tournament to be held in Winter Haven, FL June 30 – July 7, 2001.

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. 3

MINUTES OF THE REGULAR COUNCIL MEETING HELD ON JUNE 6, 2001.

2) RESOLUTIONS:

ITEM NO. 4

RESOLUTION NO. 92-01 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REQUESTING PAYMENT TO THE LAW FIRM OF AKERMAN, SENTERFITT & EIDSON, P.A., 301 SOUTH BRONOUGH STREET, SUITE 200, TALLAHASSEE, FLORIDA IN THE AMOUNT OF \$17,275.40 FOR PROFESSIONAL LEGAL SERVICES PERFORMED IN THE MATTER OF CITY OF RIVIERA BEACH V. POLICE BENEVOLENT ASSOCIATION AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO MAKE PAYMENT FOR SAME UNDER ACCOUNT NO. 001-0512-5190-3101.

ITEM NO. 5

THIS ITEM HAS BEEN MOVED TO CITY MANAGER'S DISCUSSION AS ITEM NO. 14(11).

ITEM NO. 6

RESOLUTION NO. 93-01 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING THE BIDS FOR THE PURCHASE OF BULK QUICKLIME FOR THE UTILITIES DEPARTMENT FROM DRAVO LIME INC., OF SAGINAW, ALABAMA FOR A PERIOD OF ONE (1) YEAR PER BID NO. 052-2821-01/KR SUBMITTED UNDER COOPERATIVE PURCHASING COUNCIL FOR THE PERIOD COVERING MAY 16, 2001 – MAY 15, 2002; AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO MAKE PAYMENT UNDER ACCOUNT NO. 1437-5330-5203.

ITEM NO. 7

RESOLUTION NO. 94-01 - 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 CONTRACT FOR BLUE HERON BEAUTIFICATION PHASE II PROJECT WITH B & A CONSTRUCTION SERVICES GROUP, INC.; AND PROVIDING FOR AN EFFECTIVE DATE.

ITEM NO. 8

RESOLUTION NO. __95-01__ - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE PURCHASE OF A COMPUTER SYSTEM TO BE USED IN CONJUNCTION WITH THE DEPARTMENT OF COMMUNITY DEVELOPMENT'S GIS UNDER THE TERMS AND CONDITIONS OF THE STATE OF FLORIDA CONTRACT #251982 IN THE AMOUNT OF \$52,265; AND AUTHORIZING THE FINANCE DIRECTOR TO PAY THE AMOUNT FROM ACCOUNT NO. 305-0203-5190-3106.

ITEM NO. 9

RESOLUTION NO. __96-01__ - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING THE GRANT AND APPROVING AN AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS FOR RECEIVING FUNDS IN THE AMOUNT OF \$28,000 FOR DESIGN AND PERMITTING OF AVENUE P DRAINAGE PIPE UPGRADE FROM WEST 28TH STREET TO WEST 34TH STREET, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT; APPROPRIATING \$4,000 FROM PAVING AND DRAINAGE ACCOUNT FOR MATCHING REQUIREMENT, ESTABLISHING A BUDGET AND PROVIDING FOR AN EFFECTIVE DATE.

ITEM NO. 10

RESOLUTION NO. __97-01__ - A RESOLUTION OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO TERMINATE THE UNITY OF TITLE BETWEEN LOT 143 AND LOT 144 OF YACHT HARBOR MANOR SUBDIVISION PLAT BOOK 25, PAGE 1, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

END OF CONSENT AGENDA

A Motion was made by Chair Pro-Tem Schnyer and seconded by Councilperson Blue to approve the Consent Agenda as amended. **MOTION**

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

VI. PUBLIC HEARING:

NONE

ORDINANCES ON SECOND READING:

ITEM NO. 10(1)

ORDINANCE NO. 2899 – AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31, SECTION 31-243 (5) (E), ENTITLED “HIGH-RISE SETBACK” AND SECTION 31-263 (5)(E), ENTITLED “HIGH-RISE SETBACK” OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read into the record the referenced ordinance.

A Motion was made by **Councilperson Blue** and seconded by **Councilperson Wilson** to approve the aforementioned ordinance. **MOTION**

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

ITEM NO. 10(2)

ORDINANCE NO. 2900 – AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ADJUSTING THE CITY’S LOCAL COMMUNICATIONS SERVICES TAX RATE UPWARD IN LIEU OF REQUIRING AND COLLECTING FEES FROM PROVIDERS OF COMMUNICATIONS SERVICES; PROVIDING A CONFLICT CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Ward read into the record the referenced ordinance.

A Motion was made by **Councilperson Wilson** and seconded by **Chair Pro-Tem Schnyer** to approve the aforementioned ordinance. **MOTION**

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

ITEM NO. 10(3)

ORDINANCE NO. 2901 – AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ADJUSTING THE CITY’S LOCAL COMMUNICATIONS SERVICES TAX RATE IN ACCORDANCE WITH FLORIDA’S COMMUNICATIONS SERVICES TAX SIMPLIFICATION ACT; PROVIDING A CONFLICT CLAUSE, AND A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Ward read into the record the referenced ordinance.

A Motion was made by **Councilperson Wade** and seconded by **Chair Pro-Tem Schnyer** to approve the aforementioned ordinance. **MOTION**

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

VII. ORDINANCES ON FIRST READING:

ITEM NO. 11

ORDINANCE NO. 2902 - AN ORDINANCE 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 IL “LIMITED INDUSTRIAL” FOR 8.79 ACRES OF LAND LOCATED ON THE EAST SIDE OF CONGRESS AVENUE BETWEEN SILVER BEACH ROAD AND BLUE HERON BOULEVARD; DIRECTING THE DIRECTOR OF COMMUNITY DEVELOPMENT TO UPDATE THE CITY OF RIVIERA BEACH ZONING MAP; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read into the record the referenced ordinance.

A Motion was made by **Councilperson Wade** and seconded by **Chair Pro-Tem Schnyer** to postpone the aforementioned ordinance to the second meeting in August. **MOTION TO TABLE**

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

ITEM NO. 12

ORDINANCE NO. 2903 - AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 14-21 OF THE CITY’S CODE OF ORDINANCES BY PROVIDING FOR A DEFINITION OF EARNINGS FOR CERTAIN CONTRACT EMPLOYEES; PROVIDING FOR CODIFICATION AND CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE

DATE.

City Clerk Ward read into the record the referenced ordinance.

A motion was made by **Chair Pro-Tem Schnyer** and seconded by **Councilperson Blue** to approve the aforementioned ordinance. **MOTION**

City Attorney Ryan stated that the version of the ordinance that was received by the City Clerk included the word current so that no employee from the past could come back and fall under the ordinance.

Carolyn Killings, 311 W 23rd Street, spoke in opposition to adopt the proposed ordinance.

Upon a roll call by City Clerk Ward, the vote was 4-0 with Councilperson Wade out. **MOTION APPROVED**

ITEM NO. 12(1)

ORDINANCE NO. 2904 - AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 14-72 OF THE CITY'S CODE OF ORDINANCES BY PROVIDING FOR A DEFINITION OF EARNINGS FOR CERTAIN CONTRACT EMPLOYEES; PROVIDING FOR CODIFICATION AND CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read into the record the referenced ordinance.

A motion was made by **Councilperson Blue** and seconded by **Councilperson Wilson** to approve aforementioned ordinance. **MOTION**

Upon a roll call by City Clerk Ward, the vote was 4-0 with Councilperson Wade out. **MOTION APPROVED**

ITEM NO. 13

ORDINANCE NO. 2905 - AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, CREATING SECTION 14-33 OF THE CITY'S CODE OF ORDINANCES BY PROVIDING FOR AN EXCESS BENEFIT PLAN AS PERMITTED BY SECTION 415 OF THE INTERNAL REVENUE CODE; PROVIDING FOR CODIFICATION AND CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

City Clerk Ward read into the record the referenced ordinance.

A motion was made by **Councilperson Blue** and seconded by **Chair Pro-Tem Schnyer** to approve aforementioned ordinance. **MOTION**

City Attorney Ryan stated that there was a change in section 6 to include that the ordinance would be retroactive to June 1, 2000.

A discussion ensued amongst the Mayor, the City Council, and staff.

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

VIII. CITY MANAGER'S DISCUSSION:

ITEM NO. 14

1. RESOLUTION NO. _____ - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A TRANSFER OF A DEVELOPMENT REGIONS CORE GRANT FROM THE CRA TO THE CITY OF RIVIERA BEACH; ACCEPTING FUNDS FROM PALM BEACH COUNTY DEVELOPMENT CORE REGIONS GRANT PROGRAM IN THE AMOUNT OF \$30,000 ON BEHALF OF "SISTERS IN THE POT"; PROVIDING A CASH MATCH IN THE AMOUNT OF \$7,500; AUTHORIZING THE FINANCE DIRECTOR TO SET UP A BUDGET IN THE AMOUNT OF \$37,500; AND AUTHORIZING CITY STAFF TO SUBSEQUENTLY DEVELOP SUB GRANTEE AGREEMENT WITH SISTERS IN THE POT TO PERFORM MONITORING ACTIVITIES. ITEM WAS DELETED
2. RESOLUTION NO. 98-01 - A RESOLUTION OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, DESIGNATING THE FUTURE ANNEXATION BOUNDARIES OF THE CITY OF RIVIERA BEACH; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read into the record the referenced resolution.

A Motion was made by Councilperson Wade and seconded by Chair Pro-Tem Schnyer to approve the aforementioned resolution. **MOTION**

Gerald Ward (31 W. 20th Street) stated detail findings in opposition of resolution.

A discussion ensued amongst the City Council and staff.

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

3. RESOLUTION NO. 99-01 A RESOLUTION OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE FINANCE DIRECTOR TO REBATE \$63,954.72 IN EXCESS INTEREST EARNINGS FROM THE 1997 WATER & SEWER BONDS.

City Clerk Ward read into the record the referenced resolution.

A Motion was made by Councilperson Wade and seconded by Councilperson Blue to approve the aforementioned resolution. **MOTION**

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

4. RESOLUTION NO. 100-01 AMENDING RESOLUTION NO. 199-99 REGARDING THE CONDITION OF THE TRANSFER OF FEE SIMPLE TITLE OF A PORTION OF THE ABANDONED OLD SLIP ROAD RIGHT OF WAY TO J.S. FAMILY HOLDINGS, INC., A SUBSIDIARY OF VIKING YACHTS COMPANY, AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read into the record the referenced resolution.

A Motion was made by Councilperson Wilson and seconded by Chair Pro-Tem Schnyer to approve the aforementioned resolution. **MOTION**

Jacquie Lorie, 127 E 21st Street commented on construction commencing on city owned property.

A directive was given to the City Manager to provide an update regarding the improvements being made by the Viking Yachts Company. **DIRECTIVE**

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

APPROVED

5. **RESOLUTION NO. __101-01__ - A RESOLUTION OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REQUESTING THE PALM BEACH COUNTY COMMISSION REALLOCATE THE \$640,000 PUBLIC BOND FUNDS FOR BICENTENNIAL PARK TO THE NORTHWEST COMMUNITY CENTER; AND PROVIDING AN EFFECTIVE DATE.**

City Clerk Ward read into the record the referenced resolution.

A motion was made by **Councilperson Blue** and seconded by **Chair Pro-Tem Schnyer** to approve the aforementioned resolution. **MOTION**

Nora Mahoney, 2120 Broadway, spoke in opposition of approving resolution.

Gerald Ward, 31 W. 20th Street spoke in opposition of approving resolution.

Martha Babson, 156 E 21st Street spoke in opposition of approving resolution

Jacque Lorie, 127 E 21st Street, spoke in opposition of approving resolution.

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

6. **RESOLUTION NO. __102-01__ 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 ON BEHALF OF THE CITY BETWEEN EMPLOYEE, DENNIS WIDLANSKY AND THE CITY OF RIVIERA BEACH, SAID AGREEMENT ENTITLED "AGREEMENT AND RELEASE CONCERNING USE OF ACCUMULATED LEAVE FOR PENSION CALCULATION PURPOSES, EXCESS BENEFITS AND PAYOUT"; AND PROVIDING AN EFFECTIVE DATE.**

City Clerk Ward read into the record the referenced resolution.

City Manager Wilkins gave an overview of the matters surrounding this resolution.

A motion was made by **Chair Pro-Tem Schnyer** and seconded by **Councilperson Wilson** to approve the aforementioned resolution. **MOTION**

Barbara Wyly, 1550 W 13th Street, spoke in opposition of approving resolution.

Rev. William Burrs, former City Councilperson, 1500 W 30th Street, spoke in opposition of approving resolution.

Carolyn Killings, 311 W 23rd Street, spoke in opposition of approving resolution.

A lengthy discussion ensued amongst the City Council.

City Attorney Ryan stated for the record that the city has a very good defense and that the matter could be taken to court or wait for an action to be filed against the city; in either case she felt that the city would prevail. She stated that in the agenda package was an item concerning Matthew Russell. Mr. Russell refused negotiations and the resolution states that he would be treated like all other employees. This would put the burden on him to either accept this or file a lawsuit against the city.

Upon a roll call by City Clerk Ward, the vote was 3-2 with Councilperson Wade and Councilperson Blue dissenting. **MOTION APPROVED**

7. **RESOLUTION NO. __103-01__ - 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 ON BEHALF OF THE CITY BETWEEN EMPLOYEE, JERRY POREBA AND THE CITY OF RIVIERA BEACH, SAID AGREEMENT ENTITLED "AGREEMENT AND RELEASE CONCERNING USE OF ACCUMULATED LEAVE FOR PENSION CALCULATION PURPOSES, EXCESS BENEFITS AND PAYOUT"; AND PROVIDING AN EFFECTIVE DATE.**

City Clerk Ward read into the record the referenced resolution.

City Manager Wilkins gave an overview of matters surrounding this resolution.

A motion was made by **Chair Pro-Tem Schnyer** and seconded by **Councilperson Wilson** to approve the aforementioned resolution. **MOTION**

Rev. William Burrs, former City Councilperson, 1500 W 30th Street, spoke in opposition of approving resolution.

Barbara Wyly, 1550 W 13th Street, spoke in opposition of approving resolution.

A lengthy discussion ensued amongst the City Council and staff.

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

8. **RESOLUTION NO. __104-01__ - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, STATING ITS POSITION ON THE ISSUE OF ACCUMULATED LEAVE FOR PENSION CALCULATION PURPOSES AS IT RELATES TO EMPLOYEE, MATTHEW RUSSELL.**

City Clerk Ward read into the record the referenced resolution.

A motion was made by **Chair Pro-Tem Schnyer** and seconded by **Councilperson Blue** to approve the aforementioned resolution.
MOTION

City Attorney Ryan gave an overview on the matters surrounding this resolution.

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

9. **RESOLUTION NO. _____ - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING PAYMENT TO RAPIDS WATER PARK IN THE AMOUNT OF \$11,000 FOR THE REMOVAL AND DELIVERY OF 22 CEMENT LIGHT POLES DONATED TO THE CITY OF RIVIERA BEACH PARKS AND RECREATION DEPARTMENT; AND AUTHORIZING THE FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NUMBER 305-1232-5720-6405 AND PROVIDING AN EFFECTIVE DATE. ITEM WAS DELETED**
10. **RESOLUTION NO. __105-01__ - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROPRIATING FUND BALANCE IN THE GENERAL CARRYOVER FUND IN THE AMOUNT OF \$19,764 AND AUTHORIZING THE RECREATION DEPARTMENT TO PURCHASE FOUR (4) 1995 CHANCE COACH, INC. MANUFACTURED BUSES FROM PALM BEACH COUNTY PALM TRAN IN THE AMOUNT OF \$4,941 EACH FOR A TOTAL OF \$19,764; AND AUTHORIZING THE FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NUMBER**

001-00-399999 AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read into the record the referenced resolution.

A motion was made by **Councilperson Wade** and seconded by **Councilperson Blue** to approve the aforementioned resolution. **MOTION**

A discussion ensued amongst the City Council and staff.

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

11. **RESOLUTION NO. __106-01__ - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE FINAL MASTER PLANS FOR DAN CALLOWAY RECREATION COMPLEX DEVELOPED BY CONSULTANT AND ARCHITECTS JON BLOSS BLEHAR, AIA, P.A. OF 1531 N. FEDERAL HIGHWAY, LAKE WORTH, FLORIDA AND THE DEPARTMENT OF PARKS AND RECREATION; AND PROVIDING AN EFFECTIVE DATE.**

City Clerk Ward read into the record the referenced resolution.

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Blue** to approve the aforementioned resolution. **MOTION**

A presentation was made by **Jon Blehar**.

A discussion ensued amongst the City Council and staff.

Gerald Ward, 31 W. 20th Street, spoke in opposition of approving resolution.

An amendment was made to the resolution and project plan to state the following – final plan for Phase I and that dry retention areas be fenced.

An amended motion was made by **Councilperson Wilson** and seconded by **Councilperson Blue** to modify the resolution and the Phase I plan to reflect the aforementioned changes. **AMENDED MOTION**

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

12. **RESOLUTION NO. __107-01__ - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PLAM BEACH COUNTY, FLORIDA, AUTHORIZING THE FINANCE DIRECTOR TO INCREASE THE LEGISLATIVE DEPARTMENT BUDGET FOR FISCAL YEAR 2000 – 2001 BY \$25,000 TO COVER INCREASED TRAVEL COSTS AND OFFICE EXPENSES.**

City Clerk Ward read into the record the referenced resolution.

A motion was made by **Councilperson Wade** and seconded by **Chair Pro-Tem Schnyer** to approve the aforementioned resolution. **MOTION**

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

13. **DISCUSSION OF APPROPRIATING FUNDS FOR AQUATIC CENTER PROJECT IN THE AMOUNT OF \$1,434,825.**

City Manager Wilkins stated that the total amount of the project was \$3,367,000 but staff was requesting authorization to include the deficit of \$1,434,825 in the

proposed \$5M loan for capital improvement.

Gerald Ward, 31 W. 20th Street, spoke in reference to project delays that will cost the city additional funding before the project is completed.

A motion was made by **Councilperson Wade** and seconded by **Chair Pro-Tem Schnyer** to approve staff's request. **MOTION**

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

14. **RESOLUTION NO. 108-01 A RESOLUTION AUTHORIZING THE PURCHASE OF A TELEPHONE NETWORK/SYSTEM REPLACEMENT IN THE AMOUNT OF \$215,419.**

City Clerk Ward read into the record the referenced resolution.

A motion was made by **Councilperson Blue** and seconded by **Chair Pro-Tem Schnyer** to approve the aforementioned resolution. **MOTION**

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

15. **RESOLUTION NO. 109-01 A RESOLUTION AUTHORIZING THE INCREASE OF A PROPOSED CAPITAL PROJECT LOAN, NOT TO EXCEED \$5 MILLION AND AUTHORIZING THE FISCAL ADVISOR TO RECOMMEND THE BEST METHOD OF FINANCING.**

The resolution was read into the records.

A motion was made by **Councilperson Blue** and seconded by **Chair Pro-Tem Schnyer** to approve the aforementioned resolution. **MOTION**

A discussion ensued amongst the City Council and staff.

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

16. **RESOLUTION NO. 110-01 A RESOLUTION APPROVING THE APPOINTMENT OF JACKSON SECURITIES, INC. AS THE CITY'S LEAD BOND UNDERWRITER.**

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Blue** to approve the aforementioned resolution. **MOTION**

A discussion ensued amongst the City Council and staff.

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

17. **RESOLUTION NO. 111-01 A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT IN THE AMOUNT OF \$15,000 WITH CREATIVE FIREWORKS COMPANY, INC.**

A motion was made by **Chair Pro-Tem Schnyer** and seconded by **Councilperson Wilson** to approve the aforementioned resolution. **MOTION**

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

IX. CITY ATTORNEY'S REPORT:

X. STATEMENTS FROM THE PUBLIC (TWO MINUTES):

Rev. William Burrs, former City Councilperson, 1500 W 30th Street, spoke in opposition to actions taken by the City Council regarding employee contract resolutions.

Rev. Herman McCray, 2315 Avenue S, spoke in opposition of the procedure used by the City Council allowing the public to speak on items on the agenda.

Robert Lawson, 1438 Broadway, commented on the demolition of homes located behind Island Seafood in time for the July 4th Celebration.

A discussion ensued.

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Blue** to issue a check in the amount of \$5,000 to company in which Mr. Lawson hired to demolish the vacant homes on his property. **MOTION**

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

Mark Golden, PO Box 30836, Palm Beach Gardens, spoke in reference to a memo received from the City Manager regarding the procedure for holding a rally.

Sherry Simmons, Riviera Beach, commented on the actions of certain individuals desiring to abolish the City Charter.

Michael Mahoney, 2120 Broadway, commented on City Main Street improvements and support for the Police Department.

XI. RECOMMENDATIONS AND DISCUSSION FROM MAYOR & COUNCIL:

Mayor Brown stated that the Secretary of Transportation for the state personally called and advised that he supported the city's plan and wanted the city to continue move forward. He also advised that there were other economic development dollars available that the city's lobbyist is currently working on.

XII. ADJOURNMENT

There being no further business, the meeting was duly adjourned at 12:15 a.m.

APPROVED:

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MICHAEL D. BROWN, MAYOR

EDWARD RODGERS, CHAIRPERSON

ATTEST:

cward.gif (643 bytes)



dschnyer.gif (881 bytes)



**CARRIE E. WARD, CMC/AE
CITY CLERK**

DAVID G. SCHNYER, CHAIR PRO-TEM

dwilson.gif (865 bytes)



**DONALD R. WILSON
COUNCILPERSON**

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

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

**SYLVIA LEE BLUE
COUNCILPERSON**

ewade.gif (1297 bytes)



**ELIZABETH "LIZ" WADE
COUNCILPERSON**

DATE APPROVED: 07/03/2001