

**CITY OF RIVIERA BEACH, FLORIDA
REGULAR CITY COUNCIL MEETING
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, DECEMBER 19, 2001, 7:30 P.M.**

I. CALL TO ORDER:

Roll Call

Chairperson Rodgers was present and presided. The following were present: Mayor Michael D. Brown, Chair Pro-Tem David G. Schnyer, Councilperson Donald R. Wilson, Councilperson Elizabeth "Liz" Wade, Councilperson Sylvia Lee Blue. Also present were City Manager William E. Wilkins, Deputy City Clerk Claudene Robinson, and City Attorney Pamala Ryan.

City Clerk Ward was absent.

Invocation/Pledge of Allegiance

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

II. AGENDA APPROVAL:

A motion was made **Chair Pro-Tem Schnyer** and seconded by **Councilperson Wilson** to move the Public Comments Section prior to the Consent Agenda.

MOTION

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

APPROVED

City Manager Wilkins requested that Item No.19 and Item No. 20 be placed on page 8 after Item No. 16. He proceeded to read the Addition, Deletion, Substitution, & Revision into the record.

Deputy City Clerk Robinson stated that there was correspondence from City Clerk Carrie Ward to be read into the record under Petitions and Communications for Filing.

A motion was made by **Councilperson Wade** and seconded by **Councilperson Blue** to adopt the Agenda as Amended. **MOTION**

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

APPROVED

IV. AWARDS AND PRESENTATIONS:

ITEM NO. 1

Doretha Perry Director of Human Resources presented McKinley McAfee with a Certificate of Appreciation for 5 years of service as an employee of Riviera Beach.

ITEM NO.1(1)

City Manager Wilkins presented the following with a Certificate of Appreciation for volunteering their time in the City's Education Partnership Program. City Attorney Pamala Ryan, Det. Alexander Freeman, Councilperson Sylvia Blue, Sgt. James Patterson, Ofc. Chris Freeman, Ofc. Ronald Campbell, Felicia Scott, Mayor Michael Brown, and Ofc. Tanzy Vassell.

ITEM NO.2

Doretha Perry, Director of Human Resources introduced the following new employees for the month of November: Harry Freeman Jr. (Firefighter), John Wright (Firefighter), and Glendora Williams (Accounting Clerk).

V. STATEMENTS FROM THE PUBLIC (TWO MINUTES):

Ray Bean, 3040 Lakeshore Dr., commented on the proposed rehabilitation center to be and then expressed his disapproval.

Michael Schankin, 3040 Lakeshore Dr., expressed his disapproval on the proposed rehabilitation center.

Morley & Mary Lou Rosenberg, 3040 Lakeshore Dr., commented on the proposed rehabilitation Center and expressed disapproval.

John Crosby, 3040 Lakeshore Dr., commented on the proposed rehabilitation center, and expressed his disapproval.

Gerald Ward, 31 W. 20th Street, commented on discussions that he had with the Department of Community Affairs and that the City's Comprehensive Plan was found in conformance. He also stated that a notice would be published December 31, 2001 that will allow citizens 21 days to file petitions for administrative review.

Phyllis F. Perelman, 3040 Lakeshore Dr., commented on the proposed rehabilitation center and expressed her disapproval.

Sal Abruscado, 3040 Lakeshore Dr., commented on the proposed rehabilitation center and expressed his disapproval.

Stephen Stoieff, 3040 Lakeshore Dr., commented on the proposed rehabilitation center and expressed his disapproval.

Steve Frank, 3040 Lakeshore Dr., commented on the proposed rehabilitation center and expressed his disapproval.

Rev. Rheba B. Johnson, 3040 Lakeshore Dr., commented on the proposed rehabilitation center and expressed her disapproval.

Councilperson Blue commented on the concerns of the residences of 3040 Lakeshore Dr.

VI. 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 DECEMBER 3, 2001.

2) RESOLUTIONS:

ITEM NO. 4

RESOLUTION NO. 234-01 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING PAYMENT TO McGUIRE WOODS, LLP, 1170 PEACHTREE STREET, N.E., SUITE 2100 ATLANTA, GA 30309 IN THE AMOUNT OF \$5,202.56 FOR PROFESSIONAL LEGAL SERVICES PERFORMED IN THE MATTER OF BROCHU AND PBA; AND AUTHORIZING THE MAYOR AND INTERIM FINANCE DIRECTOR TO MAKE PAYMENT FOR SAME UNDER ACCOUNT NO. 001-0512-519-0-3101.

ITEM NO. 5

RESOLUTION NO. 235-01 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE FINAL PAYMENT TO BARKER, OSHA & ANDERSON (BOA), INC. FOR PROFESSIONAL ENGINEERING CONSTRUCTION SERVICES RELATED TO PHASE II SEWER SYSTEM EVALUATION SURVEY AND PHASE IIIA RESTORATION OF COLLECTION SYSTEM AT A TOTAL COST OF \$15,960.27 AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 407-1417-5360-4606.

ITEM NO. 6

RESOLUTION NO. 236-01 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING PAYMENT TO THE FLORIDA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$205,990 FOR THE REPLACEMENT OF WATER MAINS AND SEWER FORCE MAINS LOCATED FROM MILITARY TRAIL TO I-95; AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 403-1438-5350-6508.

ITEM NO. 7

RESOLUTION NO. 237-01 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, SETTING UP A BUDGET IN THE AMOUNT OF \$20,000 FOR THE 2002 DR. MARTIN LUTHER KING, JR. BIRTHDAY CELEBRATION, AND AUTHORIZING THE TRANSFER OF \$15,000 FROM THE GENERAL FUND SPECIAL ACTIVITIES ACCOUNT #001-0203-519-0-5507 TO THE DONATION FUND.

ITEM NO. 8

RESOLUTION NO. 238-01 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO TERMINATE THE 1991 TRACKAGE AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND THE FLORIDA EAST COAST RAILWAY COMPANY FOR THE DELIVERY OF CHEMICALS TO THE WATER TREATMENT PLANT VIA RAILCAR.

ITEM NO. 8(1)

RESOLUTION NO. 239-01 A RESOLUTION OF THE CITY OF COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDED THE INSTALLATION OF A TRAFFIC SIGNAL ON MILITARY TRAIL AT LEO LANE TO DESIGNED TRAFFIC INSTALLATION COMPANY UNDER THE TERMS AND CONDITIONS OF THE PALM BEACH COUNTY ANNUAL TRAFFIC SIGNAL

CONTRACT, PROJECT NO. 99056 AND PROVIDING FOR AN EFFECTIVE DATE.

ITEM NO. 9

RESOLUTION NO. 240-01 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 CALVIN, GIORDANO & ASSOCIATES, INC. OF WEST PALM BEACH, FLORIDA IN THE AMOUNT OF \$23,814 TO PROVIDE PLANS AND SPECIFICATION FOR THE UTILITIES DEPARTMENT'S SHARE TO RELOCATE THE WATER MAINS IN CONJUNCTION WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION'S WIDENING OF MILITARY TRAIL FROM 45TH STREET TO BLUE HERON BOULEVARD PROJECT; AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 403-0000-5330-4606.

ITEM NO. 10

RESOLUTION NO. 241-01 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND THE LEGAL FIRM OF GREENBERG TAURIG, PA. TO PROVIDE LEGAL SERVICES TO THE UTILITIES DEPARTMENT.

ITEM NO. 11

RESOLUTION NO. 242-01 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$3,013,000 CAPITAL PROJECTS NOTES, SERIES 2001 TO FINANCE THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF CAPITAL PROJECTS IN THE CITY; COVENANTING TO BUDGET AND APPROPRIATE FUNDS, FROM LEGALLY AVAILABLE NON-AD VALOREM REVENUES, TO REPAY SUCH NOTES; PRESCRIBING THE FORM, TERMS AND DETAILS OF SUCH NOTES; AWARDING THE NOTES TO FIRST UNION NATIONAL BANK BY NEGOTIATED SALE. MAKING CERTAIN CONVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; DESIGNATING THE NOTES AS A "QUALIFIED TAX-EXEMPT OBLIGATION" WITHIN THE MEANING OF SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; AND PROVIDING AN EFFECTIVE DATE.

ITEM NO. 12

RESOLUTION NO. 243-01 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$2,006,398.82 PUBLIC UTILITY REVENUE REFUNDING NOTES, SERIES 2001 TO REFUND THE CITY'S PUBLIC UTILITY REVENUE NOTES, SERIES 1996; PROVIDING FOR THE PAYMENT OF SUCH NOTES FROM THE HALF-CENT SALES TAX; ADDITIONALLY COVENANTING TO BUDGET AND APPROPRIATE ADDITIONAL FUNDS, FROM LEGALLY AVAILABLE NON-AD VALOREM REVENUES, TO MAKE SUCH PAYMENTS; PRESCRIBING THE FORM, TERMS AND DETAILS OF SUCH NOTES; AWARDING THE NOTES TO FIRST UNION NATIONAL BANK BY NEGOTIATED SALE; MAKING CERTAIN CONVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; DESIGNATING THE NOTES AS A "QUALIFIED TAX-EXEMPT OBLIGATION" WITHIN THE MEANING OF SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; AND PROVIDING AN EFFECTIVE DATE.

ITEM NO. 13

RESOLUTION NO. 244-01 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, DIRECTING THE

CITY CLERK TO PUBLISH A NOTICE OF THE MUNICIPAL ELECTION TO BE HELD TUESDAY, MARCH 12, 2001 FROM 7:00 AM UNTIL 7:00 PM WITHIN THE MUNICIPAL BOUNDARIES TO FILL THE EXPIRED SEATS TO WIT: DISTRICT TWO (2); AND DISTRICT FOUR (4) RESPECTIVELY. DESIGNATING A CANVASSING BOARD; AND PROVIDING AN EFFECTIVE DATE.

ITEM NO. 14

AN OFF-SITE VALET PARKING APPLICATION FROM THE SAILFISH MARINA AND RESTAURANT LOCATED IN THE TOWN OF PALM BEACH SHORES PROPOSING TO USE 50 PARKING SPACES LOCATED IN AN EXISTING PARKING GARAGE LOCATED AT 2655 NORTH OCEAN DRIVE.

ITEM NO. 15

AN OFF-SITE VALET PARKING APPLICATION FROM THE RADISSON HOTEL LOCATED IN THE TOWN OF PALM BEACH SHORES PROPOSING TO USE 60 PARKING SPACES LOCATED ON EXISTING PARKING LOTS WITHIN THE CITY OF RIVIERA BEACH.

3) PETITIONS AND COMMUNICATIONS FOR FILING:

Deputy Clerk Robinson read into the record a correspondence from City Clerk Ward educating the residences of Riviera Beach about the new voting machines and procedures. She then advised them that the machines will be displayed at the Mt. Olive Baptist Church on January 17, 2002 at 4pm. Immediately following the machines will be displayed at the condominium units located on Singer Island. She lastly stated that the machines would be displayed at the City Hall in the month of February with a time and date to be announced. Ms. Ward encouraged the residents to call the Elections Office as often as they have social events to request demos of the new voting equipment.

END OF CONSENT AGENDA

A motion was made by **Chair Pro-Tem Schnyer** and seconded by **Councilperson Wilson** to accept the Consent Agenda. **MOTION**

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

VII. PUBLIC HEARING:

ITEM NO 16

PUBLIC HEARING SCHEDULED AT 8:00 P.M. TO DESCRIBE AND DISCUSS THE LOCAL IMPLICATIONS OF THE RISK MANAGEMENT PLAN FOR THE WATER TREATMENT FACILITY PURSUANT TO PUBLIC LAW 106-40 SECTION 112(r)(7)(B)(ii) OF THE CLEAN AIR ACT.

Deputy City Clerk Robinson announced the scheduled public hearing and stated that the notice was published in the December 9, 2001 edition of the Palm Beach Post.

Edward Sierra, Director of Utilities, gave a presentation on the local implications of the Risk Management Plan for the water treatment facility pursuant to Public Law 106-4 section 112(r)(7)(B)(ii) of the Clean Air Act.

A motion was mad by **Councilperson Wade** and seconded by **Chair Pro-Tem Schnyer** to approve the completed Risk Management Plan for the City of Riviera Beach's Water Treatment Facility. **MOTION**

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

APPROVED

ORDINANCES ON SECOND READING:

ITEM NO. 17

ORDINANCE NO. 2910 AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE COMPREHENSIVE PLAN BY PROVIDING A TEXT AMENDMENT TO THE CAPITAL IMPROVEMENT ELEMENT; ADDING DEFINITIONS TO THE COMPREHENSIVE PLAN; AND PROVIDING A NEW ELEMENT ENTITLED "PUBLIC SCHOOL FACILITIES"; PROVIDING A CONFLICT CLAUSE AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Deputy City Clerk Robinson read the aforementioned ordinance.

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Blue** to approve Ordinance No.2910. **MOTION**

Deputy City Clerk Robinson stated that the ordinance was published in the December 4, 2001 edition of the Palm Beach Post.

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

VIII. ORDINANCES ON FIRST READING:

ITEM NO. 18

ORDINANCE NO. 2911 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, RELATING TO FIRE PREVENTION AND PROTECTION; REPEALING SECTIONS 6-7, 6-31, 6-32, 6-33, AND 6-34 OF CHAPTER 6 FIRE PREVENTION AND PROTECTION OF THE CITY'S CODE OF ORDINANCES, ADOPTING THE FLORIDA FIRE PREVENTION CODE; ADOPTING LOCAL AMENDMENTS TO THE FLORIDA FIRE PREVENTION CODE; PROVIDING A PENALTY FOR VIOLATIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Deputy City Clerk Robinson read the aforementioned ordinance.

A motion was made by **Chair Pro-Tem Schnyer**, and seconded by **Councilperson Wade** to approve Ordinance No. 2911. **MOTION**

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

ITEM NO.19

ORDINANCE NO. 2912 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ADOPTING THE INLET HARBOR CITY OF RIVIERA BEACH REDEVELOPMENT PLAN MODIFICATION 2001; DIRECTING THAT THE PLAN BE CARRIED OUT IN ACCORDANCE WITH ITS TERMS; SUBMITTING SAID PLAN TO EACH TAXING AUTHORITY THAT LEVIES AD VALOREM TAXES ON TAXABLE REAL PROPERTY CONTAINED WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE REDEVELOPMENT AREA; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CONFLICTS CLAUSE; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Deputy City Clerk Robinson read the aforementioned ordinance.

Mary McKinney Director of Community Development gave a presentation on the steps taken by the City to establish the boundaries for the redevelopment area.

A motion was made by **Councilperson Wilson** and seconded by **Chair Pro-Tem Schnyer** to approve Ordinance No. 2912. **MOTION**

Joseph P. & Joan Hayes, 310 Wilma Cir., commented on the Inlet Harbor Project and expressed disapproval.

City Manager Wilkins stated that Ms McKinney would explain the difference between the Inlet Harbor Project and the Inlet Harbor Plan in effort to eliminate confusion.

Mary McKinney Director of Community Development explained the Inlet Harbor Project at the request of the city manager.

Councilperson Blue requested that Ms McKinney explained the type of permits obtained by the developer for the Inlet Harbor Project.

Ms McKinney stated that the developer had an Army Corp of Engineers permit, a Department of Environmental Protection permit to build the bulkhead, and a city's issued building permit for building of the bulkhead.

Mike Mahoney, 2120 Broadway Dee's Tee's, commented on the proposed ordinance and expressed his disapproval.

Marty Perry, 1645 Palm Beach Lakes Blvd., representative of Inlet Marina of Palm Beach Limited, commented on the proposed ordinance and expressed their support of the City and CRA Development Plan.

Edward Moore, 1333 W 9th Street, representative of the P.E.A.C.E. Organization commented on the proposed ordinance, the compensation for homeowners and business owners who will be relocated, and the employment opportunities for the residents.

James Moore, 1410 Ave E, commented on the proposed ordinance and the current economic conditions.

Bill Mars, Mariner 1429 Broadway, commented on the proposed redevelopment plans.

Richard Beck, 1509, 1517 Ave. C, commented on the redevelopment plan and the lack of communication between the CRA and the effected residents and business owners.

Martin E. Murphy, 1724 Ave."C", commented on the proposed redevelopment plan.

Ann Woodall, 19154 Basin Street, commented on the proposed redevelopment plan and its affect on Conchtown.

Javier Del Sol, 208 South "L" Street, commented on the proposed plan and the sensitivity of the Native American issues within the proposed boundaries.

Sheridan Murphy, 136 4th Street North, commented on the proposed redevelopment plan and the necessity of having an archeological survey completed.

Commissioner Addie Green, 1617 Boardman Mangonia Park, commented on the proposed redevelopment plan and voiced her support of the project.

Jacque Loriol, 127 East 21st Street, commented on the proposed redevelopment plan and her disapproval of the eminent domain section of the plan.

Martha Babson, 156 East 21st Street, commented on the redevelopment plan.

John Sprague, 10918 Larcil Court, Palm Beach Gardens, commented on the proposed ordinance and the redevelopment plan.

Harry Smith, 340 Wilma Cir., commented on the steps taken in moving forward with the redevelopment plan.

Wayne Creber, 2010 Ave. "B", commented on the redevelopment plan and expressed his support.

Bob Basse, 2010 Ave. "B", commented on the redevelopment plan.

Marilyn Moffit, 350 Wilma Cir., commented on the redevelopment plan.

Sally Wishovich, 40 East 15th Street, expressed her disapproval of the redevelopment plan.

Gerald Ward, 31 West 20th Street, stated that he submitted a letter to be made a part of the record and commented on the redevelopment plan; actions of staff; and he made suggestions on how an improved plan could be accomplished with the help of other agencies.

Larry Smith, 1061 Morse Blvd., commented on the redevelopment plan and expressed his approval.

Rev. Griffin Davis, Hilltop Baptist Church, gave his approval of the redevelopment plan.

Earline Weston, 3029 Avenue "T", commented on her approval on the redevelopment plan.

Jim Walsh, 149 East 21st Street, commented on his disapproval on the redevelopment plan.

Mr. Cherry, Kimberly Horne Consultants, stated that he took notes on the concerns expressed and that a full cultural resource assessment would be conducted.

Councilperson Wade stated that she was in support of the plan but her first obligation was to the residents of the city and she would work hard to get the people what they wanted.

Chair Pro-Tem Schnyer gave his support for the redevelopment plan.

Councilperson Wilson commented in support of the redevelopment plan.

Councilperson Blue commented in support of the redevelopment plan.

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

IX. CITY MANAGER'S DISCUSSION:

ITEM NO. 20

RESOLUTION NO. ___245-01___ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE INLET HARBOR CITY OF RIVIERA BEACH REDEVELOPMENT PLAN MODIFICATION 2001; DIRECTING THAT THE PLAN BE CARRIED OUT IN

ACCORDANCE WITH ITS TERMS; SUBMITTING SAID PLAN TO EACH TAXING AUTHORITY THAT LEVIES AD VALOREM TAXES ON TAXABLE REAL PROPERTY CONTAINED WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE REDEVELOPMENT AREA; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A CONFLICTS CLAUSE; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Deputy City Clerk Robinson read the aforementioned resolution.

A motion was made by **Chair Pro-Tem Schnyer**, and seconded by **Councilperson Wilson** to approve Resolution No. 245-01. **MOTION**

Gerald Ward, 31 West 20th Street, commented on Resolution No. 245-01.

Councilperson Wade requested that staff provide a memo regarding the actions of the Planning and Zoning Board. **DIRECTIVE**

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

ITEM NO. 21

RESOLUTION NO. __246-01__ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THAT THE 2001-2002 BUDGET OF THE PUBLIC WORKS DEPARTMENT STREETS AND CANALS DIVISION BE AMENDED BY DELETING ONE (1) CLASSIFIED MAINTENANCE WORKER II AND ADDING THE CLASSIFIED POSITION OF MAINTENANCE MECHANIC UNDER CLASS TITLE PUBLIC WORKS SERVICE AND PROVIDING AN EFFECTIVE DATE.

Deputy City Clerk Robinson read the aforementioned resolution.

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Blue** to approve resolution No. 246-01. **MOTION**

A discussion ensued amongst the City Council and staff. The City Council requested that a workshop be scheduled to discuss the need for additional positions within various departments and the resources available to fund same within 30 days.

Upon a roll call by Deputy City Clerk Robinson, the vote was 3-2 with Councilperson Wade, and Chair Pro-Tem Schnyer dissenting. **MOTION APPROVED**

ITEM NO. 22

RESOLUTION NO. __247-01_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THAT THE PAY & CLASSIFICATION PLAN BE AMENDED BY DELETING THE CLASSIFIED POSITION OF PROPERTY MAINTENANCE TECHNICIAN UNDER CLASS TITLE PUBLIC WORKS SERVICE AND PROVIDING AN EFFECTIVE DATE.

Deputy City Clerk Robinson read the aforementioned resolution.

A motion was made by **Councilperson Blue**, and seconded by **Councilperson Wilson** to approve Resolution No.247-01. **MOTION**

A discussion ensued amongst council and staff.

Upon a roll call by Deputy City Clerk Robinson, the motion failed 3-2 with Councilperson Wade, Chair Pro-Tem Schnyer, and Chairperson Rodgers dissenting.

MOTION FAILED

ITEM NO. 23

RESOLUTION NO. __248-01__ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE PAY AND CLASSIFICATION PLAN BY CREATING THE CLASSIFIED POSITION OF PLANNING TECHNICIAN UNDER CLASS TITLE PLANNING AND AUTHORIZING THE TRANSFER OF \$5,219.00 FROM GENERAL FUND CONTINGENCY ACCOUNT NUMBER 001-0203-519-0-5999 TO COMMUNITY DEVELOPMENT DEPARTMENT SALARY AND RELATED BENEFITS ACCOUNT AND PROVIDING AN EFFECTIVE DATE.

ITEM DELETED PER CITY MANAGER WILKINS' REQUEST

ITEM NO. 23(1)

RESOLUTION NO. 252-01 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE PAY AND CLASSIFICATION PLAN BY CREATING THE CLASSIFIED POSITION OF ACCOUNTANT II UNDER CLASS TITLE FINANCE AND AUTHORIZING THE TRANSFER OF \$31,308 FROM GENERAL FUND CONTINGENCY ACCOUNT NUMBER 001-0203-519-0-5999 TO THE FINANCE DEPARTMENT SALARY AND RELATED BENEFITS ACCOUNT, AND PROVIDING EFFECTIVE DATE.

Deputy City Clerk Robinson read the aforementioned resolution.

A motion was made by **Councilperson Wilson** and seconded by **Councilperson Blue** to approve Resolution No. 252-01. **MOTION**

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

ITEM NO. 24

RESOLUTION NO. __249-01__ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE BUDGET OF THE COMMUNITY DEVELOPMENT DEPARTMENT BY RECLASSIFYING THE CLASSIFIED POSITION OF STAFF ASSISTANT I TO THE NEW POSITION OF PLANNING TECHNICIAN AND AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER \$5,218.87 FROM THE GENERAL FUND CONTINGENCY ACCOUNT NO. 001-0203-519-0-5999 TO THE COMMUNITY DEVELOPMENT DEPARTMENT ADMINISTRATION SALARY ACCOUNT NO. 001-0714-5150-1201; AND PROVIDING AN EFFECTIVE DATE.

ITEM DELETED PER CITY MANAGER WILKINS' REQUEST

ITEM NO. 25

RESOLUTION NO. _250-01_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO RELEASE CODE ENFORCEMENT LIEN ON PROPERTY LOCATED AT 1440 W. 31ST STREET, ACREHOME PARK #2, BLK 14, LT 39-42, RIVIERA BEACH FOR VIOLATIONS THAT ARE IN COMPLIANCE FOR THE AMOUNT OF \$1,625; AUTHORIZING THE MAYOR AND CITY CLERK TO ISSUE A RELEASE OF LIEN ON SAID PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

Deputy City Clerk Robinson read the aforementioned resolution.

A motion was made by **Councilperson Wade**, and seconded by **Councilperson Wilson** to approve Resolution No. 250-01. **MOTION**

Upon a roll call by Deputy City Clerk Robinson, the vote was 4-1 with Chair Pro-Tem Schnyer dissenting. **MOTION APPROVED**

ITEM NO. 26

DISCUSSION REGARDING UPDATING THE CITY OF RIVIERA BEACH'S INVESTMENT POLICY IN RESPONSE TO SEPTEMBER 30, 2000 AUDIT FINDINGS.

A motion was made **Councilperson Wade** and seconded by **Councilperson Blue** to approve the City's Investment Policy. **MOTION**

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

ITEM NO. 27

RESOLUTION NO. __253-01__ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENTS FROM ACCOUNT NO. 602-0539-5130-3101 IN THE AMOUNT OF \$468,933 TO ARTHUR J. GALLAGHER & CO. FOR PLACEMENT OF THE CITY'S PUBLIC OFFICIALS EMPLOYMENT PRACTICES LIABILITY COVERAGES WITH LEXINGTON INSURANCE COMPANY (DELETED)

RESOLUTION NO. 251-01 A RESOLUTION OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REQUESTING PAYMENT ROSE LAW FIRM EA 215 5TH WEST PALM BEACH FLORIDA, 33401 IN THE AMOUNT \$8,005.03 FOR PROFESSIONAL LEGAL SERVICES PERFORMED IN THE MATTERS OF BUNCH, MCDYER AND YOUNG AND AUTHORIZING THE MAYOR AND INTERIM FINANCE DIRECTOR TO MAKE PAYMENT FROM ACCOUNT 001-05-12-5190-3101.

Deputy City Clerk Robinson read the aforementioned resolution.

A motion was made by **Councilperson Wilson** and seconded by **Chair Pro-Tem Schnyer** to approve Res. No.251-01. **MOTION**

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

X. CITY ATTORNEY'S REPORT:

City Attorney Ryan reminded council and staff of the Closed Executive Session previously scheduled for December 20, 2001 at 6pm.

XI. RECOMMENDATIONS AND DISCUSSION FROM MAYOR & COUNCIL:

Councilperson Blue requested that her colleagues support her efforts in providing additional Code Enforcement personnel.

Councilperson Wilson commended Chair Pro-Tem Schnyer for representing the city in addressing the concern to the County.

Chairperson Rodgers asked the desire of the City Council regarding the upcoming Agenda Review Meeting and the regular scheduled City Council Meeting.

There was a consensus of the City Council to cancel the Agenda Review Meeting scheduled for December 31, 2001 and to continue as scheduled, the next regular City Council Meeting.

XII. ADJOURNMENT

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: 01/02/2002