

**CITY OF RIVIERA BEACH, FLORIDA
REGULAR CITY COUNCIL MEETING
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, MAY 03, 2000, 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 7:34 p.m. The following were present: Mayor Michael D. Brown, Chairperson Edward Rodgers, Chair Pro-Tem Elizabeth Wade, Councilperson Donald R. Wilson, Councilperson Sylvia Blue, and Councilperson David Schnyer. Also present were City Manager William E. Wilkins, City Clerk Carrie E. Ward, CMC/AEE, and Interim City Attorney Matthew Russell.

Invocation/Pledge of Allegiance

Everyone stood for a moment of silent prayer and remained standing for the pledge of allegiance to the flag.

II. PETITIONS AND COMMUNICATIONS FOR FILING:

None.

III. AGENDA APPROVAL:

Additions, Deletions, Substitutions

City Clerk Ward read into the record additions to the agenda.

Adoption of Agenda

Motion was made by Chair Pro-Tem Wade and seconded by Councilperson Blue to approve the Agenda as presented by City Clerk Ward. MOTION

Upon a roll call, the vote was unanimous. APPROVED

IV. AWARDS AND PRESENTATIONS:

RIVIERA BEACH FIRE RESCUE - NARRATED DRAMATIZATION OF EMERGENCY RESCUE PROCEDURES.

PROCLAMATION DESIGNATING MAY 14-20, 2000 AS EMERGENCY MEDICAL SERVICES WEEK - MAYOR MICHAEL D. BROWN.

EXPRESSIONS OF APPRECIATION TO COUNCILPERSON DONALD WILSON, CITY MANAGER WILLIAM WILKINS, LIBRARY DIRECTOR ANNE SUTTON, RECREATION DIRECTOR JOHN WILLIAMS, MS. ARNOLD, MS. WILLIAMS, AND MS. MITHCHELL - DELORES DAWSON (DAWSON ADULT CARE)

At this point, City Manager Wilkins commented regarding a representation (5/2/00) for the City of Riviera Beach by Mayor Brown on national television CSPAN-2-while attending the Black Mayors Conference.

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.

Item VIII-8 - Pulled for discussion - Councilperson Blue.

MINUTES:

MINUTES FROM REGULAR CITY COUNCIL MEETING HELD ON APRIL 19, 2000.

RESOLUTIONS:

RESOLUTION NO. 63-00 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE FIRE DEPARTMENT TO PURCHASE THIRTY-FOUR (34) SETS OF FIREFIGHTING PROTECTIVE CLOTHING UNDER THE CITY OF MARGATE GSA CONTRACT #GS-07F-0091H FROM SAFETY EQUIPMENT COMPANY OF TAMPA, FLORIDA, IN THE AMOUNT OF \$40,000.00 AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO MAKE PAYMENT FOR SAME FROM ACCOUNT NO 305-0920-5220-6403.

RESOLUTION NO. 64-00 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE INTEGRATION OF UTILITY-RELATED FUNCTION IN THE UTILITY BILLING DEPARTMENT AND RAGIS (RIVIERA AREA GEOGRAPHICAL INFORMATION SYSTEM) FOR THE CONVERSION OF THE WATER METERS FROM PAPER RECORDS TO RAGIS DATA LAYER AT A COST OF \$79,242.00; AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO 401-1417-5360-6404.

RESOLUTION NO. 65-00 - 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 LEASE AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH, FLORIDA, AS LESSOR, AND WOMEN SERVICE NETWORK, INC., AS LESSEE, FOR THE PREMISES LOCATED AT 25 WEST 23RD STREET AND THE PREMISES KNOWN AS THE "OLD FIRE STATION" LOCATED AT 47 WEST 23RD STREET, RESPECTIVELY; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

RESOLUTION NO. 66-00 - 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 AGREEMENT PROVIDING FOR THE EDUCATION AND TRAINING OF STUDENTS IN THE PARAMEDIC AND EMT PROGRAMS AT PALM BEACH COMMUNITY COLLEGE WITH THE DISTRICT BOARD OF TRUSTEES OF PALM BEACH COMMUNITY COLLEGE; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. 67-00 - 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 PROPOSED CONTRACT AWARD WITH T.L.C. DIVERSIFIED, INCORPORATED, THE SECOND LOWEST BIDDER FOR FLOWMETER AND PUMP VALVES REPLACEMENT AT THE AVENUE "U" MASTER LIFT STATION IN THE AMOUNT OF \$368,800.00; AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 402-0000-5350-4604.

RESOLUTION NO. 68-00 - 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 AUTHORIZATION TO PERFORM

ENGINEERING SERVICES AND ON-SITE OBSERVATION AND CONTRACT ADMINISTRATION DURING CONSTRUCTION TO BARKER, OSHA AND ANDERSON, INC. IN AN AMOUNT NOT EXCEEDING \$48,000.00 FOR FLOWMETER AND PUMP VALVES REPLACEMENT TO THE AVENUE "U" MASTER LIFT STATION FLOWMETER AND PUMP VALVES REPLACEMENT; PROPOSED CONTRACT AWARD TO T.L.C.DIVERSIFIED, INCORPORATED AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 402-0000-5350-4604.

Motion was made by Chair Pro-Tem Wade and seconded by Councilperson Wilson to approve the Consent Agenda as presented.

MOTION

Upon a roll call, the vote was unanimous. APPROVED

END OF CONSENT AGENDA

VI. PUBLIC HEARINGS:

A SPECIAL EXCEPTION AND SITE PLAN APPLICATION FROM ED WALLACE SPECIAL DEVELOPMENT CENTER TO CONVERT AN APARTMENT COMPLEX INTO AN AFTER SCHOOL CHILD CARE FACILITY LOCATED WEST OF OLD DIXIE HIGHWAY AT 501 W. 1ST STREET IN A CN (NEIGHBORHOOD COMMERCIAL) ZONING DISTRICT.

City Clerk Ward read into the record the referenced request for special exception.

Motion was made by Councilperson Wilson and seconded by Chair Pro-Tem Wade to approve. MOTION

Discussion ensued.

Upon a roll call, the vote was unanimous. APPROVED

ORDINANCES ON SECOND READING:

ORDINANCE NO. 2856 - AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE PAY AND CLASSIFICATION PLAN BY DELETING THE UNCLASSIFIED POSITIONS OF DEPUTY CITY MANAGER AND ASSISTANT CITY MANAGER FOR FINANCE AND ADMINISTRATIVE SERVICES AND CREATING THE UNCLASSIFIED POSITIONS OF ASSISTANT CITY MANAGER, FINANCE DIRECTOR, CHIEF OF STAFF, AND AGENDA COORDINATOR/BOARD ASSISTANT, UNDER CLASS TITLE ADMINISTRATIVE, GENERAL AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read into the record the referenced ordinance.

Motion was made by Councilperson Wilson and seconded by Councilperson Blue to approve. MOTION

Upon a roll call, the vote was unanimous. APPROVED

VII. ORDINANCES ON FIRST READING:

ORDINANCE NO. 2857 - AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE CITY ZONING ORDINANCE BY ADDING A NEW CHAPTER, ENTITLED WIRELESS SERVICE FACILITIES TOWER AND ANTENNA SITING; PROVIDING PURPOSE; PROVIDING DEFINITIONS; PROVIDING APPLICABILITY; PROVIDING AN APPLICATION PROCESS; PROVIDING GENERAL

REQUIREMENTS; PROVIDING SITING ALTERNATIVES HIERARCHY; PROVIDING CO-LOCATION REQUIREMENTS; PROVIDING NEW TOWER REQUIREMENTS; PROVIDING EXCEPTIONS; PROVIDING PROTECTION FOR RESIDENTS; PROVIDING ENFORCEMENT; PROVIDING SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Additional back-up: Memorandum from William E. Wilkins to Honorable Mayor and members of the city council regarding the minutes from Planning and Zoning Board's meeting.

City Clerk Ward read into the record the referenced Ordinance 2857.

Motion was made by Chair Pro-Tem Wade and seconded by Councilperson Wilson to approve. MOTION

A lengthy discussion ensued.

Upon a roll call, the vote was 4-1. APPROVED

Councilperson Blue dissented.

VIII. CITY MANAGER'S DISCUSSION:

1. RESOLUTION NO. 69-00 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING THE RECRUITING INITIATIVES FOR POLICE CANDIDATES; AND APPROVE THE TRANSFER OF \$12,000.00 FROM GENERAL FUND CONTINGENCY ACCOUNT #001-0822-5210-5403 FOR PAYMENT OF TUITION FEES AND EXPENSES FOR THE POLICE ACADEMY.

City Clerk Ward read into the record the referenced Resolution No. 69-00.

Motion was made by Councilperson Wilson and seconded by Chair Pro-Tem Wade to approve. MOTION

Upon a roll call, the vote was unanimous. APPROVED

2. RESOLUTION NO. 70-00 - 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 FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF RIVIERA BEACH AND ALCALDE & FAY, LTD., TO PROVIDE LOBBYIST REPRESENTATION AT THE FEDERAL LEVEL ON BEHALF OF THE CITY OF RIVIERA BEACH; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

City Clerk Ward read into the record the referenced Resolution No. 70-00.

Motion was made by Councilperson Wilson and seconded by Chair Pro-Tem Wade to approve. MOTION

Gerald Ward (31 W. 20th Street) commented.

Motion was amended by Councilperson Wilson and seconded by Chair Pro-Tem Wade that the referenced contract shall require a monthly-written report prior to each request for payment. AMENDED MOTION

Discussion ensued.

Upon a roll call, the vote was unanimous. APPROVED

3. REQUEST TO AUTHORIZE THE FINANCE DIRECTOR TO SET UP A BUDGET FOR

SUMMER CAMP 2000 AND AUTHORIZING THE CITY MANAGER TO SEEK ADDITIONAL FUNDING TO OFFSET THE COST OF THE PROJECT.

Back-up submitted on Summer Camp 2000.

Motion was made by Chair Pro-Tem Wade and seconded by Councilperson Blue to approve. MOTION

Upon a roll call, the vote was unanimous. APPROVED

4. DISCUSSION - FINANCE DIRECTOR'S SEMI-ANNUAL FINANCIAL REPORT.

Finance Director Dennis Widlansky commented regarding the necessity to workshop financial concerns prior to the budget workshop sessions.

5. DISCUSSION - RENEWAL OF WASTE COLLECTION CONTRACT WITH WASTE MANAGEMENT.

Additional back-up: Memorandum from William E. Wilkins to Honorable Mayor and city council regarding information obtained from Waste Management.

City Manager Wilkins commented regarding compliance processes to contract for waste collections and proceeded to elaborate. He indicated staff's recommendation to renew the referenced-contract with Waste Management for an additional five (5)-years.

Motion was made by Councilperson Blue and seconded by Councilperson Schnyer that staff enter negotiations with Waste Management for renewal, with modifications to the contract. MOTION

In the spirit of competition, Councilperson Wilson stated opposition to the motion.

Gerald Ward (31 W. 20th Street) commented in support of the motion and proceeded to elaborate.

Attorney Andrew DeGraffenreidt (Bayside Disposal-Dade County) commented.

John Albert (Waste Management) commented regarding incentive for renewal.

Chair Pro-Tem Wade commented regarding the loss of an enterprise account; however, she elaborated and indicated support for staff's recommendation.

Bettye Hodges (Harmony Heights) commented regarding inadequate service in her neighborhood. She encouraged support of contributions to the schools and community by Waste Management.

Matthew Russell (670 W. 37th Street) stated dissatisfaction for services provided by the referenced company and proceeded to elaborate.

Chairperson Rodgers encouraged the process of competition for the referenced service.

Upon a roll call, the vote was 3-2. APPROVED

Chairperson Rodgers and Councilperson Wilson dissented.

6. RESOLUTION NO. 72-00 - A RESOLUTION OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE FUNDING OF THE SENIORS PROGRAM BY APPROVING THE TRANSFER OF \$14,200.00 FROM POLICE FORFEITURE FUND ACCOUNT #150-0817-5210-3106 TO PARKS AND RECREATION ARTS & CRAFT ACCOUNT #001-1232-5720-5501 FOR THE SENIORS PROGRAM; AND FURTHER DIRECTING THE FINANCE DIRECTOR TO EXECUTE SAID

TRANSFER.

City Clerk Ward read into the record the referenced resolution.

Motion was made by Chair Pro-Tem Wade and seconded by Councilperson Wilson to approve. MOTION

Upon a roll call, the vote was unanimous. APPROVED

7. REQUEST CITY COUNCIL'S APPROVAL FOR EXCLUSIVE SPORTS MARKETING TO HOLD THE DANNON BEACH SOCCER SERIES ON MAY 6 AND 7, 2000 AT THE RIVIERA BEACH MUNICIPAL BEACH.

City Manager Wilkins indicated that the referenced request did not solicit financial support from the city.

Motion was made by Councilperson Wilson and seconded by Chair Pro-Tem Wade to approve. MOTION

Upon a roll call, the vote was unanimous. APPROVED

8. RESOLUTION NO. 73-00_ - A RESOLUTION OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE CITY TO HOST THE NORTH AMERICAN CORPORATE GAMES, THE TRIATHLON AND BEACH VOLLEYBALL IN RIVIERA BEACH ON SINGER ISLAND ON OCTOBER 29, 2000 AND NOVEMBER 28-29, 2000 RESPECTIVELY, AND APPROVING THE AMOUNT OF \$10,000.00 AND IN-KIND SERVICES TO NORTH AMERICAN CORPORATE GAMES TO FUND THESE EVENTS; AND FURTHER AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER \$10,000.00 FROM GENERAL ADMINISTRATION CONTINGENCY ACCOUNT #001-0203-5190-5999 TO GENERAL ADMINISTRATION SPECIAL EVENTS ACCOUNT NO. 001-0203-5190-5507.

City Clerk Ward read into the record the referenced Resolution No. 73-00.

Motion was made by Councilperson Wilson and seconded by Chair Pro-Tem Wade to approve. MOTION

Councilperson Blue stated concerns.

During a lengthy discussion, City Manager Wilkins, Pam Gherring (PBC Sports' Commission), and Hyacinthia Becton (500 W. 24th Street) commented in support of the referenced resolution.

Upon a roll call, the vote was unanimous. APPROVED

9. RESOLUTION NO. 74-00 - A RESOLUTION OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, INCREASING THE SALARIES OF ADMINISTRATIVE, SUPERVISORY & CONFIDENTIAL EMPLOYEES BY THREE PERCENT (3%) AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read into the record the referenced resolution.

Motion was made by Chair Pro-Tem Wade and seconded by Councilperson Wilson to approve. MOTION

Upon a roll call, the vote was unanimous. APPROVED

10. REQUEST FOR CLOSED EXECUTIVE SESSIONS:

a. ALLEN R. ANDREWS, JR. VS. FLORIDA EAST COAST RAILWAY COMPANY, CASE

NO. CL 95-1619 AI.

b. CHRISTOPHER DeLISO VS. CITY OF RIVIERA BEACH, WORKER'S COMP. CLAIM NO. 594-01-5794.

c. CALVIN D. HIGHTOWER VS. CITY OF RIVIERA BEACH, CASE NO. 00-8387 AI.

d. WILLIE NAPIER V. CITY OF RIVIERA BEACH, WORKER'S COMP. CLAIM NO. 254-54-7600.

There was consensus that the referenced Closed Executive Sessions would be held Monday, May 15, 2000, 4:30 p.m.

REQUEST TO FILL POSITIONS ON THE PALM BEACH COUNTY INTERGOVERNMENTAL COORDINATION PROGRAM CLEARINGHOUSE (ISSUES FORUM COMMITTEE).

City Manager Wilkins indicated that the city had no presence on the referenced committee; that, the positions should be filled since it related to multi-jurisdictional issues.

Motion was made by Chair Pro-Tem Wade and seconded by Councilperson Blue to appoint COUNCILPERSON SCHNYER AS FIRST MEMBER AND COUNCILPERSON WILSON AS ALTERNATE MEMBER.

MOTION

Upon a roll call, the vote was unanimous. APPROVED

IX. CITY ATTORNEY'S REPORT:

None.

X. STATEMENTS FROM THE PUBLIC (TWO MINUTES):

Ms. Louis E. Buie (1409 W. 30th Street) stated concerns regarding code enforcement issues and the effect upon retired and disadvantaged citizens.

Following discussion, Chairperson Rodgers indicated that staff would look into the matter.

Mary Feacher (1233 W. 26th Court) stated concerns regarding code enforcement issues and undue pressure by the inspector.

Patti Dunbar (471 W. 37th Street) commented regarding abusive behavior by patrons using the Internet at the city's library. She asked that council endorse and re-enforce the zero-tolerance policy. Discussion ensued.

She stated concern regarding the D.R.O.P. options for the police department.

XI. RECOMMENDATIONS AND DISCUSSION FROM MAYOR & COUNCIL:

Mayor Brown

1. Discussion - Report on Solitron Issue

Mayor Brown commented regarding forthcoming issues relating to Solitron and encouraged (within 30-45 days) a workshop be held to allow the consultants to address significant concerns for resolution to outstanding issues. He deferred to City Manager Wilkins.

City Manager Wilkins commented regarding efforts by consultants (Beveridge and

Diamond, P.A.) for investigative efforts to recoup expenditures by the city for concerns related to Solitron. He proceeded to elaborate.

2. Discussion: Setting a date for Goals Workshop

City Manager Wilkins suggested a Friday afternoon and Saturday for the Goals Workshop. Discussion ensued.

Mayor Brown suggested that the agenda be created by council. Discussion ensued.

There was consensus that the retreat would occur June 9-10, 2000.

3. Discussion: Overview of Black Mayor's Conference

Mayor Brown stated that the conference was held in Dallas Texas and indicated that Riviera Beach had made comparative progress; that, Riviera Beach had similar issues and concerns (marketing, media, etc.) as other cities. He sited amazement by other mayors for Riviera's assets.

He commented regarding the necessity to upgrade technology at City Hall, i.e., e-mails, computers, employees, and web sites - in order to be in the league for competition.

4. Discussion: Brazil Trade Mission

Mayor Brown stated that Brazil was the No. 1 country for trade with the state of Florida. He commented regarding ethnic and cultural opportunities with Latin America and indicated significance for attendance by the city and the Port of Palm Beach at the Brazil Trade Mission with Governor Bush. He proceeded to elaborate and encouraged a workshop be set to discuss concerns for the Brazil Trade Mission and related matter.

Chair Pro-Tem Wade encouraged municipal participation for Brazilian trade concerns, since the Port of Palm Beach was in the City of Riviera Beach; that, arrangements be made expeditiously for attendance.

Mayor Brown stated, if the council anticipated attendance, Enterprise Florida would prearrange necessary meetings, appointments, etc. He indicated that council consider attendance for the CRA director at the trade mission, as well.

Chair Pro-Tem Wade asked that the city manager collect the necessary information to be presented to the CRA meeting. She suggested the city manager, CRA director, and council members attend the trade mission. She indicated if the manager provided a packet for review, an answer could be provided by the next council meeting.

City Manager Wilkins indicated that a packet was provided by the lobbyist, which would be provided to council on the next day (3/6/00).

Chairperson Rodgers

1. Discussion - Negotiation of the City Attorney's Contract

Chairperson Rodgers indicated that he was not in position to negotiate the contract and yielded to Chair Pro-Tem Wade who accepted.

XII. ADJOURNMENT:

There being no other business, the meeting duly adjourned at 10:18 p.m.

APPROVED:

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MICHAEL D. BROWN, MAYOR

EDWARD RODGERS, CHAIRPERSON

ATTEST:

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ewade.gif (1297 bytes)



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

ELIZABETH WADE, CHAIR PRO-TEM

dwilson.gif (865 bytes)



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

**DONALD R. WILSON
COUNCILPERSON**

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

**SYLVIA LEE BLUE
COUNCILPERSON**

dschnyer.gif (881 bytes)



DATE APPROVED: 05/17/2000

**DAVID G. SCHNYER
COUNCILPERSON**