

**CITY OF RIVIERA BEACH, FLORIDA
CITY COUNCIL REGULAR MEETING
MUNICIPAL COMPLEX COUNCIL CHAMBER
WEDNESDAY, 17 MAY 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. The following were present: Mayor Michael D. Brown, Chairperson Edward Rodgers, Chair Pro-Tem Elizabeth Wade, and Councilperson Donald R. Wilson, Councilperson Sylvia Blue, and Councilperson David Schnyer. Also present were City Manager William E. Wilkins, Deputy City Clerk Claudene Robinson, and Interim City Attorney Matthew Russell.

Invocation/Pledge of Allegiance

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

II. PETITIONS AND COMMUNICATIONS FOR FILING:

None.

III. AGENDA APPROVAL:

Additions, Deletions, Substitutions

Deputy City Clerk Robinson read into the record additions to the agenda.

Adoption of Agenda

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

Upon a roll call, the vote was unanimous. APPROVED

IV. AWARDS AND PRESENTATIONS:

SWEARING IN OF DEPUTY CITY CLERK, CLAUDENE L. ROBINSON, FOR THE CITY OF RIVIERA BEACH AND A PROCLAMATION PROCLAIMING THE WEEK OF MAY 29, 2000 AS NATIONAL CITY CLERK'S WEEK.

Mayor Brown administered the oath to Ms. Robinson and read into the record information relating to National City Clerk's Week.

A news release from the International Institute of Municipal Clerks was read into the record by Deputy City Clerk Robinson regarding City Clerk Ward's elevated level within her career of municipal clerks. It indicated that Ms. Ward was the 411th member into the second level membership of IIMC Master Municipal Clerk Academy. The accomplished levels of City Clerk Ward were officially announced to the League by IIMC President Mary L. Rand, CMC, of Garner, North Carolina.

Ms. Robinson proceeded to read into the record a proclamation recognizing the accomplishments of City Clerk Carrie E. Ward, CMC/MMC.

PRESENTATION OF PLAQUE TO OFFICER BRUCE WILSON WHO RETIRED FROM THE CITY OF RIVIERA BEACH. DELETED

V. CONSENT AGENDA:

ALL MATTERS LISTED UNDER THIS ITEM WERE CONSIDERED ROUTINE AND ACTION WAS TAKEN BY ONE MOTION. THERE WAS NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCIL MEMBER OR A PERSON REQUESTED, IN WHICH EVENT THE ITEM WAS REMOVED FROM THE GENERAL ORDER OF BUSINESS AND CONSIDERED IN ITS NORMAL SEQUENCE ON THE AGENDA. ANY PERSON WHO WANTED TO SPEAK ON AN AGENDA ITEM COMPLETED A PINK PUBLIC COMMENT CARD LOCATED IN THE BACK OF THE COUNCIL CHAMBER AND GAVE IT TO THE COUNCIL CHAIR OR THE LEGISLATIVE AIDE. CARDS WERE SUBMITTED PRIOR TO DISCUSSION OF THE ITEM.

MINUTES:

MINUTES FROM REGULAR CITY COUNCIL MEETING HELD ON MAY 3, 2000.

RESOLUTIONS:

RESOLUTION NO. 75-00 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING PAYMENT FOR EMERGENCY REPAIRS TO RIVIERA BEACH FIRE RESCUE ENGINE 6 IN THE AMOUNT OF \$10,565.81 AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO MAKE PAYMENT TO TRAIL TRUCK CENTER, INC. FROM ACCOUNT NO. 001-0920-5220-4605 FOR SAME.

RESOLUTION NO. 76-00 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDED THE BID FOR THE RENOVATIONS OF SHOWER ROOMS AT CENTRAL FIRE STATION TO BROOKS CONSTRUCTION CO. FOR THE AMOUNT OF \$14,551.13; AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO MAKE PAYMENT FROM ACCOUNT NO. 305-0203-5190-4602 FOR SAME.

RESOLUTION NO. 77-00 - 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 ASPHALT CONSULTANTS, INC., THE LOWEST BIDDER, FOR PHASE II OF THE 20" WATER TRANSMISSION LINE AND THE DRAINAGE FROM 27TH STREET AND OLD DIXIE HIGHWAY; THEN PARTIALLY ALONG BOTH AVENUE "O" & "P" TO SILVER BEACH ROAD; THEN WEST TO CONGRESS AVENUE; IN THE AMOUNT OF \$673,860.00; AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NOS. 406-1417-5360-4616 AND 301-1116-5190-5304.

RESOLUTION NO. 78-00 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REQUESTING PAYMENT TO BEVERIDGE AND DIAMOND, P.C., IN THE AMOUNT OF \$53,153.30 FOR PROFESSIONAL LEGAL SERVICES RENDERED IN THE MATTER OF THE SOLITRON SITE; AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO MAKE PAYMENT FOR SAME UNDER ACCOUNT NO. 401-1437-5330-3103.

RESOLUTION NO. 79-00 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY MANAGER TO SIGN AN ENGAGEMENT LETTER WITH THE LAW FIRM OF LEWIS, LONGMAN & WALKER, P.A., ON BEHALF OF THE CITY; AND AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT TO THE LAW FIRM OF LEWIS, LONGMAN & WALKER, P.A., IN THE AMOUNT OF \$25,368.49 AND TO THE CONSULTING ENGINEERING FIRM OF LINDAHL, BROWNING, FERRARI & HELLSTROM, INC., IN THE AMOUNT OF \$648.33 FOR PROFESSIONAL SERVICES RENDERED IN DEVELOPING AN INTERLOCAL AGREEMENT BETWEEN THE CITY, PORT, AND COUNTY AS IT RELATES TO 13TH STREET EXPANSION, SAID PAYMENT TO BE

MADE FROM GENERAL FUND BALANCE CARRYOVER.

RESOLUTION NO. 80-00 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REQUESTING PAYMENT TO LAW FIRM OF HOLLAND & KNIGHT, LLP, IN THE AMOUNT OF \$84,207.17 AND TO PRIME INTERESTS CONSULTING, IN THE AMOUNT OF \$8,300.00 FOR PROFESSIONAL SERVICES RENDERED FOR REDEVELOPMENT OF THE OCEAN MALL SITE; AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO MAKE PAYMENT FOR SAME FROM ACCOUNT NO. 305-0202-512-0-3106 AND FROM THE GENERAL FUND BALANCE CARRYOVER.

RESOLUTION NO. 81-00 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE THE FIRST AMENDMENT TO AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY OF RIVIERA BEACH APPROVING THE SITE CHANGE ON WHICH THE AQUATIC CENTER IS BEING CONSTRUCTED AND APPROVING THE TWENTY FOUR MONTH EXTENSION GRANTED BY PALM BEACH COUNTY FOR THE COMPLETION OF THE NEW AQUATIC COMPLEX. (Backup information provided)

RESOLUTION NO. 82-00 - A RESOLUTION OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE FINANCE DIRECTOR TO SET UP A BUDGET IN THE AMOUNT OF \$178,119 FOR "ACADEMIC SUMMER CAMP 2000"; AUTHORIZING THE RECREATION DEPARTMENT AND THE POLICE DEPARTMENT TO PROVIDE IN-KIND SERVICES; AUTHORIZING THE CITY MANAGER AND SUMMER CAMP ADMINISTRATOR TO SEEK ADDITIONAL FUNDING TO OFFSET THE COSTS OF THE ACADEMIC SUMMER CAMP 2000; AND PROVIDING AN EFFECTIVE DATE.

A SITE PLAN APPLICATION FROM R.E.W. MATERIALS FOR A WHOLESALE DISTRIBUTION CENTER IN THE IL ZONING DISTRICT ON 2.0 ACRES LOCATED BETWEEN 10TH AND 12TH STREETS APPROXIMATELY 146 FEET EAST OF CONGRESS AVENUE.

A SITE PLAN APPLICATION FROM TRAINOR GLASS COMPANY TO CONSTRUCT A 51,773 SQUARE FOOT INDUSTRIAL BUILDING INCLUDING OFFICE AND FABRICATION FACILITY IN THE IL ZONING DISTRICT ON 7.05 ACRES LOCATED ON THE SOUTHEAST CORNER OF 13TH STREET AND AUSTRALIAN AVENUE.

Motion was made by Chair Pro-Tem Wade and seconded by Councilperson Schnyer to approve the consent agenda as presented.

MOTION

Upon a roll call, the vote was unanimous. APPROVED

END OF CONSENT AGENDA

VI. PUBLIC HEARINGS:

None.

ORDINANCES ON SECOND READING:

ORDINANCE NO. 2857 - AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE CITY ZONING ORDINANCE BY REPEALING SECTION 31.382(b)(3) AND ADDING A NEW CHAPTER 31A, 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 VARIANCE PROVISIONS; PROVIDING PROTECTION FOR RESIDENTS; PROVIDING ENFORCEMENT; PROVIDING FOR CODIFICATION; PROVIDING SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Deputy City Clerk Robinson read into the record the referenced ordinance and indicated that it was advertised May 07, 2000, Palm Beach Post.

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

Gerald Ward (31 W. 20th Street) stated opposition to the referenced ordinance. Discussion ensued.

Upon a roll call, the vote was unanimous. APPROVED

VII. ORDINANCES ON FIRST READING:

ORDINANCE NO. 2858 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY OF RIVIERA BEACH COMPREHENSIVE PLAN BY ASSIGNING THE FUTURE LAND USE DESIGNATION OF MULTI-FAMILY RESIDENTIAL (UP TO 15 DWELLING UNITS PER ACRE) TO 51.49 ACRES OF LAND LOCATED ON THE WEST SIDE OF MILITARY TRAIL AND NORTH OF THE LONE PINE ESTATES; DIRECTING THE DIRECTOR OF COMMUNITY DEVELOPMENT TO UPDATE THE FUTURE LAND USE MAP; AND PROVIDING AN EFFECTIVE DATE.

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

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

ORDINANCE NO. 2859 - AN ORDINANCE OF THE CITY COUNCIL 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 "RPUD (1)" PLANNED UNIT DEVELOPMENT FOR 99.5 ACRES OF LAND LOCATED ON THE WEST SIDE OF MILITARY TRAIL ADJACENT TO AND NORTH OF LONE PINE ESTATES; DIRECTING THE DIRECTOR OF COMMUNITY DEVELOPMENT TO UPDATE THE CITY'S ZONING MAP; AND PROVIDING AN EFFECTIVE DATE.

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

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

Melissa Booth (113 Canterbury Drive, West) commented. Discussion ensued.

Upon a roll call, the vote was unanimous. APPROVED

VIII. CITY MANAGER'S DISCUSSION:

1. DISCUSSION ON THE PROPOSED REORGANIZATION OF THE POLICE DEPARTMENT.

RESOLUTION NO. 83-00 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE INCREASE TO THE POLICE DEPARTMENT'S BUDGET TO REFLECT THE INCREASE FOR MAJORS TO M10: \$46,775 - \$71,413; AND AUTHORIZING AN ADDITIONAL ASSISTANT

CHIEF'S POSITION AND UPGRADE TO M11; \$51,452 - \$76,149 AND; FINANCE DIRECTOR TO AMEND THE FISCAL YEAR BUDGET 2000 FOR ACCOUNT 001-0817-5210-1201.

City Manager Wilkins provided a brief narrative for the proposed reorganization of the police department and commented regarding efforts to attain accreditation for the department.

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

Stacy Bush (1260 Plaza Circle) stated concerns regarding the police department.

Chairperson Rodgers indicated awareness of web site information relating to the Riviera Beach Police Department and stated that if anyone were interested to sign a sworn affidavit to the allegations that such information would be promptly presented to the offices of the State Attorney or FBI.

Chair Pro-Tem Wade echoed comments as indicated by Chairperson Rodgers.

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

A brief discussion ensued.

Upon a roll call, the vote was unanimous. APPROVED

2. DISCUSSION ON THE PROPOSED INTERLOCAL AGREEMENT BETWEEN THE PORT OF PALM BEACH, PALM BEACH COUNTY, AND THE CITY OF RIVIERA BEACH RELATING TO THE IMPROVEMENTS TO 13TH STREET CORRIDOR.

Backup information provided

City Manager Wilkins stated intentions by staff to attend a meeting at the Port of Palm Beach for discussions relating to the above; that, following those discussions, staff anticipated a final draft for presentation to the Board of County Commissioners for their review and approval. He announced the presence of Anthony Taormina (Executive Director/Port of Palm Beach); Attorney John Gary (Port of Palm Beach); Mary McKinney (CRB Community Development); Pamala Ryan (City of Riviera Beach); and, Attorney Bob Diffenderfer (City of Riviera Beach).

Attorney Bob Diffenderfer provided an overview of efforts/discussions to effect a settlement that would allow a settlement to promote improvements to the 13th Street corridor. He proceeded to elaborate and indicated that the major point of the agreement was that the Port of Palm Beach and Palm Beach County would fund the construction of the referenced project; that, the Port of Palm Beach would function as the prime entity involved in the management and construction of the project-according to city standards; that, upon completion of the referenced project, the improvements would be turned over to the city and the city would maintain them.

He indicated that Palm Beach County agreed to cooperate to the extent of one-third (1/3) of the necessary dollars-up to \$2M. He commented regarding the availability of fast-track funds for the project and indicated necessity for clarification of appropriate grant language.

Attorney Diffenderfer proceeded to elaborate (page by page) upon the high point characteristics of the Interlocal Agreement. Discussion ensued.

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

Chair Pro-Tem Wade commented and stated a primary objective to be incorporated into

the contract, i.e., the city would pay no cost associated with the construction of the referenced project. She stated concerns regarding condemnation, relocation of and protection for residents/property owners and indicated that such concerns should be addressed within the agreement. She stated concerns regarding partial-property purchases. She restated concerns for costs to the city and indicated that costs associated with Attorney Diffenderfer should not be a cost to the city; that, such fees were a component of road project.

Mayor Brown stated concerns relating to provisions by the Port to utilize its current-relocation policy.

Chairperson Rodgers stated concerns regarding city authorizations for use of the referenced roadway(s) and completion or lack thereof for same. Discussion ensued.

City Manager Wilkins stated that completion of 13th Street was not necessary in order for the city to issue a Certificate of Occupancy. He stated that improvements were necessary for 13th Street (from US 1 to Avenue 'C'); 11th Street and related improvement to Avenue 'C'; that, attended traffic conditions and circulation issues were most important for issuance of the C.O.; therefore, the contract was structured in that manner. He indicated that the purpose of the meeting was to get council's directions-if it were council's desire to alter the language; or that the language remained.

Chairperson Rodgers stated concerns regarding partial purchases by the Port and the city's position to buy back the remaining portion of properties.

Attorney Diffenderfer stated it was an option of the city to purchase any property. He indicated that the city was not required to purchase any portion of the affected properties; that, the Port would be required by the laws of the State of Florida to pay for acquisition of the referenced properties. Discussion ensued.

City Manager Wilkins indicated that Mr. Taormina agreed to work with staff to amend the language.

Chairperson Rodgers suggested that it might be easier for interested persons to meet with City Manager Wilkins (individually) to review the revisions in the new contract in order to avoid discussions during a council meeting. Discussion ensued.

3. RESOLUTION NO. 84-00 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING STAFF RECOMMENDATION AND AUTHORIZING STAFF TO NEGOTIATE AN AGREEMENT WITH KEITH & SCHNARS, P.A. OF WEST PALM BEACH, FLORIDA FOR TECHNICAL SERVICES TO ASSESS THE CITY'S TRAFFIC AND TRANSPORTATION NEEDS AS PER THEIR PROPOSAL SUBMITTED FEBRUARY 4, 2000.

Deputy City Clerk Robinson read into the record, the referenced resolution.

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

Chair Pro-Tem Wade questioned the cover sheet indication for cost as N/A. She asked that the referenced page reflect the appropriate information for cost.

City Manager Wilkins stated that when the item returned for presentation, provisions for payment would be reflected in the contract. Discussion ensued.

Upon a roll call, the vote was unanimous. APPROVED

3. RESOLUTION NO. 85-00 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH ACCEPTING STAFF RECOMMENDATION AND AUTHORIZING STAFF TO NEGOTIATE AN AGREEMENT WITH SHALLOWAY, FOY, RAYMAN &

NEWELL, INC., OF WEST PALM BEACH, FLORIDA FOR TECHNICAL SERVICES RELATED TO ROADWAY AND SIDEWALKS PLANNING & DESIGN AS PER THEIR PROPOSAL SUBMITTED FEBRUARY 25, 2000.

Deputy City Clerk Robinson read into the record, the referenced resolution.

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

Upon a roll call, the vote was unanimous. APPROVED

REQUEST CITY COUNCIL'S APPROVAL FOR EXCLUSIVE SPORTS MARKETING TO HOLD THE BUDLIGHT BEACH VOLLEYBALL SERIES ON THE CITY OF RIVIERA BEACH MUNICIPAL BEACH ON JUNE 3 AND 4, 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

RESOLUTION NO. 86-00 - A RESOLUTION STATING THE CITY'S CONCERN AND ENCOURAGING INTRACOASTAL HEALTH SYSTEMS TO CONTINUE THE PROVISION OF HEALTH AND WELLNESS SERVICES FROM BOTH ST. MARY'S MEDICAL CENTER AND GOOD SAMARITAN HOSPITAL.

City Manager Wilkins stated support for retaining St. Mary's Hospital at the present location for the benefit of the community.

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

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

Pamela Williams (Friends of St. Mary's) stated concerns for and support of a medical facility to accommodate the needs of the community. She requested support of the City of Riviera Beach to retain the present site of St. Mary's Hospital. Discussion ensued.

Chair Pro-Tem Wade asked that the city provide support for the petition in a manner additional to the resolution; and, staff informs council of the various meeting sites regarding same.

Upon a roll call, the vote was unanimous. APPROVED

RESOLUTION NO. 87-00 - A RESOLUTION ALLOCATING \$100,000 FOR CLEANING THE CITY'S DRAINAGE SYSTEM AND HAULING DEBRIS FROM PUBLIC WORKS DEPARTMENT COMPLEX UTILIZING WATER AND SEWER FUND CARRYOVER.

City Manager Wilkins commented regarding an emergency need to prepare for the hurricane season; and, a need for removal of debris from certain area locations.

Deputy City Clerk Robinson read into the record the 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

IX. CITY ATTORNEY'S REPORT:

None.

X. STATEMENTS FROM THE PUBLIC (TWO MINUTES):

Patti Dunbar (471 W. 37th Street) stated concerns regarding the organizational chart for the Riviera Beach Police Department.

Mark Golden (3640 Investment Lane) stated concerns regarding actions by the Riviera Beach Police Department and related impact upon his business.

Chairperson Rodgers indicated that council could not address rumors. He guaranteed that sworn-affidavits relating to wrong doings would be addressed. Further, he indicated interest in cleaning the city.

Mr. Golden stated that previous affidavits were submitted to no avail; that, the concerns were on-going. Discussion ensued.

James Mathews (1166 Beach Road) stated support for and concerns of the redevelopment of the Ocean Mall property.

He stated concerns for allegations relating to the Riviera Beach Police Department and encouraged the public to support council's desire to remedy same.

Anthony Shabazz (563 W. 4th Street/Southside Coalition) stated concerns regarding unaddressed code violations.

Earl Davis (1001 W. 4th Street/President, Southside Coalition) commented regarding code concerns within the district of the Southside Coalition and presented photos of designated properties of concern. Discussion ensued.

Mr. Davis stated concerns regarding communications. He commented regarding previously addressed derelict buildings along Martin Luther King Jr. Boulevard, in need of code enforcement; and, an abandoned structure (958 W. 4th Street) wherein children frequently played.

Attorney Wayne M. Richards (7781 Woodsmuir Drive) commented regarding a commitment to move forward by Oceanland Development, relating to the Ocean Mall property. He proceeded to elaborate and indicated the developer's desire to please the city.

Martin Murphy (1124 Avenue 'C') commented regarding the interlocal agreement relating to the Port of Palm Beach and road concerns.

XI. RECOMMENDATIONS AND DISCUSSION FROM MAYOR & COUNCIL:

Chairperson Rodgers read into the record a letter addressed to City Manager Wilkins inviting the City of Riviera Beach to join with Greenacres in a class action lawsuit against the Department of Insurance, Florida Department of Revenue, and Florida Department of Management Services-Division of Retirement seeking a fair share of proceeds.

Interim City Attorney Matthew Russell indicated, per City Manager Wilkins, that Riviera Beach committed \$10,000 toward the lawsuit.

RESOLUTION NO. 88-00 - A RESOLUTION OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY FLORIDA, APPROVING THE CONTRACTUAL AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND PAMALA H. RYAN, AS CITY ATTORNEY; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Chair Pro-Tem Wade read into the record a memorandum to council requesting approval of a contractual agreement between the city and Attorney Pamala Ryan. She proceeded to highlight the basics of the proposed agreement.

Motion was made by Chair Pro-Tem Wade and seconded by Councilperson Schnyer to approve the referenced contract. MOTION

Discussion ensued.

Chairperson Rodgers stated concerns. Discussion ensued.

Deputy City Clerk Robinson read into the record Resolution No. 88-00.

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

Chairperson Rodgers dissented.

XII. ADJOURNMENT:

There being no other business, the meeting duly adjourned at 10:02 p.m.

APPROVED:

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MICHAEL D. BROWN, MAYOR



EDWARD RODGERS, CHAIRPERSON

ATTEST:

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

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ELIZABETH WADE, CHAIR PRO-TEM

dwilson.gif (865 bytes)



**DONALD R. WILSON
COUNCILPERSON**

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MOTIONED BY: D. Schnyer
SECONDED BY: S. Blue

**SYLVIA LEE BLUE
COUNCILPERSON**

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

**DAVID G. SCHNYER
COUNCILPERSON**

DATE APPROVED: 06/07/2000