



**REGULAR CITY COUNCIL MEETING  
AGENDA**

**MUNICIPAL COMPLEX COUNCIL CHAMBERS  
600 WEST BLUE HERON BOULEVARD  
RIVIERA BEACH, FL 33404  
JUNE 20, 2012  
6:30 PM**

**NOTICE**

**IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS IN NEED OF A SPECIAL ACCOMMODATION TO PARTICIPATE IN THE PROCEEDINGS SHALL CONTACT THE OFFICE OF THE CITY MANAGER AT 561-845-4010 NO LATER THAN 96 HOURS PRIOR TO THE PROCEEDINGS. IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICES 1-800-955-8771 (TTY) OR 1-800-955-8770 (VOICE) FOR ASSISTANCE.**

**MAYOR:  
THOMAS A. MASTERS**

**CHAIRPERSON:  
BILLIE E. BROOKS – DISTRICT 1**

**CHAIR PRO-TEM:  
DAWN S. PARDO – DISTRICT 4**

**COUNCILPERSONS  
JUDY L. DAVIS – DISTRICT 2  
CEDRICK A. THOMAS – DISTRICT 3  
SHELBY L. LOWE – DISTRICT 5**

**ADMINISTRATION:  
RUTH C. JONES, CITY MANAGER  
CARRIE E. WARD, MMC, CITY CLERK  
PAMALA H. RYAN, CITY ATTORNEY**

**PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the City Council with respect to any matter considered at this meeting, such interested person, at own expense, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, pursuant to F.S. 286.0105.**

**LOBBYING - ORDINANCE 4001 - ADOPTED SEPTEMBER 2011**

**Lobbyist registration and reporting forms are available for you online and in print. Forms can be obtained in the Office of the City Clerk and in the Council Chambers. Registration and reporting forms shall be submitted to the Office of the City Clerk.**

**ANY PERSON WHO WOULD LIKE TO SPEAK ON AN AGENDA ITEM (NON-CONSENT ITEMS ONLY), PLEASE FILL OUT A PINK PUBLIC COMMENT CARD LOCATED IN THE BACK OF THE COUNCIL CHAMBERS AND GIVE IT TO THE LEGISLATIVE ASSISTANT PRIOR TO THE BEGINNING OF THE MEETING. IN NO EVENT WILL ANYONE BE ALLOWED TO SPEAK ON AN AGENDA ITEM AFTER THE RESOLUTION IS READ OR ITEM CONSIDERED.**

## **CITY CLERK CALL TO ORDER**

### **Roll Call**

### **Invocation**

### **Pledge of Allegiance**

### **AGENDA Approval:**

### **Additions, Deletions, Substitutions**

### **Disclosure By Council**

*(If any Council Member has anything to disclose regarding any item on the Agenda, please do so at this time.)*

### **Adoption of Agenda**

### **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 COUNCILPERSON 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.**

### **MINUTES**

- 1. MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD MAY 16, 2012.**

## **RESOLUTIONS**

2. RESOLUTION NO.\_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, DIRECTING CITY STAFF TO GIVE NOTICE TO VIKING DEVELOPERS, LLC., THE MASTER DEVELOPER, NOTICE OF ITS INTENTION TO NEGOTIATE AN AGREEMENT REGARDING CERTAIN PROJECT ELEMENTS IN ACCORDANCE WITH THE APPROVED MASTER DEVELOPER AGREEMENT; AUTHORIZING STAFF TO MOVE FORWARD WITH DEVELOPMENT; AND PROVIDING AN EFFECTIVE DATE
  
3. RESOLUTION NO.\_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY PROVIDING FOR REIMBURSEMENT TO THE CITY FOR PROFESSIONAL SERVICES RELATED TO THE REDEVELOPMENT PLAN; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE INTERLOCAL AGREEMENT BETWEEN THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY AND THE CITY OF RIVIERA BEACH; AND PROVIDING AN EFFECTIVE DATE.
  
4. RESOLUTION NO.\_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE AMENDMENT TO THE LEASE AGREEMENT FOR SPACE ON THE CITY'S 911 COMMUNICATION TOWER WITH NEW CINGULAR WIRELESS PCS, LLC OF ALPHARETTA, GEORGIA, BY ALLOWING THE INSTALLATION OF ADDITIONAL ANTENNAS AND RELATED EQUIPMENT FOR ADDITIONAL ANNUAL RENTAL COMPENSATION IN THE AMOUNT OF \$9,000.00; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AMENDMENT AND PROVIDING AN EFFECTIVE DATE.

5. RESOLUTION NO.\_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A WORK ORDER WITH CORZO CASTELLA CARBALLO THOMPSON SALMAN (C3TS), P.A. OF BOCA RATON, FLORIDA FOR COLLECTION OF TOPOGRAPHIC INFORMATION AND CIVIL ENGINEERING DESIGN FOR THE WEST 13<sup>TH</sup> STREET ROADWAY IMPROVEMENT PROJECT IN THE AMOUNT OF \$124,807; AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO TEN PERCENT (10%); AUTHORIZING THE INTERIM FINANCE DIRECTOR TO MAKE PAYMENT FOR SAME FROM ACCOUNT NUMBER 303-1127-541-0-6351 AND PROVIDING AN EFFECTIVE DATE.
  
6. RESOLUTION NO.\_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN AGREEMENT IN THE AMOUNT OF \$1,105,745 BETWEEN THE CITY OF RIVIERA BEACH AND PALM BEACH COUNTY FOR THE CONTINUATION OF THE DISASTER RECOVERY INITIATIVE PROGRAM THROUGH SEPTEMBER 16, 2012, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT; AUTHORIZING THE INTERIM FINANCE DIRECTOR TO DISBURSE FUNDS PER THE COST OF REHABILITATION FOR HURRICANE WILMA RELATED DAMAGES NOT TO EXCEED \$45,000 PER UNIT; AND PROVIDING FOR AN EFFECTIVE DATE.
  
7. RESOLUTION NO.\_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A NEW AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND PALM BEACH COUNTY, EXTENDING THE COMPLETION DATE OF THE CITY'S NEIGHBORHOOD STABILIZATION PROGRAM THROUGH DECEMBER 31, 2012; AMENDING THE DECLARATION OF RESTRICTIONS; AUTHORIZING THE MAYOR AND THE CITY CLERK TO EXECUTE THE NEW AGREEMENT AND DECLARATION OF RESTRICTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

8. RESOLUTION NO. \_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE INTERIM FINANCE DIRECTOR TO MAKE PAYMENT FROM OTHER GRANTS AND AIDS ACCOUNT NUMBER 001-0203-519-0-8301 ON BEHALF OF THE 2012-2013 CITY OF RIVIERA BEACH EDUCATION SCHOLARSHIP RECIPIENTS IN THE AMOUNT OF \$20,000; AUTHORIZING THE INTERIM FINANCE DIRECTOR TO APPROPRIATE DONATION FUNDS RECEIVED FROM THE WEST PALM BEACH FISHING CLUB IN THE AMOUNT OF \$2,000 AND DISBURSE FUNDS FROM ACCOUNT NUMBER 130-0203-519-0-5521; AND PROVIDING AN EFFECTIVE DATE.

## **END OF CONSENT AGENDA**

### **PETITIONS AND COMMUNICATIONS FOR FILING**

### **AWARDS AND PRESENTATIONS**

9. PRESENTATION BY CHAIRWOMAN BILLIE E. BROOKS OF AN AWARD TO MSG. MARILYN DAVIS, A MEMBER OF THE U.S. ARMY RESERVES FOR MORE THAN 30 YEARS OF SERVICE TO HER COUNTRY.
  
10. PRESENTATION OF CHECK BY THE WEST PALM BEACH FISHING CLUB TO THE CITY OF RIVIERA BEACH COLLEGE SCHOLARSHIP PROGRAM FOR 2012 – 2013.
  
11. PRESENTATION BY SUFFOLK CONSTRUCTION PROJECT MANAGER MIKE GATES ON THE CONSTRUCTION PROGRESS OF THE EDWARD J. HEALEY REHABILITATION AND NURSING CENTER.

12. PROCLAMATION FROM THE OFFICE OF THE MAYOR DECLARING JUNE 23, 2012, HIV AIDS TESTING AND AWARENESS DAY IN HONOR OF THE AIDS WALK.
13. PRESENTATION BY THE OFFICE OF THE MAYOR OF CERTIFICATES OF APPRECIATION TO MAJOR EMPLOYERS THAT PARTICIPATED AND HIRED IN THE MAYOR'S ANNUAL JOB FAIRS AND WEEKLY JOBS CLUB.

### **PUBLIC HEARINGS**

### **ORDINANCES ON SECOND READING**

14. ORDINANCE NO. 4014 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AMENDING CHAPTER 31 OF THE CODE OF ORDINANCES ENTITLED "ZONING" BY REPEALING ARTICLE VIII, ENTITLED "LANDSCAPE REGULATIONS", AND CREATING A NEW ARTICLE VIII ENTITLED "FLORIDA FRIENDLY LANDSCAPE REGULATIONS"; PROVIDING FOR SEVERABILITY, CODIFICATION AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

### **ORDINANCES ON FIRST READING**

**NONE**

**COMMENTS FROM THE PUBLIC – 8:00 PM\*<sup>1</sup>– Non Agenda or Consent Item Speakers (Three Minute Limitation).**

*Please be reminded that the City Council has adopted a set of “Rules of Decorum Governing Public Conduct during Official Meetings”, which has been posted at the entrance of the Council Chambers. In an effort to preserve order, if any of the rules are not adhered to, the Council Chair may have any disruptive speaker removed from the podium, from the meeting and/or the building, if necessary. Please govern yourselves accordingly.*

<sup>1</sup>Public Comments shall begin at 8:00 PM unless there is no further business of the City Council, which in that event, it shall begin sooner. In addition; however, if an item is being considered at 8:00 PM, then public comments shall begin immediately after the item has been concluded.

## **REGULAR**

- 15.** RESOLUTION NO. \_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE RENEWAL OF HEALTH CARE BENEFIT COVERAGE WITH COVENTRY HEALTH CARE OF FLORIDA, AND AUTHORIZING THE INTERIM FINANCE DIRECTOR TO MAKE PAYMENTS FROM VARIOUS DEPARTMENTAL ACCOUNTS UP TO THE AMOUNT EQUAL TO \$705.00 A MONTH PER EMPLOYEE FOR A TOTAL OF \$3,638,729 TO COVENTRY HEALTH CARE OF FLORIDA; AND PROVIDING AN EFFECTIVE DATE.
  
- 16.** RESOLUTION NO. \_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A POLICY WHICH OUTLINES THE PROCEDURE FOR SALE, EXCHANGE, OR DONATION OF CITY OWNED PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.
  
- 17.** RESOLUTION NO. \_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE WRITE-OFF OF A RECEIVABLE IN THE AMOUNT OF \$823,633 REPRESENTING THE REBATE OF FUNDS FOR PROFESSIONAL SERVICES PROVIDED BY THE CITY OF RIVIERA BEACH TO THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) FOR SERVICES PROVIDED BY THE CITY FOR THE PERIOD OCTOBER 1, 2010 TO SEPTEMBER 30, 2011; AND PROVIDING AN EFFECTIVE DATE.
  
- 18.** RESOLUTION NO. \_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING WORK ORDER NO. 2 WITH MARINETEK NORTH AMERICA OF ST. PETERSBURG, FLORIDA, IN THE AMOUNT OF \$2,248,535.00 FOR THE PURPOSE OF COMPLETING THE DOCK MANUFACTURING AND DELIVERY FOR PHASE ONE OF THE MARINA PROJECT; AUTHORIZING THE INTERIM FINANCE DIRECTOR TO MAKE PAYMENT FROM THE FLORIDA INLAND NAVIGATION DISTRICT CONSTRUCTION GRANT (1) NO. 425-0000-575-2-6301, FLORIDA INLAND NAVIGATION DISTRICT CONSTRUCTION GRANT (2) NO. 425-0000-575-3-6301, THE BOATING INFRASTRUCTURE GRANT PROGRAM (BIG P) NO. 128-0000-575-0-6351 AND FLORIDA BOATING IMPROVEMENT PROGRAM (FBIP) NO. 128-0000-575-1-6301; AND PROVIDING AN EFFECTIVE DATE.

19. RESOLUTION NO. \_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A TWO YEAR MATERIALS AND SERVICE AGREEMENT WITH FLORIDA PIPE AND STEEL, INC., OF WEST PALM BEACH, FLORIDA, AS THE SOURCE OF SUPPLY TO PROVIDE AND DELIVER STEEL PIPE PILINGS NEEDED FOR THE MARINA FLOATING DOCK INSTALLATION AS A RESULT OF THE SUBMISSION TO THE REQUEST FOR PROPOSAL NO. 355-12, IN AN AMOUNT NOT TO EXCEED \$945,000.00; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE PROPOSED MATERIALS AND SERVICE AGREEMENT; AUTHORIZING THE INTERIM FINANCE DIRECTOR TO ESTABLISH A BUDGET AND MAKE PAYMENTS FOR SAME; AND PROVIDING AN EFFECTIVE DATE.

## **DISCUSSION & DELIBERATION**

### **20. COMMUNITY BENEFITS REQUEST**

- A. T.E.A.M. ELAM- \$500- THOMAS A. MASTERS  
*Continued support of the Foundation's services to the Riviera Beach children.*

## **BOARD APPOINTMENT(S)**

## **DISCUSSION BY THE CITY MANAGER**

**LEGAL DISCUSSION/REQUEST**

**CITY COUNCIL COMMITTEE REPORT(S)**

**STATEMENTS BY THE MAYOR AND CITY COUNCIL**

**ADJOURNMENT**