CITY OF RIVIERA BEACH CITY COUNCIL

AGENDA ITEM SUMMARY

MEETING DATE: 12/16/2009 AGENDA ITEM SUMMARY NO. M09-122-1

[XX] CONSENT [ ] AWARDS/PRESENTATIONS/PETITIONS [ ] RESOLUTION
[ ] PUBLIC HEARING [ ] ORDINANCE ON FIRST READING [ ] DISCUSSION
[ ] ORDINANCE ON SECOND READING

SUBJECT: MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD NOVEMBER 18, 2009

RECOMMENDATION/MOTION: APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD NOVEMBER 18, 2009

INTER-DEPARTMENTAL REVIEW & DATE

CITY ATTORNEY	MARINA
• CITY CLERK CRD / 12/8/09	POLICE
COMMUNITY DEVELOPMENT	PUBLIC WORKS
FINANCE	PURCHASING
FIRE	RECREATION & PARKS
HUMAN RESOURCES	WATER & SEWER
LIBRARY	OTHER

APPROVED BY CITY MANAGER: Pete R. Jones DATE: 12/8/09

ORIGINATING DEPARTMENT: OFFICE OF THE CITY CLERK CRD / 12/8/09.	COSTS: CURRENT FY:_____	CITY COUNCIL ACTIONS: [ ] APPROVED [ ] APPROVED W/CONDITIONS [ ] DENIED [ ] TABLED TO [ ] REFERRED TO STAFF
USER DEPARTMENT: CITYWIDE	FUNDING SOURCE: [ ] CAPITAL IMPROVEMENT [ ] OPERATING [ ] OTHER	
ADVERTISEDDATE: PAPER: [xx] NOT REQUIRED AFFECTED PARTIES [ ] NOTIFIED [ ] NOT REQ'D	BUDGET ACCOUNT NUMBER:	ATTACHMENTS: 1. MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD NOVEMBER 18, 2009

BACKGROUND/SUMMARY:

Item No 01

CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, NOVEMBER 18, 2009 AT 6:30 P.M.

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 CALLS TO ORDER

Roll Call

Chairperson Pardo was present and presided. Upon a roll call by City Clerk Ward, the following were present: Mayor Thomas A. Masters; Chairperson Dawn S. Pardo; Chair pro-tem Judy L. Davis; Councilperson Tonya Davis Johnson; and Councilperson Shelby L. Lowe. Also present were: City Manager Ruth Jones; City Clerk Carrie E. Ward, MMC, and City Attorney Pamala H. Ryan.

Councilperson Billie E. Brooks was absent.

Invocation/Pledge of Allegiance

Everyone stood for a Moment of Silence and the Pledge of Allegiance led by City Attorney Ryan.

AGENDA Approval:

Additions, Deletions, Substitutions

City Manager Jones made the following revisions to the agenda: deleted No. 8 – Resolution reference police services for the Community Redevelopment Agency; No. 11 – presentation to Sgt. Patrick Galligan; and No. 15 – Resolution reference amendment to interlocal agreement with Palm Beach County.

Adoption of Agenda

A motion was made by **Councilperson Lowe** and seconded by **Chair pro tem Davis** to adopt the agenda as amended.

MOTION

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

MOTION APPROVED

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 ON NOVEMBER 4, 2009.**

RESOLUTIONS:

2. **RESOLUTION NO. 140-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE MAINTENANCE SERVICE CONTRACT FOR SERVICE OF TELEPHONE EQUIPMENT AND RADIO SERVICE FOR THE FISCAL YEAR 2009/2010, WITH MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC., AT A TOTAL COST OF $49,254.96; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A LETTER OF EXTENSION AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT FROM ACCOUNT NO. 001-0817-521-0-4601; AND PROVIDING AN EFFECTIVE DATE.**

3. **RESOLUTION NO. 141-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE FINANCE DIRECTOR TO APPROPRIATE $40,000 FROM CAPITAL ACQUISITION FUND AND $40,000 FROM PAVING AND DRAINAGE CONSTRUCTION FUND FOR ENGINEERING SERVICES WITH LAL JOHN SAMADI; AND PROVIDING AN EFFECTIVE DATE.**

ITEM PULLED FOR DISCUSSION

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by **Chair pro tem Davis** and seconded by **Councilperson Lowe** to approve Resolution No. 141-09.

MOTION

Mary McKinney, Community Development Director, reviewed the justification for the proposed resolution.

Gerald Ward, 31 W 20th Street, made comments reference proper communication and coordination amongst departments regarding the transfer and utilization of funds.

Mike Mahoney, 2120 Broadway, inquired as to whether or not a study was completed on traffic safety along Broadway.

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

MOTION APPROVED

4. **RESOLUTION NO. 142-09 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 LOCAL AGENCY PROGRAM (LAP) AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND FLORIDA DEPARTMENT OF TRANSPORTATION FOR IMPROVING STATE ROAD A1A; AND PROVIDING AN EFFECTIVE DATE.**

ITEM PULLED FOR DISCUSSION

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by **Chair pro tem Davis** and seconded by **Councilperson Davis Johnson** to approve Resolution No. 142-09.

MOTION

Mary McKinney, Community Development Director, reviewed the backup information provided for the proposed resolution.

Chairperson Pardo stated for the record that the wrong capital project proposal was provided in the backup information.

Gerald Ward, 31 W 20th Street, made comments reference the various projects being compiled into one agreement.

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

MOTION APPROVED

5. **RESOLUTION NO. 143-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, COMMITTING TO CONTROL THE TIMING OF THE DECORATIVE LIGHTING ON BLUE HERON BRIDGE PILLARS; AND PROVIDING AN EFFECTIVE DATE.**

ITEM PULLED FOR DISCUSSION

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by **Chair pro tem Davis** and seconded by **Councilperson Davis Johnson** to approve Resolution No. 143-09.

MOTION

Mary McKinney, Community Development Director, reviewed the backup information for the proposed resolution.

Mike Mahoney, 2120 Broadway, made comments in favor of the project.

Gerald Ward, 31 W 20th Street, made comments against the proposed resolution.

Councilperson Davis Johnson requested that a procedure be established requiring vendors desiring to conduct business with the city, be in attendance at meetings in which their proposed project is to be discussed.

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

MOTION APPROVED

6. **RESOLUTION NO. 144-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING SETTLEMENT IN THE MATTER OF STEPHANIE KING, INDIVIDUALLY AND AS NATURAL GUARDIAN OF XAIVER CARTER, A MINOR VS. THE CITY OF RIVIERA BEACH; AUTHORIZING GALLAGHER BASSETT TO MAKE PAYMENT IN THE TOTAL AMOUNT OF $37,500 AS COMPLETE SETTLEMENT; AND PROVIDING AN EFFECTIVE DATE.**

7. **RESOLUTION NO. 145-09 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 THREE (3) YEAR AGREEMENT TO PROVIDE POLICE SERVICES TO THE HOMEOWNERS ASSOCIATION OF THOUSAND OAKS; AUTHORIZING THE FINANCE DIRECTOR TO ACCEPT QUARTERLY PAYMENTS IN THE AMOUNT OF $36,170 FOR THREE YEARS; AND PROVIDING AN EFFECTIVE DATE.**

8. **RESOLUTION NO. 146-09 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 TO CONTINUE TO PROVIDE POLICE SERVICES TO THE RIVIERA BEACH COMMUNITY REDEVELOPMENT**

AGENCY (CRA); AUTHORIZING THE FINANCE DIRECTOR TO ACCEPT FOUR EQUAL PAYMENTS IN THE AMOUNT OF $46,303.10 FOR THE 2010 FISCAL YEAR; AND PROVIDING AN EFFECTIVE DATE.

ITEM DELETED

9. **RESOLUTION NO. 147-09 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 EMERGENCY SERVICES AGREEMENT FOR MUTUAL ASSISTANCE, AUTOMATIC AID, AND DISPATCH SERVICES BETWEEN THE CITY OF RIVIERA BEACH AND PALM BEACH COUNTY FOR THE PROVISION OF FIRE AND EMERGENCY MEDICAL DISPATCH SERVICES; AND PROVIDING AN EFFECTIVE DATE.**

10. **RESOLUTION NO. 148-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE THE 2008-2009 BARGAINING AGREEMENT COMMENCING OCTOBER 1, 2008 TO SEPTEMBER 30, 2009 BETWEEN THE CITY OF RIVIERA BEACH AND THE INTERNATIONAL UNION OF POLICE ASSOCIATION (IUPA) AN ORGANIZATION REPRESENTING THE POLICE LIEUTENANTS OF THE CITY OF RIVIERA BEACH; THE FINANCE DIRECTOR IS AUTHORIZED TO APPROPRIATE $22,043 FROM GENERAL FUND FUND BALANCE AND TRANSFER TO THE POLICE DEPARTMENT VARIOUS RELATED SALARY ACCOUNTS; PROVIDING AN EFFECTIVE DATE.**

ITEM PULLED FOR DISCUSSION

City Clerk Ward read the aforementioned Resolution into the record.

A motion was made by **Chair pro tem Davis** and seconded by **Councilperson Lowe** to approve Resolution No. 148-09.

MOTION

Doretha Perry, Human Resources Director, reviewed the backup along with the additional information for the proposed resolution.

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

MOTION APPROVED

END OF CONSENT AGENDA

The Consent Agenda was unanimously approved as amended.

PETITIONS AND COMMUNICATIONS FOR FILING:

NONE

AWARDS AND PRESENTATIONS:

11. PRESENTATION OF A RETIREMENT MEMENTO TO PATRICK GALLIGAN FOR TWENTY-THREE (23) YEARS OF DEDICATED SERVICE TO THE POLICE DEPARTMENT AND THE CITIZENS OF RIVIERA BEACH.

ITEM DELETED

12. PRESENTATION OF A RETIREMENT MEMENTO TO WILLIAM SHEPHERD FOR TWENTY (20) YEARS OF DEDICATED SERVICE TO THE POLICE DEPARTMENT AND THE CITIZENS OF RIVIERA BEACH.

Doretha Perry, Human Resources Director, presented William Shepherd with his retirement memento for 20 years of dedicated service to the City of Riviera Beach.

Danny Jones, Asst. Chief of Police, presented William Shepherd with a plaque and his retirement badge for 20 years of dedicated service to the City of Riviera Beach.

Mr. Shepherd introduced his family and thanked the city for his employment tenure.

13. PRESENTATION OF CERTIFICATE OF APPRECIATION TO DAVID HALL, PARKS AND RECREATION, QUENTIN JACOBS, POLICE DEPARTMENT, ASSISTANT CHIEF DANNY JONES, POLICE DEPARTMENT AND JEFF GAGNON, COMMUNITY DEVELOPMENT FOR EMPLOYEES WHO ASSISTED CHAIR PRO-TEM JUDY L. DAVIS WITH SENIOR CITIZEN HOUSE PAINTING PROJECTS.

Chair pro tem Davis presented the following employees with a certificate of appreciation for their assistance in doing minor repairs to senior citizens homes within the city: Danny Jones, Asst. Chief of Police; Jeff Gagnon, Planner; Quentin Jacobs, Police Officer; and David Hall, Parks and Recreation.

PUBLIC HEARINGS:

NONE

ORDINANCES ON SECOND READING:

NONE

ORDINANCES ON FIRST READING:

NONE

COMMENTS FROM THE PUBLIC – 8:00 PM*[1] – 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.*

Mike Mahoney, 2120 Broadway, made comments reference a presentation given by the Treasure Coast Region Council at a Planning and Zoning Meeting which did not include on street parking along Broadway.

Bonnie Larson, W 27th Street, made comments regarding the agenda item with backup information process. She made comments reference the police service contract with Thousand Oaks including pension costs, car maintenance cost, as well as funding for gas; and that if there was a desire to hire an additional officer a new contract should be brought before the City Council for approval. She continued with comments reference administration reviewing employee furlough days and how they could possibly be the same day as a holiday resulting in city hall being closed additional days. Ms Larson stated that there was no posting of school zone hours along Blue Heron Boulevard and that if the present City Council would improve the esthetics along Broadway it would benefit the residents as well as their opportunity of being re-elected. She inquired about the date in which old city hall would be demolished.

Nora Mahoney, 2120 Broadway, made comments reference the importance of the public attending the upcoming Planning and Zoning Board meeting. She inquired as to whether or not there would be changes to the design of the Boys and Girls Club. She requested that the city place holiday decorations along Broadway.

Zar Yassine, 2124 Broadway, inquired as to whether or not he could decorate his building without violating any city ordinances. He continued with stating that he was against parking along Broadway.

Margaret Shepherd, expressed appreciation to everyone who supported her granddaughter Somér's fundraising efforts.

Angela Wynn, W 35th Street, expressed appreciation to Commander Mitchell for his attendance at the Riviera Beach Civic Association meeting. She continued with outlining the purpose of the Riviera Beach Civic Association.

George Carter, Riviera Beach Maritime Academy, gave an update on the Youth Build Program and stated that a presentation would be on the agenda for the next City Council Meeting.

Gerald Ward, 31 W 20th Street, expounded on the importance for all department heads to review items within their scope, acknowledge with their comments, if any, prior to items being placed on the agenda. He continued with comments reference the meeting scheduled November 19th regarding the Blue Heron Bridge which was in conflict with the Planning and Zoning Board meeting scheduled for 6:30 at which time the comprehensive plan would be discussed. Mr. Ward stated that a CRA meeting was scheduled for November 23rd wherein discussion would be held regarding Martin Luther King, Jr. Boulevard.

[1]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:

14. RESOLUTION NO. 149-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE LONG RANGE PLAN IN REFERENCE TO THE STATE AID TO LIBRARIES GRANT FUNDING FOR LIBRARY SERVICES; AND PROVIDING AN EFFECTIVE DATE.

City Clerk Ward read the aforementioned Resolution into the record.

Cynthia Cobb, Librarian, reviewed the backup information provided for the proposed resolution.

Caryn St. John, made comments in support of the proposed resolution.

A motion was made by **Councilperson Davis Johnson** and seconded by **Chair pro tem Davis** to approve Resolution No. 149-09.

MOTION

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

MOTION APPROVED

15. **RESOLUTION NO. 150-09 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AMENDMENT NUMBER 1 TO INTERLOCAL AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY OF RIVIERA BEACH FOR FUNDING OF THE EXPANSION AND RENOVATION OF THE RIVIERA BEACH MARINA AND INCLUDE THE REVISED EXHIBIT A AND EXHIBIT C; AUTHORIZING THE FINANCE DIRECTOR TO REVISE THE BUDGET FOR THE CITY OF RIVIERA BEACH MARINA EXPANSION PROJECT IN THE AMOUNT OF $5,000,000 AS PROVIDED IN THE REVISED EXHIBITS; AND PROVIDING AN EFFECTIVE DATE.**

ITEM DELETED

BOARD APPOINTMENT(S):

NONE

DISCUSSION BY THE CITY MANAGER:

City Manager Jones gave an overview on the presentation made at the Palm Beach County Commission meeting on November 17th and the amendment to the interlocal agreement regarding the Riviera Beach Marina. City Manager Jones stated that she would be providing a proposed schedule for workshops during the month of December.

LEGAL DISCUSSION/REQUEST:

NONE

DISCUSSION AND RECOMMENDATIONS BY CITY COUNCIL:

Chairperson Pardo inquired about the availability of the Waterfront Advisory Board agenda and a listing of the board members along with their term limits. She requested a written update on the Sykes bill by the next City Council Meeting as well as an update on the cost for the Martin Luther King, Jr. Celebration activities. Ms. Pardo stated that she was in search of dictionaries to provide to community children.

Chair pro tem Davis inquired as to when the MWBE ordinance would be presented to the City Council for consideration and the timeline for the demolition of old city hall. She continued with stating that the city needed to put forth more efforts in advertising the positive strides it has been taking in improving the city.

Councilperson Davis Johnson announced that a neighborhood cleanup would be hosted by the Concerned Mothers of the Southside on December 5th at 7:30 a.m. beginning at 1st Street.

Councilperson Lowe expounded on a request received from the Southside Coalition regarding activity equipment needed for kids within the community; and he requested the City Council give a consensus for the Parks and Recreation Department to provide items left over from the summer program. He then requested a consensus from the city council directing the city manager to schedule a tour of the Shake A Leg facility. Councilperson Lowe stated that he felt that an entertainment program should be included in the revitalization of the marina and that he communicated with national recording artist Bob Baldwin who visited the area and was interested in spearheading the program. He further requested that Mr. Baldwin be invited to give a presentation before the city council as it related to his ideas for the project. He then inquired as to whether or not a procedure was in place in which a property owner could request an extension to bring their property into compliance.

Mayor Masters stated that the Marriott Corporation would be in the City Council Chambers on November 20th at 11:30 a.m. accepting applications for all positions. He requested that Ms Rose Anne Brown provide an overview of the plan of action discussed at the prayer breakfast for discussion of youth violence in the communities.

Rose Anne Brown, Chief of Staff, reviewed the plan of action discussed at the prayer breakfast.

ADJOURNMENT

There being no further business, the meeting was duly adjourned at 9:30 p.m.

PLEASE NOTE: A COMPLETE RECORDING AND AGENDA PACKAGE IS AVAILABLE IN THE OFFICE OF THE CITY CLERK.

APPROVED:

THOMAS A. MASTERS
MAYOR

DAWN S. PARDO
CHAIRPERSON

ATTEST:

CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK

JUDY L. DAVIS
CHAIR PRO TEM

BILLIE E. BROOKS
COUNCILPERSON

TONYA DAVIS JOHNSON
COUNCILPERSON

SHELBY L. LOWE
COUNCILPERSON

MOTIONED BY: _____
SECONDED BY: _____

D. PARDO _____
J. DAVIS _____
B. BROOKS _____
T. D. JOHNSON _____
S. LOWE _____

DATE APPROVED: 12/16/2009