



**REGULAR CITY COUNCIL MEETING
AGENDA
MUNICIPAL COMPLEX COUNCIL CHAMBERS
600 WEST BLUE HERON BOULEVARD
RIVIERA BEACH, FL 33404
DECEMBER 2, 2009
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 LEGISLATIVE ASSISTANT AT 561-845-4095 NO LATER THAN 96 HOURS PRIOR TO THE PROCEEDINGS. IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICES 1-800-955-8771 (TDD) OR 1-800-8770 (VOICE) FOR ASSISTANCE.

MAYOR:

THOMAS A. MASTERS

CHAIRPERSON:

DAWN S. PARDO

CHAIR PRO-TEM:

JUDY L. DAVIS

COUNCILPERSONS:

**BILLIE E. BROOKS - DISTRICT 1
TONYA DAVIS JOHNSON – 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.

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. PLEASE SILENCE ALL AUDIO DEVICES TO AVOID INTERFERENCE WITH RECORDING EQUIPMENT.

CITY CLERK CALLS 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:

RESOLUTIONS:

1. RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE PURCHASE OF FOURTEEN (14) POLICE VEHICLES; AND AUTHORIZING THE PURCHASE OF SAID VEHICLES FROM GARBER FORD MERCURY OF GREEN COVE SPRINGS, FLORIDA THROUGH FLORIDA SHERIFF'S BID #09-17-0908 AND STATE CONTRACT 071-000-10-1; AND AUTHORIZING THE PURCHASE OF VEHICLE GRAPHICS FROM GRAPHIC DESIGNS INTERNATIONAL; AND AUTHORIZING THE FINANCE DIRECTOR TO PAY \$312,054 TO GARBER FORD MERCURY, INC. AND 3,524 TO GRAPHIC DESIGNS INTERNATIONAL FROM THE POLICE DEPARTMENTS MOTOR VEHICLE ACCOUNTS; AND PROVIDING AN EFFECTIVE DATE.

2. RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE 2010 DR. MARTIN LUTHER KING, JR. BUDGET AND ACTIVITIES; AND PROVIDING AN EFFECTIVE DATE.

3. RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING SETTLEMENT IN THE MATTER OF DENISE AND WARREN BAKER VS. THE CITY OF RIVIERA BEACH, CASE NO. 502008 CA028069XXXMBAF; AUTHORIZING GALLAGHER BASSETT TO MAKE PAYMENT IN THE AMOUNT OF \$40,000 AS COMPLETE SETTLEMENT; AND PROVIDING AN EFFECTIVE DATE.

4. RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE THE GRANT ASSISTANCE AGREEMENT ON BEHALF OF THE CITY OF RIVIERA BEACH ACCEPTING FUNDS IN THE AMOUNT OF \$159,300 FROM THE DEPARTMENT OF ENERGY, OFFICE OF ENERGY EFFICIENCY & RENEWABLE ENERGY UNDER THE ENERGY EFFICIENCY CONSERVATION BLOCK GRANT PROGRAM OVER A THREE YEAR PERIOD; AND AUTHORIZING THE FINANCE DIRECTOR TO SET UP A BUDGET FOR THE SAME; AND PROVIDING AN EFFECTIVE DATE.

END OF CONSENT AGENDA

PETITIONS AND COMMUNICATIONS FOR FILING:

AWARDS AND PRESENTATIONS:

5. PRESENTATION BY GEORGE CARTER, PRESIDENT, RIVIERA BEACH MARITIME ACADEMY TO GIVE AN UPDATE AND REPORT OF THEIR STUDENT'S RECENT VISIT TO LEAGUE OF CITIES.

PUBLIC HEARINGS:

NONE

ORDINANCES ON SECOND READING:

NONE

ORDINANCES ON FIRST READING:

6. ORDINANCE NO. ____ AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE ADOPTED COMPREHENSIVE PLAN BASED ON THE RECOMMENDATIONS OF THE 2008 CITIZENS' MASTER PLAN INCLUDING AMENDMENTS TO THE MAP SERIES, THE TEXT OF THE FUTURE LAND USE, INFRASTRUCTURE, RECREATION, OPEN SPACE ELEMENTS AND ADDING DEFINITIONS IN ACCORDANCE WITH CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

7. ORDINANCE NO. ____ AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE CITY OF RIVIERA BEACH COMPREHENSIVE PLAN CAPITAL IMPROVEMENT ELEMENT, WITH THE CITY'S FIVE YEAR CAPITAL PROJECTS PLAN FOR FISCAL YEARS 2010 THROUGH 2014, WHICH IS REQUIRED TO BE AMENDED ANNUALLY ACCORDING TO FLORIDA STATUTES SECTION 163.3177; AND PROVIDING AN EFFECTIVE DATE.

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.*

¹Public 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:

8. RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDDING BID NO. 242-09 FOR THE PURCHASE AND INSTALLATION OF A PLAY STRUCTURE FOR BICENTENNIAL PARK TO "A+ PLAYGROUNDS" OF JACKSONVILLE, FLORIDA, BEING THE LOW RESPONSIVE AND RESPONSIBLE BIDDER IN THE AMOUNT OF \$43,689.50; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE PROPOSED MATERIALS AND INSTALLATION AGREEMENT WITH "A+ PLAYGROUNDS"; AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENTS FROM ACCOUNT NO. 310-1234-572-6-6351; AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS NOT TO EXCEED THE AMOUNT OF 10% OF THE TOTAL CONTRACT AMOUNT; FURTHER AUTHORIZING STAFF TO MODIFY THE APPROVED MASTER SITE PLAN BY EXCHANGING THE APPROVED PLAYGROUND SITE WITH AMPHITHEATER LOCATION TO PROVIDE NATURAL SHADE FOR THE CHILDREN PLAY AREA, INCREASED SEATING CAPACITY AND A CENTRALIZED LOCATION FOR THE AMPHITHEATRE; AND PROVIDING AN EFFECTIVE DATE.

9. RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE PURCHASE AND INSTALLATION OF SITE FURNISHING FROM WABASH VALLEY BY PIGGYBACKING OFF VOLUSIA COUNTY SCHOOL BOARD BID #CL-908KP; AND AUTHORIZE THE PURCHASE AND INSTALLATION OF AN ADDITIONAL ONE HUNDRED FIFTY-EIGHT LINEAR FEET (158LF) OF FENCING AND THIRTY-SIX LINEAR FEET (36LF) OF CUSTOM GATE FROM TROPIC FENCE, INC. TO ENCLOSE THE ENTIRE PARK USING PRICING AND CONDITIONS FROM RIVIERA BEACH BID #229-0-9; AND AUTHORIZING THE FINANCE DIRECTOR APPROPRIATE FUNDS FROM THE PARKS AND RECREATION CAPITAL IMPACT FEE FUND IN THE AMOUNT OF \$40,000 TO PAY FOR THE PURCHASE AND PROVIDE A CONTINGENCY; AUTHORIZING THE CITY MANAGER TO EXECUTE MATERIALS AND INSTALLATION AGREEMENT UPON REVIEW AND APPROVAL OF THE CITY ATTORNEY.

10. RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AND AUTHORIZING THE IMPLEMENTATION OF CERTAIN POLICIES AND PROCEDURES; AND PROVIDING AN EFFECTIVE DATE.
11. FINANCE DIRECTOR'S SEMI-ANNUAL REPORT.

BOARD APPOINTMENT(S):

12. CITY COUNCIL TO APPOINT MEMBERS TO THE PLANNING AND ZONING BOARD.
13. MAYOR THOMAS A. MASTERS TO APPOINT MR. WILLIE PATTERSON AS RESIDENT BOARD CHAIR FOR THE RIVIERA BEACH HOUSING AUTHORITY.

DISCUSSION BY THE CITY MANAGER:

LEGAL DISCUSSION/REQUEST:

DISCUSSION AND RECOMMENDATIONS BY CITY COUNCIL:

ADJOURNMENT