



**REGULAR CITY COUNCIL MEETING  
AGENDA  
MUNICIPAL COMPLEX COUNCIL CHAMBERS  
600 WEST BLUE HERON BOULEVARD  
RIVIERA BEACH, FL 33404  
AUGUST 19, 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  
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.**

**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**

**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 ON AUGUST 5, 2009.**

## **RESOLUTIONS:**

2. RESOLUTION NO. \_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING FUNDS IN THE AMOUNT OF \$1,283,556 FROM THE DEPARTMENT OF JUSTICE OFFICE OF COMMUNITY ORIENTED POLICING SERVICES HIRING RECOVERY PROGRAM OVER A THREE (3) YEAR PERIOD; AUTHORIZING THE MAYOR AND THE CHIEF OF POLICE TO EXECUTE THE GRANT CONTRACT ON BEHALF OF THE CITY OF RIVIERA BEACH; AUTHORIZING THE FINANCE DIRECTOR TO SET UP A BUDGET FOR THE SAME; AND PROVIDING AN EFFECTIVE DATE.
  
3. RESOLUTION NO. \_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDED BID NO. 231-09 AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE PROPOSED CONSTRUCTION SERVICES CONTRACT WITH ROSSO PAVING AND DRAINAGE, INC., OF WEST PALM BEACH, FLORIDA FOR DRAINAGE IMPROVEMENTS TO AVENUE "R" IN THE AMOUNT OF \$49,835; AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS UP TO TEN PERCENT (10%); AND AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT FOR SAME FROM ACCOUNT NO. 460-1127-541-0-6355; 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 AND CITY CLERK TO EXECUTE THE INTERLOCAL AGREEMENT BETWEEN THE TOWN OF MANGONIA PARK AND THE CITY, PERMITTING SAID TOWN TO DISCHARGE 70 CFS OF STORMWATER RUNOFF INTO THE CITY'S RC-2C CANAL; FURTHER AUTHORIZING THE CITY TO INVOICE THE TOWN FOR TWENTY PERCENT (20%) OF MAINTENANCE COSTS AND ANY NECESSARY CAPITAL IMPROVEMENTS TO THE CANAL WITH THE SAID PERCENTAGE REPRESENTING THE TOWN'S CONTRIBUTION OF 78.8 ACRES TO THE CANAL WHICH HAS A TOTAL AREA OF 384 ACRES; 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 LEASE AGREEMENT FOR THE RENTAL OF SPACE ON THE CITY'S 911 COMMUNICATION TOWER, WITH THE NEW CINGULAR WIRELESS PCS, LLC OF ATLANTA, GA, IN THE AMOUNT OF \$18,000 WITH ANNUAL INCREASES OF 3% OVER THE TERM OF THE CONTRACT.
  
6. RESOLUTION NO. \_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN ADDENDUM TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND THE BOARD OF COUNTY COMMISSIONERS, PALM BEACH COUNTY, INCREASING FUNDING IN THE AMOUNT OF \$8,100 FOR THE PURCHASE OF SIX (6) LAPTOPS FOR THE CITY OF RIVIERA BEACH JUSTICE SERVICE CENTER'S REENTRY PROGRAM; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE ADDENDUM TO THE INTERLOCAL AGREEMENT; AUTHORIZING THE FINANCE DIRECTOR TO EXPEND FUNDS FROM ACCOUNT NO. 151-0202-569-2-5201; AND PROVIDING AN EFFECTIVE DATE.
  
7. RESOLUTION NO. \_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, DECLARING A VACANCY IN DISTRICT 3 OF THE CITY OF RIVIERA BEACH; AUTHORIZING THE APPOINTMENT THEREOF IN ACCORDANCE WITH THE CITY CHARTER; AND PROVIDING AN EFFECTIVE DATE.

**PETITIONS AND COMMUNICATIONS FOR FILING:**

NONE

**END OF CONSENT AGENDA**

**PUBLIC HEARINGS:**

**ORDINANCES ON SECOND READING:**

NONE

**ORDINANCES ON FIRST READING:**

8. 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 2007 EVALUATION AND APPRAISAL REPORT INCLUDING AMENDMENTS TO THE MAP SERIES, THE TEXT OF THE FUTURE LAND USE, HOUSING, TRANSPORTATION, INFRASTRUCTURE, RECREATION AND OPEN SPACE, CONSERVATION, COASTAL MANAGEMENT, INTERGOVERNMENTAL COORDINATION, AND CAPITAL IMPROVEMENT 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.
  
9. ORDINANCE NO. \_\_\_\_ AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, GRANTING TO FLORIDA POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC FRANCHISE; IMPOSING PROVISIONS AND CONDITIONS RELATING THERETO; PROVIDING FOR MONTHLY PAYMENTS TO THE CITY OF RIVIERA BEACH; PROVIDING FOR LIMITED SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**AWARDS AND PRESENTATIONS:**

10. PRESENTATION OF CERTIFICATES OF AWARD TO FOUR (4) ADDITIONAL 2009-2010 SCHOLARSHIP WINNERS.
  
11. PRESENTATION OF COUNCIL AWARD BY COUNCILMAN CEDRICK A. THOMAS TO DISTRICT 3 POLICE COMMANDER DAVID TORRES.
  
12. PRESENTATION BY THE POLICE PENSION BOARD TO COUNCILWOMAN BILLIE E. BROOKS.

**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 will begin at 8:00 PM or if an item is already in progress at 8:00 PM, Public Comments will begin immediately after the item has concluded.

**REGULAR:**

13. RESOLUTION NO. \_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE CITY OF RIVIERA BEACH PUBLIC LIBRARY’S PATRON CODE OF CONDUCT; AND PROVIDING AN EFFECTIVE DATE.
  
14. RESOLUTION NO. \_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE ADOPTION OF THE CITY’S STORMWATER MASTER PLAN INCLUDING THE HIGH PRIORITY AND CAPITAL IMPROVEMENT PROJECTS WITH THEIR RESPECTIVE SCHEDULES; AND PROVIDING AN EFFECTIVE DATE.

**BOARD APPOINTMENT(S):**

**DISCUSSION BY THE CITY MANAGER:**

**LEGAL DISCUSSION/REQUEST:**

**DISCUSSION AND RECOMMENDATIONS BY CITY COUNCIL:**

15. COUNCIL CHAIR PARDO - FUNDING REQUEST FROM DOT'S SUCCESS ACADEMY TO SUPPORT READING PROGRAM.

**ADJOURNMENT**