



**REGULAR CITY COUNCIL MEETING
AGENDA
MUNICIPAL COMPLEX COUNCIL CHAMBERS
600 WEST BLUE HERON BOULEVARD
RIVIERA BEACH, FL 33404
JULY 15, 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 JULY 1, 2009.**

RESOLUTIONS:

2. 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 AN EMERGENCY SERVICES AGREEMENT FOR MUTUAL ASSISTANCE AND AUTOMATIC AID BETWEEN THE CITY OF RIVIERA BEACH AND PALM BEACH COUNTY FOR THE PROVISION OF MUTUAL AID ASSISTANCE AND AUTOMATIC AID; 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 TOTAL SETTLEMENT OF THE MATTERS OF AUSTIN BOWE V. CITY OF RIVIERA BEACH IN THE AMOUNT OF \$60,121 AND \$10,000 RESPECTIVELY AS COMPLETE AND FINAL SETTLEMENT OF INDEMNITY COMPENSATION, FURTHER LIABILITY FOR FUTURE MEDICAL CARE AND REHABILITATION TO THE CLAIMANT, INCLUSIVE OF ATTORNEY'S FEES AND COSTS AND \$17,000 OF PAST ATTORNEY'S FEES AND TAXABLE COSTS; FURTHER AUTHORIZING PAYMENT FROM THE CITY'S WORKERS' COMPENSATION SETTLEMENT ACCOUNT NO. 602-0539-513-0-1405 TO BE REIMBURSED BY THE INSURANCE CARRIER; 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:

4. ORDINANCE NO. ____ AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 14, ARTICLE II OF THE CODE OF ORDINANCES OF THE CITY OF RIVIERA BEACH RELATING TO THE RETIREMENT SYSTEM FOR GENERAL EMPLOYEES BY PROVIDING FOR A DEFERRED RETIREMENT OPTION PROGRAM (DROP); PROVIDING FOR SEVERABILITY, CONFLICTS AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

AWARDS AND PRESENTATIONS:

5. PRESENTATION OF A PROCLAMATION DESIGNATING THE MONTH OF AUGUST AS RIVIERA BEACH FIRE RESCUE PART OF LOCAL 2928 FIREFIGHTER APPRECIATION MONTH.
6. PRESENTATION BY CITY STAFF ON THE NEIGHBORHOOD STABILIZATION PROGRAMS (NSP) 1 AND 2.
7. PRESENTATION OF COMMENDATION BY CHIEF OF POLICE CLARENCE D. WILLIAMS, III TO DETECTIVE JENNIFER NUBIN FOR DEMONSTRATING EXCEPTIONAL POLICE SERVICES DURING HER CURRENT ASSIGNMENT TO THE PALM BEACH COUNTY SHERIFF'S OFFICE VIOLENT CRIME UNIT.

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.*

REGULAR:

8. RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING PAYMENT TO MODCOMP SYSTEMS & SOLUTIONS FOR EMERGENCY PROFESSIONAL AND TECHNICAL CONSULTING SERVICES ON THE CITY'S COMPUTER NETWORK SYSTEM IN THE AMOUNT OF \$14,962.50 FROM ACCOUNT NO. 001-0243-513-0-4601; AND PROVIDING AN EFFECTIVE DATE.
9. RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, SUPPORTING THE ESTABLISHMENT OF THE YOUTHBUILD USA PROGRAM AT THE RIVIERA BEACH MARITIME ACADEMY; AUTHORIZING CITY STAFF TO COLLABORATE WITH RIVIERA BEACH MARITIME ACADEMY REPRESENTATIVES IN THE IMPLEMENTATION OF THE YOUTHBUILD USA PROGRAM; AND PROVIDING AN EFFECTIVE DATE .
10. RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY MANAGER RUTH JONES OR HER DESIGNEE TO SUBMIT A GRANT APPLICATION TO THE FLORIDA BOATING INFRASTRUCTURE FUND AND COMMITTING TO MAINTAIN THE IMPROVEMENTS FOR TWENTY (20) YEARS; AND PROVIDING AN EFFECTIVE DATE.
11. RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN AGREEMENT WITH JOY PRODUCTION, INC. OF RIVIERA BEACH, FLORIDA TO PROVIDE CONSULTING SERVICES FOR JAZZ AFTER DARK FROM JULY 1, 2009 THROUGH SEPTEMBER 30, 2009 IN THE AMOUNT OF \$1,000 PER MONTH; AND APPROVE AN AGREEMENT WITH HUGHIE TOOTHMAN OF FT. LAUDERDALE, FLORIDA TO PROVIDE PROFESSIONAL SOUND AND LIGHTING FOR JAZZ AFTER DARK CONCERTS FROM JULY 1, 2009 THROUGH SEPTEMBER 30, 2009 IN THE AMOUNT OF \$1,650 PER MONTH; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE SAID AGREEMENTS; AUTHORIZING THE FINANCE DIRECTOR TO PAY EACH AMOUNT FROM ACCOUNT NO. 001-1232-572-0-5507; AND PROVIDING AN EFFECTIVE DATE.

12. RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, SETTING THE MAXIMUM MILLAGE RATE FOR FISCAL YEAR 2009-2010 AT A RATE OF _____ MILLS; AND PROVIDING AN EFFECTIVE DATE.

BOARD APPOINTMENT(S):

13. CITY COUNCIL TO APPOINT OR RE-APPOINT FIVE (5) REGULAR MEMBERS AND ONE (1) ALTERNATE MEMBER TO SERVE ON THE GENERAL EMPLOYEES CIVIL SERVICE BOARD.

DISCUSSION BY THE CITY MANAGER:

LEGAL DISCUSSION/REQUEST:

DISCUSSION AND RECOMMENDATIONS:

ADJOURNMENT

CITY OF RIVIERA BEACH, FL
 REGULAR CITY COUNCIL MEETING
 JULY 15, 2009

ADDITIONS, DELETIONS, SUBSTITUTIONS & REVISIONS

<u>Section</u>	<u>Item No.</u>	<u>DELETIONS</u>
Awards And Presentations	Item No. 6	This Item Has Been Moved From Awards And Presentations To Regular Agenda.
Regular	Item No. 10	This Item Is Pulled From Consideration.
		<u>ADDITIONS</u>
Consent	Item No. 3A	Resolution No. ____ A Resolution Of The City Council City Of Riviera Beach, Palm Beach County, Florida, Requesting The Assistance Of Governor Crist And Florida Department Of Transportation Secretary Kopelousos To Prioritize The Intercity Rail Component Of The Florida East Coast Corridor Project (From Jacksonville To Miami) As Part Of The Federal Economic Stimulus Package For The State Of Florida; And Providing An Effective Date.
Awards And Presentations	Item No. 5	CORRECTED WORDING OF ITEM: Presentation Of A Proclamation Designating The Month Of August <u>Outlining Riviera Beach Fire Department's Commitment To Muscular Dystrophy Association And Designating August As "Riviera Beach Fire Rescue Firefighters Part Of Local 2928 Firefighter Appreciation Month".</u>
Regular	Item No. 6	This Item Has Been Moved From Awards And Presentations To Regular Agenda With A Resolution To Read: Resolution No. ____ A Resolution Of The City Council Of The City Of Riviera Beach, Palm Beach County, Florida, Endorsing The Submittal Of Applications For The Neighborhood Stabilization Program Rounds 1 And 2; And Providing An Effective Date.

07/14/09
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