

RESOLUTION NO. 17-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A LICENSE AGREEMENT BETWEEN THE CITY AND THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY GRANTING THE USE OF APPROXIMATELY 21,050 SQUARE FEET OF UNIMPROVED CITY RIGHT-OF-WAY TO BE UTILIZED AS A LINEAR WALK AND GREEN SPACE, LOCATED NORTH OF DR. MARTIN LUTHER KING JR. BOULEVARD TO SOUTH OF WEST 10TH STREET, ALONG AVENUE 'L'; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE LICENSE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Riviera Beach (City) created the Riviera Beach Community Redevelopment Agency (CRA) in 1974, consistent with the Community Redevelopment Act; and

WHEREAS, the CRA has developed an enhancement plan for the Riviera Beach Heights Neighborhood, which includes a new linear walk and green space; and

WHEREAS, the CRA plans to construct and manage an additional linear walk path and green space; and

WHEREAS, the City previously approved a License Agreement with the CRA for a linear walk and green space located north of West 6th Street to south of Dr. Martin Luther King Jr. Boulevard along Avenue L, by Resolution 107-13 September 4, 2013 ; and

WHEREAS, the City controls the unimproved right-of-way for the linear walk path and green space; and

WHEREAS, the City Council desires to allow the CRA to utilize approximately 21,050 square feet (460 Linear feet) of unimproved right-of-way, located north of Dr. Martin Luther King Jr. Boulevard to south of West 10th Street, along Avenue L, as a component of the Riviera Beach Heights Implementation Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AS FOLLOWS:

SECTION 1. That the License Agreement between the City and the CRA is hereby approved, granting the use of approximately 21,050 square feet (460 Linear feet) of unimproved city right-of-way to be utilized as a linear walking path and green space, located north of Dr. Martin Luther King Jr. Boulevard to south of West 10th Street, along Avenue L. Said agreement is attached hereto as "Exhibit A".

RESOLUTION NO. 17-14
PAGE 2

SECTION 2. This Resolution authorizes the Mayor and City Clerk to execute the attached License Agreement.

SECTION 3. This Resolution shall take effect immediately upon approval.

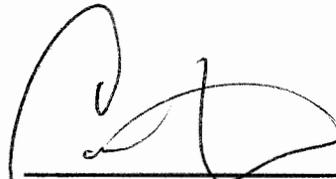
PASSED and APPROVED this 19th day of March, 2014.

*****THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK*****

APPROVED:



THOMAS A. MASTERS
MAYOR



CEDRICK A. THOMAS
CHAIRPERSON

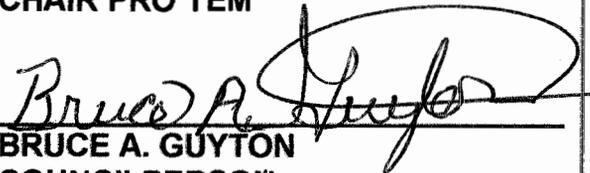
ATTEST:



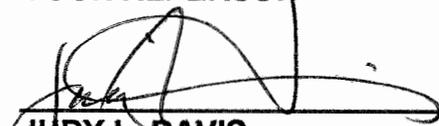
CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



DAWN S. PARDO
CHAIR PRO TEM



BRUCE A. GUYTON
COUNCILPERSON



JUDY L. DAVIS
COUNCILPERSON



TERENCE D. DAVIS
COUNCILPERSON

RESOLUTION NO. 17-14
PAGE 3

MOTIONED BY: J. DAVIS

SECONDED BY: T. DAVIS

C. THOMAS TARDY

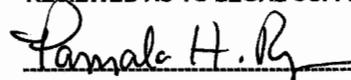
D. PARDO AYE

B. GUYTON AYE

J. DAVIS AYE

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY


Pamala H. Ryan
PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 3/19/14

LICENSE AGREEMENT

THIS AGREEMENT is made as of the 19th day of March, 2014, by and between the City of Riviera Beach, a municipal corporation existing under the laws of the State of Florida, whose mailing address is 600 West Blue Heron Boulevard, Riviera Beach, Florida 33404 (hereinafter "City" or "Licensor"), and Riviera Beach Community Redevelopment Agency, a body corporate and politic created pursuant to Part III, Chapter 163, Florida Statutes, whose mailing address is 2001 Broadway, Suite 300, Riviera Beach, FL (hereinafter "Licensee").

RECITALS:

WHEREAS, the City is the owner of a right-of-way located at Avenue "L", between 8th Street and 10th Street, more particularly described on Exhibit "A", attached hereto and incorporated herein by this reference (hereinafter "the Property"); and

WHEREAS, Licensee is requesting permission from the City to use the Property as a linear park as described herein.

WITNESSETH:

NOW, THEREFORE, the parties hereto, intending to be legally bound, do hereby agree as follows:

1. **Recitals.** The above Recitals are true and correct and are incorporated herein by this reference
2. **License.** The City hereby grants to the Licensee the right to use the Property as a park and to install landscaping, lighting and walkways on the Property (the "Improvements") as shown on Exhibit "B", and maintain the same. The License shall commence upon issuance of a building permit by the City's Community Development Department and shall expire 5 years from the date of the issuance, unless otherwise extended by the City Council of the City of Riviera Beach or unless otherwise terminated as provided herein. If not extended, Licensee agrees to remove all improvements from the property within one hundred and eighty (180) days of the Agreement's expiration. Otherwise, Licensee agrees that the City may remove the equipment at a cost to be borne by the Licensee.
3. **Fees, damages and indemnification.**
 - A. **Fees.** Licensee recognizes that it must apply for and receive a building permit to install the Improvements. Licensee agrees to pay for any and all permits.

B. Indemnification. To the fullest extent permitted by laws and regulations, Licensee shall indemnify, defend, save and hold harmless, the City, its officers, agents and employees from any and all claims, damages, losses, liabilities and expenses, pertaining to or arising out of the licensing of the land use of the licensed Property, this License Agreement, the use and/or occupancy of the Property by Licensee or any of its subcontractors, agents, officers, employees, independent contractors, invitees or guests. Further, Licensee shall defend against and indemnify and hold the City harmless for any liability or causes of action for, including but not limited to, claims of theft and/or bodily injury or death.

Licensee shall pay all losses, claims, liens, settlements, or judgments of any nature whatsoever in connection with the foregoing indemnification, including but not limited to, reasonable attorney's fees (including appellate attorney's fees and costs). All costs and fees associated with any such defense shall be the responsibility of Licensee. Nothing contained herein is intended nor shall it be construed to waive the City's or the Licensee's rights and immunities under the common law or Florida Statute section 768.28, as amended from time to time.

4. **Insurance.** For the duration of this Agreement Licensee shall procure and maintain insurance with minimum coverage limits of \$1,000,000.00 so as to fully protect the Licensee and Licensor from any and all claims for damages for bodily and personal injury, including wrongful death, as well as from claims of property damages including, but not limited to, damages to the Property which may arise from any operations under this Agreement, whether such operations be by the Licensee or by anyone directly or indirectly employed by or contracting with the Licensee, or otherwise present on the Property during the Licensee's use of the Property. The insurance must name the City as an additional insured.
5. **Assignability.** This License Agreement is personal to Licensee and may not be sold, assigned or transferred by Licensee. Any attempt to assign this license will terminate the license privilege granted to Licensee hereunder.
6. **Notices.** All notices hereunder must be in writing and shall be deemed validly given if sent by certified mail return receipt requested. If sent to the CITY shall be mailed to:

City of Riviera Beach
ATTN: Ruth C. Jones, City Manager
600 W. Blue Heron Blvd.
Riviera Beach, FL 33404

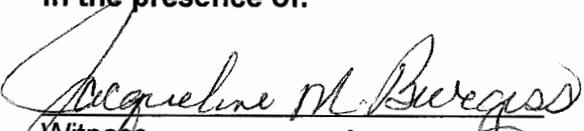
copy to: _____

If sent to Licensee:
Riviera Beach Community Redevelopment
Agency
ATTN: Tony Brown, Executive Director
2001 Broadway, Suite 300
Riviera Beach, FL 33404

7. **Revocation and Termination for Default.** In the event that the Licensee shall default in any of the terms, obligations, restrictions or conditions of this License Agreement, or is found to be in violation of any part of the City Code of Ordinances or any other applicable laws for the property the City shall have the right to (a) revoke and terminate this License Agreement after thirty (30) days' written notice to the Licensee, or (b) grant the Licensee a reasonable period of time within which to cure such default. In the event that the City elects to allow Licensee to cure said default as set forth herein and the Licensee fails or is unable to cure such a default within the applicable time period, the City shall have all legal remedies available to it, in addition to the revocation and termination of this License Agreement, in which case, the City shall be entitled to recover its attorney's fees and costs, and any and all damages permitted by law arising from the default.
8. **PREPARATION.** This License shall not be construed more strongly against either party regardless of who was more responsible for its preparation.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement as of the date and year first above written.

**Signed, sealed, and delivered
in the presence of:**


Witness
Print Name: Jacqueline M. Burgess

LICENSEE:

By: 
Print Name: Cedrick Thomas
Title: Chairman

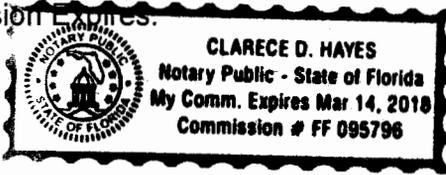
STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 31st day of March, 2014, by CA Thomas, as Chairman of the Licensee

and CA Thomas executed the same on behalf of Licensee and is personally known to me or who has produced known as identification.

Clarece D. Hayes
NOTARY PUBLIC
Print Name: Clarece D. Hayes

My Commission Expires.



(Seal)

ATTEST:

BY: [Signature] 3/31/14
Carrie E. Ward, MMC, City Clerk

CITY OF RIVIERA BEACH, FLORIDA

BY: [Signature]
Thomas A. Masters, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

BY: [Signature]
Pamala H. Ryan, City Attorney

EXHIBIT "A"
PROPERTY DESCRIPTION OR MAP

Exhibit A

W 13th Ct

W 10th St

W 9th St

Avenue K

Dr Martin Luther King Jr Blvd

W 7th St

Australian Ave

W 6th St

0 185 370 740 Feet

Linear Walk Path and Green Space
Area ~ 21,050
located north of
Dr. Martin Luther King Jr. Boulevard
to south of West 10th street
along Avenue L

**Riviera Beach
Community Redevelopment Area
Linear Walk Park**

-  Area of License Agreement
-  Parcels
-  Roads



RESOLUTION NO. 18-14

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 3rd AMENDMENT TO THE PROFESSIONAL SERVICE AGREEMENT WITH JH SPRAGUE CONSULTING, L.L.C. TO PROVIDE CONSULTATION SERVICES ON THE MARINA PROJECT TO FACILITATE THE DEVELOPMENT AND IMPLEMENTATION OF THE MARINA RENOVATION AND DEVELOP AND MONITOR GRANT APPLICATION PROCESSES COMMENCING APRIL 1, 2014; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO MAKE PAYMENT FROM ACCOUNT NO. 001-0203-519-0-3406 IN AN AMOUNT NOT TO EXCEED \$48,000.00; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City has approved the concept plan for the Riviera Beach Marina District; and

WHEREAS, the City desires to have JH Sprague Consulting, LLC provide continued consulting services on the Marina Renovation project, as Consultant, to ensure that the interests of the City are appropriately represented in renovation discussions and in the area of grant application processes as set forth in the Scope of Work detailed in Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, THAT:

SECTION 1. The Mayor and City Clerk are authorized to execute the Amendment to the Professional Services Agreement with JH Sprague Consulting, L.L.C., as Consultant, to assist the City with development of the marina renovation, in discussions of the various concept plan elements, and in the area of grant application processes, as specifically set forth in the Scope of Work in Exhibit "A".

SECTION 2. The Director of Finance & Administrative Services is authorized to make payment in an amount not to exceed \$48,000 from Account No. 001-0203-519-0-3406.

SECTION 3. This Resolution shall become effective upon its passage and approval by the City Council.

APPROVED:



THOMAS A. MASTERS
MAYOR

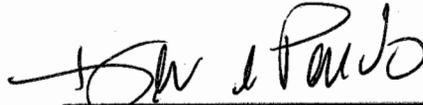


CEDRICK A. THOMAS
CHAIRPERSON

ATTEST:



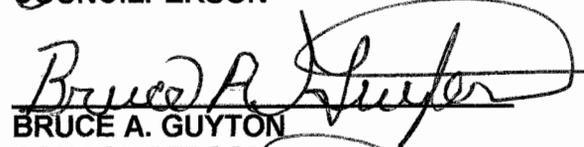
CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



DAWN S. PARDO
CHAIR PRO TEM



JUDY L. DAVIS
COUNCILPERSON



BRUCE A. GUYTON
COUNCILPERSON



TERENCE D. DAVIS
COUNCILPERSON

MOTIONED BY: J. DAVIS

SECONDED BY: T. DAVIS

B. GUYTON AYE

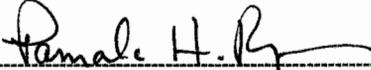
J. DAVIS AYE

C. THOMAS TARDY

D. PARDO AYE

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, B.C.S., CITY ATTORNEY

DATE: 3/19/14

**THIRD AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT
JH SPRAGUE CONSULTING, LLC.**

This Amendment to the Professional Services Agreement is made and entered into this 1st day of April, 2014, by and between the CITY OF RIVIERA BEACH, FLORIDA, a municipal corporation existing under the laws of the State of Florida, hereinafter "City," and JH SPRAGUE CONSULTING, LLC, hereinafter referred to as "Consultant," whose mailing address is 10918 Larch CT, Palm Beach Gardens, FL 33418.

WITNESSED:

WHEREAS, the City entered into a Professional Services Agreement, hereinafter "Agreement," with the Consultant on November 3, 2010 to Coordinate and administer present grant funding for marina construction with city staff, professional services providers, consultants, developers, and other governmental entities to ensure that all grant requirements are met as to timelines, grant regulations and construction; Identify and apply for additional marina construction funding grants, Research grants that can be used for overall projects development elements and other elements as outlined in Exhibit "A" Scope of Services and Fee for Services Schedule Marina Grants Projects Manager; and

WHEREAS, the initial terms of the Agreement were to terminate when the services were complete as identified in "Exhibit A", or when the Consultant had reached \$36,000; and

WHEREAS, the city desires the Consultant to continue to provide ongoing services to the City/CRA joint Project effort to assist the City and CRA with development of the marina renovation, and in the area of grant application processes in the amount not to exceed \$48,000.

NOW, THEREFORE, in consideration of the mutual promises contained herein, the City and Consultant agree as follows:

Section 1. That Section 2 of the Agreement is hereby amended to read as follows:

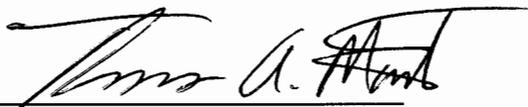
A. This Agreement shall commence on April 1, 2014, and shall terminate when the services are complete as identified in "Exhibit A", or when the Consultant has reached \$48,000, or unless terminated earlier in accordance with Section 4 of this Agreement."

Section 2. In all other respects, the terms of the Agreement shall remain in full force and effect, and the parties agree to perform all duties and obligations as set forth therein.

THIRD AMENDMENT TO PROFESSIONAL SERVICE AGREEMENT

IN WITNESS WHEREOF, the Parties unto this Amendment have set their hands and seals on the day and date first written above.

CITY OF RIVIERA BEACH

BY: 
Thomas A. Masters,
MAYOR

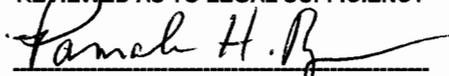
JH SPRAGUE CONSULTING, LLC.

BY: 
John H. Sprague,
CONSULTANT

ATTEST:

BY: 
CARRIE E. WARD
CITY CLERK, MMC

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, CITY ATTORNEY

DATE: _____

Exhibit "A"
Scope of Services and Fee for Services Schedule
Marina Grants Project Manager

Redevelopment of the Marina District will require cooperation of the City, Community Redevelopment Agency (CRA), local property owners, and prospective development partners. The City is in need of the services of a "Marina Grants Project Manager" to assist the overall Project Manager with professional support services to the Riviera Beach Project Marina Redevelopment Project or the "Project"). The Marina Grants Project Manager will ensure that the City optimizes the use of existing grant funds, and will ensure that construction of marina improvements are completed in accordance with various grant requirements. In addition to the above, the Marina Grants Project Manager will identify and apply for additional grant funding; monitor grant administrative activities; assist with grant reporting; and implement a coordinated grant strategy to optimize the use of existing and future grant funding.

The Marina Grants Project Manager will be responsible for the following scope of services.

1. Coordinate and administer present grant funding for marina construction with City staff, professional services providers, consultants, developers, and other governmental entities to ensure that all grant requirements of Phase II, Phase III and beyond are met as to timelines, grant regulations, and construction.
2. Identify and apply for additional marina construction funding grants. Research grants that can be used for overall project development elements.
3. Work with City staff, CRA staff, and consultants/developers to implement various conceptual plan elements of the overall project.
4. Work with City staff, professional services providers and consultants, and developers on State lands dedication issues,
5. Work with City staff, agencies, and consultants on future marina Phase III and beyond replacement and other expansion needs.
6. Assist City staff with grant reimbursement processing and grant reporting for Phase II and Phase III.
7. Implement a coordinated grant strategy to optimize the use of existing and future grant funding.
8. Assist City with marina and uplands planning and construction activities.

Fee for Services and Schedule of Payments

The compensation of the Marina Grants Project Manager, by the City, for the Scope of Services identified above shall be \$48,000.

1. Consultant shall be paid by the City at the rate of \$4,000 per month, upon receipt of an invoice and progress/status report for the month, submitted by the Consultant.
2. Payments shall be made to the Consultant, and the Consultant shall provide services to the City, until the Consultant's billings have reached \$48,000, or unless terminated earlier in accordance with Section 4 of this Agreement.

RESOLUTION NO. 19-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING TOTAL SETTLEMENT OF THE MATTER OF WAYDE HIGGS V. CITY OF RIVIERA BEACH AND APPROVING THE TOTAL SETTLEMENT AMOUNT OF \$50,000.00 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; FURTHER AUTHORIZING PAYMENT FROM THE CITY'S WORKERS' COMPENSATION SETTLEMENT ACCOUNT NUMBER 602-0539-513-0-45 08 TO BE REIMBURSED BY THE INSURANCE CARRIER AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Mr. Wayde Higgs suffered three (3) on the job injuries on June 23, 2004, October 6, 2004, and December 10, 2004; and

WHEREAS, Mr. Higgs has continuously obtained medical care over the past nine (9) years for his workers' compensation injury; and

WHEREAS, the City's Workers' Compensation Attorney and the City's Insurance Administrator have agreed that the City should settle this claim.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA as follows:

SECTION 1. That the City Council hereby authorizes settlement in the matter of Wayde Higgs v. City of Riviera Beach for payment of indemnity compensation, further liability for future medical care and rehabilitation to the claimant, inclusive of Attorney's fees and costs of the Workers' Compensation claim in the total amount of \$50,000.00.

SECTION 2. That the settlement amount of \$50,000.00 shall be paid from the City's Workers' Compensation Settlement Account No. 602-0539-513-0-4508, said amount to be reimbursed by the insurance carrier and paid after Mr. Higgs executes a general release in favor of the City.

SECTION 3. This Resolution shall take effect upon its passage and approval.

PASSED AND APPROVED this 19th day of MARCH, 2014.

APPROVED:



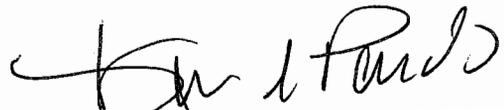
THOMAS A. MASTERS
MAYOR



CEDRICK A. THOMAS
CHAIRPERSON

ATTEST:

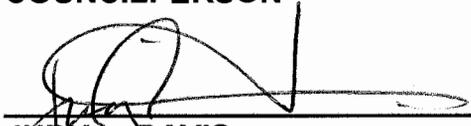

CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK



DAWN S. PARDO
CHAIR PRO TEM



BRUCE A. GUYTON
COUNCILPERSON



JUDY L. DAVIS
COUNCILPERSON



TERENCE D. DAVIS
COUNCILPERSON

MOTIONED BY: J. DAVIS

SECONDED BY: T. DAVIS

B. GUYTON AYE

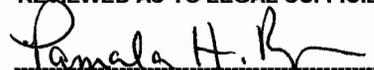
J. DAVIS AYE

C. THOMAS TARDY

D. PARDO AYE

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, B.C.S., CITY ATTORNEY

DATE: 3/19/14

RESOLUTION NO. 20-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING STATE AID TO LIBRARIES GRANT FUNDS FROM THE STATE LIBRARY AND INFORMATION SERVICES DIVISION OF FLORIDA IN THE AMOUNT OF \$16,552.00; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO SET UP A BUDGET; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State Library and Information Services Division of Florida has established a State Aid to Libraries Grant; and

WHEREAS, the City of Riviera Beach Public Library submitted an application for the State Aid to Libraries Grant and was awarded funds in the amount of \$16,552.00; and

WHEREAS, these funds will be used for the general operation and maintenance of the library, as stated in the *"Guidelines and Application, Section IX, Use of Grant Funds, Subsection B."*

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, AS FOLLOWS:

SECTION 1. That the City Council approves the acceptance of the State Aid to Libraries Grant award and accepts the grant funds on behalf of the City.

SECTION 2. The Director of Finance and Administrative Services is authorized to set the budget as follows:

Revenue:	137-00-334703	\$16,552.00
Expenditures:	137-1336-571-0-1201	\$ 6,000.00
	Salaries & Wages	
	137-1336-571-0-3404	\$ 3,276.00
Contract Services - Personal		
	137-1336-571-0-4801	\$ 2,638.00
Promotional Activities		
	137-1336-571-0-5201	\$ 4,638.00
Operating Supplies - General		

RESOLUTION NO. 20-14

PAGE 3

MOTIONED BY: J. DAVIS

SECONDED BY: T. DAVIS

B. GUYTON AYE

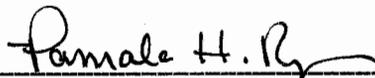
J. DAVIS AYE

C. THOMAS TARDY

D. PARDO AYE

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, B.C.S., CITY ATTORNEY

DATE: 3/19/14

RESOLUTION NO. 21-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN AMENDMENT TO A SITE PLAN LOCATED AT 1481 WEST 15TH STREET FOR A 13.3 ACRE INDUSTRIAL OFFICE AND WAREHOUSE FACILITY FOR THE NEW CITY OF RIVIERA BEACH PUBLIC SAFETY COMPLEX TO HOUSE FIRE, POLICE AND PUBLIC WORKS DEPARTMENTS.

WHEREAS, Section 31-57 of the City of Riviera Beach Code of Ordinances establishes the requirements for Site Plan review by the City Council; and

WHEREAS, the City Council approved the site plan for Gulf Stream lumber October 16, 2002 by Resolution 186-02; and

WHEREAS, the City approved a Five Year Capital Improvement Plan which included the design and construction of a new Public Safety Complex to house Fire, Police and public Works Departments; and

WHEREAS, the City purchased the subject property on November 7, 2012 by Resolution 128-12 to renovate the property for Fire, Police, Public Works Departments and a new Emergency Operations Center; and

WHEREAS, an amendment to the City's Five Year Capital Improvement Plan was approved on January 2, 2013 by Ordinance 4022 to include the cost of the purchase and renovations for the proposed Public Safety Complex; and

WHEREAS, the Planning and Zoning Board met February 27, 2014 to review the Site Plan application for the public Safety Complex and made a recommendation to the City Council for approval of the site plan; and

WHEREAS, the City Council finds that the attached proposed Amendment to the Site Plan (Exhibit A) is consistent with the adopted City of Riviera Beach Comprehensive Plan and the City's Land Development Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AS FOLLOWS:

SECTION 1. The Amendment to the Site Plan to modify an existing 13.3 acre industrial office and warehouse property for the City's New Public Safety Complex for

RESOLUTION NO. 21-14

PAGE 2

Fire, Police, Public Works Departments and Emergency Operations Center is approved with the following conditions:

1. Construction must be initiated within 18 months of the effective date of this resolution in accordance with Section 31-60(a), of the City Code of Ordinances.
2. Palm Beach County Traffic Engineering recommends the City provide an exclusive West Bound Left turn lane at the intersection of Congress Ave and 13th Street and exclusive East Bound Right turn lane at the intersection of Australian Ave and 13th Street.
3. Staff recommends a vegetative buffer be installed on the Westside of Avenue R to reduce noise and traffic impacts to residents west of the canal.

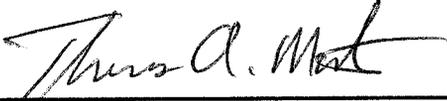
SECTION 2. This Resolution and attached site plan labeled as "Exhibit A" shall act as the final order which is not required to be recorded in the public records of Palm Beach County.

SECTION 3. This Resolution shall take effect immediately upon the effective date of the ordinance amending the Comprehensive Plan Land Use Map from Industrial to Community Facility for this property.

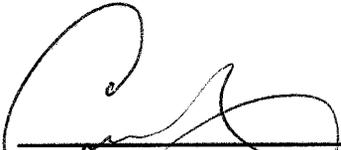
PASSED and APPROVED this 19th day of March, 2014.

*******THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK*******

APPROVED:



THOMAS A. MASTERS
MAYOR

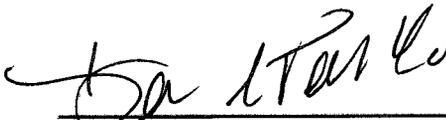


CEDRICK A. THOMAS
CHAIRPERSON

ATTEST:



CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK



DAWN S. PARDO
CHAIR PRO TEM



BRUCE A. GUYTON
COUNCILPERSON



JUDY L. DAVIS
COUNCILPERSON



TERENCE D. DAVIS
COUNCILPERSON

MOTIONED BY: B. GUYTON

SECONDED BY: T. DAVIS

C. THOMAS AYE

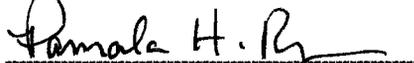
D. PARDO AYE

B. GUYTON AYE

J. DAVIS AYE

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, B.C.S. CITY ATTORNEY

DATE: 3/19/14

RESOLUTION NO. 22-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A THIRD AMENDMENT TO THE OCEAN MALL GROUND LEASE-RETAIL WHICH EXTENDS THE SITE PLAN COMPLETION DEADLINE, RECONFIGURES PARKING AND GRANTS THE CITY ADDITIONAL REVENUE FOR PARKING; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE THIRD AMENDMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on or about December 18, 2006, the City, as Landlord, entered into a retail ground lease (the "Lease") for certain premises known as the Ocean Mall (the "Premises") with OMRD, LLC, a Delaware limited liability company, as Tenant ("OMRD"); and

WHEREAS, the City, OMRD, and the Riviera Beach Community Redevelopment Agency also entered into a Disposition and Development Agreement dated December 18, 2006 ("DDA") setting out the responsibilities for the development of the Premises in two phases (Phase I and Phase II) and certain surrounding City owned property; and

WHEREAS, the DDA set out certain obligations within Section 5.02, with respect to construction of the Ocean Mall and surrounding City owned property; and

WHEREAS, on or about April 24, 2013, GSF Florida Retail LLC became the Tenant under the Lease by virtue of being the winning bidder at the foreclosure sale held in the foreclosure action on the lien of the leasehold mortgage originally held by Branch Banking and Trust Company and subsequently assigned to GSF Trust 2011-1; and

WHEREAS, immediately after the foreclosure sale on the leasehold mortgage, the Tenant paid the City \$300,000 to extend the construction completion date of Phase I under the DDA on the Premises to May 31, 2013; and

WHEREAS, on or about May 15, 2013, the parties entered into the First Amendment to Ground Lease – Retail (the "First Amendment") to facilitate further extension to complete the Phase I construction required of the Tenant by the DDA to May 31, 2014, and further requiring the Tenant to pay an additional \$250,000; and

WHEREAS, the First Amendment provides that in the event that Phase I is not completed by May 31, 2014, the Lease will automatically terminate and the

RESOLUTION NO. 22-14
PAGE 2

Premises will be surrendered to the City, except in the instance that failure to complete Phase I is based upon "Unavoidable Delay" as defined in Section 35(o) of the Lease; and

WHEREAS, the City Council authorized the assignment of the Ocean Mall Ground Lease-Retail to TJAC Singer Island, LLC, in August 2013; and

WHEREAS, GSF Florida Retail LLC and TJAC Singer Island, LLC, requested a Second Amendment to amend Section 25(d) and Section 36 of the Lease to provide the Leasehold Mortgagee the right to enter into a new lease with the City upon the termination of the Lease with Tenant, pursuant to Section 36 or other Event of Default, as defined in Article 14 of the Lease, and further requiring Leasehold Mortgagee to pay \$150,000 for an additional extension to complete Phase I by November 30, 2014, with additional amounts of \$41,666.66 per month to be paid for every month thereafter that Phase I is not completed (not to exceed 12 months); and

WHEREAS, on January 15, 2014, the City Council authorized approval of the Second Amendment to Ground Lease—Retail which (a) released to the City a portion of the land previously included in the Leased Premises and revised the legal description of the Premises; (b) extended certain deadlines for completion of certain improvements at the Premises pursuant to the DDA; and (c) provided certain rights to a lender under any leasehold mortgage given by Tenant on the Premises; and

WHEREAS, Tenant has requested another amendment to the Ground Lease so that it may come into compliance with the parking requirements of the Lease and the City has agreed to grant Tenant the right to use a parcel of real property owned by the City and adjacent to the Premises, for parking spaces for the benefit of the Premises and to enable Tenant to comply with the requirements of Section 4(d) of the Lease, and to amend Section 4(d) with respect to any revenues derived from the use of the additional parking areas; and

WHEREAS, the parties hereby agree to enter into the Third Amendment to: (a) grant certain rights to Tenant in City property for compliance by Tenant with the parking requirements in the Lease; (b) to amend Section 4(d) with respect to any revenues from any parking meters installed on the Premises and on the additional parking areas; (c) to allow the Tenant sufficient time to obtain additional accessible parking for the benefit of City residents, Subtenants and others using the Premises, their guests and invitees; and (d) to extend the Initial Phase I Completion Date based on the delay in commencement of construction caused by issues arising on parking at the Leased Premises.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

RESOLUTION NO. 22-14
PAGE 3

SECTION 1. That the attached Third Amendment to the Ocean Mall Ground Lease-Retail is hereby approved.

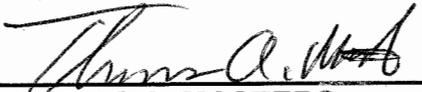
SECTION 2. That the Mayor and City Clerk are authorized to execute the Third Amendment on behalf of the City.

SECTION 3. That this resolution shall take effect immediately upon its passage and approval by City Council.

PASSED and APPROVED this 19TH day of March, 2014.

SIGNATURES ON FOLLOWING PAGE

APPROVED:



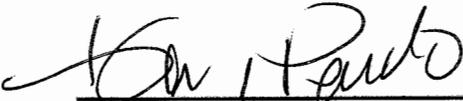
THOMAS A. MASTERS
MAYOR



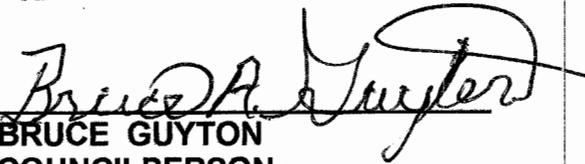
CEDRICK A. THOMAS
CHAIRPERSON



CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



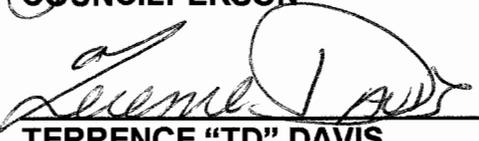
DAWN S. PARDO
CHAIR PRO TEM



BRUCE GUYTON
COUNCILPERSON



JUDY L. DAVIS
COUNCILPERSON



TERRENCE "TD" DAVIS
COUNCILPERSON

MOTIONED BY: D. PARDO

SECONDED BY: T. DAVIS

C. THOMAS AYE

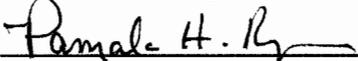
D. PARDO AYE

B. GUYTON AYE

J. DAVIS AYE

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA H. RYAN, B.C.S.
CITY ATTORNEY

DATE: 3/19/14

**THIRD AMENDMENT TO GROUND LEASE – RETAIL
OCEAN MALL**

This Third Amendment to Ground Lease – Retail (“Third Amendment”) is made and entered into as of March ~~19~~¹⁹, 2014, by and between the **CITY OF RIVIERA BEACH**, a municipal corporation existing under the laws of the State of Florida (the “City”), and **GSF FLORIDA RETAIL LLC**, a Delaware limited liability company (the “Tenant”).

WITNESSETH:

WHEREAS, on or about December 18, 2006, the City, as Landlord, entered into a retail ground lease (as amended, the “Lease”) for certain premises known as the Ocean Mall (the “Premises”) with OMRD, LLC, a Delaware limited liability company, as Tenant (“OMRD”); and

WHEREAS, the City, OMRD, and the Riviera Beach Community Redevelopment Agency also entered into a Disposition and Development Agreement dated December 18, 2006 (“DDA”) setting out the responsibilities for the development of the Premises and certain surrounding City owned property; and

WHEREAS, on or about April 24, 2013, GSF Florida Retail LLC became the Tenant under the Lease by virtue of being the winning bidder at the foreclosure sale held in the foreclosure action on the lien of the leasehold mortgage originally held by Branch Banking and Trust Company and subsequently assigned to GSF Trust 2011-1; and

WHEREAS, on or about May 15, 2013, the City and GSF Florida Retail LLC (collectively “the parties”) entered into the First Amendment to Ground Lease – Retail (the “First Amendment”) to facilitate further extension to complete the Phase I construction required of the Tenant by the DDA to May 31, 2014; and

WHEREAS, on or about January 15, 2014, the parties entered into a Second Amendment to Ground Lease—Retail (the “Second Amendment”): (a) to release to the City a portion of the land previously included in the Leased Premises and to revise the legal description of the Premises; (b) to extend certain deadlines for completion of certain improvements at the Premises pursuant to the DDA; and (c) to provide certain rights to a lender under any leasehold mortgage given by Tenant on the Premises; and

WHEREAS, the City has agreed to grant Tenant the right to use a parcel of real property owned by the City and adjacent to the Premises, for parking spaces for the benefit of the Premises and to enable Tenant to comply with the requirements of Section 4(d) of the Lease, and to amend Section 4(d) with respect to any revenues derived from the use of the parking areas; and

WHEREAS, the parties hereby agree to enter into this Third Amendment to: (a) grant certain rights to Tenant in City property for compliance by Tenant with the parking requirements in the Lease; (b) to amend Section 4(d) with respect to any revenues from any parking meters

installed on the Premises and on the additional parking areas; (c) to allow the Tenant sufficient time to obtain additional accessible parking for the benefit of City residents, Subtenants and others using the Premises, their guests and invitees; and (d) to extend the Initial Phase I Completion Date based on the delay in commencement of construction caused by issues arising on parking at the Premises.

NOW, THEREFORE, in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration receipt of which is hereby acknowledged, the City and Tenant agree as follows:

Section 1. That Section 4(d) of the Lease, entitled "USE" is hereby amended as follows:

(d) Tenant will at all times provide at least 400 spaces of accessible parking and safe access to the beach for citizens of the City desiring to utilize the City's beachfront park and beach. These parking spaces may also be utilized by Subtenants or others utilizing the Leased Premises. The Tenant may not impose a charge for utilizing this parking. The City may, at any time, by reasonable notice to the Tenant, (i) charge for special event parking utilizing such spaces, and (ii) ~~with the approval of Tenant, such approval not be unreasonably withheld,~~ place meters or other charges on those utilizing such parking spaces, all revenue from any charges imposed pursuant to this section 4(d) subparagraph (ii) hereof to be split equally between Tenant and Landlord. shall belong to the City. Further, the 24 parking spaces located on and provided by the parcel excluded from the Premises pursuant to the Second Amendment shall be included in the calculation of the number of parking spaces required by the Lease. The inclusion of the 24 parking spaces shall be used in determining the compliance with the minimum 400 spaces referenced herein.

Section 2. That Article 36 of the Lease (which was added in the First Amendment and amended in the Second Amendment), entitled "FINAL EXTENSION AND PAYMENT" is hereby amended as follows:

36. FINAL EXTENSION AND PAYMENT

By payment of \$150,000.00 to the City simultaneously with the execution and delivery of this Second Amendment to Ground Lease, Tenant will be granted an additional extension to complete the Phase I Development as defined by the DDA ("Phase I") to March 28, 2015 ("Initial Phase I Completion Date"). The parties acknowledge payment of the \$150,000.00. Tenant will be granted a further additional extension to complete the Phase I Development to June 30, 2015. Further, the Tenant shall be granted additional monthly extensions to complete Phase I by payment of \$41,666.66 for each month after ~~March 28~~ June 30, 2015, that Tenant does not complete Phase I, not to exceed twelve (12) months (the "Phase I Completion Date Extensions"). The extension fee payments required for each of the Phase I Completion Date Extensions, if utilized by the Tenant, shall be paid to the City (as Additional Rent) beginning ~~April 1,~~ July 1, 2015, and shall be paid on the 1st of every month thereafter, as needed. (The Initial Phase I Completion Date and any applicable Phase I Completion Date Extensions shall be collectively referred to as the "Phase I Completion Date"). Tenant shall complete Phase I on or before the Phase I Completion Date. In the event Phase I is not completed as evidenced by a

certificate of occupancy issued on Phase I, by the Phase I Completion Date, the Lease shall automatically terminate and the City shall promptly give the Leasehold Mortgagee notice of such termination, in accordance with Section 25(d). Leasehold Mortgagee shall have the right to enter into a new lease with the City in accordance with Section 25(d).

Tenant shall be granted a further extension to complete Phase I beyond the Phase I Completion Date, only if the cause of the failure to complete Phase I is based upon an "Unavoidable Delay" as defined in Section 35(o) of the Lease. In the event any delay in the completion of the Phase I Development, as defined by the DDA, beyond the Phase I Completion Date, is caused by an "Unavoidable Delay" as defined in Section 35(o) of the Lease, Tenant shall be given additional time to complete Phase I, provided that Tenant shall diligently pursue completion of Phase I. In the event Tenant shall not diligently pursue completion of Phase I Development, as defined by the DDA, after the Unavoidable Delay has ceased to exist, the extension of time given to complete Phase I as a result of an Unavoidable Delay shall cease, and upon notice by the City, the Lease shall immediately terminate, and the Tenant shall surrender the property to the City without any Notice of Default or cure periods required.

Section 3. That a new Section 37 shall be added to the Lease, entitled "PARKING EASEMENT GRANT" as follows:

Section 37. PARKING EASEMENT GRANT.

The City grants Tenant the right to use that certain parcel of property owned by the City and shown on Exhibit "A", attached to this Third Amendment and incorporated herein by reference, for the purpose of ingress, egress and parking (the "Additional Parking Area") for the benefit of the Premises, Tenant, Tenant's Subtenants, their guests and invitees, and the public for a period of six (6) years from the effective date of this Third Amendment (the "Parking Easement Term"). Tenant agrees to improve the Additional Parking Area prior to the certificate of occupancy being issued for completion of Phase I. The Additional Parking Area must be improved in a manner reasonably consistent with the existing parking areas for the Premises, including paving, striping, irrigating and landscaping. Tenant agrees to maintain the Additional Parking Area in accordance with the Lease for the duration of the Parking Easement Term. Prior to the end of the Parking Easement Term, Tenant shall procure and obtain alternative additional parking areas for the benefit of the Premises to enable Tenant to provide the necessary accessible parking spaces required by Section 4(d) of the Lease. At the end of the Parking Easement Term, Tenant shall have to provide an additional 26 parking spaces to be compliant with Section 4(d) of the Lease.

Section 4. In all other respects, the remainder of the Lease, as amended by the First Amendment, the Second Amendment and this Third Amendment, shall remain in full force and effect, and the parties agree to perform all duties and obligations as set forth therein. In the event there is a conflict between the Lease, the First Amendment, Second Amendment and this Third Amendment, the provisions of this Third Amendment shall control.

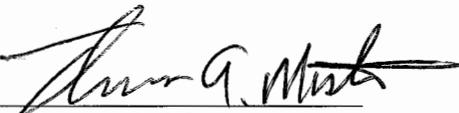
[Signatures appear on the following page(s)]

**THIRD AMENDMENT TO GROUND LEASE – RETAIL
OCEAN MALL**

IN WITNESS WHEREOF, the Parties unto this Third Amendment have set their hands and seals on the day and date first written above.

LANDLORD

CITY OF RIVIERA BEACH

BY: 
Thomas A. Masters
Mayor

TENANT

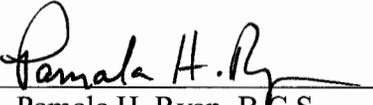
GSF FLORIDA RETAIL LLC, a
Delaware limited liability company

BY: 
Name: JULIAN WELDON
Title: SECRETARY

ATTEST:

BY: 
Carrie E. Ward, MMC
City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

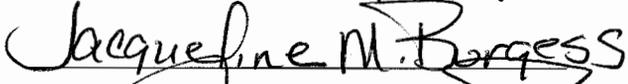
BY: 
Pamala H. Ryan, B.C.S.
City Attorney

DATE: 3/19/17

WITNESSES FOR LANDLORD

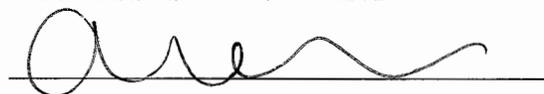


Print Name: Tamika R. Thomas

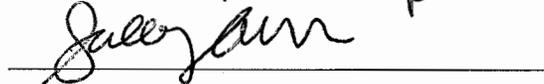


Print Name: Jacqueline M. Burgess

WITNESSES FOR TENANT



Print Name: Alicia Lopez



Print Name: Sally O'Rourke

EXHIBIT A

Additional Parking Area

[attached]

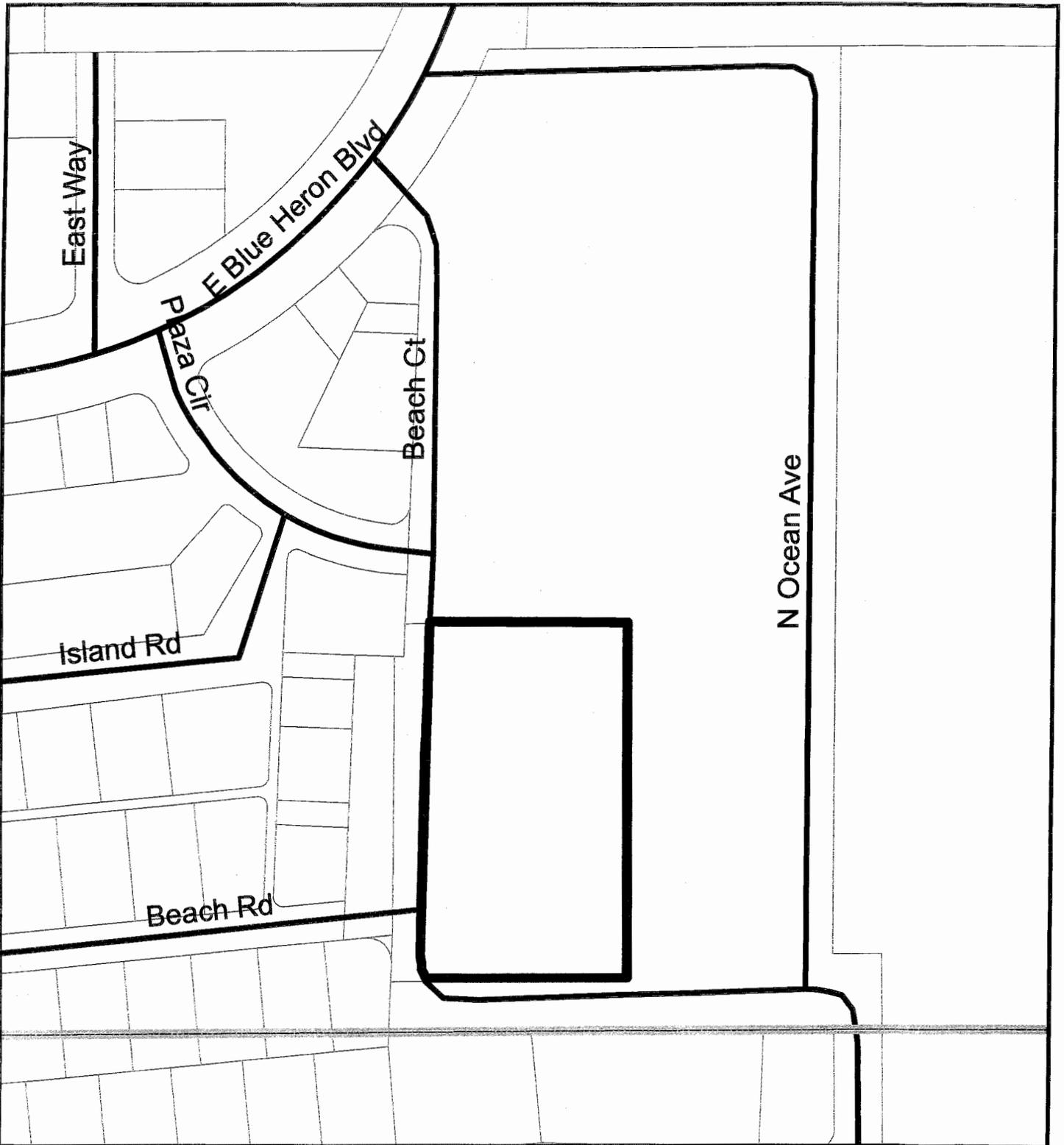


Exhibit A

Ocean Mall Additional
Parking Area
(aka Phase II)



Legend

-  Additional Parking Area
-  Parcels
-  Roads
-  City Boundary

RESOLUTION NO. 23-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE RENAMING OF THE RIGHT-OF-WAY PRESENTLY KNOWN AS AVENUE 'T', SPANNING FROM WEST 11TH STREET TO WEST 14TH STREET, AS "CLEVE H. DIXON AVENUE"; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the section of Avenue 'T' from West 11th Street to West 14th Street is a platted road right-of-way; and

WHEREAS, longtime resident of the City, Mr. Cleve H. Dixon, recently passed away after living to be one hundred and seven (107) years of age; and

WHEREAS, Councilperson Cedrick A. Thomas has requested the renaming of the aforementioned section of Avenue 'T' to "Cleve H. Dixon Avenue" and has provided City staff with a neighborhood petition requesting the same; and

WHEREAS, the City Council finds that it is appropriate to posthumously honor Mr. Cleve H. Dixon, by renaming the aforementioned section of Avenue 'T' as "Cleve H. Dixon Avenue".

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

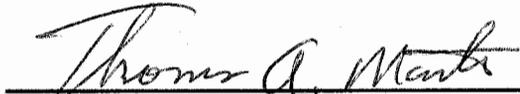
SECTION 1. The City Council approves the renaming of the section of Avenue 'T' spanning from West 11th Street to West 14th Street, as "Cleve H. Dixon Avenue".

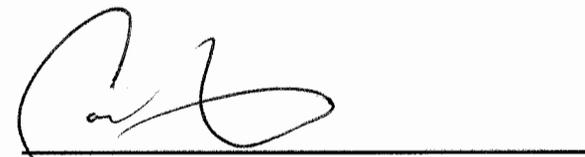
SECTION 2. The City Council authorizes City staff to transmit this resolution to the appropriate intergovernmental agencies.

SECTION 3. This Resolution shall be in full force and take effect immediately upon its passage and approval.

PASSED and APPROVED this 19th day of March, 2014.

APPROVED:

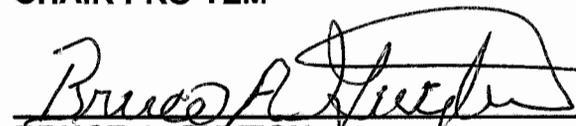

THOMAS A. MASTERS
MAYOR

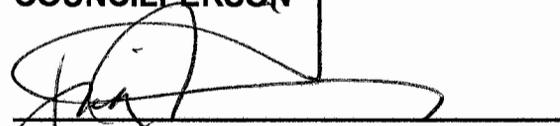

CEDRICK A. THOMAS
CHAIRPERSON

ATTEST:


CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK


DAWN S. PARDO
CHAIR PRO TEM


BRUCE A. GUYTON
COUNCILPERSON


JUDY L. DAVIS
COUNCILPERSON


TERENCE D. DAVIS
COUNCILPERSON

MOTIONED BY: D. PARDO

SECONDED BY: T. DAVIS

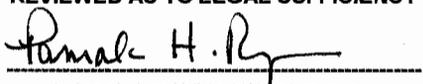
C. THOMAS AYE

D. PARDO AYE

B. GUYTON AYE

J. DAVIS AYE

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY

PAMALA HANNA RYAN, B.C.S.,
CITY ATTORNEY

DATE: 3/19/14

RESOLUTION NO. 24-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE RENAMING OF THE RIGHT-OF-WAY PRESENTLY KNOWN AS WEST 37TH STREET, SPANNING FROM OLD DIXIE HIGHWAY TO AVENUE 'T', AS "A.C. EVANS STREET"; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the section of West 37th Street from Old Dixie Highway to Avenue 'T' is a platted road right-of-way; and

WHEREAS, Pastor Arthur C. Evans, Sr., has been the pastor of Mount Olive Missionary Baptist Church for over fifty-two (52) years and is known as a local community leader; and

WHEREAS, Councilperson Judy L. Davis has requested the renaming of the aforementioned section of West 37th Street to "A.C. Evans Street" and has provided City staff with a neighborhood petition, signed by property owners along West 37th Street, requesting the same; and

WHEREAS, the City Council finds that it is appropriate to honor Pastor Arthur C. Evans, Sr., by renaming the aforementioned section of West 37th Street to "A.C. Evans Street".

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. The City Council approves the renaming of the section of West 37th Street spanning from Old Dixie Highway to Avenue 'T', as "A.C. Evans Street".

SECTION 2. The City Council authorizes City staff to transmit this resolution to the appropriate intergovernmental agencies.

SECTION 3. This Resolution shall be in full force and take effect immediately upon its passage and approval.

PASSED and APPROVED this 19th day of March, 2014.

APPROVED:



THOMAS A. MASTERS
MAYOR

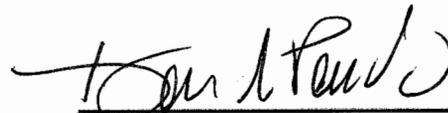


CEDRICK A. THOMAS
CHAIRPERSON

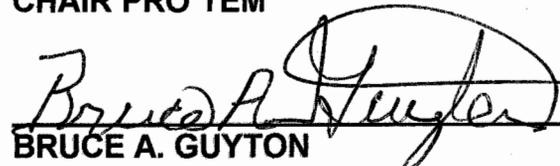
ATTEST:



CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



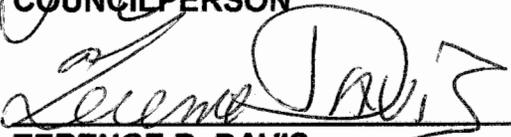
DAWN S. PARDO
CHAIR PRO TEM



BRUCE A. GUYTON
COUNCILPERSON



JUDY L. DAVIS
COUNCILPERSON



TERENCE D. DAVIS
COUNCILPERSON

MOTIONED BY: J. DAVIS

SECONDED BY: B. GUYTON

C. THOMAS AYE

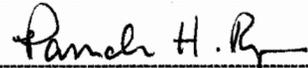
D. PARDO AYE

B. GUYTON AYE

J. DAVIS AYE

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, B.C.S.,
CITY ATTORNEY

DATE: 3/19/14

RESOLUTION NO. 25-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, DECLARING THE RESULTS OF THE MARCH 11, 2014 SPECIAL REFERENDUM ELECTION HELD WITHIN THE MUNICIPAL BOUNDARIES BETWEEN THE HOURS OF 7:00 AM AND 7:00 PM. REGARDING THE PROPOSED AMENDMENT TO THE CITY CHARTER AMENDING ARTICLE VII, SECTION 3.5 ENTITLED "CITY MARINA PROPERTY" BY KEEPING CITY OWNERSHIP OF THE MARINA BUT REMOVING CERTAIN USE RESTRICTIONS ON THE MARINA AND SUBMERGED LANDS AND THE RESTRICTION THAT MARINA PROPERTIES, NEWCOMB HALL, SPANISH COURTS AND BICENTENNIAL PARK SHALL BE OWNED, MANAGED, AND OPERATED SOLELY BY THE CITY OF RIVIERA BEACH AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on the 11TH day of March, 2014, the Special Referendum Election were held in the City of Riviera Beach, Palm Beach County, Florida, between the hours of 7:00 a.m. and 7:00 p.m.; and

WHEREAS, the polling sites, precinct clerks, precinct inspectors and precinct police officers of said elections held on March 11, 2014 were duly appointed and supervised by the Riviera Beach Supervisor of Elections; and

WHEREAS, on March 11, 2014, the 16 precinct clerks escorted by the precinct police officers transported their returns to the Riviera Beach Supervisor of Elections at the municipal complex for examination and acceptance to report findings to be tabulated at the Palm Beach County's Supervisor of Elections warehouse located in Riviera Beach; and

WHEREAS, upon transport, the Palm Beach County Supervisor of Elections found Elections returns delivered by the Riviera Beach Supervisor of Elections from the 21 precincts to be true and accurate tabulations of the actual votes cast to include provisional ballots; and immediately following verification of absentee ballots was completed.

NOW THEREFORE BE IT RESOLVED, upon final count of total votes cast to include canvassing of Absentee Ballots by the Riviera Beach Canvassing Board, the 2014 Special Referendum Election is completed.

SECTION 1: BE IT FURTHER RESOLVED, based on the results of the official certified statement of votes received from Palm Beach County's Supervisor of Elections, I hereby certify the results as final to the Riviera Beach's Canvassing Board for the referendum question as posed to the registered voters within the City of Riviera Beach:

REFERENDUM
CHARTER AMENDMENT QUESTION

Charter amendment keeping City ownership of the municipal marina but removing certain requirements and restrictions

In November 2010, an amendment to the Charter was approved, requiring the marina, marina properties, Newcomb Hall, Spanish Courts, and Bicentennial Park be owned, managed, and operated solely by the City of Riviera Beach. It also restricted the use of the marina and associated submerged lands. Shall the City Charter section "City Marina Property" be amended to remove the above requirements and restrictions imposed in November 2010, while keeping City ownership of the municipal marina?

Yes 2,652 (73.24%)
No 969 (26.76%)

PASSED AND APPROVED THIS 19th day of MARCH, 2014

APPROVED:

CITY OF RIVIERA BEACH CANVASSING BOARD 2014

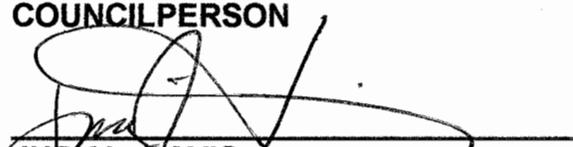
ATTEST:



**CLAUDENE L. ANTHONY,
CERTIFIED MUNICIPAL CLERK
DEPUTY CITY CLERK**

ABSENT

**BRUCE A. GUYTON
COUNCILPERSON**



**JUDY L. DAVIS
COUNCILPERSON**

ABSENT

**CEDRICK A. THOMAS
COUNCILPERSON**

RESOLUTION NO. 25-14
PAGE 3



DAWN S. PARDO
COUNCILPERSON



TERENCE D. DAVIS
COUNCILPERSON

MOTIONED BY: J. DAVIS

SECONDED BY: D. PARDO

B. GUYTON	<u>ABSENT</u>
J. DAVIS	<u>AYE</u>
C. THOMAS	<u>ABSENT</u>
D. PARDO	<u>AYE</u>
T. DAVIS	<u>AYE</u>

REVIEWED AS TO LEGAL SUFFICIENCY

PAMALA HANNA RYAN, B.C.S.
CITY ATTORNEY

DATE: _____

RIVERA QUESTION

		Registered	Ballots Cast	Turnout (%)	YES	NO	Over Votes	Under Votes					
1356	TC-Absentee	1790	11	0.61	5	6							
1356	TC-Early Voting	1790	0	0.00									
1356	TC-Early Voting ADA	1790	0	0.00									
1356	TC-Precinct	1790	106	5.92	88	18							
1356	TC-Precinct ADA	1790	0	0.00									
1356	TC-Provisional	1790	0	0.00									
1358	TC-Absentee	9	0	0.00									
1358	TC-Early Voting	9	0	0.00									
1358	TC-Early Voting ADA	9	0	0.00									
1358	TC-Precinct	9	0	0.00									
1358	TC-Precinct ADA	9	0	0.00									
1358	TC-Provisional	9	0	0.00									
1364	TC-Absentee	259	0	0.00									
1364	TC-Early Voting	259	0	0.00									
1364	TC-Early Voting ADA	259	0	0.00									
1364	TC-Precinct	259	3	1.16	2	1							
1364	TC-Precinct ADA	259	0	0.00									
1364	TC-Provisional	259	0	0.00									
1368	TC-Absentee	3	0	0.00									
1368	TC-Early Voting	3	0	0.00									
1368	TC-Early Voting ADA	3	0	0.00									
1368	TC-Precinct	3	0	0.00									
1368	TC-Precinct ADA	3	0	0.00									
1368	TC-Provisional	3	0	0.00									
1384	TC-Absentee	1175	41	3.49	40	1							
1384	TC-Early Voting	1175	0	0.00									
1384	TC-Early Voting ADA	1175	0	0.00									
1384	TC-Precinct	1175	469	39.91	439	30							
1384	TC-Precinct ADA	1175	0	0.00									
1384	TC-Provisional	1175	3	0.26	2			1					
1386	TC-Absentee	2058	174	8.45	162	10		2					
1386	TC-Early Voting	2058	0	0.00									
1386	TC-Early Voting ADA	2058	0	0.00									
1386	TC-Precinct	2058	627	30.47	603	24							
1386	TC-Precinct ADA	2058	0	0.00									
1386	TC-Provisional	2058	3	0.15	2	1							
7004	TC-Absentee	0	0	0.00									
7004	TC-Early Voting	0	0	0.00									
7004	TC-Early Voting ADA	0	0	0.00									
7004	TC-Precinct	0	10	0.00	7	3							
7004	TC-Precinct ADA	0	0	0.00									
7004	TC-Provisional	0	0	0.00									
7014	TC-Absentee	0	0	0.00									
7014	TC-Early Voting	0	0	0.00									

RIVERA QUESTION

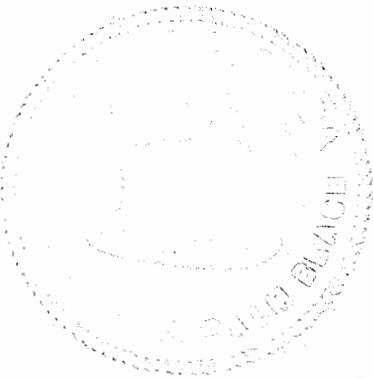
		Registered	Ballots Cast	Turnout (%)	YES	NO	Over Votes	Under Votes					
7014	TC-Early Voting ADA	0	0	0.00									
7014	TC-Precinct	0	0	0.00									
7014	TC-Precinct ADA	0	0	0.00									
7014	TC-Provisional	0	0	0.00									
7018	TC-Absentee	0	0	0.00									
7018	TC-Early Voting	0	0	0.00									
7018	TC-Early Voting ADA	0	0	0.00									
7018	TC-Precinct	0	0	0.00									
7018	TC-Precinct ADA	0	0	0.00									
7018	TC-Provisional	0	0	0.00									
7020	TC-Absentee	0	0	0.00									
7020	TC-Early Voting	0	0	0.00									
7020	TC-Early Voting ADA	0	0	0.00									
7020	TC-Precinct	0	0	0.00									
7020	TC-Precinct ADA	0	0	0.00									
7020	TC-Provisional	0	0	0.00									
7022	TC-Absentee	1066	18	1.69	17	1							
7022	TC-Early Voting	1066	0	0.00									
7022	TC-Early Voting ADA	1066	0	0.00									
7022	TC-Precinct	1066	72	6.75	59	13							
7022	TC-Precinct ADA	1066	0	0.00									
7022	TC-Provisional	1066	3	0.28	2	1							
7024	TC-Absentee	2091	70	3.35	39	31							
7024	TC-Early Voting	2091	0	0.00									
7024	TC-Early Voting ADA	2091	0	0.00									
7024	TC-Precinct	2091	136	6.50	76	60							
7024	TC-Precinct ADA	2091	0	0.00									
7024	TC-Provisional	2091	0	0.00									
7026	TC-Absentee	2516	138	5.48	86	52							
7026	TC-Early Voting	2516	0	0.00									
7026	TC-Early Voting ADA	2516	0	0.00									
7026	TC-Precinct	2516	289	11.49	140	149							
7026	TC-Precinct ADA	2516	0	0.00									
7026	TC-Provisional	2516	1	0.04		1							
7028	TC-Absentee	2244	69	3.07	44	25							
7028	TC-Early Voting	2244	0	0.00									
7028	TC-Early Voting ADA	2244	0	0.00									
7028	TC-Precinct	2244	260	11.59	133	127							
7028	TC-Precinct ADA	2244	0	0.00									
7028	TC-Provisional	2244	0	0.00									
7030	TC-Absentee	534	10	1.87	10								
7030	TC-Early Voting	534	0	0.00									
7030	TC-Early Voting ADA	534	0	0.00									
7030	TC-Precinct	534	148	27.72	136	12							

RIVERA QUESTION

		Registered	Ballots Cast	Turnout (%)	YES	NO	Over Votes	Under Votes					
7030	TC-Precinct ADA	534	0	0.00									
7030	TC-Provisional	534	0	0.00									
7034	TC-Absentee	1760	22	1.25	15	7							
7034	TC-Early Voting	1760	0	0.00									
7034	TC-Early Voting ADA	1760	0	0.00									
7034	TC-Precinct	1760	96	5.45	65	31							
7034	TC-Precinct ADA	1760	0	0.00									
7034	TC-Provisional	1760	0	0.00									
7036	TC-Absentee	12	0	0.00									
7036	TC-Early Voting	12	0	0.00									
7036	TC-Early Voting ADA	12	0	0.00									
7036	TC-Precinct	12	0	0.00									
7036	TC-Precinct ADA	12	0	0.00									
7036	TC-Provisional	12	0	0.00									
7040	TC-Absentee	1773	48	2.71	33	15							
7040	TC-Early Voting	1773	0	0.00									
7040	TC-Early Voting ADA	1773	0	0.00									
7040	TC-Precinct	1773	142	8.01	70	72							
7040	TC-Precinct ADA	1773	0	0.00									
7040	TC-Provisional	1773	0	0.00									
7042	TC-Absentee	1966	83	4.22	48	33		2					
7042	TC-Early Voting	1966	0	0.00									
7042	TC-Early Voting ADA	1966	0	0.00									
7042	TC-Precinct	1966	248	12.61	118	129		1					
7042	TC-Precinct ADA	1966	0	0.00									
7042	TC-Provisional	1966	0	0.00									
7044	TC-Absentee	1710	64	3.74	41	22		1					
7044	TC-Early Voting	1710	0	0.00									
7044	TC-Early Voting ADA	1710	0	0.00									
7044	TC-Precinct	1710	222	12.98	134	88							
7044	TC-Precinct ADA	1710	0	0.00									
7044	TC-Provisional	1710	0	0.00									
7046	TC-Absentee	112	1	0.89		1							
7046	TC-Early Voting	112	0	0.00									
7046	TC-Early Voting ADA	112	0	0.00									
7046	TC-Precinct	112	41	36.61	36	5							
7046	TC-Precinct ADA	112	0	0.00									
7046	TC-Provisional	112	0	0.00									
	TC-Absentee	21078	749	3.55	540	204		5					
	TC-Early Voting	21078	0	0.00									
	TC-Early Voting ADA	21078	0	0.00									
	TC-Precinct	21078	2869	13.61	2106	762		1					
	TC-Precinct ADA	21078	0	0.00									
	TC-Provisional	21078	10	0.05	6	3		1					

RIVERA QUESTION

	Registered	Ballots Cast	Turnout (%)	YES	NO	Over Votes	Under Votes						
Contest Total	21078	3628	17.21	2652	969		7						



STATE OF FLORIDA
 COUNTY OF PALM BEACH
 I, SUSAN BUCHER, SUPERVISOR OF ELECTIONS,
 HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY
 OF THE RECORDS ON FILE IN THIS OFFICE.
 WITNESS MY HAND AND SEAL, THIS 14th DAY OF
March, 2014.

SUSAN BUCHER
 SUPERVISOR OF ELECTIONS
 PALM BEACH COUNTY, FLORIDA
 BY Thammas A. Kelly
 Chief Deputy

REGISTRATION & TURNOUT
PALM BEACH

Completed Precincts	277 of 277
Total Registration	316,521
Precinct Ballots Cast	33,482 10.58%
Precinct ADA Ballots Cast	2 0.00%
Absentee Ballots Cast	8,940 2.82%
Early Voting Ballots Cast	0 0.00%
Early Voting ADA Ballots Cast	0 0.00%
Provisional Ballots Cast	69 0.02%

ATLANTIS - SEAT 1

Completed Precincts	1 of 1
Under Votes:	0
Over Votes:	0
NPA - Fred Furtado	204 51.26%
NPA - Daniel Larkin	194 48.74%

BOYNTON2 - COMMISSIONER

Completed Precincts	7 of 7
Under Votes:	1
Over Votes:	0
NPA - Mack McCray	571 71.29%
NPA - Paula Melley	230 28.71%

BOYNTON4 - COMMISSIONER

Completed Precincts	13 of 13
Under Votes:	1
Over Votes:	0
NPA - Joe Casello	306 78.66%
NPA - Carmela R. Nanton	83 21.34%

BOCA - MAYOR

Completed Precincts	37 of 37
Under Votes:	66
Over Votes:	1
NPA - Susan Haynie	6,294 57.03%
NPA - Anthony Malness	4,743 42.97%

BOCA - SEAT B

Completed Precincts	37 of 37
Under Votes:	536
Over Votes:	4
NPA - Mohamed Abdalla	560 5.30%
NPA - Michael Mullaugh	5,518 52.23%
NPA - Craig F. Ehrnst	3,316 31.39%
NPA - Eric Gooden	1,170 11.08%

BOCA - SEAT D

Completed Precincts	37 of 37
Under Votes:	802
Over Votes:	0
NPA - Rosetta V. Bailey	1,674 16.25%
NPA - Robert S. Weinroth	6,868 66.67%
NPA - Yaniv Alcalay	1,760 17.08%

DELRAY - SEAT 2

Completed Precincts	36 of 36
Under Votes:	97
Over Votes:	0
NPA - Richard Rick Burgess	294 4.53%
NPA - Chris Davey	2,964 45.69%
NPA - Al Jacquet	3,229 49.78%

DELRAY - SEAT 4

Completed Precincts	36 of 36
Under Votes:	185
Over Votes:	6
NPA - Pamela Brinson	300 4.69%
NPA - Angie Gray	2,613 40.87%
NPA - Jordana Jayjura	3,255 50.92%
NPA - Victor Doc Vic Kirson	225 3.52%

DELRAY QUESTION

Completed Precincts	36 of 36
Under Votes:	1,144
Over Votes:	2
YES	3,021 55.55%
NO	2,417 44.45%

GREENACRES - DISTRICT III

Completed Precincts	16 of 16
Under Votes:	3
Over Votes:	0
NPA - Judith Dugo	788 71.06%
NPA - Rochelle Gaenger	321 28.94%

GULSTREAM - COMMISSION

Completed Precincts	1 of 1
Under Votes:	363
Over Votes:	0
NPA - Robert Ganger	325 18.87%
NPA - Scott W. Morgan	325 18.87%
NPA - Martin E. O'Boyle	122 7.08%
NPA - Joan K. Orthwein	313 18.18%
NPA - Thomas M. Stanley	317 18.41%
NPA - Donna S. White	320 18.58%

HIGHLAND - COMMISSIONER

Completed Precincts	2 of 2
Under Votes:	3
Over Votes:	0
NPA - Dennis J. Sheridan	495 50.93%
NPA - Rhoda Zelniker	477 49.07%

JUPITER - FIRST DISTRICT

Completed Precincts	29 of 29
Under Votes:	6
Over Votes:	0
NPA - Joe Charles	544 39.71%
NPA - Todd Wodraska	826 60.29%

OCEAN RIDGE - COMMISSIONER

Completed Precincts	1 of 1
Under Votes:	126
Over Votes:	0
NPA - James Bonfiglio	296 37.76%
NPA - Richard Lucibella	388 49.49%
NPA - Robert Wehr	100 12.76%

HIGHLAND QUESTION

Completed Precincts	2 of 2
Under Votes:	108
Over Votes:	0
YES	640 73.82%
NO	227 26.18%

LAKE PARK - MAYOR

Completed Precincts	5 of 5
Under Votes:	0
Over Votes:	0
NPA - James DuBois	214 58.95%
NPA - Steve Hockman	149 41.05%

PB SHORES - MAYOR

Completed Precincts	1 of 1
Under Votes:	5
Over Votes:	0
NPA - Tom Mills	244 49.90%
NPA - John M. Workman	245 50.10%

HYPOLUXO - COUNCIL

Completed Precincts	2 of 2
Under Votes:	74
Over Votes:	0
NPA - Devon Born	70 16.17%
NPA - Michael C. Brown	121 27.94%
NPA - Linda Boone Allen	67 15.47%
NPA - Brad Doyle	90 20.79%
NPA - Christine Nagy	85 19.53%

MANAGONIA - SEAT 3

Completed Precincts	1 of 1
Under Votes:	10
Over Votes:	0
NPA - Clarence R. McConnell	86 48.04%
NPA - Edward Earl Smith	93 51.96%

PB SHORES - COMMISSIONER

Completed Precincts	1 of 1
Under Votes:	201
Over Votes:	0
NPA - John B. Maffett	244 31.00%
NPA - Thomas R. Sullivan	276 35.07%
NPA - Lisa A. Tropepe	267 33.93%

JUNO - SEAT ONE

Completed Precincts	4 of 4
Under Votes:	0
Over Votes:	0
NPA - Jason Haselkorn	323 70.22%
NPA - Joseph Rooney	137 29.78%

MANAGONIA - SEAT 4

Completed Precincts	1 of 1
Under Votes:	0
Over Votes:	0
NPA - Artyan Alipanah	18 9.52%
NPA - Kelisha Buchanan-Webb	90 47.62%
NPA - Addie L. Greene	81 42.86%

PB SHORES QUESTION

Completed Precincts	1 of 1
Under Votes:	15
Over Votes:	0
YES	167 34.86%
NO	312 65.14%

PB GARDENS - GROUP 3

Completed Precincts	47 of 47
Under Votes:	79
Over Votes:	3
NPA - Eric Jablin	3,618 51.07%
NPA - Michael J. Peragine	3,467 48.93%

PB GARDENS - GROUP 5

Completed Precincts	47 of 47
Under Votes:	498
Over Votes:	4
NPA - Robin Deaton	3,024 45.37%
NPA - Marcie Thinsley	3,641 54.63%

RIVERA QUESTION

Completed Precincts	21 of 21
Under Votes:	7
Over Votes:	0
YES	2,652 73.24%
NO	969 26.76%

ROYAL PALM - MAYOR

Completed Precincts	23 of 23
Under Votes:	3
Over Votes:	0
NPA - Laurel Bennett	110 5.66%
NPA - Matty Mattioli	723 37.17%
NPA - Felicia Matula	695 35.73%
NPA - Martha Webster	417 21.44%

SOUTH BAY - GROUP ONE

Completed Precincts	1 of 1
Under Votes:	9
Over Votes:	0
NPA - Esther E. Berry	185 57.45%
NPA - Kina Green-Phillips	137 42.55%

SOUTH BAY - GROUP FIVE

Completed Precincts	1 of 1
Under Votes:	2
Over Votes:	0
NPA - RL Thomas Jr	86 26.14%
NPA - Virginia K Walker	102 31.00%
NPA - John Wilson	141 42.86%

WELLINGTON - SEAT 2

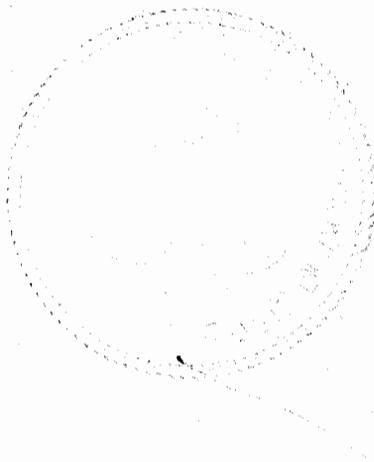
Completed Precincts	29 of 29
Under Votes:	46
Over Votes:	2
NPA - Anne Genwig	2,559 62.67%
NPA - Sharon Lascola	1,524 37.33%

WELLINGTON - SEAT 3

Completed Precincts	29 of 29
Under Votes:	51
Over Votes:	0
NPA - Howard K Coates, Jr.	2,320 56.86%
NPA - Matt Kurit	1,760 43.14%

STATE OF FLORIDA
 COUNTY OF PALM BEACH
 I, SUSAN BUCHER, SUPERVISOR OF ELECTIONS,
 HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY
 OF THE RECORDS ON FILE IN THIS OFFICE.
 WITNESS MY HAND AND SEAL, THIS 14th DAY OF
March, 2014.

SUSAN BUCHER
 SUPERVISOR OF ELECTIONS
 PALM BEACH COUNTY, FLORIDA
 BY: Chauhan A. Kelly
Chief Deputy



RESOLUTION NO. 26-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE POLICE DEPARTMENT TO PIGGYBACK THE CITY OF DAVIE CONTRACT WITH CRYWOLF FALSE ALARM SOLUTIONS, PSC OF WALDORF, MD; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE SAID CONTRACT, A COPY OF WHICH IS ATTACHED AS EXHIBIT "A"; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has approved the new Police Alarm System ordinance to replace the outdated Burglar Alarm ordinance; and,

WHEREAS, consistent with the new Police Alarm System, the Police Department updated associated fees and civil penalties established; and,

WHEREAS, the Purchasing Department recommends piggybacking the City of Davie Bid Contract, No. B-10-108, with CryWolf False Alarm Solutions, PSC in order to provide an outsourced financial solution for the City.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. The City Council authorizes the Mayor and City Clerk to execute the contract allowing the Police Department to piggyback the City of Davie Bid Contract as outlined in the terms and conditions of the said Bid Contract No. B-10-108 with CryWolf False Alarm Solutions, PSC.

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED and APPROVED this 2ND day of APRIL, 2014.

APPROVED:

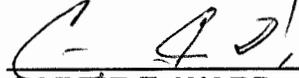


THOMAS A. MASTERS
MAYOR

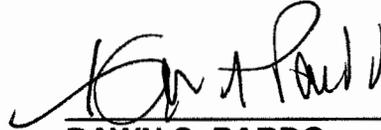


CEDRICK A. THOMAS
CHAIRPERSON

ATTEST:



CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



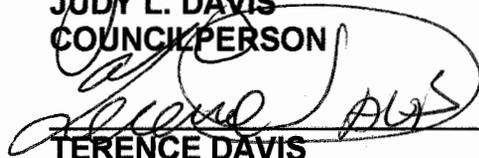
DAWN S. PARDO
CHAIR PRO TEM



BRUCE A. GUYTON
COUNCILPERSON



JUDY L. DAVIS
COUNCILPERSON



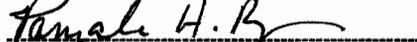
TERENCE DAVIS
COUNCILPERSON

MOTIONED BY: D. PARDO

SECONDED BY: T. DAVIS

C. THOMAS	<u>AYE</u>
D. PARDO	<u>AYE</u>
B. GUYTON	<u>AYE</u>
J. DAVIS	<u>AYE</u>
T. DAVIS	<u>AYE</u>

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, B.C.S.
CITY ATTORNEY

DATE: 4/2/14

RESOLUTION NO. 27-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO APPROPRIATE \$42,569.00 FROM THE LAW ENFORCEMENT TRUST FUND FOR THE PURCHASE OF SURVEILLANCE EQUIPMENT FOR THE POLICE DEPARTMENT'S NUISANCE ABATEMENT VEHICLE AND TWO ALL TERRAIN VEHICLES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Police Department, as part of its ongoing endeavors to serve the residents of the City of Riviera Beach, recognizes the need for Crime Prevention and Education Programs; and

WHEREAS, The Police Chief seeks to implement and support Law Enforcement efforts designed to prevent crime and disrupt potential criminal activity; and

WHEREAS, The Police Department seeks funding from the Law Enforcement Trust Fund for the purchase of surveillance equipment for the Nuisance Abatement Vehicle and two (2) All Terrain Vehicles in the amount of \$42,569.00; and

WHEREAS, This purchase can be funded using Law Enforcement Trust Fund dollars and may be expended upon a request by the Chief of Police to the governing body of the municipality, accompanied by a written certification that the request complies with the provisions of Florida State Statute §932.7055, which provides that Law Enforcement Trust Funds shall be used for..."crime prevention, safe neighborhoods...prevention programs or for Law Enforcement purposes, which include defraying the cost of protracted or complex investigations, (and) providing additional equipment, and the proceeds and interest may not be used to meet normal operating expenses of the Law Enforcement Agency;

WHEREAS, The request is consistent with the provisions of Florida State Statute §932.7055.

WHEREAS, This item serves as written certification that this request complies with Florida State Statute §932.7055.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, THAT:

SECTION 1: The City Council approves the allocation of \$42,569.00 from the Law Enforcement Trust Fund for the purchase of Nuisance Abatement Vehicle equipment and two (2) All Terrain Vehicles.

SECTION 2: The City Council authorizes the Director of Finance and

9.13

RESOLUTION NO. 27-14
PAGE 2

Administrative Services to appropriate the fund balance from the Law Enforcement Trust Fund Account No. 150-00-358200 in the amount of \$42,569.00.

SECTION 3: The City Council authorizes the Director of Finance and Administrative Services to make payment in the amount of \$26,184.00 to G.H.C. Motorsports for the purchase of two (2) All Terrain Vehicles.

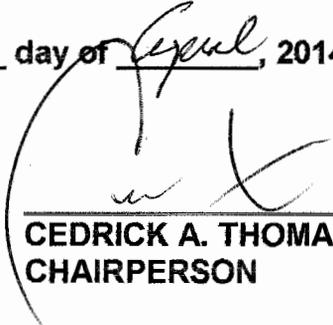
SECTION 4: This Resolution shall take effect immediately upon its approval.

PASSED AND ADOPTED this 3 day of April, 2014.

APPROVED:



THOMAS A. MASTERS
MAYOR

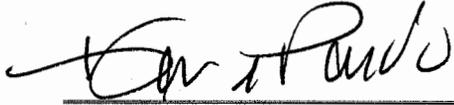


CEDRICK A. THOMAS
CHAIRPERSON

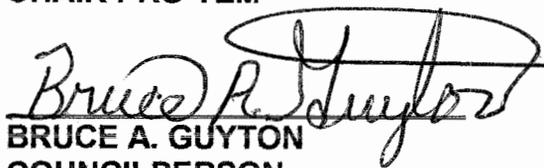
ATTEST:



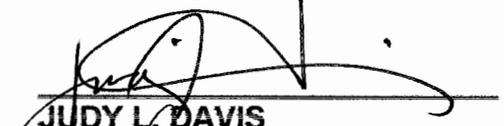
CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK



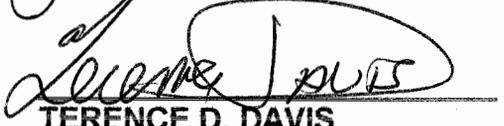
DAWN S. PARDO
CHAIR PRO TEM



BRUCE A. GUYTON
COUNCILPERSON



JUDY L. DAVIS
COUNCILPERSON



TERENCE D. DAVIS
COUNCILPERSON

RESOLUTION NO. 27-14
PAGE 3

MOTIONED BY: D. PARDO

SECONDED BY: T. DAVIS

B. GUYTON AYE

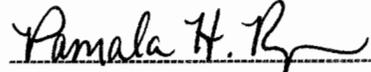
J. DAVIS AYE

C. THOMAS AYE

D. PARDO AYE

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, ESQ., B.C.S., CITY ATTORNEY

DATE: 4/2/14

RESOLUTION NO. 28-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, FINDING THAT THE REMOVAL OF CONDITION NUMBER 14 IN THE FLORIDA POWER & LIGHT COMPANY PETROLEUM STORAGE FACILITY DEVELOPMENT OF REGIONAL IMPACT LIMITING FUEL STORAGE TO #6 OIL IS NOT CONSIDERED TO BE A SUBSTANTIAL DEVIATION TO THE DEVELOPMENT OF REGIONAL IMPACT; AND APPROVING AN AMENDMENT TO THE DRI SITE PLAN TO INCLUDE A NEW STORAGE TANK, FUELING BAYS AND STORMWATER RETENTION POND; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Development of Regional Impact DRI-74-1 was originally approved by Palm Beach County on May 7, 1974 per Resolution 74-334; and

WHEREAS, DRI-74-1 was annexed into the City of Riviera Beach on August 7, 1985 by Resolution 176-85; and

WHEREAS, On December 16, 1992 a finding of non-substantial deviation for a transmission tower was approved by the City of Riviera Beach by Resolution 206-92; and

WHEREAS, the Florida Power & Light Company (FPL) new Energy Center was approved by the City Council on October 1, 2008 which will convert the existing Riviera Beach Power Plant into a Natural Gas Power Plant; and

WHEREAS, On February 16, 2011 a finding of non-substantial deviation for a natural gas compressor station was approved by the City of Riviera Beach by Resolution No. 21-11; and

WHEREAS, the Planning and Zoning Board voted to approve the removal of condition number 14 and the amendment to the DRI site plan on February 27, 2014; and

WHEREAS, the City Council finds that the proposed amendment to the DRI to remove Condition number 14 and amend the site plan is a non-substantial deviation; and

WHEREAS, the City Council finds that the proposed site plan is consistent with adopted City of Riviera Beach Comprehensive Plan and the Land Development Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AS FOLLOWS:

SECTION 1. That the City Council finds the request to amend the 1974 DRI conditions of approval to remove condition 14 the restriction limiting fuel storage to #6 oil is a non-substantial deviation.

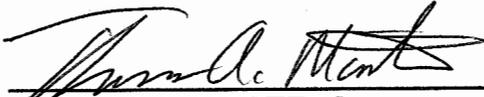
SECTION 2. The site plan application from Florida Power and Light Company that will allow the conversion of an existing 140' diameter fuel tank from #6 oil to Ultra Low Sulfur Diesel including the addition of a double wall containment system, stormwater retention pond, fueling bays, landscaping and a 70' diameter fuel tank to be completed in two phases as set forth in the site plan dated January 24, 2014 by Jon E. Schmidt and Associates, attached as Exhibit "A" hereto, is approved with the following conditions:

1. Prior to obtaining building permits for any portion of the Phase II build out FPL will obtain all required South Florida Water Management District approvals.
2. Construction must be initiated within 18 months of the effective date of this resolution in accordance with Section 31-60(a), of the City Code of Ordinances.
3. A two-year landscaping bond for 110% of the value of landscaping and irrigation shall be required before certificate of occupancy is issued.
4. All future advertising must state that the development is in the City of Riviera Beach. A fine of \$500 per day will be levied against the property owner for violation of this condition.
5. All required permits must be obtained and approved prior to initiation of construction.

SECTION 3. This resolution shall take effect immediately upon its approval and passage.

PASSED and APPROVED this 2 day of April, 2014.

APPROVED:



THOMAS A. MASTERS
MAYOR

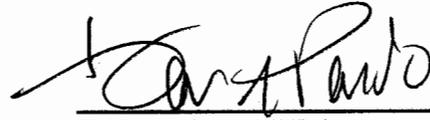


CEDRICK A. THOMAS
CHAIRPERSON

ATTEST:



CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK



DAWN S. PARDO
CHAIR PRO TEM



BRUCE A. GUYTON
COUNCILPERSON



JUDY L. DAVIS
COUNCILPERSON



TERENCE D. DAVIS
COUNCILPERSON

MOTIONED BY: B. GUYTON

SECONDED BY: D. PARDO

C. THOMAS AYE

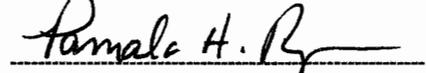
D. PARDO AYE

B. GUYTON AYE

J. DAVIS AYE

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 4/2/14

RESOLUTION NO. 29-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN APPLICATION FROM RAPIDS HOLDINGS, LLC, FOR A SITE PLAN AMENDMENT FOR THE RAPIDS WATER PARK, TO INCLUDE THE CONSTRUCTION OF AN 800 SQUARE FOOT, 65 SEAT, TIKI BAR STRUCTURE AND AUTHORIZATION TO SELL ALCOHOL THROUGHOUT THE RAPIDS WATER PARK, LOCATED AT 6566 NORTH MILITARY TRAIL, ON ROUGHLY 24.3 ACRES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Rapids Water Park, located at 6566 North Military Trail, is known as a long-time local and regional attraction; and

WHEREAS, Rapids Holdings, LLC, owner of the Rapids Water Park, has requested approval of a Site Plan Amendment in order to construct an 800 square foot, 65 seat, Tiki Bar within the existing Rapids Water Park; and

WHEREAS, Rapids Holdings, LLC, has concurrently requested approval for alcohol sales throughout the Rapids Water Park facility; and

WHEREAS, if approval for alcohol sales is granted by the Council, Rapids Holdings, LLC, will pursue a 4COP license which allows the sale of beer, wine and liquor for consumption on premises; and

WHEREAS, on March 13, 2014, the Planning and Zoning Board recommended approval of the aforementioned request for a Site Plan Amendment and authorization to sell alcohol, by a vote of 5 assenting and 2 dissenting board members.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AS FOLLOWS:

SECTION 1. The City Council approves the request from Rapids Holdings, LLC, for a Site Plan Amendment, to construct an 800 square foot, 65 seat, Tiki Bar structure, attached hereto and made part of this resolution as "Exhibit 1", with the 3 following conditions:

1. Construction must be initiated within 18 months of the effective date of this resolution in accordance with City Code of Ordinances Section 31-60. "Automatic termination of site plan approval".

RESOLUTION NO. 29-14

PAGE 2 of 3

2. All future advertising must adhere to City Code of Ordinances Section 31-554. "Advertising within the City of Riviera Beach".
3. Any new lighting elements must be installed in a manner that prevents light trespass from the property, which includes light pollution or skyglow in accordance with City Code of Ordinances Section 31-597. "Definitions".

SECTION 2. The City Council approves the request from Rapids Holdings, LLC, for authorization to sell alcohol throughout the Rapids Water Park by obtaining and maintaining a 4COP license or similar from the State of Florida Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco.

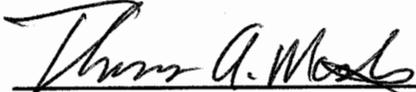
SECTION 3. Should any one or more of the provisions or elements of this resolution be held invalid, such provision or element shall be null and void, and shall be deemed separate from the remaining provisions or elements and shall in no way affect the validity of any of the remaining provisions or elements of the resolution.

SECTION 4. This Resolution shall take effect immediately upon approval.

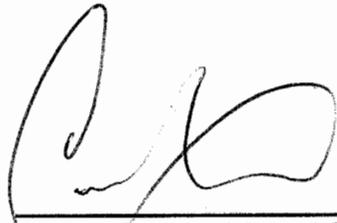
PASSED and APPROVED this 7 **day of** April **, 2014.**

[REMAINDER OF PAGE INTENTIONALLY BLANK]

APPROVED:



THOMAS A. MASTERS
MAYOR



CEDRICK A. THOMAS
CHAIRPERSON

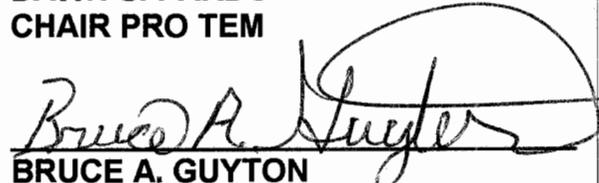
ATTEST:



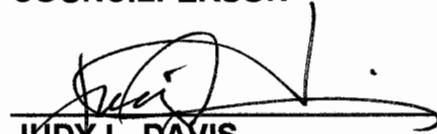
CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



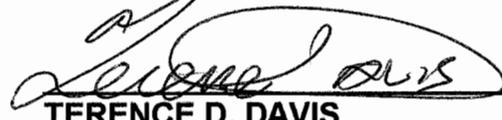
DAWN S. PARDO
CHAIR PRO TEM



BRUCE A. GUYTON
COUNCILPERSON



JUDY L. DAVIS
COUNCILPERSON



TERENCE D. DAVIS
COUNCILPERSON

MOTIONED BY: B. GUYTON

SECONDED BY: T. DAVIS

C. THOMAS AYE

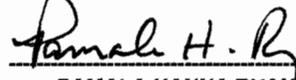
D. PARDO AYE

B. GUYTON AYE

J. DAVIS AYE

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, B.C.S.,
CITY ATTORNEY

DATE: 4/2/14

RESOLUTION NO. 30-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE IMPLEMENTATION OF A CODE ENFORCEMENT AMNESTY PROGRAM TO ENCOURAGE HOME AND PROPERTY MAINTENANCE AND COMPLIANCE WITH CITY CODES AND ORDINANCES, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, protecting the integrity of the City's neighborhoods is vital to the future growth of the City of Riviera Beach; and

WHEREAS, the rehabilitation and revitalization of the City's neighborhoods has been identified as a goal of the City of Riviera Beach; and

WHEREAS, proper home and property maintenance enhances the appearance of the City's neighborhoods; and

WHEREAS, regular maintenance of commercial and industrial properties throughout the City enhances the appearance of the City and makes it more attractive for businesses to remain and thrive in the City of Riviera Beach; and

WHEREAS, the City of Riviera Beach Code Enforcement Division works daily to educate and inform property owners and residents about proper home and property maintenance so that the entire community is continually improved; and

WHEREAS, the City Council of the City of Riviera Beach seeks to encourage owners to voluntarily correct outstanding code enforcement violations at their properties; and

WHEREAS, the City Council offers an amnesty program as an incentive for property owners to correct their outstanding code enforcement violations; and

WHEREAS, only property owners who correct all outstanding violations on all properties owned in the City of Riviera Beach and are in good standing with City utility accounts and lot clearing and boarding and securing balances will be eligible to settle their outstanding fines and liens during the amnesty program; and

WHEREAS, property owners whom the City Council has authorized the City to proceed with foreclosure litigation or authorized previous fine reduction settlements or have been denied fine reduction settlements are not eligible for this Amnesty Program; and

RESOLUTION NO. 30-14
PAGE 2

WHEREAS, property owners who have outstanding utility account balances or lot clearing and boarding and securing balances are not eligible for this amnesty program; and

WHEREAS, bank owned properties and properties that are currently in foreclosure are not eligible for this Amnesty Program; and

WHEREAS, the City Council finds it in the best interest of the City to offer this Amnesty Program to encourage property maintenance and to collect outstanding Code Enforcement fines and liens on complied properties throughout the City.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

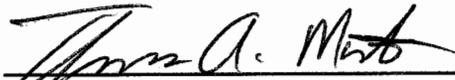
SECTION 1. The above recitals are true and are hereby incorporated into this Resolution.

SECTION 2. The City Council hereby authorizes the City Manager to proceed with the Code Enforcement Amnesty Program beginning on March 1, 2014 and ending on May 31, 2014 that will allow (1) eligible owners of homestead properties to settle outstanding code enforcement fines or liens by submittal of the city's fine reduction application, application fee and payment of administrative costs only; (2) eligible owners of residential rental properties to settle outstanding code enforcement fines or liens by submittal of the fine reduction application for each code enforcement fine or lien on the property simultaneously, payment of application fees, and by paying 2% of the outstanding code enforcement fine or lien or the city's administrative costs, whichever is greater; and (3) eligible owners of commercial properties to settle outstanding code enforcement fines by submittal of the fine reduction application for each code enforcement fine or lien on the property simultaneously, payment of application fees, and paying 5% of the outstanding code enforcement fine or lien or the city's administrative cost, whichever is greater

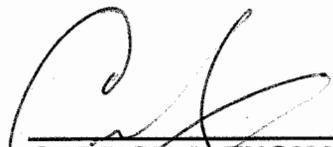
SECTION 3. This Resolution shall take effect immediately upon its passage and approval.

PASSED and APPROVED this 2 day of April, 2014.

APPROVED:



THOMAS A. MASTERS
MAYOR



CEDRICK A. THOMAS
CHAIRPERSON

ATTEST:



CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



DAWN S. PARDO
CHAIR PRO TEM



BRUCE A. GUYTON
COUNCILPERSON



JUDY L. DAVIS
COUNCILPERSON



TERENCE D. DAVIS
COUNCILPERSON

MOTIONED BY: B. GUYTON

SECONDED BY: T. DAVIS

C. THOMAS AYE

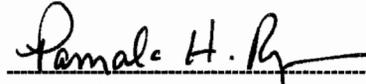
D. PARDO AYE

B. GUYTON AYE

J. DAVIS AYE

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, B.C. S.
CITY ATTORNEY

DATE: 4/2/14

RESOLUTION NO. 31-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING STAFF TO NEGOTIATE A PROFESSIONAL SERVICES CONTRACT WITH THE NUMBER ONE (1) RANKED FIRM, MCKINLEY INSURANCE SERVICES, INC. OF FORT LAUDERDALE, FLORIDA TO SERVE AS AGENT OF RECORD FOR THE CITY'S EMPLOYEE GROUP INSURANCE PLANS; AND PROVIDE AN EFFECTIVE DATE.

PRESENTED BUT NOT APPROVED AT THE APRIL 2, 2014 REGULAR CITY COUNCIL MEETING
WHEREAS, in accordance with the provisions of the City's Procurement Ordinance 4010, staff solicited Request for Proposal (RFP) for agent of record for employee group insurance plans; and

WHEREAS, Four (4) firms responded to the Request for Proposal No.417-13 and one was non responsive. The selection committee evaluated written responses and oral presentations from the three (3) firms; and

WHEREAS, McKinley Insurance Services, Inc., of Fort Lauderdale, Florida was ranked as the number one (1) firm to provide the services identified in the City's Request for Proposal; and

WHEREAS, the City desires to negotiate a contract with McKinley Insurance Services, Inc. as the top ranked firm for RFP 417-13 and

WHEREAS, should staff and McKinley Insurance, Inc., are unable to negotiate an amicable agreement, staff will contact the next highest ranked firm from RFP 417-13 and continue this process until an agreement is finalized.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA THAT:

SECTION 1. The City Council authorize staff to negotiate a professional services contract with McKinley Insurance Inc., to provide the services identified in the City's Request for Proposal No. 417-13; and if contract is not reached, staff is authorized to proceed negotiating with the next highest ranked firm by the selection committee.

SECTION 2. This Resolution shall take effect immediately upon its passage and adoption by the City Council.

PASSED AND APPROVED this 2 day of April, 2014.

RESOLUTION NO. _____
PAGE 2

APPROVED:

THOMAS A. MASTERS
MAYOR

CEDRICK A. THOMAS
CHAIRPERSON

ATTEST:

CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK

DAWN S. PARDO
CHAIR PRO TEM

BRUCE A. GUYTON
COUNCILPERSON

JUDY L. DAVIS
COUNCILPERSON

TERENCE D. DAVIS
COUNCILPERSON

MOTIONED BY: _____

SECONDED BY: _____

B. GUYTON _____

J. DAVIS _____

C. THOMAS _____

D. PARDO _____

T. DAVIS _____

REVIEWED AS TO LEGAL SUFFICIENCY

PAMALA HANNA RYAN, ESQ., B.C.S.,
CITY ATTORNEY

DATE: _____

RESOLUTION NO. 32-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE ADDITION OF ONE PART-TIME SCHOOL CROSSING GUARD POSITION AT A COST OF \$2,808.00 FOR THE REMAINDER OF THE POLICE DEPARTMENT'S FISCAL YEAR 2014 BUDGET; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Due to the expansion and widening of Dr. Martin Luther King, Jr. Boulevard at Avenue O, an additional part-time School Crossing Guard is required to ensure the safety of children crossing at this location; and

WHEREAS, The Police Department seeks to increase the total complement of part-time School Crossing Guards by one (1) additional part-time position; and

WHEREAS, The cost for this position through the remainder of Fiscal Year 2014 is \$2,808.00.

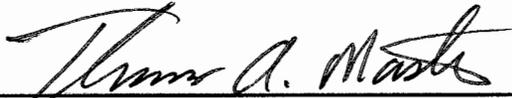
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, THAT:

SECTION 1: The City Council approves the addition of one (1) part-time School Crossing Guard position to the Riviera Beach Police Department 2013 – 2014 Fiscal Year Budget.

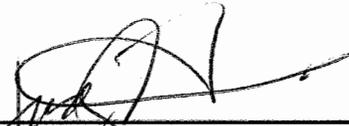
SECTION 2: This Resolution shall take effect immediately upon its approval.

PASSED AND ADOPTED this 16 day of April, 2014.

APPROVED:

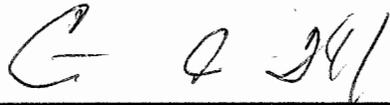


THOMAS A. MASTERS
MAYOR

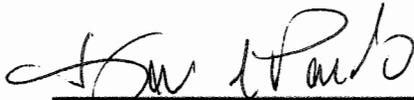


JUDY L. DAVIS
CHAIRPERSON

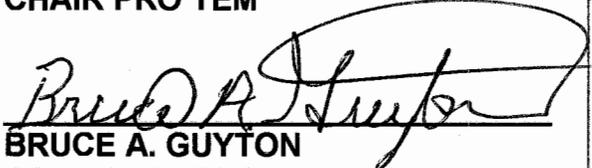
ATTEST:



CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK



DAWN S. PARDO
CHAIR PRO TEM



BRUCE A. GUYTON
COUNCILPERSON



CEDRICK A. THOMAS
COUNCILPERSON



TERENCE D. DAVIS
COUNCILPERSON

MOTIONED BY: D. PARDO

SECONDED BY: T. DAVIS

B. GUYTON AYE

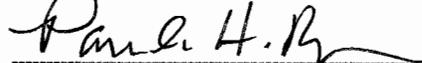
J. DAVIS AYE

C. THOMAS AYE

D. PARDO AYE

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, ESQ., B.C.S., CITY ATTORNEY

DATE: 4/16/14

RESOLUTION NO. 33-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING CHANGE ORDER NUMBER TWO AND AUTHORIZING PAYMENT TO B&B UNDERGROUND CONTRACTORS INC. FOR CHANGES IN THE ORIGINAL SCOPE OF WORK TO REVISE CONTRACT DRAWINGS, POST AWARD TO CONNECT EXISTING FIRE LINE CONNECTIONS; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO MAKE PAYMENT FOR SAME FROM ACCOUNT NUMBER 413-1437-533-0-6558 IN AN AMOUNT NOT-TO-EXCEED \$75,157.46; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, B&B Underground Contracts Inc. has a current materials and services agreement authorized under Resolution No. 110-13 to provide roadway construction services for West 13th Street between West 13th Court and Avenue R; and

WHEREAS, B&B Underground Contractors Inc. has submitted a change order for a revision to contract drawings, post award, to connect existing fire line connections; and

WHEREAS, B&B Underground Contractors Inc. is being compensated for additional work items necessary to connect existing fire line connections to the newly installed water main along West 13th Street.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA THAT:

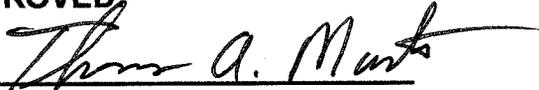
SECTION 1: The City Council hereby approved Change Order Number Two with B&B Underground contractors Inc. in the amount of \$75,157.46 to compensate Contractor for additional work items to connect existing fire line connections.

SECTION 2: The Director of Finance and Administrative Services is authorized to make payment from 413-1437-533-0-6558 in an amount not-to-exceed \$75,157.46.

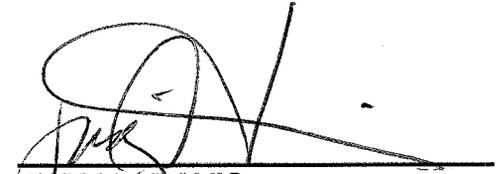
SECTION 3: This Resolution shall take effect upon its passage and approval by the City Council.

PASSED AND APPROVED this 16 day of April 2014.

APPROVED:



THOMAS A. MASTERS
MAYOR



JUDY L. DAVIS
CHAIRPERSON

ATTEST:



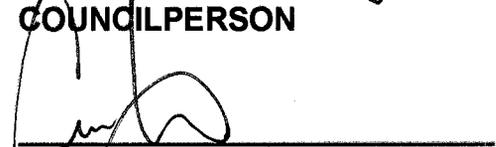
CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



DAWN S. PARDO
CHAIR PRO TEM



BRUCE A. GUYTON
COUNCILPERSON



CEDRICK A. THOMAS
COUNCILPERSON



TERENCE D. DAVIS
COUNCILPERSON

MOTIONED BY: D. PARDO

SECONDED BY: T. DAVIS

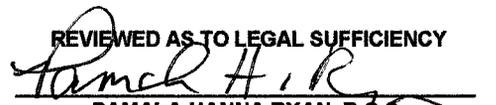
J. DAVIS AYE

D. PARDO AYE

B. GUYTON AYE

C. THOMAS AYE

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, B.S.
CITY ATTORNEY

DATE: 4/16/14