

RESOLUTION NO. 86-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE TRANSFER OF \$188,820 FROM GENERAL FUND CONTINGENCY TO THE FIRE, HUMAN RESOURCES AND RECREATION & PARKS DEPARTMENT , APPROPRIATING FUNDS IN THE COMMUNITY DEVELOPMENT DEPARTMENT IN THE AMOUNT OF \$20,000, AND AUTHORIZING THE LAW FIRM OF TORCIVIA, DONLON, GODDEAU & ANSAY, P.A. TO CONTINUE TO ACT AS SPECIAL ASSISTANT CITY ATTORNEY UNTIL THE POSITION IS FILLED, AND AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO TRANSFER \$25,000 FROM THE CITY ATTORNEY'S REGULAR SALARIES AND WAGES ACCOUNT TO CONTRACT SERVICES ACCOUNT FOR SAME AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, during the June 8, 2015 Budget Workshop staff presented to the City Council departmental request for Mid-Year Budget Adjustments and;

WHEREAS, departments were instructed to review the status of their budgets and advise of anything out of the ordinary that would cause them to request additional funds to cover through the remainder of the fiscal year, and

WHEREAS, the Fire Department submitted additional funding requests for their Overtime and Apparatus Repairs totaling \$112,000; and

WHEREAS, the Human Resources Department submitted additional funding requests for their Contract Services account to cover costs related to Customer Service Training and Employee Development and also the fiscal impact statements for joining FRS totaling \$38,820; and

WHEREAS, the Recreation & Parks Department requested \$30,000 to continue with the monthly Jazz After Dark Programming through the end of the fiscal year; and

WHEREAS, the City Attorney's Office is requesting approval to transfer funds in its current budget from Salary and Wages to Contract Services to continue retaining the law firm of Torcivia, Donlon, Goddeau & Ansay, P.A., to act as special assistant City Attorney until an Assistant City Attorney is hired.

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

Section 1. That the City Council authorizes the transfer from General Fund Contingency in the amount of \$188,820 as follows:

Fire Department Overtime	001-0920-522-0-1401	\$40,000
Fire Department Overtime	001-0921-526-0-1401	30,000
Fire Department Vehicle Maint.	001-0920-522-0-4605	50,000
Human Resources Contract Serv.	001-0512-519-0-3101	38,820
Recreation & Parks Special Events	001-1232-572-0-5507	<u>30,000</u>
	TOTAL	\$188,820

SECTION 2. That the City Council authorizes the Director of Finance & Administrative Services to transfer and appropriate funds in the amount of \$20,000 from the Digitizing Escrow account to the Community Development Operating Supplies Digitizing for costs related to digitizing and microfiche documents.

Revenue:		
Miscellaneous Revenue	001-00-369901	\$20,000
Expenditures:		
Community Development Operating Supplies-Digitizing	001-0717-515-0-5206	\$20,000

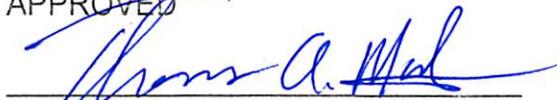
SECTION 3. That the City Council authorizes the Law Firm of Torcivia, Donlon, Goddeau & Ansay, and P.A. to continue to act as Special Assistant City Attorney until the position is filled and Director of Finance & Administrative Services is authorized to transfer funds as follows:

Transfer from:		
001-0613-514-0-1201	Salary & Wages Account	\$25,000
Transfer to:		
001-0613-514-0-3101	Contract Services Account	\$25,000

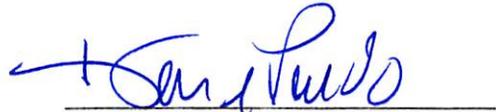
SECTION 4. This resolution shall take effect upon its passage and approval by the City Council.

PASSED and APPROVED this 1st day of JULY, 2015.

APPROVED



THOMAS A. MASTERS
MAYOR



DAWN S. PARDO
CHAIRPERSON

ATTEST



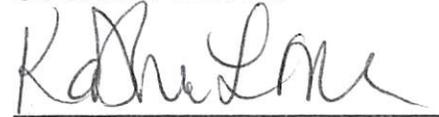

CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK



TERENCE D. DAVIS
CHAIR PRO TEM



BRUCE A. GUYTON
COUNCILPERSON

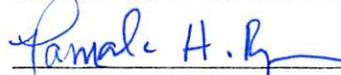


KaSHAMBA L. MILLER
COUNCILPERSON



CEDRICK A. THOMAS
COUNCILPERSON

MOTIONED BY: B. GUYTON
SECONDED BY: T. DAVIS
D. PARDO AYE
T. DAVIS NAY
B. GUYTON AYE
K. MILLER NAY
C. THOMAS AYE

REVIEWED AS TO LEGAL SUFFICIENCY


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

DATE: 6/30/15

RESOLUTION NO. 87-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A SITE PLAN AND SPECIAL EXCEPTION APPLICATION FROM CHENEY BROTHERS TO BUILD A 68,156 SQUARE FOOT WAREHOUSE, ON A 7.7 ACRE PARCEL CURRENTLY IDENTIFIED BY PCN 56-43-42-31-06-001-0010, LOCATED ON THE SOUTH WEST CORNER OF CONGRESS AVENUE AND DR. MARTIN LUTHER KING JR. BOULEVARD; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the property known by Parcel Control Number (PCN) 56-43-42-31-06-001-0010 is approximately 7.7 acre in size and has an existing industrial warehouse; and

WHEREAS, the applicant proposes to expand the current use on site by building and operating a new 68,156 square foot industrial warehouse; and

WHEREAS, development of a warehouse requires a special exception approval by City Council within the General Industrial Zoning District; and

WHEREAS, Section 31-59 of the City of Riviera Beach Code of Ordinances establishes the requirements for Site Plan and Section 31-62 for Special Exception review by the City Council; and

WHEREAS, the Planning and Zoning Board reviewed the Site Plan (Exhibit A) and Special Exception applications, including the Landscape Plan (Exhibit B) on June 11, 2015 and unanimously recommended approval; and

WHEREAS, City staff determined that the development proposal (SP-15-05 and SE-15-01) is consistent with the City's Comprehensive Plan and the City's Land Development Regulations; and

WHEREAS, City staff has found that the development proposal has met the standards required for granting a special exception as provided in City Code Section 31-62, which include the following: (1) property ingress and egress, (2) off-street parking and loading, (3) refuse and service areas, (4) utilities, (5) screening, buffering and landscaping, (6) signage and exterior lighting, (7) required yards and open space; and

WHEREAS, the City Council desires to approve the applications for Site Plan and Special Exception to build a new 68,156 square foot industrial warehouse at property know by PCN 56-43-42-31-06-001-0010.

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 finds that the applications for Site Plan and Special Exception to build a new 68,156 square foot industrial warehouse at property know by PCN 56-43-42-31-06-001-0010 is consistent with the City's Comprehensive Plan and the City's Land Development Regulations.

SECTION 2. The City Council finds that the development proposal has met the standards required for granting a special exception as provided in City Code Section 31-62 specifically outlined within the Special Exception Analysis section of the City Staff Report as follows:

Special Exception Analysis [City Code Section 31-62]

a. Ingress to and egress from the property and the proposed structures thereon, if any, including such considerations as automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

- Ingress to and Egress from the site are available directly from Dr. Martin Luther King Jr. Blvd and Congress Ave.

b. Off-street parking and loading areas, where required, including consideration of relevant factors in subsection (2)a. of this section, and the economic, noise, glare or odor effects of the location of such areas on adjacent and nearby properties and properties generally in the district.

- Adequate 10'x20' parking spaces with wheel stops have been proposed in accordance with the City's Land Development Regulations.
- Four truck loading/unloading areas will also be provided.

c. Refuse and service areas, including consideration of relevant factors in subsections (2) a. and b. of this section.

- A 6 foot high masonry enclosure has been proposed to hold a dumpster for onsite garbage collection.

d. Utilities, including such consideration as hook-in locations and availability and compatibility of utilities for the proposed use or structure.

- Utilities are currently available to the site and will be properly connected as regulated by the Utility District.

e. Screening, buffering and landscaping, including consideration of such relevant factors as type, dimensions and character to preserve and improve compatibility and harmony of use and structures between the proposed special exception and the uses and structures of adjacent and nearby properties and properties generally in the district.

- Adequate landscaping has been proposed along the perimeter of the property which must be maintained according to the City's Land Development Regulations.

f. Signs, or outside displays, if any, and proposed exterior lighting, if any, with reference to glare, traffic safety and economic effects of same on properties in the district.

- One attached sign is proposed on the north façade of the building, which will be regulated by the Code of Ordinances.
- Existing monument sign will be shared.

g. Required yards and open spaces. The board shall make such recommendations as it deems necessary, guided by the factors that may be described in this zoning district, based on the nature of the request and its effect.

- Adequate yard/open space has been proposed in accordance with the City's Land Development Code.

SECTION 3. The City Council approves the applications from Cheney Brothers, for site plan and special exception to build a new 68,156 square foot industrial warehouse at property know by PCN 56-43-42-31-06-001-0010 that is approximately 7.7 acre in size with the following three conditions:

1. A two-year landscaping performance bond for 110% of the value of landscaping and irrigation shall be required before the certificate of occupancy is issued.
2. Construction must be initiated within 18 months of the effective date of this resolution in accordance with Section 31-60(b), of the City Code of Ordinances.
3. All future advertising must state that the development is located in the City of Riviera Beach. Fees and penalties in accordance with City Code Sec. 31-554 will be levied against the property owner and/or business for violation of this condition.
4. This development must receive final Certificate of Occupancy from the City within five years of the approval of this resolution (by July 1, 2020) or the resolution shall be considered null and void, requiring the applicant to resubmit application for site plan approval and re-initiate the site plan approval process.

SECTION 4. The associated Site Plan and Landscape Plan are attached hereto and made a part of this resolution as Exhibit "A" and Exhibit "B".

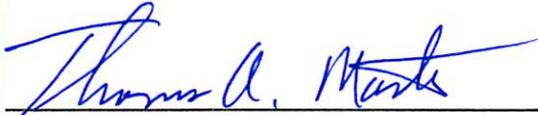
SECTION 5. Should any one or more of the provisions or element of this resolution be held invalid, such provision or element shall be null and void, and shall be deemed separate from the remaining provisions or elements and shall in no way affect the validity of any of the remaining provisions or elements of this resolution.

SECTION 6. This Resolution shall take effect immediately upon approval.

PASSED and APPROVED this 1st day of JULY, 2015.

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APPROVED:

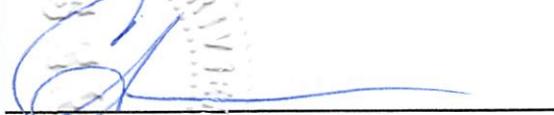


THOMAS A. MASTERS
MAYOR

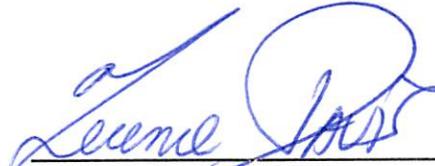


DAWN S. PARDO
CHAIRPERSON

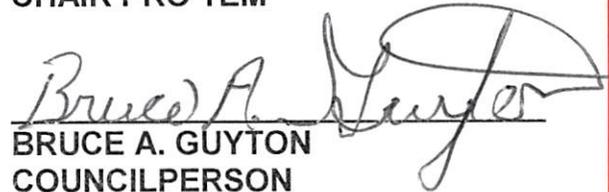
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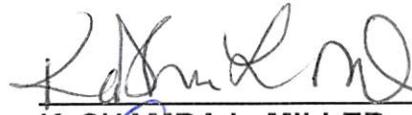
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