

RESOLUTION NO. 16-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING FIRE RESCUE TO PURCHASE THREE (3) STAFF VEHICLES UNDER THE 2011 FLORIDA SHERIFFS ASSOCIATION OF FLORIDA PURCHASING CONTRACT #10-18-0907, FROM DUVAL FORD, JACKSONVILLE, FLORIDA, AND HUB CITY FORD, CRESTVIEW, FLORIDA, IN THE TOTAL AMOUNT OF \$88,415.00; AUTHORIZING THE MAYOR AND INTERIM FINANCE DIRECTOR TO MAKE PAYMENT FROM ACCOUNT NUMBER 303-0920-522-0-6451; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City Council approved funding for Fire Rescue's vehicle Capital Plan for fiscal year 2011; and

**WHEREAS**, the City can purchase three (3) vehicles under the 2011 Florida Sheriffs Association of Florida Purchasing Contract. # 10-18-0907, from Duval Ford, Jacksonville, Florida, and Hub City Ford, Crestview, Florida; and

**WHEREAS**, the City Council authorizes the Mayor and Interim Finance Director to pay \$88,345.00 from account number 303-0920-522-0-6451 for the purchase of three (3) vehicles.

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

**Section 1:** The purchase of three (3) vehicles under the 2011 Florida Sherriff's Association of Florida Purchasing Contract #10-18-0907, from Duval Ford, Jacksonville, Florida, and Hub City Ford, Crestview, Florida, is hereby approved.

**Section 2:** The City Council authorizes the Mayor and Interim Finance Director to make payment to Duval Ford and Hub City Ford, in the total amount of \$88,345.00 from account number 303-0920-522-0-6451.

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

PASS AND APPROVED THIS 16 DAY OF February, 2011.

APPROVED:

*Thomas A. Masters*  
THOMAS A. MASTERS  
MAYOR

*Dawn S. Pardo*  
DAWN S. PARDO  
CHAIRPERSON

ATTEST:

*Carrie E. Ward*  
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

*Judy L. Davis*  
JUDY L. DAVIS  
CHAIR PRO TEM

*Billie E. Brooks*  
BILLIE E. BROOKS  
COUNCILPERSON

*Cedrick A. Thomas*  
CEDRICK A. THOMAS  
COUNCILPERSON

*Shelby L. Lowe*  
SHELBY L. LOWE  
COUNCILPERSON

MOTIONED BY: *Thomas*

SECONDED BY: *Davis*

D. PARDO *Aye*

J. DAVIS *Aye*

B. BROOKS *Aye*

C. THOMAS *Aye*

S. LOWE *Aye*

REVIEWED AS TO LEGAL SUFFICIENCY

*Pamela Hanna Ryan*  
PAMALA HANNA RYAN, CITY ATTORNEY

DATE: *2/9/11*

RESOLUTION NO. 17-11

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE INTERIM FINANCE DIRECTOR TO APPROPRIATE FUNDS FOR THE FABRICATION, PURCHASE AND INSTALLATION OF CARPETING FOR THE LIBRARY FROM MOHAWK CARPET DISTRIBUTING, LP, OF GREENSBORO, NC AT A COST OF \$ 51,139.77, BY "PIGGYBACKING" FROM THE STATE OF FLORIDA CONTRACT NO. 360-240-06-1, CARPET AND FLOORING MATERIALS, PLUS \$2,000.00 FOR OTHER PROJECT RELATED COSTS; AUTHORIZING THE PURCHASING DIRECTOR TO ISSUE THE APPROPRIATE PURCHASE ORDER FOR SAME.**

**WHEREAS**, the Riviera Beach Public Library has experienced an expansion of use over the past seven years and the current carpeting is worn as a result from the heavy traffic; and

**WHEREAS**, the Library is in need of new carpeting in the areas that are currently carpeted on the first and second floors, excluding the Conference Room, which is located on the second floor; and

**WHEREAS**, the Library wishes to purchase the carpet from Mohawk Carpet Distributing, LP; and

**WHEREAS**, Section 9-107 of the City's Procurement Ordinance #2412, provides for the procurement of goods, services, and equipment by utilizing contract pricing and terms established by other governmental agencies "Piggybacking"; and

**WHEREAS**, the Library will "piggyback" from the State of Florida Contract No.: 360-240-06-1, Carpet & Flooring Materials; and

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

**SECTION 1.** The City Council approves the purchase of carpet from Mohawk Carpet Distributing, LP, under the State of Florida, Division of Management Services Contract No. 360-240-06-1.

**SECTION 2.** The Interim Finance Director is authorized to pay the amount of \$40,000.00 from the Library Carpet Replacement Account No. 303-1336-571-0-6351; and \$13,139.77 from the Library Impact Fee Account No. 303-00-271013.

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

RESOLUTION NO. 17-11  
PAGE 2

Passed and Approved this 16 day of February, 2011.

APPROVED:

Thomas A. Masters  
THOMAS A. MASTERS  
MAYOR

Dawn S. Pardo  
DAWN S. PARDO  
CHAIRPERSON

ATTEST:

Carrie E. Ward  
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

Judy L. Davis  
JUDY L. DAVIS  
CHAIR PRO TEM

Billie E. Brooks  
BILLIE E. BROOKS  
COUNCILPERSON

Cedrick A. Thomas  
CEDRICK A. THOMAS  
COUNCILPERSON

Shelby L. Lowe  
SHELBY L. LOWE  
COUNCILPERSON

MOTIONED BY: Thomas

SECONDED BY: Dawn

D. PARDO Aye

J. DAVIS Aye

B. BROOKS Aye

C. THOMAS Aye

S. LOWE Aye

REVIEWED AS TO LEGAL SUFFICIENCY

Pamala H. Ryan  
PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 2/10/11

RESOLUTION NO. 18-11

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING THE SECOND AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN THE BOARD OF COUNTY COMMISSIONERS, PALM BEACH COUNTY, FLORIDA, AND THE CITY OF RIVIERA BEACH; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE SECOND AMENDMENT TO INTERLOCAL AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the COUNTY'S Criminal Justice Commission (CJC), wishes to provide continued support to the Civil Drug Court to provide services to citizens who are affected by substance abuse and addiction;

**WHEREAS**, the COUNTY, agreed to reimburse the CITY for the expenses up to the amount of \$168,000 from October 1, 2009 through September 30, 2010 for the Civil Drug Court; and

**WHEREAS**, the grant is used to pay for the Civil Drug Court, drug treatment and the Family Restart program and the parties entered into this agreement in order to formalize their relationship with respect to this grant; and

**WHEREAS**, the term of said Interlocal Agreement was from October 1, 2009 through September 30, 2010 with a first amendment executed until December 31, 2010; and

**WHEREAS**, the Civil Drug Court is ongoing and there are unexpended dollars through no fault of either party; and

**WHEREAS**, the parties mutually desire to amend the Interlocal Agreement until March 31, 2011.

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

**SECTION 1:** The term of the Interlocal Agreement is amended to provide that the Interlocal Agreement shall continue until March 31, 2011.

**SECTION 2:** The COUNTY'S representative/contract monitor during the term of this Interlocal Agreement shall be Michael L. Rodriguez, or his designee, whose telephone number is 561-355-4943.

**SECTION 3:** Pursuant to Ordinance No. 2009-049, Palm Beach County has established the Office of the Inspector General, which is authorized and empowered to review past, present and proposed County contracts, transactions, accounts and records. All contractors and parties doing business with the County and receiving County funds shall fully cooperate with the Inspector General. The Inspector General has the power to subpoena witnesses, administer oaths, require the production of records, and to audit, investigate, monitor, and inspect the activities of the contractor, its officers, agents, employees, and lobbyists in order to ensure compliance with contract specifications and to detect waste, corruption and fraud. Where applicable, the cost of the Inspector General's Office shall be incorporated into the contract price of all contracts and shall be one quarter (1/4) of one (1) percent of the contract price.

**SECTION 4:** All other provisions of said Interlocal Agreement are hereby confirmed, and except as provided herein are not otherwise altered or amended and remain in full force and effect.

**SECTION 5:** That this resolution shall take effect upon its approval and passage by the City Council.

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RESOLUTION NO. 18-11  
PAGE 3

APPROVED:

*Thomas A. Masters*  
THOMAS A. MASTERS  
MAYOR

*Dawn S. Pardo*  
DAWN S. PARDO  
CHAIRPERSON

ATTEST:

*Carrie E. Ward*  
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

*Judy L. Davis*  
JUDY L. DAVIS  
CHAIR PRO TEM

*Billie E. Brooks*  
BILLIE E. BROOKS  
COUNCILPERSON

*Cedrick A. Thomas*  
CEDRICK A. THOMAS  
COUNCILPERSON

*Shelby L. Lowe*  
SHELBY L. LOWE  
COUNCILPERSON

MOTIONED BY: *Thomas*

SECONDED BY: *Dawn*

D. PARDO *Aye*

J. DAVIS *Aye*

B. BROOKS *Aye*

C. THOMAS *Aye*

S. LOWE *Aye*

REVIEWED AS TO LEGAL SUFFICIENCY  
*Pamala H. Ryan*  
PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 2/3/11

RESOLUTION NO. 19-11

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING GRANT FUNDS FROM THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT – OFFICE OF CRIMINAL JUSTICE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) IN THE AMOUNT OF \$116,500; AND AUTHORIZING THE FINANCE DIRECTOR TO ESTABLISH A BUDGET; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** Section 163.01 Florida Statutes, known as the ‘Florida Interlocal Cooperation Act of 1969’ authorizes local governments to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities that will harmonize geographic, economic, population and other factors influencing the needs and develop of local communities; and

**WHEREAS,** The Florida Department of Law Enforcement has established the Edward Byrne Memorial Justice Grant (JAG) Program; and

**WHEREAS,** the City of Riviera Beach has been awarded funds in the amount of \$116,500 for a period of twelve (12) months; and

**WHEREAS,** the grant is used to pay for the Civil Drug Court Case manager, Drug Counselor and the parties entered into an agreement in order to formalize their relationship with respect to this grant and services provided; and

**WHEREAS,** the City of Riviera Beach Civil Drug Court is willing and capable of facilitating the programs funded by this grant to ensure compliance of the Court ordered clients.

**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 authorizes the Mayor to execute the agreement with Florida Department of Law Enforcement office of the Criminal Justice Commission accepting \$116,500 to support services and programs provided by the Civil Drug Court.

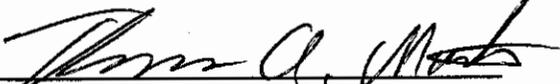
**SECTION 2:** That the Finance Director is authorized to set up budget as follows:

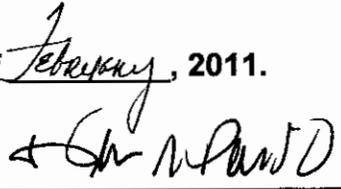
<b>REVENUE</b>		
148-00-334694	Civil Drug Court-JAG	\$116,500
<b>EXPENDITURE</b>		
148-1618-569-2-1201	Salaries	\$31,470
148-1618-569-2-1401	Fica Taxes	\$ 2,407
148-1618-569-2-1403	Health Insurance	\$ 8,750
148-1618-569-2-1404	Life Insurance	\$ 156
148-1618-569-2-3101	Contract Services	\$57,437
148-1618-569-2-4001	Travel	\$ 5,800
148-1618-569-2-4101	Communication telephone	\$ 780
148-1618-569-2-4201	Postage	\$ 1,300
148-1618-569-2-4604	Repair & Maint	\$ 1,500
148-1618-569-2-4701	Printing & Binding	\$ 1,500
148-1618-569-2-5201	Oper. Supplies	\$ 5,400
<b>TOTAL</b>		<b>\$116,500</b>

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

RESOLUTION NO. 19-11  
PAGE 3

PASSED AND APPROVED this 16 day of February, 2011.

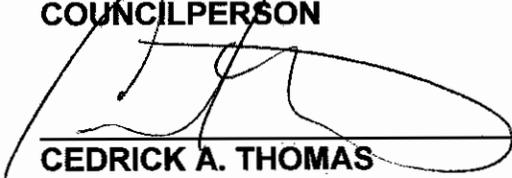
  
THOMAS A. MASTERS  
MAYOR

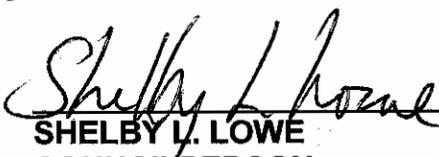
  
DAWN S. PARDO  
CHAIRPERSON

ATTEST:  
  
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

  
JUDY L. DAVIS  
CHAIR PRO TEM

  
BILLIE E. BROOKS  
COUNCILPERSON

  
CEDRICK A. THOMAS  
COUNCILPERSON

  
SHELBY L. LOWE  
COUNCILPERSON

MOTIONED BY: Thomas

SECONDED BY: Davis

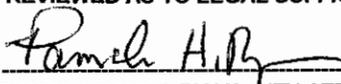
D. PARDO Aye

J. DAVIS Aye

B. BROOKS Aye

C. THOMAS Aye

S. LOWE Aye

REVIEWED AS TO LEGAL SUFFICIENCY  
  
PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 2/3/11

RESOLUTION NO. 20-11

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING STAFF TO NEGOTIATE AN AGREEMENT WITH SONG AND ASSOCIATES OF WEST PALM BEACH, FLORIDA FOR PROFESSIONAL ARCHITECTURAL DESIGN SERVICES FOR DEVELOPMENT OF DESIGN SPECIFICATIONS, CONSTRUCTION DOCUMENTS AND RELATED SERVICES FOR A NEW RIVIERA BEACH PUBLIC WORKS COMPLEX; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City realized a need for and budgeted accordingly for the construction of a new Public Works Complex; and

**WHEREAS**, staff solicited Request for Qualifications for Professional Architectural Design and Consulting Services for a new public works complex; and

**WHEREAS**, the selection committee for RFQ #259-10 short-listed and interviewed the three (3) most qualified firms consistent with the State of Florida's "Consultants' Competitive Negotiation Act" (FS 287.055); and

**WHEREAS**, Song and Associates of West Palm Beach, Florida was evaluated as the top ranked firm to provide the services identified in the City's Request for Qualifications.

**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 authorizes staff to negotiate an agreement with Song and Associates of West Palm Beach, Florida to provide Professional Design Services for the new Public Works Complex with said agreement to return to City Council for final approval.

**SECTION 2.** That this Resolution shall take effect upon its passage and approval by City Council.

**PASSED and APPROVED** this 16 day of February, 2011.

RESOLUTION NO. 20-11  
PAGE 2

APPROVED:

*Thomas A. Masters*  
THOMAS A. MASTERS  
MAYOR

*Dawn S. Pardo*  
DAWN S. PARDO  
CHAIRPERSON

ATTEST:

*Carrie E. Ward*  
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

*Judy L. Davis*  
JUDY L. DAVIS  
CHAIR PRO TEM

*Billie E. Brooks*  
BILLIE E. BROOKS  
COUNCILPERSON

*Cedrick A. Thomas*  
CEDRICK A. THOMAS  
COUNCILPERSON

*Shelby L. Lowe*  
SHELBY L. LOWE  
COUNCILPERSON

MOTIONED BY: *Thomas*

SECONDED BY: *Dawn*

D. PARDO *Aye*

J. DAVIS *Aye*

B. BROOKS *Aye*

C. THOMAS *Aye*

S. LOWE *Aye*

REVIEWED AS TO LEGAL SUFFICIENCY

*Pamela H. Ryan*  
PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 2/8/11

RESOLUTION NO. 21-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, FINDING THAT THE PROPOSED CONSTRUCTION OF A 24,000 SQUARE FOOT NATURAL GAS COMPRESSOR STATION ON THE 72 ACRE DEVELOPMENT OF REGIONAL IMPACT SITE LOCATED AT 2400 PORT WEST BOULEVARD AND OWNED BY FLORIDA POWER AND LIGHT IS NOT CONSIDERED TO BE A SUBSTANTIAL DEVIATION TO THE DEVELOPMENT OF REGIONAL IMPACT AND WILL NOT CREATE SIGNIFICANT REGIONAL IMPACTS ON REGIONAL RESOURCES AND FACILITIES IN THE AREA; APPROVING AN AMENDMENT TO THE DRI SITE PLAN TO INCLUDE THE COMPRESSOR STATION; 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**, 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**, the Treasure Coast Regional Planning Council sitting as the areas regional planning agency in a letter dated November 15, 2010 found that the notice of proposed change for the construction of a 24,000 square foot natural gas compressor station will not create additional significant regional impacts on regional resources and facilities in the area; and

**WHEREAS**, the Planning and Zoning Board voted to approve the amendment to the DRI site plan to include the addition of the 24,000 square foot natural gas compressor station on January 13, 2011; and

**WHEREAS**, the City Council finds that the proposed amendment to the DRI site plan is a non-substantial deviation.

**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:**

**RESOLUTION NO. 21-11**  
**PAGE 2**

**SECTION 1.** That the City Council finds the request to amend DRI-74-1 located at 2400 Port West Blvd in Riviera Beach to add a 24,000 square foot natural gas compressor station is a non-substantial deviation.

**SECTION 2.** The site plan application from the Florida Power and Light Company for the inclusion of a 24,000 square foot natural gas compressor station is approved with the following conditions:

1. A two-year landscaping bond for 110% of the value of landscaping shall be required before certificate of completion is issued.
2. Florida Power and Light Company (FPL) will engage a third party licensed Florida Building Inspector or Licensed Florida Engineer to conduct construction inspections of the natural gas compressor station pursuant to applicable building codes. The third party Florida Building Inspector or Licensed Florida Engineer shall provide copies of the inspection reports to the City within 10 business days of completing each inspection. Additionally, FPL will retain the inspection reports on-site and make them available to the City upon request.

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

PASSED and APPROVED this 16 day of February, 2011.

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RESOLUTION NO. 21-11  
PAGE 3

APPROVED:

*Thomas A. Masters*  
THOMAS A. MASTERS  
MAYOR

*Dawn S. Pardo*  
DAWN S. PARDO  
CHAIRPERSON

ATTEST:

*Carrie E. Ward*  
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

*Judy L. Davis*  
JUDY L. DAVIS  
CHAIR PRO TEM

*Billie E. Brooks*  
BILLIE E. BROOKS  
COUNCILPERSON

*Cedrick A. Thomas*  
CEDRICK A. THOMAS  
COUNCILPERSON

*Shelby L. Lowe*  
SHELBY L. LOWE  
COUNCILPERSON

MOTIONED BY: *Dans*

SECONDED BY: *Brooks*

D. PARDO *Aye*

J. DAVIS *Aye*

B. BROOKS *Aye*

C. THOMAS *Aye*

S. LOWE *Aye*

REVIEWED AS TO LEGAL SUFFICIENCY  
*Pamala H. Ryan*  
PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 2/7/11

RESOLUTION NO. 22-11 MOTION FAILED

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN APPLICATION FROM STACEY MCKINDLES, OWNER OF BUDDY'S CAFÉ LOCATED AT 2431 BEACH COURT, FOR AN EXTENDED HOURS LICENSE ALLOWING THIS ESTABLISHMENT TO REMAIN OPEN UNTIL 5:00 A.M. ON WEEKDAYS, WEEKENDS AND HOLIDAYS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Sec. 3-6(b), of the City of Riviera Beach Code of Ordinances establishes that any person, vendor or any place of business operating as a restaurant bar, hotel or motel bar, nightclub or show club in the City and duly and regularly licensed by the State to sell and dispense alcoholic beverages, wine or beer therein may apply for an extended hours license; and

**WHEREAS**, Sec. 3-6(b)(1) of the City of Riviera Beach Code of Ordinances lists specific criteria for the City Council to consider to grant or deny a license; and

**WHEREAS**, Sec. 3-6(b)(1) requires that the City Council consider the following criteria:

- (a) The amount of off-street parking in relation to demands created by the extra hours of operation.
- (b) The amount and degree of law enforcement activities generated by the operation of any bar, hotel or motel bar, nightclub or show club, both outside and inside the particular location, with particular emphasis on vandalism, noise, vehicular use of patrons and illegal activity of any kind by employees, patrons or others associated with the establishment;
- (c) The adverse effects, if any, that the extended hours of operation will have on neighboring properties and;
- (d) The establishment does not disturb the peace and quiet of the surrounding neighborhood.

**WHEREAS**, the City Council may choose to grant or deny a request for extended hours license privileges; and the City Council may add reasonable conditions in conjunction with an approval; and

**WHEREAS**, Extended Hours licenses shall expire on October 1<sup>st</sup> of each and every year; and active Extended Hours licenses must be renewed prior to October 1<sup>st</sup> of each year, by gaining approval and paying all fees due; and

**WHEREAS**, Stacey McKindles, owner of Buddy's Café located at 2431 Beach Court, is requesting approval for an Extended Hours License; and

RESOLUTION NO. 22-11  
PAGE 2

**WHEREAS**, the City Council approved a temporary sixty (60) day extended hours license on December 15, 2010, that was to be reviewed by the City Council in sixty (60) days, to determine if the license should be renewed or denied; and

**WHEREAS**, Staff conducted an analysis of a Police Log Report of complaint calls generated from this business within the sixty (60) day extended hours operating period, which began on December 19, 2011, when the applicant met all conditions of approval and the extended hours license was officially enacted, as well as a review of the criteria listed in Section 3-6(b)(1) of the City's Code of Ordinances, and finds that the police detail has mitigated all criminal activity; and

**WHEREAS**, the Police Log Report recommends the continuance of a City of Riviera Beach Police Department approved security detail on site if the City Council chooses to continue the extended hours license.

**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 has considered the following criteria listed in Sec. 3-6(b)(1) of the City of Riviera Beach Code of Ordinances in granting the limited extended hours license:

- (1) The amount of off-street parking in relation to demands created by the extra hours of operation.
- (2) The amount and degree of law enforcement activities generated by the operation of any bar, hotel or motel bar, nightclub or show club, both outside and inside the particular location, with particular emphasis on the vandalism, noise, vehicular use of patrons and illegal activity of any kind by employees, patrons or others associated with the establishment;
- (3) The adverse effects, if any, that the extended hours of operation will have on neighboring properties and;
- (4) The establishment does not disturb the peace and quiet of the surrounding neighborhood.

**SECTION 2.** That the City Council approves the request from Stacey McKindles, owner of Buddy's Cafe, for an Extended Hours License, with the following conditions:

1. A security detail approved by the City of Riviera Beach Police Department must be on site during extended hours of operation; 2:00 A.M. – 5:00 A.M.

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

**PASSED and APPROVED** this 16 day of February, 2011.

RESOLUTION NO. 22-11  
PAGE 3

APPROVED:

  
THOMAS A. MASTERS  
MAYOR

  
DAWN S. PARDO  
CHAIRPERSON

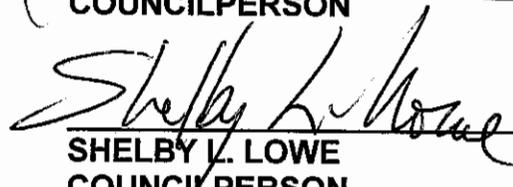
ATTEST:

  
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

  
JUDY L. DAVIS  
CHAIR PRO TEM

  
BILLIE E. BROOKS  
COUNCILPERSON

  
CEDRICK A. THOMAS  
COUNCILPERSON

  
SHELBY L. LOWE  
COUNCILPERSON

MOTIONED BY: Davis

SECONDED BY: Lowe

D. PARDO may

J. DAVIS yes

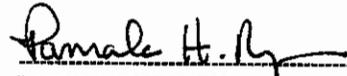
B. BROOKS may

C. THOMAS may

S. LOWE yes

Failed

REVIEWED AS TO LEGAL SUFFICIENCY

  
PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 2/7/11