

RESOLUTION NO. 159-10

**DELETED FROM AGENDA DECEMBER 15, 2010 CITY COUNCIL MEETING**

**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 PURCHASE AND INSTALLATION OF CARPETING FOR THE LIBRARY FROM MOHAWK CARPET DISTRIBUTING, LP AT A TOTAL 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; AUTHORIZE MAYOR AND CITY CLERK TO EXECUTE THE PROPOSED MATERIAL AND SERVICE AGREEMENT; AND PROVIDE AN EFFECTIVE DATE.**

**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**, 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 City Council authorizes the Mayor and Interim Finance Director 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. 159-10  
PAGE 2

Passed and Approved this 15 day of December, 2010.

APPROVED:

\_\_\_\_\_  
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:

Brooks

SECONDED BY:

Dans

D. PARDO

Aye

J. DAVIS

Aye

B. BROOKS

Aye

C. THOMAS

Aye

S. LOWE

Aye

REVIEWED AS TO LEGAL SUFFICIENCY

Pamala Hanna Ryan  
PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 12/8/10

RESOLUTION NO. 160-10

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO PALM BEACH COUNTY, ON BEHALF OF THE CITY, FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN THE AMOUNT OF \$310,000 FOR FISCAL YEAR 2011-12 FOR RECONSTRUCTION OF WEST 36th STREET BETWEEN AVENUE O AND AVENUE R; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Palm Beach County receives Community Development Block Grant Funds from the U.S. Department of Housing and Urban Development for the implementation and execution of certain activities and projects; and

**WHEREAS**, Palm Beach County is soliciting proposals for its Community Development Block Grant Program for fiscal year 2011-12; and

**WHEREAS**, The City of Riviera Beach has entered into an interlocal agreement with Palm Beach County for implementation of community development projects; and

**WHEREAS**, The City of Riviera Beach has conducted a public meeting, obtained citizens input on community development projects and ranked those projects.

**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 approves the submission of an application to Palm Beach County for Community Development Block Grant Funds for fiscal year 2011-12.

**SECTION 2.** That these funds be used for improving West 36<sup>th</sup> Street between Avenue R and Avenue O in the Northwest Neighborhood Strategy Area; and that the City is committing \$311,000 of Street Improvement Funds for this project, to match the County CDBG allocation of \$310,000.

**SECTION 3.** That this project shall be priority number one for funding consideration.

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Page 2

**SECTION 4.** That the City Manager is authorized to execute the application.

**SECTION 5.** That this resolution shall become effective upon its passage.

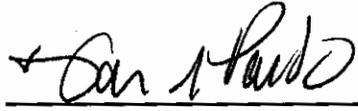
**PASSED and APPROVED** on 15 day of December, 2010

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RESOLUTION NO.: 160-10  
PAGE -3-

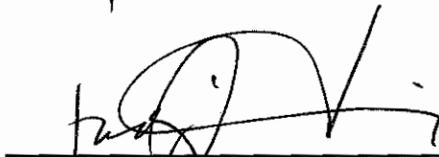
APPROVED:

  
THOMAS A. MASTERS  
MAYOR

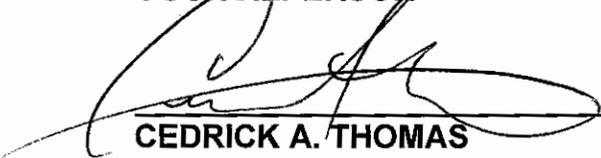
  
DAWN S. PARDO  
CHAIRPERSON

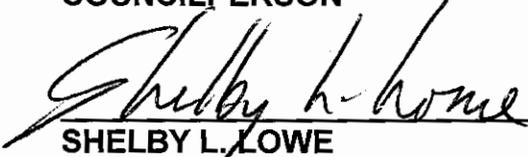
ATTEST:

  
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: Brooks

SECONDED BY: Davis

D. PARDO Aye

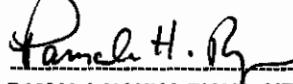
J. DAVIS Aye

B. BROOKS Aye

C. THOMAS Aye

S. LOWE Aye

REVIEWED AS TO LEGAL SUFFICIENCY

  
PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 12/3/10

RESOLUTION NO. 161-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND PALM BEACH COUNTY TO PROVIDE FUNDING IN THE AMOUNT OF \$57,541 FOR CONTINUATION OF THE WEED AND SEED PROGRAM; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE INTERLOCAL AGREEMENT; AND PROVIDING AN EFFECTIVE DATE .

**WHEREAS**, the County will grant the funding to the City of Riviera Beach Weed and Seed in the amount of \$57,541; and

**WHEREAS**, the funds are designated for the "Seed" component of the Riviera Beach Weed and Seed program; and

**WHEREAS**, funds are designated for and services to residents, which includes tutorial program, salary and benefits

**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 agreement between the County and the City of Riviera Beach.

**SECTION 2.** The Mayor and City Clerk is authorized to execute the agreement.

**SECTION 3.** That the Interim Finance Director is authorized to set up a budget in the Weed and Seed Project Fund (123) as follows:

**Revenue:**  
123-00-337902                      \$57,541                      County Weed and Seed Grant

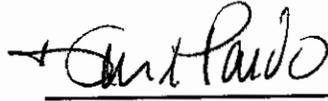
**Expenditures:**  
123-0822-521-4-1201              \$56,798.00                      Salaries and wages  
123-0822-521-4-1404              \$305.00                              Life  
123-0822-521-0-5201              \$438.00                              Office Supplies/General

**PASSED and APPROVED** this 15 day of December, 2010.

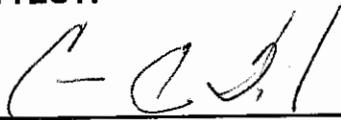
RESOLUTION NO. 161-10  
PAGE 3

APPROVED:

  
THOMAS A. MASTERS  
MAYOR

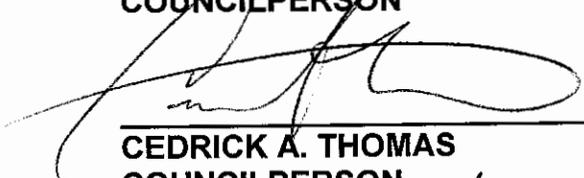
  
DAWN S. PARDO  
CHAIRPERSON

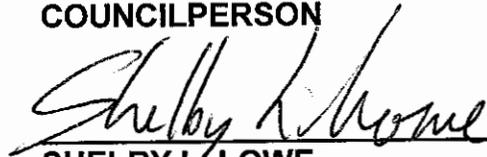
ATTEST:

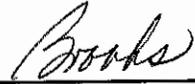
  
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

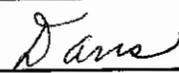
  
JUDY L. DAVIS  
CHAIR PRO TEM

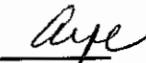
  
BILLIE E. BROOKS  
COUNCILPERSON

  
CEDRICK A. THOMAS  
COUNCILPERSON

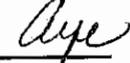
  
SHELBY L. LOWE  
COUNCILPERSON

MOTIONED BY: 

SECONDED BY: 

D. PARDO 

J. DAVIS 

B. BROOKS 

C. THOMAS 

S. LOWE 

REVIEWED AS TO LEGAL SUFFICIENCY  
  
PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 10/9/2010

RESOLUTION NO. 162-10

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE 2011 DR. MARTIN LUTHER KING, JR. BUDGET AND ACTIVITIES AND PROVING AN EFFECTIVE DATE.**

**WHEREAS**, each year the City of Riviera Beach recognizes and celebrates the birthday of the former Civil Rights Leader Dr. Martin Luther King, Jr. ; and

**WHEREAS**, staff is requesting City Council's approval for the 2011 Dr. Martin Luther King, Jr. Budget and activities; and

**WHEREAS**, City Council approved funds for the 2010 – 2011 Dr. Martin Luther King, Jr. Celebration in the amount of \$12,000.

**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 below revenue and expenditures be approved for the 2011 Dr. Martin Luther King, Jr. Celebrations.

**REVENUE**

General Fund Contingency	\$12,000
MLK Parade Activity Fees	800
Vendor Fees	<u>2,200</u>
<b>TOTAL</b>	<b>\$15,000</b>

**EXPENDITURES**

Youth Praise Dance Extravaganza/ Kick Off	\$1,000
Senior Citizen Luncheon Food, table cloths, center pieces, music programs, serving utensils, etc.	7,700
Gala Parade Signage for parade	\$1,000

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PAGE -2-

**EXPENDITURES continued**

Vehicle rental	\$1,000
Tents for vendors	600
T-shirts for volunteers	200
Refreshments	500
Awards & Presentations	2,000
Gospel Program	<u>1,000</u>

**TOTAL** \$15,000

**SECTION 2.** This Resolution shall take effect upon its passage.

PASSED AND APPROVED this 15 day of December 2010.

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APPROVED:

  
THOMAS A. MASTERS  
MAYOR

  
DAWN S. PARDO  
CHAIRPERSON

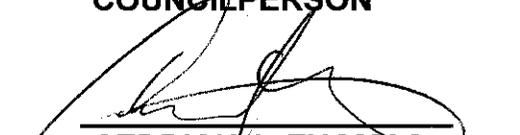
MUNICIPAL SEAL

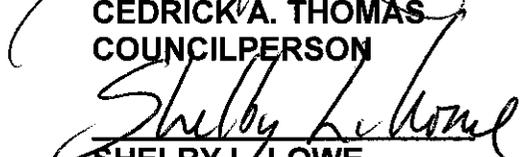
  
JUDY L. DAVIS  
CHAIRPERSON PRO TEM

ATTEST:

  
CARRIE E. WARD, CMC/AAE  
CITY CLERK

  
BILLIE E. BROOKS  
COUNCILPERSON

  
CEDRICK A. THOMAS  
COUNCILPERSON

  
SHELBY L. LOWE  
COUNCILPERSON

MOTIONED BY: Brooks

SECONDED BY: Pardo

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: 12/7/2010

**RESOLUTION NO. 163-10**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A WORK ORDER WITH SEADIVERSIFIED INC. OF DELRAY BEACH, FLORIDA NOT TO EXCEED \$415,500.00 FOR THE PURPOSE OF COMPLETING THE DESIGN, ENGINEERING, BID SPECIFICATION DOCUMENTS AND ANY NECESSARY PERMIT MODIFICATIONS FOR THE REPLACEMENT OF THE MARINA DOCKS AND THE DESIGN, ENGINEERING, AND BID SPECIFICATION DOCUMENT FOR THE REPLACEMENT OF THE BULKHEAD AT THE RIVIERA BEACH MUNICIPAL MARINA; AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT FROM THE PALM BEACH COUNTY WATER ACCESS GRANT #424-0000-543-6-3103 AND THE FLORIDA INLAND NAVIGATIONAL DISTRICT GRANT #425-0000-543-1-3103; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Riviera Beach was awarded an extension to the \$5 million in Palm Beach County Public Water Access Grant with a substantial completion date of November 17, 2011, and a Florida Inland Navigational District Grant in the amount of \$475,000.00 with a completion date of September 1, 2011; and

**WHEREAS**, the Riviera Beach Marina requires substantial repairs and redevelopment in order to operate a competitive, safe and attractive Public Marina; and

**WHEREAS**, the Design, Engineering and Bid specifications of the project(s) are necessary in order to proceed with the development of the Public Marina.

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

**RESOLUTION NO. 163-10**

**Page 2**

**SECTION 1.** That the City Council approves the work order with Sea Diversified Inc. of Delray Beach Florida, per the attached scope of services.

**SECTION 2.** The Finance Director is authorized to appropriate funds from the Palm Beach Water Access Grant funds account number 424-0000-543-6-3103, and the Florida Inland Navigational District Grant funds 425-0000-543-1-3103, with the payment being made the same.

**SECTION 3.** That the City Manager is authorized to approve change orders not to exceed ten percent (10%) of the work order amount.

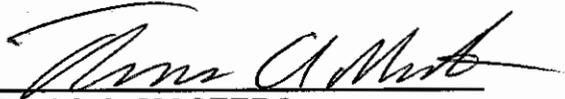
**SECTION 4.** This Resolution shall become effective upon its passage and approval by City Council.

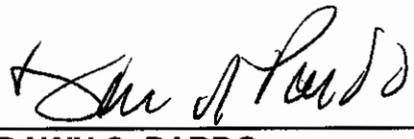
**PASSED AND APPROVED this 15th day of December, 2010**

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RESOLUTION NO. 163-10  
PAGE 3

APPROVED:

  
THOMAS A. MASTERS  
MAYOR

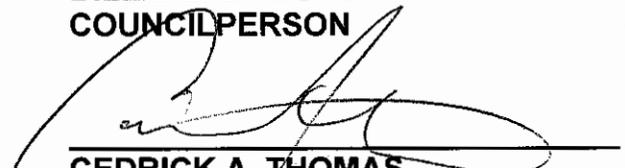
  
DAWN S. PARDO  
CHAIRPERSON

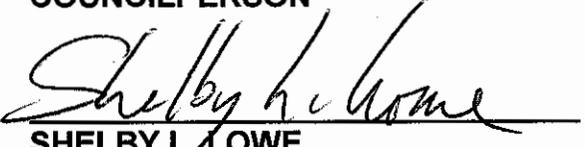
ATTEST:

  
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: Brooks

SECONDED BY: Davis

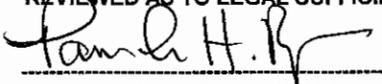
D. PARDO Aye

J. DAVIS Aye

B. BROOKS Aye

C. THOMAS Aye

S. LOWE Aye

REVIEWED AS TO LEGAL SUFFICIENCY  
  
PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 12/8/10

RESOLUTION NO. 164-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING SETTLEMENT OF ATTORNEYS FEES AND COSTS IN THE MATTER OF FANE LOZMAN, PLAINTIFF VS. THE CITY OF RIVIERA BEACH, CASE NO.: 502007CA007552XXXXMBAO/4D09-2703, IN THE TOTAL AMOUNT OF \$85,000; AUTHORIZING GALLAGHER BASSETT TO MAKE PAYMENT ON BEHALF OF THE CITY; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, In May 2007, Fane Lozman ("Plaintiff") filed a lawsuit against the City, alleging that the City violated the Sunshine Law by failing to record written minutes of its agenda review meetings; and

**WHEREAS**, the lower court ruled in favor of Plaintiff and the Fourth District Court of Appeal affirmed the ruling without; and

**WHEREAS**, under the law, Plaintiff is entitled to payment of attorney's fees and costs and, the parties have agreed to settle the attorney fees and costs for \$85,000.

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

**SECTION 1.** That settlement of attorneys fees and costs in the matter of *Fane Lozman, vs. City of Riviera Beach, Case No.: 502007CA007552 XXXXMBAO/4D09-2703*, is hereby approved in the total amount of \$85,000.

**SECTION 2.** That Gallagher Bassett Services is authorized to make payment on behalf of the City.

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

[Signatures on the following page]

RESOLUTION NO.: 164-10  
PAGE -2-

PASSED and APPROVED this 15 day of December, 2010.

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: Brooks

SECONDED BY: Dans

D. PARDO Aye

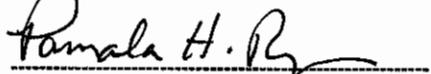
J. DAVIS Aye

B. BROOKS Aye

C. THOMAS Aye

S. LOWE Aye

REVIEWED AS TO LEGAL SUFFICIENCY

  
\_\_\_\_\_  
PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 12/13/10

RESOLUTION NO. 165-10

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 from the City Manager 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. 165-10**  
**PAGE 2**

**WHEREAS**, Staff conducted an analysis of a Police Log Report of complaint calls generated from this business within a twelve-month period, as well as a review of the criteria listed in Section 3-6(b)(1) of the City's Code of Ordinances, and finds no evidence to deny the application for 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, and finds that the applicant has satisfied the criteria:

- (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:

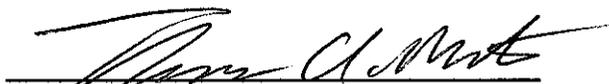
1. A temporary sixty (60) day extended hours license is approved; said license to expire on February 17, 2011. Prior to expiration the City Council will reassess the status of the extended hours license and may choose to lengthen the term of this license or allow it to expire.
2. A security detail approved 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 15TH day of DECEMBER, 2010.**

RESOLUTION NO. 165-10  
PAGE 3

APPROVED:

  
THOMAS A. MASTERS  
MAYOR

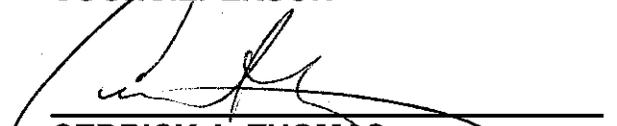
  
DAWN S. PARDO  
CHAIRPERSON

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: Dans

SECONDED BY: Lowee

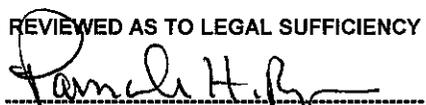
D. PARDO ny

J. DAVIS aye

B. BROOKS aye

C. THOMAS aye

S. LOWE aye

REVIEWED AS TO LEGAL SUFFICIENCY  
  
PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 12/8/10

RESOLUTION NO. 166-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ENDORSING THE "MISS RIVIERA BEACH USA" AND "MISS RIVIERA BEACH TEEN USA" PAGEANTS TO BE HELD IN MAY 2011, TO PROMOTE THE CITY, TO HIGHLIGHT THE TALENT, BEAUTY AND SKILLS OF THE CITY'S YOUNG WOMEN AND TO PROVIDE AN ANNUAL CELEBRATION OF THE CITY'S BEST, AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, promoting the City as "The Best Waterfront City in Which to Live, Work and Play" is vital to the City's vision of itself; and

**WHEREAS**, positive events and activities that contribute to this vision benefit the City's stakeholders, as well as help to attract other residents and business owners; and

**WHEREAS**, The "Miss Riviera Beach USA" and "Miss Riviera Beach Teen USA" are together a self-sustaining business, and organizers are not requesting any financial backing from the City; and

**WHEREAS**, The "Miss Riviera Beach USA" and "Miss Riviera Beach Teen USA" are sanctioned feeder pageants to Miss Florida USA, Miss USA and, ultimately, Miss Universe pageants, which could bring positive state, national and even international attention to the City; and

**WHEREAS**, pageant organizers want to make the "Miss Riviera Beach USA and Miss Riviera Beach Teen USA" pageants annual events that attract the City's best and brightest young women to shine before their peers, their families and their City.

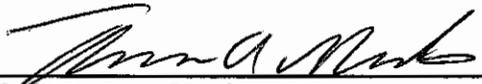
**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA THAT:**

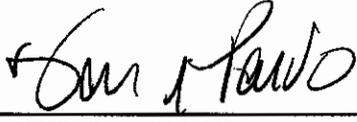
**SECTION 1:** The above recitals are true and are hereby incorporated into this Resolution.

**SECTION 2:** The City Council hereby endorses the "Miss Riviera Beach USA" and "Miss Riviera Beach Teen USA" pageants and authorizes the pageants, planned for May 2011.

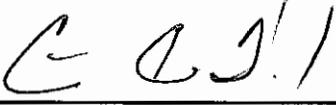
**SECTION 3:** This resolution shall take effect immediately upon its passage and adoption.

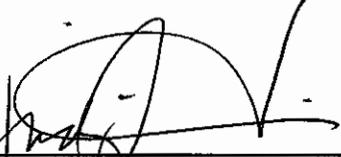
APPROVED:

  
\_\_\_\_\_  
THOMAS A. MASTERS  
MAYOR

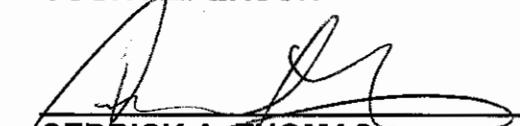
  
\_\_\_\_\_  
DAWN S. PARDO  
CHAIRPERSON

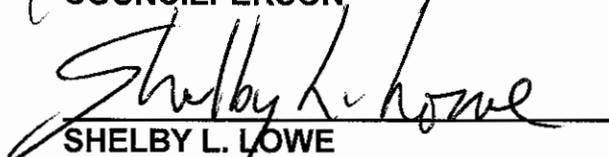
ATTEST:

  
\_\_\_\_\_  
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: Brooks

SECONDED BY: Low

D. PARDO Aye

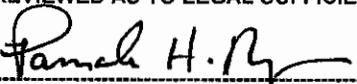
J. DAVIS Aye

B. BROOKS Aye

C. THOMAS Aye

S. LOWE Aye

REVIEWED AS TO LEGAL SUFFICIENCY

  
\_\_\_\_\_  
PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 12/8/10

RESOLUTION NO. 167-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND PITTMAN LAW GROUP P.L. TO PROVIDE LOBBYIST REPRESENTATION AT THE STATE LEVEL ON BEHALF OF THE CITY OF RIVIERA BEACH; COMPENSATION SHALL BE \$5,000.00 PER MONTH FOR THE PERIOD JANUARY 1, 2011 THROUGH DECEMBER 31, 2012; AUTHORIZING THE INTERIM FINANCE DIRECTOR TO MAKE PAYMENT FROM THE PROFESSIONAL SERVICES - OTHER, ACCOUNT NO. 001-0203-519-0-3106; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, Pittman Law Group P.L. has duly qualified experts in the field of grant programs and economic development, business development, transportation, infrastructure, water and sewer, appropriations and State grant programs administered by the State government; and

**WHEREAS**, in the judgment of the City Council, it is necessary to continue the services of the Pittman Law Group P.L. to provide representation at the State level of the City's policies, programs and other necessary services of specific legislative issues as determined by the City Council; and

**WHEREAS**, the Pittman Law Group P.L. will represent the City, at the State level, in areas such as, but not limited to, public works, transportation, communications, water resources, housing and State grant programs administered by the State government; and

**WHEREAS**, the terms of the contract is for two (2) years commencing on January 1, 2011 through December 31, 2012.

**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 Mayor and City Clerk are hereby authorized to execute an Agreement between the City of Riviera Beach and Pittman Law Group P.L. to provide lobbyist representation at the State level on behalf of the City of Riviera Beach.

**Section 2.** That compensation shall be \$5,000.00 per month for the period of January 1, 2011 through December 31, 2012.

**Section 3.** That the Interim Finance Director is authorized to make payment from the Professional Services - Other, Account No. 001-0203-519-0-3106.

**Section 4.** This Resolution shall take effect immediately upon its passage and approval on by the City Council.

PASSED and APPROVED this 15 day of December, 2010.

APPROVED:

*Thomas A. Masters*  
THOMAS A. MASTERS  
MAYOR

*+ Dawn S. Pardo*  
DAWN S. PARDO  
CHAIRPERSON ~~COUNCIL~~

ATTEST:

*C. 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: S. Lowe

SECONDED BY: J. Davis

D. PARDO *Aye*

J. DAVIS *Aye*

B. BROOKS *Aye*

C. THOMAS *Aye*

S. LOWE *Aye*

GS-Form 120510

REVIEWED AS TO LEGAL SUFFICIENCY  
*Pamala Hanna Ryan*  
PAMALA HANNA RYAN, CITY ATTORNEY  
DATE 12/8/2010

**AGREEMENT FOR PROFESSIONAL SERVICES  
BETWEEN THE CITY OF RIVIERA BEACH AND  
PITTMAN LAW GROUP, P.L.**

**THIS AGREEMENT** entered into the 15 day of December, 2010, by and between the City of Riviera Beach, hereinafter referred to as "CITY", and the firm of Pittman Law Group, P.L., a Florida corporation, hereinafter referred to as "CONTRACTOR".

**WHEREAS**, CONTRACTOR has duly qualified experts in the field of grant programs; and economic development, business development, transportation, infrastructure, water and sewer, appropriations and State grant programs administered by the State government.

**WHEREAS**, in the judgment of the City Council, it is necessary and desirable to employ the services of CONTRACTOR to assist the CITY in the above referenced areas.

**NOW, THEREFORE**, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

**PART I - SPECIFIC PROVISIONS**

**A. SERVICES TO BE PROVIDED:** CONTRACTOR will consult and advise, as requested, on transportation, communications, water resources, housing, public works, and Federal grant programs, including but not limited to:

1. Assisting in the development of strategies relating to the governmental agencies that regulate and fund transportation, communications, water resources, public works, and housing programs. CONTRACTOR will focus their efforts on obtaining funding for CITY priorities included in the CITY's State Work Plan developed by CONTRACTOR in conjunction with the CITY;
2. Securing appropriate authorizations and funding from the State Legislation and State agencies to implement the CITY's projects;
3. Maintaining direct and frequent contact with key State Senators and Representatives who may have an impact upon the CITY;
4. Advocating CITY interests during the State Legislative and regulatory process;
5. Lead and organizing successful local efforts to obtain funding and beneficial status for the CITY's projects;
6. Providing the CITY with a written bi-weekly or as needed reports of activities and agrees to attend CITY meetings at any time upon the CITY'S request;

7. Assisting the CITY in developing the CITY's Legislative Agenda for Fiscal Years 2011, 2012 and 2013;
8. Drafting Legislative proposals for consideration by State Legislators;
9. Facilitating meetings with appropriate Legislator and/or Executive Officials to obtain support for CITY's Legislative Agenda and specific City projects;
10. Representing the CITY before the Legislature and its various committees on all legislation affecting CITY projects or issues that are of concern to the CITY. CONTRACTOR will monitor all such legislation introduced and provide customized reports, at least bi-weekly during the legislative session and as directed by CITY staff during the rest of the contract period, on legislation;
11. Identifying and lobbying for State funding sources for CITY;
12. Coordinating CITY testimony and position papers as well as providing direct testimony (as directed by CITY staff) that is in support and/or opposition to such legislation. In addition, CONTRACTOR will work with CITY staff and City Council to coordinate CITY support;
13. Monitoring the activities of executive agencies, with reference to CITY projects and issues. CONTRACTOR will notify the CITY of any upcoming administrative proposals related to CITY projects and issues on their legislative agenda; and
14. Maintaining reasonable contacts and working relationships with other organizations and groups interested in CITY projects and issues to determine their positions in support to CITY projects and issues, as well as coordinating efforts when in common with other local governments, Palm Beach County or others with a similar interest. CONTRACTOR involvement would include providing written monthly reports of such activities.

**B. PAYMENT:** CONTRACTOR'S compensation for the services provided hereunder shall be \$5,000 per month or a total of \$120,000 for twenty-four months' retainer. The monthly \$5,000 fee invoice shall be submitted by CONTRACTOR at the first of each month, beginning on January 1, 2011. All travel or other business related expenses will be incurred and reimbursed only following the approval by the City Manager.

**C. KEY PERSONNEL:** CONTRACTOR has represented to CITY that CITY will have Sean Pittman, Esq. principal of CONTRACTOR'S services and Ronald L. Book, P.A., in the performance of CONTRACTOR'S duties hereunder, and has relied on that representation as an inducement to entering into this Agreement.

## **PART II - GENERAL PROVISIONS**

- A. ASSIGNMENT AND DELEGATION:** Except as above, neither party hereto shall assign or delegate any interest in or duty under this Agreement without written consent of the other, and no assignment shall be of any force or effect whatsoever unless and until the other party shall have so consented.
- B. STATUS OF CONTRACTOR:** The parties intend that CONTRACTOR, in performing the services hereinafter specified, shall act as an independent CONTRACTOR and shall have control of the work and the manner in which it is performed. CONTRACTOR is not to be considered an agent or employee of CITY and is not entitled to participate in any pension plan, insurance bonus, or similar benefits CITY provides its employees.
- C. METHOD AND PLACE OF GIVING NOTICE, SUBMITTING INVOICES, AND MAKING PAYMENTS:** All notices, invoices and payments shall be made in writing and may be given by personal delivery or by mail. Notices, invoices and payments sent by mail should be addressed as follows:

CITY: RUTH C. JONES  
CITY MANAGER  
600 WEST BLUE HERON BOULEVARD  
RIVIERA BEACH, FL 33404  
(561) 845-4010

CONTRACTOR: SEAN PITTMAN, ESQ.  
PITTMAN LAW GROUP, P.L.  
2655 N. OCEAN DRIVE, SUITE 130  
RIVIERA BEACH, FL 33404  
(561) 845-7453

- D. NON-DISCRIMINATION:** CONTRACTOR shall comply with all applicable federal, state, and local laws, rules and regulations in regard to non-discrimination in employment because of race, color, ancestry, national origin, religion, sex, age, marital status, medical condition, or physical or mental disability.
- E. TERM OF AGREEMENT:** This Agreement shall become effective on January 1, 2011 and shall terminate on December 31, 2012 or upon 30 days' notice by either party with or without cause.
- F. JURISDICTION:** This Agreement and performance hereunder and all suits and special proceedings hereunder shall be construed in accordance with the laws of the State of Florida. In any action, special proceeding or other proceeding that may be brought arising out of, in connection with, or

by reason of this Agreement, the laws of the State of Florida shall be applicable and shall govern to the exclusion of the law of any other forum, without regard to the jurisdiction in which the action or special proceeding may be instituted.

- G. INDEMNIFICATION:** The CONTRACTOR shall indemnify and save harmless and defend the CITY; its agents, servants, and employees from and against any and all claims, liability, losses, and/or causes of action which may arise from any negligent act or omission of the CONTRACTOR, it's agents, servants, or employees in the performance of services under this Agreement.

The CONTRACTOR further agrees to indemnify, save harmless and defend the CITY, its agents, servants and employees from and against any claim, demand or cause of action of whatsoever kind or nature arising out of any conduct or misconduct of the CONTRACTOR not included in the paragraph above and for which the CITY, its agents, servants or employees are alleged to be liable.

CONTRACTOR shall pay all claims, losses, liens, fines, settlements or judgments of any nature whatsoever in connection with the foregoing indemnifications including, but not limited to, all costs, expert witness fees, reasonable attorney's fees, and court and/or arbitration costs. These indemnifications shall survive the term of this Agreement or any renewal thereof.

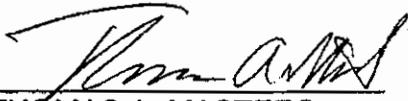
The CONTRACTOR shall defend all actions in the name of the CITY, when applicable, however, CITY reserves the right to select its own legal counsel to conduct any defense in any such proceeding and all costs and fees associated therewith shall be the responsibility of the CONTRACTOR.

Nothing contained in this Article shall be construed or interpreted as consent by the CITY to be sued, nor as a waiver of sovereign immunity beyond the waiver provided in Section 768.28, Florida Statutes.

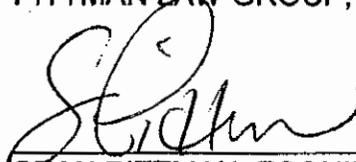
IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed this 15 day of December, 2010.

CITY OF RIVIERA BEACH, FL

PITTMAN LAW GROUP, P.L.



THOMAS A. MASTERS  
MAYOR



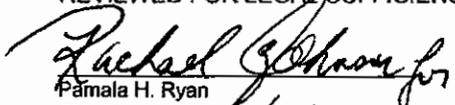
SEAN PITTMAN, ESQUIRE

ATTEST:



Carrie E. Ward, MMC  
City Clerk

REVIEWED FOR LEGAL SUFFICIENCY



Pamela H. Ryan  
City Attorney

DATE: 12/8/2010

RESOLUTION NO. / 168-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ADOPTING A STREET NAMING POLICY TO PROVIDE FOR A SPECIFIC SET OF CRITERIA FOR NAMING STREETS WITHIN THE CITY OF RIVIERA BEACH; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City Council directed staff to create a street naming policy; and

**WHEREAS**, staff researched other cities and counties street naming policies and prepared a policy for the City of Riviera Beach; and

**WHEREAS**, the policy creates specific guidelines and criteria for changing street names within the City; and

**WHEREAS**, renaming streets is a way to honor prominent members of the community both living and deceased that have contributed in a way that has benefitted the community; and

**WHEREAS**, the City Council has the final approval in changing a street name within the City of Riviera Beach.

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

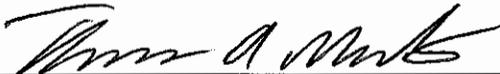
**SECTION 1.** The Street Naming Policy is approved by the City Council for the purpose of creating a specific set of criteria for naming streets within the City of Riviera Beach.

**SECTION 2.** This Resolution shall take effect immediately upon approval.

PASSED and APPROVED this 15 day of December, 2010.

RESOLUTION NO. 168-10  
PAGE 2

APPROVED:

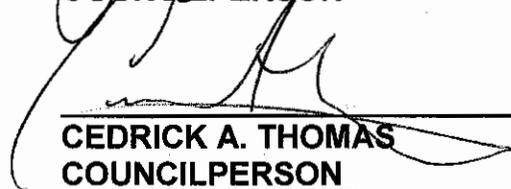
  
THOMAS A. MASTERS  
MAYOR

  
BILLIE E. BROOKS  
COUNCILPERSON

ATTEST:

  
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

  
JUDY L. DAVIS  
COUNCILPERSON

  
CEDRICK A. THOMAS  
COUNCILPERSON

  
DAWN S. PARDO  
COUNCILPERSON-Chair

  
SHELBY L. LOWE  
COUNCILPERSON

MOTIONED BY: Thomas

SECONDED BY: Brooks

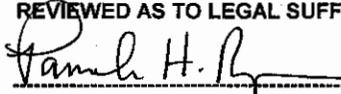
B. BROOKS Aye

J. DAVIS Aye

C. THOMAS Aye

D. PARDO Aye

S. LOWE Aye

REVIEWED AS TO LEGAL SUFFICIENCY  
  
PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 12/2/10