

RESOLUTION NO. 136-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE FLORIDA INLAND NAVIGATION DISTRICT (FIND) PROJECT AGREEMENT ON BEHALF OF THE CITY; ACCEPTING FUNDS IN THE AMOUNT OF \$475,000 FROM FIND WITH A REQUIRED MATCH OF \$475,000; AUTHORIZING THE FINANCE DIRECTOR TO SET UP A BUDGET FOR SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Inland Navigation District (FIND) provides assistance under the Waterways Assistance Program; and

WHEREAS, the City of Riviera Beach has submitted an application to FIND; and

WHEREAS, the City of Riviera Beach has been awarded grant funds in the amount of \$475,000 with a required match of \$475,000 for the period October 1, 2009 to September 30, 2011; and

WHEREAS, the \$475,000 required match will be funded from the Palm Beach County Water Access Bond Grant account number 424-0000-543-6-3103; and

WHEREAS, the City of Riviera Beach staff will subsequently contract with a vendor to perform the Municipal Marina Remediation – Phase I Project.

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 authorized to execute FIND Project Agreement on behalf of the City accepting funds in the amount of \$475,000 from the FIND Waterways Assistance Program with a required match of \$475,000.

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

REVENUE:

425-00-337711	FIND Grant Program	\$475,000
424-00-337709	Water Access Bond Grant	\$475,000
TOTAL		\$950,000

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EXPENDITURE:

425-0000-543-1-3103	Professional Services	\$475,000
424-0000-543-7-3103	Professional Services	\$475,000
TOTAL		\$950,000

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

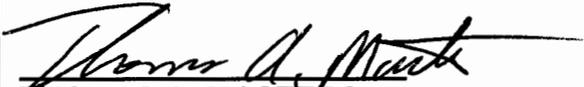
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Resolution No. 136-09

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PASSED AND APPROVED this 4th day of November, 2009.

APPROVED:



THOMAS A. MASTERS
MAYOR

(MUNICIPAL SEAL)



CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK

MOTIONED BY: J. Davis

SECONDED BY: B. Brooks

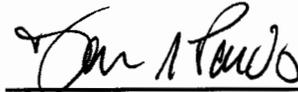
D. PARDO: aye

J. DAVIS: aye

B. BROOKS: aye

T. JOHNSON: aye

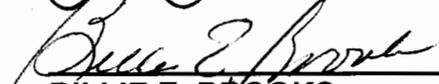
S. LOWE: aye
10/19/09



DAWN S. PARDO
CHAIRPERSON



JUDY L. DAVIS
CHAIR PRO-TEM



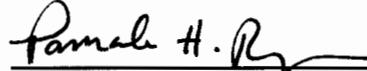
BILLIE E. BROOKS
COUNCILPERSON



TONYA DAVIS JOHNSON
COUNCILPERSON

SHELBY L. LOWE
COUNCILPERSON

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, CITY ATTORNEY

Date 10/22/09

RESOLUTION NO. 137-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE INTERLOCAL AGREEMENT BETWEEN THE SOLID WASTE AUTHORITY OF PALM BEACH COUNTY AND THE CITY; AND PERMITTING THE SOLID WASTE AUTHORITY TO RECEIVE AND PROCESS ALL CITY SOLID WASTE AND RECYCLABLE MATERIALS; FURTHER AUTHORIZING THE CITY TO RECEIVE PAYMENT FROM THE AUTHORITY AS A PART OF THE AUTHORITY'S REVENUE SHARE PROGRAM PERTAINING TO THE SALE OF PROCESSED RECYCLABLE MATERIALS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 403, Part IV, *Florida Statutes* encourages counties to enter into Interlocal Agreements with municipalities to establish recycling programs and carry out recycling activities; and

WHEREAS, the City provides for the collection of Solid Waste from the residents and businesses and Residential Recovered Materials within its incorporated boundaries and recognizes the need for safe and sanitary processing and disposal of Solid Waste and Residential Recovered Materials; and

WHEREAS, the SWA wishes to have the City participate in a coordinated County-wide program for management of hazardous waste and control of Solid Waste processing and disposal and residential recycling participation in cooperation with federal, state, and local agencies responsible for the prevention, control, or abatement of air, water, and land pollution; and

WHEREAS, the Authority and City wish to enter into this Interlocal Agreement to set out the terms of this coordinated program.

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 of Riviera Beach is authorized to enter into agreement with the Solid Waste Authority of Palm Beach County for the disposal and processing of solid waste and recyclable materials generated by and hauled from the City.

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SECTION 2. That the City of Riviera Beach is authorized to receive payment from the Solid Waste Authority of Palm Beach County (SWA) as a part of SWA's Revenue Share Program for the selling of processed recyclables for an estimated annual total between \$20,000.00 and \$60,000.00.

SECTION 3. The City Council authorizes the Finance Director to increase the budget as follows:

Revenues

Enterprise Fund

Acct. No. 440-00-365001 \$20,000.00 - \$60,000.00

Expenditures

Acct. No. 440-1124-534-0-5999 \$20,000.00 - \$60,000.00

SECTION 4. That the Mayor and the City Clerk are authorized to execute the Interlocal Agreement between the City and the Solid Waste Authority.

SECTION 5. That the Resolution take effect upon its passage and approval by City Council.

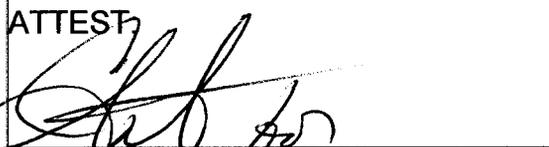
PASSED and APPROVED this 4th day of November, 2009

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PAGE: 3

APPROVED:


THOMAS A. MASTERS
MAYOR

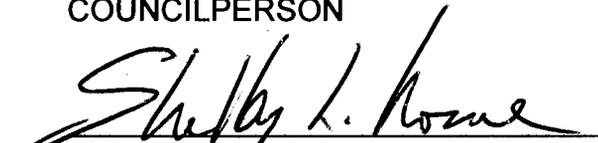

DAWN S. PARDO
CHAIRPERSON

ATTEST

CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK


JUDY L. DAVIS
CHAIR PRO TEM


BILLIE E. BROOKS
COUNCILPERSON


TONYA DAVIS JOHNSON
COUNCILPERSON


SHELBY L. LOWE
COUNCILPERSON

MOTIONED BY: T. Johnson

SECONDED BY: J. Davis

T. JOHNSON aye

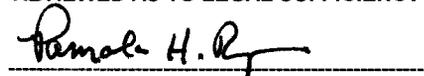
D. PARDO aye

J. DAVIS aye

B. BROOKS aye

S. LOWE aye

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 10/29/09

RESOLUTION NO. 138-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ADOPTING A FURLOUGH POLICY FOR FISCAL YEAR 2009 – 2010 AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in order to balance the 2009 – 2010 Fiscal Year Budget, the City Council approved 12 unpaid furlough days in the 2009 -2010 Budget; and

WHEREAS, City staff met with the five (5) bargaining units to impact bargain the furlough; and

WHEREAS, a furlough policy and calendar of furlough days to be taken were created, said calendar to be amended from time to time by the City Manager, as necessary; and

WHEREAS, all employees, i.e. full, part-time, contractual, temporary, grant-funded, etc. will participate in the furlough; and

WHEREAS, the Finance Director has indicated that the unpaid furlough days taken by employees will yield the City a million dollar savings.

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 Furlough Policy, attached hereto, is hereby adopted by the City Council for fiscal year 2009-10.

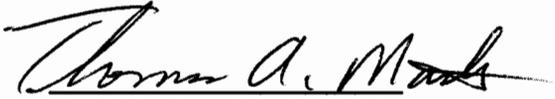
SECTION 2. That this resolution shall take effect upon its passage and approval.

November 4, 2009

[SIGNATURES ON FOLLOWING PAGE]

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APPROVED:

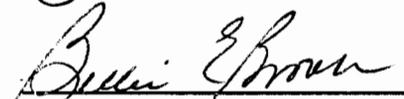

THOMAS A. MASTERS
MAYOR


DAWN S. PARDO
CHAIRPERSON

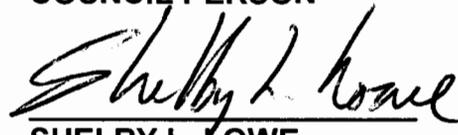
ATTEST:


CARRIE E. WARD
MASTER MUNICIPAL CLERK


JUDY L. DAVIS
CHAIR PRO TEM


BILLIE E. BROOKS
COUNCIL PERSON


TONYA DAVIS JOHNSON
COUNCIL PERSON


SHELBY L. LOWE
COUNCIL PERSON

MOTIONED BY: T. Johnson

SECONDED BY: J. Davis

D. PARDO aye

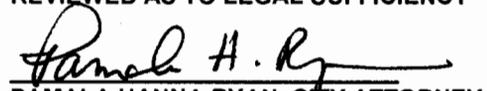
J. DAVIS aye

B. BROOKS aye

T. JOHNSON aye

S. LOWE aye

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 10/27/09



	POLICY AND/OR PROCEDURE	NUMBER ADMIN:-01-1
	SUBJECT : FURLOUGH POLICY	EFFECTIVE: REVIEW DATE: PAGE 1 OF 8
DEPARTMENT APPROVED: <i>Monika Perry 10/23/09</i>	CITY MANAGER APPROVED: <i>Paul P. Jones</i>	DISTRIBUTION: ALL DEPARTMENT HEADS AND EMPLOYEES
RESOLUTION NUMBER:	DATE: <i>10-22-09</i>	

1.0 POLICY STATEMENT

It is the Policy of the City of Riviera Beach to initiate an intermittent furlough due to lack of sufficient funds to operate. All employees without exception will be subject to furlough or temporary non-duty, non-pay status. The furlough will be intermittent rather than continuous to mitigate employee financial hardship. Employees are strictly prohibited from performing any work during the furlough period. This includes checking work-related email and voice mail.

2.0 PURPOSE OF THE POLICY

It is the policy of the City of Riviera Beach to resort to employee furlough, when necessary in cooperation with an appropriate employee organization, to avoid layoffs. This procedure is intended to generate salary savings to meet the budget requirements of the 2010 budget and to avoid layoffs, if possible, and to ensure that the City of Riviera Beach meets its commitment to the citizens of Riviera Beach in all areas of public safety and health.

3.0 DEFINITION

A furlough action is the placement of an employee in a temporary non-duty and non-pay status on a continuous basis, i.e. Twelve (12) consecutive days or ninety-six (96) hours per the fiscal year or on non continuous basis, i.e. one (1) shift workday per month up to 12 days or 96 hours per year. A furlough is not a layoff or reduction in force action.

3.1 TIME FRAME

Fiscal Year 2009 – 2010

4.0 AUTHORITY

- a) Each department head can approve or deny furlough requests based on the following conditions:
 - 1) Public and employee safety must be the absolute priority when approving unpaid furlough leave.

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	SUBJECT: FURLOUGH POLICY	PAGE 2 OF 8

- 2) Employees must take one shift workday of unpaid furlough leave in a month.
- 3) Employees cannot take more than eight (8) hours of unpaid furlough leave within a single month, except as permitted by this policy.
- 4) Annual leave may not be used to cover the furlough day.

Each department head is responsible for creating an unpaid furlough leave calendar/schedule for their department that includes the last Friday of the month. The department head will provide advance notice of the furlough leave schedule/calendar in accordance with the appropriate labor agreement and if the employee is not covered by a labor agreement, the department head will provide five (5) days advance notice, where possible, of the furlough schedule/calendar. Employees are to record their proposed scheduled unpaid furlough leave, if other than the last Friday of the month, on the calendar/schedule. Each department head is responsible for reviewing the unpaid furlough leave calendar/schedule and ensuring adequate coverage, public safety, and employee well-being, and security. Department heads and supervisors will be accountable for ensuring that their employees take their unpaid furlough leave monthly and do not fall behind and create a deficiency.

b) The department head, in case of an emergency, may call an employee to work on the furlough day and if called in to work, the employee will be compensated straight time or as specified in the appropriate labor agreement. Unless otherwise specified in a labor agreement or civil service rule, an employee will be paid overtime only as required by FLSA.

The department head is responsible for scheduling a replacement furlough day within the next pay period and any appropriate overtime will be charged to the department overtime line item.

5.0 APPLICABILITY

5.1 EMPLOYEES REQUIRED TO TAKE UNPAID FURLOUGH

- a) All employees

All employees-general, public safety, department heads, administrative, supervisory, confidential and grant funded whether classified or unclassified, must participate in the unpaid furlough program.

**SUBJECT: FURLOUGH POLICY**

- 1) The source of funding for the position;
- 2) Whether the position is full-time, part-time or intermittent;
- 3) The type of position (i.e., regular, temporary, part-time, contractual, grant funded);
- 4) The status of appointment (i.e., probationary, regular, emergency, temporary).

b) CLASSIFIED EMPLOYEES

Full-time non-exempt classified employees must take eight (8) hours a month/96 hours a year of unpaid furlough leave. If a full-time employee has a non-standard work week which is longer than eight (8) hours, such as working 10 hour shifts for four (4) days, the unpaid furlough leave will be treated in the same way as holiday leave.

c) UNCLASSIFIED EMPLOYEES

Exempt unclassified employees (exempt from overtime requirements of the Fair Labor Standards Act – FLSA) temporarily lose their exempt status during the week any unpaid furlough leave is taken. This means during the week the unpaid furlough leave is taken, the employee will be treated as an hourly employee, must account for each hour worked, must report any partial day absences, and is eligible for overtime compensation for pay for any overtime hours worked. If the exempt employee will be working over eight (8) hours in one day, a variable workweek agreement should be signed and maintained in the employee's personnel file.

d) PART-TIME OR INTERMITTENT EMPLOYEES

A part-time or intermittent employee is required to take, on an annual basis, unpaid furlough leave that is equal to the average number of hours worked per working day multiplied by twelve (12). A part-time unclassified employee must take the appropriate portion of an eight (8) hours day as unpaid furlough leave each month, based on the employee's standard schedule, in a single workday (e.g., a .75 FTE would take 6 hours of unpaid furlough leave on one day). The average number of hours worked per working day for a part-time or intermittent employee will be calculated by adding together the number of hours the employee worked or was in paid leave status the prior month and dividing the total by the number of working days in the month (e.g., an employee who works 5 hours a day Monday through Thursday would be calculated as 80 hours/20 days = 4 hours unpaid furlough leave to be taken the following month). For an employee's first month of employment, the average number of hours worked will be calculated based on the employee's established schedule. In subsequent months, an employee who works added regular time would be required to take additional hours of unpaid furlough leave based on the calculation for the prior month as described above.

**e) NEW EMPLOYEES/TERMINATING OR TRANSFERRING EMPLOYEES**

A new employee will only be responsible for the proportional number of hours or days of unpaid furlough leave remaining in the fiscal year. The requirement to take unpaid furlough leave will begin in the first full month of an employee's employment. (e.g., if an employee begins employment on October 1, the requirement to take unpaid furlough leave begins in October; if an employee begins employment October 2, the requirement to take unpaid furlough leave begins in November). An employee who is transferring out or terminating may have taken a furlough day prior to the last day of employment. There is no cash value for unpaid furlough leave. If an employee leaves and has taken more than the equivalent of one (1) shift day of unpaid furlough leave per month, the employee will not be reimbursed the difference. If the employee transfers out of a department/division prior to taking unpaid furlough leave for the month, the position must remain vacant a sufficient period of time to achieve the corresponding amount in salary savings. If an employee transfers out of a department/division, but remains a City employee, and has already taken the appropriate amount of unpaid furlough leave for the month, the employee will not be required by the receiving department to take additional unpaid furlough leave in the same month. The receiving department will schedule the employee future furlough leave in a manner such that the sum of the transferring employee prior furlough leave and the schedule furlough leave does not exceed 96 furlough hours in the fiscal year or the transferring employee's proportionate share of 96 furlough hours.

Unpaid furlough days must be taken in no less than one (1) full shift workday increments up to the full allotment of 96 hours in one leave block or variation thereof. Part-time employees must take no less than a half of workday in increments (or proportion number hours as determine in subsection d) above up to the full allotment of six (6) days in one leave block or variation thereof. Employees are encouraged to take their unpaid furlough days early during the Fiscal Year.

f) UNPAID FURLOUGH LEAVE AND FMLA AND OTHER EXTENDED LEAVES

If an employee is on FMLA, Administrative Leave, worker's compensation leave or any other long-term leave, they are not exempt from the requirement to take monthly unpaid furlough leave. Employees in these situations need to identify which day during the month the employee will take their furlough and notify their Supervisor of their decision. If the employee does not notify their Supervisor of their choice, the Supervisor will be authorized to choose a day to count as an unpaid furlough leave day.

**SUBJECT: FURLOUGH POLICY**

Unpaid furlough leave will be counted as time worked for the purpose of determining eligibility under the Family and Medical Leave Act (FMLA). Unpaid furlough leave taken during the time an employee is on FMLA qualifying leave will not be counted against an employee's 12-week FMLA entitlement.

g) DECLARED DISASTER

If a disaster is declared in accordance with the Disaster Pay Practices (Non Exempt) and/or the Disaster Pay Policy (Exempt), the Disaster Pay Practices (Non Exempt) and Disaster Pay Policy (Exempt) supersede the furlough policy, except non exempt employees scheduled to work but not called into to work will not be compensated for the furlough day, if the furlough day is included in the scheduled work period.

6.0 PROCEDURE

6.1 ADMINISTRATING UNPAID FURLOUGH DAYS

a) SCHEDULING UNPAID FURLOUGH DAYS

All employees, unless otherwise permitted by this policy, shall take their furlough day on the last Friday of each month or such other day as designated by the City Manager.

Any employee, whose furlough day is not the last Friday of the month, will have their furlough day determined as follows: To the extent practicable, a supervisor and employee shall work together to develop a schedule in which unpaid furlough is taken. A supervisor will endeavor to meet with each employee to identify a furlough schedule that is mutually agreeable. If a schedule cannot be agreed upon, a supervisor or manager may direct an employee to take unpaid furlough leave on a specific day and/or at a specific time, based on the department needs.

b) OVERTIME, COMPENSATORY TIME AND ANNUAL LEAVE

In no case will overtime pay or for compensatory time, standby pay, or call back pay be allowed in the same pay period as unpaid furlough leave, except in emergencies (e.g. water main breakage, power outage at the water plant) or court mandated appearances. The department head may pay overtime or compensatory time, standby pay, call back pay in accordance with the FLSA, civil service rules or a labor agreement where an employee is called back to duty. To achieve the furlough leave savings for that pay period, the department head will schedule another furlough leave day in the month.

**SUBJECT: FURLOUGH POLICY**

Paid leave time may not be substituted for an unpaid furlough leave day nor can unpaid furlough leave be substituted for an AWOL day. Employees should not be scheduled or approved for overtime pay or compensatory, standby pay, or be called back to work any time during the pay period that the employee is scheduled to take unpaid furlough leave.

Moreover, an employee should not be scheduled to work additional hours during a pay period the employee is scheduled to take unpaid furlough leave. Each department head and supervisor must review payroll timesheets to ensure that no overtime, compensatory time, standby pay, added regular time, or call back pay was used during a furlough pay period. If an employee takes a day off on a furlough day, then works overtime, does standby duty, or called back during the same pay period, the employee must then take another day during that month to act as the employee's furlough day.

Unpaid furlough leave is not considered as time worked for the purpose of determining whether an employee has worked overtime. Department heads must ensure that the purpose of the unpaid furlough leave is not negated by inappropriate scheduling practices. This would include allowing an employee to "bank" annual leave rather than scheduling it to be used throughout the year thus allowing the employee to request to be paid off for annual leave hours accrued in excess of required hours. Employees must manage their annual leave with respect to their unpaid furlough leave. No annual leave "lose it or use it" payoffs will be approved because employees were not allowed to take annual leave due to a lack of coverage due to furlough days, unless the annual had been previously approved. It is a supervisor's and department head's responsibility to make sure their employees take both their furlough days and enough annual leave to keep them out of a "lose it or use" it situation.

c) WATER PLANT DIVISION IN THE UTILITY DISTRICT AND MARINA DEPARTMENTS

Because of the special nature of the service offered to the public by the water plant and marina, the City Manager may approve an alternative/supplemental furlough schedule. Subject to the Finance Director monthly saving certification, the water plant/marina personnel, excluding custodian and security guards, who work 10 hours shift may schedule furlough days in the following manner: 1 shift off as the furlough day for the next 9 months, starting October 1, 2009, and in the 10th month take 6 hours off during the shift.



POLICY AND/OR PROCEDURE

NUMBER ADMIN 01-1

SUBJECT: FURLOUGH POLICY

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d) WORK RESTRICTIONS

Employees cannot work at all during their unpaid furlough leave. No work of any kind relating to City employment may be performed during the leave time in order for it to be considered unpaid furlough leave. This prohibition includes working at home, monitoring emails and telephone messages, and responding to inquiries from work. Supervisors should not contact employees in any way when they are on unpaid furlough leave or that time will not ultimately count as unpaid furlough leave. If an employee is called into work on the employee's unpaid furlough leave day, once work begins the employee's time is no longer counted against the furlough liability. While on furlough the employee is not allowed to be on standby.

e) REQUIRED MESSAGES

On days when employees are scheduled for unpaid furlough leave, they will be required to leave a message on their voice mail and e-mail indicating they are on unpaid furlough leave and that they will not be checking their e-mail or voice mail and referring them to someone who may help them in the event of an emergency.

f) WHAT HAPPENS IF AN EMPLOYEE DOES NOT TAKE UNPAID FURLOUGH LEAVE?

If an employee has not taken a furlough day by the last day of the month, the employee will be required to take the last workday of the month off, no exceptions. Each department head is responsible for assuring that all employees that report to them is scheduled to take and took the requisite furlough time per month. On or before the fifth day of the month, each department head and supervisor must review the unpaid furlough leave schedule/calendar and reconcile it with time reported during the previous month for all employees who report to them. Each department head must develop a report for the respective Assistant City Manager showing compliance with this policy. After which the Assistant City Manager will submit the report to the City Manager.

Failure to schedule furlough days or ensure that the employee takes the furlough day will result in corrective action for the department head.



SUBJECT: FURLOUGH POLICY

6.2 EMPLOYMENT BENEFITS

The intermittent nature of the furlough is designed to avoid any adverse impact to employee benefits. Employee benefit coverage will remain in effect during the furlough period. Employees will be responsible for their normal contributions.

Employees will continue to accrue annual and sick leave at the rate of their current levels in accordance with applicable labor contracts and/or civil service rules.

6.3 UNION ACCESS TO FINANCIAL INFORMATION

The City will provide any and all documents and information pertaining to the City's financial condition submitted to the City Council including but not limited to current, historical, and projected revenues, expenditures and debt—to any union which requests it. The City shall upon receipt provide a copy of any reports or other communications from the Property Appraiser regarding estimates or projections of the following year's property values and/or property tax revenues to any union which requests it; as such reports or communications are received.

RESOLUTION NO. 139-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, DECLARING THAT THE CITY WILL NO LONGER OPERATE ~~A~~ DRY STORAGE FACILITY; AUTHORIZING STAFF TO ADJUST THE PALM BEACH COUNTY PUBLIC ACCESS GRANT AGREEMENT TO REFLECT THE REMOVAL OF \$400,000 ALLOCATED IN PHASE I FOR THE REPAIR AND RENOVATION PORTION OF DRY STORAGE FACILITY AND REALLOCATE THAT AMOUNT TO DESIGN AND ENGINEERING SERVICES; AUTHORIZING THE FINANCE DIRECTOR TO AMEND THE CITY'S BUDGET TO REFLECT THE ELIMINATION OF THE DRY STORAGE OPERATION; AND PROVIDING AN EFFECTIVE DATE.

AM ENCLOSED EXISTING

WHEREAS, on October 22, 2009, the City Council held a workshop to review the projects that were to be submitted to the Palm Beach County Commissioners for the Palm Beach County Public Access Grant Agreement Amendment; and

WHEREAS, it was the consensus of City Council that due to the extent of the repairs and renovations required for the dry storage facility to provide a facility that would be competitive with the current market, it was not feasible to utilize grant funds for the purpose of correcting structural repairs; and

WHEREAS, the continued use of the ^{*enclosed*} dry storage facility is a liability to the City due to the condition of the structure.

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 declares that the City will no longer operate ~~a~~ dry storage facility at the Marina.

an enclosed

SECTION 2. That staff is authorized to adjust the Palm Beach County Public Access Grant Agreement projects to reflect the removal of \$400,000 allocated for the repair and renovation of the dry storage facility and reallocate that amount to design and engineering services.

SECTION 3. The Finance Director is authorized to amend the budget to reflect the elimination of the dry storage operation at the Marina;

enclosed

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

PASSED and APPROVED this 4th day of November, 2009.

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APPROVED:



THOMAS A. MASTERS
MAYOR



DAWN S. PARDO
CHAIRPERSON

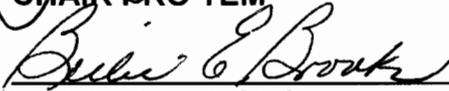
ATTEST:



CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



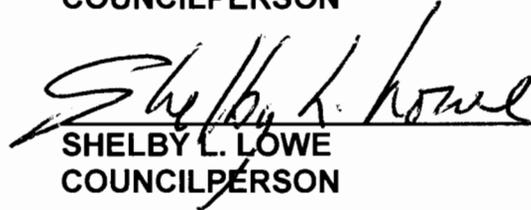
JUDY L. DAVIS
CHAIR PRO TEM



BILLIE E. BROOKS
COUNCILPERSON



TONYA DAVIS JOHNSON
COUNCILPERSON



SHELBY L. LOWE
COUNCILPERSON

MOTIONED BY: J. Davis

SECONDED BY: S. Lowe

B. BROOKS aye

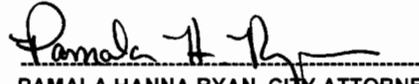
J. DAVIS aye

T. JOHNSON nay

D. PARDO aye

S. LOWE aye

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 10/29/09