

RESOLUTION NO. 33-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, DECLARING THE RESULTS OF THE MARCH 10, 2009 MUNICIPAL GENERAL ELECTION AND THE MARCH 24, 2009 RUN-OFF ELECTION; NAMING THE RECIPIENTS IN EACH DISTRICT, MAYORAL DISTRICT, CITY COUNCIL DISTRICT 1, CITY COUNCIL DISTRICT 3, AND CITY COUNCIL GROUP 5, RESPECTIVELY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on the 10<sup>th</sup> day of March, 2009, a Municipal General Election was held in the City of Riviera Beach, Palm Beach County, Florida, between the hours of 7:00 a.m. and 7:00 p.m. for the purpose of electing qualified candidates, as provided for by law in the Mayoral District, City Council District One (1); City Council District Three (3); and City Council Group Five (5) respectively; and

WHEREAS, on the 24<sup>th</sup> day of March, 2009, the Election continued in a Municipal Runoff Election in the City of Riviera Beach, Palm Beach County, Florida, between the hours of 7:00 a.m. and 7:00 p.m. for the purpose of electing a qualified candidate, as provided for by law in the Mayoral District, due to no successor during the municipal general election; and

WHEREAS, the polling sites, precinct clerks, precinct inspectors and precinct police officers of said elections held on March 10, 2009, and March 24, 2009, were duly appointed by the Riviera Beach Supervisor of Elections; and

WHEREAS, on March 10, 2009, and March 24, 2009, the 14 precinct clerks escorted by the precinct police officers transported their returns to the Riviera Beach Supervisor of Elections at the municipal complex for examination and acceptance to report findings to be tabulated at the Palm Beach County's Supervisor of Elections Office designated location; and

WHEREAS, upon transport, the Palm Beach County Supervisor of Elections found Election returns delivered by the Riviera Beach Supervisor of Elections of the 14 precinct clerks and inspectors of the said Election were true and correct tabulations of the actual votes cast to include provisional ballots; and

WHEREAS, on March 10, 2009, at the culmination of counting of votes cast to include counting of the absentee ballots, the unofficial results declared winners in the following districts: City Council District 1, City Council District 3, and City Council Group 5.

On March 24<sup>th</sup>, at the culmination of counting of votes cast to include absentee ballots in the municipal run-off election, unofficial results declared a winner in the Mayoral District.

NOW THEREFORE, BE IT RESOLVED, upon final count of total votes cast to include canvassing of Absentee Ballots by appointed Canvassing Board, the 2009 Riviera Beach Election is final.

Section 1: As a result of the official certified statement of vote received from Palm Beach County's Supervisor of Elections, I hereby certify the results as final to the Riviera Beach's Canvassing Board as follows to-wit:

Municipal Election March 10, 2009

Total Registered Voters	21,566	
Total Votes Cast	3,344	15.51%
Total Absentee Ballots Cast	558	2.59%
Provisional Ballots Cast	6	.03%
Total Ballots Cast	3,908	18.12%

MAYORAL DISTRICT

Lonnie J. Lovett	589	15%
Thomas Masters	1,650	43%
Fercella "Fercie" Panier	888	23%
Tamar Reno	733	19%
Total	3,860	

CITY COUNCIL DISTRICT 1

Billie Brooks	2,004	53%
Lynne L. Hubbard	1,773	47%
Total	3,777	

CITY COUNCIL DISTRICT 3

Cedrick Thomas	2,102	55%
Steve White	1,693	45%
Total	3,795	

CITY COUNCIL GROUP 5

Gary Brannen	512	13%
Ann lies	1,205	31%
Shelby L. Lowe	2,115	55%
Total	3,833	

Run-Off Municipal Election March 24, 2009

Total Registered Voters	21,581		
Total Votes Cast		3,051	14.15%
Total Absentee Ballots Cast		686	3.18%
Provisional Ballots Cast		7	.03%
Total Ballots Cast		3,744	17.36%

MAYORAL DISTRICT

Thomas Masters 2,035 54%  
Fercella "Fercie" Panier 1,701 46%

The elect Mayor and City Council for 2009

MAYOR - THOMAS MASTERS

COUNCILPERSON DISTRICT 1 - BILLIE E. BROOKS

COUNCILPERSON DISTRICT 3 - CEDRICK A. THOMAS

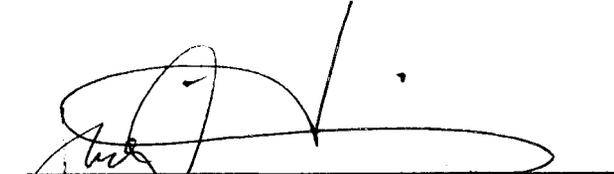
COUNCILPERSON DISTRICT 5 - SHELBY L. LOWE

Section 2: That the City Clerk be and she is hereby directed to deliver to the persons in their respective districts, Certificates of Elections and administer the Oath of Office in accordance with the law.

PASSED AND APPROVED THIS 1<sup>ST</sup> day of APRIL 2009.

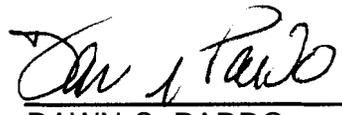
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APPROVED:

  
\_\_\_\_\_  
JUDY L. DAVIS  
COUNCILPERSON

ATTEST:

  
\_\_\_\_\_  
CARRIE E. WARD,  
MASTER MUNICIPAL CLERK  
CITY CLERK

  
\_\_\_\_\_  
DAWN S. PARDO  
COUNCILPERSON

MOTIONED BY: Davis

SECONDED BY: Pardo

J. DAVIS: Aye

D. PARDO: Aye

REVIEWED AS TO LEGAL SUFFICIENCY

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

DATE: 4/1/2009

# Precinct Summary

Race Audited:   MAYOR   -

Precinct Number:   1172   - - - - -

Candidate Name or Issue Choice	Voting System Total	Manual Public Tally Total	Difference (+ or-)
Thomas Masters	26	26	0
Fercella "Fercie" Panier	126	126	0

Number of ballots overvoted: \_\_\_\_\_ 0 \_\_\_\_\_

Number of ballots undervoted: \_\_\_\_\_ 0 \_\_\_\_\_

Number of questionable ballots: \_\_\_\_\_ 0 \_\_\_\_\_

(Attach a separate Precinct Summary for each precinct audited.)



# Voting System Post Election Audit Report

County: PALM BEACH

Date of Election: MARCH 24, 2009

Precinct Number(s): 1172 -

Race: MAYORAL

I. Overall accuracy of the audit:

100 %

2. Description of any problems or discrepancies encountered:

NONE

3. Likely cause of such problems or discrepancies:

N/A

4. Recommended corrective action with respect to avoiding or mitigating such circumstances in future elections:

N/A

I hereby certify that the report of the voting system audit performed for the March 24, 2009 election is accurate and that attached are precinct summary reports for each precinct audited.

Signatures of County Canvassing Board members conducting the audit:

SUSAN BUCHER  
Printed Name

Susan Bucher  
Signature

03/30/2009  
Date

CARRIE WARD, CITY CLERK  
Printed Name

C. Ward  
Signature

03/30/2009  
Date

N/A  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

RESOLUTION NO. 34-09 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING APPROPRIATION OF \$25,000.00 FROM THE LAW ENFORCEMENT TRUST FUND ACCOUNT NUMBER 150-00-271-002 TO COVER THE COST OF CANINE RELATED SERVICES FOR FISCAL YEAR 2009; AND PROVIDING AND EFFECTIVE DATE.

WHEREAS, International K-9 College has provided K-9 related services to the Riviera Beach Police Department; and

WHEREAS, the Riviera Beach Police Department has exceeded the 2009 projected budget for K9 services; and

WHEREAS, the Riviera Beach Police Department requires the use of canine related services to properly train canine and their handlers; and

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

SECTION 1: The City Council authorizes the Finance Department to appropriate funds from the Law Enforcement Forfeiture Fund.

SECTION 2: The City Council authorizes the Finance Department to make payment to International K9 College for an amount not to exceed \$25,000.00

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

PASSED and APPROVED this 15 day of April '2009.

**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

Absent

Billie E. Brooks  
**BILLIE E. BROOKS**  
COUNCILPERSON

Cedric A. Thomas  
**CEDRIC A. THOMAS**  
COUNCILPERSON

Shelby L. Lowe  
**SHELBY L. LOWE**  
COUNCILPERSON

MOTIONED BY: Davis

SECONDED BY: Thomas

C. THOMAS Aye

D. PARDO Aye

J. DAVIS Aye

B. BROOKS Absent

S. LOWE Aye

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

DATE: 4/8/09

RESOLUTION NO. 35-09 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE SALE AND TRANSFER OF RETIRED K-9 POLICE DOG, "ENZO", IN THE AMOUNT OF \$1.00 AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, K-9 ENZO, a three year old German Shepherd dog, served the Riviera Beach Police Department with distinction; and

WHEREAS, K-9 ENZO shall be retired from service as a member of the Riviera Beach Police Department; and

WHEREAS, K-9 ENZO shall be removed from the inventory of the Police Department by sale and transfer of ownership; and

WHEREAS, the City Council accepts the recommendation of staff and approve the retirement and transfer of this City property.

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

SECTION 1: The City Council authorizes the sale and transfer of City property, specifically, one German Shepherd dog known as "ENZO".

SECTION 2: The City Council accepts the terms and condition as promulgated in the Bill of Sale, which is attached hereto and made a part of the resolution.

SECTION 3: The City Council authorized execution of the Bill of Sale transferring ownership, care maintenance and all obligations associated with K-9 ENZO.

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

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APPROVED:

Thomas A. M...  
MA

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

Absent  
KS  
COUNCILPERSON

Cedrick A. Thomas  
CEDRICK A. THOMAS  
COUNCILPERSON

Shelby L. Lowe  
SHELBY L. LOWE  
COUNCILPERSON

MOTIONED BY: Davis

SECONDED BY: Lowe

C. THOMAS Aye

D. PARDO Aye

J. DAVIS Aye

B. BROOKS Absent

S. LOWE Aye

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

DATE: 4/8/09

RESOLUTION NO. 36-09

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING THE FINANCE DIRECTOR'S RECOMMENDATION FOR ESTABLISHMENT OF AN AUDIT COMMITTEE TO COMPLY WITH THE REQUIREMENTS OF FLORIDA STATUTE 218.391; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Riviera Beach is required to hire an independent auditor to audit the books on an annual basis; and

**WHEREAS**, Florida State Statute Section 218.391 states that the governing body of a charter municipality shall establish an audit committee. The primary purpose of the audit committee is to assist the governing body in the selection of an auditor to conduct the annual financial audit required in 218.391;; and,

**WHEREAS**, the Finance Director is recommending that the Audit Committee consist of a City Council Member or designee, Purchasing Director, Finance Director, Assistant Finance Director and the City Manager or designee.

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

**SECTION 1.** The City Council accepts the Finance Director's recommendation for establishment of an Audit Committee as defined in the above whereas.

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

**PASSED and APPROVED** this 15 day of April, 2009.

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APPROVED:

Thomas A. Masters  
TOMAS 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

Absent  
BILLIE E. BROOKS  
COUNCILPERSON

Cedric A. Jhomas  
CEDRIC A. JHOMAS  
COUNCILPERSON

Shelby L. Lowe  
SHELBY L. LOWE  
COUNCILPERSON

MOTIONED BY: Lowe  
SECONDED BY: Thomas

C. THOMAS Aye

D. PARDO Aye

J. DAVIS Aye

B. BROOKS Absent

S. LOWE Aye

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

DATE: 4/8/09

RESOLUTION NO. 37-09

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT TO PROVIDE POLICE SERVICES TO THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA); AUTHORIZING THE FINANCE DIRECTOR TO ACCEPT TWO EQUAL PAYMENTS IN THE AMOUNT OF \$67,583.94 FOR THE REMAINDER OF THE 2009 FISCAL YEAR; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, there exists in the Riviera Beach Community Redevelopment Agency (CRA) a need for commissioned law enforcement presence differing in nature from the other areas of the City; and

**WHEREAS**, the CITY has developed an innovative crime prevention initiative that supports the mission of the CRA, and sustains property values in the CRA as the CRA is developed; and

**WHEREAS**, the CRA has agreed to support the crime prevention initiative by funding two (2) full-time uniformed police officers and one (1) code enforcement officer for the remainder of this fiscal year to be assigned to the CRA district for a reasonable fee; and

**WHEREAS**, in partnership with the CRA, the City of Riviera Beach is prepared to enter an agreement and to provide police services specific to the needs of the CRA; and

**WHEREAS**, the CITY will initiate a program within the CRA Agency district to enhance the maintenance of physical improvements and security in the CRA area.

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

**SECTION 1:** The Mayor and City Clerk are authorized to execute an agreement with the Community Redevelopment Agency (CRA).

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**SECTION 2:** The Finance Director is authorized to accept quarterly payments in the amount of \$67,583.94 for the remainder of this 2009 fiscal year.

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

**PASSED** and **APPROVED** this    15    day of April ,2009.

APPROVED:

  
Dawn S. Pardo  
IAS I

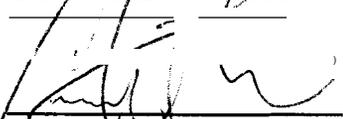
  
DAWN S. PARDO  
CHAIRPERSON

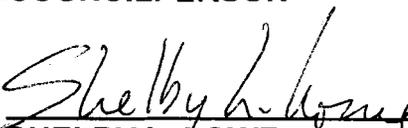
ATTEST:

  
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
CITY CLERK

  
JUDY L. DAVIS  
CHAIR PRO TEM

BILLIE E. BF OKS  
COUNCILPERSON

  
CEDRICK A. THOMAS  
COUNCILPERSON

  
SHELBY L. LOWE  
COUNCILPERSON

MOTIONED BY: Dardo

SECONDED BY: Thomas

C. THOMAS Aye

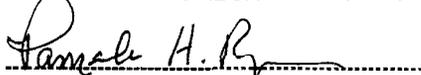
D. PARDO Aye

J. DAVIS Aye

B. BROOKS Absent

S. LOWE May

REVIEWED AS TO LEGAL SUFFICIENCY

  
PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 4/8/09