

RESOLUTION NO. 110-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AMENDMENT 001 TO THE AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND PALM BEACH COUNTY EXTENDING THE COMPLETION DATE FOR THE WEST 33RD STREET PROJECT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the agreement between the City of Riviera Beach and Palm Beach County for Reconstruction of West 33rd Street expires on September 30, 2008; and

WHEREAS, the work on West 33rd Street is scheduled for completion in February 2009; and

WHEREAS, The City and Palm Beach County desire to amend the said agreement and extend the completion date to March 31, 2009.

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 amendment 001 to the agreement for the West 33rd Street project.

SECTION 2. This resolution shall take effect immediately upon approval by the City Council.

PASSED AND APPROVED this 17TH day of September, 2008.

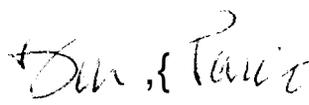
APPROVED:


THOMAS A. MASTERS
MAYOR

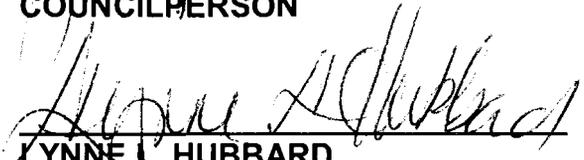

CEDRICK A. THOMAS
CHAIRPERSON

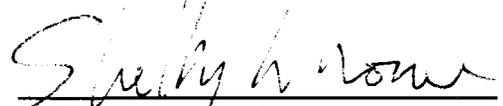
ATTEST:


CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK


DAWN S. PARDO
TEM
CHAIR PRO


JUDY L. DAVIS
COUNCILPERSON


LYNNE L. HUBBARD
COUNCILPERSON


SHELBY L. LOWE
COUNCILPERSON

MOTIONED BY: J. DAVIS

SECONDED BY: L. HUBBARD

C. THOMAS AYE

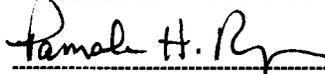
D. PARDO AYE

J. DAVIS AYE

L. HUBBARD AYE

S. LOWE AYE

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 9/10/08

RESOLUTION NO. 111-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE ENGINEERING FIRM OF JORDAN JONES & GOULDING TO PREPARE THE SURVEY, DESIGN AND CONTRACT DOCUMENTS FOR RECONSTRUCTION OF WEST 23RD STREET BETWEEN AVENUE R AND AVENUE O IN AN AMOUNT NOT TO EXCEED \$19,200.00; AUTHORIZING FINANCE DIRECTOR TO MAKE PAYMENT FOR SAME FROM ACCOUNT NUMBER 301-0716-5414-3106; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, West 23rd Street between Avenue R and Avenue O has been identified for improvements under the Community Development Block Grant program; and

WHEREAS, the City desires to make the necessary improvements to West 23rd Street identified in the Inter/ocal Agreement between the City and Palm Beach County for receiving CDBG funds; and

WHEREAS, The City of Riviera Beach entered into an agreement with Jordan Jones & Goulding for providing civil engineering services.

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

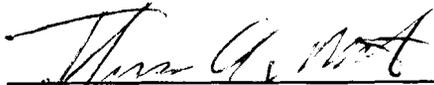
SECTION 1. The engineering firm of Jordan Jones & Goulding is authorized to prepare survey, design and contract documents for reconstruction of West 23rd Street between Avenue R and Avenue O.

SECTION 2. The Finance Director is authorized to make payment from paving and drainage account number 301-0716-5414-3106 in an amount not to exceed \$19,200.

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

PASSED and APPROVED this 17TH day of *September*, 2008.

APPROVED:



THOMAS A. MASTERS
MAYOR

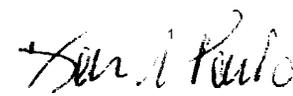


CEDRICK A. THOMAS
CHAIRPERSON

ATTEST:



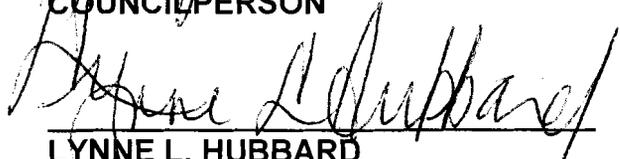
CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



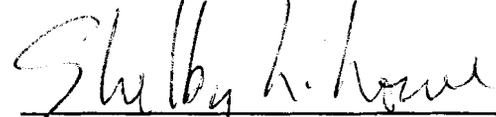
DAWN S. PARDO
CHAIR PRO TEM



JUDY L. DAVIS
COUNCILPERSON



LYNNE L. HUBBARD
COUNCILPERSON



SHELBY L. LOWE
COUNCILPERSON

MOTIONED BY: J. DAVIS

SECONDED BY: L. HUBBARD

C. THOMAS AYE

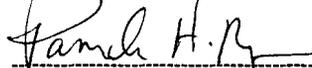
D. PARDO AYE

J. DAVIS AYE

L. HUBBARD AYE

S. LOWE AYE

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 9/10/08

RESOLUTION NO. 112-08

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 INTERLOCAL AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND THE BOARD OF COUNTY COMMISSIONERS, PALM BEACH COUNTY FOR CONTINUATION OF THE YOUTH VIOLENCE PREVENTION PROJECT IN THE AMOUNT OF \$433,312 WITH REQUIRED MATCHING FUNDS FROM THE CITY IN THE AMOUNT OF \$105,600 IN CASH; AUTHORIZING THE FINANCE DIRECTOR TO SET UP A BUDGET FOR THE SAME AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Criminal Justice Commission of Palm Beach County continues the development of the Youth Violence Prevention Project; and

WHEREAS, the City of Riviera Beach has a targeted area that meets the requirements of the Youth Violence Prevention Project; and

WHEREAS, the City of Riviera Beach's staff has presented a proposal in accordance with the Youth Violence Prevention Project guidelines; and

WHEREAS, the City has been awarded grant funds in the amount of 433,312 with required matching funds from the City in the amount of \$105,600 in cash; and

WHEREAS, the Capital Funds Budget has funds available that can be used for the cash match.

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 the Interlocal Agreement between the City of Riviera Beach and the Board of County Commissioners, Palm Beach County for a Youth Violence Prevention Project.

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

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RESOLUTION NO. 112-08
PAGE 2

REVENUE:

Youth Violence Prevention Project 151-00-337200 \$433,312

EXPENDITURES:

YOUTH EMPOWERMENT CENTER

151-0202-569-1-1201	I Salary	\$99,826
151-0202-569-1-1401	FICA/Medicare	\$ 7,637
151-0202-569-1-1403	Health/Dental	\$13,458
151-0202-569-1-1406	FL Unemployment	\$ 94
151-0202-569-1-3101	Contracted Services	\$70,400
151-0202-569-1-3401	Contract Svc. - Janitorial	\$ 1,200
151-0202-569-1-4001	Travel	\$ 165
151-0202-569-1-4101	Telephones	\$ 5,500
151-0202-569-1-4201	Postage & Freight	\$ 250
151-0202-569-1-4301	Building Utilities - Electrical	\$ 2,000
151-0202-569-1-4305	Building Utilities - Water	\$ 2,000
151-0202-569-1-5201	Supplies	\$10,126
151-0202-569-1-5403	Employee Development	\$ 500
151-0202-569-1-8300	Grants & Aides - Client Svc	\$ 3,500

TOTAL **\$216,656**

JUSTICE SERVICE CENTER

151-0202-569-2-1201	Salary	\$90,844
151-0202-569-2-1401	FICA/Medicare	\$ 6,950
151-0202-569-2-1403	Health/Dental	\$13,458
151-0202-569-2-1406	FL Unemployment	\$ 94
151-0202-569-2-3101	Contracted Services	\$55,729
151-0202-569-2-4001	Travel	\$ 1,860
151-0202-569-2-4101	Telephones	\$ 4,248
151-0202-569-2-4201	Postage & Freight	\$ 500
151-0202-569-2-4402	Building Rental	\$ 30,118
151-0202-569-2-4801	Promotional Activities	\$ 2,105
151-0202-569-2-5201	Supplies	\$ 2,500
151-0202-569-2-5403	Employee Development	\$ 250
151-0202-569-2-8300	Grants & Aides - Client Svc	\$ 8,000

TOTAL **\$216,656**

310-0203-519-1-6254 CAPITAL ACQUISITION FUNDS \$105,600

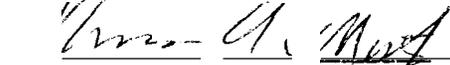
SECTION 3. This Resolution shall take effect immediately upon its approval.

RESOLUTION NO. 112-08

PAGE 3

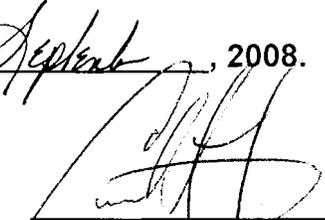
PASSED AND APPROVED THIS 11TH DAY OF September, 2008.

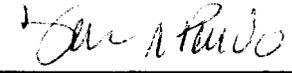
APPROVE:



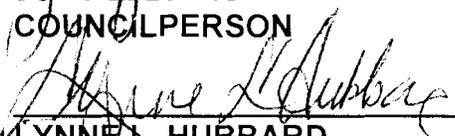
THOMAS A. MASTERS
MAYOR

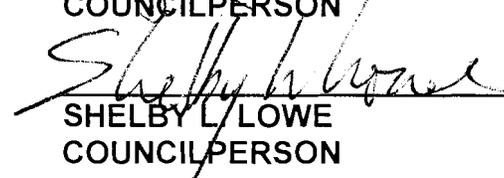
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CEDRICK A. THOMAS
CHAIRPERSON


DAWN S. PARDO
CHAIR PRO-TEM


JUDY L. DAVIS
COUNCILPERSON


LYNNE L. HUBBARD
COUNCILPERSON


SHELBY L. LOWE
COUNCILPERSON

ATTEST



CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK

MOTIONED BY: L. HUBBARD

SECONDED BY: J. DAVIS

C. THOMAS: AYE

D. PARDO: AYE

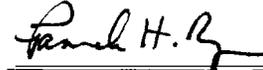
J. DAVIS: AYE

L. HUBBARD: AYE

S. LOWE: AYE

09/9/08

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA H. RYAN, CITY ATTORNEY

Date 9/10/08

RESOLUTION NO. 113-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A GRANT AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ACCEPTING GRANT FUNDS FROM THE FY 2006 EDI-SPECIAL PROJECT GRANT PROGRAM IN THE AMOUNT OF \$297,000; AUTHORIZING THE FINANCE DIRECTOR TO SET UP A BUDGET FOR SAME AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the US Department of Housing and Urban Development (HUD) has a FY 2006 Economic Development Initiative (EDI) - Special Project Grant Program; and

WHEREAS, the FY 2006 EDI-Special Project Grant Program can be used for site acquisition and improvements for commercial revitalization; and

WHEREAS, the City of Riviera Beach applied and was awarded funding in the amount of \$297,000 for site acquisition and improvements for commercial revitalization; and

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 the Grant Agreement between the City of Riviera Beach and HUD for funding in the amount of \$297,000 for site acquisition and improvements for commercial revitalization.

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

REVENUE

115-00-331502	HUD Special Project Grant	\$297,000
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EXPENDITURE

115-0717-554-1-6251	Acquisition & Development	\$297,000
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SECTION 3. This resolution shall take effect immediately upon its passage.

RESOLUTION NO. 113-08
PAGE 2

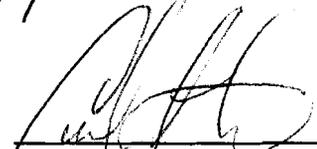
PASSED AND APPROVED THIS 17TH DAY OF September, 2008.

APPROVED:

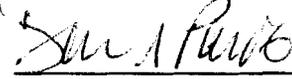


THOMAS A. MASTERS
MAYOR

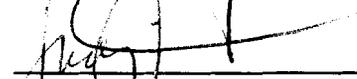
(MUNICIPAL SEAL)



CEDRICK A. THOMAS
CHAIRPERSON



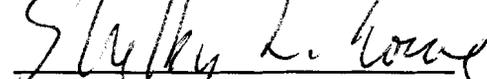
DAWN S. PARDO
CHAIR PRO-TEM



JUDY L. DAVIS
COUNCILPERSON



LYNNE L. HUBBARD
COUNCILPERSON



SHELBY L. LOWE
COUNCILPERSON

ATTEST



CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK

MOTIONED BY: J. DAVIS _____

SECONDED BY: L. HUBBARD _____

C. THOMAS: AYE

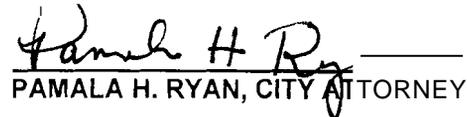
D. PARDO: AYE

J. DAVIS: AYE

L. HUBBARD: AYE

S. LOWE: AYE
08/27/08

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA H. RYAN, CITY ATTORNEY

Date 9/10/08

RESOLUTION NO. 114-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A SITE PLAN APPLICATION FROM EARL PLEASANT TO CONSTRUCT A 3,938 SQURE FOOT COMMERCIAL DEVELOPMENT LOCATED AT 2701 OLD DIXIE HIGHWAY, RIVIERA BEACH, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 31-57, of the City of Riviera Beach Code of Ordinances establishes the requirements for Site Plan review by the City Council; and

WHEREAS, the Planning & Zoning Board met on August 14, 2008 to review the site plan application and recommended approval; and

WHEREAS, the City Council finds that the proposed site plan is consistent with the adopted City of Riviera Beach Comprehensive Plan and Land Development Code.

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

SECTION 1. The site plan application to construct a 3,938 square foot commercial development is approved with the following conditions:

1. Construction must be initiated within 18 months of the effective date of this resolution.
2. All future advertising must state that the development is in the City of Riviera Beach. A fine of \$500 per day will be levied against the property owner for violation of this condition.

SECTION 2. This resolution shall take effect immediately upon approval.

PASSED and APPROVED this 17TH day of September, 2008

APPROVED:



THOMAS A. MASTERS
MAYOR

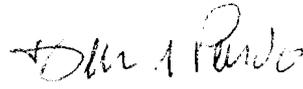


CEDRICK A. THOMAS
CHAIRPERSON

ATTEST:



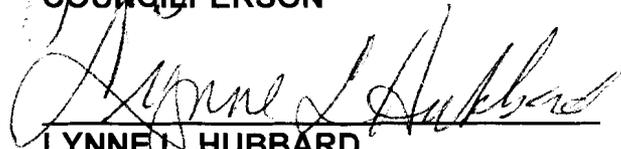
CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



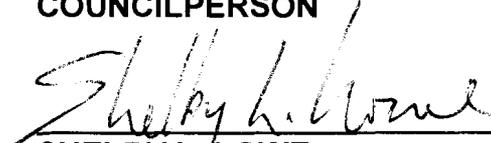
DAWN S. PARDO
CHAIR PRO TEM



JUDY L. DAVIS
COUNCILPERSON



LYNNE L. HUBBARD
COUNCILPERSON



SHELBY L. LOWE
COUNCILPERSON

MOTIONED BY: S. LOWE

SECONDED BY: L. HUBBARD

C. THOMAS AYE

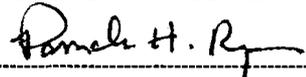
D. PARDO AYE

J. DAVIS AYE

L. HUBBARD AYE

S. LOWE AYE

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 9/10/08

RESOLUTION NO. 115-08

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 THE PALM BEACH COUNTY CRIMINAL JUSTICE COMMISSION TO PROVIDE FUNDING IN THE AMOUNT OF \$100,000.00 FOR THE CONTINUATION OF THE WEED AND SEED PROGRAM THROUGH SEPTEMBER 30, 2009, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE INTERLOCAL AGREEMENT AND PROVIDING AN EFFECTIVE DATE OF OCTOBER 1, 2008.

WHEREAS, the Palm Beach Criminal Justice Commission will grant the funding to the City of Riviera Beach Weed and Seed Program in the amount of \$100,000; and

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

WHEREAS, funds are designated for FREE programs and services to residents, which includes the tutorial program and salaries for staff persons.

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 Palm Beach County Criminal Justice Commission and the City of Riviera Beach.

SECTION 2. The City Manager is authorized to execute the agreement.

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

Revenue:

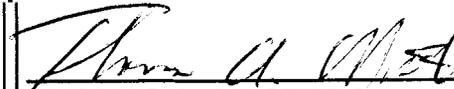
123-00-337902	\$100,000	County Weed and Seed Grant
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Expenditures:

123-0822-521-4-1201	\$77,500.00	Salaries and wages
123-0822-521-4-1401	\$4,872.00	FICA/Medicaid
123-0822-521-4-1403	\$7,858.20	Health/Dental Insurance
123-0822-521-4-1404	\$408.00	Life
123-0822-521-4-4001	\$4,500.00	Training/Travel
123-0822-521-4-5201	\$4,062.00	Operating Supplies General
123-0822-521-4-4801	\$800.00	Promotional

PASSED and APPROVED this 17TH day of September, 2008.

APPROVED:



THOMAS A. MASTERS
MAYOR

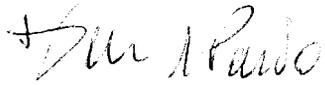


CEDRIC A. THOMAS
CHAIRPERSON

ATTEST:



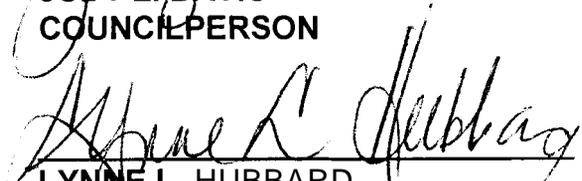
CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK



DAWN S. PARDO
CHAIR PRO TEM



JUDY L. DAVIS
COUNCILPERSON



LYNNE L. HUBBARD
COUNCILPERSON,



SHELBY L. OWE
COUNCIL ERSON

MOTIONED BY: J. DAVIS

SECONDED BY: L. HUBBARD

C. THOMAS AYE

D. PARDO OUT

J. DAVIS AYE

L. HUBBARD AYE

S. LOWE AYE

REVIEWED AS TO LEGAL SUFFICIENCY

PAMALA HANNA RYAN, CITY ATTORNEY

DATE:

RESOLUTION NO. 116-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING ARTHUR J. GALLAGHER & COMPANY - MIAMI TO PLACE THE APPROPRIATE COVERAGE, AND AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENTS FROM THE INSURANCE LIABILITY FUND ACCOUNT NO 602-0539-5130-4501 UP TO THE AMOUNT OF \$2,600,000 TO ARTHUR J. GALLAHER & CO. - MIAMI FOR RISK PACKAGE FIXED COSTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City is in need of its Worker's Compensation/Liability and Property/Casualty Protected Self-Insurance Program to be renewed for one year (2008-2009);and,

WHEREAS, a proposal from Arthur J. Gallagher & Co. - Miami provides the costs and services which best serve the City of Riviera Beach's interest at a total fixed cost not to exceed \$2,600,000; and,

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

SECTION 1. That Arthur J. Gallagher & Company - Miami provide a comprehensive protected Self-Insurance Program and place coverages as appropriate.

SECTION 2. That the Finance Director is authorized to make payments from Account Numbers 602-0539-513-0-4501 in the total amount not exceeding \$2,600,000 to Arthur J. Gallagher & Co. - Miami for risk package fixed costs.

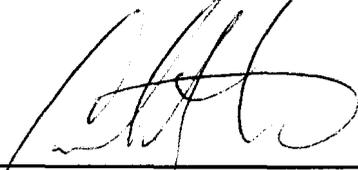
SECTION 3. This resolution shall take effect October 1, 2008 upon its passage and adoption by the City Council.

PASSED AND APPROVED this 17TH day of September, 2008.

RESOLUTION NO. 116-08
PAGE 2

APPROVED:

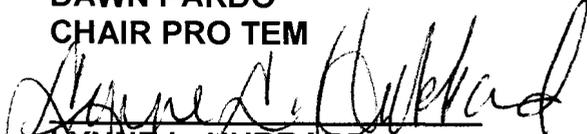

THOMAS A. MASTERS
MAYOR


CEDRICK A. THOMAS
CHAIRPERSON

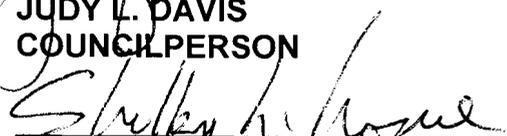
ATTEST:


CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK


DAWN PARDO
CHAIR PRO TEM


LYNNE L. HUBBARD
COUNCILPERSON


JUDY L. DAVIS
COUNCILPERSON


SHELBY LOWE
COUNCILPERSON

Motioned by: S. LOWE

Seconded by: J. DAVIS

C. THOMAS AYE

D. PARDO OUT

L. HUBBARD AYE -

J. DAVIS AYE

S. LOWE AYE

DATE 9/11/08

RESOLUTION NO. 117-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING THE PROPOSAL CONCEPT SUBMITTED BY VIKING DEVELOPERS LLC., IN RESPONSE TO THE REQUEST FOR PROPOSAL FOR DEVELOPMENT OF THE MARINA DISTRICT; AUTHORIZING CITY STAFF TO ENTER INTO NEGOTIATIONS WITH THE CRA AND VIKING DEVELOPERS LLC., FOR THE REDEVELOPMENT OF PROPERTIES IN THE MARINA DISTRICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on June 25, 2008 the Community Redevelopment Agency approved a Request for Proposal for redevelopment of the Marina District; and

WHEREAS, on June 25, 2008 the City Council also approved the same Request for Proposal for redevelopment of the Marina District; and

WHEREAS, on September 2, 2008 in accordance with the schedule in the approved Request for Proposal, Viking Developers LLC., submitted the only response to the Request for Proposal; and

WHEREAS, on September 8, 2008, the Community Redevelopment Agency held a public workshop to review the submittal summary presented by the agency staff; and

WHEREAS, on September 10, 2008, the Community Redevelopment Agency considered the response to the Request for Proposal as presented by Viking Developers LLC., and voted unanimously to accept the proposal concept and authorize the Community Redevelopment Staff to enter into negotiations for the redevelopment of the properties; and

WHEREAS, the Request for Proposal was approved by the City Council and the Community Redevelopment Board, and the selection of the sole respondent is also required to be approved by both entities.

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 accepts the proposal concept submitted by Viking Developers LLC., and authorizes City of Riviera Beach staff to enter into negotiations with the Community Redevelopment Agency and Viking Developers for the redevelopment of the properties in the Marina District as submitted by Viking Developers LLC.

SECTION 2. That staff is authorized to hire consultants and/or experts as necessary to assist with the negotiation process.

SECTION 3. This Resolution shall become effective upon its passage and approval by City Council.

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PASSED and APPROVED this 17th day of September, 2008.

APPROVED:

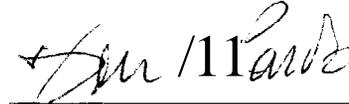


THOMAS MASTERS
MAYOR

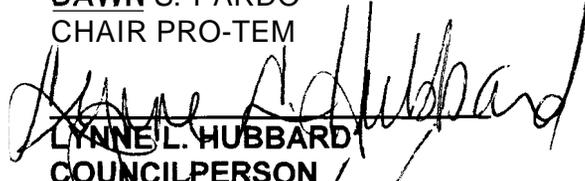


CEDRICK A. THOMAS
CHAIRPERSON

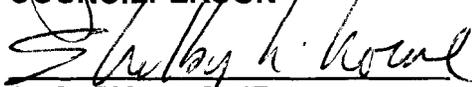
ATTEST:


CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK

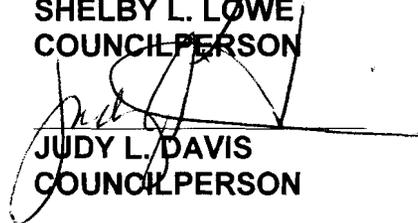
DAWN S. PARDO
CHAIR PRO-TEM



LYNNE L. HUBBARD
COUNCILPERSON



SHELBY L. LOWE
COUNCILPERSON



JUDY L. DAVIS
COUNCILPERSON

MOTIONED BY: J. Davis

SECONDED BY: D. Pardo

C. THOMAS aye

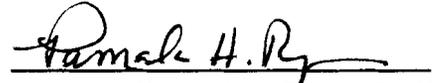
D. PARDO aye

L. HUBBARD aye

S. LOWE aye

J. DAVIS aye

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 9/17/08

RESOLUTION NO. 118-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE EMPLOYMENT CONTRACT AGREEMENT AND AUTHORIZING THE MAYOR AND THE CITY CLERK TO EXECUTE SAID AGREEMENT WITH GLORIA SHUTTLESWORTH, AS INTERIM CITY MANAGER; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. The Mayor and City Clerk are authorized to execute the Employment Contract Agreement with Gloria Shuttlesworth, Interim City Manager.

SECTION 2. A copy of the Employment Contract Agreement is attached hereto and made a part thereof.

SECTION 3. This Resolution shall become effective immediately upon its passage and approval by the City Council.

PASSED AND APPROVED this 17th day of September ,2008.

EMPLOYMENT CONTRACT - INTERIM CITY MANAGER

This Agreement made this 11th day of ~~September~~ ^{July}, 2008, by and between the CITY OF RIVIERA BEACH, State of Florida (hereinafter referred to as "City") and GLORIA SHUTTLESWORTH (hereinafter referred to as Ms. Shuttlesworth).

WITNESSETH:

IN CONSIDERATION of the mutual promises hereinafter set forth, and such other good and valuable consideration, the sufficiency of which is hereby acknowledged, the City and Ms. Shuttlesworth do mutually agree as follows:

1. EMPLOYMENT AND SALARY: The City shall employ Ms. Shuttlesworth as Interim City Manager of the City of Riviera Beach, Florida, pursuant to the Charter of the City of Riviera Beach for a period commencing on September 11, 2008, and ending either when a permanent City Manager is hired and begins work or when either party elects to terminate this agreement. Ms. Shuttlesworth shall receive a 20% increase to her current base pay of \$121,348.26, plus any other salary increases granted to other administrative personnel.

2. SERVE AT THE PLEASURE: In the capacity of Interim City Manager, Ms. Shuttlesworth shall serve at the pleasure of the City Council. However, it is recognized by both parties to this agreement that Ms. Shuttlesworth has been temporarily promoted to this position from the position of Assistant City Manager, which is a position that does not serve at the pleasure of the City Council. If the City Council is not satisfied with Ms. Shuttlesworth's performance, they can, at any time by majority vote, remove her back to her current position. No recommendations or actions taken by Ms. Shuttlesworth as Interim City Manager shall be held against her when she returns to her permanent position.

3. BENEFITS: The City shall provide Ms. Shuttlesworth with all of the benefits accruing to City employees in administrative positions and the following increased benefits which have been afforded to prior City Managers:

- a. Provide car allowance at \$500 per month.
- b. The City shall pay on a bi-weekly basis to Ms. Shuttlesworth the sum of \$788.46 to a Deferred Compensation Plan.

4. INDEMNIFICATION OF EMPLOYEE: The City agrees, pursuant to Section 111.07, Florida Statutes, and Section 2.2, City of Riviera Beach Code, to provide reasonable attorney's fees and other expenses of litigation to defend any civil action rising from a complaint for damages or injuries suffered as a result of any act or omission of the Interim City Manager arising out and in the scope of her employment or function, as well as, costs, disbursements, claims, payments, judgments or settlements resulting from any lawsuit or claim, unless in the case of a tort action she has been determined in final judgment to have

caused the hann intentionally, in bad faith, with malicious purpose, or in a manner exhibiting wanton and willful disregard to human rights, safety, or property. In addition, the City agrees to provide reasonable attorney's fees and costs to defend criminal investigation or prosecution of the Interim City Manager arising out of or in the scope of her employment. Said indemnification provision to continue in effect after tennination of employment.

5. GENERAL PROVISION: The text of this document constitutes the entire agreement between parties and may only be modified in writing by the parties.

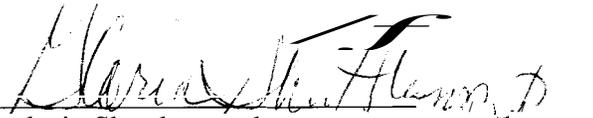
IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the date set forth above.

APPROVAL:

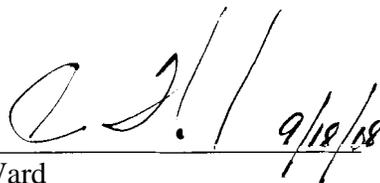
THE CITY OF RIVIERA BEACH,
FLORIDA

By: 
Thomas A. Masters
MAYOR

EMPLOYEE

By: 
Loria Shuttlesworth
INTERIM CITY MANAGER

Attest:

By:  9/18/18
Carrie E. Ward
CITY CLERK, MMC

REVIEWED AS TO LEGAL SUFFICIENCY

PAMALA HANNA RYAN, CITY ATTORNEY

Date: -

RESOLUTION NO. 119-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY CLERK TO IMPLEMENT "EARLY VOTING" IN THE CITY OF RIVIERA BEACH, IN PREPARATION FOR THE UPCOMING 2008 GENERAL ELECTION; AUTHORIZING THE FINANCE DIRECTOR TO SET UP A BUDGET TO COVER EXPENSES INCURRED FROM "EARLY VOTING" IN THE CITY CLERK'S BUDGET; AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER \$27,500 FROM GENERAL FUND CONTINGENCY FOR SAME; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it was brought to the attention of legislators of the low voters turnout across the nation, several reasons being cited encouraged the need to extend voting time and make it available wherein voters would have an opportunity to vote in an election on more than one date. This action would grant a voter provisions to vote during less traumatic time and in expectation to avoid disenfranchisement; and

WHEREAS, in 2004 the legislature passed legislation which standardized early voting throughout the State of Florida. As a result, in 2004 election preparation, the City of Riviera Beach City Clerk requested to establish and maintain a facility geographically located within the municipal boundaries; wherein it would accommodate all voters desiring to partake in early voting; and

WHEREAS, the residents of the city have expressed a desire to participate and to be provided every opportunity allowed by the federal and state law to have their vote counted in every election.

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 City Clerk to proceed and implement "Early Voting" in the City of Riviera Beach in preparation for the 2008 scheduled General Election.

SECTION 2. That the City Clerk is hereby authorized to inform the citizens of the city of the requirements for early voting; and that early voting will begin 15 days prior to and end on the day before the scheduled election. Early voting must be provided for at least 8 hours per weekday during the applicable period and shall also be provided for 8 hours in the aggregate for each weekend during the applicable period.

SECTION 3. That the City Clerk is hereby responsible for coordinating and maintaining the operational hours of the facility to be utilized during the 2008 General Election.

SECTION 4. The Palm Beach County Supervisor of Elections will be responsible for the setup and staffing to provide early voting in the City of Riviera during the process.

SECTION 5. Proposed dates and operational hours for the scheduled November 4, 2008 General Election:

Monday, October 20,2008 thru Sunday, November 2,2008

Monday thru Friday 10:00 am until 6:00 pm

Saturday 10:00 am until 2:00 pm

Sunday 10:00 am until 2:00 pm

SECTION 6. The City Clerk currently serves as Riviera Beach Supervisor of Elections and is responsible for coordinating and administering all city regular, special, and run-off elections respectively. However, it is the intent of the City Council to authorize the City Clerk to operate outside of her normal scope of responsibilities as City Clerk; accommodate city residents desiring to participate in early voting; and to serve as coordinator to implement early voting in the City of Riviera Beach, with a written summary to be provided at the culmination of early voting.

SECTION 7. The City Council is desirous of accommodating the city residents who has expressed a desire to participate in early voting.

SECTION 8. The City Council hereby authorizes the Finance Director to setup a budget for all cost incurred as a result of early voting being conducted within the City of Riviera Beach and transfer funds from General Fund Contingency into the appropriate accounts.

SECTION 9. That this Resolution shall take effect immediately upon its approval.

PASSED AND APPROVED THIS 17th DAY OF September 2008.

APPROVED:

Thomas A. MA

[Signature]

**CEDRICK A. THOMAS
CHAIRPERSON**

ATTEST:

[Signature]

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

[Signature]

**DAWN S. PARDO
CHAIR PRO TEM**

[Signature]

**JUDY L. DAVIS
COUNCILPERSON**

[Signature]

**LYNNE L. HUBBARD
COUNCILPERSON**

[Signature]

**SHELBY L. LOWE
COUNCILPERSON**

MOTIONED BY: L. Hubbard _____

SECONDED BY: J. Davis _____

S. LOWE Aye _____

L. HUBBARD Aye _____

J. DAVIS Aye _____

D. PARDO Aye _____

C. THOMAS Aye _____

REVIEWED AS TO LEGAL SUFFICIENCY

[Signature]
PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 9/17/08

RESOLUTION NO. 120-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING THE RESIGNATION OF CITY MANAGER WILLIAM E. WILKINS; APPROVING THE SEVERANCE AGREEMENT AND GENERAL RELEASE SETTling ALL MATTERS BETWEEN THE CITY AND MR. WILKINS; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE SEVERANCE AGREEMENT; AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT FROM THE APPROPRIATE BUDGETARY ACCOUNTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, William E. Wilkins has been employed as the City Manager of the City of Riviera Beach since November 1999; and

WHEREAS, Mr. Wilkins and the City desire to sever the employer/employee relationship on amicable terms in order to resolve any and all issues regarding Mr. Wilkins' employment; and

WHEREAS, the parties have agreed to resolve all matters by entering into a severance agreement.

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 accepts the resignation of William E. Wilkins as City Manager of the City of Riviera Beach.

SECTION 2. That the Settlement Agreement and General Release, attached hereto, is hereby approved, and the Mayor and City Clerk are authorized to execute the Agreement on behalf of the City.

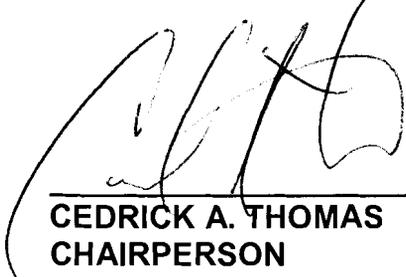
SECTION 3. That the Finance Director is authorized to make payment as contemplated by the Agreement from the appropriate budgetary accounts.

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

APPROVED:



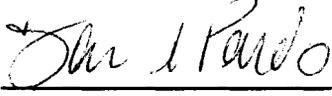
THOMAS A. MASTERS
MAYOR



CEDRICK A. THOMAS
CHAIRPERSON



CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



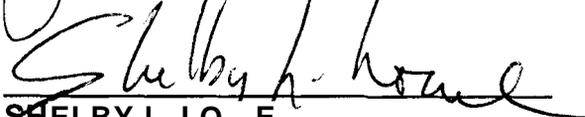
DAWN 5. PARDO
CHAIR PRO TEM



LYNNE L. HUBBARD
COUNCILPERSON



JUDY L. DAVIS
COUNCILPERSON



SHELBY L. LOWE
COUNCILPERSON

MOTIONED BY: Pardo

SECONDED BY: Davis

C. THOMAS Aye

D. PARDO Aye

L. HUBBARD Aye

J. DAVIS Aye

5. LOWE Aye

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA H. RYAN, CITY ATTORNEY

DATE: 9/15/08