

RESOLUTION NO. 90-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE PURCHASE OF A PRINTRAK LATENT STATION FOR THE CITY'S POLICE DEPARTMENT FROM MOTOROLA; AUTHORIZING THE FINANCE DIRECTOR TO PAY \$84,786.00 TO MOTOROLA FROM ACCOUNT NUMBER 303-0822-521-0-6455; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council approved funding for the purchase of an automatic fingerprint identification system in the 2007 capital budget process;

WHEREAS, the Police Department wishes to purchase the Motorola Printrak Latent Station, at a cost of \$84,786.00, to automate the process of matching crime scene fingerprints with suspect fingerprint records maintained in local, state, and federal databases;

WHEREAS, Printrak is proprietary system sold exclusively by Motorola and is the only latent submission equipment compatible with the fingerprint database maintained by the Palm Beach County Sheriff's Office and the Florida Department of Law Enforcement.

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 purchase of a Printrak Latent Station, from Motorola, to be used the City's police department.

SECTION 2: The City Council authorizes the Finance Director to make payment in the amount of \$84,786 to Motorola from Capital Account Number 303-0822-521-6455.

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

PASSED and APPROVED this 18TH day of JULY, 2007.

RESOLUTION NO. 90-07
PAGE 2

APPROVED:


THOMAS A. MASTERS
MAYOR


SHELBY L. LOWE
CHAIRPERSON

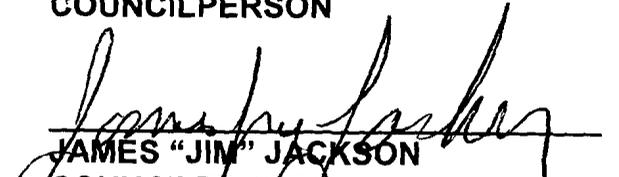
ATTEST:


CAR


LYNNE L. HUBBARD
CHAIR PRO TEM


NORMA DUNCOMBE
COUNCILPERSON


CEDRICK THOMAS
COUNCILPERSON


JAMES "JIM" JACKSON
COUNCILPERSON

MOTIONED BY: J. JACKSON

SECONDED BY: L. HUBBARD

S. LOWE AYE

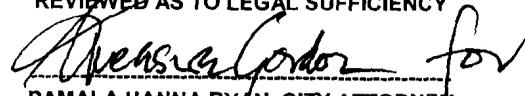
L. HUBBARD AYE

C. THOMAS OUT

N. DUNCOMBE AYE

J. JACKSON AYE

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 7/11/07

RESOLUTION NO. 91-07 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY FLORIDA, AUTHORIZING THE INTERIM FINANCE DIRECTOR TO APPROPRIATE GENERAL FUND FUND BALANCE ACCOUNT NO. 001-00-399999 IN THE AMOUNT OF \$90,000 AND TRANSFER TO THE PLANNING & ZONING PROFESSIONAL SERVICES ACCOUNT NO. 001-0717-515-0-3106; AUTHORIZING THE APPROVAL OF WORK ORDER NO. #4 FOR THE PREPARATION OF THE CITY OF RIVIERA BEACH COMPREHENSIVE PLAN EVALUATION AND APPRAISAL REPORT (E A R) BASED AMENDMENTS BY JORDAN, JONES & GOULDING; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes 163.3191 requires that every seven years local governments prepare an Evaluation and Appraisal Report (EAR) on its adopted Comprehensive Plan; and

WHEREAS, the EAR process is provided so that local governments can evaluate the status of the Comprehensive Plan policies and make recommendations for future changes to its Comprehensive Plan; and

WHEREAS, the City of Riviera Beach has prepared its EAR for 2006 consistent with Florida Statutes 163.3191 and was issued a sufficiency determination on March 30, 2007, by the Department of Community Affairs (DCA); and

WHEREAS, Florida Statutes 163.3191(10) requires all local governmentto prepare and adopt Comprehensive Plan amendments based upon recommendations of the EAR within 18 months of the determination of sufficiency by the DCA; and

WHEREAS, Jordan, Jones & Goulding currently has a professional services contract with the City for Engineering and Planning Services and has provided a scope of services for the preparation of the City of Riviera Beach Comprehensive Plan based upon the recommendations found in the EAR for \$90,000.

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 firm Jordan, Jones & Goulding is authorized to perform services under Work Order No. 4 for the preparation of the City of Riviera Beach Comprehensive Plan EAR-based amendments.

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Page 2

SECTION 2. That the City Council hereby authorizes the Interim Finance Director to appropriate General Fund Fund Balance Account No. 001-00-399999 in the amount of \$90,000 transfer funds to the Planning & Zoning Professional Services Account No. 001-0717-515-0-3106.

SECTION 3. That Work Order NO.4 is approved for the authorization of work and that the completed document be brought back to the City Council for final approval.

SECTION 4. That this Resolution shall take effect upon its passage.

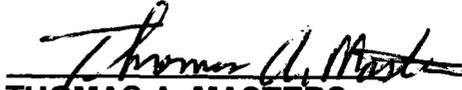
PASSED AND APPROVED this 18TH day of JULY, 2007

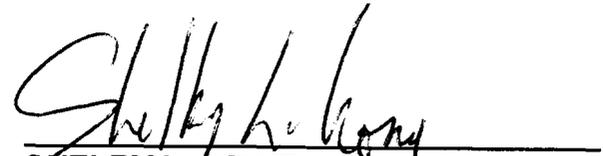
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RESOLUTION NO. 91-07

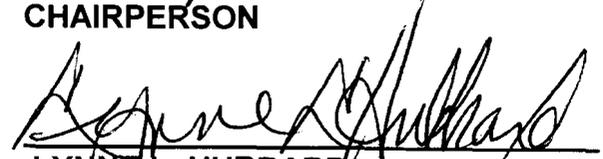
Page 3

APPROVED:


THOMAS A. MASTERS
MAYOR

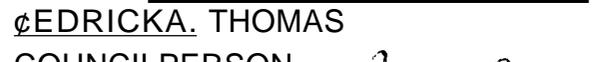

SHELBY L. LOWE
CHAIRPERSON

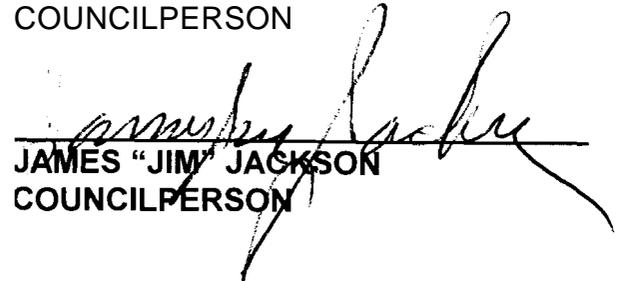
(MUNICIPAL SEAL)


LYNNE L. HUBBARD
CHAIR/PRO-TEM

ATTEST:


CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK


EDRICKA. THOMAS
COUNCILPERSON

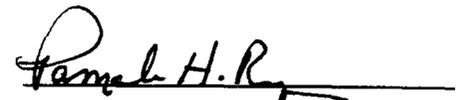

JAMES "JIM" JACKSON
COUNCILPERSON

MOTIONED BY: J. JACKSON

SECONDED BY: L. HUBBARD

S. LOWE:	<u>AYE</u>
L. HUBBARD:	<u>AYE</u>
N. DUNCOMBE:	<u>AYE</u>
C. THOMAS:	<u>AYE</u>
J. JACKSON:	<u>AYE</u>

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA H. RYAN, CITY ATTORNEY

Date: 7/9/11

RESOLUTION NO. 92-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE ENGINEERING FIRM OF JORDAN JONES & GOULDING TO PROCEED WITH DESIGN, SPECIFICATIONS AND PREPARATION OF BID DOCUMENTS FOR RESURFACING, LANDSCAPING AND LIGHTING IMPROVEMENTS TO STATE ROAD A1A BETWEEN BROADWAY AND THE NORTHERN CITY LIMIT; AUTHORIZING THE INTERIM FINANCE DIRECTOR TO APPROPRIATE FUNDS AND MAKE PAYMENTS NOT TO EXCEED \$322,000 IN THE BEAUTIFICATION FUND AND \$263,000 FROM THE CAPITAL ACQUISITION FUND; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Riviera Beach has entered into agreements with the Florida Department of Transportation to resurface the pavement, install sidewalks, landscaping and decorative lighting on State Road A1A; and

WHEREAS, the City under the said agreements is responsible for preparing project construction plans and specifications at its cost;

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 proceed with the design and contract documents for improvements to State Road A1A between Broadway and the northern City limit.

SECTION 2. The Interim Finance Director is authorized to make payment up to \$585,000 from the following accounts:

310-0716-541-3-6351	\$263,000
109-0716-541-3-6351	\$322,000

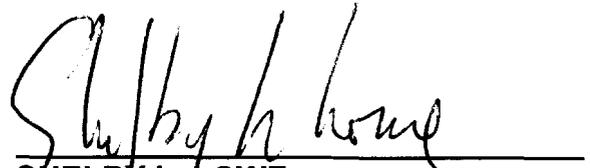
SECTION 3. This resolution shall take effect immediately upon its passage.

PASSED and APPROVED this 18TH day of JULY, 2007.

RESOLUTION NO. 92-07
PAGE -2-

APPROVED:


THOMAS A. MASTERS
MAYOR

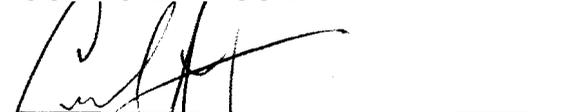

SHELBY L. LOWE
CHAIRPERSON

ATTEST:


CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK


LYNNE L. HUBBARD
CHAIR PRO TEM


NORMA DUNCOMBE
CO. CLERK


CEDRICK THOMAS
COUNCILPERSON


JAMES "JIM" JACKSON
COUNCILPERSON

MOTIONED BY: J. JACKSON

SECONDED BY: C. THOMAS

S. LOWE AYE

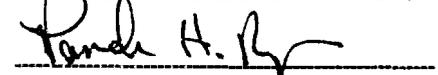
L. HUBBARD AYE

C. THOMAS AYE

N. DUNCOMBE AYE

J. JACKSON AYE

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 7/2/07

RESOLUTION NO. 93-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AMENDMENT 1 OF THE \$1.6 MILLION STATE OF FLORIDA ECONOMIC DEVELOPMENT TRANSPORTATION FUND GRANT AGREEMENT ON BEHALF OF LOCKHEED MARTIN, INC., EXTENDING THE TERM OF THE AGREEMENT TO APRIL 9, 2010, TO DREDGE THE LAKE WORTH LAGOON AND BUILD A FIVE HUNDRED FOOT LONG AND SIXTEEN FOOT WIDE PIER WITH A FISHING PIER TO BE SHARED BY LOCKHEED MARTIN AND THE PUBLIC WITH ACCESS PROVIDED THROUGH THE PALM BEACH COUNTY OWNED MOROSO PARK, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Riviera Beach accepted the One million six hundred and fifty three thousand five hundred and thirty eight dollars (\$1,653,538) State of Florida Economic Development Transportation Fund Grant on February 2, 2006; and

WHEREAS, the permitting process involved in allowing the project to move forward may take up to two (2) years; and

WHEREAS, the original term of the Economic Development Transportation Fund Grant with the State of Florida included a two (2) year term for completion of the project; and

WHEREAS, on July 11, 2006, the City of Riviera Beach requested an extension of the contract period to accommodate the permitting process.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riviera Beach, Palm Beach County, Florida that:

SECTION 1. The Mayor and City Clerk are hereby authorized to execute Amendment 1 of the State of Florida Office of Transportation Tourism and Economic Development (OTTED) Agreement OT06-022 extending the term of the agreement to April 9, 2010.

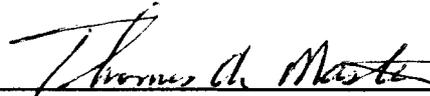
SECTION 2. This Resolution shall take effect upon its passage and approval by the City Council.

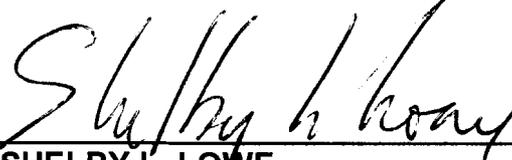
PASSED AND APPROVED JULY 18, 2007

RESOLUTION NO. 93-07

-2-

APPROVED:


THOMAS A. MASTERS
MAYOR


SHELBY L. LOWE
CHAIRPERSON

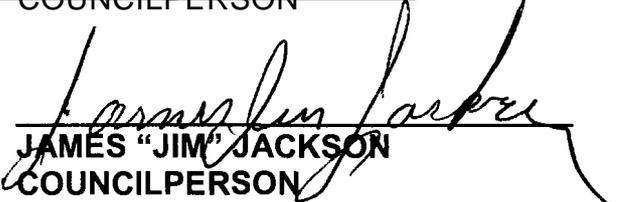
ATTEST:


CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK


LYNNE L. HUBBARD
C PRO TEM


NORMA DUNCOMBE
COUNCILPERSON


CEDRICK A. THOMAS
COUNCILPERSON


JAMES "JIM" JACKSON
COUNCILPERSON

MOTIONED BY: J. JACKSON _____

SECONDED BY: L. HUBBARD _____

S. LOWE _____ AYE

L. HUBBARD _____ AYE

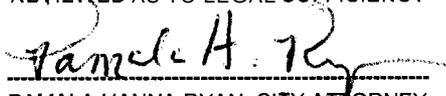
C. THOMAS _____ AYE

N. DUNCOMBE _____ AYE

J. JACKSON _____ AYE

PDW:dpm.062507

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 7/2/07

RESOLUTION NO. 94-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A SITE PLAN APPLICATION FROM TREE LAKE PARTNERS LLC FOR THE CONSTRUCTION OF A 42,120 SQUARE FOOT OFFICE WAREHOUSE FACILITY LOCATED ON 2.62 ACRES OF PROPERTY ON THE NORTH SIDE OF MARTIN LUTHER KING JR. BOULEVARD, EAST OF CONGRESS AVENUE; PROVIDING FOR 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 City Council finds that the proposed site plan is consistent with the adopted City of Riviera Beach Comprehensive Plan Industrial Future Land use designation; and

WHEREAS, the property is zoned Limited Industrial (IL) and the proposed use is consistent with this zoning; and

WHEREAS, Staff has reviewed the proposed application and recommends approval with conditions; and

WHEREAS, the Planning and Zoning Board met February 23, 2006 to review the site plan application and made a recommendation to the City Council for approval of the site plan application; and

WHEREAS, the City Council has considered the application; the evidence submitted by the applicant and staff's recommendation.

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 (Exhibit A) application from Tree Lake Partners LLC to build a 42,120 square foot office warehouse facility is hereby approved with the following conditions:

1. No outside storage of vehicles, construction materials, furniture, or similar uses are allowed.
2. A two-year landscaping bond for 110% of the value of landscaping and

irrigation shall be required before certificate of occupancy is issued.

3. All future advertising must state that the property 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.
4. Construction must be initiated within 18 months of receiving City Council Approval.
5. The project must be platted prior to issuing a certificate of occupancy.

SECTION 2. This Resolution shall act as the final order which is not required to be recorded in the public records of Palm Beach County.

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

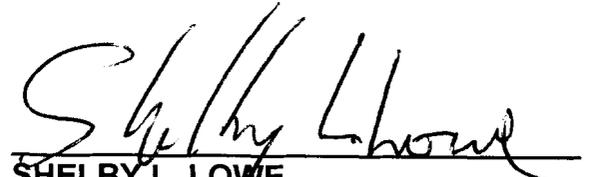
PASSED AND APPROVED 18TH **DAY** OF JULY 2007

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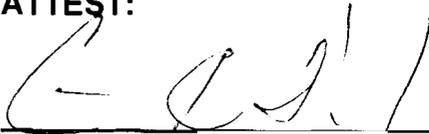
RESOLUTION NO. 94-07
PAGE 3

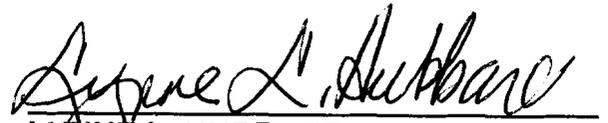
APPROVED:


THOMAS A. MASTERS
MAYOR

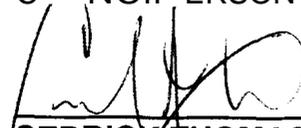

SHELBY L. LOWE
CHAIRPERSON

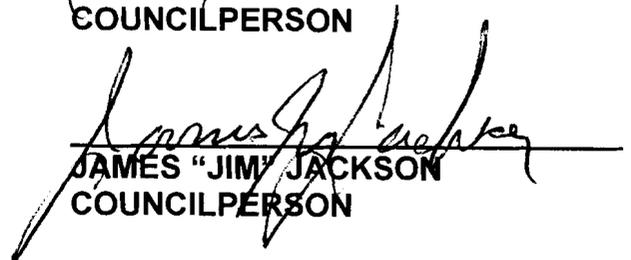
ATTEST:


CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK


LYNNE L. HUBBARD
CHAIR PRO TEM


NORMA DUNCOMBE
COUNCILPERSON


CEDRICK THOMAS
COUNCILPERSON


JAMES "JIM" JACKSON
COUNCILPERSON

MOTIONED BY: C. THOMAS _____

SECONDED BY: L. HUBBARD _____

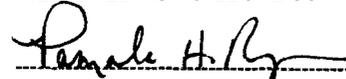
S. IOWE _____ AYE _____

L. HUBBARD _____ AYE _____

C. THOMAS _____ AYE _____

N. DUNCOMBE _____ AYE _____

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 7/2/07

RESOLUTION NO. 95-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA ESTABLISHING A MAXIMUM MILLAGE RATE OF ~~8.7099~~ MILLS FOR FISCAL YEAR 2007-2008; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Riviera Beach is required to establish a maximum millage rate before July 23, 2007 and set the date, time, and location of the first Public Hearing on the millage and budget; and

WHEREAS, establishment of the figure is necessary to move forward in the budget process.

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 establishes 8.7099 mills as the maximum millage levy for fiscal year 2007-2008.

SECTION 2. That the City Council will hold its first Public Hearing on the millage and budget on September 4, 2007, at 7:30 p.m. in the City Council Chambers, and that the City Council will hold its second Public Hearing on September 19, 2007, at 8:00 p.m. in the City Council Chambers.

SECTION 3. That this Resolution shall take effect upon passage and approval by the City Council.

PASSED AND APPROVED THIS 18TH DAY OF JULY, 2007.

(SIGNATURES ON FOLLOWING PAGE)

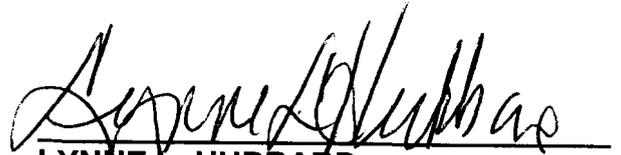
APPROVED:


THOMAS A. MASTERS
MAYOR


SHELBY L. LOWE
CHAIRPERSON

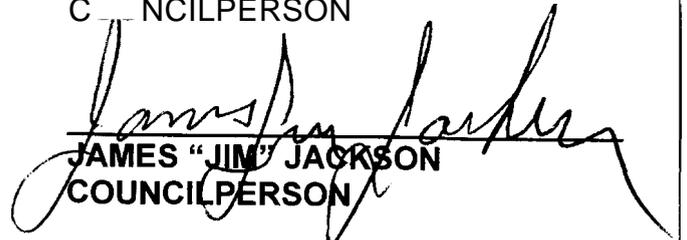
ATTEST:


FRIE E. W.


LYNNE L. HUBBARD
CHAIR PRO TEM


NORMA DUNCOMBE
COUNCILPERSON


CEDRICK OMAS
COUNCILPERSON


JAMES "JIM" JACKSON
COUNCILPERSON

MOTIONED BY: L. HUBBARD

SECONDED BY: J. JACKSON

S. LOWE AYE

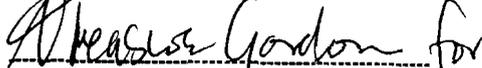
L. HUBBARD AYE

C. THOMAS AYE

N. DUNCOMBE AYE

J. JACKSON AYE

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 7/11/07

RESOLUTION NO. 96-07

A RESOLUTION OF THE CITY COUNCIL OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THAT THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH JACK MCLEAN OF THE LAW FIRM OF HOLLAND AND KNIGHT TO PROVIDE SERVICES AS THE CITY'S LABOR ATTORNEY AND TO PROVIDE OTHER LABOR RELATIONS SERVICES; JULY 2007 - JULY 2008; PAYMENT TO BE MADE FROM ACCOUNT NUMBER 001 0512 5190 3101; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City has need for a labor attorney; and

WHEREAS, last year the City retained the services of Jack McLean, an attorney with the Law Firm of Holland & Knight; and

WHEREAS, Attorney McLean has presented a new proposal to be considered by City Council

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 an agreement with Jack McLean of the Law Firm of Holland and Knight, to provide services as the City's Labor Attorney and to provide other labor relations services.

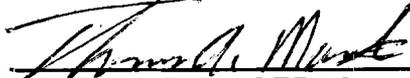
SECTION 2. That this resolution shall take effect upon its passage and adoption by City Council.

SECTION 3. That the Finance Director is authorized to make payment from Account #001-0512-5190-3101 for services rendered under this contract.

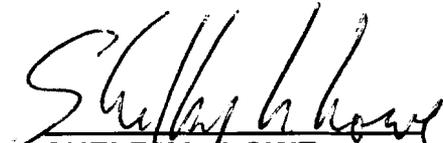
SECTION 4. This Resolution shall take effect upon passage and adoption by the City Council

PASSED AND APPROVED this 18TH day of JULY , 2007.

APPROVED:

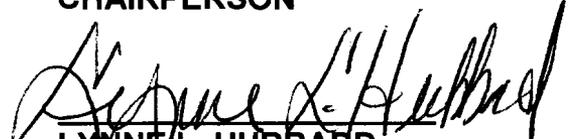


THOMAS A. MASTERS
MAYOR



SHELBY L. LOWE
CHAIRPERSON

(MUNICIPAL SEAL)



LYNNE L. HUBBARD
CHAIRPERSON PROTEM

ATTEST:



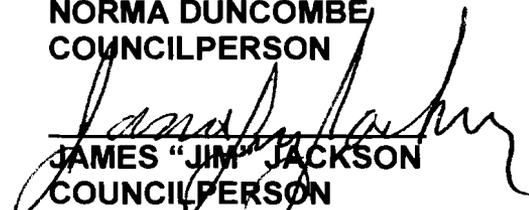
CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



CEDRICK A. THOMAS
COUNCILPERSON



NORMA DUNCOMBE
COUNCILPERSON



JAMES "JIM" JACKSON
COUNCILPERSON

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 7/6/07

RESOLUTION NO. 96-07
PAGE 3

MOTIONED BY: J. JACKSON

SECONDED BY: C. THOMAS

S. LOWE AYE

L. HUBBARD AYE

C. THOMAS AYE

N. DUNCOMBE AYE

J. JACKSON AYE

AGREEMENT AND STANDARDS FOR LEGAL SERVICES

This agreement is entered into this 18 day of July, 2007, by and between the City of Riviera Beach, Florida, hereinafter referred to as "City" and Jack L. McLean, Jr. of the law firm Holland & Knight, LLP, hereinafter referred to as "Outside Counsel."

WHEREAS, the City is in need of a labor attorney to assist City staff in the negotiation of union contracts governing City employees; and

WHEREAS, the City Council selected Outside Counsel to assist with said negotiations and wishes to enter into this agreement to set forth the terms of said engagement.

NOW THEREFORE, in consideration of the mutual covenants and promises contained in this agreement, the parties hereto agree as follows:

SECTION 1. Services to be provided. Outside Counsel agrees to:

1. Provide advice to the City on contract negotiations which includes assisting in the preparation of language for proposed labor contract articles;
2. Provide advice during contract negotiations;
3. Provide advice on legal issues that may impact upon the administration of the contract;
4. Review and analyze proposed articles presented by bargaining unions;
5. Draft the actual contract and/or provisions of the contract, once negotiated by the parties;
6. Provide on-site appearances before the City Council in executive session to discuss contract language/proposals; and
7. Serve as the City's labor attorney during any impasse hearings.
8. Only upon request, conduct the actual negotiation on behalf of the City on all or a portion of the City's labor contracts.

SECTION 2. Compensation for Services. The City agrees to compensate Outside Counsel for legal services performed on behalf of the City on a quarterly basis at the beginning of each quarter in the amount of \$4,437.00. The total compensation for the services 1 - 7 shall be \$17,748.00. This amount includes all costs related to travel to attend three (3) closed executive sessions, any related telephone charges, and any related copying charges. The

compensation for the services in item 8 shall be \$8,500.00 per contract for each labor contract negotiated. In addition, Outside Counsel may provide impasse hearing, arbitration and mediation representation at an hourly rate of \$336 depending on the expertise and experience of the attorney handling the case for the City.

SECTION 3. Term of the Agreement; Modification. The term of this Agreement shall be one (1) year commencing on the date hereinabove set forth. In the event that a term needs to be modified or the agreement amended, the parties agree to engage in discussions regarding the same at least thirty (30) days in advance of any anticipated alteration.

SECTION 4. Billing. All invoices must be submitted to the Department of Human Resources, which will review the same with the City Attorney's Office. When appropriate, invoices should be itemized to specifically and concisely identify each task performed and should reflect the actual time spent on each task, using 1/10 of an hour increments. The City does not accept grouping of activities or "block billing." Each task must be billed separately and, each billing entry must be sufficiently descriptive so the City Attorney's Office can determine exactly what professional service was provided and can assess the appropriateness of the related time charge. Additionally, the personnel who perform each task must be specified together with their hourly rate. Any other type of billing or timekeeping, which allows compensation for time not actually spent by Outside Counsel, is not permitted by the City.

SECTION 5. Costs and Expenses. Except as otherwise provided herein, in-house photocopying will be paid at a rate of ten cents per page. Each invoice shall specify the number of copies for which reimbursement is sought. The City will not pay for local facsimile transmissions. The use of couriers or express mail requires prior approval from the City Attorney's Office. Long distance telephone calls must state the number of calls, date, length of call, and per minute cost. Further, except as otherwise provided herein, any travel, per diem, mileage, or meal expenses, which may be reimbursable, must be approved in advance by the City Attorney's Office, and will be paid in accordance with the rates and conditions set forth in Section 112.061, Florida Statutes. The City shall not pay for local travel, including but not limited to, mileage, gas, tolls, meals and attorney's time for such local travel. For all disbursements, the City requires copies of paid receipts, invoices, or other documentation acceptable to the City of Riviera Beach Finance Department. Such documentation must be sufficient to establish that the expense was actually incurred and necessary in the performance of the legal services provided.

The City will not be responsible for the cost of any computerized legal research service that Outside Counsel receives on a fixed or "flat fee" basis. For payment of computerized research on a "per minute" basis, the City requires copies of transaction reports indicating the total time for each research session, the charge per minute, and a brief description of the issues researched. Any extensive research project (research in excess of three hours whether said research is performed during one session or over several sessions or which is likely to exceed \$300) must be discussed with and approved by the City Attorney in advance. Since assignments are made to firms which have been selected for their expertise in particular areas of law, the City will not pay for research that is routine in nature. The City will pay only for updating and shephardizing existing research and/or fact specific research.

SECTION 6. Attorney-Client Relationship and Confidentiality. Outside Counsel and the City agree and understand that all communication they have had, and will have, relating to this engagement is communication undertaken in anticipation of litigation and/or within the scope of an attorney-client relationship. The confidentiality and trust demanded by this professional relationship is both required and protected by law. The City may rely on the privileges accorded this professional relationship in all matters in which Outside Counsel provides legal services. Furthermore, all written and oral information not in the public domain or not previously known, and all information and data obtained, developed, or supplied by the City or at its expense shall be kept confidential and shall not be disclosed to any other party, directly or indirectly, without the City's prior written consent unless required by a lawful order.

SECTION 7. Public Records. Please be advised that the City and all its activities, unless exempt, are subject to the Public Records Law (Chapter 119, Florida Statutes) and the Sunshine Law (Section 286.011, Florida Statutes). As such, Outside Counsel must observe and comply with the requirements of said laws and all related City policies and procedures.

SECTION 8. Professional Liability Insurance. Outside Counsel will maintain in full force and effect, during the life of this Agreement, Standard Professional Liability Insurance with limits not less than One Million Dollars (\$1,000,000.00) each occurrence with a maximum deductible of Fifty Thousand Dollars (\$50,000.00). Certificates of liability insurance, satisfactory to the City, shall be furnished to the City immediately upon commencement of any legal services, with complete copies of policies to be furnished upon the City's request. Such certificates of insurance will provide the City with thirty (30) days prior written notice of any cancellation or non-renewal.

SECTION 9. Conflicts of Interests. Outside Counsel shall represent to the City that it presently has no interest and shall acquire no interest, either direct or indirect, which would conflict in any manner with the performance of legal services, as provided in the standards set forth in Part III of Chapter 112, Florida Statutes. Outside Counsel shall promptly notify the City Attorney's Office, in writing, of all potential conflicts of interests, which may influence or appear to influence Outside Counsel's judgment or quality of legal services. The notice shall identify the prospective business association, interest, or circumstance and the nature of work that Outside Counsel wants to undertake and shall request the City's opinion as to whether the association, interest, or circumstance would, in the opinion of the City, constitute a conflict of interest that is entered into by Outside Counsel. The City shall notify Outside Counsel of its opinion within thirty (30) days of receipt of notification by Outside Counsel. If, in the opinion of the City, the prospective business association, interests, or circumstance would not constitute a conflict of interest by Outside Counsel, the City shall so state in its opinion, and the association, interest or circumstance shall not be deemed to be a conflict of interest with respect to the legal services provided by Outside Counsel.

SECTION 10. Independent Contractor. Outside Counsel is, and shall be in the performance of all work, services, and activities for the City, an independent contractor, and not an employee, agent, or servant of the City. All persons engaged in any of the work or services performed pursuant to this engagement, shall at all times, and in all places, be subject to Outside

Counsel's sole discretion, supervision, and control. Outside Counsel shall exercise control of the means and manner in which it and its employees perform the work, and in all respects, Outside Counsel's relationship and the relationship of its employees to the City shall be that of an independent contractor and not as employees or agents of the City.

SECTION 11. Termination of Legal Services. The City has the right to terminate Outside Counsel's representation upon written notice to Outside Counsel, and said termination shall become effective upon receipt of said notice. Outside Counsel may terminate its representation upon written notice to the City, and said termination shall become effective upon receipt of said notice unless, however, termination by Outside Counsel would prejudice the City in any pending litigation. Upon termination by either party, Outside Counsel shall transfer all work in progress, completed work, and other materials related to the terminated work to the City Attorney's Office. Payment for services already rendered will be paid by the City on a pro-rata basis.

IN WITNESS WHEREOF, the parties hereto have fixed signatures of their authorized officers or partners, as appropriate, as the date and year first above written.

OUTSIDE COUNSEL:

By: 
Jack L. McLean, Jr.
Holland & Knight LLP

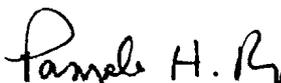
CITY OF RIVIERA BEACH

By: 
Thomas A. Masters, Mayor

ATTEST:

By: 
Carrie E. Ward, MMC
City Clerk

AS TO FORM AND LEGAL SUFFICIENCY:

By: 
Pamela H. Ryan, City Attorney

Date: 7/9/07

RESOLUTION NO. 97--07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE JOB CLASSIFICATION LIST BY CREATING THE UNCLASSIFIED POSITION OF PUBLIC WORKS SUPERINTENDENT UNDER THE ADMINISTRATIVE JOB CLASSIFICATION, AUTHORIZING THAT THE APPROVED 2006-2007 BUDGET BE AMENDED BY DELETING ONE (1) CLASSIFIED POSITION OF EQUIPMENT OPERATOR FROM THE BUDGET AND BY ADDING THE UNCLASSIFIED POSITION OF PUBLIC WORKS SUPERINTENDENT TO THE 2006-2007 PUBLIC WORKS DEPARTMENT BUDGET AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in order to enhance the span of control and improve the efficiency of service delivery by the Department of Public Works it is necessary to restructure the administrative staffing; and

WHEREAS, the position of Public Works Superintendent will be created; and

WHEREAS, one (1) unclassified position of Equipment Operator will be deleted from the Public Works Department's Budget.

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

SECTION 1. That one (1) classified position be deleted from the Public Works Department's Fiscal 2006-2007 Budget as follows:

<u>JOB CLASSIFICATION LIST</u>	<u>POSITION</u>	<u>GRADE</u>	<u>SALARY RANGE</u>
General Employees	Equipment Operator	8	\$29,522 - \$45,789

SECTION 2. That the unclassified position of Public Works Superintendent be created, added to the Job Classification List and added to the Public Works Department's Fiscal 2006-2007 Budget as follows:

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PAGE 2

<u>JOB CLASSIFICATION LIST</u>	<u>POSITION</u>	<u>GRADE</u>	<u>SALARY RANGE</u>
Administrative	Public Works Superintendent	20	\$52,325 - \$78,488

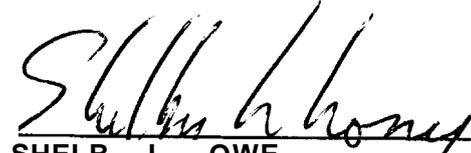
SECTION 3. That the Resolution take effect upon its passage and approval by City Council.

PASSED AND APPROVED this 18TH day of JULY ,2007.

(THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK.)

APPROVED:

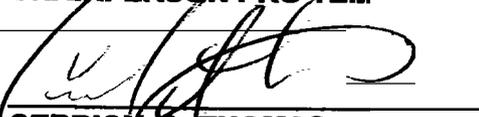

THOMAS A. MASTERS
MAYOR


SHELB L. OWE
CHAIRPERSON

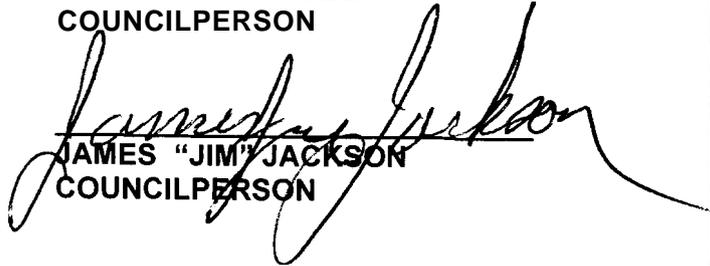

LYNNE L. HUBBARD
CHAIRPERSON PRO TEM

ATTEST:

CARRIE E. WARD
MASTER MUNICIPAL CLERK


CEDRICK A. THOMAS
COUNCILPERSON

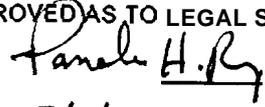

NORMA DUNCOMBE
COUNCILPERSON


JAMES "JIM" JACKSON
COUNCILPERSON

MOTIONED BY: C. THOMAS
SECONDED BY: J. JACKSON

S. LOWE AYE
L. HUBBARD AYE
C. THOMAS AYE
N. DUNCOMBE AYE
J. JACKSON AYE

APPROVED AS TO LEGAL SUFFICIENCY

By:  "

Date: 7/6/07

RESOLUTION NO. 98-07 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING RELIANCE STANDARD TO OFFER SHORT TERM DISABILITY INSURANCE AND LONG TERM DISABILITY INSURANCE TO CITY EMPLOYEES BEGINNING WITH THE 2007-2008 POLICY YEAR; AND AUTHORIZING THE INTERIM FINANCE DIRECTOR TO FACILITATE ALL EMPLOYEE PAYMENTS THROUGH PAYROLL DEDUCTIONS; AND PROVIDING AN EFFECTIVE DATE.

A motion was made by Councilperson Thomas and seconded by Councilperson Jackson to table Resolution No. 98-07.

MOTION TO TABLE

Upon a roll call vote by City Clerk Ward, the motion was approved with Councilpersons Duncombe and Lowe dissenting.

MOTION APPROVED

RESOLUTION NO. 99-07 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING COLONIAL INSURANCE TO PROVIDE SUPPLEMENTAL HEALTH INSURANCE TO CITY EMPLOYEES BEGINNING WITH THE 2007-2008 POLICY YEAR; AND AUTHORIZING THE INTERIM FINANCE DIRECTOR TO FACILITATE ALL EMPLOYEE PAYMENTS THROUGH PAYROLL DEDUCTIONS; AND PROVIDING AN EFFECTIVE DATE.

A motion was made by Councilperson Jackson and seconded by Councilperson Thomas to table Resolution No. 99-07.

MOTION TO TABLE

Upon a roll call vote by City Clerk Ward, the motion was approved with Councilpersons Duncombe and Lowe dissenting.

MOTION APPROVED

RESOLUTION NO. 100-07 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE LEGISLATIVE DIVISION'S 2006-2007 FISCAL YEAR BUDGET BY DELETING TWO (2) CLASSIFIED POSITIONS OF STAFF ASSISTANT, SENIOR, CREATING TWO (2) UNCLASSIFIED POSITIONS OF LEGISLATIVE AIDE AND ADDING THE LEGISLATIVE POSITION TO THE CITY'S ADMINISTRATIVE JOB CLASSIFICATION LIST; AND PROVIDING AN EFFECTIVE DATE.

A motion was made by Chair pro tem Hubbard and seconded by Councilperson Thomas to approve Resolution No. 100-07.

MOTION

A motion was made by Councilperson Thomas and seconded by Councilperson Jackson to table Resolution No. 100-07.

MOTION TO TABLE

Upon a roll call vote by City Clerk Ward, the vote was unanimous.

MOTION APPROVED