

ITEM DELETED DECEMBER 15, 2004

RESOLUTION NO. 205-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY MANAGER TO SUBMIT, ON BEHALF OF THE CITY OF RIVIERA BEACH, AN APPLICATION TO PALM BEACH COUNTY FOR RECEIVING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR ROADWAY RECONSTRUCTION AND TO PRIORITIZE CITY PROJECTS FOR FISCAL YEAR 2005-06; AND PROVIDING AN EFFECTIVE DATE

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

WHEREAS, Palm Beach County is soliciting proposals for its Community Development Block Grant Program for fiscal year 2005-06; and

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

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

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

SECTION 1. That the City Council hereby approves the submission of an application to Palm Beach County for receiving Community Development Block Grant Funds for fiscal year 2005-06.

SECTION 2. That \$240,000 of these funds be used for reconstructing West 30th and West 31st streets in the Northwest Neighborhood Strategy Area.

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

SECTION 4. That New Beginnings Charter School is ranked number 2 for CDBG funding and Lifespan, Inc. is ranked number 3 for CDBG funding.

SECTION 5. That the City Manager is authorized to execute the application.

SECTION 6. That this resolution shall become effective upon its passage.

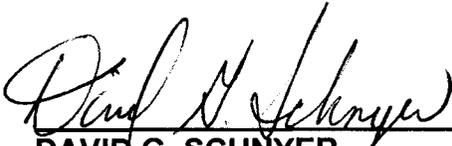
RESOLUTION NO. _____
PAGE 2

PASSED and APPROVED this 15 day of December, 2004.

APPROVED:



MICHAEL D. BROWN,
MAYOR



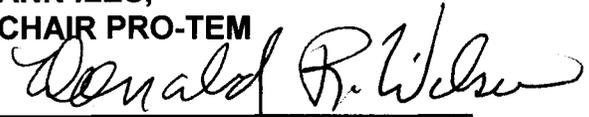
DAVID G. SCHNYER,
CHAIRPERSON

{MUNICIPAL SEAL}



ANN ILES,
CHAIR PRO-TEM

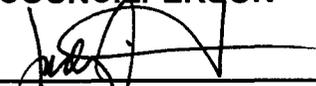
ATTEST:



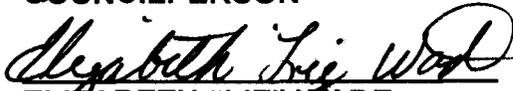
DONALD R. WILSON,
COUNCILPERSON



CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK



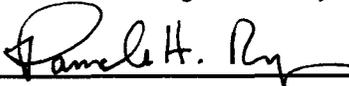
JUDY L. DAVIS,
COUNCILPERSON



ELIZABETH "LIZ" WADE,
COUNCILPERSON

Motioned By: _____
Seconded By: _____

D. Schnyer _____
A. Iles _____
D. Wilson _____
J. Davis _____
E. Wade _____

Reviewed as to Legal Sufficiency


PAMALA HANNA RYAN, CITY ATTORNEY

Date: 12/8/04

RESOLUTION NO. 226-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING PAYMENT IN AN AMOUNT NOT TO EXCEED \$50,000 TO THE LAW FIRM OF GREENBERG TRAURIG, P.A. FOR LEGAL SERVICES RENDERED TO THE CITY IN DEFENDING ADMINISTRATIVE CHALLENGES TO THE CITY'S AMENDED COMPREHENSIVE PLAN; AUTHORIZING THE FINANCE DIRECTOR TO APPROPRIATE FUND BALANCE ACCOUNT NUMBER 001-00-399-999 AND INCREASE CITY ATTORNEY BUDGET ACCOUNT NO.: 001-0613-514-0-3101 BY SAID AMOUNT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in early 2004, city staff retained the services of Alfred J. Malefatto of Greenberg Traurig, P.A., to assist the City in amending its comprehensive plan; and

WHEREAS, on April 7, 2004, the City of Rivera Beach adopted a text amendment to its Comprehensive Plan under "Definitions" in Ordinance No. 2953; and

WHEREAS, on June 17, 2004, the Department of Community Affairs published a Notice of Intent to find the City of Riviera Beach Comprehensive Plan Amendment 04-1 "In Compliance"; and

WHEREAS, Diana G. DiMeo, Gordon E. Rowse, Robbie Butts, and Roger Butts filed objections to the Department of Community Affairs' Notice of Intent to find the City's Comprehensive Plan Amendment 04-1 In Compliance; and,

WHEREAS, Mr. Malefatto represented the City in defending the administrative challenges; and

WHEREAS, after considerable discovery (review of records, depositions) and informal mediation, the Butts' withdrew their challenge; and

WHEREAS, the City entered into formal "court ordered" mediation with Diana G. DiMeo and Gordon E. Rowse regarding their challenge where a stipulated settlement agreement was reached; and,

WHEREAS, Greenberg Traurig has submitted an invoice for services rendered to the City for approximately \$43,000 which includes fees and costs.

RESOLUTION NO. 226-04
PAGE -2-

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

Section 1. That the Finance Director is authorized to make payment in an amount not to exceed \$50,000 to the law firm of Greenberg Traurig, P.A., for legal services rendered to the City in defending the Comprehensive Plan Challenges.

Section 2. That the Finance Director is authorized to appropriate fund balance account number 001-00-399-999 and increase the city attorney budget account number 001-0613-514-0-3101 by said amount.

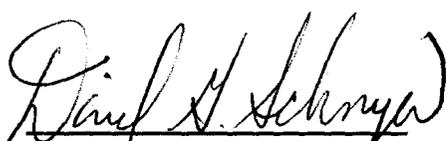
Section 3. This Resolution shall take effect upon its passage and approval by the City Council.

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PASSED and APPROVED this 15 DAY OF December, 2004.

APPROVED:

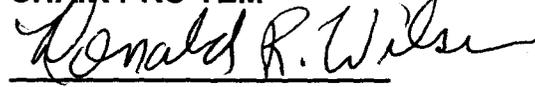

MICHAEL D. BROWN
MAYOR

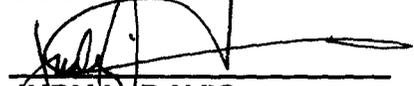

DAVID G. SCHNYER
CHAIRPERSON

Attest:


CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK


ANN ILES
CHAIR PRO TEM


DONALD R. WILSON
COUNCILPERSON


JUDY D. DAVIS
COUNCILPERSON


ELIZABETH "LIZ" WADE
COUNCILPERSON

Motioned by: E. Wade
Seconded by: D. Wilson

D. SCHNYER aye
A. ILES aye
D. WILSON aye
J DAVIS aye
E. WADE aye

PHR:spj (12/03/04)

Approved as to legal sufficiency

By: 
Pamala H. Ryan
City Attorney
Date: 12/3/04

RESOLUTION NO. 227-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE RENEWAL OF THE OFF-SITE PARKING APPLICATION FROM THE SAILFISH MARINA AND THE BUCCANEER RESTAURANT, TO USE 50 PARKING SPACES LOCATED AT 2655 NORTH OCEAN DRIVE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 31-580, of the City of Riviera Beach Code of Ordinances establishes that off-site valet parking may be allowed by petition to the City of Riviera Beach City Council from a business that is located within the Town of Palm Beach Shores; and

WHEREAS, on December 18, 2002, the City Council approved the Sailfish Marina's application to use 50 parking spaces located at 2655 North Ocean Drive, and on December 17, 2003, the City Council renewed the approval; and

WHEREAS, the Sailfish Marina located at 98 Lake Drive has requested renewal of their off-site parking permit; and

WHEREAS, the Buccaneer Restaurant located at 142 Lake Drive have submitted a separate fee and a request to share the 50 parking spaces located at 2655 North Ocean Drive.

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

SECTION 1. The Off-Site Parking Renewal application for the Sailfish Marina is approved for one year beginning December 18, 2004 and expiring December 18, 2005.

SECTION 2. The Sailfish Marina employee's shall follow the approved vehicle route only, attached as Exhibit "A".

SECTION 3. The Off-Site Parking application for the Buccaneer is approved for one year beginning December 18, 2004 and expiring December 18, 2005.

SECTION 4. The Buccaneer employee's shall follow the approved vehicle route for the Sailfish Marina only, attached as Exhibit "A".

SECTION 4. This Resolution shall take effect immediately upon its approval.

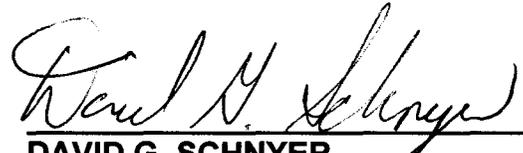
PASSED and APPROVED this 15 day of December, 2004.

RESOLUTION NO. 227-04

PAGE No. 2

APPROVED:

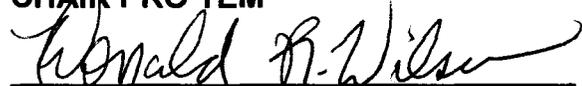

MICHAEL D. BROWN
MAYOR


DAVID G. SCHNYER
CHAIRPERSON

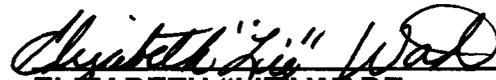
ATTEST:

CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK


ANN ILES
CHAIR PRO TEM


DONALD R. WILSON
COUNCILPERSON


JUDY L. DAVIS
COUNCILPERSON


ELIZABETH "LIZ" WADE
COUNCILPERSON

MOTIONED BY: E. Wade

SECONDED BY: D. Wilson

D. SCHNYER: aye

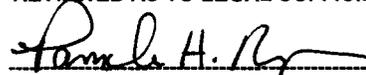
A. ILES: aye

D. WILSON: aye

J. DAVIS: aye

E. WADE: aye

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 12/6/04

RESOLUTION NO. 228-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE RENEWAL OF THE OFF-SITE PARKING APPLICATION FROM THE PALM BEACH SHORES RESORT AND VACATION VILLAS, TO USE 40 PARKING SPACES LOCATED AT 2655 NORTH OCEAN DRIVE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 31-580, of the City of Riviera Beach Code of Ordinances establishes that off-site valet parking may be allowed by petition to the City of Riviera Beach City Council from a business that is located within the Town of Palm Beach Shores; and

WHEREAS, on December 18, 2002, the City Council approved the Palm Beach Shores Resort's (formerly know as the Radisson) application to use 40 parking spaces located at 2655 North Ocean Drive and on December 17, 2003, the City Council renewed the approval; and

WHEREAS, the Palm Beach Shores Resort has requested to renew their off-site parking application.

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

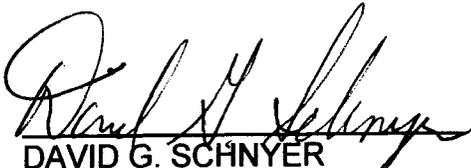
SECTION 1. The Off-Site Parking Renewal application is approved for one year beginning December 18, 2004 and expiring December 18, 2005.

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

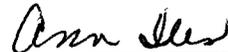
PASSED and APPROVED this 15 day of December, 2004.

APPROVED:

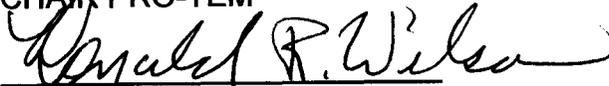

MICHAEL D. BROWN
MAYOR


DAVID G. SCHNYER
CHAIRPERSON

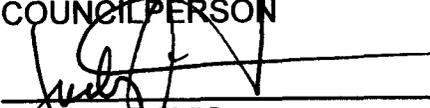
(MUNICIPAL SEAL)

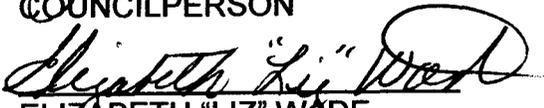

ANN ILES
CHAIR PRO-TEM

ATTEST


DONALD R. WILSON
COUNCILPERSON


CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK


JUDY L. DAVIS
COUNCILPERSON


ELIZABETH "LIZ" WADE
COUNCILPERSON

MOTIONED BY: E. Wade

SECONDED BY: D. Wilson

D. SCHNYER aye

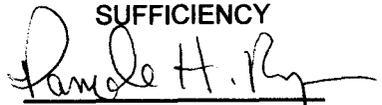
A. ILES aye

D. WILSON aye

J. DAVIS aye

E. WADE aye

REVIEWED AS TO LEGAL
SUFFICIENCY


CITY ATTORNEY
CITY OF RIVIERA BEACH

Date 12/15/04

RESOLUTION NO. 229-04

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 WITH R.G. GROUP, INC., d/b/a/ TIKI WATERFRONT SEA GRILL TO OPERATE A RESTAURANT FROM THE CITY OF RIVIERA BEACH MUNICIPAL MARINA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Riviera Beach wishes to enter into a new lease agreement with R.G.Group, Inc., d/b/a/ Tiki Waterfront Sea Grill; and

WHEREAS, the lease agreement will allow Keith Ragon and Robert Gregory to utilize space at the Riviera Beach Municipal Marina to operate R.G.Group, Inc., d/b/a/ Tiki Waterfront Sea Grill, a restaurant, lounge and store; and

WHEREAS, the lease agreement will become effective on January 1, 2005.

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

Section 1. That the City Council approves the lease agreement with R.G.Group, Inc., d/b/a/ Tiki Waterfront Sea Grill.

Section 2. That the Mayor and City Clerk are authorized to execute the agreement on behalf of the City.

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

PASSED AND APPROVED this 15 day of December 2005.

RESOLUTION NO. 230-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING DONATIONS FROM VARIOUS CONTRIBUTORS FOR HURRICANE RELIEF AND SETTING UP BUDGET FOR SAME IN FUND 130 DONATIONS ACCOUNT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City has received donations from various companies for Hurricane relief; and

WHEREAS, the City has a policy that for any donation over \$1500, the funds have to be accepted by the City Council and a budget has to be set up; and

WHEREAS, it is now necessary to set up a budget at this time.

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

SECTION 1. That the City Council accepts donations for Hurricane Relief.

SECTION 2. That the Finance Director is authorized to set up the budget in the Donations Fund for post Hurricane Relief efforts.

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

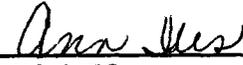
PASSED AND APPROVED this 15 day of December 2004.

APPROVED:


MICHAEL D. BROWN
MAYOR


DAVID G. SCHNYER
CHAIRPERSON

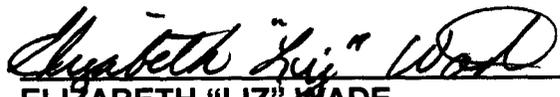
(MUNICIPAL SEAL)


ANN ILES
CHAIR PRO-TEM


DONALD R. WILSON
COUNCILPERSON

ATTEST:


CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK


ELIZABETH "LIZ" WADE
COUNCILPERSON


JUDY L. DAVIS
COUNCILPERSON

MOTIONED BY: E. Wade

SECONDED BY: D. Wilson

D. SCHNYER aye

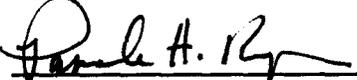
A. ILES aye

D. WILSON aye

E. WADE aye

J. DAVIS aye

REVIEWED AS TO LEGAL SUFFICIENCY


CITY ATTORNEY
CITY OF RIVIERA BEACH

DATE: 12/7/04

BY: _____
REVIEWED AS TO TERMS AND CONDITIONS

RESOLUTION NO. 231-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE FINANCE DIRECTOR TO REAPPROPRIATE FUND BALANCE FROM THE GENERAL FUND ACCOUNT NO. 001-00-399999 AND TRANSFER FUNDS TO THE PROFESSIONAL SERVICES ACCOUNT NO. 001-0717-515-0-3106 FOR SERVICES BY ASSET PROPERTY DISPOSITION (APD), INC. FOR THE PREPARATION OF SECTOR PLANS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Riviera Beach invited consultants to submit Request for Proposal (RFP) to prepare a sector plan for four areas of the City; and

WHEREAS, APD, Inc., was selected to prepare the sector plans for the City; and

WHEREAS, funds must be carried over from last fiscal year to pay APD, Inc. for its services.

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 Finance Director is authorized to reappropriate fund balance in the general fund Account No. 001-00-399999 and transfer funds to the Professional Services Account No. 001-0717-515-0-3106 in the amount of \$74,901 for payment of service to APD, Inc.

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

*****THE REMAINING SECTION OF THIS PAGE IS LEFT BLANK INTENTIONALLY*****

PASSED and APPROVED this 15 day of December, 2004.

APPROVED:



MICHAEL D. BROWN
MAYOR



DAVID G. SCHNYER
CHAIRPERSON

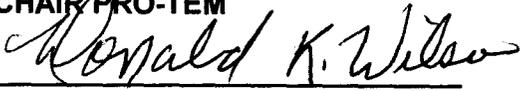
ATTEST:



GARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



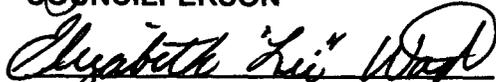
ANN ILES
CHAIR PRO-TEM



DONALD R. WILSON
COUNCILPERSON



JUDY L. DAVIS
COUNCILPERSON

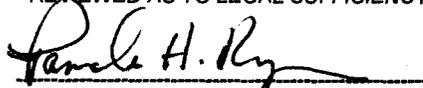


ELIZABETH "LIZ" WADE
COUNCILPERSON

MOTIONED BY: E. Wade
SECONDED BY: D. Wilson

D. SCHNYER: aye
A. ILES: aye
D. WILSON: aye
J. DAVIS: aye
E. WADE: aye

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 12/13/04

RESOLUTION NO. 232-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA ESTABLISHING A BUDGET IN THE AMOUNT OF \$27,000 FOR THE ANNUAL DR. MARTIN LUTHER KING, JR. BIRTHDAY OBSERVANCE ACTIVITIES; AUTHORIZING THE TRANSFER OF \$5,000 FROM GENERAL FUND CONTINGENCY ACCOUNT #001-0203-519-0-5999 TO THE DONATIONS FUND (130); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Dr. Martin Luther King, Jr. (MLK) committee has prepared and submitted to the City Council, with the City Manager's approval, the schedule of activities for the 2005 Dr. Martin Luther King, Jr. Birthday Celebration, commencing January 5, 2005 and ending January 22, 2005, that includes the renowned Bethune Cookman College band (BCC) participating in the parade and the battle of the Bands extravaganza; and

WHEREAS, the committee has been meeting and has determined that the amount of \$27,000 is necessary to operate the event and a total of \$27,000 needs to be raised to offset the original City budget of \$5,000; and

WHEREAS, the City has set aside \$5,000 of funding for this event in the General Fund, General Administration – Contingency Account; and

WHEREAS, additional funding will be raised through activities, fees for the parade, ads for the souvenir journal, and corporate sponsors.

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

SECTION 1. The Finance Director is hereby authorized to transfer \$5,000 from the General Fund Contingency Account #001-0203-519-0-5999 to the Donations Fund.

SECTION 2. The Finance Director is hereby authorized to set up a budget in the Donations Fund (130) as follows:

Resolution No. 232-04

Page 2

REVENUES:

130347216 -	MLK Activity Fees	\$22,000
130381001 -	Transfer from General Fund	<u>\$ 5,000</u>
	TOTAL	\$27,000

EXPENDITURES:

130123557203106 -	Professional Services	\$13,000
130123557204701 -	Printing and Binding	\$ 4,000
130123557205201 -	Operating Supplies	<u>\$ 10,000</u>
	TOTAL	\$27,000

PASSED and APPROVED this 15 day of December, 2004

APPROVED:

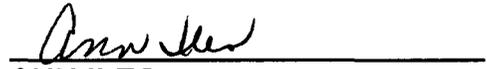


MICHAEL D. BROWN
MAYOR

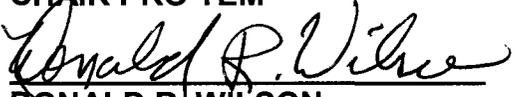


DAVID G. SCHNYER
CHAIRPERSON

(MUNICIPAL SEAL)



ANN ILES
CHAIR PRO TEM



DONALD R. WILSON
COUNCIL PERSON

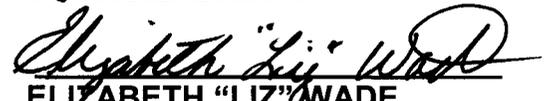
ATTEST:



CARRIE E. WARD
MASTER MUNICIPAL CLERK



JUDY L. DAVIS
COUNCILPERSON



ELIZABETH "LIZ" WADE
COUNCILPERSON

MOTIONED BY: _____ aye

SECONDED BY: _____ aye

D. SCHNYER _____ aye

A. ILES _____ aye

D. WILSON _____ aye

J. DAVIS _____ aye

E. WADE _____ aye

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA H. RYAN, CITY ATTORNEY

DATE: 12/13/04

RESOLUTION NO. 233-04

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, "SHADOW", IN THE AMOUNT OF \$1.00 AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE; AND PROVIDING AN EFFECTIVE DATE.

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

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

WHEREAS, K-9 Shadow 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 "Shadow".

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 Shadow.

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

RESOLUTION NO. 233-04-1

PAGE 2

APPROVED:

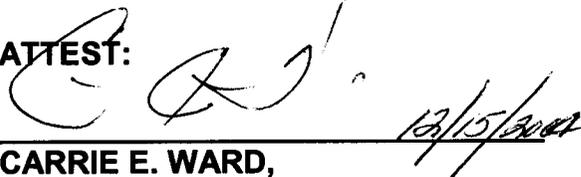


MICHAEL D. BROWN
MAYOR

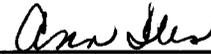


DAVID G. SCHNYER
CHAIRPERSON

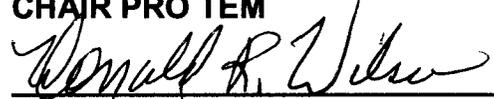
ATTEST:

 12/15/04

CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK



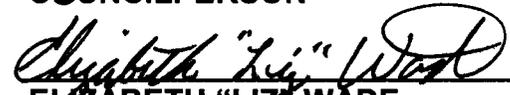
ANN ILES
CHAIR PRO TEM



DONALD R. WILSON
COUNCILPERSON



JUDY L. DAVIS
COUNCILPERSON



ELIZABETH "LIZ" WADE
COUNCILPERSON

MOTIONED BY: E. Wade

SECONDED BY: D. Wilson

D. SCHNYER: aye

A. ILES: aye

D. WILSON: aye

J. DAVIS: aye

E. WADE: aye

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 11/5/04

RESOLUTION NO. 234-04

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF RIVIERA BEACH, PALM BEACH
COUNTY, FLORIDA, APPROVING THE SITE
PLAN APPLICATION FOR 283 UNITS
LOCATED AT 3100 NORTH OCEAN DRIVE
WITH SPECIFIC CONDITIONS; AND
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 declares that the proposed site plan meets the requirements for Site Plan review and finds that the development will be a viable addition to the community; and

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

WHEREAS, the Zoning Board of Adjustment met on October 19, 2004, to consider three variance applications for the proposed site plan and voted to approve the requested variances; and

WHEREAS, the Planning & Zoning Board met on November 18, 2004, 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) for 283 units (63 permanent residential units, 60 resort hotel suites and 160 hotel rooms) located at 3100 North Ocean Drive is approved with the following conditions:

1. The developer shall participate in the Minority Employment and Affordable Housing Opportunities Code by contributing \$570,000 dollars to the City of Riviera Beach Housing Trust Fund by 7 June 15, 2005.
2. Construction must be initiated within 18 months of the effective date of this resolution in accordance with Section 31-60(a), of the City Code of Ordinances.

RESOLUTION NO. 234-04
PAGE 2

3. All future advertising must state that the development is in the City of Riviera Beach. A fine of \$250 per day will be levied against the property owner for violation of this condition.
4. The developer shall provide the City with a \$100,000 dollar contribution to the Blue Heron / A1A Beautification fund by June 15, 2005.
5. The developer shall maintain a valid occupational license from the City of Riviera Beach for the Resort Hotel portion of the development.
6. The developer shall obtain licensing from the Department of Health, the Department of Business and Professional Regulation, and the Division of Hotels and Restaurants for the Resort Hotel portion of the development.

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 this 15 day of October, 2004.

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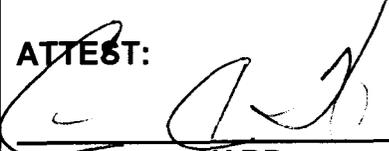
APPROVED:



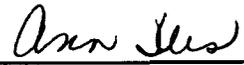
MICHAEL D. BROWN
MAYOR



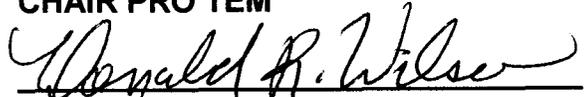
DAVID G. SCHNYER
CHAIRPERSON

ATTEST:


CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK



ANN ILES
CHAIR PRO TEM



DONALD R. WILSON
COUNCILPERSON



JUDY L. DAVIS
COUNCILPERSON



ELIZABETH "LIZ" WADE
COUNCILPERSON

MOTIONED BY: D. Wilson

SECONDED BY: E. Wade

D. SCHNYER: aye

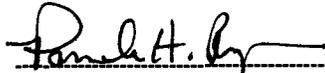
A. ILES: aye

D. WILSON: aye

J. DAVIS: aye

E. WADE: aye

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 12/6/04

RESOLUTION NO. 235-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SITE PLAN APPLICATION FROM AVENUE "A" LLC, FOR 24 MULTI-FAMILY RESIDENTIAL UNITS LOCATED AT 3139 AVENUE "A" (LAKE SHORE DRIVE) WITH SPECIFIC CONDITIONS; AND 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 declares that the proposed site plan meets the requirements for Site Plan review and finds that the development will be a viable addition to the community; and

WHEREAS, the City Council finds that the proposed site plan is consistent with the adopted City of Riviera Beach Comprehensive Plan, and the amended CRA Plan; and

WHEREAS, the Planning & Zoning Board met on October 28, 2004, to review the site plan application and made a recommendation to the City Council for approval of the Site Plan application; and

WHEREAS, the Community Redevelopment Board met on November 10, 2004, to review the site plan application and made a recommendation to the City Council for approval of the Site Plan application; and

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) for 24 multi-family residential units located at 3139 Avenue "A", also know as Lake Shore Drive is approved with the following conditions:

1. Construction must be initiated within 18 months of the effective date of this resolution in accordance with Section 31-60(a), of the City Code of Ordinances.
2. All future advertising must state that the development is in the City of Riviera Beach. A fine of \$250 per day will be levied against the property owner for violation of this condition.

RESOLUTION NO. 235-04
PAGE 2

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 adoption of the related Ordinance amending the Community Redevelopment Plan.

PASSED and APPROVED this 17th day of December, 2004.

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RESOLUTION NO. 235-04
PAGE No. 3

APPROVED:

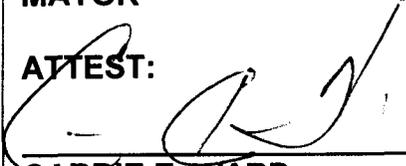


MICHAEL D. BROWN
MAYOR

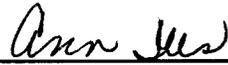


DAVID G. SCHNYER
CHAIRPERSON

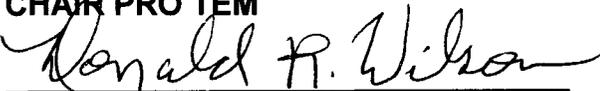
ATTEST:



GARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK



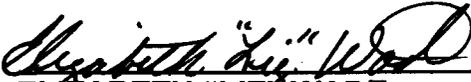
ANN ILES
CHAIR PRO TEM



DONALD R. WILSON
COUNCILPERSON



JUDY L. DAVIS
COUNCILPERSON



ELIZABETH "LIZ" WADE
COUNCILPERSON

MOTIONED BY: J. Davis

SECONDED BY: E. Wade

D. SCHNYER: out

A. ILES: aye

D. WILSON: aye

J. DAVIS: aye

E. WADE: aye

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 12/6/04

RESOLUTION NO. 236-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AGREEING TO IMPLEMENT A PUBLIC PARTICIPATION POLICY AS PER A STIPULATED AGREEMENT IN THE MATTER OF DIANA DiMEO AND GORDON ROWSE, PETITIONERS VERSUS THE DEPARTMENT OF COMMUNITY AFFAIRS, RESPONDENT AND THE CITY OF RIVIERA BEACH, INTERVENOR, CHALLENGING THE CITY OF RIVIERA BEACH COMPREHENSIVE PLAN AMENDMENT (04-1) ADOPTED BY ORDINANCE NUMBER 2953; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on April 7, 2004, the City of Rivera Beach adopted a text amendment to its Comprehensive Plan under "Definitions" in Ordinance No. 2953; and

WHEREAS, on June 17, 2004, the Department of Community Affairs published a Notice of Intent to find the City of Riviera Beach Comprehensive Plan Amendment 04-1 "In Compliance"; and

WHEREAS, Diana G. DiMeo and Gordon E. Rowse filed an objection to the Department of Community Affairs Notice of Intent to find the City's Comprehensive Plan Amendment 04-1 In Compliance; and,

WHEREAS, the City entered into mediation with Diana G. DiMeo and Gordon E. Rowse regarding their objection; and,

WHEREAS, in the mediation Diana G DiMeo and Gordon E. Rowse requested that the City adopt a policy on public participation on Singer Island; and,

WHEREAS, the City has entered into a Stipulated Settlement Agreement with Diana G. DiMeo and Gordon E. Rowse concerning the implementation of public participation policy language.

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 agrees to the Policy Language Stipulated at the mediation held on November 22, 2004.

SECTION 2. That the following policy is hereby adopted for Public Participation on Singer Island:

For development projects in the Singer Island area of the City of Riviera Beach which must be approved by the City Council, developers must hold a meeting open to the public. Invitees shall include Singer Island condominium associations, Singer Island homeowners associations, and other community organizations, as well as the general public. The Developer shall send notice by U.S. Mail two weeks prior to the meeting, to the above noted organizations and shall be responsible for posting notice at Riviera Beach City Hall. The purpose of the meeting is to obtain public comment and input regarding the design and density/intensity of the subject development project.

Developers must provide a written report of the meeting to include meeting minutes, a list of participants, and a summary of comments made regarding the project to the City and Planning and Zoning Board prior to any planning and zoning meeting to consider approval of the project. Meeting participants may also provide their comments to the City and Planning and Zoning Board prior to the Planning and Zoning Board meeting.

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

PASSED and APPROVED this 15 day of December, 2004.

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APPROVED:



MICHAEL D. BROWN
MAYOR

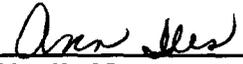


DAVID G. SCHNYER
CHAIRPERSON

ATTEST:



CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK



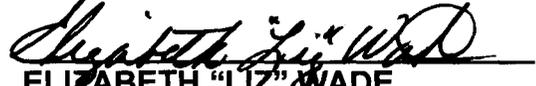
ANN ILES
CHAIR PRO-TEM



DONALD R. WILSON
COUNCILPERSON



JUDY L. DAVIS
COUNCILPERSON



ELIZABETH "LIZ" WADE
COUNCILPERSON

MOTIONED BY: E. Wade

SECONDED BY: J. Davis

D. SCHNYER: aye

A. ILES: aye

D. WILSON: aye

J. DAVIS: aye

E. WADE: aye

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 12/8/04

RESOLUTION NO. 237-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA; ACCEPTING FUNDS IN THE AMOUNT OF \$11,750.00 FROM THE BUREAU OF JUSTICE ASSISTANCE, FOR PARTICIPATING IN THE BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM; APPROPRIATING FUND BALANCE IN THE LAW ENFORCEMENT TRUST FUND IN THE AMOUNT OF \$11,750.00; AUTHORIZING THE TRANSFER OF THE REQUIRED CASH MATCH TOTALING \$11,750.00 FROM THE LAW ENFORCEMENT TRUST FUND; AUTHORIZING THE FINANCE DIRECTOR TO SET UP FOR THE SAME AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the U. S. Department of Justice, Bureau of Justice Assistance (BJA) has established the Bulletproof Vest Partnership Grant Program; and

WHEREAS, the grant program will provide funds to help purchase bulletproof vests for law enforcement officers; and

WHEREAS, the City of Riviera Beach has applied for a grant to purchase thirty-five (35) vests; and

WHEREAS, the City has been awarded grant funds in the amount of \$11,750.00 with a cash match of \$11,750.00

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

SECTION 1. The staff is authorized to accept grant funds in the amount of \$11,750.00 from the Bureau of Justice Assistance.

SECTION 2. The Finance Director is authorized to appropriate fund balance in the amount of \$11,750.00 in the Law Enforcement Trust Fund and authorized to transfer the required cash match of \$11,750.00 from the Law Enforcement Trust Fund to Bulletproof Vest Partnership Grant Program.

SECTION 3. The Finance Director is authorized to set up a budget for the Bulletproof Vest Partnership Grant Program as follows:

Revenue

155-00-331217	Federal Grant (BJA)	\$11,750.00
155-00-381150	Federal Grant (Cash Match)	\$11,750.00
Total		\$23,500.00

RESOLUTION NO. 237-04
PAGE 2

Expenditures		
155-0817-521-0-5209	Bulletproof Vests	\$23,500.00

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

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PASSED AND APPROVED this 15 day of December, 2004.

APPROVED:



MICHAEL D. BROWN
MAYOR

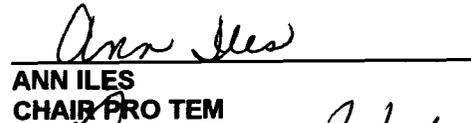


DAVID G. SCHNYER
CHAIRPERSON

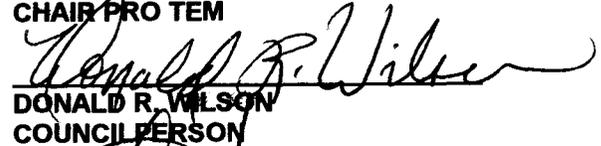
ATTEST:



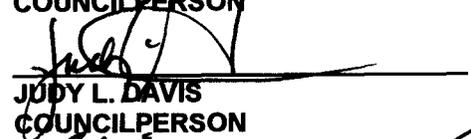
CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK



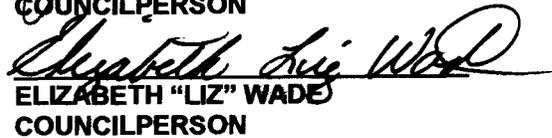
ANN ILES
CHAIR PRO TEM



DONALD R. WILSON
COUNCILPERSON



JUDY L. DAVIS
COUNCILPERSON



ELIZABETH "LIZ" WADE
COUNCILPERSON

MOTIONED BY: E. Wade

SECONDED BY: D. Wilson

D. SCHNYER: aye

A. ILES: aye

D. WILSON: aye

J. DAVIS: aye

E. WADE: aye

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 11/15/04

RESOLUTION NO. 238-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA APPROVING THE USE OF PROFESSIONAL REAL ESTATE BROKERS TO ACT AS PURCHASE AGENTS OF THE CITY IN ACQUIRING VACANT RESIDENTIALLY ZONED LOTS FOR THE DEVELOPMENT OF INFILL HOUSING CONSISTENT WITH THE CITY'S INFILL HOUSING STRATEGY. THE 3% REAL ESTATE COMMISSION WILL BE PAID BY THE SELLER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Riviera Beach has created a redevelopment strategy for the portions of the City outside the CRA; and

WHEREAS, the City of Riviera Beach has approximately 259 vacant buildable lots; and

WHEREAS, the implementation of an infill housing program removes blight in the City; and

WHEREAS, the implementation of an Infill Housing Program provides attainable housing for the residents of Riviera Beach and Palm Beach County; and

WHEREAS, the timely acquisition of the vacant property is key to providing attainable housing to households.

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

SECTION 1. That the City Council approves the use of professional real estate brokers to acquire property for the City's Infill Housing Strategy.

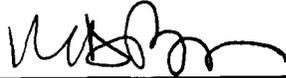
SECTION 2. The City staff is authorized to pass on the cost of the real estate commission to the seller.

SECTION 3. The City will have a letter of agreement with the real estate broker to charge no more than 3% to the seller.

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

PASSED and APPROVED this 15 day of December, 2004.

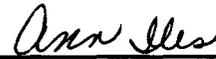
APPROVED:



**MICHAEL D. BROWN
MAYOR**



**DAVID G. SCHNYER
CHAIRPERSON**



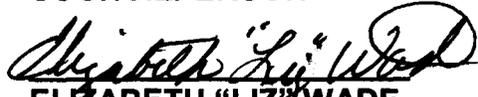
**ANN ILES
CHAIR PRO TEM**



**DONALD R. WILSON
COUNCILPERSON**



**JUDY L. DAVIS
COUNCILPERSON**



**ELIZABETH "LIZ" WADE
COUNCILPERSON**

Attest:



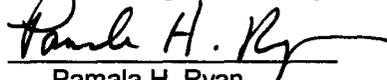
**CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK**

Motioned by: E. Wade
Seconded by: D. Wilson

D. SCHNYER aye
A. ILES aye
D. WILSON aye
J DAVIS aye
E. WADE aye

(PDW.120304)

Approved as to legal sufficiency

By: 

Pamala H. Ryan
City Attorney

Date: 12/10/04

RESOLUTION NO. 239-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE PAYMENT OF \$210,000 TO THE PORT OF PALM BEACH IN ACCORDANCE WITH SECTION 8 OF THE APRIL 17, 2001 INTERLOCAL AGREEMENT FOR ROADWAY IMPROVEMENTS TO 13TH STREET RELATED TO THE PORT'S CRUISE TERMINAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on April 17, 2001, the City of Riviera Beach entered into an Interlocal Agreement with the Port of Palm Beach and Palm Beach County for the financing of roadway improvements on 13th Street, 11th Street and Avenue C related to the construction of the Port's new cruise terminal; and

WHEREAS, Section 8B of the April 17, 2001 Interlocal Agreement states that the City and the Port shall each pay one-half (½) of the Additional Cost Contingency. The term Additional Cost Contingency means ten percent (10%) of the projected cost of \$8.4 Million Dollars, or \$840,000; and

WHEREAS, Palm Beach County, per the Addendum to the 13th Street Interlocal Agreement, has agreed to contribute up to \$1,000,000 to be matched with funds from the State of Florida Fast Track Grant funds, and the City and the Port have agreed to contribute \$420,000 each.

WHEREAS, the on August 20, 2003, the City Council adopted Resolution No. 176-03, which approved the appropriation of \$210,000 from General Fund for the City's share of the Additional Cost Contingency for the improvements to 13th Street in accordance with Section 8B of the April 17, 2001 (Amended August 2003) Interlocal Agreement with the Port of Palm Beach.

WHEREAS, the Port is requesting reimbursement of the City's share of the Additional Cost Contingency (\$210,000) in accordance with Section 8B of the April 17, 2001 (Amended August 2003) Interlocal Agreement with the Port of Palm Beach.

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

Section 1.

RESOLUTION NO. 239-04

PAGE 2

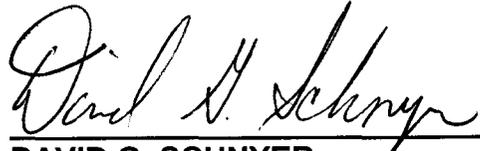
Section 1. That the Finance Director is authorized to submit to the Port of Palm Beach the City's share of the "Additional Cost Contingency" in the amount of \$210,000 per Section 8B of the April 17, 2001 Interlocal Agreement (amended August 2003).

Section 2. This resolution shall take effect immediately upon its approval.

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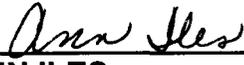
APPROVED:


MICHAEL D. BROWN
MAYOR


DAVID G. SCHNYER
CHAIRPERSON

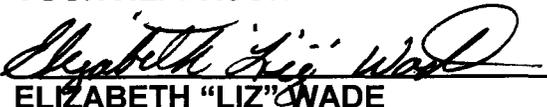
ATTEST:


CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK


ANN ILES
CHAIR PRO TEM


DONALD R. WILSON
COUNCILPERSON


JUDY L. DAVIS
COUNCILPERSON


ELIZABETH "LIZ" WADE
COUNCILPERSON

MOTIONED BY: E. Wade

SECONDED BY: D. Wilson

D. SCHNYER: aye

A. ILES: aye

D. WILSON: aye

J. DAVIS: aye

E. WADE: aye

REVIEWED AS TO LEGAL SUFFICIENCY

PAMALA HANNA RYAN, CITY ATTORNEY

DATE: _____

RESOLUTION NO. 240-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDING THE CONTRACT TO CIRCLE OF ONE MARKETING OF MIAMI, FLORIDA FOR MARKETING CONSULTANT SERVICES FOR THE CITY OF RIVIERA BEACH FIFTH ANNUAL JAZZ AND BLUES FESTIVAL AT A COST NOT TO EXCEED \$70,000, AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT; AND FURTHER AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT FROM ACCOUNT NO. 135-0202-572-0-4904; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Riviera Beach requires the services of a professional marketing firm to produce and manage all marketing activities for the upcoming 5th Annual City of Riviera Beach Jazz and Blues Festival; and,

WHEREAS, Circle of One Marketing, Inc. is sufficiently qualified to provide the needed services.

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 accepts the proposal of Circle of One Marketing, Inc. to provide marketing consulting services for the 5th Annual City of Riviera Beach Jazz and Blues Festival.

SECTION 2. That the Mayor and City Clerk are authorized to execute an agreement with Circle of One Marketing, Inc. of Miami, Florida for Marketing Consulting Services.

SECTION 3. The City Council authorizes the Finance Director to make payments in an amount not to exceed \$70,000 from the Advertising/Marketing Account No. 135-0202-572-0-4904.

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

PASSED AND ADOPTED this 15 day of December, 2004.

APPROVED:

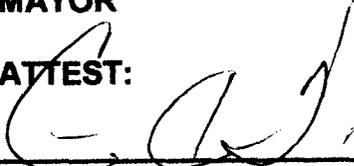


**MICHAEL D. BROWN
MAYOR**

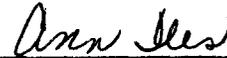


**DAVID G. SCHNYER
CHAIRPERSON**

ATTEST:



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



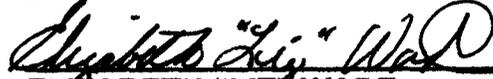
**ANN ILES
CHAIR PRO TEM**



**DONALD R. WILSON
COUNCILPERSON**



**JUDY L. DAVIS
COUNCILPERSON**



**ELIZABETH "LIZ" WADE
COUNCILPERSON**

MOTIONED BY: D. Wilson

SECONDED BY: E. Wade

D. SCHNYER: aye

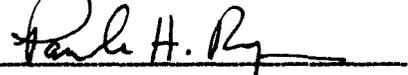
A. ILES: aye

D. WILSON: aye

J. DAVIS: aye

E. WADE: aye

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 12/13/04

RESOLUTION NO. 241-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE FINANCE DIRECTOR TO APPROPRIATE THE FUND BALANCE IN THE LAW ENFORCEMENT TRUST FUND ACCOUNT NUMBER 150-0817-521-0-8301 TO FUND THE POLICE DEPARTMENT'S HOLIDAY SEASON CRIME PREVENTION HOLIDAY TASK FORCE PROGRAM AND DEPLOYMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Police Department seeks funding to implement a major holiday season crime prevention initiative; and

WHEREAS, the Police Department recognizes that the holiday season has historically provided a target rich environment for would be criminals and criminal activity, and

WHEREAS, the Police Chief seeks to implement law enforcement efforts designed to prevent, thus decrease criminal activity, and

WHEREAS, this request is consistent with the provisions of Florida State Statute §932.7055.

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 approves the Holiday Crime Prevention initiative as set forth by the Police Department, and that said deployment shall continue until January 31, 2005.

SECTION 2: The City Council authorizes the Finance Director to appropriate the fund balance from the Law Enforcement Trust Fund for this expenditure as follows: Revenue from **150-0817-521-0-8301** Law Enforcement Trust Fund in the amount of \$11,500.00

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

RESOLUTION NO. 241-04

PAGE -2-

PASSED and APPROVED this 15 DAY OF December, 2004.

APPROVED:



MICHAEL D. BROWN
MAYOR



DAVID G. SCHNYER
CHAIRPERSON

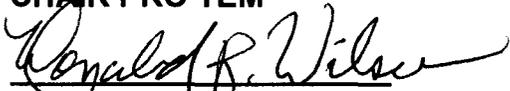
Attest:



CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



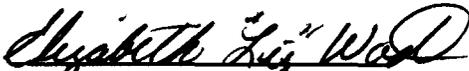
ANN ILES
CHAIR PRO TEM



DONALD R. WILSON
COUNCILPERSON



JUDY L. DAVIS
COUNCILPERSON



ELIZABETH "LIZ" WADE
COUNCILPERSON

Motioned by: D. Wilson

Seconded by: E. Wade

D. SCHNYER aye

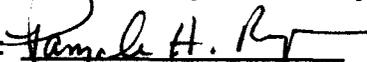
A. ILES aye

D. WILSON aye

J DAVIS aye

E. WADE aye

Approved as to legal sufficiency

By: 

Pamala H. Ryan
City Attorney

Date: 12/7/04

RESOLUTION NO. 242-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE KIMLEY-HORN & ASSOCIATES WORK ORDER NO. 13 TO PREPARE TRANSPORTATION STUDIES PER FLORIDA DEPARTMENT OF TRANSPORTATION LOCAL AGENCY PROGRAM AGREEMENT FM NO. 413380-1-14-01 IN THE AMOUNT OF \$297,392; AUTHORIZING THE FINANCE DIRECTOR TO APPROPRIATE \$297,392 FROM GENERAL FUND FUND BALANCE ACCOUNT NO. 001-00-3999999 TO PROFESSIONAL SERVICES ACCOUNT 001-0717-515-0-3106; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, On May 7, 2003, the City of Riviera Beach entered into a Local Agency Program Agreement (LAP) with the Florida Department of Transportation (FDOT) for Transportation Studies to be prepared for the City in the reimbursable amount of \$297,392; and

WHEREAS, On April 9, 2004, the Florida Department of Transportation provided the City with the Notice to Proceed for the Transportation Study Plan; and

WHEREAS, The City has an agreement with Kimley-Horn and Associates for engineering and transportation consulting services; and

WHEREAS, The City desires to execute Kimley-Horn and Associates (KHA) Work Order #13 for Transportation Planning in accordance with FDOT LAP 413380-1-14-01;

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 Manager is authorized to execute KHA Work Order #13 in the amount of \$297,292 to be fully reimbursed by the FDOT per LAP 413380-1-14-01.

SECTION 2. That the Finance Director is authorized to appropriate \$297,392 from General Fund Fund Balance Account No. 001-00-3999999 to Professional Services Account No. 001-0717-515-0-3106.

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

PASSED AND APPROVED THIS 15TH DAY OF DECEMBER, 2004.

RESOLUTION NO. 242-04
PAGE 2

APPROVED:

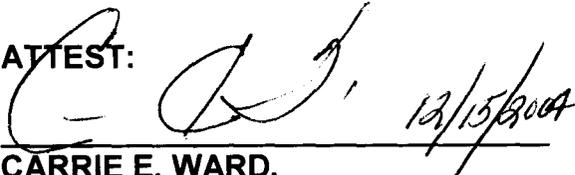


MICHAEL D. BROWN
MAYOR



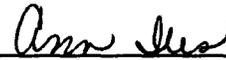
DAVID G. SCHNYER
CHAIRPERSON

ATTEST:

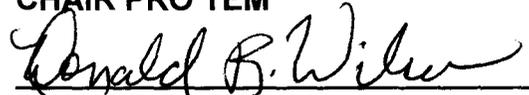


12/15/04

CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK



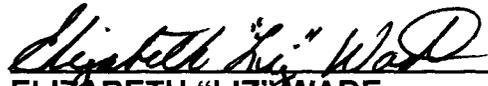
ANN ILES
CHAIR PRO TEM



DONALD R. WILSON
COUNCILPERSON



JUDY L. DAVIS
COUNCILPERSON



ELIZABETH "LIZ" WADE
COUNCILPERSON

MOTIONED BY: D. Wilson

SECONDED BY: E. Wade

D. SCHNYER: aye

A. ILES: aye

D. WILSON: aye

J. DAVIS: aye

E. WADE: aye

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 12/9/04

RESOLUTION NO. 244-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, AUTHORIZING AMENDMENT TO THE CURRENT EMPLOYMENT CONTRACT FOR WILLIAM E. WILKINS, CITY MANAGER TO EFFECT AN ANNUAL SALARY INCREASE OF 5.5% EFFECTIVE NOVEMBER 1, 2004 THROUGH OCTOBER 31, 2005; AND TO PROVIDE A BONUS FOR ADDITIONAL DUTIES ASSIGNED AS THE COMMUNITY REDEVELOPMENT AGENCY'S (CRA's) EXECUTIVE DIRECTOR FOR THE PERIOD AUGUST, 2003 THROUGH OCTOBER, 2004, IN THE AMOUNT OF \$40,000; AND APPROPRIATING FUND BALANCE AND INCREASING THE CITY MANAGER'S BUDGET.

WHEREAS, William E. Wilkins has an employment contract as City Manager of the City of Riviera Beach, Florida, pursuant to the Charter of the City of Riviera Beach, and the laws of the State of Florida, and

WHEREAS, Section 1) of the employment contract, "**Employment and Salary**" provides for an annual increase in salary for the City Manager effective the anniversary date of his contract.

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

Section 1. That the annual salary for William E. Wilkins be increased from \$125,340.33 to \$132,234.05 effective November 1, 2004.

Section 2. That William E. Wilkins be granted a bonus in the amount of \$40,000 in consideration for performing additional duties assigned as the CRA's Interim Executive Director for the period August, 2003 through October, 2004.

Section 3. That the Finance Director is authorize to appropriate Fund Balance in the amount of \$47,031.59 and increase the budget of the City Manager's Department accordingly.

Section 3. That this Resolution shall take effect upon passage.

PASSED and APPROVED this 15th day of December, 2004.

APPROVED:

[Signature]
MICHAEL D. BROWN
MAYOR

[Signature]
DAVID G. SCHNYER
CHAIRPERSON

(MUNICIPAL SEAL)

[Signature]
ANN ILES
CHAIR, PRO-TEM

ATTEST

[Signature]
DONALD R. WILSON
COUNCILPERSON

[Signature]
CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK

[Signature]
JUDY L. DAVIS
COUNCILPERSON

[Signature]
ELIZABETH "LIZ" WADE
COUNCILPERSON

MOTIONED BY: Davis

SECONDED BY: Wade

D. SCHNYER Aye

A. ILES Aye

D. WILSON Aye

J. DAVIS Aye

E. WADE Aye

REVIEWED AS TO LEGAL
SUFFICIENCY

[Signature]
CITY ATTORNEY
CITY OF RIVIERA BEACH

Date 12/15/04

RESOLUTION NO. 245-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN ASSIGNMENT OF REAL ESTATE LEASE AND AGREEMENT WITH THE U.S. SMALL BUSINESS ADMINISTRATION FOR PROPERTY LEASED TO OUR NEXT STEPS, INC.

WHEREAS, the City has entered into a Lease Agreement with Our Next Steps, Inc. for property located at the former Riviera Beach Elementary School site on West 12th Street; and

WHEREAS, Our Next Steps, Inc. has applied for a Small Business Administration Loan to improve its property; and

WHEREAS, the Small Business Administration requires an Assignment of Real Estate Lease as a condition for the approval of this loan.

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

Section 1. That the Mayor and City Clerk are hereby authorized to execute an Assignment of Real Estate Lease and Agreement.

Section 2. That this Resolution shall take effect upon its passage.

PASSED and APPROVED this 15 day of December, 2004.

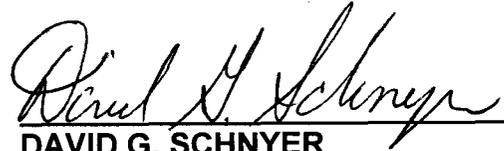
RESOLUTION NO. _____

PAGE No. 2

APPROVED:



MICHAEL D. BROWN
MAYOR

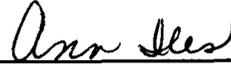


DAVID G. SCHNYER
CHAIRPERSON

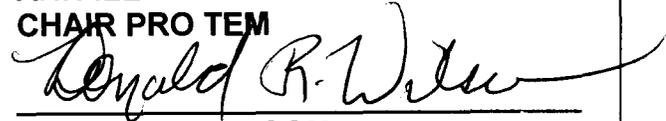
ATTEST:



CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK



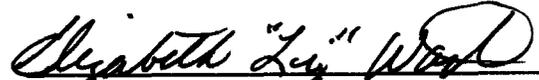
ANN ILES
CHAIR PRO TEM



DONALD R. WILSON
COUNCILPERSON



JUDY L. DAVIS
COUNCILPERSON



ELIZABETH "LIZ" WADE
COUNCILPERSON

MOTIONED BY: _____

SECONDED BY: _____

D. SCHNYER: _____

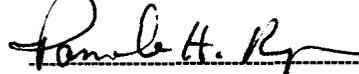
A. ILES: _____

D. WILSON: _____

J. DAVIS: _____

E. WADE: _____

REVIEWED AS TO LEGAL SUFFICIENCY



PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 12/6/04