

Delegated

RESOLUTION NO. 56-03

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A LANDLORD CONSENT AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH, FIDELITY FEDERAL BANK AND TRUST AND LIFE SPAN OF PALM BEACH COUNTY A/K/A LIFE SPAN, INC. F/K/A THE ULTIMATE CHILDREN'S LEARNING ADVENTURE, INC. AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City of Riviera Beach entered into a lease agreement with Ultimate Children's Learning Adventure, Inc. October of 1995 to lease a 3 acre tract of land for the development and construction of a day care facility; and

WHEREAS, Fidelity Federal Bank and Trust is desirous of having the City of Riviera Beach as Lessor of the land execute a Landlord Consent Agreement as a condition for loan approval; and

WHEREAS, the Landlord Consent Agreement requires the City of Riviera Beach to subordinate its' interest or claims in any collateral of the borrower to the security interest that the lender will acquire; and

WHEREAS, Collateral per Landlord Consent Agreement is defined as borrowers personal property in which lender will acquire or has acquired a security interest, i.e. All Inventory, Chattel Paper, Accounts, Equipment, etc.

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 Landlord Consent Agreement between the City of Riviera Beach, Life Span of Palm Beach County and Fidelity Federal Bank and Trust, Inc.

SECTION 2: The City Council of the City of Riviera Beach authorizes the Mayor and City Clerk to execute the Landlord Consent Agreement.

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

RESOLUTION NO. _____
PAGE 2

PASSED AND APPROVED this _____ day of _____, 2003

APPROVED:

MICHAEL D. BROWN,
MAYOR

DAVID G. SCHNYER
CHAIRPERSON

(MUNICIPAL SEAL)

SYLVIA LEE BLUE,
CHAIR PRO-TEM

DONALD R. WILSON,
COUNCILPERSON

ATTEST:

ELIZABETH "LIZ" WADE,
COUNCILPERSON

CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK

EDWARD RODGERS,
COUNCILPERSON

MOTIONED BY: _____
SECONDED BY: _____

D. SCHNYER: _____
S. BLUE: _____
D. WILSON: _____
E. WADE: _____
E. RODGERS: _____

REVIEWED AS TO LEGAL SUFFICIENCY

Pamela H. Ryan

PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 3/3/03

RESOLUTION NO. 57-03

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF RIVIERA BEACH, PALM
BEACH COUNTY, FLORIDA, AUTHORIZING
THE EXECUTION OF AN INTERLOCAL
AGREEMENT WITH PALM BEACH COUNTY
PROVIDING FOR THE ANNEXATION OF
ENCLAVES PURSUANT TO FLORIDA
STATUTES 171.046**

WHEREAS, Florida Statutes, Section 163.04 (2002) known as the "Florida Interlocal Cooperation Act of 1969" authorizes local governments to make the most efficient use of their powers by enabling them to cooperate with other localities on the basis of mutual advantage and thereby to provide services and facilities that will harmonize geographic, economic, population and other factors influencing the needs and developments of local communities; and

WHEREAS, the Florida Interlocal Cooperation Act of 1969 permits public agencies as defined therein to enter into Interlocal agreements with each other to jointly exercise any power privilege or authority which such agencies share in common and which each might exercise separately; and

WHEREAS, Section 18 of Chapter 93-206 Laws of Florida created Florida Statute, Section 171.046 providing for the annexation of enclaves pursuant to Interlocal agreements between municipalities and the county which have jurisdiction over such enclaves; and

WHEREAS, Florida Statute, Section 171.046 limits annexation by Interlocal Agreement to enclaves of ten (10) acres or less in size; and

WHEREAS, Florida Statute, Section 171.031(13)(a) and (b) as amended by Chapter 93.206 Laws of Florida defines enclaves as developed or improved property bounded on all sides by a single municipality or bounded by a single municipality and by a natural or manmade obstacle that allows passage of vehicular traffic to that unincorporated area only through the City; and

WHEREAS, the County and the City have determined that it is appropriate and will promote efficient provision of governmental services for the City to annex certain enclaves; and

WHEREAS, the County and the City have determined that the parcels to be annexed pursuant to this Interlocal Agreement are improved property based upon the availability of water and sewer systems the availability and access to public right-of-way; and that the lots have been subdivided and recorded or are parcels within unrecorded plats; and

WHEREAS, it has been determined by the City that the parcels to be annexed via this Interlocal Agreement meet the requirements set in the Florida Statutes Section 171.031(13) (a) and (b) and Section 171.046 as such enclaves are developed or improved are less than ten (10) acres in size and are completely surrounded by the City or are surrounded by the City and a natural or manmade obstacle that allows passage or vehicular traffic to the enclaves only through the City.

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

SECTION 1. The City of Riviera Beach, Florida hereby agrees to the terms and conditions of that certain Interlocal Agreement with Palm Beach County, a copy of which is attached hereto as Exhibit "1", and which is incorporated herein by reference, and which is authorized pursuant to Chapter 163.01 and Section 171.046 et seq., Florida Statutes.

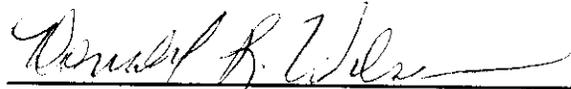
SECTION 2. The City Council authorizes the Mayor and the City Clerk to execute and deliver said Interlocal Agreement to Palm Beach County along with a certified copy of this Resolution.

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

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APPROVED:


MICHAEL D. BROWN
MAYOR

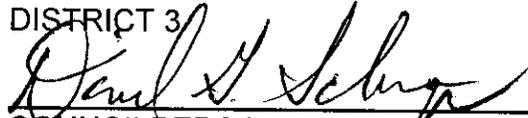

COUNCILPERSON DONALD R. WILSON
DISTRICT 1

absent
COUNCILPERSON SYLVIA LEE BLUE
DISTRICT 2

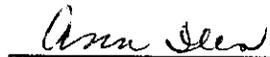
ATTEST


ELIZABETH "LIZ" WADE
DISTRICT 3

(MUNICIPAL SEAL)


COUNCILPERSON DAVID G. SCHNYER
DISTRICT 4


CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK


COUNCILPERSON ANN ILES
DISTRICT-AT-LARGE

MOTIONED BY: D. Wilson

SECONDED BY: A. Iles

D. WILSON aye

S. BLUE absent

E. WADE aye

D. SCHNYER out

A. ILES aye

REVIEWED AS TO LEGAL
SUFFICIENCY


PAMALA H. RYAN
CITY ATTORNEY
CITY OF RIVIERA BEACH

Date 3/12/03

MEM:mem
03/12/03

RESOLUTION NO. 58-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ESTABLISHING EQUIVALENT RESIDENTIAL UNIT (ERU) RATE, SINGLE FAMILY UNIT TIERS, AND CONDOMINIUM RATE; AND PROVIDING AN EFFECTIVE DATE.

TABLED MARCH 19, 2003

RESOLUTION NO. 59-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE COMMUNITY REDEVELOPMENT AGENCY TO IMPLEMENT A TRANSPORTATION FUND GRANT FROM THE OFFICE OF TOURISM, TRADE, AND ECONOMIC DEVELOPMENT IN THE AMOUNT OF 2 MILLION DOLLARS FOR IMPROVEMENTS TO US HIGHWAY ONE ON BEHALF OF MILLENNIUM LUXURY COACH AND YACHTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City submitted an application for an Economic Development Transportation Fund (EDTF) Grant to the State of Florida, Office of Tourism, Trade, and Economic Development on behalf of Millennium Luxury Coach and Yachts; and

WHEREAS, the City was awarded an EDTF grant for 2 Million Dollars for improvements to US Highway One; and

WHEREAS, the CRA, in coordination with the City, has been the lead agency coordinating the improvements to US Highway One; and

WHEREAS, the City is desirous of allowing the CRA to implement and manage the improvements associated with the EDTF Grant; and

WHEREAS, the City will still be responsible for the grant reporting documents.

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 hereby authorizes the Mayor and City Clerk to execute an interlocal agreement with the Community Redevelopment Agency (CRA) for the implementation and management of the improvements associated with the EDTF Grant to the CRA.

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

APPROVED:

Michael D. Brown
MICHAEL D. BROWN
MAYOR

Donald R. Wilson
COUNCILPERSON DONALD R. WILSON
DISTRICT 1

absent
COUNCILPERSON SYLVIA LEE BLUE
DISTRICT 2

ATTEST

Elizabeth "Liz" Wade
ELIZABETH "LIZ" WADE
DISTRICT 3

(MUNICIPAL SEAL)

C. E. Ward
CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK

David G. Schnyer
COUNCILPERSON DAVID G. SCHNYER
DISTRICT 4

Ann Iles
COUNCILPERSON ANN ILES
DISTRICT-AT-LARGE

MOTIONED BY: D. Wilson

SECONDED BY: E. Wade

D. WILSON aye

S. BLUE absent

E. WADE aye

D. SCHNYER aye

A. ILES aye

REVIEWED AS TO LEGAL
SUFFICIENCY

Pamela H. Ryan
PAMALA H. RYAN
CITY ATTORNEY
CITY OF RIVIERA BEACH

Date 3/12/03

MEM:mem
03/12/03

RESOLUTION NO: 60-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AUTHORIZING THE BOARD OF COMMISSIONERS OF THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) TO ACQUIRE FEE SIMPLE TITLE TO PROPERTY BY CONDEMNATION/EMINENT DOMAIN, GIFT OR PURCHASE OF CERTAIN PROPERTY LOCATED WITHIN BOUNDARY OF THE REDEVELOPMENT PROJECT AREA; SETTING FORTH THE BOUNDARY AND SCOPE OF THE REDEVELOPMENT AREA; FINDING THAT PROPERTY WITHIN THE BOUNDARY OF THE REDEVELOPMENT AREA IS NECESSARY FOR THE PUBLIC PURPOSE OF REDEVELOPMENT IN ACCORDANCE WITH THE INLET HARBOR CITY OF RIVIERA BEACH COMMUNITY REDEVELOPMENT PLAN MODIFICATION 2001; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, pursuant to Florida Statutes Chapter 166, as amended, the City Council of the City of Riviera Beach, Florida has authority to take private property through the exercise of the power of condemnation/eminent domain when necessary to accomplish a public purpose; and

WHEREAS, pursuant to Florida Statutes Chapter 166 and 163, the City Council of the City of Riviera Beach, Florida is authorized to delegate the right to exercise the power of condemnation/eminent domain to the Riviera Beach Community Redevelopment Agency (CRA) for the purpose of taking property necessary to accomplish a public purpose; and

WHEREAS, pursuant to Resolution Number 245-01, as passed by the City Council of the City of Riviera Beach on December 12, 2001, adopting the Inlet Harbor City of Riviera Beach Redevelopment Plan Modification 2001, the CRA has been directed to carry out the Plan in accordance with its terms and has been provided the authority necessary to carry out the Plan; and

WHEREAS, the City Council adopted Resolution No. 31-03 on February 5, 2003, which authorized the CRA to exercise eminent domain power and included a legal description of the CRA boundary; and

WHEREAS, subsequently the legal description of the CRA boundary, attached as Exhibit "A" to Resolution No. 31-03, is now being adjusted to accommodate legal counsel clarifications; and

WHEREAS, the scope and boundaries of the redevelopment project have been clearly defined and located within the city limits of the City of Riviera Beach, Florida as described on Exhibit "A" attached hereto and incorporated herein; and

WHEREAS, the property to be acquired for implementation of Inlet Harbor City of Riviera Beach Redevelopment Plan Modification 2001 is located within the boundaries of the City of Riviera Beach and the CRA; and

WHEREAS, maps have been prepared showing the location of the property necessary to accomplish the CRA objective of implementing the Inlet Harbor City of Riviera Beach Redevelopment Plan Modification 2001 and are attached hereto and incorporated herein as Exhibit "B".

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Riviera Beach as follows:

Section 1: The City Council of the City of Riviera Beach, Florida, grants the power of condemnation/eminent domain to the Riviera Beach Community Redevelopment Agency (CRA) to condemn property within the boundaries of the community redevelopment project as described on Exhibits "A" and "B" attached hereto and incorporated herein, which is necessary to accomplish the public purpose of the CRA.

Section 2: The City Council of the City of Riviera Beach, Florida, identifies and establishes that the scope and boundaries of the redevelopment project is as identified on Exhibits "A" and "B" attached hereto incorporated herein and the City hereby delegates and conveys to the CRA the authority to exercise power of condemnation/eminent domain to take any property located within the scope and boundaries of the redevelopment project area upon said property being specifically identified and designated for taking by the CRA in an adopted resolution approved by the CRA Board of Commissioners for the purpose of exercising the condemnation/eminent domain power in the redevelopment area. The CRA is otherwise authorized to acquire property within the redevelopment project area by gift or purchase.

Section 3: All sections herein shall become effective immediately upon passage.

APPROVED:

Michael D. Brown
MICHAEL D. BROWN
MAYOR

Donald R. Wilson
COUNCILPERSON DONALD R. WILSON
DISTRICT 1

absent
COUNCILPERSON SYLVIA LEE BLUE
DISTRICT 2

ATTEST

Elizabeth "Liz" Wade
ELIZABETH "LIZ" WADE
DISTRICT 3

(MUNICIPAL SEAL)

David G. Schnyer
COUNCILPERSON DAVID G. SCHNYER
DISTRICT 4

Carrie E. Ward
CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK

Ann Iles
COUNCILPERSON ANN ILES
DISTRICT-AT-LARGE

MOTIONED BY: D. Wilson

SECONDED BY: A. Iles

D. WILSON aye

S. BLUE absent

E. WADE aye

D. SCHNYER aye

A. ILES aye

REVIEWED AS TO LEGAL
SUFFICIENCY

Pamela H. Ryan
PAMALA H. RYAN
CITY ATTORNEY
CITY OF RIVIERA BEACH

Date 3/12/03

MEM:mem
03/12/03

APPENDIX A
LEGAL DESCRIPTION

City of Riviera Beach, FL
Boundary Description
Riviera Beach Community Redevelopment Agency (CRA)
Proposed Community Development Area Boundary

Introduction

The City of Riviera Beach Community Redevelopment Agency (CRA) and its Board of Commissioners are responsible for two areas together known as Inlet Harbor consisting of the following: (1) mainland, and (2) Singer Island and the portion adjacent to the Blue Heron Bridge. The following is a description of each area.

Mainland

For the purpose of this description, the starting point is the southern boundary of the CRA mainland that is located along the southern property line of the Florida Power and Light (FPL) property adjacent to the FPL transmission lines. The description that follows is in a counter clock-wise direction from this starting location. The eastern boundary of the mainland portion is the centerline of the Intracoastal Waterway within the Lake Worth Lagoon running northerly. About 800 feet north of the Blue Heron Bridge, the boundary turns westward along the southern property line of parcels to the south of Wilma Circle. The CRA boundary then proceeds northward along the eastern right-of-way line of Lake Shore Drive, then turns west along the centerline of Silver Beach Road.

The CRA boundary then turns southward along the western right-of-way line of Avenue E. It then turns west, following the northern right-of-way line of West 34th Street. It then turns south along the western right-of-way line of Avenue F. It then turns west along the northern property line of the parcels north of Blue Heron Boulevard. The CRA boundary turns south 30 feet along the west right-of-way line of Avenue H east and proceeds westerly along the northern property line of parcels to the north of Blue Heron Boulevard. It crosses at the canal between Avenue H west and Avenue H east, and turns south at the west property line adjacent to the canal. It turns and proceeds west along the northern right of-way line of Blue Heron Boulevard.

At the intersection of Blue Heron Boulevard and Old Dixie Highway, the CRA boundary turns south along the eastern right-of-way line of Old Dixie Highway. It then turns and proceeds east along the southern right-of-way line of Blue Heron Boulevard. It turns south at the western right-of-way line of Avenue H west and then turns east along the southern property line of the second property south of Blue Heron Boulevard. At the canal between Avenue H west and Avenue H east, the CRA boundary turns northward for about 100 feet and turns east along the southern property line of the first row of parcels to the south of Blue Heron Boulevard.

The CRA boundary then turns south, following the western right-of-way line of Avenue F. Then it turns west following the northern right-of-way line of West 20th Street. It then turns

south along the western right-of-way line of Avenue F. It then turns west along the northern right-of-way line of West 14th Street. The CRA boundary crosses Old Dixie Highway and proceeds southerly along the western right-of-way line of Old Dixie Highway. Approximately 500 feet south of 13th Street, the CRA boundary turns and follows the western property line of the row of parcels to the west of Old Dixie Highway. The CRA boundary proceeds west along the northern property line of the row of parcels to the north of West 10th Street. The CRA boundary turns south at the western right-of-way line of Australian Avenue. It then turns east following the northern property line of the parcels to the north of West 4th Street for approximately 1100 feet. The CRA boundary turns north (about 100 feet) and then east following the southern right-of-way line of West 5th Street until it reaches the northwesterly most corner parcel at the intersection of West 5th Street, and Old Dixie Highway.

The CRA boundary then proceeds south following the western property line of the first row of parcels to the west of Old Dixie Highway. At West 1st Street the CRA boundary continues south along the western property line of the second parcel to the west of Old Dixie Highway. The CRA boundary turns east along the southern property line of parcels to the south of West 1st Street. The boundary proceeds easterly and ties to the beginning point which is the southern property line of the Florida Power and Light (FPL) property where the FPL transmission lines are located.

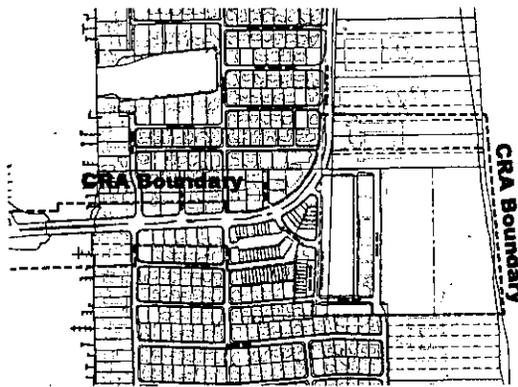
Singer Island and Blue Heron Bridge

Starting at the northern side of the Blue Heron Bridge, the description of this portion of the CRA boundary proceeds eastward in a clockwise direction. The CRA boundary crosses Lake Worth Lagoon to the north of the Blue Heron Bridge following along the southern property line of Phil Foster Park. At the eastern end of the causeway (approximately 300 feet west of Singer Island), the CRA boundary turns and proceeds northward approximately 50 feet. It then turns and proceeds east along the extension of the northern property line of the parcel east of the Lake Worth Lagoon and north of Blue Heron Boulevard (SR A-1-A).

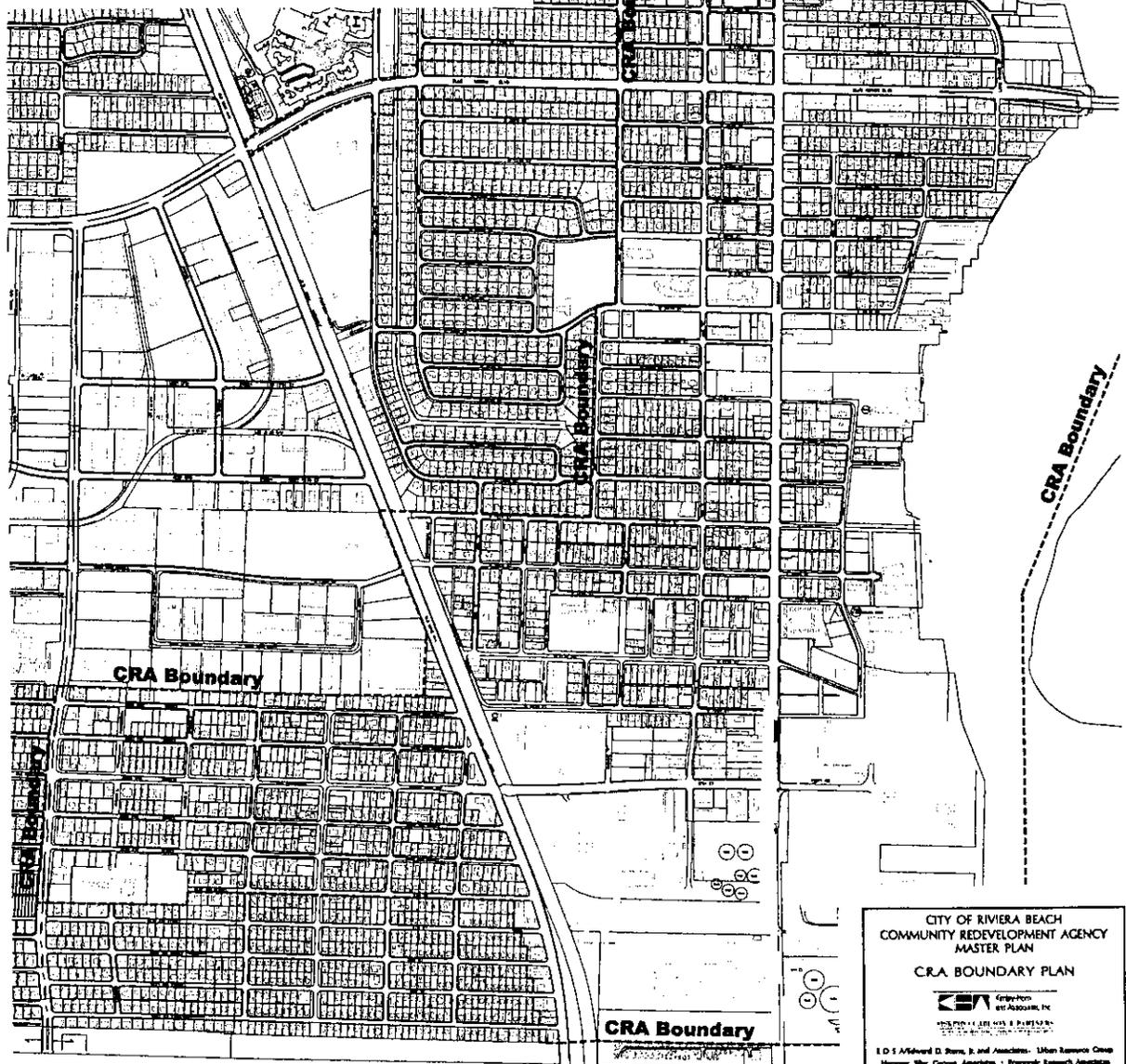
At the western right-of-way line of Park Avenue, the CRA boundary turns south and then proceeds easterly along the northern right-of-way line of SR A-1-A. The boundary continues along this right-of-way line, as SR A-1-A turns northward to its intersection with the extension of the northern property line of Tax Lot 13-3, Range 43, Township 42, Section 26, referred to as the Days Inn Parcel. The CRA boundary turns east and crosses SR A-1-A and continues easterly, following the northern property line of Tax Lot 13-3, Range 43, Township 42, Section 26 referred to as Days Inn Parcel. The CRA boundary proceeds south following the shoreline and turns west along the southern property line of Riviera Municipal Beach. The CRA boundary crosses Ocean Avenue continuing west along the southern property line of the parcels to the south of Beach Road.

The CRA boundary turns north along the western right-of-way line of North Ocean Road, and then turns west along the southern right-of-way line on Beach Road, then north along the western property line of the row of parcels to the west of Beach Court. The CRA boundary proceeds west along the southern right-of-way line of Island Road. It turns north following the eastern right-of-way line of Park Avenue, and turns west along the southern property line

of the row of parcels to the south of SR A-1-A. At Lake Drive, the CRA boundary turns south along the eastern right-of-way line of Lake Drive, then turns west along the southern property line of the parcel to the south of SR A-1-A. This parcel also fronts the Lake Worth Lagoon. From this point, the CRA boundary heads west across the Lake Worth Lagoon connecting to the mainland portion of the CRA. This description completes the Singer Island and Blue Heron Bridge portion of the CRA boundary.



SINGER ISLAND
BOUNDARY PLAN



CITY OF RIVIERA BEACH
COMMUNITY REDEVELOPMENT AGENCY
MASTER PLAN
CRA BOUNDARY PLAN

CEA City of Riviera Beach
Engineering Associates, Inc.

1155 PINEHURST LANE, SUITE 100, PALM BEACH, FL 33480
TEL: 561-833-1111 FAX: 561-833-1112

E.D. & M. D. Davis, Jr. and Associates - Urban Research Group
Harris, Wier, George, Associates - Economic Research Associates
Resplan-Wiley Associates - ACE Engineering, Inc. - PSA Constructors, Inc.
Onographic Planning Collaborative, Inc. - AME, Elmer
Cooneyberg Truitt, P.A. - Jackson Securities

0 100' 200' 300' 400' 500' 600' 700' 800' 900' 1000' MONTH

CRA 02

EXHIBIT "B"

RESOLUTION NO. 61-03

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A LANDLORD CONSENT AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH, FIDELITY FEDERAL BANK AND TRUST AND LIFE SPAN OF PALM BEACH COUNTY A/K/A LIFE SPAN, INC. F/K/A THE ULTIMATE CHILDREN'S LEARNING ADVENTURE, INC. AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City of Riviera Beach entered into a lease agreement with Ultimate Children's Learning Adventure, Inc. October of 1995 to lease a 3 acre tract of land for the development and construction of a day care facility; and

WHEREAS, Fidelity Federal Bank and Trust is desirous of having the City of Riviera Beach as Lessor of the land execute a Landlord Consent Agreement as a condition for loan approval; and

WHEREAS, the Landlord Consent Agreement requires the City of Riviera Beach to subordinate its' interest or claims in any collateral of the borrower to the security interest that the lender will acquire; and

WHEREAS, Collateral per Landlord Consent Agreement is defined as borrowers personal property in which lender will acquire or has acquired a security interest, i.e. All Inventory, Chattel Paper, Accounts, Equipment, etc.

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 Landlord Consent Agreement between the City of Riviera Beach, Life Span of Palm Beach County and Fidelity Federal Bank and Trust, Inc.

SECTION 2: The City Council of the City of Riviera Beach authorizes the Mayor and City Clerk to execute the Landlord Consent Agreement.

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

APPROVED:

Michael D. Brown

MICHAEL D. BROWN
MAYOR

Donald R. Wilson

COUNCILPERSON DONALD R. WILSON
DISTRICT 1

absent

COUNCILPERSON SYLVIA LEE BLUE
DISTRICT 2

ATTEST

Elizabeth "Liz" Wade

ELIZABETH "LIZ" WADE
DISTRICT 3

(MUNICIPAL SEAL)

David G. Schnyer

COUNCILPERSON DAVID G. SCHNYER
DISTRICT 4

Carrie E. Ward

CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK

Ann Iles

COUNCILPERSON ANN ILES
DISTRICT-AT-LARGE

MOTIONED BY: E. Wade

SECONDED BY: D. Wilson

D. WILSON aye

S. BLUE absent

E. WADE aye

D. SCHNYER aye

A. ILES aye

REVIEWED AS TO LEGAL
SUFFICIENCY

Pamela H. Ryan

PAMALA H. RYAN
CITY ATTORNEY

CITY OF RIVIERA BEACH

Date 3/12/03

MEM:mem
03/12/03

LANDLORD'S CONSENT

Borrower: LIFE SPAN OF PALM BEACH COUNTY, INC., a/k/a LIFE SPAN, INC., f/k/a THE ULTIMATE CHILDREN'S LEARNING ADVENTURE, INC.
P. O. Box 9035
Riviera Beach, FL 33419

Lender: FIDELITY FEDERAL BANK & TRUST
205 DATURA STREET
WEST PALM BEACH, FL 33401

THIS LANDLORD'S CONSENT is entered into among LIFE SPAN OF PALM BEACH COUNTY, INC., a/k/a LIFE SPAN, INC., f/k/a THE ULTIMATE CHILDREN'S LEARNING ADVENTURE, INC. ("Borrower"), whose address is P. O. Box 9035, Riviera Beach, FL 33419; FIDELITY FEDERAL BANK & TRUST ("Lender"), whose address is 205 DATURA STREET, WEST PALM BEACH, FL 33401; and The City of Riviera Beach, Florida ("Landlord"), whose address is 600 West Blue Heron Boulevard, Riviera Beach, Florida 33404, Borrower and Lender have entered into, or are about to enter into, an agreement whereby Lender has acquired or will acquire a security interest or other interest in the Collateral. Some or all of the Collateral may be located on the Premises. To induce Lender to extend the Loan to Borrower against such security interest in the Collateral and for other valuable consideration, Landlord hereby agrees with Lender and Borrower as follows:

DEFINITIONS. The following words shall have the following meanings when used in this Agreement. Terms not otherwise defined in this Agreement shall have the meanings attributed to such terms in the Uniform Commercial Code. All references to dollar amounts shall mean amounts in lawful money of the United States of America.

Agreement. The word "Agreement" means this Landlord's Consent, as this Landlord's Consent may be amended or modified from time to time, together with all exhibits and schedules attached to this Landlord's Consent from time to time.

Borrower. The word "Borrower" means LIFE SPAN OF PALM BEACH COUNTY, INC., a/k/a LIFE SPAN, INC., f/k/a THE ULTIMATE CHILDREN'S LEARNING ADVENTURE, INC.

Collateral. The word "Collateral" means certain of Borrower's personal property in which Lender has acquired or will acquire a security interest, including without limitation the following specific property:

All inventory, Chattel Paper, Accounts, Equipment, General Intangibles, Cash Collaterals

Landlord. The word "Landlord" means The City of Riviera Beach, Florida. The term "Landlord" is used for convenience purposes only. Landlord's interest in the Premises may be that of a fee owner, lessor, sublessor or lienholder, or that of any other holder of an interest in the Premises which may be, or may become, prior to the interest of Lender.

Lease. The word "Lease" means that certain lease of the Premises, dated April 18, 1995, between Landlord and Borrower, a copy of which is attached as Exhibit "A".

Lender. The word "Lender" means FIDELITY FEDERAL BANK & TRUST, its successors and assigns.

Loan. The word "Loan" means the loan, or any other financial accommodations, Lender has made or is making to Borrower.

Premises. The word "Premises" means the real property, building, or any fixtures permanently attached thereto located in Palm Beach County, State of Florida, commonly known as 1400 North Congress Avenue, Riviera Beach, FL 33404, and legally described as:

All of Tract "A", Ultimate Children's Learning Center, according to the Plat thereof as recorded in Plat Book 76, Page 37, Public Records of Palm Beach County, Florida.

DISCLAIMER OF INTEREST. Landlord agrees to subordinate any lien or claim it may now have or may hereafter have in the Collateral which will be subject at all times to Lender's security interest (or other present or future interest) in the Collateral and will be subject to the rights granted by Landlord to Lender in this Agreement. Notwithstanding anything in the foregoing to the contrary, Collateral shall not be deemed to include any interest in the premises which is the subject matter of the Lease between the Landlord and the Borrower.

ENTRY ONTO PREMISES. Landlord and Borrower grant to Lender the right to enter upon the Premises for the purpose of removing the Collateral from the Premises or conducting sales of the Collateral on the Premises. The Lender will have 30 days, after Lender receives notice in writing from Landlord that Borrower no longer is in lawful possession of the Premises, to exercise its rights under this agreement and additional time may be available if consented to by the Landlord and the Lender. If Lender enters onto the Premises and removes the Collateral, Lender agrees with Landlord not to remove any Collateral in such a way that the Premises are damaged, without either repairing any such damage or reimbursing Landlord for the cost of repair. The Lender will indemnify the City of Riviera Beach for any wrongful removal of the collateral.

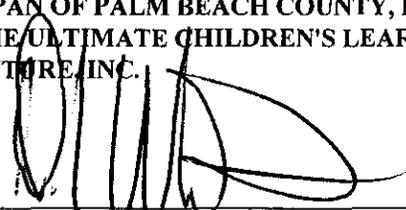
MISCELLANEOUS PROVISIONS. This Agreement shall extend to and bind the respective heirs, personal representatives, successors and assigns of the parties to this Agreement. The covenants of Borrower and Landlord respecting subordination of the claim or claims of Landlord in favor of Lender shall extend to, include, and be enforceable by any transferee or endorsee to whom Lender may transfer any claim or claims to which this Agreement shall apply. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. If Landlord is other than an individual, any agent or other person executing this Agreement on behalf of Landlord represents and warrants to Lender that he or she has full

power and authority to execute this Agreement on Landlord's behalf. Lender shall not be deemed to have waived any rights under this Agreement unless such waiver is in writing and signed by Lender. Without notice to Landlord and without affecting the validity of this Consent, Lender may do or not do anything it deems appropriate or necessary with respect to the Loan, any obligors on the Loan, or any Collateral for the Loan; including without limitation extending, renewing, rearranging, or accelerating any of the Loan indebtedness. No delay or omission on the part of Lender in exercising any right shall operate as a waiver of such right or any other right. A waiver by Lender of a provision of this Agreement shall not constitute a waiver of or prejudice Lender's right otherwise to demand strict compliance with that provision or any other provision. Whenever consent by Lender is required in this Agreement, the granting of such consent by Lender in any one instance shall not constitute continuing consent to subsequent instances where such consent is required.

BORROWER AND LANDLORD ACKNOWLEDGE HAVING READ ALL THE PROVISIONS OF THIS LANDLORD'S CONSENT, AND BORROWER AND LANDLORD AGREE TO ITS TERMS. THIS AGREEMENT IS DATED FEBRUARY____, 2003.

BORROWER:

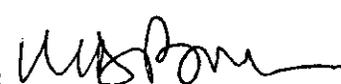
**LIFE SPAN OF PALM BEACH COUNTY, INC., a/k/a LIFE SPAN, INC.,
f/k/a THE ULTIMATE CHILDREN'S LEARNING
ADVENTURE, INC.**

By: 

DARRYL WINGATE, PRESIDENT

LANDLORD:

CITY OF RIVIERA BEACH

By: 

**MICHAEL D. BROWN,
MAYOR**

ATTEST:

By:  3/25/05

**CARRIE E. WARD, MMC,
CITY CLERK**

LENDER:

FIDELITY FEDERAL BANK & TRUST

By: 

Authorized Officer

LASER PRO, Reg. U.S. Pat. & T.M. Off., Ver. 3.29a (C) Concentrex 2003 All rights reserved. [FL-E45 E3.29 F3.29 LIFE.LN R1.OVL]

RESOLUTION NO. 62-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO ISSUE RELEASE OF CODE ENFORCEMENT LIEN ON PROPERTY LOCATED AT 1106 W. 26th COURT, LOTS 4-6, BLK 9, MONROE HEIGHTS, RIVIERA BEACH FOR VIOLATIONS THAT ARE IN COMPLIANCE FOR THE AMOUNT OF \$3,500.00; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, property located at 1106 W. 26th Court, Lots 4-6, Blk 9, Monroe Heights, was found to be in violation of the City's Code of Ordinances on May 1, 2001, pursuant to Case No. CEB 01-099, dated June 27, 2001; and

WHEREAS, Case No. CEB 01-099, was complied by the Code Enforcement Division on February 19, 2002; and

WHEREAS, City staff recommends an offer of settlement with Tony & Shirley Goldwire in the amount of \$3,500.00; and

WHEREAS, pursuant to Section 162.09(3), Florida Statutes, the City Council has the authority to execute a release of lien; and

WHEREAS, the City Council finds it in the best interest of the City to release the liens on the subject properties.

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

Section 1. The above recitals are true and are hereby incorporated into this resolution.

Section 2. The City Council hereby accepts \$3,500.00 as consideration for release of the Code Enforcement lien.

Section 3. The Mayor and the City Clerk are authorized to execute a release of lien on the subject property upon payment in full of the aforementioned amount. The amount shall be paid within thirty (30) days of approval or this resolution shall become null and void.

Section 4. This resolution shall take effect immediately upon its passage and adoption.

Resolution No.

APPROVED:

Michael D. Brown

MICHAEL D. BROWN
MAYOR

Donald R. Wilson

COUNCILPERSON DONALD R. WILSON
DISTRICT 1

absent

COUNCILPERSON SYLVIA LEE BLUE
DISTRICT 2

ATTEST

Elizabeth "Liz" Wade

ELIZABETH "LIZ" WADE
DISTRICT 3

(MUNICIPAL SEAL)

David G. Schnyer

COUNCILPERSON DAVID G. SCHNYER
DISTRICT 4

Carrie E. Ward

CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK

Ann Iles

COUNCILPERSON ANN ILES
DISTRICT-AT-LARGE

MOTIONED BY: D. Wilson

SECONDED BY: E. Wade

D. WILSON aye

S. BLUE absent

E. WADE aye

D. SCHNYER aye

A. ILES aye

REVIEWED AS TO LEGAL
SUFFICIENCY

Pamela H. Ryan

PAMALA H. RYAN
CITY ATTORNEY

CITY OF RIVIERA BEACH

Date 3/12/03

MEM:mem
03/12/03

RESOLUTION NO. 63-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO ISSUE RELEASE OF CODE ENFORCEMENT LIEN ON PROPERTY LOCATED AT 908 W. 1ST STREET, LOTS E 68.63 FT OF S 100 FT OF LT 620, BLK RIVIERA BEACH HEIGHTS NO 5, RIVIERA BEACH FOR VIOLATIONS THAT ARE IN COMPLIANCE FOR THE AMOUNT OF \$4,215.96; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, property located at 908 W. 1ST Street, Lots E 68.63 Ft of S 100 Ft of Lt 620, Blk, Riviera Beach Heights No. 5, was found to be in violation of the City's Code of Ordinances on October 21, 1999, pursuant to Case No. CEB 00-030, dated May 24, 2000; and

WHEREAS, Case No. CEB 00-030, was complied by the Code Enforcement Division on March 4, 2003; and

WHEREAS, City staff recommends an offer of settlement with John D. & Phyllis L. Thompson in the amount of \$3,500.00; and

WHEREAS, pursuant to Section 162.09(3), Florida Statutes, the City Council has the authority to execute a release of lien; and

WHEREAS, the City Council finds it in the best interest of the City to release the liens on the subject properties.

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

Section 1. The above recitals are true and are hereby incorporated into this resolution.

Section 2. The City Council hereby accepts \$3,500.00 as consideration for release of the Code Enforcement lien. The outstanding water and sewer lien in the amount of \$715.96 shall be paid prior to issuance of release, a total settlement amount of \$4,215.96.

Section 3. The Mayor and the City Clerk are authorized to execute a release of lien on the subject property upon payment in full of the aforementioned amount. The amount shall be paid within thirty (30) days of approval or this resolution shall become null and void.

Section 4. This resolution shall take effect immediately upon its passage and adoption.

APPROVED:

Michael D. Brown
MICHAEL D. BROWN
MAYOR

Donald R. Wilson
COUNCILPERSON DONALD R. WILSON
DISTRICT 1

absent
COUNCILPERSON SYLVIA LEE BLUE
DISTRICT 2

ATTEST

Elizabeth "Liz" Wade
ELIZABETH "LIZ" WADE
DISTRICT 3

(MUNICIPAL SEAL)

David G. Schnyer
COUNCILPERSON DAVID G. SCHNYER
DISTRICT 4

Carrie E. Ward
CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK

Ann Iles
COUNCILPERSON ANN ILES
DISTRICT-AT-LARGE

MOTIONED BY: D. Wilson

SECONDED BY: A. Iles

D. WILSON aye

S. BLUE absent

E. WADE aye

D. SCHNYER aye

A. ILES aye

REVIEWED AS TO LEGAL
SUFFICIENCY

Pamela H. Ryan
PAMALA H. RYAN
CITY ATTORNEY
CITY OF RIVIERA BEACH

Date 3/12/03

RESOLUTION NO. 64-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A SITE PLAN APPLICATION FROM RONALD L. TOMECEK TO BUILD AN OFFICE/WAREHOUSE FACILITY ON 1.00 ACRES LOCATED ON LOT 8, INTERSTATE INDUSTRIAL PARK IN AN 'IG' ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, Section 31-58, of the City of Riviera Beach Code of Ordinances establishes the requirements for site plan review by the City Council; and

WHEREAS, Section 31-60 (b), of the City of Riviera Beach Land Development Code requires that all approved Site Plans shall automatically expire within 18 months of its development order unless a valid building permit has been issued; and

WHEREAS, The Planning & Zoning Board met on February 13, 2003 to review the application and made a recommendation to the City Council of Riviera Beach for the approval of a Site Plan application from Ronald L. Tomecek.; and

WHEREAS, attached as part of this resolution as "Exhibit A" is the Site Plan.

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

SECTION 1. The Site Plan Application from Ronald L. Tomecek for an office/warehouse facility is approved with the following conditions:

- (1) For properties / businesses located in Riviera Beach, all future advertising, including but not limited to letter head, business cards, etc., 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.
- (2) The applicant shall post a bond prior to the issuance of a certificate of occupancy for the value of 110% of the cost of plant materials and irrigation components for a period of one year to guarantee the condition of said materials.
- (3) Automotive repair will not be allowed in the building

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 by the City Council.

APPROVED:

[Signature]
MICHAEL D. BROWN
MAYOR

[Signature]
COUNCILPERSON DONALD R. WILSON
DISTRICT 1

absent
COUNCILPERSON SYLVIA LEE BLUE
DISTRICT 2

ATTEST

[Signature]
ELIZABETH "LIZ" WADE
DISTRICT 3

(MUNICIPAL SEAL)

[Signature]
COUNCILPERSON DAVID G. SCHNYER
DISTRICT 4

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

[Signature]
COUNCILPERSON ANN ILES
DISTRICT-AT-LARGE

MOTIONED BY: E. Wade

SECONDED BY: D. Wilson

D. WILSON aye

S. BLUE absent

E. WADE aye

D. SCHNYER aye

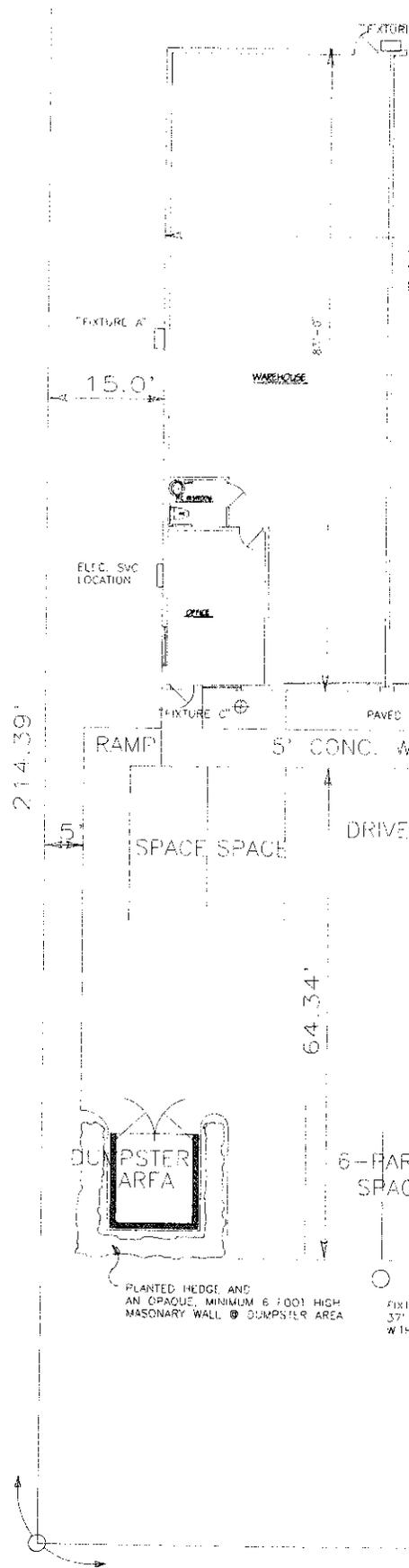
A. ILES aye [Signature]

REVIEWED AS TO LEGAL
SUFFICIENCY

[Signature]
PAMALA H. RYAN
CITY ATTORNEY
CITY OF RIVIERA BEACH

Date 3/12/03

PROPOSED NEW BUILDING FOR:
APOLLO AIR BUILDING



PLANNING FOR APOLLO AIR BUILDING
INTERSTATE PARK ROAD
BEACH, FLORIDA

QUALITY

- 1. 50 FT. = 5 SPACES
- 2. 50 FT. = 14 SPACES
- RED
- DEF
- PAVED PROVIDED
- CONC. W
- 5' CONC. W
- DRIVE
- 2 FT. REQUIRED
- 5,416 SQ. FT.

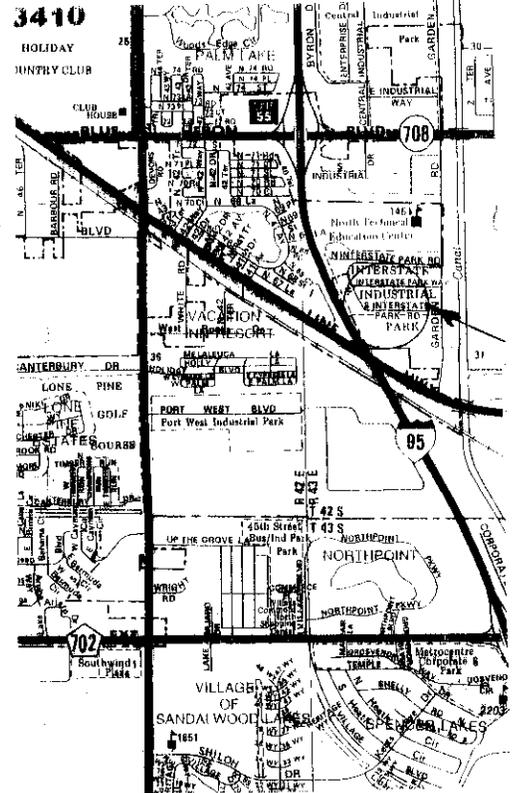
SCHEDULE	
PROPOSED	
	106.67'
	15.0'
	20.0'

6-FIXTURE SCHEDULE

LAMP	VOLTS	MOUNTING	REMARKS
250W MH	120	WALL	WALL PACKS
400W MH	120	POLE	32' CONC. TYPE II
250W MH	120	CEILING	WALL PACKS

FIXTURE
37'
WITH

PLANTED HEDGES AND AN OPAQUE, MINIMUM 6' TALL HIGH MASONRY WALL @ DUMPSTER AREA



RESOLUTION NO. 65-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN APPLICATION FROM PAUL ANDREW EDWARDS, OWNER OF THE VINTAGE RESTAURANT & LOUNGE FOR A LIMITED EXTENDED HOURS LICENSE TO REMAIN OPEN UNTIL 5:00 A.M. ON WEEKENDS AND HOLIDAYS FOR PROPERTY LOCATED AT 84 EAST 30TH STREET; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Sec. 3-6(b), of the City of Riviera Beach Code of Ordinances establishes that any person, vendor or any place of business operating as a restaurant bar, hotel or motel bar, nightclub or show club in the City and duly and regularly licensed by the State to sell and dispense alcoholic beverages, wine or beer therein may apply for an extended hours license; and

WHEREAS, Sec. 3-6(b)(1) of the City of Riviera Beach Code of Ordinances lists specific criteria for City Council consideration in making the decision to grant or deny a license; and

WHEREAS, Sec. 3-6(b)(1) requires that the City Council consider the following criteria:

- (a) The amount of off-street parking in relation to demands created by the extra hours of operation.
- (b) The amount and degree of law enforcement activities generated by the operation of any bar, hotel or motel bar, nightclub or show club, both outside and inside the particular location, with particular emphasis on the vandalism, noise, vehicular use of patrons and illegal activity of any kind by employees, patrons or others associated with the establishment;
- (c) The adverse effects, if any, that the extended hours of operation will have on neighboring properties and;
- (d) The establishment does not disturb the peace and quiet of the surrounding neighborhood.

WHEREAS, the City Council may grant or deny such extended hours license;
and

WHEREAS, such licenses shall expire on October 1st of each and every year;
and

WHEREAS, the applicant must apply for an extended hours license by September 1st of each year; and

WHEREAS, Paul Andrew Edwards, owner of the Vintage Restaurant & Lounge is requesting approval for a Limited Extended Hours License for his establishment located at 84 East 30th Street; and

WHEREAS, Staff conducted an analysis of a Police Log Report of complaint calls generated from this business within a twelve-month period, as well as a review of the criteria listed in Section 3-6(b)(1) of the City's Code of Ordinances, and finds no negative evidence to deny the application for the extended hours license.

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 approves the request from Paul Andrew-Edwards, owner of Vintage Restaurant & Lounge, for a Limited Extended Hours License, the said license to expire on October 1, 2003.

SECTION 2. That the City Council has considered the following criteria listed in Sec. 3-6(b)(1) of the City of Riviera Beach Code of Ordinances in granting the limited extended hours license, and finds that the applicant has satisfied the criteria:

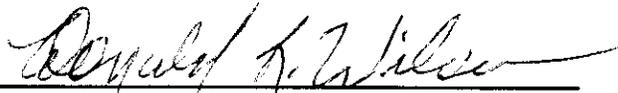
- (1) The amount of off-street parking in relation to demands created by the extra hours of operation.
- (2) The amount and degree of law enforcement activities generated by the operation of any bar, hotel or motel bar, nightclub or show club, both outside and inside the particular location, with particular emphasis on the vandalism, noise, vehicular use of patrons and illegal activity of any kind by employees, patrons or others associated with the establishment;
- (3) The adverse effects, if any, that the extended hours of operation will have on neighboring properties and;
- (4) The establishment does not disturb the peace and quiet of the surrounding neighborhood.

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

APPROVED:



MICHAEL D. BROWN
MAYOR



COUNCILPERSON DONALD R. WILSON
DISTRICT 1

absent

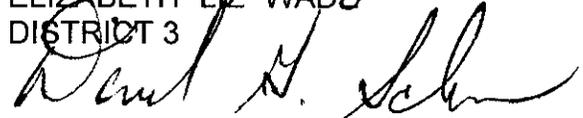
COUNCILPERSON SYLVIA LEE BLUE
DISTRICT 2

ATTEST



ELIZABETH "LIZ" WADE
DISTRICT 3

(MUNICIPAL SEAL)



COUNCILPERSON DAVID G. SCHNYER
DISTRICT 4



CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK


COUNCILPERSON ANN ILES
DISTRICT-AT-LARGE

MOTIONED BY: D. Wilson

SECONDED BY: A. Iles

D. WILSON aye

S. BLUE absent

E. WADE aye

D. SCHNYER nay

A. ILES aye

REVIEWED AS TO LEGAL
SUFFICIENCY



PAMALA H. RYAN
CITY ATTORNEY
CITY OF RIVIERA BEACH

Date 3/12/03

MEM:mem
03/12/03

RESOLUTION NO. 66-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDED THE BID FOR RECONSTRUCTION OF WEST 26TH STREET TO B&B UNDERGROUND CONTRACTORS, INC. IN THE AMOUNT OF \$435,509.00, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE CONTRACT, AUTHORIZING THE FINANCE DIRECTOR TO REVISE THE BUDGET, TRANSFER FUNDS AND MAKE PAYMENT FOR SAME .

WHEREAS, bids for reconstruction of West 26th Street were opened on February 7, 2003; and

WHEREAS, B & B Underground Contractors, Inc. is the responsible low bidder.

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

SECTION 1. The bid submitted by B & B Underground Contractors, Inc. for reconstruction of West 26th Street in the amount of \$435,509.00 is accepted.

SECTION 2. The Mayor and City Clerk are authorized to execute the contract with B&B Contracting, Inc.

SECTION 3. The City Manager is hereby authorized to approve change orders in the amount not to exceed 10% of the contract price.

SECTION 4. The Finance Director is authorized to revise the budget in the Paving and Drainage Construction fund by reducing the original transfer of \$200,000 to \$165,659, account number 301-0716-581-0-0108 and transfer same to Community Development Block Grant fund account number 108-00-381301.

SECTION 5. The Finance Director is authorized to increase the Community Development Block Grant revenue account number 108-00-337407 from \$212,000 to \$262,000 based on the revised agreement approved at the March 5, 2003 City Council meeting.

SECTION 6. The Finance Director is authorized to increase the CDBG fund expenditure account number 108-0717-519-0-5304 Road Materials and Supplies account originally budgeted for \$370,330 to \$397,659 which includes \$43,550 for geotechnical engineering services and unforeseen costs that may occur during the construction of this project.

SECTION 7. The Finance Director is authorized to make payment for same from the following accounts:

108-0717-591-0-3106 Professional Services	\$30,000
108-0717-519-0-5304 Construction Cost	\$435,509
403-1438-536-0-6508 Utilities	\$81,400

SECTION 8. This resolution shall take effect upon its passage and approval by the City Council.

APPROVED:



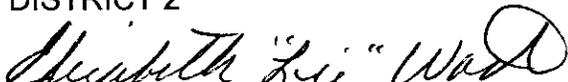
MICHAEL D. BROWN
MAYOR



COUNCILPERSON DONALD R. WILSON
DISTRICT 1

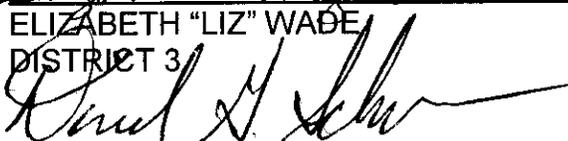
absent
COUNCILPERSON SYLVIA LEE BLUE
DISTRICT 2

ATTEST



ELIZABETH "LIZ" WADE
DISTRICT 3

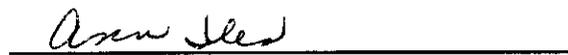
(MUNICIPAL SEAL)



COUNCILPERSON DAVID G. SCHNYER
DISTRICT 4



CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



COUNCILPERSON ANN ILES
DISTRICT-AT-LARGE

MOTIONED BY: A. Iles

SECONDED BY: D. Wilson

D. WILSON aye

S. BLUE absent

E. WADE aye

D. SCHNYER aye

A. ILES aye

REVIEWED AS TO LEGAL
SUFFICIENCY



PAMALA H. RYAN
CITY ATTORNEY
CITY OF RIVIERA BEACH

Date 3/12/03

MEM:mem
03/12/03

RESOLUTION NO. 67-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING THE PROPOSAL SUBMITTED BY BURKHARDT CONSTRUCTION, INC. FOR INSTALLING LANDSCAPING AND MODIFYING IRRIGATION ON BLUE HERON BOULEVARD FROM I-95 TO GARDEN ROAD AT A COST OF \$46,309.00, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE PROPOSAL; AUTHORIZING THE FINANCE DIRECTOR TO ACCEPT A DONATION IN THE AMOUNT OF \$30,000 FROM ISG RESOURCES, INC. FOR LANDSCAPE IMPROVEMENT, SET UP A BUDGET, APPROPRIATE FUNDS AND MAKE PAYMENT FOR SAME FROM ACCOUNT NO. 109-0716-5150-6301.

WHEREAS, the City desires to replace some of the landscaping on Blue Heron Boulevard between I-95 and Garden Road with drought tolerant materials in order to reduce irrigation and maintenance work; and

WHEREAS, ISG Resources, Inc. has committed \$30,000 toward landscaping improvement on Blue Heron Boulevard; and

WHEREAS, the Burkhardt Construction, Inc. is willing to modify the irrigation system and install drought tolerant landscaping for \$46,309 under the terms and condition of the contract for Blue Heron Beautification Phase III.

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

SECTION 1. The proposal submitted by Burkhardt Construction, Inc. is hereby accepted for \$46,309.00

SECTION 2. The Mayor AND City Clerk are authorized to execute the proposal.

SECTION 3. The Mayor and Finance Director accept a donation from ISG Resources, Inc. in the amount of \$30,000, which fund to be used for installing landscaping on Blue Heron Boulevard between I-95 and Garden Road.

SECTION 4. The Finance Director is authorized to appropriate fund balance in the Beautification Fund (109) in the amount of \$20,939.00 and set up a budget for the project as follows:

Construction	\$46,309.00
Contingency	\$2,315.00
Professional Services	\$2,315.00

SECTION 5. The City Manager is authorized to approve change orders in an amount not to exceed \$2,315.00.

SECTION 6. This resolution shall take affect upon its approval by the City Council.

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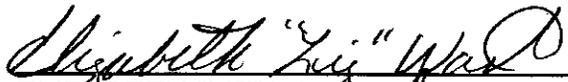
APPROVED:


MICHAEL D. BROWN
MAYOR

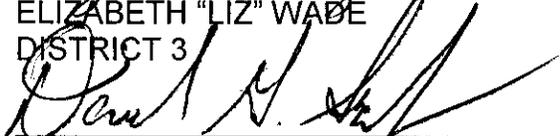

COUNCILPERSON DONALD R. WILSON
DISTRICT 1

absent
COUNCILPERSON SYLVIA LEE BLUE
DISTRICT 2

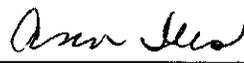
ATTEST


ELIZABETH "LIZ" WADE
DISTRICT 3

(MUNICIPAL SEAL)


COUNCILPERSON DAVID G. SCHNYER
DISTRICT 4


CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK


COUNCILPERSON ANN ILES
DISTRICT-AT-LARGE

MOTIONED BY: D. Wilson

SECONDED BY: A. Iles

D. WILSON aye

S. BLUE absent

E. WADE aye

D. SCHNYER aye

A. ILES aye

REVIEWED AS TO LEGAL
SUFFICIENCY


PAMALA H. RYAN
CITY ATTORNEY
CITY OF RIVIERA BEACH

Date 3/12/03

MEM:mem
03/12/03

PROPOSAL

THE FOLLOWING PROPOSAL IS BASED ON THE TERMS AND CONDITIONS OF THE CURRENT CONTRACT FOR
BLUE HERON BEAUTIFICATION PHASE III, DATED AUGUST 21, 2002.

From: Burkhardt Construction, Inc.
1400 Alabama Ave. #20
West Palm Beach, FL 33401
Att: Marc R. Kleisley
Telephone: 659-1400
Fax: 659-1402

To: City of Riviera Beach
Engineering Department
600 W. Blue Heron Blvd.
Riviera Beach, FL 33404
Att: L. John Samadi, P.E.

Project: Blue Heron Beautification, Phase II

Arch./Eng.: Gee & Jenson
One Harvard Circle
West Palm Beach, FL 33409
Att: Scott J. Barber, RLA
Telephone: 515-6500
Fax: 515-6502

Revision: Plant Removal/Replacements along Phase II

Plans: NONE

Proposal

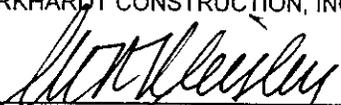
Date: March 7, 2003

Item Description	Quantity	Unit Price	Amount
Mobilization	1	LS \$4,250.00	\$4,250.00
Maintenance of Traffic	1	LS \$3,000.00	\$3,000.00
Clearing, Grubbing, Grading	1	LS \$3,000.00	\$3,000.00
Royal Palms (24'-26' overall)	4	EA \$2,475.00	\$9,900.00
Ilex vomitoria 'Schillings' - Schillings Holly (3 gal, 24" on center)	826	EA \$11.50	\$9,499.00
Liriope muscari 'Evergreen Giant' (1 gal, 12" on center)	1600	EA \$6.50	\$10,400.00
Recondition Irrigation zones adjacent to new plantings	1	LS \$5,000.00	\$5,000.00
Mulch	350	SY \$3.60	\$1,260.00

TOTAL \$46,309.00

- 1 PRICES FIRM FOR 30 DAYS
- 2 INITIAL WATERING IN BY WATER TRUCK INCLUDED.
- 3 PRICE DOES NOT INCLUDE MAINTENANCE OR WATER AFTER THE INITIAL WATERING IN PERIOD.
- 4 WE HAVE BEEN ADVISED THAT DRIP IRRIGATION USED IN CONJUNCTION WITH UNTREATED WATER CAN BE PROBLEMATIC. THIS USE HAS A HISTORY OF CLOGGING DUE TO DEBRIS AND EXTENSIVE ALGAE GROWTH IN THE UNTREATED WATER. AT THE CLIENTS REQUEST, THIS PRICE INCLUDES FLUSHING THE SYSTEM AND GETTING WATER TO THE INTENDED PLANTS USING THE EXISTING SYSTEM. HOWEVER, WE HAVE CONCERNS REGARDING THE LONG TERM FUNCTIONING OF THE EXISTING DRIP IRRIGATION SYSTEM USED IN CONJUNCTION WITH UNFILTERED/UNTREATED CANAL WATER. BURKHARDT CONSTRUCTION, INC. CANNOT BE HELD RESPONSIBLE FOR MODIFICATIONS TO AN EXISTING SYSTEM PREVIOUSLY INSTALLED BY OTHERS.
- 5 ONE YEAR MAINTENANCE AGREEMENT FOR BOTH PHASES II & III CAN BE ADDED TO THE CONTRACT FOR A LUMP SUM TOTAL: \$ 36,500.00.

RESPECTFULLY SUBMITTED,
BURKHARDT CONSTRUCTION, INC.



MARC R. KLEISLEY, PROJECT MANAGER

RECOMMENDED BY LANDSCAPE ARCHITECT:
GEE & JENSON



SCOTT J. BARBER, RLA

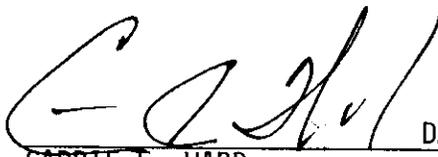
DATE: 3/11/03

APPROVED
CITY OF RIVIERA BEACH



MICHAEL D. BROWN, MAYOR

DATE: 3/20/03



CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK

DATE: 3/25/03

RESOLUTION NO. 68-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE FINAL PAYMENT IN THE AMOUNT OF \$10,626.67 TO BURKHARDT CONSTRUCTION, INC. FOR BEAUTIFICATION WORK ON BLUE HERON BOULEVARD FROM C-17 CANAL TO AVENUE S AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO MAKE PAYMENT FROM ACCOUNT NUMBER 109-0716-5150-6301

WHEREAS, on August 21, 2002, the City Council approved a contract with Burkhardt Construction, Inc. for installation of landscaping and irrigation on Blue Heron Boulevard between C-17 Canal and Avenue S; and

WHEREAS, Burkhardt Construction, Inc. has satisfactorily completed the project.

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

SECTION 1. That the City Council hereby authorizes the final payment to Burkhardt Construction, Inc. for the beautification work on Blue Heron Boulevard between C-17 Canal and Avenue S in the amount of \$10,626.67.

SECTION 2. The Mayor and Finance Director are authorized to make payment for same from account number 109-0716-5150-6301.

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

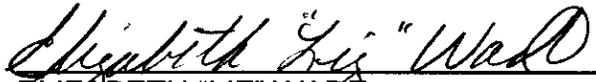
APPROVED:


MICHAEL D. BROWN
MAYOR

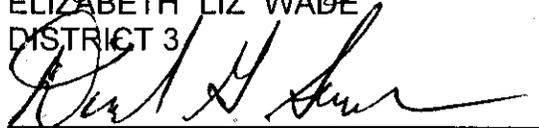

COUNCILPERSON DONALD R. WILSON
DISTRICT 1

absent
COUNCILPERSON SYLVIA LEE BLUE
DISTRICT 2

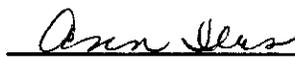
ATTEST


ELIZABETH "LIZ" WADE
DISTRICT 3

(MUNICIPAL SEAL)


COUNCILPERSON DAVID G. SCHNYER
DISTRICT 4


CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK


COUNCILPERSON ANN ILES
DISTRICT-AT-LARGE

MOTIONED BY: D. Wilson

SECONDED BY: E. Wade

D. WILSON aye

S. BLUE absent

E. WADE aye

D. SCHNYER aye

A. ILES aye

REVIEWED AS TO LEGAL
SUFFICIENCY


PAMALA H. RYAN
CITY ATTORNEY
CITY OF RIVIERA BEACH

Date 3/12/03

MEM:mem
03/12/03

RESOLUTION NO. 69-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, DECLARING THE RESULTS OF THE MARCH 11, 2003 MUNICIPAL GENERAL ELECTION AND NAMING THE RECIPIENTS: FOR THE MAYOR, DISTRICT 1, DISTRICT 3 AND DISTRICT 5, RESPECTIVELY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on the 11TH day of March, 2003, a Municipal General Election was held in the City of Riviera Beach, Palm Beach County, Florida, between the hours of 7:00 a.m. and 7:00 p.m. for the purpose of electing qualified candidates, as provided by law for Mayor; Council District One (1); Council District Three (3); and Council District Five (5) respectively; and

WHEREAS, the polling places, clerks, inspectors and police officers of said election held on March 11, 2003 were duly appointed by the Riviera Beach Supervisor of Elections; and

WHEREAS, on March 11, 2003, said clerks transported their returns to the Riviera Beach Supervisor of Elections, who made returns to the Supervisor of Elections of Palm Beach County and results are attached; and

WHEREAS, the Palm Beach County Supervisor of Elections found that the returns of the clerks and inspectors of the said Election were true and correct tabulations of the votes cast; and that the absentee ballots, provisional ballots, and voting machine absentee ballots were properly canvassed; and

WHEREAS, on February 11, 2003, candidates Michael D. Brown, Donald R. Wilson, Elizabeth "Liz" Wade, and Ann Iles were opposed candidates; and

WHEREAS, on March 11th, unofficial results declared victory to Michael D. Brown as Mayor; Donald R. Wilson, District 1; Elizabeth "Liz" Wade, District 3; and Ann Iles, District 5.

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

RESOLUTION NO. 69-03
PAGE 2.

Section 1: That the following named persons are hereby declared to be duly and lawfully elected to the following offices, to-wit:

MAYOR – MICHAEL D. BROWN

COUNCILPERSON DISTRICT 1 – DONALD R. WILSON

COUNCILPERSON DISTRICT 3 – ELIZABETH "LIZ" WADE

COUNCILPERSON DISTRICT 5 – ANN ILES

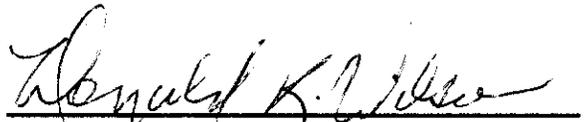
Section 2: That the City Clerk be, and she is hereby directed to deliver to the persons in their respective districts, Certificates of Elections and administer the Oath of Office in accordance with the law.

PASSED AND APPROVED THIS 19TH day of MARCH 2003.

APPROVED:



MICHAEL D. BROWN
MAYOR



DONALD R. WILSON
COUNCILPERSON

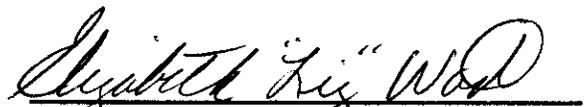
ATTEST:



CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK

absent

SYLVIA LEE BLUE
COUNCILPERSON

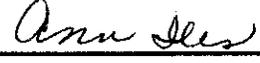


ELIZABETH "LIZ" WADE
COUNCILPERSON

RESOLUTION NO. 69-03
PAGE 3.



DAVID G. SCHNYER
COUNCILPERSON



ANN ILES
COUNCILPERSON

MOTIONED BY: D. Wilson

SECONDED BY: A. Iles

D. WILSON: aye

S. BLUE: absent

E. WADE: aye

D. SCHNYER: aye

A. ILES: aye

REVIEWED AS TO LEGAL SUFFICIENCY

PAMALA H. RYAN, CITY ATTORNEY

DATE: _____

**OFFICIAL RESULTS
CITY OF RIVIERA BEACH
MARCH 11, 2003 MUNICIPAL
GENERAL ELECTION**

INLET GROVE COMMUNITY SCHOOL, 7071 GARDENS ROAD

1273 Registered Voters

MAYORAL DISTRICT: 87 Votes Cast

MICHAEL D. BROWN 54

DeNeal "DEE" CUNNINGHAM 32

COUNCIL DISTRICT 1: 87 Votes Cast

DONALD R WILSON 45

IDA MICHELLE GRAHAM 33

ARTHUR JOHNSON 8

COUNCIL GROUP 3: 87 Votes Cast

ELIZABETH 'LIZ' WADE 52

SHELBY LOWE 35

COUNCIL GROUP 5: 87 Votes Cast

ANN ILES 49

DAN IVORY, JR. 36

● 1174 INLET GROVE COMMUNITY SCHOOL, 7071 GARDENS ROAD

589 Registered Voters

MAYORAL DISTRICT: 15 Votes Cast

MICHAEL D. BROWN 8

DeNeal "DEE" CUNNINGHAM 7

COUNCIL DISTRICT 1: 15 Votes Cast

DONALD R WILSON 5

IDA MICHELLE GRAHAM 7

ARTHUR JOHNSON 3

COUNCIL GROUP 3: 15 Votes Cast

ELIZABETH 'LIZ' WADE 5

SHELBY LOWE 10

COUNCIL GROUP 5: 15 Votes Cast

ANN ILES 6

DAN IVORY, JR. 8

● 1180 INLET GROVE COMMUNITY SCHOOL, 7071 GARDENS ROAD

0 Registered Voters

MAYORAL DISTRICT: 0 Votes Cast

MICHAEL D. BROWN 0

DeNeal "DEE" CUNNINGHAM 0

COUNCIL DISTRICT 1: 0 Votes Cast

DONALD R WILSON 0

IDA MICHELLE GRAHAM 0

ARTHUR JOHNSON 0

COUNCIL GROUP 3: 0

ELIZABETH 'LIZ' WADE 0

SHELBY LOWE 0

COUNCIL GROUP 5: 0

ANN ILES 0

DAN IVORY, JR. 0

● 1192 CANOPY PALMS RAMADA PLAZA RESORT, 3800 N. OCEAN DRIVE

1424 Registered Voters

MAYORAL DISTRICT: 565 Votes Cast

MICHAEL D. BROWN 178

DeNeal "DEE" CUNNINGHAM 385

COUNCIL DISTRICT 1: 565 Votes Cast

DONALD R WILSON 144

IDA MICHELLE GRAHAM 392

ARTHUR JOHNSON 22

COUNCIL GROUP 3: 565 Votes Cast

ELIZABETH 'LIZ' WADE 167

SHELBY LOWE 393

COUNCIL GROUP 5: 565 Votes Cast

ANN ILES 181

DAN IVORY, JR. 374

1202 CANOPY PALMS RAMADA PLAZA RESORT, 3800 N. OCEAN DRIVE

1550 Registered Voters

MAYORAL DISTRICT: 593 Votes Cast

MICHAEL D. BROWN 288

DeNeal "DEE" CUNNINGHAM 296

COUNCIL DISTRICT 1: 593 Votes Cast

DONALD R WILSON 261

IDA MICHELLE GRAHAM 304

ARTHUR JOHNSON 14

COUNCIL GROUP 3: 593 Votes Cast

ELIZABETH 'LIZ' WADE 284

SHELBY LOWE 298

COUNCIL GROUP 5: 593 Votes Cast

ANN ILES 284

DAN IVORY, JR. 290

1208 INLET GROVE COMMUNITY SCHOOL, 7071 GARDENS ROAD

1 Registered Voters

MAYORAL DISTRICT: 0 Votes Cast

MICHAEL D. BROWN 0

DeNeal "DEE" CUNNINGHAM 0

COUNCIL DISTRICT 1: 0 Votes Cast

DONALD R WILSON 0

IDA MICHELLE GRAHAM 0

ARTHUR JOHNSON 0

COUNCIL GROUP 3: 0

ELIZABETH 'LIZ' WADE 0

SHELBY LOWE 0

COUNCIL GROUP 5: 0

ANN ILES 0

DAN IVORY, JR. 0

● 7008 BURKE'S GARAGE, 2526 WESCHESTER DRIVE

640 Registered Voters

MAYORAL DISTRICT: 143 Votes Cast

MICHAEL D. BROWN 83

DeNeal "DEE" CUNNINGHAM 59

COUNCIL DISTRICT 1: 143 Votes Cast

DONALD R WILSON 62

IDA MICHELLE GRAHAM 61

ARTHUR JOHNSON 17

COUNCIL GROUP 3: 143 Votes Cast

ELIZABETH 'LIZ' WADE 74

SHELBY LOWE 66

COUNCIL GROUP 5: 143 Votes Cast

ANN ILES 80

DAN IVORY, JR. 60

7012 INLET GROVE COMMUNITY SCHOOL, 7071 GARDENS ROAD

136 Registered Voters

MAYORAL DISTRICT: 31 Votes Cast

MICHAEL D. BROWN 4

DeNeal "DEE" CUNNINGHAM 26

COUNCIL DISTRICT 1: 31 Votes Cast

DONALD R WILSON 6

IDA MICHELLE GRAHAM 18

ARTHUR JOHNSON 5

COUNCIL GROUP 3: 31 Votes Cast

ELIZABETH 'LIZ' WADE 5

SHELBY LOWE 26

COUNCIL GROUP 5: 31 Votes Cast

ANN ILES 8

DAN IVORY, JR. 21

7018 INLET GROVE COMMUNITY SCHOOL, 7071 GARDENS ROAD

0 Registered Voters

MAYORAL DISTRICT: 0 Votes Cast

MICHAEL D. BROWN 0

DeNeal "DEE" CUNNINGHAM 0

COUNCIL DISTRICT 1: 0 Votes Cast

DONALD R WILSON 0

IDA MICHELLE GRAHAM 0

ARTHUR JOHNSON 0

COUNCIL GROUP 3: 0

ELIZABETH 'LIZ' WADE 0

SHELBY LOWE 0

COUNCIL GROUP 5: 0

ANN ILES 0

DAN IVORY, JR. 0

7020 WASHINGTON ELEMENTARY SCHOOL, 1709 WEST 30th STREET

2559 Registered Voters

MAYORAL DISTRICT: 723 Votes Cast

MICHAEL D. BROWN 509

DeNeal "DEE" CUNNINGHAM 209

COUNCIL DISTRICT 1: 723 Votes Cast

DONALD R WILSON 467

IDA MICHELLE GRAHAM 188

ARTHUR JOHNSON 53

COUNCIL GROUP 3: 723 Votes Cast

ELIZABETH 'LIZ' WADE 468

SHELBY LOWE 240

COUNCIL GROUP 5: 723 Votes Cast

ANN ILES 480

DAN IVORY, JR. 222

● **7024 WELLS RECREATION CENTER, 2409 AVENUE 'H' WEST**

2004 Registered Voters

MAYORAL DISTRICT: 517 Votes Cast

MICHAEL D. BROWN 346

DeNeal "DEE" CUNNINGHAM 162

COUNCIL DISTRICT 1: 517 Votes Cast

DONALD R WILSON 309

IDA MICHELLE GRAHAM 154

ARTHUR JOHNSON 46

COUNCIL GROUP 3: 517 Votes Cast

ELIZABETH 'LIZ' WADE 326

SHELBY LOWE 184

COUNCIL GROUP 5: 517 Votes Cast

ANN ILES 341

DAN IVORY, JR. 161

● 7026 NEWCOMB HALL, 180 E. 13 STREET

507 Registered Voters

MAYORAL DISTRICT: 129 Votes Cast

MICHAEL D. BROWN 68

DeNeal "DEE" CUNNINGHAM 61

COUNCIL DISTRICT 1: 129 Votes Cast

DONALD R WILSON 53

IDA MICHELLE GRAHAM 53

ARTHUR JOHNSON 8

COUNCIL GROUP 3: 129

ELIZABETH 'LIZ' WADE 57

SHELBY LOWE 68

COUNCIL GROUP 5: 129

ANN ILES 60

DAN IVORY, JR. 63

● 7028 VFW POST 4143, 2404 BROADWAY

1955 Registered Voters

MAYORAL DISTRICT: 552 Votes Cast

MICHAEL D. BROWN 347

DeNeal "DEE" CUNNINGHAM 199

COUNCIL DISTRICT 1: 552 Votes Cast

DONALD R WILSON 307

IDA MICHELLE GRAHAM 182

ARTHUR JOHNSON 42

COUNCIL GROUP 3: 552

ELIZABETH 'LIZ' WADE 342

SHELBY LOWE 200

COUNCIL GROUP 5: 552

ANN ILES 336

DAN IVORY, JR. 199

7030 S AVENUE CHURCH OF CHRIST, 2120 AVENUE 'S'

2811 Registered Voters

MAYORAL DISTRICT: 678 Votes Cast

MICHAEL D. BROWN 492

DeNeal "DEE" CUNNINGHAM 174

COUNCIL DISTRICT 1: 678 Votes Cast

DONALD R WILSON 416

IDA MICHELLE GRAHAM 166

ARTHUR JOHNSON 79

COUNCIL GROUP 3: 678 Votes Cast

ELIZABETH 'LIZ' WADE 396

SHELBY LOWE 273

COUNCIL GROUP 5: 678 Votes Cast

ANN ILES 501

DAN IVORY, JR. 163

● 7032 DAN CALLOWAY COMPLEX, 1420 WEST 10TH STREET

2068 Registered Voters

MAYORAL DISTRICT: 586 Votes Cast

MICHAEL D. BROWN 426

DeNeal "DEE" CUNNINGHAM 153

COUNCIL DISTRICT 1: 586 Votes Cast

DONALD R WILSON 386

IDA MICHELLE GRAHAM 125

ARTHUR JOHNSON 48

COUNCIL GROUP 3: 586 Votes Cast

ELIZABETH 'LIZ' WADE 385

SHELBY LOWE 184

COUNCIL GROUP 5: 586 Votes Cast

ANN ILES 417

DAN IVORY, JR. 134

17,517 TOTAL REGISTERED VOTERS

4,862 TOTAL VOTES CAST

27.76 % OF THE TOTAL REGISTERED VOTERS

TOTAL VOTES CAST PER CANDIDATE:

M. BROWN 2,923
D. CUNNINGHAM 1,876

D. WILSON 2,576
I. GRAHAM 1,787
A. JOHNSON 370

E. WADE 2,687
S. LOWE 2,079

A. ILES 2,870
D. IVORY 1,833

STATE OF FLORIDA
COUNTY OF PALM BEACH
CITY OF RIVIERA BEACH

I, CARRIE E. WARD, SUPERVISOR OF ELECTIONS FOR THE CITY OF RIVIERA BEACH, HEREBY CERTIFY THAT IS A TRANSLITERATE IN A MORE DETAILED FORMAT OF THE RESULTS OF THE MARCH 11, 2003 MUNICIPAL GENERAL ELECTION

WITNESS MY HAND AND SEAL, THIS 14TH DAY OF MARCH, 2003 IN THE YEAR OF OUR LORD:


CARRIE E. WARD, MMC
CITY CLERK
RIVIERA BEACH

CITY SEAL

RESOLUTION NO: 70-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, AMENDING EXHIBIT "A" OF RESOLUTION 12-03, OF WHICH SAID RESOLUTION AUTHORIZED THE ACQUISITION OF FEE SIMPLE TITLE TO PROPERTY BY EMINENT DOMAIN, GIFT OR PURCHASE OF CERTAIN PROPERTY LOCATED WITHIN THE CITY OF RIVIERA BEACH, FLORIDA; WHICH MADE A FINDING THAT THE PROPERTY IS NECESSARY FOR THE PUBLIC PURPOSE OF ELIMINATING THE HOUSING SHORTAGE IN THE CITY OF RIVIERA BEACH; WHICH PRESERVED VACANT RESIDENTIAL PROPERTY FOR THE DEVELOPMENT OF PRIVATE RESIDENCES FOR THE BENEFIT OF THE CITIZENS OF RIVIERA BEACH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, at a special City Council Meeting, held on February 4, 2003, the City Council approved resolution 12-03, which, among other things, approved the acquisition of private property located on Congress Avenue, by voluntary means or by eminent domain; and

WHEREAS, resolution 12-03, identified the property to be acquired by Exhibit "A," which was incorporated into the resolution; and

WHEREAS, Exhibit "A" included only a sketch of the property to be acquired but should have included the legal description of the property as well; and

WHEREAS, it was the intention of the City Council to include the legal description in Exhibit "A."

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

SECTION 1. Exhibit "A" which was attached to and made a part of resolution 12-03 is hereby amended to include the following legal description:

LEGAL DESCRIPTION: A PARCEL OF LAND LOCATED IN THE NORTHEAST ONE-QUARTER OF SECTION 30, TOWNSHIP 42 SOUTH, RANGE 43 EAST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEING ALL OF THE NORTHEAST QUARTER OF SECTION 30, LYING WEST OF THE WEST RIGHT-OF-WAY LINE FOR CONGRESS AVENUE AS RECORDED IN OFFICIAL RECORD BOOK 10644, PAGE 963, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. LESS THE NORTH 75 FEET THEREOF. CONTAINING 101.232 ACRES, MORE OR LESS.

Resolution No. 70-03
Page 2

SECTION 2. Resolution 12-03 is otherwise valid and in all other respects shall remain the same.

SECTION 3. This resolution shall become effective immediately upon its passage by the City Council.

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APPROVED:

[Signature]
MICHAEL D. BROWN
MAYOR

[Signature]
COUNCILPERSON DONALD R. WILSON
DISTRICT 1

absent
COUNCILPERSON SYLVIA LEE BLUE
DISTRICT 2

ATTEST

[Signature]
ELIZABETH "LIZ" WADE
DISTRICT 3

(MUNICIPAL SEAL)

[Signature]
COUNCILPERSON DAVID G. SCHNYER
DISTRICT 4

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

[Signature]
COUNCILPERSON ANN ILES
DISTRICT-AT-LARGE

MOTIONED BY: D. Wilson

SECONDED BY: E. Wade

D. WILSON aye

S. BLUE absent

E. WADE aye

D. SCHNYER aye

A. ILES aye

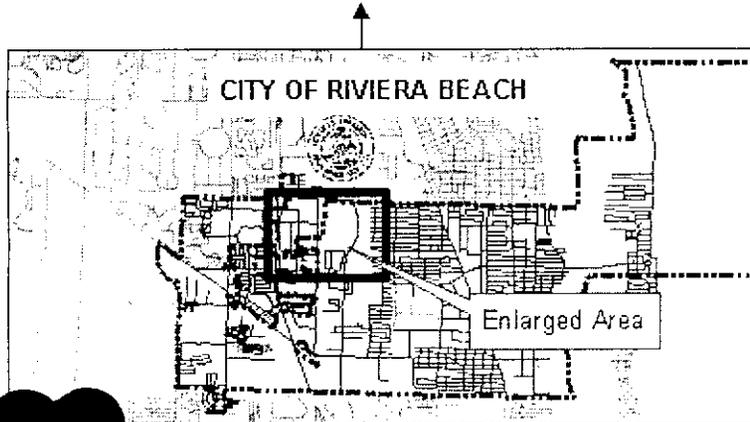
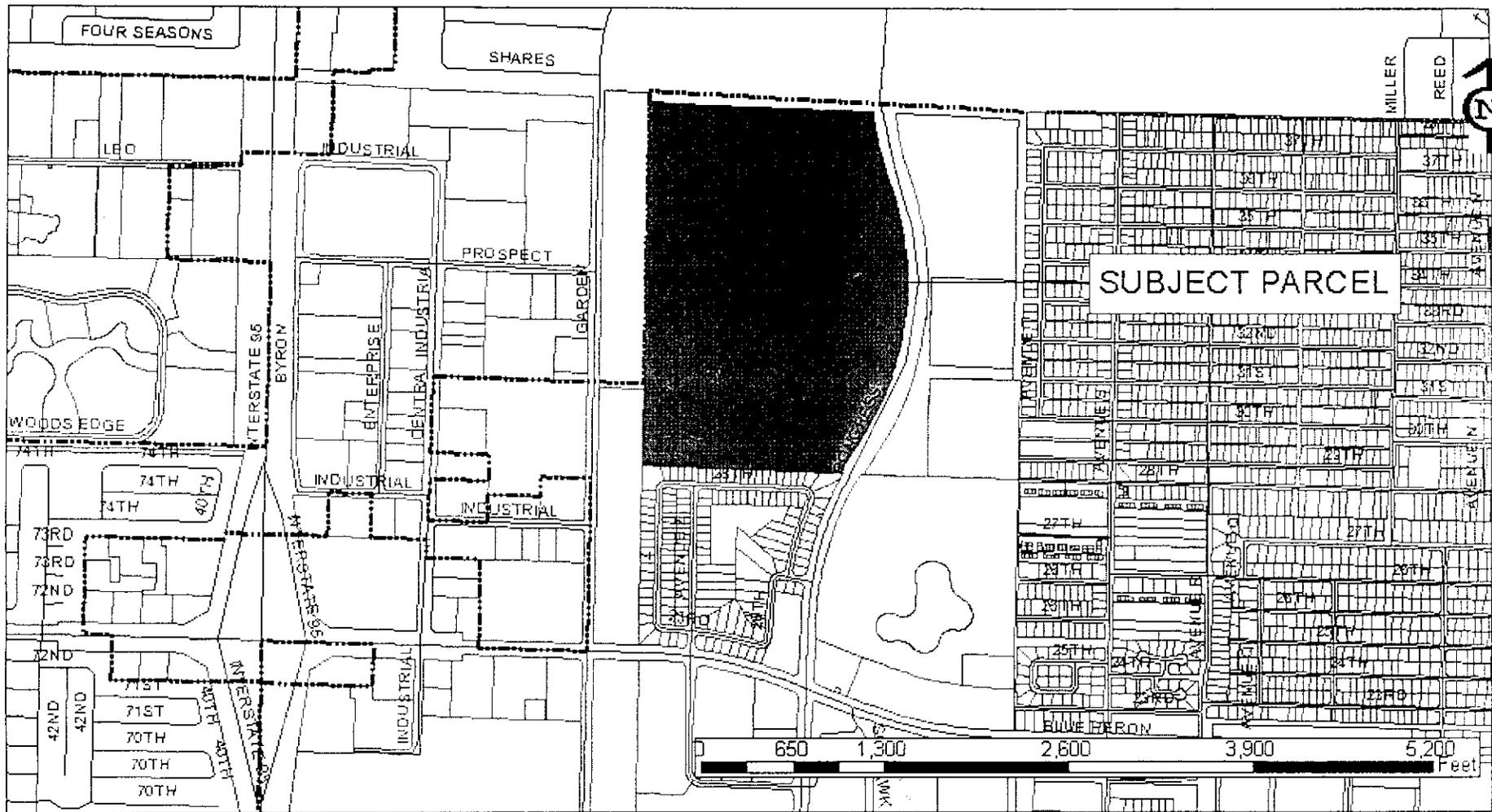
REVIEWED AS TO LEGAL
SUFFICIENCY

[Signature]
PAMALA H. RYAN
CITY ATTORNEY
CITY OF RIVIERA BEACH

Date 3/19/03

MEM:mem
03/12/03

EXHIBIT "A"



LOCATION MAP
CONGRESS AVENUE PUD

Legend

- Parcel Boundary
- Street Center Line
- Municipal Boundary
- Congress Avenue PUD

Map Created on November 20, 2002
by the City of Riviera Beach Community Development

RESOLUTION NO. 71-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROPRIATING \$275,269 OF GENERAL FUND, FUND BALANCE TO COVER THE INCREASED PENSION REQUIREMENTS FOR THE GENERAL EMPLOYEES PENSION CONTRIBUTION FOR PLAN YEAR 2002-03.

WHEREAS, an annual Actuarial Valuation Report is required to set forth required contribution levels, to disclose plan assets and actuarial liabilities, to comment on funding progress and to provide supporting information regarding the operation of the Plan; and

WHEREAS, the Actuarial report was not received until after the adoption of the budget, which reflected increased costs due to the market down turn and low interest rates; and

WHEREAS, it is now time to make the payment to the plan and funds have to be appropriated to cover the additional costs.

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 appropriating \$275,269 of General Fund, Fund Balance as follows:

Fund Balance	001-00-399999	275,269
General Employees Retirement Contributions	001-0203-519-0-1402	275,269

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

PASSED AND APPROVED this 2nd day of April, 2003.

RESOLUTION NO. 72-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE BUDGET FOR THE LIABILITY INSURANCE FUND IN THE AMOUNT OF \$320,834 AND AMENDING THE TRANSFERS FROM THE GENERAL FUND IN THE AMOUNT OF \$277,763, AMENDING THE TRANSFERS IN THE WATER & SEWER FUND IN THE AMOUNT OF \$32,748, AND AMENDING THE TRANSFER IN THE MARINA FUND IN THE AMOUNT OF \$10,323; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, during the 2002-03 budget process the Liability Insurance Fund was lowered by \$320,834; and

WHEREAS, it has been determined that the Liability Insurance Fund will need the \$320,834 through the remainder of the of the fiscal year; and

WHEREAS, the reason for the additional funds is due to higher insurance premium costs which did not become effective until December 2002 during renewal 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 approves amending the Liability Insurance Fund budget by \$320,834 and amending the transfers from the General Fund in the amount of \$277,763, the Water & Sewer Fund in the amount of \$32,748, and the Marina Fund in the amount of \$10,323.

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

PASSED AND APPROVED this 2nd day of April, 2003.

RESOLUTION NO. 72-03

PAGE 2

APPROVED:

Michael D. Brown

MICHAEL D. BROWN
MAYOR

David G. Schnyer

DAVID G. SCHNYER
CHAIRPERSON

(MUNICIPAL SEAL)

Sylvia Lee Blue

SYLVIA LEE BLUE
CHAIR PRO-TEM

Donald R. Wilson

DONALD R. WILSON
COUNCILPERSON

ATTEST:

Elizabeth "Liz" Wade

ELIZABETH "LIZ" WADE
COUNCILPERSON

Carrie E. Ward

CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK

Ann Iles

ANN ILES
COUNCILPERSON

MOTIONED BY: E. Wade

SECONDED BY: A. Iles

D. SCHNYER aye

S. BLUE aye

D. WILSON aye

E. WADE aye

A. ILES aye

REVIEWED AS TO LEGAL SUFFICIENCY

Pamela H. Ryan

CITY ATTORNEY
CITY OF RIVIERA BEACH

DATE: 4/2/03

BY: _____
REVIEWED AS TO TERMS AND CONDITIONS

RESOLUTION NO. 73-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ASSIGNING THE CONTRACT FOR AUDITING SERVICES ENTERED INTO ON OCTOBER 4, 2000 WITH HAAS, DIAZ, & COMPANY TO RACHLIN, COHEN, & HOLTZ, CERTIFIED PUBLIC ACCOUNTANTS AND CONSULTANTS; AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN ADDENDUM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Riviera Beach entered into a four year agreement with Haas, Diaz, & Company on October 4, 2000 to provide independent audit services; and

WHEREAS, Haas, Diaz & Company merged with Rachlin, Cohen, and Holtz, Certified Public Accountants and Consultants effective November 1, 2002; and

WHEREAS, as stated in Article 12 of the contract, neither the City nor the Certified Public Accountants shall assign, sublet, convey or transfer its interest in the Contract without the written consent of the other.

WHEREAS, it is in the best interest of the City to continue this relationship as the City has received excellent service and the audit for the 2002 fiscal year was already in progress during the merger.

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

SECTION 1. That the City Council authorizes the assignment of the contract for audit services entered into on October 4, 2000, with Haas, Diaz, & Company to Rachlin, Cohen, & Holtz, Certified Public Accountants and Consultants, and that the assignment becomes effective November 1, 2002.

SECTION 2. That City Council authorizes the Mayor and City Clerk to execute an addendum to the contract.

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

PASSED AND APPROVED this 2nd day of April, 2003.

RESOLUTION NO. 73-03

PAGE 2

APPROVED:

Michael D. Brown
MICHAEL D. BROWN
MAYOR

David G. Schnyer
DAVID G. SCHNYER
CHAIRPERSON

(MUNICIPAL SEAL)

Sylvia Lee Blue
SYLVIA LEE BLUE
CHAIR PRO-TEM

ATTEST:

Donald R. Wilson
DONALD R. WILSON
COUNCILPERSON

Elizabeth "Liz" Wade
ELIZABETH "LIZ" WADE
COUNCILPERSON

Carrie E. Ward
CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK

Ann Iles
ANN ILES
COUNCILPERSON

MOTIONED BY: A. Iles

SECONDED BY: D. Wilson

D. SCHNYER aye

S. BLUE aye

D. WILSON aye

E. WADE aye

A. ILES aye

REVIEWED AS TO LEGAL SUFFICIENCY

Pamala Hanna Ryan
PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 3/25/03

**ADDENDUM TO CONTRACT FOR PROFESSIONAL SERVICES
RFP NO. 02400
ANNUAL AUDIT SERVICES**

This Addendum is made and entered into this 2nd day of April 2003, by and between the CITY of RIVIERA BEACH, a municipal corporation existing under the laws of the State of Florida, HAAS, DIAZ & COMPANY, Certified Accountants, and RACHLIN, COHEN & HOLTZ, LLP, Certified Public Accountants & Consultants.

WITNESSETH:

WHEREAS, the City of Riviera Beach entered into a Contract with Haas, Diaz & Company, on October 5, 2000, for the completion of yearly audit services, said Contract to terminate on April 15, 2004; and

WHEREAS, the contract provides in Article 12, entitled "Successors and Assigns," that neither party may "assign, sublet, convey or transfer its interest in this Contract without the written consent of the other"; and

WHEREAS, Haas, Diaz & Company recently merged with Rachlin Cohen & Holtz, LLP, Certified Public Accountants & Consultants, effective November 1, 2002; and

WHEREAS, Haas, Diaz & Company is requesting that the City of Riviera Beach approve the assignment of the October 5, 2000 Contract to Rachlin Cohen & Holtz, LLP; and

WHEREAS, Rachlin Cohen & Holtz, LLP, is willing and able to perform the services under the Contract.

NOW, THEREFORE, in consideration of the mutual promises contained herein, the City of Riviera Beach, Haas, Diaz & Company, and Rachlin Cohen & Holtz, LLP, do hereby agree as follows:

Section 1. The above recitals are true and hereby made a part of this Addendum.

Section 2. The City of Riviera Beach hereby approves the assignment of the Contract entered into on October 5, 2000 with Haas, Diaz & Company to Rachlin Cohen & Holtz, LLP.

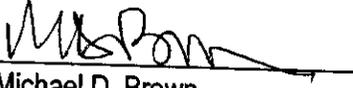
Section 3. In all other respects, the Contract shall remain the same, and Rachlin Cohen & Holtz, LLP agrees to abide by the terms of the Contract, and perform all duties and obligations as were previously being performed by Haas, Diaz & Company.

Section 4. This Addendum shall take effect retroactively on November 1, 2002.

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ADDENDUM TO CONTRACT FOR PROFESSIONAL SERVICES
RFP NO. 02400
ANNUAL AUDIT SERVICES

IN WITNESS WHEREOF, the Parties unto this Addendum have set their hands and seals on the day and date first written above.

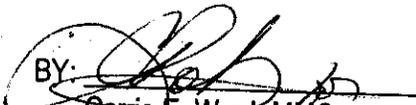
CITY OF RIVIERA BEACH

BY: 
Michael D. Brown
MAYOR

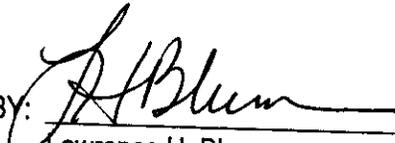
HAAS, DIAZ & COMPANY

BY: 
Charles F. Haas
PARTNER

ATTEST:

BY: 
Carrie E. Ward, MMC
CITY CLERK

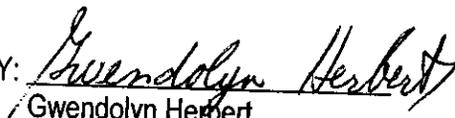
RACHLIN, COHEN & HOLTZ, LLP,

BY: 
Lawrence H. Blum
MANAGING DIRECTOR

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

BY: _____
Pamala H. Ryan
CITY ATTORNEY

APPROVED AS TO TERMS AND
CONDITIONS

BY: 
Gwendolyn Herbert
FINANCE DIRECTOR

DATE: _____

RESOLUTION NO. 74-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ADDENDUMS TO THE CITY'S CURRENT TREASURY SERVICES AGREEMENT AND OTHER REQUIRED FORMS INCLUDING THE INFORMATION REPORTING SERVICE ADDENDUM, POSITIVE PAY SERVICE ADDENDUM, ELECTRONIC POSITIVE PAY CLIENT INFORMATION FORM AND THE DIRECT SERVICES PRIMARY ADMINISTRATOR AUTHORIZATION FORM WITH BANK OF AMERICA TO IMPLEMENT POSITIVE PAY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, with advances in computer technology, counterfeiting is becoming much more prevalent. Industry groups estimate that check fraud losses will grow between 12% and 25% each year for the next ten years. Criminals typically practice two types of check fraud, forgery and counterfeiting; and

WHEREAS, in the past banks bore most of the responsibility associated with check fraud. Now, liability for fraud loss is placed on the party deemed to have been in the best position to prevent the loss had they exercised "ordinary care".

WHEREAS, this City has been a victim of counterfeit check fraud and is desirous of implementing additional security measures to further reduce the City's exposure to liability.

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

SECTION 1. That the City Council authorizes the Mayor and City Clerk to execute Addendums to the City's current Treasury Services Agreement and other required forms including the Information Reporting Service Addendum, Positive Pay Service Addendum, Electronic Positive Pay Client Information Form, and the Direct Services Primary Administrator Authorization Form with Bank of America to implement Positive Pay.

RESOLUTION NO. 74-03
PAGE 2

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

PASSED AND APPROVED this _____ day of April, 2003.

APPROVED:

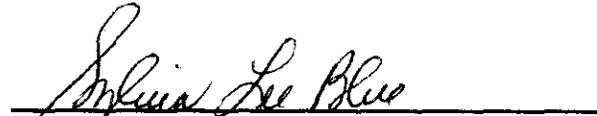


MICHAEL D. BROWN
MAYOR



DAVID G. SCHNYER
CHAIRPERSON

(MUNICIPAL SEAL)

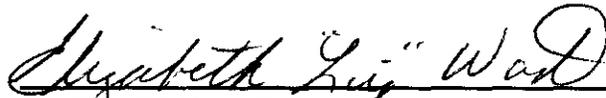


SYLVIA LEE BLUE
CHAIR PRO-TEM

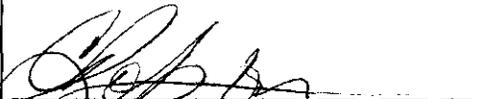


DONALD R. WILSON
COUNCILPERSON

ATTEST:



ELIZABETH "LIZ" WADE
COUNCILPERSON



CARRIE E. WARD
MASTER MUNICIPAL CLERK
CITY CLERK



ANN ILES
COUNCILPERSON

RESOLUTION NO. 74-03
PAGE 3

MOTIONED BY: E. Wade

SECONDED BY: D. Wilson

D. SCHNYER nay

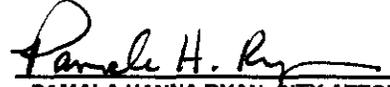
S. BLUE aye

D. WILSON aye

E. WADE aye

A. ILES aye

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 3/25/03