

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING STAFF TO RETAIN THE SERVICES OF ALFRED J. MALEFATTO OF GREENBERG TRAUIG, P.A. TO PROVIDE LEGAL SERVICES TO THE CITY IN DEFENSE OF ADMINISTRATIVE CHALLENGES FILED BY GERALD M. WARD, BAYARD AND MARILYN MOFFIT, MARTHA A. BABSON, F. KEVIN O'BRIEN AND P-4 PARTNERS TO THE CITY'S AMENDED COMPREHENSIVE PLAN; AUTHORIZING PAYMENT FROM ACCOUNT NO.: 001-06.13-514-0-3101 IN AN AMOUNT NOT TO EXCEED \$125,000.00; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Administrative Challenges have been filed by Gerald M. Ward, Bayard and Marilyn Moffit, Martha A. Babson, F. Kevin O'Brien and P-4 Partners objecting to the City's amended Comprehensive Plan; and

WHEREAS, the City of Riviera Beach must defend the aforementioned challenges before an administrative judge and is in need of legal assistance to do so; and

WHEREAS, the City Council finds it is in the best interest of the City to retain Mr. Alfred J. Malefatto of Greenberg Traurig, P.A to provide such representation along with the City Attorney.

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

Section 1. That staff is authorized to retain the services of Attorney Alfred J. Malefatto Of Greenberg Traurig, P.A to perform the above referenced services on behalf of the City.

Section 2. That payment for the same shall be made from Account No.: 001-0613-514-0-3101 in an amount not to exceed \$125,000.00.

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

PASSED and APPROVED this 6TH day of FEBRUARY, 2002.

APPROVED:

Michael D. Brown
MICHAEL D. BROWN
MAYOR

Edward Rodgers
EDWARD RODGERS
CHAIRPERSON

(MUNICIPAL SEAL)

David G. Schnyer
DAVID G. SCHNYER
CHAIRPERSON PRO TEM

ATTEST:

Donald R. Wilson
DONALD R. WILSON

Carrie E. Ward
CARRIE E. WARD, CMC/AAE
CITY CLERK

Sylvia Lee Blue
SYLVIA LEE BLUE

Elizabeth "Liz" Wade
ELIZABETH "LIZ" WADE
COUNCIL MEMBERS

MOTIONED BY:
SECONDED BY:

D. Schnyer
D. Wilson

E. Rodgers aye
D. Schnyer aye
D. Wilson aye
S. Blue aye
E. Wade aye

REVIEWED FOR LEGAL SUFFICIENCY

By: *Donald H. Ry*
City Attorney
City of Riviera Beach
Date: 2/6/02

RESOLUTION NO. 22-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, SUPPORTING A SITE WITHIN THE REDEVELOPMENT AREA FOR THE PROPOSED NEW PUBLIC HIGH SCHOOL TO BE LOCATED WITHIN THE CITY; OPPOSING A SITE NORTH OF BLUE HERON BOULEVARD AND WEST OF CONGRESS AVENUE; AUTHORIZING THE CITY MANAGER AND OTHER APPROPRIATE CITY STAFF TO ENTER INTO DISCUSSION WITH THE SCHOOL DISTRICT OF PALM BEACH COUNTY REGARDING THIS SITE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City Council supports the enhancement and encouragement of a high quality public education for the youth of Riviera Beach; and

WHEREAS, The City Council has demonstrated its support of neighborhood schools through the support of the "Choice Plan" for elementary schools in the City; and

WHEREAS, The School District of Palm Beach County has determined that a new public high school should be constructed in the Riviera Beach area by the start of the 2004-2005 school year; and

WHEREAS, The City encourages the leverage of private sector resources, including loaned executives, mentoring, cooperative education, work study, internships, and direct and indirect financial assistance to strengthen the public education system; and

RESOLUTION NO. 22-02

PAGE 2

WHEREAS, The proposed Riviera Beach Community Redevelopment Plan provides tremendous opportunity for education partnerships for the proposed high school; and

WHEREAS, The City Council has indicated its desire to provide for increased residential development in the Congress Avenue corridor.

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 of Riviera Beach proposes that the new public high school be constructed in the Riviera Beach area on a twenty-five (25) acre site located between West 12th Street and West 11th Street, west of Avenue "E", as shown on the attached map.

SECTION 2: That the City Council supports a cooperative effort between the Riviera Beach Community Redevelopment Agency and the School District of Palm Beach County to plan, develop, and construct the proposed high school.

SECTION 3: That the City Council opposes the location of the proposed high school on property located north of Blue Heron Boulevard and west of Congress Avenue, formerly known as the WCI Tract.

SECTION 4: That the City Council authorizes the City Manager and other appropriate city staff to enter into discussion with the School District of Palm Beach County regarding the proposed site.

SECTION 5: That copies of this resolution shall be transmitted to the School Board of Palm Beach County and the Riviera Beach Community Redevelopment Agency.

SECTION 5: This resolution shall take effect upon its approval and passage by the City Council.

PASSED AND APPROVED THIS 13th day of February, 2002.

APPROVED:

M. D. Brown
MICHAEL D. BROWN, MAYOR

(MUNICIPAL SEAL)

EDWARD RODGERS, CHAIRPERSON

David G. Schnyer
DAVID G. SCHNYER, PRO-TEM

Donald R. Wilson
DONALD R. WILSON

Sylvia Lee Blue
SYLVIA LEE BLUE

ATTEST:

Carrie E. Ward
CARRIE E. WARD, CM/IAAE
CITY CLERK

Elizabeth K. Wade
ELIZABETH K. WADE
COUNCIL MEMBERS

MOTIONED BY: S. Blue

SECONDED BY: D. Wilson

E. RODGERS absent

E. WADE aye

D. WILSON aye

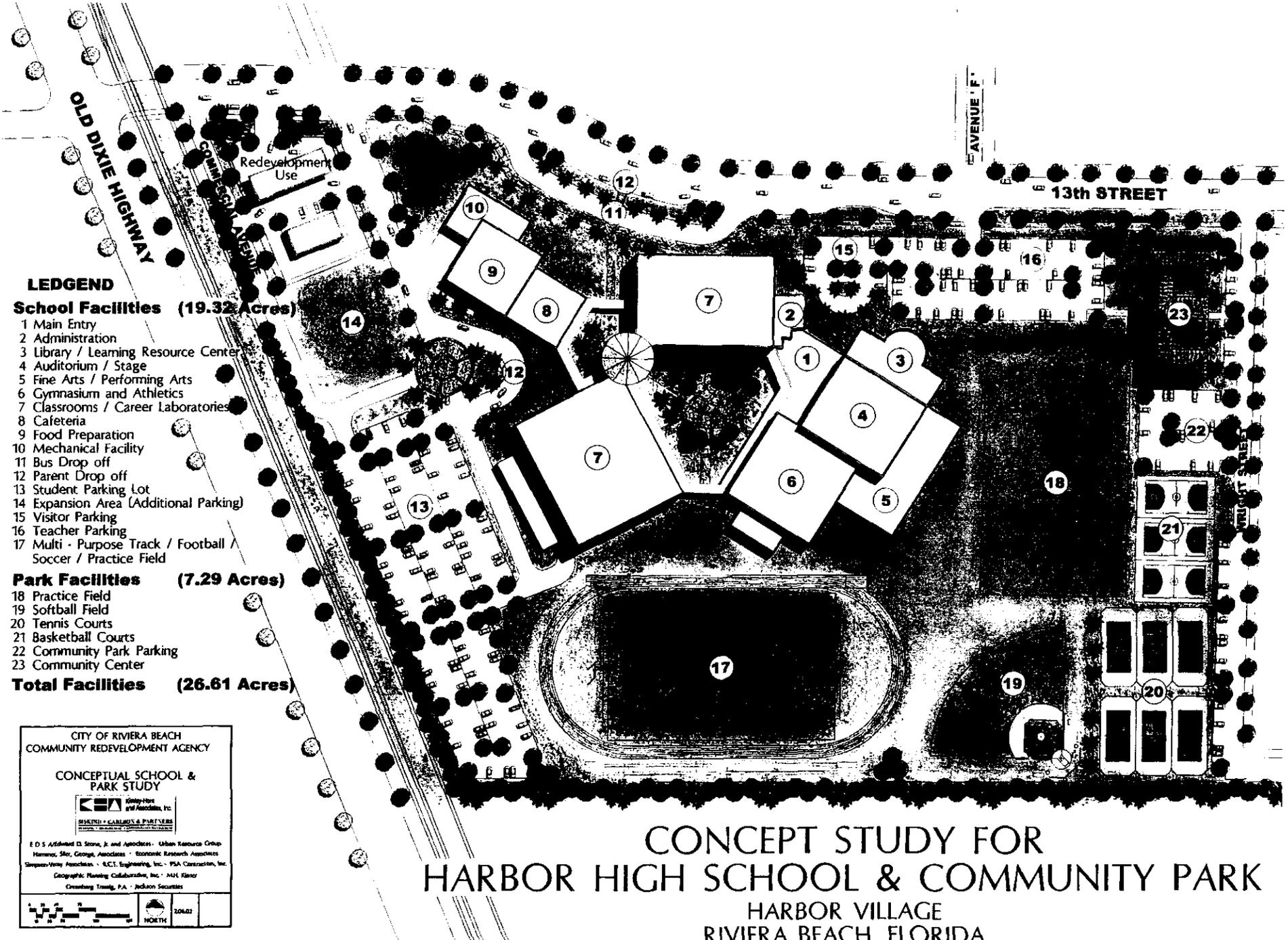
S. BLUE aye

D. SCHNYER aye

REVIEWED AS TO LEGAL SUFFICIENCY

Tamela H. Ry
CITY ATTORNEY
CITY OF RIVIERA BEACH

DATE: 2/13/02



LEDGEND

School Facilities (19.32 Acres)

- 1 Main Entry
- 2 Administration
- 3 Library / Learning Resource Center
- 4 Auditorium / Stage
- 5 Fine Arts / Performing Arts
- 6 Gymnasium and Athletics
- 7 Classrooms / Career Laboratories
- 8 Cafeteria
- 9 Food Preparation
- 10 Mechanical Facility
- 11 Bus Drop off
- 12 Parent Drop off
- 13 Student Parking Lot
- 14 Expansion Area (Additional Parking)
- 15 Visitor Parking
- 16 Teacher Parking
- 17 Multi - Purpose Track / Football / Soccer / Practice Field

Park Facilities (7.29 Acres)

- 18 Practice Field
- 19 Softball Field
- 20 Tennis Courts
- 21 Basketball Courts
- 22 Community Park Parking
- 23 Community Center

Total Facilities (26.61 Acres)

CITY OF RIVIERA BEACH
COMMUNITY REDEVELOPMENT AGENCY

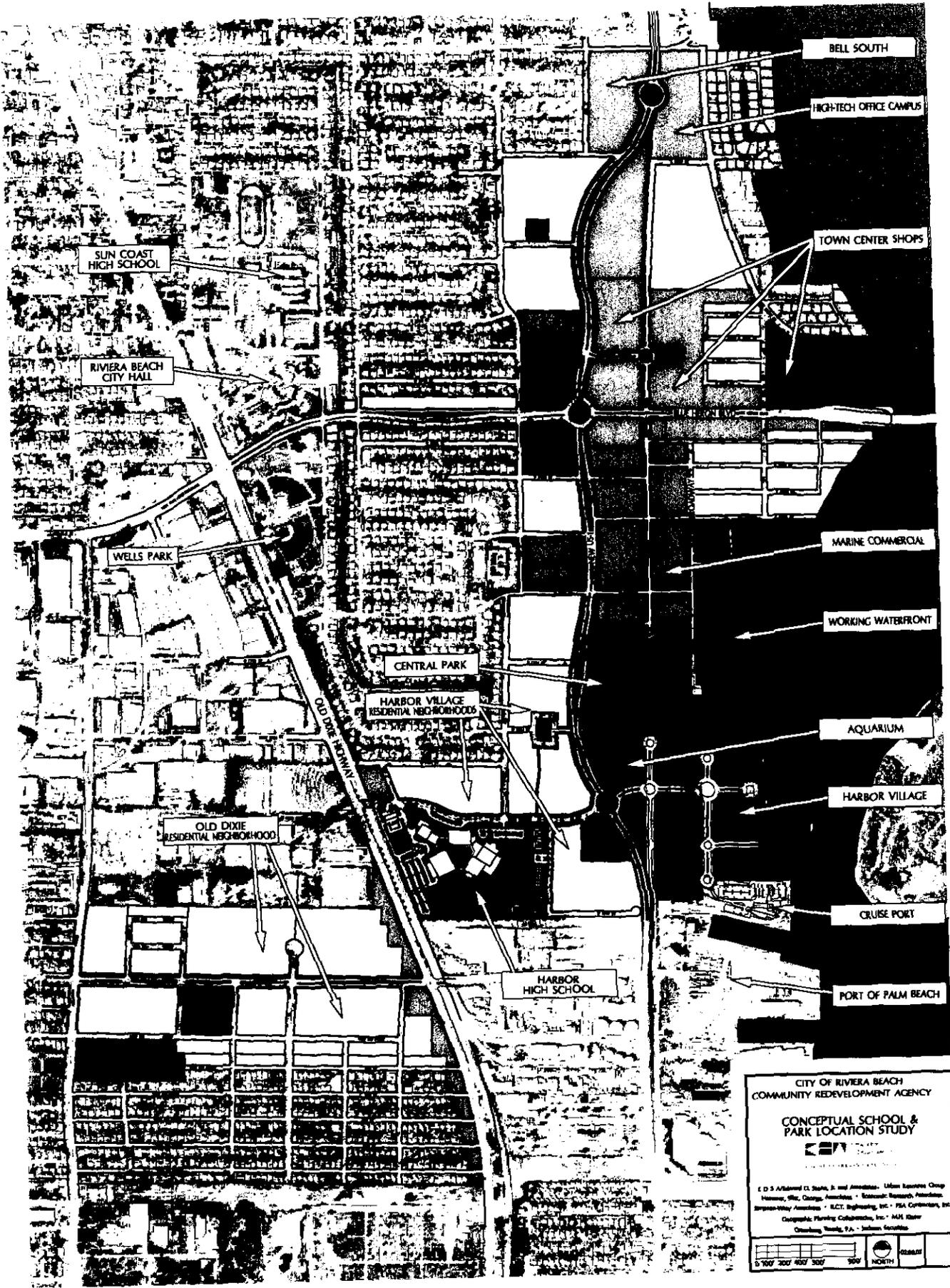
CONCEPTUAL SCHOOL & PARK STUDY

SKETCHES - CARLSON & PARTNERS, INC.

E. D. S. Ashwood D. Stone, Jr. and Associates - Urban Resource Group
Hansen, Sker, George, Associates - Economic Research Associates
Shapiro-Veney Associates - A.C.T. Engineering, Inc. - PSA Construction, Inc.
Geographic Planning Collaborative, Inc. - A.H. Klotz
Cresberg Tramm, P.A. - Jackson Securities

SCALE: 1" = 100' NORTH ZONE 2

CONCEPT STUDY FOR
HARBOR HIGH SCHOOL & COMMUNITY PARK
HARBOR VILLAGE
RIVIERA BEACH, FLORIDA



CITY OF RIVIERA BEACH
 COMMUNITY REDEVELOPMENT AGENCY

CONCEPTUAL SCHOOL & PARK LOCATION STUDY

CEA

C.D.S. Affiliated Co. South, Inc. and Associates - Urban Services Group
 Planning, Inc., Chicago, Arkansas - Economic Research Associates
 Imparino-Wiley Associates - R.C.T. Engineering, Inc. - PMA Corporation, Inc.
 Conceptual Planning Collaborative, Inc. - N.M. Kiser
 Chesapeake, Norfolk, VA - Jackson Associates

0 100 200 300 400 500 600
 NORTH

RESOLUTION NO. 23-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE NORTH COUNTY PLANNED UNIT DEVELOPMENT PLAT 1; AUTHORIZING THE MAYOR, CITY CLERK AND THE CITY ENGINEER TO SIGN THE PLAT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Riviera Beach Code of Ordinances requires that all property be platted before the issuance of any City building permit; and

WHEREAS, the applicant has prepared a plat entitled "North County P.U.D. Plat 1", located on the west side of Military Trail, north of Lone Pine Estates.

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

SECTION 1. The plat entitled "North County P.U.D. Plat 1" is hereby approved.

SECTION 2. The Mayor, City Engineer, and City Clerk are authorized to sign the said plat.

SECTION 3. The said plat shall be recorded with the Clerk of Circuit Courts of Palm Beach County.

SECTION 4. This resolution shall take effect upon its passage.

PASSED AND APPROVED this 20th day of February, 2002

APPROVED:

Michael D. Brown
MAYOR MICHAEL D. BROWN

Edward Rodgers
EDWARD RODGERS, CHAIRPERSON

(MUNICIPAL SEAL)

David G. Schnyer
DAVID G. SCHNYER, CHAIR PRO-TEM

Donald R. Wilson
DONALD R. WILSON

ATTEST:

Carrie E. Ward
CARRIE E. WARD, CMC/AAE
CITY CLERK

Sylvia Lee Blue
SYLVIA LEE BLUE

Elizabeth "Liz" Wade
ELIZABETH "LIZ" WADE
COUNCIL MEMBERS

MOTIONED BY: D. Schnyer

SECONDED BY: D. Wilson

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

REVIEWED AS TO LEGAL SUFFICIENCY

City Attorney

City of Riviera Beach

Pamela H. Byrd

Date: 2/12/02

RESOLUTION NO. 24-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE PURCHASE OF RADIO-READ METERS FROM SUNSTATE METER AND SUPPLY, INC. TO REDUCE READ TIME AND ASSURE GREATER ACCURACY DURING THE METER READING PROCESS THROUGHOUT THE CITY OF RIVIERA BEACH AT A TOTAL COST OF \$79,187.65; AND AUTHORIZING THE MAYOR AND INTERIM FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 401-1437-5330-5206.

WHEREAS, the City of Riviera Beach City Council approves the purchase of radio-read meters to reduce read time and assure greater accuracy throughout the City; and

WHEREAS, said radio-read meters shall be purchased from Sunstate Meter and Supply, Inc, at a total cost of \$79,187.65 through the Sarasota-Manatee County Co-op Bid #2648; and

WHEREAS, said meters shall be purchased from Account Number 401-1437-5330-5206.

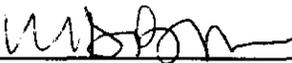
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

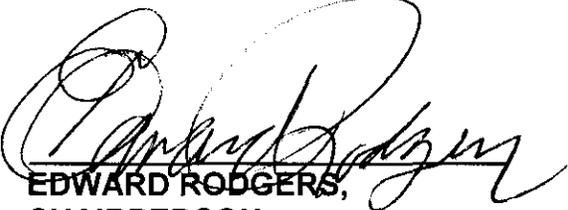
Section 1: That the Mayor and City Clerk are hereby authorized to approve the proposed purchase between vendor Sunstate Meter and Supply, Inc. through the Sarasota-Manatee County Co-op bid #2648 and the City of Riviera Beach in the amount of \$79,187.65.

Section 2: That the City Council hereby accepts the proposal in the amount of \$79,187.65 and the Mayor and Interim Finance Director are authorized to make payments for same under Account Number 401-1437-5330-5206.

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

APPROVED:

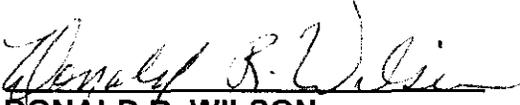

MICHAEL D. BROWN,
MAYOR

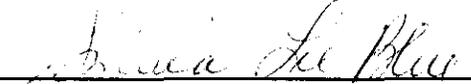

EDWARD RODGERS,
CHAIRPERSON

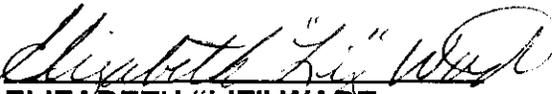

DAVID G. SCHNYER
CHAIR PRO-TEM

(MUNICIPAL SEAL)

TEST: 
IE E. WARD, CMC/AE
CITY CLERK


DONALD R. WILSON


SYLVIA LEE BLUE


ELIZABETH "LIZ" WADE
COUNCIL MEMBERS

MOTIONED BY: D. Schnyer

SECONDED BY: D. Wilson

E. RODGERS aye

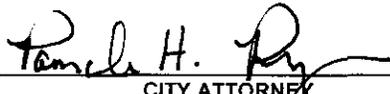
D. SCHNYER aye

D. WILSON aye

S. BLUE aye

E. WADE aye

REVIEWED AS TO LEGAL SUFFICIENCY


PAMELA H. PRYOR
CITY ATTORNEY
CITY OF RIVIERA BEACH

DATE: 2/12/02

RESOLUTION NO. 25-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THAT THE 2001-2002 BUDGET OF THE UTILITIES DEPARTMENT WATER TREATMENT DISTRIBUTION DIVISION BE AMENDED BY ADDING ONE (1) CLASSIFIED POSITION OF WATER/SEWER SYSTEMS MECHANIC I UNDER CLASS TITLE UTILITIES SERVICES WATER/SEWER AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Palm Beach County Environmental Control Rule requires the supplier of water to establish a routine testing and maintenance program on each fire hydrant connected to its system, and

WHEREAS, the City has approximately 950 hydrants connected to its system; and

WHEREAS, it is necessary that the City maintain each hydrant twice a year;

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 Water Treatment Distribution Division of the Utilities Department Budget be amended by adding one (1) classified Water/Sewer Systems Mechanic I position.

<u>CLASS TITLE</u>	<u>POSITION</u>	<u>RANGE</u>	<u>SALARY</u>
Utilities Services -	Water/Sewer		\$21,074
Water/Sewer	Systems Mechanic I	G-23	\$33,894

SECTION 2. That the City Council approve the amended 2001-2002 Budget of the Water Treatment Distribution Division of the Utilities Department.

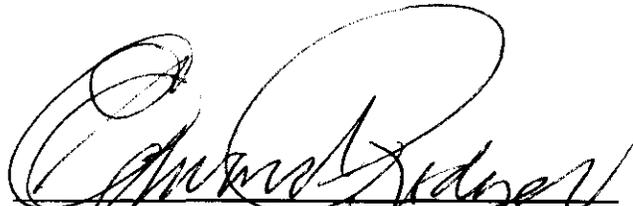
SECTION 3. That this Resolution shall take effect upon its passage and approval by City Council.

PASSED AND APPROVED this 20th day of February 2002.

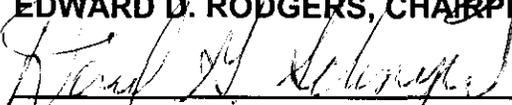
APPROVED:



MICHAEL D. BROWN
MAYOR



EDWARD D. RODGERS, CHAIRPERSON



DAVID G. SCHNYER, CHAIR PRO-TEM

ATTEST:



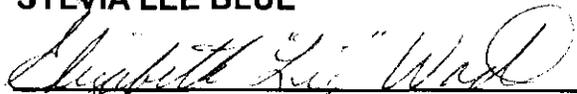
DONALD R. WILSON



CARRIE E. WARD, CMC/AAE
CITY CLERK



SYLVIA LEE BLUE



ELIZABETH "LIZ" WADE
COUNCIL MEMBERS

MOTIONED BY: D. Schnyer

SECONDED BY: D. Wilson

- E. RODGERS aye
- D. SCHNYER aye
- D. WILSON aye
- S. BLUE aye
- E. WADE aye

REVIEWED AS TO LEGAL SUFFICIENCY



CITY ATTORNEY
CITY OF RIVIERA BEACH

DATE: 2/11/02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REPEALING RESOLUTION NUMBER 47-01 ENTITLED "A SUPPLEMENT TO SECTION 2-29 OF THE CODE OF ORDINANCES"; AND ADOPTING A RESOLUTION SETTING FORTH CITY COUNCIL RULES AND PROCEDURES FOR CITY COUNCIL MEETINGS AS PREVIOUSLY ESTABLISHED BY AND ENCOMPASSING RESOLUTION NUMBER 47-01 AND SECTION 2-29 OF THE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Riviera Beach City Council desires to maintain an orderly process for City Council Meetings and to achieve this goal had previously set forth Rules of Procedure in Section 2-29 of The Code of Ordinances and in Resolution Number 47-01; and

WHEREAS, the City Council has determined that there existed possible duplications and/or conflicts and that it is in the best interests of the citizens and of the City of Riviera Beach to avoid such duplications and/or conflicts; and

WHEREAS, the City Council has determined that maintaining a single set of Rules of Procedure will prevent said duplications and/or conflicts and therefore all other provisions, whether ordinances and/or resolutions, with respect to said rules have been or will be repealed; and

WHEREAS, the City Council has further determined that it is in the best interest of the citizens and of the City of Riviera Beach to maintain flexibility with regard to its Rules of Procedure; and

WHEREAS, the City Council has determined that the best vehicle for accomplishing all the aforementioned goals is the adoption of a single Resolution setting forth the City Council Rules and Procedures for City Council Meetings.

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

Section 1. That Resolution Number 47-01 entitled "A Supplement To Section 2-29 Of The Code Of Ordinances" is hereby repealed in its

entirety.

Section 2. That the City Council hereby establishes the following Rules of Procedures for governing its council meetings.

Section 3. That said rules shall govern all future City Council meetings.

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

PARLIAMENTARY PROCEDURE FOR CITY COUNCIL MEETINGS

If the current Rules of Procedure of the City Council are silent on the matter of parliamentary procedure, then the current edition of Robert's Rules of Order, newly revised, will govern the council in all cases to which they are applicable.

A. Regular Meetings

The regular meetings of the City Council shall be held in its chambers at 7:30 p.m., in the city hall, on each of the first and third Wednesdays of each month. If any Wednesday shall fall on a holiday, the city council may by motion set another date for such meeting or cancel the meeting for that particular Wednesday night. Announcement of such change or cancellation shall be made at least five days before such change at a regular meeting or in a newspaper of general circulation within the city. No regular meeting shall be held the fifth Wednesday of any month.

B. Special Meetings

Special meetings may be called from time to time by the Mayor or by two Members of the City Council and during the absence or disability of the Mayor, by the Chairperson of the City Council. The call for a special meeting shall be in writing and shall contain a statement of the business to be considered at such meeting, and no business shall be transacted at any special meeting not contained in such call unless approved by unanimous consent of the City Council present at such meeting. Notice shall be served by handing a copy of the notice or call of the meeting to each Council Member, or by leaving a copy at the Member's usual place of abode at least 24 hours prior to the time of holding such meeting, but any Council Member who is present at the meeting or has actual notice thereof may waive the formal notice. The call of each special meeting with proof of, or waiver of, service shall be entered

in the minutes of the meeting.

C. Agenda Order

The following agenda order shall be observed unless varied at a City Council meeting by affirmative vote of at least three Council Members present:

- (1) Roll call.
- (2) Invocation.
- (3) Pledge of allegiance.
- (4) Additions and deletions.
- (5) Awards and presentations.
- (6) Statements from members of the public (two-minute limitations for each speaker).
- (7) Consent agenda:
 - a. Approval of minutes.
 - b. Approval of payment resolutions.
 - c. Petitions, communications, and correspondence for filing
 - d. Administrative requests.
- (8) Ordinance on second and final reading.
 - a. Ordinance on first reading.
 - b. Items requested by the city manager.
- (9) Recommendations and discussion from Mayor or Council Members.
- (10) Adjournment.

D. Ordinances

1. No ordinance can be repealed, amended or the action thereof suspended except by another ordinance duly adopted and approved according to law.
2. An ordinance shall be recorded by the City Clerk in a book kept for that purpose. All motions and resolutions shall be entered in full upon the minutes of the meeting at which they are adopted.
3. Every ordinance passed by the City Council before becoming a law shall be presented to the Mayor under the certificate of the City Clerk for approval or disapproval. The City Clerk shall report the

in the minutes of the meeting.

C. Agenda Order

The following agenda order shall be observed unless varied at a City Council meeting by affirmative vote of at least three Council Members present:

- (1) Roll call.
- (2) Invocation.
- (3) Pledge of allegiance.
- (4) Additions and deletions.
- (5) Awards and presentations.
- (6) Statements from members of the public (two-minute limitations for each speaker).
- (7) Consent agenda:
 - a. Approval of minutes.
 - b. Approval of payment resolutions.
 - c. Petitions, communications, and correspondence for filing
 - d. Administrative requests.
- (8) Ordinance on second and final reading.
 - a. Ordinance on first reading.
 - b. Items requested by the city manager.
- (9) Recommendations and discussion from Mayor or Council Members.
- (10) Adjournment.

D. Ordinances

1. No ordinance can be repealed, amended or the action thereof suspended except by another ordinance duly adopted and approved according to law.
2. An ordinance shall be recorded by the City Clerk in a book kept for that purpose. All motions and resolutions shall be entered in full upon the minutes of the meeting at which they are adopted.
3. Every ordinance passed by the City Council before becoming a law shall be presented to the Mayor under the certificate of the City Clerk for approval or disapproval. The City Clerk shall report the

action of the Mayor to the City Council, and the action of the Mayor shall be entered upon the minutes of the City Council, but the failure to enter the Mayor's approval in the minutes shall not affect the validity of the ordinance. All ordinances approved by the Mayor or becoming a law without approval of the Mayor shall be promulgated without unnecessary delay by posting a copy of the same on the bulletin board of the city hall for a period of not less than ten days.

E. Communication with City Council

1. Any person may communicate with or petition the City Council on any matter relating to the city's affairs, but the City Council may require any such communication or petition to be reduced to writing. Persons wishing to address the City Council orally shall do so at such times as the City Council shall designate for that purpose.

2. Presentation of legal questions shall be submitted in writing ten days prior to city council meetings to the City Attorney in order that City Council may be advised.

F. Clean Air Act

No smoking will be allowed in the city council chambers during any city council meetings.

G. Mayor and City Council Members

1. The duties and responsibilities of the Mayor and City Council include, but are not limited to, upholding the public trust; demonstrating integrity, honesty and fairness; exercising fiduciary responsibility; and being responsive to the citizens of this community.

2. The Mayor and City Council Members should refrain from publicly berating, chastising, and making impertinent remarks to and/or about other Council Members and/or city staff persons.

H. City Council Chairperson

1. The Chairperson of the City Council shall be chosen from its members and shall perform the usual functions of a presiding officer. The Chairperson may be removed by the affirmative vote of not less than three-fifths of all the Members of the Council.

2. The Chairperson shall preside at all meetings when present. In

the absence of the Chairperson, a Chairperson Pro Tem shall preside, and in the absence of both officers, the meetings shall be called to order by the Clerk. If a quorum is present, the first business shall be the election of a Chairperson of the meeting who shall preside over such meeting. The City Council shall constitute a quorum for the transaction of business, but a smaller number may meet and adjourn from time to time.

3. The Chairperson shall call the meeting to order at the hour appointed for the meeting and, if a quorum be present, shall proceed with the order of business and adjourn when the business is deemed finished.

4. The Chairperson shall promote the efficient operation of the Council which shall include setting the full Council agenda (along with the City Manager) and expediting parliamentary debate or, if there is no objection from other members, expediting the passage of routine motions.

5. The Chairperson may speak to points of order, inquiry, or information and shall decide all questions of order. However, any Member dissatisfied with any of the Chairperson's decisions shall have the right to appeal the decision to the full Council. In all cases of appeal, the question shall be "*Shall the decision of the Chairperson be sustained?*" Any Council Member shall have the right to call for an aye and nay vote upon any such question, and when the aye and nay vote shall be ordered, the City Clerk shall call the roll of Council Members and record the vote of each member.

6. No member shall speak more than once on an appeal without the consent of a majority of the Council Members present. The decision in response to the appeal shall be by a majority vote of the Council Members present. In the case of a tie vote, the decision of the Chairperson shall stand.

7. While speaking on any question before the Council, the Chairperson shall have the right to turn the chair over to the Chair Pro Tem.

8. The Chairperson shall preserve order and decorum within the Chambers.

I. **Motions**

1. No motion shall be entertained or debated until duly seconded,

I. Motions

1. No motion shall be entertained or debated until duly seconded, if a second is necessary, and announced by the Chairperson.
2. Motions shall be recorded and, if desired by any Council Member, shall be read by the City Clerk before being debated.
3. If no Council Member objects, a motion may be withdrawn by the maker before amendment or action.
4. Motions shall be entertained in the order of precedence outlined in the then current edition of Robert's Rules of Order, newly revised. Motions to postpone or to commit a question to a date certain, having been decided, shall not be allowed again on the same day.
5. A motion to table an amendment shall not carry the main question with it unless so specified in the motion to table.
6. A motion to reconsider shall have precedence over every other motion except a motion to adjourn.
7. Motions to reconsider a vote upon amendments to any pending questions shall be made and decided immediately.

J. Debate

1. When a Council Member wishes to speak, the Member shall address the Chairperson and wait for recognition. When recognized, the Member shall, in a courteous manner, confine comments to the question under debate.
2. When two or more Council Members ask for recognition at the same time, the Chairperson will designate who shall speak first.
3. No Council Member shall impugn the motives of any other Member. The Chairperson may recommend the end of debate.
4. The previous question may be demanded by two Council Members in this form, "*Shall the main question be voted upon without further debate?*" When sustained by a majority of the Council Members present, the debate shall be ended.
5. Any Council Member may call for a division of the question, which shall be divided if it embraces subjects so distinct, that, one

K. Council Voting

1. Every Council Member present shall participate in the voting process for all actions before the full Council, except that Council Members must disqualify themselves from voting if disqualification is required by the State's Code of Ethics.

2. A roll call vote is required when voting on a final passage of Council Resolutions or Ordinances. A roll call vote on other business may be demanded by two Council Members present or by the Chairperson. In the case of a demand for roll call votes, the votes shall be recorded by the City Clerk in the Record of Proceedings.

3. In the event of a tie vote, the motion does not pass.

4. Abstentions are not allowed. Members not disqualified shall vote aye or nay.

5. When a Council Member present is not qualified to vote, the City Clerk shall record and announce, "*Present, but disqualified from voting.*" When a Council member is present but does not vote and has not disqualified him/herself from voting, the City Clerk shall record and announce, "*Present, but did not vote.*" Note: (*requires written explanation and submission to State of Florida as per state law*).

6. After the final vote on any motion, resolution, or ordinance and before adjournment of the full Council session, any Member who voted with the prevailing side may move for reconsideration except in cases where the motion is undebatable (e.g., lay on the table). A second to the motion for reconsideration may be made from either the prevailing or non-prevailing side. A motion to reconsider may also be considered at the next regular City Council meeting.

L. City Council Meeting Agenda Items

1. **Regular Agenda Items:** Regular agenda items must be submitted to the City Manager's office thirteen days (13) prior to the date of the City Council meeting. The submittal deadlines are subject to change due to holidays, etc.

2. **Supplemental Agenda Items:** Any City Council Member with a supplemental agenda item which requires very limited staff input, shall provide the item in writing, together with any backup information, to the Chairperson, with a copy to the City Manager,

no later than 12:00 noon on the fourth business day preceding the City Council meeting. Emergency supplemental agenda items must be presented to the City Manager no later than 9:00 a.m. on the business day preceding the City Council meeting, and require the approval of at least three City Council Members before being placed on the agenda as an add-on item.

3. **Non-agenda Items:** A non-agenda item is defined as any item that is not on the printed agenda or any printed supplemental agenda. Non-agenda items shall be introduced only when deemed by the City Council Chairperson or another City Council Member to require urgent attention. A unanimous vote of the City Council shall be required to allow a non-agenda item to be placed on the agenda.

M. Agenda Review Meetings

1. The Council may hold, at its pleasure, Agenda Review meetings to discuss and receive information from staff on matters to appear before the Council at a regular Council meeting. Agenda Review meetings shall ordinarily be held at 5:00 p.m. on each Monday preceding a regular Council meeting, or, on the next day if the Monday is a holiday. However, the Council may cancel or change the date or time for this meeting at its pleasure. The Agenda Review meeting shall be open to the public. No binding votes may be taken at the Agenda Review meeting. Agendas of each Agenda Review meeting, listing items for which discussions is expected, will be made available to the general public. The public will not have an opportunity to participate in these meetings without prior approval of the Chairperson. There shall be no quorum requirement for the Agenda Review meetings.

2. Staff members possessing the most knowledge about the items to be discussed must be present at Agenda Review meetings. All department heads must be present at these meetings.

N. Rules of Procedure

1. Any of the foregoing rules may be suspended by unanimous vote of all Council Members present.

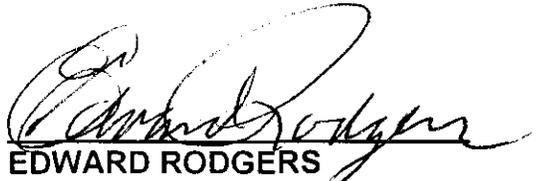
2. The rules of order of business may be amended from time to time by resolution by a majority of the City Council.

PASSED and APPROVED this 20th day of February, 2002.

APPROVED:



MICHAEL D. BROWN
MAYOR



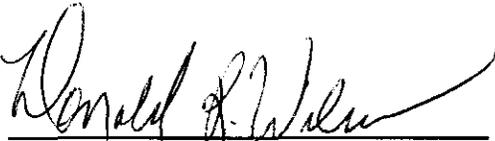
EDWARD RODGERS
CHAIRPERSON

(MUNICIPAL SEAL)



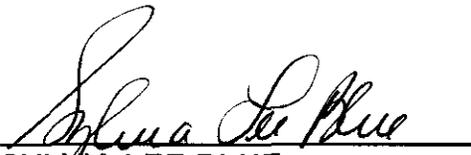
DAVID G. SCHNYER
CHAIRPERSON PRO TEM

ATTEST:

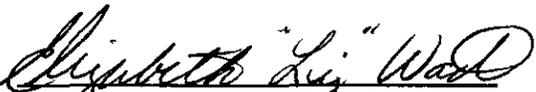


DONALD R. WILSON

CARRIE E. WARD, CMC/AE
CITY CLERK



SYLVIA LEE BLUE



ELIZABETH "LIZ" WADE
COUNCIL MEMBERS

MOTIONED BY:

D. Schnyer

SECONDED BY:

S. Blue

E. Rodgers

aye

D. Schnyer

aye

D. Wilson

aye

S. Blue

aye

E. Wade

aye

REVIEWED FOR LEGAL SUFFICIENCY

By: _____
City Attorney
City of Riviera Beach

Date: _____

RESOLUTION NO. 27-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO RELEASE CODE ENFORCEMENT LIEN ON PROPERTY LOCATED AT 1616 W. 34TH STREET ACREHOME PARK #1, BLK 17, LTS 13-14, RIVIERA BEACH FOR VIOLATIONS THAT ARE IN COMPLIANCE FOR THE AMOUNT OF \$3,500.00; AUTHORIZING THE MAYOR AND CITY CLERK TO ISSUE A RELEASE OF LIEN ON SAID PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, property located at 1616 W. 34th Street, Acrehome Park #1, Lots 13-14, was found to be in violation of the City's Code of Ordinances on August 8, 1999, pursuant to Case No. CEB 99-128; and

WHEREAS, liens were filed against the property by the City of Riviera Beach, for non-compliance with the Code Enforcement Board's order; and

WHEREAS, case CEB 99-128 was complied; and

WHEREAS, the property located at 1616 W. 34th Street is owned by Johnnie and Jackson Gloster, and

WHEREAS, City staff has negotiated an offer of settlement with Mr. Johnnie Gloster in the amount of \$3,5000.00, 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 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 above recitals are true and are hereby incorporated into this resolution.

Section 2. The City Council hereby accepts the sum of \$3,500.00 as consideration for the release of code enforcement liens hereby granted on the subject property.

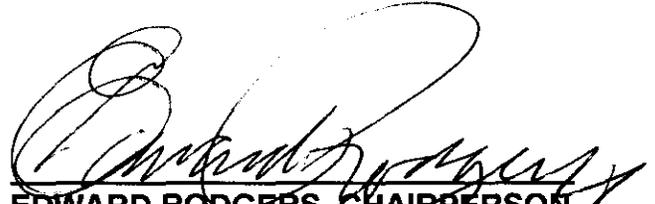
Section 3. The Mayor and the City Clerk are authorized to execute a release of lien on the subject property upon payment in full of the aforementioned amount. The amount shall be paid within thirty (30) days of approval or this resolution shall become null and void.

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

PASSED and APPROVED this 20th day of February, 2001.

APPROVED:


MICHAEL D. BROWN, MAYOR

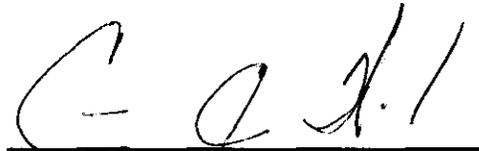

EDWARD RODGERS, CHAIRPERSON

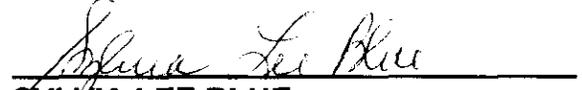
{MUNICIPAL SEAL}

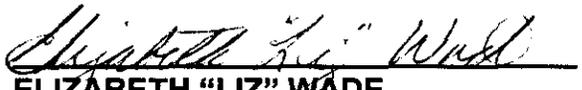

DAVID G. SCHNYER, CHAIR PRO-TEM

ATTEST:


DONALD R. WILSON


CARRIE E. WARD, CMC/AAE
CITY CLERK


SYLVIA LEE BLUE


ELIZABETH "LIZ" WADE
COUNCIL MEMBERS

Motioned By: E. Wade
Seconded By: S. Blue

E. Rodgers aye
D. Schnyer aye
D. Wilson aye
S. Blue aye
E. Wade aye

Reviewed as to Legal Sufficiency

City Attorney
City of Riviera Beach

Date: _____

RESOLUTION NO. 28-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO RELEASE CODE ENFORCEMENT LIEN ON PROPERTY LOCATED AT 2531 OLD DIXIE HIGHWAY, MONROE HEIGHTS IN., BLK 2, LTS 1-4, RIVIERA BEACH FOR VIOLATIONS THAT ARE IN COMPLIANCE FOR THE AMOUNT OF \$8,190.00; AUTHORIZING THE MAYOR AND CITY CLERK TO ISSUE A RELEASE OF LIEN ON SAID PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, property located at 2531 Old Dixie Highway, Monroe Heights In, Lots 1-4, was found to be in violation of the City's Code of Ordinances on April 22, 1999, pursuant to Case No. CEB 99-079 dated May 11, 1999; and

WHEREAS, liens were filed against the property by the City of Riviera Beach, for non-compliance with the Code Enforcement Board's order; and

WHEREAS, case CEB 99-079 was complied; and

WHEREAS, the property located at 2531 Old Dixie Highway is owned by Old Dixie Investment Co., c/o Robertha Frierson, and

WHEREAS, City staff has negotiated an offer of settlement with Mr. Johnnie Gloster in the amount of \$8,160.00 for the code enforcement lien, and

WHEREAS, lot cleaning/lot clearing is due in the amount of \$2,444.32. This amount is due prior to the release of the lot clearing lien.

Page -2-

Resolution No. 28-02

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 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 above recitals are true and are hereby incorporated into this resolution.

Section 2. The City Council hereby accepts the sum of \$8,160.00 as consideration for the release of code enforcement liens hereby granted on the subject property. There is still a lot cleaning/lot clearing lien due.

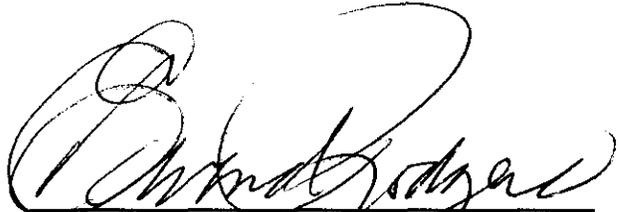
Section 3. The Mayor and the City Clerk are authorized to execute a release of lien on the subject property upon payment in full of the aforementioned amount. The amount shall be paid within thirty (30) days of approval or this resolution shall become null and void.

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

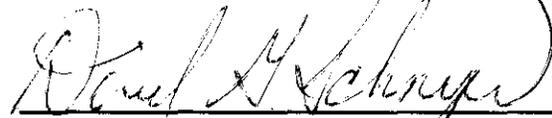
PASSED and APPROVED this 20th day of February, 2001.

APPROVED:


MICHAEL D. BROWN, MAYOR


EDWARD RODGERS, CHAIRPERSON

{MUNICIPAL SEAL}


DAVID G. SCHNYER, CHAIR PRO-TEM

ATTEST:


DONALD R. WILSON


CARRIE E. WARD, CMC/AE
CITY CLERK


SYLVIA LEE BLUE


ELIZABETH "LIZ" WADE
COUNCIL MEMBERS

Motioned By: E. Wade

Seconded By: S. Blue

E. Rodgers aye
D. Schnyer aye
D. Wilson aye
S. Blue aye
E. Wade aye

Reviewed as to Legal Sufficiency

City Attorney
City of Riviera Beach

Date: _____

RESOLUTION NO. 29-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND THE CITY CLERK TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND PALM BEACH COUNTY ACCEPTING FUNDS IN THE AMOUNT OF \$44,805 FROM THE PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS (BCC), THE EDWARD BYRNE MEMORIAL STATE AND LOCAL LAW ENFORCEMENT FORMULA GRANT; AUTHORIZING THE FINANCE DIRECTOR TO TRANSFER CASH MATCH TOTTALLING \$14,935 FROM THE POLICE FORFEITURE FUND ACCOUNT (150-0817-581-0-0146) TO THE BYRNE GRANT (146-00-381150).

WHEREAS, the City authorized staff to apply for Funding on January 16, 2002; and

WHEREAS, the Palm Beach County Board of County Commissioners (BCC) and the Criminal Justice Commission acting as the Substance Abuse Advisory Board has established the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program; and

WHEREAS, the City of Riviera Beach has been awarded funds in the amount of \$44,805 and requires a 25% match fund in the amount of \$14,935 totaling \$59,740; and

WHEREAS, the Riviera Beach Civil Drug Court is willing and capable of facilitating the program that will be created once the grant is approved.

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

SECTION 1: That the Mayor and City Clerk are authorized to execute the Agreement on behalf of the City accepting funds for \$44,805 from the Palm Beach County Board of County Commissioners and the Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program.

SECTION 2: That the Finance Director is authorized to transfer the required cash match of \$14,935 from the police forfeiture fund account 150-0817-581-0-0146 to the Byrne Grant 146-00-381150.

SECTION 3: The Finance Director is authorized to set up budget as follows:

REVENUE

146-00-331691	Byrne Grant	44,805
146-00-381150	Transfer from Police Forfeiture Fund	14,935
	Total	59,740

EXPENDITURE

146-0228-569-0-1201	Salaries	28,774
146-0228-569-0-1401	Fica Taxes	2,678
146-0228-569-0-3101	Contract Services	11,250
146-0228-569-0-5101	Office Supplies Stationary	7,160
146-0228-569-0-6404	Office Equipment & Furn.	9,878
		59,740

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

The remaining page is left blank intentionally.

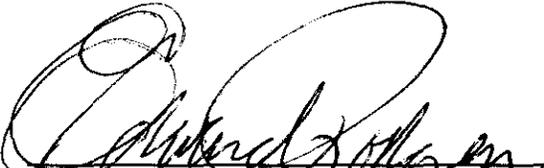
PASSED AND APPROVED THIS 20th day of February, 2002.

APPROVED:



MICHAEL D. BROWN, MAYOR

(MUNICIPAL SEAL)



EDWARD RODGERS, CHAIRPERSON



DAVID G. SCHNYER, PRO-TEM



DONALD R. WILSON



SYLVIA LEE BLUE

ATTEST:


CARRIE E. WARD, CMC/AE
CITY CLERK



ELIZABETH K. WADE
COUNCIL MEMBERS

MOTIONED BY: S. Blue

SECONDED BY: D. Wilson

E. RODGERS aye

D. SCHNYER out

D. WILSON aye

S. BLUE aye

E. WADE aye

REVIEWED AS TO LEGAL SUFFICIENCY

CITY ATTORNEY
CITY OF RIVIERA BEACH

DATE: _____

RESOLUTION NO. 30-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE USE OF \$10,000 FROM THE LAW ENFORCEMENT TRUST FUND TO PROVIDE TEN \$1,000 SCHOLARSHIPS FOR THE 2002 – 2003 SCHOOL YEAR TO STUDENTS WHO ARE RIVIERA BEACH RESIDENTS; AUTHORIZING THE RIVIERA BEACH EDUCATION ADVISORY BOARD TO ADVERTISE THE AVAILABILITY OF, ACCEPT APPLICATIONS FOR, AND ESTABLISH A REVIEW BOARD TO SELECT THE RECIPIENTS; AUTHORIZING THE INTERIM FINANCE DIRECTOR TO DISBURSE FUNDS FROM FUND 150-0817-5210-5521 – LAW ENFORCEMENT TRUST FUND; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City Council supports the ideals of higher education for the youth of Riviera Beach; and

WHEREAS, The City Council has demonstrated its support of higher education through the awarding of education scholarships for the past four (4) years; and

WHEREAS; The promotion of higher education is an authorized expenditure of Law Enforcement Trust funding; and

WHEREAS, Adequate funding for ten \$1,000 scholarships is available through the Law Enforcement Trust; and

WHEREAS, The Riviera Beach Education Advisory Board is willing to and capable of facilitating the selection of worthy recipients.

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 Interim Finance Director is authorized to set up a budget for scholarships 2002/2003 in the amount of \$10,000.

SECTION 2: That the Education Advisory Board is authorized to advertise the availability of ten scholarships of \$1,000 each, establish and convene a Review Board, and select recipients.

SECTION 3. This resolution shall take effect upon its approval and passage by the city council.

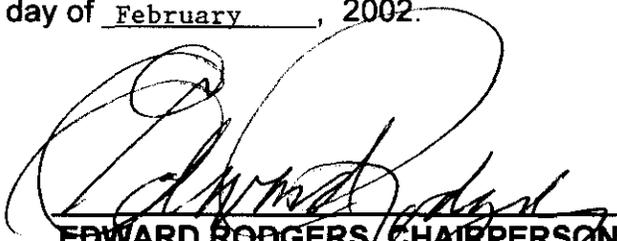
PASSED AND APPROVED THIS 20th **day of** February **, 2002.**

APPROVED:



MICHAEL D. BROWN, MAYOR

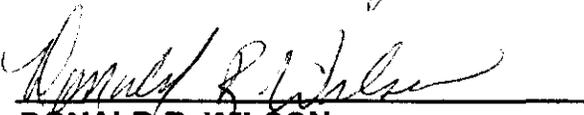
(MUNICIPAL SEAL)



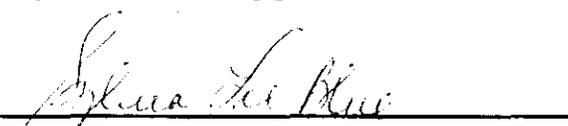
EDWARD RODGERS, CHAIRPERSON



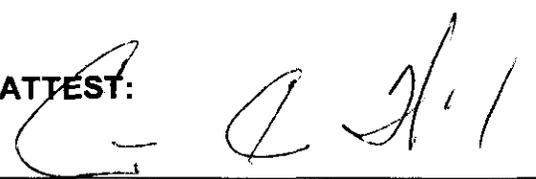
DAVID G. SCHNYER, PRO-TEM



DONALD R. WILSON



SYLVIA LEE BLUE

ATTEST: 

**CARRIE E. WARD, CMC/AE
CITY CLERK**



**ELIZABETH K. WADE
COUNCIL MEMBERS**

MOTIONED BY: D. Wilson

SECONDED BY: E. Wade

E. RODGERS aye

D. SCHNYER aye

D. WILSON aye

S. BLUE aye

E. WADE aye

REVIEWED AS TO LEGAL SUFFICIENCY

Pamela H. Ry
CITY ATTORNEY

CITY OF RMIERA BEACH

DATE: 2/20/02

RESOLUTION NO. 31-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO RELEASE CODE ENFORCEMENT LIENS ON PROPERTY LOCATED ON WEST 10th STREET, INLET CITY, BLK 4, LTS 15-16, RIVIERA BEACH FOR VIOLATIONS THAT ARE IN COMPLIANCE FOR THE AMOUNT OF \$4,000.00; AUTHORIZING THE MAYOR AND CITY CLERK TO ISSUE A RELEASE OF LIEN ON SAID PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the vacant lots located on West 10th Street, Inlet City, Blk. 4, Lts. 15-16, were found to be in violation of the City's Code of Ordinances for vacant lot maintenance on several occasions; and

WHEREAS, liens were filed against the property by the City of Riviera Beach due to City maintenance of the vacant lots during the same period; and

WHEREAS, the vacant lots are owned by Emma Mackey (deceased); and

WHEREAS, Mrs. Andrea Dixon and Mr. Charles Dixon, on behalf of Mrs. Alice Mackey Dixon, have requested that the City negotiate a release of lien for these lots; and

WHEREAS, City staff has offered a settlement in the amount of \$4,000.00; and

WHEREAS, pursuant to Section 162.09(3), Florida Statutes, the City Council has the authority to authorize 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 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 above recitals are true and are hereby incorporated into this resolution.

Section 2. The City Council hereby accepts the sum of \$4,000.00 as full settlement for the release of lot clearing liens and a special pick-up lien hereby granted on the subject property.

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.

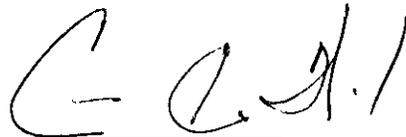
PASSED and APPROVED this 20th day of February, 2001.

APPROVED:


MICHAEL D. BROWN, MAYOR

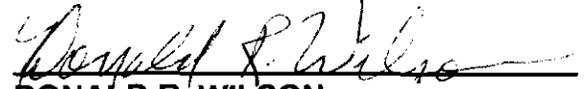
{MUNICIPAL SEAL}

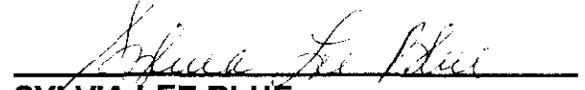
ATTEST:

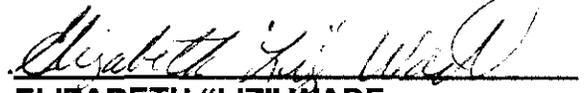

CARRIE E. WARD, CMC/AE
CITY CLERK


EDWARD RODGERS, CHAIRPERSON


DAVID G. SCHNYER, CHAIR PRO-TEM


DONALD R. WILSON


SYLVIA LEE BLUE


ELIZABETH "LIZ" WADE
COUNCIL MEMBERS

Motioned By: D. Wilson

Seconded By: E. Wade

E. Rodgers aye
D. Schnyer aye
D. Wilson aye
S. Blue aye
E. Wade aye

Reviewed as to Legal Sufficiency

City Attorney
City of Riviera Beach

Date: _____

RESOLUTION NO. 32-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO RELEASE CODE ENFORCEMENT LIEN ON PROPERTY LOCATED AT 2102 W. 23RD STREET, NATIONAL VILLAGE PLAT #1, BLK 2, LT. 1, RIVIERA BEACH FOR VIOLATIONS THAT ARE IN COMPLIANCE FOR THE AMOUNT OF \$1,000.00; AUTHORIZING THE MAYOR AND CITY CLERK TO ISSUE A RELEASE OF LIEN ON SAID PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, property located at 2102 W. 23rd Street, National Village Plat #1, Lt. 1, was found to be in violation of the City's Code of Ordinances on June 8, 1992, pursuant to Case No. CEB 92-215; and

WHEREAS, liens were filed against the property by the City of Riviera Beach, for non-compliance with the Code Enforcement Board's order; and

WHEREAS, case CEB 92-215 was complied; and

WHEREAS, the property located at 2102 W. 23rd Street is owned by Sue and Walter Burt, and

WHEREAS, City staff has negotiated an offer of settlement with Mrs. Burt in the amount of \$1,000.00, and

Page -2-

Resolution No. 32-02

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 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 above recitals are true and are hereby incorporated into this resolution.

Section 2. The City Council hereby accepts the sum of \$1,000.00 as consideration for the release of code enforcement liens hereby granted on the subject property.

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.

PASSED and APPROVED this 20th day of February, 2001.

APPROVED:



MICHAEL D. BROWN, MAYOR

{MUNICIPAL SEAL}

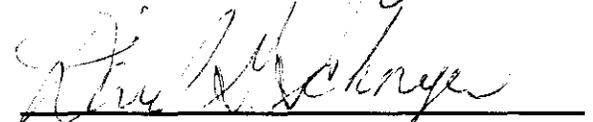
ATTEST:



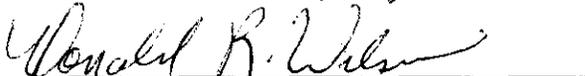
CARRIE E. WARD, CMC/AAE
CITY CLERK



EDWARD RODGERS, CHAIRPERSON



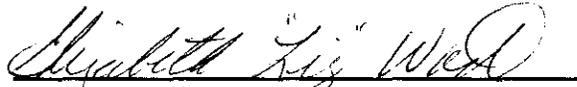
DAVID G. SCHNYER, CHAIR PRO-TEM



DONALD R. WILSON



SYLVIA LEE BLUE



ELIZABETH "LIZ" WADE
COUNCIL MEMBERS

Motioned By: S. Blue
Seconded By: D. Wilson

E. Rodgers aye
D. Schnyer nay
D. Wilson aye
S. Blue aye
E. Wade aye

Reviewed as to Legal Sufficiency

City Attorney
City of Riviera Beach

Date: _____

RESOLUTION NO. 33-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN AMENDMENT TO THE AGREEMENT WITH THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY BY INCREASING THE LOAN IN THE AMOUNT OF \$168,000, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AMENDED AGREEMENT AND AUTHORIZING THE INTERIM FINANCE DIRECTOR TO TRANSFER SAID FUNDS FROM WATER & SEWER FUND BALANCE (401-00-399999), TO THE GENERAL FUND AND INCREASING THE BUDGETS FOR SAME.

WHEREAS, the City of Riviera Beach approved resolution number 112-00 providing for a loan to the Riviera Beach Community Redevelopment Agency in the amount of \$500,000 and consolidated a prior loan of \$250,000 made in June 1999 and established a revised repayment schedule for a \$100,000 loan extended in August 1998; and

WHEREAS, the Riviera Beach Community Redevelopment Agency has requested that the loan be increased by \$168,000 in order to further the redevelopment efforts of the Agency by settling a disputed lease issue; and

WHEREAS, the City's Water and Sewer fund has carryover money available for any lawful purpose.

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

SECTION 1. That the Mayor and City Clerk are authorized to execute the attached amendment to the Interlocal agreement between the City and the Riviera Beach Community Redevelopment Agency which increases the prior loans by \$168,000.

SECTION 2. That all previous terms and conditions of the Agreement are to remain as stated.

SECTION 3. That the Interim Finance Director is authorized to transfer \$168,000 from Water and Sewer Fund Balance (401-00-399999) to the General Fund (001-00-381401) increasing budgets for same and is authorized to make payment to the Riviera Beach Community Redevelopment Agency.

PASSED AND APPROVED this 20th day of February, 2002.

APPROVED:

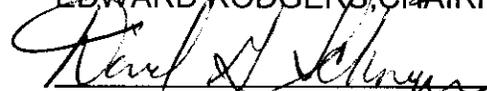


MICHAEL BROWN, MAYOR

(MUNICIPAL SEAL)



EDWARD RODGERS, CHAIRPERSON



DAVID G. SCHNYER, CHAIR PRO-TEM



DONALD WILSON



SYLVIA LEE BLUE

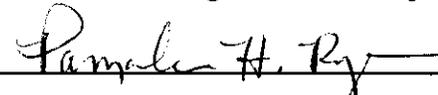


ELIZABETH "LIZ" WADE
COUNCIL MEMBERS



CARRIE E. WARD, CMC/AE
CITY CLERK

Approved as to legal sufficiency:

By: 

Date: 2/20/02

RESOLUTION NO. 33-02

PAGE 3

Motioned by: D. Wilson

Seconded by: E. Rodgers

E. Rodgers aye

D. Schnyer nay

D. Wilson aye

S. Blue nay

E. Wade aye

**FIRST AMENDMENT
INTERLOCAL AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH
AND THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY**

THIS AGREEMENT made and entered into this 20 day of February, 2002, by and between the **CITY OF RIVIERA BEACH**, a duly created municipal corporation hereinafter referred to as "CITY" and the **RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY**, a duly created redevelopment agency of the State of Florida hereinafter referred to as "CRA".

WITNESSETH

WHEREAS, the CRA is actively pursuing redevelopment of the City; and

WHEREAS, the CITY and CRA have entered into an agreement dated July 5, 2000, providing for a loan of \$500,000 and consolidating it with a 1999 prior loan of \$250,000 and providing for a revised repayment schedule for a \$100,000 loan dated August 1998; and

WHEREAS, the CRA has requested the loan be increased by \$168,000 to further the redevelopment effort of the agency.

NOW, THEREFORE, in consideration of the above the CITY and CRA agrees as follows:

1. The loan will be increased by \$168,000 bringing the loan amount to \$1,018,000 to be paid under the terms and conditions of the original agreement entered into on July 5, 2000.

IN WITNESS WHEREOF, the CITY and the CRA hereto have entered into this agreement effective as of the day and year first above written.

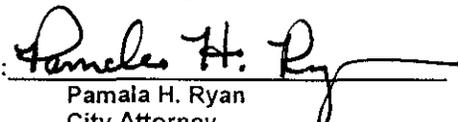
CITY OF RIVIERA BEACH, FL

By: 
Michael D. Brown
Mayor

ATTEST:

By: 
Carrie E. Ward, CMC/AE
City Clerk

Approved as to Legal Sufficiency

By: 
Pamela H. Ryan
City Attorney

**RIVIERA BEACH COMMUNITY
REDEVELOPMENT AGENCY**

By: _____
Edward Rodgers
Chairperson

Approved as to Legal Sufficiency

By: _____
Samuel A. Thomas
Attorney for CRA

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AND SUPPORTING THE CONTINUED FUNDING SUPPORT AND EASE OF PERMITTING OF BEACH RENOURISHMENT PROJECTS IN COASTAL MUNICIPALITIES IN THE STATE OF FLORIDA; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, it is known that beach projects protect some of the most valuable real estate in Florida along with important public lands and roads, that beaches contribute to healthy economy, and that beach projects can be completed without environmental damage; and

WHEREAS, beach renourishment projects should continue to be funded at a level consistent with the essential needs of coastal regions; and

WHEREAS, the permitting process should be made easier to facilitate the faster completion of environmentally responsible projects and the federal and State permit requirements should be coordinated for consistency; and

WHEREAS, areas downdrift from inlets should receive special consideration for projects mitigating inlet-caused erosion.

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

Section 1. The City of Riviera Beach endorses proposed legislation to be considered in the Florida Legislature in 2002 that supports continued funding and ease of permitting in beach renourishment projects facilitated in coastal regions/municipalities.

Section 2. The City Clerk is hereby directed to provide copies of the resolution to Rep. Jeff Atwater, Palm Beach County League of Cities, the Florida League of Cities, and Governor Jeb Bush.

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

RESOLUTION 34-02
PAGE TWO (2)

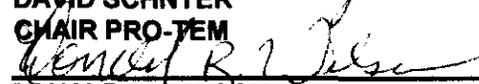
PASSED and APPROVED this 20th day of February, 2002.

APPROVED:


MICHAEL D. BROWN, MAYOR

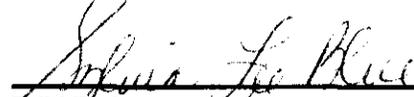

EDWARD RODGERS
CHAIRPERSON


DAVID SCHNYER
CHAIR PRO-TEM


DONALD R. WILSON

ATTEST:


CARRIE E. WARD, CMC/AE
CITY CLERK


SYLVIA LEE BLUE


ELIZABETH "LIZ" WADE
COUNCIL MEMBERS

MOTIONED BY: D. Schnyer

SECONDED BY: D. Wilson

E. RODGERS	<u>aye</u>
D. SCHNYER	<u>aye</u>
D. WILSON	<u>aye</u>
S. BLUE	<u>aye</u>
E. WADE	<u>aye</u>

REVIEWED AS TO
LEGAL SUFFICIENCY


PAMALA H. RYAN
CITY ATTORNEY

DATE 2/19/02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AND SUPPORTING THE REORGANIZATION OF THE WINDSTORM INSURANCE PROTECTION BUSINESS AS STATED IN HB 1361; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, CPIC (Citizens Property Insurance Corporation) would be the resulting entity of the merger between the FRPCJUA (Florida Residential Property and Casualty Joint Underwriting Association) and the FWUA (Florida Windstorm Underwriting Association); and

WHEREAS, customer service would greatly improve because customers would no longer have to deal with two companies and would have the opportunity to maintain their relationship with the current agent and insurer; and

WHEREAS, there would be significant tax savings as Citizens Property Insurance Corporation is structured to be a tax-exempt entity; and

WHEREAS, subsidy would be reduced as CPIC would reduce the need for assessments by allowing the residual market surplus to accumulate tax-free while ensuring that its rates cannot be less than the voluntary market and would also create a broader and more equitable assessment base by including surplus lines insurers and policyholders.

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

Section 1. The City of Riviera Beach endorses proposed legislation that would create the Citizens Property Insurance Corporation to be considered by the Florida Legislature in 2002.

Section 2. The City Clerk is hereby directed to provide copies of the resolution to Rep. Jeff Atwater, Palm Beach County League of Cities, the Florida League of Cities, and Governor Jeb Bush.

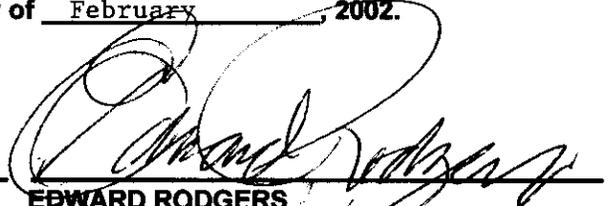
Section 3. This Resolution shall take effect immediately upon its passage and adoption by the City Council.

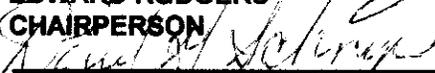
RESOLUTION 35-02
PAGE TWO (2)

PASSED and APPROVED this 20th day of February, 2002.

APPROVED:


MICHAEL D. BROWN, MAYOR

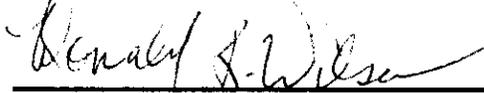
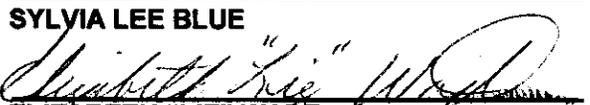

EDWARD RODGERS
CHAIRPERSON


DAVID SCHNYER
CHAIR PRO-TEM


DONALD R. WILSON

ATTEST:


CARRIE E. WARD, CMC/AAE
CITY CLERK

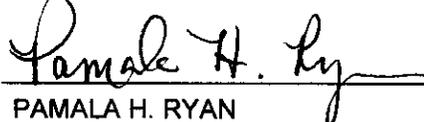

SYLVIA LEE BLUE

ELIZABETH "LIZ" WADE
COUNCIL MEMBERS

MOTIONED BY: D. Schnyer

SECONDED BY: D. Wilson

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

REVIEWED AS TO
LEGAL SUFFICIENCY


PAMALA H. RYAN
CITY ATTORNEY

DATE 2/19/02

RESOLUTION NO. 36 -02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE RIVIERA BEACH COMMUNITY REDEVELOPMENT AGENCY (THE "AGENCY") TO ISSUE TAX INCREMENT REDEVELOPMENT REVENUE BONDS (THE "BONDS") IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED FIVE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$5,500,000) UPON TERMS HEREINAFTER DESCRIBED; AUTHORIZING THE AGENCY TO ISSUE, PRIOR TO THE ISSUANCE OF THE BONDS, BOND ANTICIPATION NOTES (THE "NOTES") IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED FIVE MILLION TEN THOUSAND DOLLARS (\$5,010,000), UPON TERMS HEREIN DESCRIBED; PROVIDING FOR THE CITY'S COVENANT TO BUDGET AND APPROPRIATE THE CITY'S LEGALLY AVAILABLE NON-AD VALOREM REVENUES TO PAY DEBT SERVICE ON THE NOTES UPON THE TERMS AND CONDITIONS HEREIN DESCRIBED; AUTHORIZING THE PROPER OFFICIALS OF THE CITY TO DO ALL OTHER THINGS NECESSARY TO ASSIST THE AGENCY IN THE ISSUANCE OF THE NOTES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, by Ordinance No. 1017 (as amended and supplemented) enacted by the City Council of the City of Riviera Beach, Florida (the "City Council") as the governing body of the City of Riviera Beach, Florida (the "City"), the Riviera Beach Community Redevelopment Agency was created; and

WHEREAS, the City Council has been requested pursuant to the terms of Resolution No. 2002-1 adopted by the Board of Commissioners (the "Board") of the Riviera Beach Community Redevelopment Agency (the "Agency") on this date (the "Agency Requesting Resolution") to authorize the issuance of the Agency's Tax Increment Redevelopment Revenue Bonds (the "Bonds") pursuant to Section 163.385, Florida Statutes, in the aggregate principal amount of not to exceed Five Million Five Hundred Thousand Dollars (\$5,500,000), said Bonds to be sold at public or private sale upon terms and conditions determined appropriate and acceptable to the Agency; and

WHEREAS, the City Council has also been requested pursuant to the terms of the Agency Requesting Resolution, to authorize the issuance and sale of the Agency's Bond Anticipation Notes (the "Notes") prior to the issuance of the

Bonds, pursuant to Section 163.385, Florida Statutes, and Section 215.431, Florida Statutes, in the aggregate principal amount of not exceeding Five Million Ten Thousand Dollars (\$5,010,000); said Notes to be sold to First Union National Bank (the "Bank") on a negotiated basis pursuant to the terms of the Bank's commitment dated February 13, 2002 (the "Commitment"); and

WHEREAS, pursuant to the terms of the Commitment and as a condition of the Bank agreeing to purchase the Notes, the City Council, pursuant to the Agency Requesting Resolution, has been requested to provide additional security for the payment of debt service on the Notes, by covenanting to budget and appropriate its legally available non-ad valorem revenues, whenever the Agency's tax increment revenues and/or the first net proceeds of the Bonds, when issued, are insufficient or not available to pay debt service on the Notes; and

WHEREAS, the City Council deems it appropriate and necessary in order for the Agency to issue its Notes to authorize and approve the issuance of the Bonds for the purpose of paying the principal of the Notes when due or, sooner, if the Agency elects to redeem the Notes prior to the final maturity of such Notes; and

WHEREAS, the City Council deems it appropriate and in the public's interest to authorize and approve the issuance and sale to the Bank of the Agency's Notes for the purpose of repaying the City for certain advances in the amount of \$200,000 made by the City to the Agency for the purpose of developing a master redevelopment plan and for the purpose of funding the development and implementation of certain redevelopment projects provided for in the Agency's 2001 Community Redevelopment Plan, as the same exists from time to time; and

WHEREAS, in connection with the issuance and sale of the Notes, the City Council deems it appropriate, and in the public's interest to accept the terms of the Commitment including, but not limited to, the City's covenant to budget and appropriate the City's legally available non-ad valorem revenues, whenever necessary, to pay debt service on the Notes, if the tax increment revenues and/or the first net proceeds from the Bonds, when issued, are insufficient and/or unavailable to pay debt service on the Notes when due.

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

Section 1. All of the above recitals are true and correct.

Section 2. The terms and provisions of the Commitment of the Bank are hereby approved and accepted.

Section 3. That pursuant to Section 163.385, Florida Statutes, and Section 215.431, Florida Statutes, and in order for the Riviera Beach Community Redevelopment Agency (the "Agency") to issue the Notes, the Agency is hereby authorized to issue and sell at public or private sale Tax Increment Redevelopment Revenue Bonds (the "Bonds") in the aggregate principal amount of not to exceed Five Million Five Hundred Thousand Dollars (\$5,500,000), said Bonds to be sold upon the terms and conditions determined appropriate and acceptable to the Agency.

Section 4. That pursuant to Section 163.385, Florida Statutes, the Agency is hereby authorized to issue and sell, on a negotiated basis to the Bank, pursuant to the terms and provisions of the Commitment and resolutions of the Agency reflecting the terms of such Commitment and other provisions deemed appropriate by the Agency and the Bank, its Bond Anticipation Notes (the "Notes") in the aggregate principal amount of not to exceed Five Million Ten Thousand Dollars (\$5,010,000).

Section 5. The City hereby covenants to budget and appropriate in its Annual Budget, by amendment if necessary, from Legally Available Non-Ad Valorem Revenues in each Fiscal Year, sufficient moneys to pay, when due, the principal of and interest on the Notes in such Fiscal Year, whenever a Deficiency exists, until the Notes are paid in full. Such covenant and agreement on the part of the City shall be cumulative to the extent not paid, and shall continue until Legally Available Non-Ad Valorem Revenues or other available funds in amounts sufficient to make all required payments shall have been budgeted, appropriated and actually paid. Notwithstanding the foregoing covenant of the City, the City does not covenant to maintain any services or programs now provided or maintained by the City, which generate Non Ad-Valorem Revenues.

Such covenant to budget and appropriate does not create any lien upon or pledge of such Legally Available Non-Ad Valorem Revenues, nor, except as provided in the next succeeding paragraph, does it preclude the City from pledging in the future a particular source or sources of Non-Ad Valorem Revenues. Such covenant to budget and appropriate Legally Available Non-Ad Valorem Revenues is subject in all respects to the payment of obligations heretofore or hereafter (but only to the extent permitted by the next succeeding paragraph) entered into, including but not limited to the payment of debt service on bonds and other debt instruments of the City. However, the covenant to budget and appropriate in its Annual Budget for the purposes and in the manner stated herein shall have the effect of making available in the manner described herein Legally Available Non-Ad Valorem Revenues and placing on the City a positive duty to budget and appropriate, by amendment if necessary, amounts sufficient to meet its obligations hereunder.

The City recognizes that the covenants of the City contained in this Resolution are a material inducement to the Bank, as purchaser of the Notes.

The City agrees that if for any reason the Agency has failed to timely pay the principal of and interest on the Notes as the same become due and payable, any holder of the Notes may directly enforce the City's obligations hereunder and, upon written demand of such Noteholder, the City will make payments directly to such Noteholder. The City may not amend in any respect or repeal this Resolution without the written consent of the holders of all Notes.

The average of the City's Legally Available Non-Ad Valorem Revenues for the two most recently ended Fiscal Year must cover existing and projected maximum annual debt service on debt secured by or payable from such revenues by at least 1.5 to 1.

For purposes of this Section 5, the capitalized terms used herein shall have the following meanings:

"Annual Budget" means the annual budget prepared by the City for each Fiscal Year in accordance with the laws of the State of Florida.

"Deficiency" means during any period or on any date debt service on the Notes can not be paid as a result of the Agency's tax increment revenues received pursuant to Section 163.387, Florida Statutes being insufficient for such purpose and/or as a result of the first net proceeds of the Bonds, when issued, not being available or being insufficient for such purpose.

"Fiscal Year" means the period commencing on October 1 of each year and ending on the succeeding September 30, or such other consecutive 12-month period as may be hereafter designated as the fiscal year of the City pursuant to general law.

"Legally Available Non-Ad Valorem Revenues" means all revenues of the City derived from any source whatsoever, other than ad valorem taxation on real and personal property, which are legally available to make the payments of principal and interest on the Notes whenever a Deficiency exists and is continuing, but only after provision has been made by the Issuer for payment of services and programs which are for essential public purposes affecting the health, welfare and safety of the inhabitants of the City, or which are legally mandated by applicable law.

The City's covenant to budget and appropriate its Legally Available Non-Ad Valorem Revenues shall not be or constitute general obligations or indebtedness of the City within the meaning of the Constitution of Florida, but shall be payable solely from and secured by the City's covenant to budget and appropriate Legally Available Non-Ad Valorem Revenues, in the manner and to the extent herein provided. No holder of the Notes shall ever have the right to compel the exercise of the ad valorem taxing power of the City or taxation in any form on any real or personal property to pay such Notes or the interest thereon,

nor shall any holder be entitled to payment of such principal and interest from any other funds of the City other than the Legally Available Non-Ad Valorem Revenues, all in the manner and to the extent herein provided. The holders shall have no lien upon any real or tangible personal property of or in the City.

Section 6.

(a) The first use of the proceeds of the Notes in the amount of \$200,000 will be transferred by the Agency to the City for the purpose of repaying certain prior advances made by the City in connection with the development and initial implementation of the Agency's 2001 Community Redevelopment Plan; and

(b) If the City is ever required to use its Legally Available Non-Ad Valorem Revenues to cure a Deficiency, the Agency shall be obligated to repay such moneys from the Agency's first legally available tax increment revenues. Notwithstanding the foregoing, the City recognizes and agrees that the Agency's obligation to repay the City will be subordinate to any bonds or notes (including the Notes) issued by the Agency in furtherance of its 2001 Community Redevelopment Plan.

Section 7. The Agency is hereby authorized to execute in its corporate capacity, in its discretion, such documentation as it deems necessary and appropriate to complete the issuance and sale of said Bonds and Notes.

Section 8. The Mayor, the City Manager, the Financial Director and any other proper official of the City, be and each of them is hereby authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated by this Resolution.

Section 9. This resolution shall take effect upon its passage and adoption by the City Council.

PASSED AND ADOPTED this 06 day of March, 2002.

(SIGNATURES ON FOLLOWING PAGE)

APPROVED:

Michael D. Brown
MICHAEL D. BROWN, MAYOR

Edward Rodgers
EDWARD RODGERS, CHAIRMAN

David G. Schnyer
DAVID G. SCHNYER, CHAIR PRO-TEM

Donald R. Wilson
DONALD R. WILSON

(MUNICIPAL SEAL)

ATTEST:

Carrie E. Ward
CARRIE E. WARD, CMC/AE
CITY CLERK

Sylvia Lee Blue
SYLVIA LEE BLUE

Absent
ELIZABETH "LIZ" WADE
COUNCILMEMBERS

MOTIONED BY: D. Schnyer

REVIEWED AS TO LEGAL SUFFICIENCY

SECONDED BY: S. Blue

E. RODGERS aye

Samuel H. Ry
CITY ATTORNEY
CITY OF RIVIERA BEACH

D. SCHNYER aye

D. WILSON aye

DATE: 3/6/02

S. BLUE aye

E. WADE absent

bhf

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE PROPOSAL FROM R.C.T. ENGINEERING, INC. IN THE AMOUNT OF \$27,530.00 FOR PREPARING A POTABLE WATER SUPPLY AND TREATMENT ALTERNATIVES EVALUATION STUDY; AND AUTHORIZING THE MAYOR AND INTERIM FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 407-1437-5330-4616.

WHEREAS, the Consulting Engineering Firm of R.C.T. Engineering, Inc. has prepared and submitted to the City of Riviera Beach a proposal for professional engineering services to provide and evaluate a study of alternatives for the water supply and treatment at the Water Treatment Plant; and

WHEREAS, the primary purpose of this project is to evaluate the necessary alternative(s) of the City's potable water supply.

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 approve the proposal from R.C.T. Engineering, Inc. in the amount of \$27,530.00 to perform professional engineering and evaluate a study for water supply and treatment alternatives at the Water Treatment Plant.

Section 2: That the Mayor and Interim Finance Director are authorized to make payment for same under Account Number 407-1437-5330-4616 in the amount of \$27,530.00.

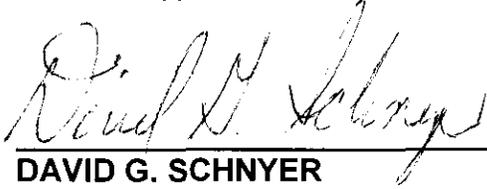
Section 3: This Resolution shall take effect upon its passage and adoption by the City Council.

PASSED AND ADOPTED this 6 day of March, 2002.

APPROVED:


MICHAEL D. BROWN,
MAYOR

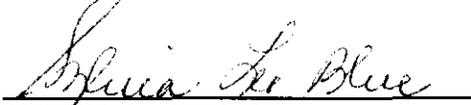

EDWARD RODGERS,
CHAIRPERSON


DAVID G. SCHNYER
CHAIR PRO-TEM

(MUNICIPAL SEAL)

ATTEST: 
CARRIE E. WARD, CMC/AAE
CITY CLERK


DONALD R. WILSON


SYLVIA LEE BLUE

ELIZABETH "LIZ" WADE
COUNCIL MEMBERS

MOTIONED BY: D. Schnyer

SECONDED BY: D. Wilson

E. RODGERS aye

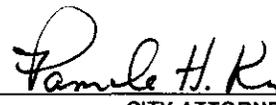
D. SCHNYER aye

D. WILSON aye

S. BLUE aye

E. WADE absent

REVIEWED AS TO LEGAL SUFFICIENCY


PAMELA H. KY
CITY ATTORNEY
CITY OF RIVIERA BEACH

DATE: 2/27/02

RESOLUTION NO. 38-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE PROPOSAL FROM R.C.T. ENGINEERING, INC. IN THE AMOUNT OF \$19,991.50 TO CONNECT THE 20" Ø PIPE FROM THE WATER PLANT SITE TO WEST 27TH STREET AT OLD DIXIE HIGHWAY; AND AUTHORIZING THE MAYOR AND INTERIM FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 407-1437-5330-4616.

WHEREAS, the Consulting Engineering Firm of R.C.T. Engineering, Inc. has prepared and submitted to the City of Riviera Beach a proposal for professional engineering services to connect the 20" Ø transmission pipe from the Water Plant Site to West 27th Street at Old Dixie Highway; and

WHEREAS, the primary purpose of this project is boost the pressure in the City's Water Distribution System in the surrounding areas.

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 approve the proposal from R.C.T. Engineering, Inc. in the amount of \$19,991.50 to provide professional engineering to connect the 20" Ø transmission pipe from the Water Plant Site to West 27th Street at Old Dixie Highway.

Section 2: That the Mayor and Interim Finance Director are authorized to make payment for same under Account Number 407-1417-5330-4616 in the amount of \$19,991.50.

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

PASSED AND ADOPTED this 6 day of March FEBRUARY, 2002.

APPROVED:

Michael D. Brown
MICHAEL D. BROWN,
MAYOR

Edward Rodgers
EDWARD RODGERS,
CHAIRPERSON

David G. Schnyer
DAVID G. SCHNYER
CHAIR PRO-TEM

(MUNICIPAL SEAL)

Donald R. Wilson
DONALD R. WILSON

ATTEST: Carrie E. Ward
CARRIE E. WARD, CMC/AAE
CITY CLERK

Sylvia Lee Blue
SYLVIA LEE BLUE

Elizabeth "Liz" Wade
ELIZABETH "LIZ" WADE
COUNCIL MEMBERS

MOTIONED BY: D. Schnyer

SECONDED BY: D. Wilson

E. RODGERS aye

D. SCHNYER aye

D. WILSON aye

S. BLUE aye

E. WADE absent

REVIEWED AS TO LEGAL SUFFICIENCY

Patricia H. Ryan
CITY ATTORNEY
CITY OF RIVIERA BEACH

DATE: 2/27/02

RESOLUTION NO. 39-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AGREEING TO ADD LANGUAGE TO THE RECREATION AND OPEN SPACE ELEMENT OF THE 2001 COMPREHENSIVE PLAN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on November 7, 2001 the City of Riviera Beach adopted the 2001 Comprehensive Plan per Ordinance No. 2898; and

WHEREAS, on December 31, 2001, the Department of Community Affairs published a Notice of Intent to Find the City of Riviera Beach Comprehensive Plan In Compliance; and

WHEREAS, Bayard and Marilyn Moffitt filed an appeal of the Department of Community Affairs Notice of Intent to Find the City's Comprehensive Plan In Compliance; and

WHEREAS, the City entered into mediation with Bayard and Marilyn Moffitt regarding the Moffitt's appeal; and

WHEREAS, the City is desirous of entering into a settlement agreement with Bayard and Marilyn Moffitt; and

WHEREAS, the Moffitts requested certain language be added to the 2001 Comprehensive Plan's Recreation and Open Space Element; and

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

Section 1. In exchange for Bayard and Marilyn Moffitt's agreement to dismiss their appeal to the Comprehensive Plan, the City hereby agrees to add the following policy to the 2001 Comprehensive Plan's Recreation and Open Space Element: "By 2004, the City shall explore all existing or potential parks and other sites which may be a suitable alternative to Redevelopment Plan Parcel TC-2, to achieve Policy 1.1.3's intent to provide one additional opportunity for a water related urban access park with a boat ramp."

Section 2. That said agreement shall be formally placed in a compliance agreement at the appropriate time.

Section 3. This resolution shall take effect immediately upon its approval.

PASSED and APPROVED this 6 day of March 2002.

APPROVED:

Michael D. Brown
MICHAEL D. BROWN, MAYOR

Edward Rodgers
EDWARD RODGERS, CHAIRPERSON

David G. Schnyer
DAVID G. SCHNYER, CHAIRPERSON PRO-TEM

{MUNICIPAL SEAL}

Donald R. Wilson
DONALD R. WILSON

ATTEST:

Carrie E. Ward
CARRIE E. WARD, CMC/AE
CITY CLERK

Sylvia Lee Blue
SYLVIA LEE BLUE

Absent
ELIZABETH "LIZ" WADE
COUNCIL MEMBERS

MOTIONED BY:	<u>S. Blue</u>
SECONDED BY:	<u>D. Schnyer</u>
E. Rodgers:	<u>aye</u>
D. Schnyer:	<u>aye</u>
D. Wilson:	<u>aye</u>
S. Blue:	<u>aye</u>
E. Wade:	<u>absent</u>

REVIEWED AS TO LEGAL SUFFICIENCY

Patricia H. Ryan
City Attorney
City of Riviera Beach

Date 3/6/02

RESOLUTION NO. 40-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, WITHDRAWING THE OBJECTION RAISED BY THE CITY OF RIVIERA BEACH CONCERNING THE MINING OPERATION LOCATED SOUTH OF DYER BOULEVARD AND WEST OF HAVERHILL ROAD IN THE CITY OF WEST PALM BEACH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City of Riviera Beach was initially notified on October 27, 1999, concerning a proposed mining operation in the City of West Palm Beach located south of Dyer Boulevard and west of Haverhill Road; and

WHEREAS, The project scope consisted of 324 acres of which 294 acres was proposed for mining over a period of twenty (20) years for fill material; and

WHEREAS, The City of Riviera Beach was very concerned with the negative impacts to its potable water wells; its residents specifically Lone Pine Estates; the noise and dust resulting from the truck traffic; and

WHEREAS, The project has been subsequently amended to decrease the size of the mining operation to 84 acres over a period of six years; and

WHEREAS, The amended mining operation have significantly decrease the truck traffic, noise and dust associated with mining operation, as well as reduced the negative impact to the City's potable water supply; and

WHEREAS, The proposed Dyer Park Expansion, which this project is now referred to as, is part of Palm Beach County Park system, will be a public benefit to the County and have a positive affect on the City's potable water wells because of the restoration efforts that will be accomplished after the project; and

WHEREAS, The City of Riviera Beach now withdraws its objection to the mining operation located on the west of Haverhill Road and south of Dyer Boulevard in the City of West 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. The City of Riviera Beach withdraws its objection to the mining operation located on the west side of Haverhill Road and south of Dyer Boulevard in the City of West Palm Beach.

Section 2. This resolution shall take effect upon its passage and adoption by the City Council.

PASSED AND APPROVED this 6th day of March, 2002.

PASSED AND APPROVED this 4 day of March, 2002

APPROVED:

Michael D. Brown
MICHAEL D. BROWN, MAYOR

Edward Rodgers
EDWARD RODGERS, CHAIRPERSON

David G. Schnyer
DAVID G. SCHNYER,
CHAIR PRO-TEM

{MUNICIPAL SEAL}

Donald R. Wilson
DONALD R. WILSON

Sylvia Lee Blue
SYLVIA LEE BLUE

ATTEST:

Carrie E. Ward
CARRIE E. WARD, CMC/AE
CITY CLERK

Absent
ELIZABETH "LIZ" WADE
COUNCIL MEMBERS

Motioned By D. Wilson
Seconded By S. Blue

E. Rodgers aye
D. Schnyer aye
D. Wilson aye
S. Blue aye
E. Wade absent

Reviewed as to Legal Sufficiency
Tamela H. Py
City Attorney
City of Riviera Beach

Date: 2/6/02