

RESOLUTION NO. 181-00

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING PAYMENT IN THE MATTER OF TIMOTHY GRADER V. CITY OF RIVIERA BEACH AND APPROVING THE TOTAL SETTLEMENT AMOUNT OF \$30,000 AS COMPLETE AND FINAL SETTLEMENT OF FURTHER LIABILITY FOR FUTURE MEDICAL BENEFITS IN THE MATTER; FURTHER AUTHORIZING THE CITY'S INSURANCE ADMINISTRATORS, GALLAGHER BASSETT SERVICES, TO PAY THIS AMOUNT TO THE CLAIMANT/CLAIMANT'S ATTORNEY FROM THE CITY'S LOSS FUND ACCOUNT NUMBER 602-0305-5130-1405.

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 settlement in the matter of Timothy Grader v. City of Riviera Beach for payment of the medical portion of the Worker's Compensation claim in the total amount of \$30,000.

SECTION 2. That the Insurance Administrator Gallagher Bassett Services is hereby authorized to make payment from the City's Loss Fund in the amount of \$30,000.

SECTION 3. That the settlement amount of \$30,000 shall be paid from the City's Worker's Compensation Settlement Account No. 602-0305-5130-1405.

SECTION 4. This Resolution shall take effect upon its passage and adoption.

PASSED AND ADOPTED this 18th day of October, 2000.



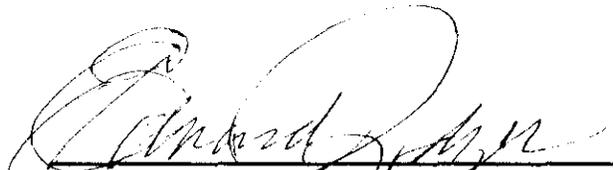
MICHAEL D. BROWN
MAYOR

(MUNICIPAL SEAL)

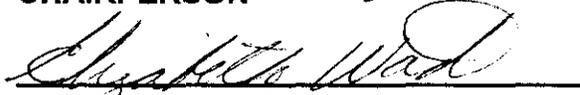
ATTEST



CARRIE E. WARD, CMC/AE
CITY CLERK



EDWARD RODGERS
CHAIRPERSON



ELIZABETH WADE
CHAIRPERSON PRO TEM



DONALD R. WILSON



SYLVIA LEE BLUE



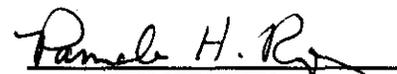
DAVID G. SCHNYER
COUNCIL MEMBERS

MOTIONED BY: D. Wilson

SECONDED BY: D. Schnyer

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

REVIEWED AS TO LEGAL SUFFICIENCY



CITY ATTORNEY
CITY OF RIVIERA BEACH

DATE: 10/10/00

RESOLUTION NO. 182-00

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REQUESTING PAYMENT TO McGUIRE WOODS, LLP, MARQUIS TWO TOWER, 285 PEACHTREE CENTER AVENUE, N. E., SUITE 2200, ATLANTA, GA 30303 -1261 IN THE AMOUNT OF \$7,290.26 FOR PROFESSIONAL LEGAL SERVICES PERFORMED IN THE MATTER OF PFEFFERKORN, ET. AL. V. CITY OF RIVIERA BEACH; AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO MAKE PAYMENT FOR SAME UNDER ACCOUNT NO. 001-0512-5190-3101.

WHEREAS, McGuire Woods, LLP performed professional legal services for the City of Riviera Beach ; and

WHEREAS, McGuire Woods, LLP submitted a invoice in the amount of \$7,290.26 for performing professional legal services in the matter of Pfefferkorn, et. al. v. City of Riviera Beach.

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

SECTION 1. The Mayor and Finance Director are authorized to make the payment in the amount of \$7,290.26 from Account #001-0512-5190-3101.

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

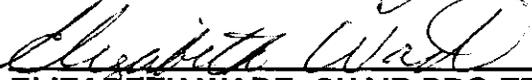
PASSED AND ADOPTED this 18th day of October 2000.

RESOLUTION NO. 182-00
PAGE -3-

APPROVED:


MICHAEL D. BROWN, MAYOR


EDWARD RODGERS, CHAIRPERSON


ELIZABETH WADE, CHAIR PRO-TEM


DONALD R. WILSON

ATTEST:


CARRIE WARD, CMC/AE
CITY CLERK


SYLVIA LEE BLUE


DAVID SCHNYER
COUNCIL MEMBERS

MOTIONED BY: D. Wilson

SECONDED BY: D. Schnyer

E. RODGERS aye

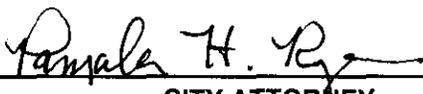
E. WADE aye

D. WILSON aye

S. BLUE aye

D. SCHNYER aye

REVIEWED AS TO LEGAL SUFFICIENCY


CITY ATTORNEY
CITY OF RIVIERA BEACH

DATE: 10/9/00

RESOLUTION NO. 183-00

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE RENEWAL OF MEDICAL COVERAGE WITH HUMANA MEDICAL PLAN, 3400 LAKESIDE DRIVE, MIRAMAR, FL AND DENTAL COVERAGE WITH JEFFERSON PILOT INSURANCE COMPANY, 3475 SHERIDAN STREET, SUITE 314, HOLLYWOOD, FL, TO PROVIDE MEDICAL AND DENTAL INSURANCE RESPECTIVELY FOR CITY EMPLOYEES FOR THE POLICY YEAR 2000-2001 AND AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENTS FROM ACCOUNT NUMBER 001-218-211 IN THE ESTIMATED AMOUNT OF \$153,599.04 FOR DENTAL INSURANCE AND ACCOUNT NUMBER 001-218-214 IN THE ESTIMATED AMOUNT OF \$2,139,791.64 FOR HEALTH INSURANCE.

WHEREAS, the City of Riviera Beach is in need of renewing its medical and dental Insurance; and

WHEREAS, the city bided the coverage for the medical and dental insurance on September 3, 2000; and

WHEREAS, staff recommends renewing its medical insurance with Humana Medical Plan; and

WHEREAS, staff recommends accepting the bid with Jefferson Pilot Insurance Company for its dental insurance.

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 is hereby authorized to bind coverage for the City of Riviera Beach for medical and dental insurance.

SECTION 2. That the Finance Director is authorized to make payment for the medical insurance from account #001-218-214.

SECTION 3. That the Finance Director is authorized to make payment for the dental insurance from account #001-218-211.

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

PASSED AND ADOPTED this 18th day of October, 2000.

APPROVED:

Michael D. Brown
MICHAEL D. BROWN
MAYOR

Edward Rodgers
EDWARD RODGERS
CHAIRPERSON

[MUNICIPAL SEAL]

Elizabeth Wade
ELIZABETH "LIZ" WADE
CHAIR PRO TEM

ATTEST:

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

Donald R. Wilson
DONALD R. WILSON

Sylvia Lee Blue
SYLVIA LEE BLUE

David Schnyer
DAVID SCHNYER
COUNCIL MEMBERS

MOTIONED BY: D. Wilson
SECONDED BY: D. Schnyer

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

REVIEWED AS TO LEGAL SUFFICIENCY

Romala H. Ryan
CITY ATTORNEY
CITY OF RIVIERA BEACH

DATE: 10/13/00

RESOLUTION NO. 184-00

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ESTABLISHING THE CITY'S PRIORITIES FOR TRANSPORTATION FUNDING FOR FY 2002-2006 TO THE METROPOLITAN PLANNING ORGANIZATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Palm Beach County Metropolitan Planning Organization (MPO) is in the process of establishing priorities for the Florida Department of Transportation (FDOT) for use in developing the Work Program for FY 2002-2006; and

WHEREAS, the City of Riviera Beach wishes to establish a list of priorities for inclusion in the MPO's priority list to the FDOT for FY 2002-2006; and

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

Section 1. The following projects, having both public safety and economic impacts to the City of Riviera Beach, are established as priorities to the MPO by the City of Riviera Beach for inclusion in the FDOT FY 2002-2006 Work Program:

- **SR 710 (Alternate) from Dixie Highway to Broadway (US 1) (new construction)**
- **Increase funding for SR 710 from Military Trail to Dixie Highway (widening)**
- **Increase funding for Broadway (US 1) for relocation and construction (39 million dollars)**
- **Provide funding for 6 laning Blue Heron Boulevard from Dixie Highway to Broadway (9 million dollars)**
- **Military Trail from Okeechobee Boulevard to Blue Heron Boulevard (widening)**
- **Turnpike Interchange between SR 710 and Northlake Boulevard (new construction)**
- **13th Street, Avenue C and 11th Street (reconstruction)**

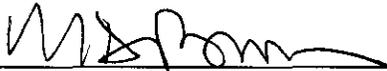
The following project is currently not funded in the County's Work Program, however is of economic importance to the City and should be included in the County's work program.

- **Haverhill Road from 45th Street to Beeline Highway (widening)**

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

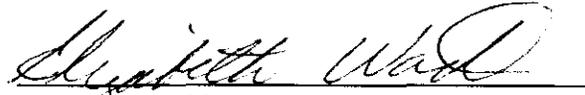
PASSED AND APPROVED this 18th day of October, 2000

APPROVED:


MICHAEL D. BROWN, MAYOR


EDWARD RODGERS, CHAIRPERSON

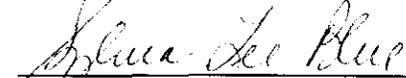
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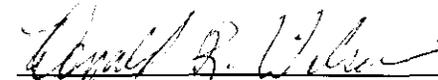

ELIZABETH WADE, CHAIR PRO-TEM

ATTEST:


DAVID SCHNYER


CARRIE E. WARD, CMC/AE
CITY CLERK


SLYVIA LEE BLUE

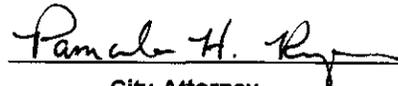

DONALD WILSON
COUNCIL MEMBERS

Motioned By: D. Schnyer

Seconded By: D. Wilson

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

Reviewed as to Legal Sufficiency


Pamela H. Ryan
City Attorney
City of Riviera Beach

Date: 10/10/00

RESOLUTION NO. 185-00

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF RIVIERA BEACH, FLORIDA,
APPROVING INTERIM ACCESS FOR THE PORT
OF PALM BEACH CRUISE TERMINAL OFFICE
COMPLEX AND PARKING GARAGE.**

WHEREAS, the Port has undertaken a program of improvements which include the construction of a new cruise ship terminal office complex, parking garage and slip; and

WHEREAS, the City and the Port have met in a cooperative effort to address each of the party's concerns and interests in connection with the construction and operation of the Port's improvements; and

WHEREAS, the parties have agreed upon an interim system of access to such facilities; and

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

SECTION 1. A certificate of occupancy shall be issued for the new cruise terminal office complex provided that interim access thereto is through Martin Luther King Boulevard and 11th Street. The City herewith approves said interim access.

SECTION 2. This resolution shall take effect immediately upon its passage.

PASSED AND APPROVED this 18th day of October, 2000

RESOLUTION NO. 185-00
PAGE -2-

APPROVED:

MAYOR MICHAEL D. BROWN

EDWARD RODGERS, CHAIRPERSON

(MUNICIPAL SEAL)

ELIZABETH K. WADE, CHAIR PRO-TEM

ATTEST:

DONALD R. WILSON

CARRIE E. WARD, CMC/AE
CITY CLERK

SYLVIA L. BLUE

DAVID G. SCHNYER
COUNCIL MEMBERS

MOTIONED BY: _____

SECONDED BY: _____

E. RODGERS: _____

E. WADE: _____

D. WILSON: _____

S. BLUE: _____

D. SCHNYER: _____

REVIEWED AS TO LEGAL SUFFICIENCY
City Attorney
City of Riviera Beach

Donald H. Ryan

DATE: 10/12/00

RESOLUTION NO. 186-00

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REQUESTING PAYMENT TO ELECTRICAL, SIGN & LIGHTING SERVICES, INC. OF WEST PALM BEACH, FL THE SUM OF \$18,000.00 FOR THE REMOVAL, TRANSPORTATION AND STORAGE OF DONATED LIGHT POLES FOR THE TATE BALL FIELD AND AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO MAKE PAYMENT FOR SAME UNDER ACCOUNT NUMBER 305-1234-5720-6405.

WHEREAS, the Parks and Recreation Department had planned to provide lighting for the Tate Ball Field.

WHEREAS, the Rapids Water Park has offered to donate the City 26 concrete light poles that could be used at the Tate Ball Field and additional sports fields.

WHEREAS, this donation is beneficial because the price of these poles would be \$109,916 to purchase them.

WHEREAS, it is imperative that the City acts quickly to acquire these poles because The Rapids will dispose of them by October 20, 2000.

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

SECTION 1. The City Council hereby authorizes payment to Electrical, Sign & Lighting, Inc. the sum of \$18,000.00.

SECTION 2. That the Finance Director is authorized to transfer funds from General Fund Contingency 001-0203-5190-5999 to the Capital Fund 305-1234-5720-6405.

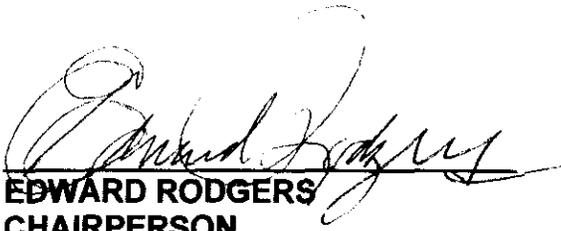
SECTION 3. This Resolution shall take effect upon its passage and adoption by the City Council.

PASSED AND APPROVED this 18th day of October, 2000.

RESOLUTION NO. 186-00
PAGE: 2

APPROVED:


MICHAEL D. BROWN,
MAYOR


EDWARD RODGERS
CHAIRPERSON

(MUNICIPAL SEAL)


ELIZABETH WADE
CHAIR PRO-TEM

ATTEST:


CARRIE E. WARD, CMC/AE


DAVID G. SCHNYER


SYLVIA LEE BLUE


DONALD R. WILSON
COUNCILMEMBERS

MOTIONED BY: D. Schnyer

SECONDED BY: D. Wilson

E. RODGERS aye

E. WADE aye

G. SCHNYER aye

S. BLUE aye

D. WILSON aye

REVIEWED AS TO LEGAL SUFFICIENCY


CITY ATTORNEY
CITY OF RIVIERA BEACH

DATE: 10/16/00

RESOLUTION NO. 187-00

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE CITY OF RIVIERA BEACH PURCHASING DEPARTMENT TO PARTICIPATE IN PALM BEACH COUNTY COOPERATIVE PURCHASING COUNCIL JOINT BIDDING PROGRAM FOR THE PURCHASE OF GASOLINE & DIESEL FUEL; OFFICE SUPPLY/EQUIPMENT PRODUCTS; CHEMICALS AND FERTILIZERS; ANHYDROUS AMMONIA; UNIFORM RENTAL SERVICE; OFFICE EQUIPMENT REPAIR/MAINTENANCE; CONCRETE AND READY MIX; ROAD CONSTRUCTION MATERIALS; CHEMICALS AND OTHER TERM CONTRACTS BIDDED THROUGH THE COOPERATIVE PURCHASING COUNCIL FOR FISCAL YEAR 2000-2001.

WHEREAS, the City of Riviera Beach, Purchasing Department has been a member of Palm Beach County Cooperative Purchasing Council since 1986; and

WHEREAS, the Council is composed of various government entities within the County who have joined together to cover costs of commonly used commodities; and

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

SECTION 1: That the City of Riviera Beach, Palm Beach County, Florida, does hereby give staff authorization to participate in the Palm Beach County Cooperative Purchasing Council Joint Bidding Program for the purchases of various commodities of Fiscal Year 2000-2001.

SECTION 2: That the City of Riviera Beach, Palm Beach County, Florida, further authorize staff to participate in this cost saving program for the purchase of Gasoline and Diesel Fuel; Office Supply/Equipment Products; Chemicals and Fertilizers; Anhydrous Ammonia; Uniform Rental Service; Office Equipment Repair/Maintenance; Concrete and Ready Mix; Road Construction Materials; Chemicals and other Term Contracts bid through the Cooperative Purchasing Council for Fiscal year 2000-2001.

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

PASSED and APPROVED this 1st day of November 2000.

APPROVED:

Michael D. Brown
MICHAEL D. BROWN, MAYOR

Edward Rodgers
EDWARD RODGERS, CHAIRPERSON

(MUNICIPAL SEAL)

Elizabeth Wade
ELIZABETH "LIZ" WADE, CHAIR PRO-TEM

ATTEST:

Donald R. Wilson
DONALD R. WILSON

Sylvia Lee Blue
SYLVIA LEE BLUE

C. E. Ward
CARRIE E. WARD, CMC/AAE

David G. Schnyer
DAVID G. SCHNYER
COUNCILMEMBERS

MOTION BY: D. Wilson

SECOND BY: E. Wade

E. RODGERS aye

E. WADE aye

D. WILSON aye

S. BLUE aye

D. SCHNYER aye

REVIEWED AS TO LEGAL SUFFICIENCY

Francis H. Payne
CITY ATTORNEY

CITY OF RIVIERA BEACH

DATE: 10/30/00

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING STAFF RECOMMENDATION AND APPROVING THE CONTRACT AGREEMENT TO JIM GRAHAM INC., NORTH PALM BEACH, FLORIDA, TO ACT AS AUCTIONEER FOR DISPOSAL OF CERTAIN SURPLUS CITY PROPERTY FOR A FEE OF 10% BUYER'S PREMIUM AS PER THEIR AGREEMENT WHICH IS A PART OF THIS RESOLUTION AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE SAID AGREEMENT.

WHEREAS, the City of Riviera Beach requested Jim Graham to provide auctioneer service to dispose of certain City surplus property; and

WHEREAS, the City will utilize auctioneer services based on a piggyback bid with the City of Lake Worth, and

WHEREAS, Jim Graham, auctioneer's fee will be 10% of gross selling price payable by buyers.

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

SECTION 1: That the City of Riviera Beach, Palm Beach County, Florida, does hereby accept staff recommendation and approve the contract agreement with Jim Graham, Inc., to act as Auctioneer for disposal of certain City surplus property for a fee of 10% of gross selling price payable by buyers.

SECTION 2: That a copy of said contract agreement is attached hereto and made a part thereof.

SECTION 3: That the Mayor and City Clerk are authorized to execute said agreement.

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

PASSED AND APPROVED this 1st day of November 2000.

APPROVED:

Michael D. Brown
MICHAEL D. BROWN, MAYOR

Edward Rodgers
EDWARD RODGERS, CHAIRPERSON

(MUNICIPAL SEAL)

Elizabeth Wade
ELIZABETH "LIZ" WADE, CHAIR PRO-TEM

ATTEST:

Donald R. Wilson
DONALD R. WILSON

Sylvia Lee Blue
SYLVIA LEE BLUE

C. E. Ward
CARRIE E. WARD, CMC/AE

David G. Schnyer
DAVID G. SCHNYER
COUNCILMEMBERS

MOTION BY: D. Wilson

SECOND BY: E. Wade

E. RODGERS aye

E. WADE aye

D. WILSON aye

S. BLUE aye

D. SCHNYER aye

REVIEWED AS TO LEGAL SUFFICIENCY

Samuel H. King
CITY ATTORNEY

CITY OF RIVIERA BEACH

DATE: 10/30/00

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AUTHORIZING THE CITY MANAGER TO SUBMIT A REQUEST TO THE FLORIDA DEPARTMENT OF TRANSPORTATION REQUESTING THAT THE SKYPASS BRIDGE, NUMBER 930470 BE DESIGNATED AS THE "L. E. BUIE BRIDGE;" ALSO REQUESTING THAT THE DEPARTMENT OF TRANSPORTATION ERECT SUITABLE MARKERS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Department of Transportation (FDOT) has a Public Transportation Program outlined in the Florida Statutes regarding the designation of transportation facilities; and

WHEREAS, the City desires to submit a request to FDOT requesting that the Skypass Bridge, number 930470 be designated as the "L. E. Buie Bridge,"

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

SECTION 1. The City Manager is authorized to submit a request to FDOT requesting that the Skypass Bridge, number 930470 be designated as the "L. E. Buie Bridge."

SECTION 2. The City Manager is also authorized to submit a request to FDOT requesting that a suitable marker be placed on the bridge at the appropriate location.

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

PASSED AND APPROVED this 1st day of November, 2000.

RESOLUTION NO. 189-00
PAGE 2

APPROVED:

M. D. Brown
MICHAEL D. BROWN, MAYOR

[MUNICIPAL SEAL]

ATTEST:

Edward Rodgers
EDWARD RODGERS, CHAIRPERSON

Elizabeth Wade
ELIZABETH WADE, CHAIR PRO-TEM

Donald R. Wilson
DONALD R. WILSON

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

Sylvia Lee Blue
SYLVIA LEE BLUE
David G. Schnyer
DAVID G. SCHNYER
COUNCIL MEMBERS

MOTIONED BY: D. Schnyer

SECONDED BY: E. Wade

E. RODGERS aye

E. WADE aye

D. WILSON aye

S. BLUE aye

D. SCHNYER aye

REVIEWED FOR LEGAL SUFFICIENCY

Janet H. Dye
CITY ATTORNEY

CITY OF RIVIERA BEACH

DATE: 10/25/00

RESOLUTION NO. 190-00

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AUTHORIZING THE CITY MANAGER TO REALLOCATE \$200,000 IN THE CAPITAL IMPROVEMENT PLAN BUDGET FROM THE RC4 CANAL PROJECT TO THE LAKE WORTH LAGOON PROJECT; ALSO AUTHORIZING THE FINANCE DIRECTOR TO MAKE CHANGES FOR THE SAME.

WHEREAS, the City of Riviera Beach has an approved Capital Improvement Plan Budget; and

WHEREAS, the Capital Improvement Plan Budget has City funds allocated for the RC4 Canal Project and the Lake Worth Lagoon Project; and

WHEREAS, it does not appear that the RC4 Canal Project will be initiated during Fiscal Year 2000-2001; and

WHEREAS, additional funds are needed for the Lake Worth Lagoon Project; and

WHEREAS, the City desires to reallocate funds in the amount of \$200,000 previously set aside for the RC4 Canal Project to the Lake Worth Lagoon Project.

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

SECTION 1. The City Manager is authorized to reallocate City funds needed for the Lake Worth Lagoon Project.

SECTION 2. The Finance Director is authorized to reallocate funds in the amount of \$200,000 previously set aside for the RC4 Canal Project to the Lake Worth Lagoon Project.

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

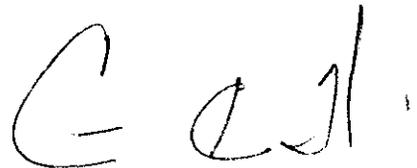
PASSED AND APPROVED this 1st day of November, 2000.

APPROVED:


MICHAEL D. BROWN, MAYOR

[MUNICIPAL SEAL]

ATTEST:


CARRIE E. WARD, CMC/AE
CITY CLERK


EDWARD RODGERS, CHAIRPERSON


ELIZABETH WADE, CHAIR PRO-TEM


DONALD R. WILSON


SYLVIA LEE BLUE


DAVID G. SCHNYER
COUNCIL MEMBERS

MOTIONED BY: S. Blue

SECONDED BY: D. Schnyer

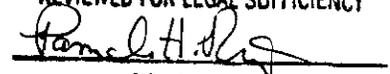
E. RODGERS aye

E. WADE aye

D. WILSON aye

S. BLUE aye

D. SCHNYER aye

REVIEWED FOR LEGAL SUFFICIENCY

CITY ATTORNEY
CITY OF RIVIERA BEACH
DATE: 10/30/00

RESOLUTION NO. 191-00

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, APPROVING THE APPOINTMENT OF AND RATIFYING THE CONTRACT FOR WILLIAM E. WILKINS AS CITY MANAGER FOR THE CITY OF RIVIERA BEACH; DETAILING THE TERMS AND CONDITIONS OF HIS EMPLOYMENT; EFFECTIVE NOVEMBER 1, 2000 THROUGH OCTOBER 31, 2001 FOR A PERIOD OF ONE YEAR.

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

Section 1. That William E. Wilkins be appointed as City Manager of the City of Riviera Beach, Florida, pursuant to the Charter of the City of Riviera Beach, and the laws of the State of Florida.

Section 2. That the terms and conditions of the employment of William E. Wilkins as City Manager of the City of Riviera Beach have been detailed in the Employment Contract which is made a part of this Resolution.

Section 3. That this Resolution shall take effect November 1, 2000.

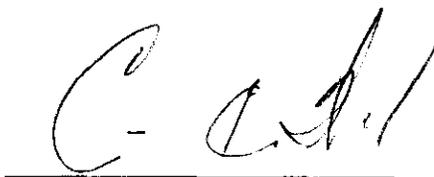
PASSED and APPROVED this 1ST day of November, 2000.

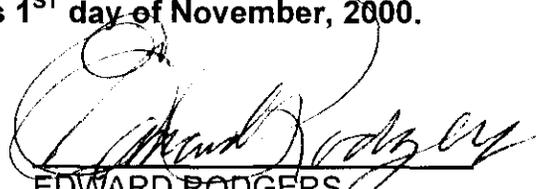
APPROVED:


MICHAEL D. BROWN
MAYOR

(MUNICIPAL SEAL)

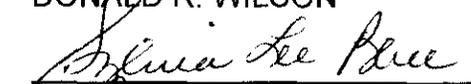
ATTEST


CARRIE E. WARD, CMC/AE
CITY CLERK


EDWARD RODGERS
CHAIRPERSON


ELIZABETH "LIZ" WADE,
CHAIR PRO-TEM


DONALD R. WILSON


SYLVIA LEE BLUE


DAVID G. SCHNYER
COUNCILMEMBERS

EMPLOYMENT CONTRACT – CITY MANAGER

THIS AGREEMENT made this 1st day of November, 2000, by and between the City of RIVIERA BEACH, State of Florida, duly organized and validly existing municipal corporation, (hereinafter referred to as "City"), and WILLIAM E. WILKINS, (hereinafter referred to as "Second Party").

WITNESSETH:

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

1) Employment and Salary – The City shall employ Second Party as City Manager of the City of Riviera Beach, Florida pursuant to the Charter of the City of Riviera Beach for a period commencing on November 1, 2000 through October 31, 2001. This contract shall be renewed automatically for an additional twelve (12) months unless either party notified the other at least three (3) months prior to the end of the term that it does not wish to renew. Second Party shall remain in the exclusive employment of the City until termination of this agreement, and shall not become employed by any other employer until said termination. The term "employed", however, shall not be construed to include occasional teaching, writing, speaking or consulting performed on personal time off, even if outside compensation is provided for such services. Said activities are expressly allowed, provided that in no case is any activity allowed which would present a conflict of interest with the City of Riviera Beach. The City shall pay Second Party an annual base salary of 107,800.00, payable in installments at the same time other management employees of the City are paid. In addition, the City may agree to increase salary and/or benefits of the City in such amounts and to such extent as the City may determine. The city may make such increase on the basis of an annual salary review of Second Party made at the same time as similar consideration is given other employees generally. This

contract shall continue on the same terms and conditions as to either party in accordance with Section 5 herein.

2) Serve at Pleasure – Second Party shall serve at the pleasure of the City Council of the City of Riviera Beach and, nothing in this agreement shall prevent, limit or otherwise interfere with the right of the City to terminate the services and employment of Second Party. Furthermore, nothing in this agreement shall prevent, limit or otherwise interfere with the right of Second Party to resign at any time from his position.

3) Responsibilities – Second Party shall be responsible only to the City Council and shall perform the duties of the City Manager set forth in the Riviera Beach City Charter, Florida Statutes, City Ordinances, and other applicable laws. Second Party shall have the authority and responsibility to direct and supervise the operation of the City and to appoint, employ and terminate the employment of such individuals as may be necessary for the proper and efficient operation of the City subject only to the requirements of the City Charter, Ordinances, State and Federal laws. In addition, neither the City Council, nor any of its members shall direct or request the appointment of any person to or removal from office by the City Manager or any of his subordinates, or in any manner take part in the appointment or removal of officers and employees in the service of the City of Riviera Beach. The City Council and its members shall communicate regarding Policy Issues with employees of the City solely through the City Manager, and neither the Council nor any member thereof shall give orders to any subordinate of the City Manager, either publicly or privately, unless otherwise authorized by law.

4) Benefits – The City shall provide Second Party with all of the benefits accruing to City employees in administrative positions, except to the extent modified by this agreement.

5) Termination – This agreement may only be terminated by the City, in accordance with the procedure set forth in this section. The City may at any time, terminate this agreement at its pleasure and without cause. If termination of employment occurs during the contract period, Second Party shall be entitled

to six (6) months severance pay which shall include any time Second Party has left under the contract for that year and all other accumulated employment benefits per City policy.

In the event the Second Party voluntarily resigns his position with the City before the expiration of the term of this agreement, Second Party shall provide the City with thirty (30) days written notice of said resignation. Upon receipt of such notice, the City at its option, may require Second Party to terminate his employment at an earlier date than set forth in the notice of resignation, provided that the City may not require Second Party to terminate his employment less than ten (10) days after receipt of said notice. In such event, the City's obligation shall be to pay Second Party for all time actually worked, as well as all remaining accrued employment benefits pursuant to City policy, plus accrued vacation and sick leave as provided in this agreement. All sums to be paid upon receipt of a final status report from Second Party which reasonably advises the Council of the status of the City's departments and all major projects affecting the City.

6) Retirement – Second Party will participate as a member of the City Managed Retirement System.

7) Deferred Compensation – The City will pay Second Party annual deferred compensation in an amount of \$8,000. Said deferred compensation shall be paid to the Public Employees Benefit Services Corporation (PEBSCO) or other qualified 457 designated retirement fund designated by Second Party beginning November 1, 2000. Such payments shall be made on a bi-weekly basis or at such other pay periods as may be established by the City until the maximum annual contribution has been made. The City agrees to transfer ownership of said plan to succeeding employers upon Second Party resignation or discharge.

8) Insurance – The City will provide Second Party with individual and dependent medical and dental insurance coverage, paid in full, equivalent to such insurance generally provided to the City's Department Heads. Further, the City shall pay for a Long Term Disability policy which will pay Second Party sixty percent (60%) of his compensation. The City will provide Second Party with

Term Life Insurance, fully paid by the City, with a face value of \$160,000.00. Second Party acknowledges that the Long Term Disability and the Term Life Insurance policies referenced above were identified and obtained solely by the Second Party and the City is not responsible for the quality, quantity or adequacy of said policies.

9) Vacation – Second Party shall be entitled to twenty (20) days paid vacation annually, accrued and available on the first day of this contract. Any unused vacation days shall accrue to Second Party in accordance with City policy. Upon termination of this agreement, Second Party shall be paid for each vacation day accrued at his then current salary. Payment for said vacation days shall be made to Second Party regardless of the manner of termination of this agreement upon completion of the final status report referenced in section five (5) above.

10) Sick Days – Second Party shall be entitled to twelve (12) sick days per year accrued and available on the first day of this contract. Any unused sick days shall accrue to Second Party in accordance with City policy.

11) Transportation Allowance – The City shall pay Second Party the sum of five hundred dollars (\$500.00) per month for a transportation allowance. Second Party shall not seek, and is not entitled to reimbursement for vehicular travel within 150 miles of the City.

12) Cellular Telephone – The City shall provide Second Party with cellular telephone capacity in accordance with City policy.

13) Dues and Subscriptions – The City agrees to budget for and to pay for professional dues and subscriptions of Second Party necessary for his continuation and full participation in national, regional, state, and local associations and organizations necessary and desirable for his continued professional participation, growth, and advancement, and for the good of the City.

14) Professional Development – The City agrees to budget for and to pay for travel and subsistence expenses of Second Party for professional and official travel, meetings, and occasions adequate to continue the professional

development of Second Party and to adequately pursue necessary official functions for the City, including but not limited to the ICMA Annual Conference, the Florida League of Cities, and such other national, regional, state, and local governmental groups and committees thereof which Second Party serves as a member.

15) Evaluation – The City Council may initiate an evaluation of the City Manager's performance at any time during the contract. The evaluation may set forth findings of fact and future goals requested of the City Manager. The procedure may be established by the City Council. The results of the evaluation shall be given to Second Party and he shall be provided adequate opportunity to discuss the evaluation with the City Council. Said evaluation is not mandatory.

16) Indemnification of Employee – The City agrees, pursuant to Section 111.07, Florida Statutes, and Section 2-3, City of Riviera Beach Code, to provide reasonable attorney's fees and other expenses of litigation to defend any civil action arising from a complaint for damages or injuries suffered as a result of any act or omission of Second Party while serving as the City Manager arising out and in the scope of this employment or function as well as costs, disbursements claims, payments, judgements, or settlements, or settlements resulting from any lawsuit or claim, unless the case of a tort action he has been determined in final judgement to have caused the harm intentionally, in bad faith, with malicious purpose, or in a manner exhibiting wanton and willful disregard to human rights, safety, or property. In addition, the City agrees to provide reasonable attorney's fees and costs to defend criminal investigation or prosecution of Second Party while serving as the City Manager arising out of or in the scope of his employment. A reasonable fee should not exceed the amount the City pays for its attorney, but in any case should not exceed \$200.00 per hour without prior approval of the Council. Said indemnification provision to continue in effect after termination of employment.

17) General Provision – The text of this document constitutes the entire agreement between the parties and may only be modified in writing by the parties.

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

THE CITY OF RIVIERA BEACH

BY: Michael D. Brown
Michael D. Brown, Mayor

William E. Wilkins
William E. Wilkins

ATTEST:

C. A. H.
City Clerk

Witness

Reviewed

By City Attorney
As to Legal Form and Sufficiency

RESOLUTION NO. 192-00

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REQUESTING PAYMENT TO McGUIRE WOODS, LLP, MARQUIS TWO TOWER, 285 PEACHTREE CENTER AVENUE, N. E., SUITE 2200, ATLANTA, GA 30303 -1261 IN THE AMOUNT OF 6,275.20 FOR PROFESSIONAL LEGAL SERVICES PERFORMED IN THE MATTER OF PFEFFERKORN, ET. AL. V. CITY OF RIVIERA BEACH; AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO MAKE PAYMENT FOR SAME UNDER ACCOUNT NO. 001-0512-5190-3101.

WHEREAS, McGuire Woods, LLP performed professional legal services for the City of Riviera Beach ; and

WHEREAS, McGuire Woods, LLP submitted invoices in the amount of \$6,275.20 for performing professional legal services in the matter of Pfefferkorn, et. al. v. City of Riviera Beach, PBA, John Rhames, and General Representation.

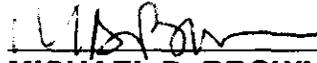
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA THAT:

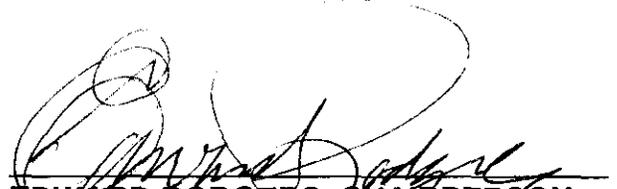
SECTION 1. The Mayor and Finance Director are authorized to make the payment in the amount of \$6,275.20 from Account #001-0512-5190-3101.

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

PASSED AND ADOPTED this November day of 15 2000.

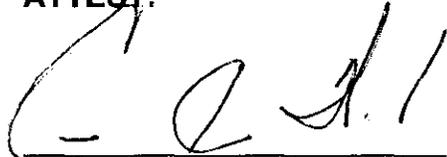
APPROVED:

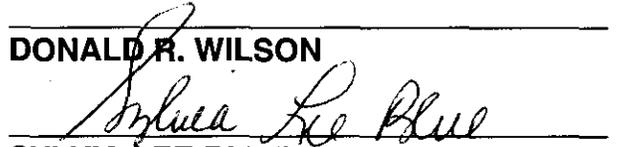

MICHAEL D. BROWN, MAYOR


EDWARD RODGERS, CHAIRPERSON

ELIZABETH WADE, CHAIR PRO-TEM

DONALD R. WILSON

ATTEST:

CARRIE WARD, CMC/AE
CITY CLERK


SYLVIA LEE BLUE


DAVID SCHNYER
COUNCIL MEMBERS

MOTIONED BY: S. Blue

SECONDED BY: D. Schnyer

E. RODGERS aye

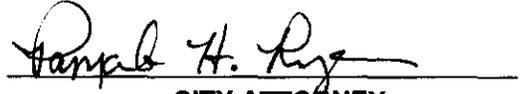
E. WADE absent

D. WILSON absent

S. BLUE aye

D. SCHNYER aye

REVIEWED AS TO LEGAL SUFFICIENCY


CITY ATTORNEY
CITY OF RIVIERA BEACH

DATE: 11/9/00

RESOLUTION NO. 193-00

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 PROPOSED CONTRACT AWARD WITH FLORIDA BLACKTOP, THE LOWEST BIDDER, FOR THE MILLING/RESURFACING OF BLUE HERON BOULEVARD AND OCEAN DRIVE IN THE AMOUNT OF \$26,700.00; AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 402-1437-5330-4606.

WHEREAS, the City of Riviera Beach City Council approve the lowest bidder's proposal by Florida Blacktop, Inc. for the milling and resurfacing of Blue Heron Boulevard and Ocean Drive/Ocean Reef Park on Singer Island. The purpose of this project is to restore the roads to the Florida Department of Transportation's specification.

WHEREAS, said proposed contract will be awarded to Florida Blacktop in the amount of \$26,700.00; and

WHEREAS, said proposed contract shall be awarded from Account Number 402-1437-5330-4606.

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 contract between Florida Blacktop and the City of Riviera Beach in the amount of \$26,700.00 for the milling and resurfacing of Blue Heron Boulevard and Ocean Drive/Ocean Reef Park on Singer Island.

Section 2: That the City Council hereby accepts the bid in the amount of \$26,700.00 and that the Mayor and Finance Director are authorized to make payments for same under Account No. 402-1437-5330-4606.

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

PASSED AND ADOPTED THIS 15 DAY OF NOVEMBER, 2000.

APPROVED

[Signature]
MICHAEL D. BROWN, MAYOR

[Signature]
EDWARD RODGERS, CHAIRPERSON

ATTEST:

[Signature]
ELIZABETH WADE
CHAIRPERSON PRO-TEM

(MUNICIPAL SEAL)

[Signature]
DONALD R. WILSON

[Signature]
CARRIE E. WARD, CMC/AE
CITY CLERK

[Signature]
SYLVIA LEE BLUE

[Signature]
DAVID G. SCHNYER
COUNCIL MEMBERS

MOTIONED BY: S. Blue

SECONDED BY: D. Schnyer

E. RODGERS aye

E. WADE absent

D. WILSON absent

S. BLUE aye

D. SCHNYER aye

REVIEWED AS TO LEGAL
SUFFICIENCY

[Signature]

DATE: 11/03/00

RESOLUTION NO. 194-00

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING PAYMENT TO SOUTHEAST ENVIRONMENTAL SERVICES AND SHENANDOAH CONSTRUCTION FOR EMERGENCY CLEANING OF STORM SEWERS THROUGHOUT THE CITY OF RIVIERA BEACH IN AN AMOUNT NOT TO EXCEED \$68,500.00; AUTHORIZING THE FINANCE DIRECTOR TO ESTABLISH A BUDGET IN THE RENEWAL & REPLACEMENT FUND (302) AND PAYMENT FROM ACCOUNT NUMBER 302-0000-5410-4607; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Riviera Beach, Palm Beach County, Florida has several storm sewer systems in need of emergency cleaning; the lack thereof has caused localized flooding throughout the City.

WHEREAS, flooding will continue until the storm sewer systems can be cleaned and the City does not have the capability to perform this service.

WHEREAS, Southeast Environmental Services and Shenandoah Construction have been mobilized to perform this work.

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

SECTION 1. That the Finance Director is authorized to establish a budget as follows:

<u>Revenue</u>		
R & R Fund Balance	302-00-399999	\$68,500.00
<u>Expenditure</u>		
R & R Repair and Maint.	302-0000-5410-4607	\$68,500.00
Other Account		

SECTION 2. That the Mayor and Director of Finance are authorized to make payment for emergency storm sewer cleaning by Southeast Environmental Services and Shenandoah Construction from the R & R Fund.

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

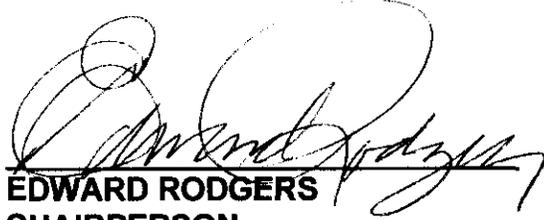
PASSED AND APPROVED this 15th day of November, 2000.

RESOLUTION NO. 194-00

PAGE: 2

APPROVED:


MICHAEL D. BROWN,
MAYOR

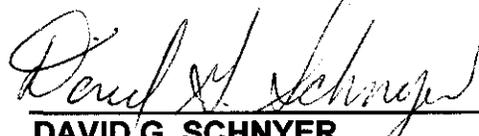

EDWARD RODGERS
CHAIRPERSON

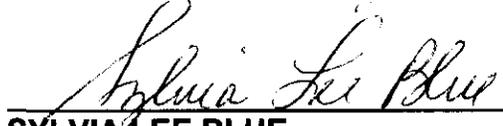
(MUNICIPAL SEAL)

ELIZABETH WADE
CHAIR PRO-TEM

ATTEST:


CARRIE E. WARD, CMC/AAE


DAVID G. SCHNYER


SYLVIA LEE BLUE

DONALD R. WILSON
COUNCIL MEMBERS

MOTIONED BY: S. Blue

SECONDED BY: D. Schnyer

E. RODGERS aye

E. WADE absent

G. SCHNYER aye

S. BLUE aye

D. WILSON absent

REVIEWED AS TO LEGAL SUFFICIENCY


CITY ATTORNEY
CITY OF RIVIERA BEACH

DATE: 11/9/00

RESOLUTION NO. 195-00

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING STAFF RECOMMENDATION AND AUTHORIZING STAFF TO AWARD AND NEGOTIATE AN AGREEMENT WITH RCT ENGINEERING, INC. OF WEST PALM BEACH, FLORIDA FOR WATER TREATMENT, DISTRIBUTION AND SEWER COLLECTION SERVICES.

WHEREAS, Staff solicited Requests for Qualifications for Water Treatment, Distribution and Sewer Collection Services; and

WHEREAS, The selection committee short-listed four (4) firms; and

WHEREAS, RCT Engineering, Inc., West Palm Beach, Florida was selected by the Utilities Department to provide Water Treatment, Distribution and Sewer Collection Services.

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

SECTION 1: That the City Council of the City of Riviera Beach, Palm Beach County, Florida, authorize staff to award and negotiate an agreement with RCT Engineering, Inc. to provide Water Treatment, Distribution and Sewer Collection Services.

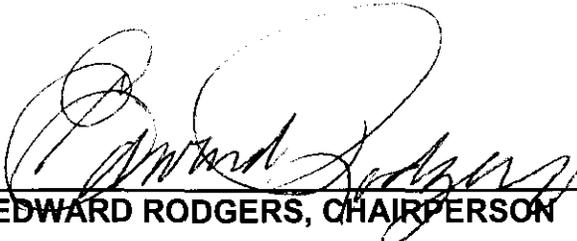
SECTION 2: This Resolution shall take effect upon its passage and adoption by the City Council.

PASSED and ADOPTED this 15th day of November 2000.

RESOLUTION NO. 195-00
PAGE 2

APPROVED:


MICHAEL D. BROWN, MAYOR


EDWARD RODGERS, CHAIRPERSON

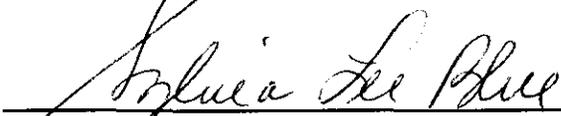
(MUNICIPAL SEAL)

ELIZABETH "LIZ" WADE, CHAIR PRO-TEM

ATTEST:

DONALD R. WILSON


CARRIE E. WARD, CMC/AAE


SYLVIA LEE BLUE


DAVID G. SCHNYER
COUNCILMEMBERS

MOTION BY: D. Schnyer

SECOND BY: S. Blue

E. RODGERS aye

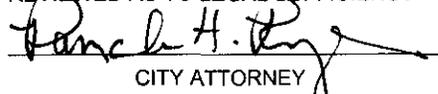
E. WADE absent

D. WILSON absent

S. BLUE aye

D. SCHNYER aye

REVIEWED AS TO LEGAL SUFFICIENCY


CITY ATTORNEY

CITY OF RIVIERA BEACH

DATE: 11/9/00

RESOLUTION NO. 196-00

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE UNIFIED LOCAL MITIGATION STRATEGY AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND PALM BEACH COUNTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Part I of Chapter 163 of the Florida Statutes permits public agencies to enter into interlocal agreements with each other to exercise jointly any power, privilege, or authority which such agencies share in common and which each might exercise separately; and

WHEREAS, On July 15, 1998, the State of Florida Department of Community Affairs provided funding and entered into an agreement with Palm Beach County to develop a countywide Unified Local Mitigation Strategy that will become part of a statewide hazard mitigation strategy; and

WHEREAS, The City of Riviera Beach entered into an interlocal agreement with Palm Beach County to develop a countywide Unified Local Mitigation Strategy, and assigned a voting representative to the Local Mitigation Strategy Steering Committee, which is an advisory committee to the Board of County Commissioners; and

WHEREAS, The City of Riviera Beach has determined that the Unified Local Mitigation Strategy is in the best interest of the community and its residents; and

WHEREAS, Communities that implement the Unified Local Mitigation Strategy are eligible to receive points through the National Flood Improvement Program that will reduce the flood insurance premiums for its residents; and

WHEREAS, The City of Riviera Beach has approved the Unified Local Mitigation Strategy and is in agreement with the Plan.

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

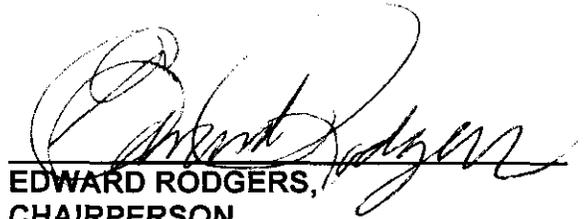
- Section 1.** This resolution be adopted to approve the Unified Local Mitigation Strategy.
- Section 2.** The Mayor and City Clerk are authorized to execute an Interlocal Agreement between the City of Riviera Beach and Palm Beach County regarding the Local Mitigation Strategy.
- Section 3.** This resolution shall take effect upon its passage and adoption by the City Council.

PASSED AND APPROVED this 15th day of November, 2000.

APPROVED:



MICHAEL D. BROWN, MAYOR


EDWARD RODGERS,
CHAIRPERSON

[MUNICIPAL SEAL]

ELIZABETH "LIZ" WADE,
CHAIRPERSON PRO-TEM


SYLVIA LEE BLUE

SYLVIA LEE BLUE


DAVID SCHNYER

ATTEST:



CARRIE E. WARD, CMC/AAE
CITY CLERK

DONALD R. WILSON
COUNCIL MEMBERS

Reviewed as to legal sufficiency


City Attorney, City of Riviera Beach

DATE: 11/9/00

MOTIONED BY: D. Schnyer

SECONDED BY: S. Blue

E. RODGERS aye

E. WADE absent

S. BLUE aye

D. SCHNYER aye

D. WILSON absent

RESOLUTION NO. 197-00

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING A DONATION IN THE AMOUNT OF \$42,000, SETTING UP A BUDGET IN THE DONATIONS FUND IN THE AMOUNT OF \$62,000 AND APPROVING THE PURCHASE OF TWO CHARTER BUSES FROM ABC COMPANY.

WHEREAS, the Recreation & Parks Department has received a donation in the amount of \$42,000 for the purchase of a charter bus, and

WHEREAS, during last fiscal year the Recreation Department received a check in the amount of \$20,000 from Gallagher Bassett for major damages made to the 1975 Riviera Rec Express Bus (RP856), and

WHEREAS, along with these funds a 1982 bus (RP862) valued by ABC Bus Company at \$15,000 will be traded for the purchase of two used 1985 buses.

WHEREAS, staff is recommending that Council approves the purchase of the two charter buses and approves setting up a budget in the Donations Fund in the amount of \$62,000.

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

SECTION 1. That the Finance Director is authorized to set up a budget in the Donations Fund as follows:

DONATIONS FUND

130-381-001	TRANSFER FROM GENERAL FUND	\$20,000
130-366-901	DONATIONS	\$42,000
130-1232-5190-6402	MOTOR VEHICLES	\$62,000

SECTION 2. That the Finance Director is authorized to appropriate \$20,000 of General Fund Carryover.

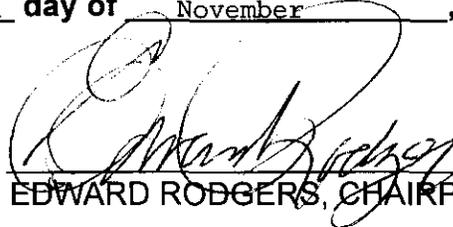
SECTION 3. That the Mayor and Finance director are authorized to purchase two buses from ABC Bus Company and make payment for same.

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

PASSED AND APPROVED this 15th day of November, 2000.

APPROVED:

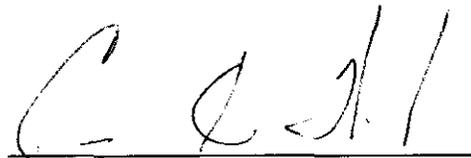

MICHEAL BROWN, MAYOR

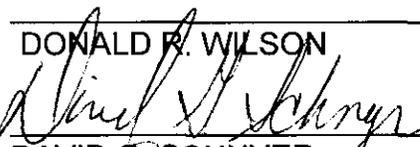
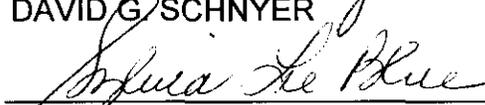

EDWARD RODGERS, CHAIRPERSON

(MUNICIPAL SEAL)

ELIZABETH WADE, CHAIRPERSON PRO-TEM

ATTEST:


CARRIE E. WARD, CMC/AAE
CITY CLERK

DONALD R. WILSON

DAVID G. SCHNYER

SYLVIA LEE BLUE
COUNCIL MEMBERS

MOTIONED BY: S. Blue

SECONDED BY: D. Schnyer

E. RODGERS aye

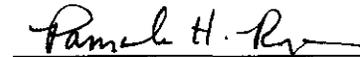
E. WADE absent

D. WILSON absent

S. SCHNYER aye

S. BLUE aye

REVIEWED AS TO LEGAL SUFFICIENCY


CITY ATTORNEY
CITY OF RIVIERA BEACH

DATE: 11/15/00

RESOLUTION NO. 198-00

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY FLORIDA, ESTABLISHING A BUDGET FOR THE FIRST ANNUAL "STATE OF THE CITY" DINNER.

WHEREAS, the city Council approved the First Annual "State of the City" Dinner during its November 1, 2000 meeting; and

WHEREAS, a budget of \$15,000 was requested and approved.

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

Section 1. That the Finance Director is authorized to set up budget as follows:

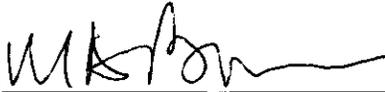
<u>Revenue</u>		
130-00-366923	Sponsorships for State of the City Dinner	10,000.00
130-00-381001	Interfund transfer from general fund	4,000.00
130-00	Ticket Sales	<u>1,000.00</u>
	Total	\$15,000.00

<u>Expenditure</u>		
130-0101-511-0-3106	Professional Service-Other	7,000.00
130-0101-511-0-4403	Rent and Lease Equipment	5,000.00
130-0101-511-0-5201	Operating Supplies-Other	<u>3,000.00</u>
	Total	\$15,000.00

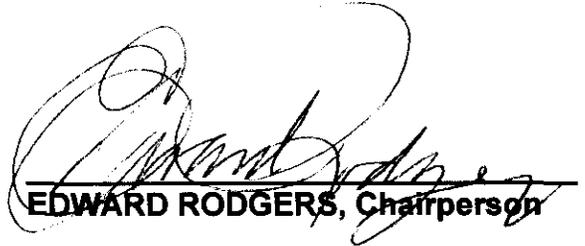
Section 2. This Resolution shall take effect immediately upon its passage and adoption by the City Council.

PASSED and ADOPTED this 15th day of November, 2000.

APPROVED:



MICHAEL D. BROWN, Mayor



EDWARD RODGERS, Chairperson

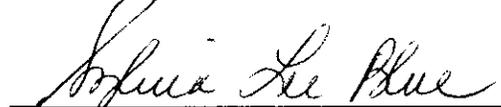
ELIZABETH K. WADE, Chair Pro-Tem

DONALD R. WILSON

Attest:



CARRIE WARD
City Clerk



SYLVIA LEE BLUE



DAVID G. SCHNYER
City Council Member

MOTIONED BY: S. Blue

REVIEWED AS TO LEGAL SUFFICIENCY

SECONDED BY: D. Schnyer

E. RODGERS aye

E. WADE absent

D. WILSON absent

S. BLUE aye

D. SCHNYER aye

CITY ATTORNEY
CITY OF RIVIERA BEACH

DATE: _____

RESOLUTION NO. 199-00

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE STIPULATION AND SETTLEMENT AGREEMENT IN THE MATTER OF *WILLIAM J. HUNTER V. CITY OF RIVIERA BEACH*, CASE NO. *CL 00-3586 AF* AND AUTHORIZING GALLAGHER BASSETT SERVICES, INC. TO MAKE SETTLEMENT PAYMENT IN THE AMOUNT OF \$140,000.00 FROM THE CITY'S SELF-INSURANCE EXCEPT 100 ACCOUNT; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION ONE. That the City Council hereby approves the Stipulation and Settlement Agreement in the matter of *William J. Hunter v. City of Riviera Beach*, Case No. *CL 00-3586 AF*.

SECTION TWO. That Gallagher Bassett Services, Inc. is hereby authorized to make payment in the amount of \$140,000.00 from the City's Self-Insurance Except 100 Account.

SECTION THREE. A copy of the Stipulation and Settlement Agreement is attached hereto and made a part of this resolution.

SECTION FOUR. This resolution shall take effect immediately upon its passage and adoption by the City Council.

PASSED and ADOPTED this 15th day of November, 2000.

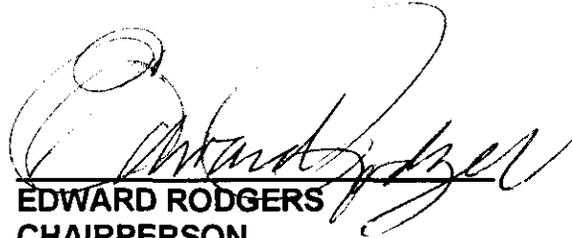
RESOLUTION NO. 199-00

-2-

APPROVED:



**MICHAEL D. BROWN
MAYOR**



**EDWARD RODGERS
CHAIRPERSON**

ATTEST::

absent

**ELIZABETH K. WADE
CHAIRPERSON PRO TEM**

[MUNICIPAL SEAL]



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



SYLVIA L. BLUE

absent

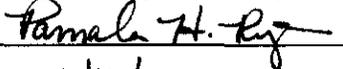
DONALD R. WILSON



**DAVID G. SCHNYER
COUNCIL MEMBERS**

PHR:dpm.[111500]

Approved as to legal sufficiency

By: 

Date: 11/15/00

COMPLETE RELEASE

WHEREAS, the undersigned has a lawsuit against the City of Riviera Beach, arising out of a dispute regarding his employment with the City of Riviera Beach styled **WILLIAM J. HUNTER v. CITY OF RIVIERA BEACH**, a municipal corporation, filed in the Fifteenth Judicial Circuit in and for Palm Beach County, Florida, Case No. CL 00-3586 AF and

WHEREAS, the parties to this Release desire to compromise and settle the claim rather than to incur the expense and uncertainty of the result of litigation; and

NOW, THEREFORE, in consideration of the premises, in the absence of which this Release would not be executed and delivered by the undersigned nor accepted by said Defendant, and of the benefits and advantages anticipated by the undersigned and by said Defendant from the compromise and settlement of said claim and said action, and in consideration also of the sum of One Hundred Forty Thousand (\$140,000.00) Dollars and the following conditions:

1. The settlement is inclusive of attorney's fees. Each party is to bear their own costs.
2. This Release applies to the City and its agents and employees individually and in their official capacities.
3. The Plaintiff agrees to waive his rights under the subject contract.
4. The parties agree to enter into a stipulation of dismissal with prejudice.
5. The Plaintiff agrees to pay all applicable State and Federal Taxes.

As a result of One Hundred Forty Thousand (\$140,000.00) Dollars being paid to the undersigned by the City of Riviera Beach and the receipt of which is hereby acknowledged, the undersigned has acquitted, released, exonerated and discharged, and does hereby acquit, release, exonerate and discharge the City of Riviera Beach, and its agents, directors, representatives, successors, legal representatives and assigns, individually and in their official capacities of and from any and all obligations, liability or responsibility under the laws of the State of Florida, and of any other state of the United States, and of the United States of America, for, from, upon, under or on account of or growing or arising out of said claim or said action, including (but not by the specific references excluding any other elements of obligation, liability or responsibility in respect to said occurrence) all damages, losses, costs, charges and expenses, of every kind, nature and character, now existing or hereafter arising, known or unknown or hereafter becoming known, accrued or hereafter accruing, resulting directly or indirectly, approximately or remotely, from all and any of the matters and things embraced in said

claim and in said action, and does hereby acknowledge full and complete compromise and settlement, accord and satisfaction and payment thereof and therefor.

As a further consideration and inducement for this compromise settlement, the undersigned agrees to indemnify, protect and save harmless all parties named in this Release and all other persons, firms and corporations whomsoever, from all judgments, costs and expenses whatsoever arising on account of any action, claim or demand which anyone (individual, firm or corporation) may hereafter bring or assert on account of any employee owed taxes due as a result of this settlement.

The hereinabove recited consideration is the full, complete and entire consideration for this Release, and there is no agreement, oral or written, expressed or implied, whereby the undersigned is to receive at any time or in any event or upon the happening of any contingency or upon the development or discovery of any fact, circumstance or condition any further consideration of any kind whatsoever from said City of Riviera Beach, for or on account of any other matter, circumstance or thing whatsoever; and in consideration of the premises, the undersigned hereby agrees that it will not, and that its heirs, legal representatives and assigns shall not, hereafter file or institute in any court any other suit against the City of Riviera Beach, for or on account of or in respect of said claim or any of the matters and things alleged in said action, and that to any other suit or action which nevertheless may be hereafter brought on account or in respect of any of the matters and things involved in said claim and in said action this Release shall be a complete and conclusive defense.

The undersigned has read this Release in the presence of his undersigned attorney in said cause, and understands the purpose, tenor and affect of this Release. It contains and sets forth the entire agreement between the parties hereto, and there is no part of the agreement between them in respect of the premises which is not fully, completely, accurately and truly set forth herein.

IN WITNESS WHEREOF, **WILLIAM HUNTER**, has hereunto set her hand and seal, in the City of Largo, Maryland, this 4 day of December, 2000.

Signed, sealed and delivered
in the presence of:

WITNESSES:

By: William Hunter
William Hunter

The execution and delivery of the foregoing instrument is approved this ____ day of _____, 2000.

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this 4 day of December, 2000 by **William Hunter**, who is personally known to me or who has produced Drivers Licence as identification and who did (did not) take an oath.

[Signature]
NOTARY PUBLIC
State of Maryland at Large

Keith Forney, Notary Public
Prince George's County
State of Maryland
My Commission Expires Nov. 1, 2003

Printed Name of Notary Public

My Commission Expires:

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY (FLORIDA)

CASE NO: CL00 3586 AF

WILLIAM J. HUNTER
Plaintiff,

vs.

CITY OF RIVIERA BEACH
Defendant.

STIPULATION AND SETTLEMENT AGREEMENT

The parties hereto STIPULATE AND AGREE AS FOLLOWS:

1. The attorney for S will recommend to City Council that this case be settled for \$140,000 to T. If City Council votes to do so, T agrees to accept that amount.

2. If the case is thus settled for \$140,000, the parties will exchange usual general releases & will stipulate to dismiss this case with prejudice, with each party to bear own fees & costs.

3. The \$140,000 covers all past and future benefits that T could claim vs. S.

Upon fulfillment of the above STIPULATION AND SETTLEMENT AGREEMENT, the parties shall execute and file a usual and customary joint voluntary dismissal with prejudice, dismissing all claims, counter-claims, cross-claims and third party claims.

Each party shall be responsible for their own attorney's fees and court costs in this matter.

Mediation fees and costs shall be paid 50/50

This STIPULATION AND SETTLEMENT AGREEMENT is entered into freely by the parties, with their full knowledge and consent. There have been no other promises made to any parties which are not contained in this agreement.

William J. Hunter
Plaintiff

Famela H. Ryz
Defendant

Plaintiff

Defendant

M. Annette Himmelbaum
Plaintiff's Attorney

Don Heph
Defendant's Attorney

Plaintiff's Attorney

Defendant's Attorney

Mediator/Tim Poulton

DATE: _____

4. This agreement is subject to the parties being able to agree upon to what extent S. will have to withhold taxes which may be due U.S.

WH

MAN
P.M.

ds

RESOLUTION NO. 200-00

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING PAYMENT TO GULFSTREAM SPORTS GROUP IN THE AMOUNT OF \$23,551.30 FOR FOOTBALL EQUIPMENT FOR THE RIVIERA BEACH YOUTH FOOTBALL LEAGUE; AND AUTHORIZING THE MAYOR AND FINANCE DIRECTOR TO PAY SAID AMOUNT AS FOLLOWS: \$20,000 FROM ACCOUNT NUMBER 305-1232-572-0-6401, AND \$3,551.30 FROM ACCOUNT NUMBER 001-1232-572-0-5507 FOR THE TOTAL AMOUNT OF \$23,551.30; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City has purchased uniforms and equipment from Gulfstream Sports Group and

WHEREAS, Gulfstream Sports Group has submitted an invoice in the amount of \$23,551.30 for said uniforms and equipment.

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

SECTION 1. That the Mayor and Finance Director are authorized to make the payment to Gulfstream Sports Group in the amount of \$23,551.30 from Account #305-1232-572-0-6401.

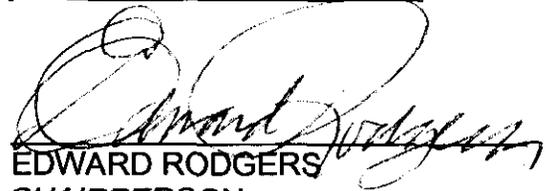
SECTION 2. That the Mayor and Finance Director are authorized to pay the balance of payment to Gulfstream Sports Group in the amount of \$3,551.30 from Account #001-1232-572-0-5507.

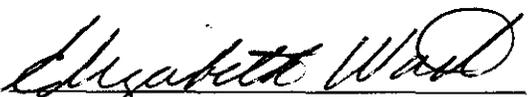
SECTION 3. This Resolution shall take effect upon passage and adoption by the City Council.

PASSED AND APPROVED this 5th day of December 2000.

APPROVED:


MICHAEL D. BROWN
MAYOR


EDWARD RODGERS
CHAIRPERSON


ELIZABETH WADE
CHAIR PRO-TEM

[MUNICIPAL SEAL]

ATTEST:



CARRIE E. WARD, CMC/AAE


SYLVIA LEE BLUE
DAVID G. SCHNYER
DONALD R. WILSON
COUNCILMEMBERS

MOTIONED BY: D. Wilson

SECONDED BY: D. Schnyer

E. RODGERS aye

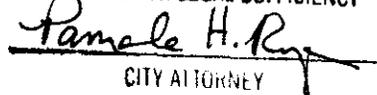
E. WADE aye

G. SCHNYER aye

S. BLUE aye

D. WILSON aye

REVIEWED FOR LEGAL SUFFICIENCY



CITY ATTORNEY

CITY OF RIVIERA BEACH

DATE: 11/29/00