

ORDINANCE NO. 2994

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, FIXING THE ADJUSTED TAX VALUATION OF REAL PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY; LEVYING A TAX ON REAL PROPERTY AND TANGIBLE BUSINESS PERSONAL PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY, FOR FISCAL YEAR BEGINNING OCTOBER 1, 2005 AND ENDING SEPTEMBER 30, 2006 FIXING THE MILLAGE RATE OF ~~9.25~~ 9.00 MILLS THEREON FOR SAID YEAR; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the assessment of ad valorem taxes requires the establishment of a rate of taxation.

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

SECTION 1: That for the fiscal year beginning October 1, 2005 and ending September 30, 2006, the adjusted valuation on all real property and tangible business personal property within the City of Riviera Beach is hereby determined to be and is fixed as follows:

- (a) Real Property and Tangible Business Personal Property on which tax can be extended, exclusive of homestead property, \$2,945,712,682*
* Subject to final approval of the Value Adjustment Board

SECTION 2: That for the fiscal year beginning October 1, 2005 and ending September 30, 2006, a tax of ~~nine point two fivs (9.25)~~ nine point zero zero mills (9.00), which is ~~16.35%~~ 13.21% greater than the rolled-back rate of 7.95 mills, on the dollar shall be, and is levied and shall be collected on all real property and tangible business personal property within the City of Riviera Beach, Florida, not specifically designated as homestead property or owned by the municipality and/or expressly exempted by the laws of the Constitution of the State of Florida for the purpose of raising funds for the improvements and government of the City, and for the payment of its obligations and expenses, and for the purpose of carrying out the purpose and duties granted and imposed by the City Charter and Code. Said real property and tangible business personal property being specifically set forth as Items (a) in Section 1 hereof and valued in the amount of \$2,945,712,682 subject to final approval of the Value Adjustment Board.

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SECTION 3: As provided by Section 200.065 (5) Florida Statutes, upon notification from the Property Appraiser of any aggregate change in the certified assessment roll, the City Manager is hereby authorized to certify to the Property Appraiser, within three (3) days of notification, an adjusted millage rate which shall be such that taxes computed by applying the adopted rate against the certified taxable value are equal to the taxable value on the roll to be extended.

SECTION 4: The millage rate is ~~9.25~~ 9.00 mills which is greater than the rolled-back rate of 7.95 mills by ~~16.35~~ 13.21 percent.

SECTION 5: If any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portion of this ordinance.

SECTION 6: That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances and all resolutions or parts of resolutions, in conflict herewith, be and the same are hereby repealed to extent of such conflict.

SECTION 7: This ordinance shall be in full force and effect immediately upon its passage and adoption.

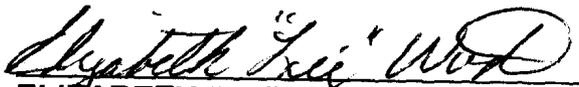
ORDINANCE NO. 2994
PAGE 3

PASSED AND APPROVED on the first reading this 7th day of September
2005

PASSED AND ADOPTED on second and final reading this 21st day of
September, 2005

APPROVED:

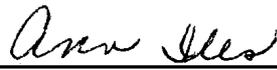

MICHAEL D. BROWN, MAYOR

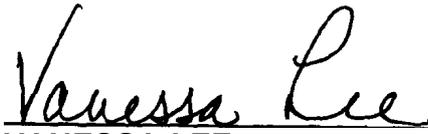

ELIZABETH "LIZ" WADE
CHAIRPERSON

(MUNICIPAL SEAL)

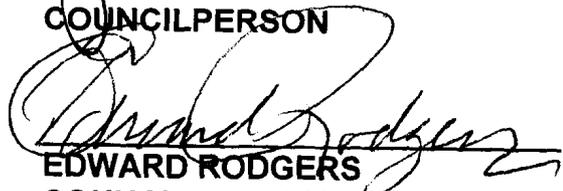
ATTEST:


CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK


ANN ILES
CHAIR PRO TEM


VANESSA LEE
COUNCILPERSON


JUDY L. DAVIS
COUNCILPERSON


EDWARD RODGERS
COUNCILPERSON

ORDINANCE NO. 2994
PAGE 4

1ST READING

2ND & FINAL READING

MOTIONED BY: A. Iles —

MOTIONED BY: J. Davis —

SECONDED BY: J. Davis —

SECONDED BY: V. Lee —

V. LEE aye

V. LEE aye

J. DAVIS aye

J. DAVIS aye

E. WADE aye

E. WADE aye

E. RODGERS aye

E. RODGERS aye

A. ILES aye

A. ILES aye

REVIEWED AS TO LEGAL SUFFICIENCY

Pamela H. Ryan
PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 8/29/05

ORDINANCE NO. 2995

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, MAKING APPROPRIATIONS AND ESTABLISHING A BUDGET FOR FISCAL YEAR ENDING SEPTEMBER 30, 2006 PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Manager has prepared and submitted to the City Council a BUdget Estimate of the expenditures and revenues of all City departments, divisions, and offices for the fiscal year commencing October 1, 2005 and ending September 30, 2006, copies of such estimates having been made available to the newspapers in the city and to the municipal library that is open to the public; and

WHEREAS, the City Council has met in workshop sessions and held public hearings to ascertain the amount of money that must be raised to conduct the affairs of the municipality for the 2005-2006 fiscal year so that the business of the municipality may be conducted on a balanced budget and on sound business principles; and

WHEREAS, it has been determined that the amount necessary to be raised by ad valorem taxes and other taxes upon all of the property, real and personal, within the corporate limits of the City of Riviera Beach.

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

Section One

The following appropriations are made for the municipal operations of the City of Riviera Beach, Florida for the fiscal year 2005-06.

FUNDS & DEPARTMENTS

GENERAL FUND

APPROPRIATIONS

Legislative

\$ 350,221

PAGE 2

ORDINANCE NO. 2995

Executive	9,072,584	9,459,880
Finance	1,300,801	
City Clerk	445,153	
Human Resources	636,160	
City Attorney	405,880	
Community Development	1,704,500	
Police	13,112,415	
Fire	9,412,637	
Public Works	3,092,043	
Recreation & Parks	3,263,103	
Library	601,126	
Purchasing	337,261	
TOTAL	<u>\$43,733,884</u>	\$44,121,180

Special Revenue Fund

Sales Tax	2,417,826	
Advance Police Training	4,424	
Crime Prevention	6,526	
Police Interlocal Agreements	291,150	
Lot Cleaning	40,000	
TOTAL	\$2,759,926	

Debt Service Funds

Street Improvement Program Debt Service	1,190,785	
Sales Tax Debt Service Fund	534,851	
TOTAL	\$1,725,636	

Capital Projects Funds

Paving and Drainage Construction	198,500	
Capital Impact Fee Construction	755,000	
Capital Improvement Fund	158,280	
Capital 04 Acquisition Fund	9,135,000	
TOTAL	\$10,246,780	

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ORDINANCE NO. 2995

Enter rise Funds

Marina Fund	2,248,500
Marina Debt Service Fund	126,141
Marina Renewal and Replacement	111,607
Storm Water Utility	1,588,689
TOTAL	\$4,074,937

Internal Service Fund

Water & Sewer Personnel	3,181,257
TOTAL	\$3,181,257

Trust & Agency Funds

Liability Insurance Trust	5,596,338
Major Disaster	250,000
Housing Trust Fund	1,792,539
TOTAL	\$7,638,877

Section Two

That the above appropriations are made based on the following anticipated sources of revenue for the 2005-2006 fiscal year:

GENERAL FUND

	<u>REVENUE</u>
Taxes	\$29,673,026 \$30,060,322
Franchise Fees	2,505,513
Other Fees, Licenses and Permits	3,960,950
Grants and Other Government Shared Revenues	1,540,235
Fines and Forfeitures	375,000
Rents and Leases	71,200
Other Revenues	1,112,559
Interfund Transfers	4,495,401
TOTAL	<u>\$43,733,884</u> \$44,121,180

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PRDINANCE NO. 2995

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Section Three

This ordinance is an ordinance of precedence and all other ordinances in conflict with it are held null and void insofar as they pertain to these appropriations. The appropriations are the anticipated expenditure requirements for the City, but are not mandatory should efficient administration of City departments, divisions and offices or altered economic conditions indicate that a curtailment in certain expenditures is necessary or desirable for the general welfare of the City.

Section Four

The City Manager is directed to prepare and file with the City Clerk a statement of the proposed expenditures and estimated revenues for the fiscal year 2005-2006, which shall be entitled "Annual Budget of the City of Riviera Beach, Fiscal Year October 1, 2005 through September 30,2006".

Section Five

The Finance Director is authorized to increase these appropriations by amounts representing encumbrances properly budgeted for, and carried over from fiscal year 2004-2005.

Section Six

The City Manager is hereby authorized to invite or advertise for bids for the purchase of any material, equipment, or service provided by the budget for which formal bidding is required; such bids to be returnable to the City Councilor City Manager in accordance with Charter or Code provisions.

Section Seven

If any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portion of this ordinance.

Section Eight

This ordinance shall be effective upon its passage by the City Council and shall not be delivered to the Municipal Code Corporation for inclusion in the Code Book.

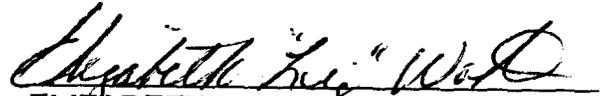
PASSED AND APPROVED on the first reading this 7th day of September
2005

PASSED AND ADOPTED on second and final reading this 21st day of
September, 2005

APPROVED:



MICHAEL D. BROWN, MAYOR



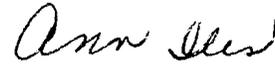
ELIZABETH "LIZ" WADE
CHAIRPERSON

(MUNICIPAL SEAL)

ATTEST:



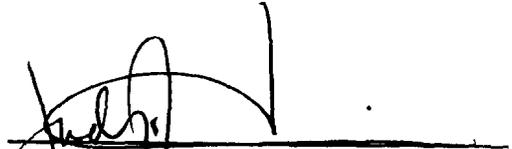
CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK



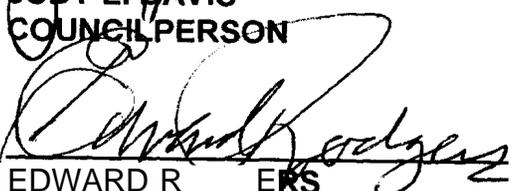
ANN ILES
CHAIR PRO TEM



VANESSA LEE
COUNCILPERSON



JUDY L. DAVIS
COUNCILPERSON



EDWARD R. ERS
COUNCILPERSON

1ST READING

MOTIONED BY: A. Iles
SECONDED BY: J. Davis

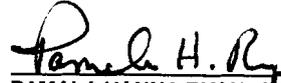
V. LEE	<u>aye</u>
J. DAVIS	<u>aye</u>
E. WADE	<u>aye</u>
E. RODGERS	<u>aye</u>
A. ILES	<u>aye</u>

2ND & FINAL READING

MOTIONED BY: A. Iles
SECONDED BY: J. Davis

V. LEE	<u>aye</u>
J. DAVIS	<u>aye</u>
E. WADE	<u>aye</u>
E. RODGERS	<u>aye</u>
A. ILES	<u>aye</u>

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 8/29/05

ORDINANCE NO. 2996

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA UPDATING THE ZONING MAP OF THE CITY OF RIVIERA BEACH BY RECLASSIFYING THE ZONING FROM RML-12 TO R-PUD FOR APPROXIMATELY 69.25 ACRES OF PROPERTY LOCATED ON THE EAST SIDE OF MILITARY TRAIL, SOUTH OF LEO LANE; DIRECTING THE DIRECTOR OF COMMUNITY DEVELOPMENT TO UPDATE THE CITY OF RIVIERA BEACH ZONING MAP; AND PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, Florida Statutes Section 166.041, provides procedures to adopt an Ordinance which rezones property greater than ten (10) contiguous acres; and

WHEREAS, the subject properties are currently assigned an RML-12 (Multi-family Family Residential) zoning classification; and

WHEREAS, the proposed R-PUD zoning classification is consistent with the City of Riviera Beach Comprehensive Plan including the Multi-family Residential Future Land Use Map designation; and

WHEREAS, on September 1, 2005, the Planning and Zoning Board, sitting as the Local Planning Agency, reviewed the proposed amendment at a Public Hearing, and forwarded a recommendation to the City Council.

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

Section 1. The Zoning Map of the City of Riviera Beach is hereby amended by assigning an R-PUD zoning classification to 69.25 acres of land located on the east side of Military Trail south of Leo Lane, Palm Beach County Property Control Number 56 42 42 25 03 000 0010.

Section 2. That should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or work be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this ordinance.

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Section 3. That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions, in conflict herewith, are hereby repealed to the extent of such conflict.

Section 4. The Director of Community Development is hereby authorized and directed to update the City Zoning Map as described by this Ordinance.

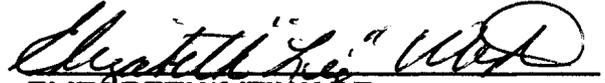
PASSED AND APPROVED on the first reading this 7th day of
September 2005

PASSED AND ADOPTED on second and final reading this 21st day of
September 2005

APPROVED:



MICHAEL D. BROWN
MAYOR



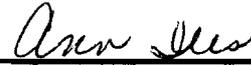
ELIZABETH 'LIZ' WADE
CHAIRPERSON

(MUNICIPAL SEAL)

ATTEST:



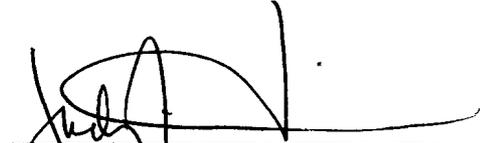
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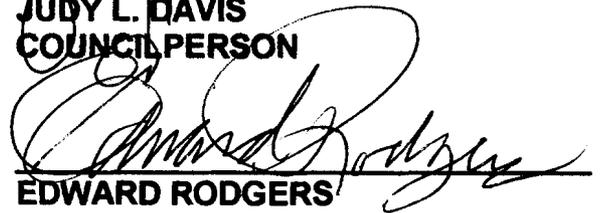
ANN ILES
CHAIR PRO TEM



VANESSA LEE
COUNCILPERSON



JUDY L. DAVIS
COUNCILPERSON



EDWARD RODGERS
COUNCILPERSON

ORDINANCE NO. 2996
PAGE 4

1ST READING

MOTIONED BY: A. Iles —

SECONDED BY: J. Davis

E. WADE	<u>aye</u>
A. ILES	<u>aye</u>
V. LEE	<u>aye</u>
J. DAVIS	<u>aye</u>
E. RODGERS	<u>aye</u>

2ND & FINAL READING

MOTIONED BY: A. Iles —

SECONDED BY: D. Lee —

E. WADE	<u>aye</u>
A. ILES	<u>aye</u>
V. LEE	<u>aye</u>
J. DAVIS	<u>aye</u>
E. RODGERS	<u>aye</u>

REVIEWED AS TO LEGAL SUI

Pamela H. Ryan
PAMALA HANNA RYAN, CITY ATTORNEY

DATE: 8/31/05

CERTIFICATION OF PUBLICATION

I hereby certify that notice of the proposed enactment of this ordinance was duly published in a newspaper of general circulation within the City of Riviera Beach as required by applicable Florida Statutes.

Date

Carrie E. Ward, Master Municipal Clerk
City Clerk

ORDINANCE NO. 2997

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 14, ARTICLE II, SEC. 14-21 ENTITLED "DEFINITIONS" OF THE CODE OF ORDINANCES OF THE CITY OF RIVIERA BEACH RELATING TO THE RETIREMENT SYSTEM FOR GENERAL EMPLOYEES BY PROVIDING FOR PURCHASE OF CONTINUOUS SERVICE FOR PRIOR MILITARY SERVICE; PROVIDING FOR CODIFICATION, SEVERABILITY AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Trustees of the General Employees Retirement System has recommended and approved amendments to the existing Code to provide improved retirement benefits for participants of the plan with prior military experience; and

WHEREAS, the General Employees Retirement System's actuary has prepared a Statement of Actuarial Impact, which the City Council has received and considered; and

WHEREAS, the City Council deems it to be in the public interest to provide an updated retirement system for its employees;

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

SECTION 1. Section 14-21 of Article II, Chapter 14 of the Riviera Beach Code is hereby amended by adding the following underlined words to subsection (2) of *Continuous Service*:

Sec. 14-21. Definitions.

* * *

Continuous service means uninterrupted service by a member (expressed as years and completed months), from the date he last entered employment as a general employee until the date his employment shall be terminated by death, retirement or discharge;

provided, however, the continuous service of any member shall not be deemed to be interrupted by:

(1) Any authorized leave of absence, vacation or period of suspension, provided that all members similarly situated in similar circumstances shall be treated alike pursuant to uniform nondiscriminatory rules.

(2) Any service, voluntary or involuntary, in the armed forces of the United States, provided the member is legally entitled to reemployment under the provisions of the Universal Training and Service Act, and any amendments thereto, or any law applicable to such reemployment, and provided further that such member shall apply for reemployment within three months following termination of such service. Further, a member may, within the first year of employment with the City of Riviera Beach (or within ninety (90) days of being notified of eligibility by the City of Riviera Beach for members employed prior to enactment of this ordinance amendment), purchase up to five (5) years, not to exceed sixty (60) months of service for service in the Armed Forces of the United States or United States Merchant Marines prior to employment with the City of Riviera Beach. Such prior service purchase shall be made by depositing with the Pension Fund the full actuarial costs of such years of service that would have occurred had the member been employed by the City of Riviera Beach, for the number of years purchased. Such payment for said prior service may be made as a lump sum or in installments not to exceed the years of service purchased; however, the amount must be paid in full prior to retirement. Installment payments shall require interest at the actuarial rate of return for the years purchased, said interest to be determined by the fund actuary. Such purchase of prior service shall take effect upon vesting. If a member terminates service prior to vesting and receives a refund of employee contributions, the amount paid for such prior service shall also be refunded.

Eligibility to purchase prior service shall also be subject to the following:

- a. Prior service shall not be granted for service where the member is receiving or is entitled to receive a benefit from another governmental pension system.
- b. Prior service under this section shall be only provided for service in the Armed Forces of the United States or the United States Merchant Marines.
- c. Total prior service, for United States Armed Forces service, shall not exceed five (5) years or sixty (60) months. Actual service credit purchased shall be added to the years of service with the City of Riviera Beach.
- d. Election to purchase prior service, for prior service with the United States Armed Forces or United States Merchant Marines, shall be made in writing to the Board of Trustees. The cost of prior service purchased shall be the full actuarial cost of all service purchased hereunder computed as a lump sum payment into the plan. Actual payment may, at the member's option, be extended over a period of time not to exceed the years purchased and shall be subject to interest at the actuarial rate of return for the years purchased. Such payment may be by direct in-service transfer from a participant's deferred compensation account (457 account) pursuant to Section 457(e) (17) of the Internal Revenue Code or any other qualified plan. Full payment of such purchased prior service must be completed prior to the member's actual retirement.

(3) Any period of disability as approved by the board.

SECTION 2. It is the intention of the City Council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Riviera Beach, and the section of this ordinance may be renumbered to accomplish such intentions.

SECTION 3. If any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the validity thereof shall not affect the validity of any remaining portions of this ordinance.

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SECTION 4. That all sections or parts of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

SECTION 5. Specific authority is hereby granted to codify this ordinance.

SECTION 6. This ordinance shall be in full force and effective immediately upon its final passage and adoption.

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ORDINANCE NO. 2997
PAGE -5-

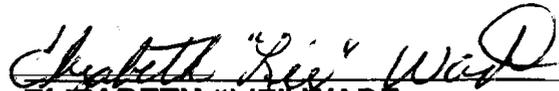
PASSED AND APPROVED on first reading this 21st day of September, 2005.

PASSED AND ADOPTED on second and final reading this 5th day of October, 2005.

APPROVED:



MICHAEL D. BROWN
MAYOR

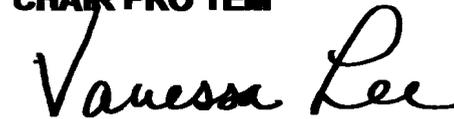


ELIZABETH "LIZ" WADE
CHAIRPERSON



ANN ILES
CHAIR PRO TEM

(MUNICIPAL SEAL)



VANESSA LEE
COUNCILPERSON

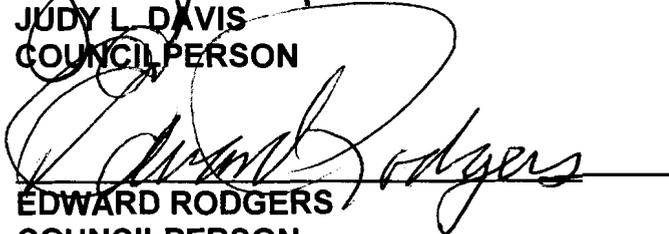
ATTEST:



CARRIE E. WARD,
MASTER MUNICIPAL CLERK
CITY CLERK



JUDY L. DAVIS
COUNCILPERSON



EDWARD RODGERS
COUNCILPERSON

ORDINANCE NO. 2997
PAGE -6-

1ST READING

MOTIONED BY: V. Lee

SECONDED BY: J. Davis

E. WADE aye

A.ILES aye

V.LEE aye

J. DAVIS aye

E. RODGERS aye

2ND & FINAL READING

MOTIONED BY: J. Davis

SECONDED BY: A. Iles

E. WADE aye

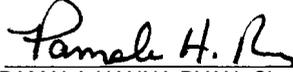
A.ILES aye

V.LEE aye

J. DAVIS aye

E.RODGERS aye

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, CI ATTORNEY

DATE: 9/16/05