

ORDINANCE NO. 4067

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA, ABANDONING A PORTION OF WEST 13TH STREET AS SHOWN ON A PORTION OF LOTS 3 AND 4 INCLUSIVE, BLOCK 12 OF THE PLAT OF RIVIERA AS RECORDED IN PLAT BOOK 2, PAGES 90-91, IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA IN ASSOCIATION WITH THE INNER CITY YOUTH GOLFERS, INC. SITE PLAN APPLICATION TO DEVELOP 0.24 ACRES OF VACANT LAND ON PCN: 56-43-42-33-06-012-0061, 56-43-42-33-06-012-0051, 56-43-42-33-06-012-0032, 56-43-42-33-06-012-0021, 56-43-42-33-06-012-0011 FOR A SINGLE STORY 3,046 SQUARE FOOT INNER CITY YOUTH GOLF MUSEUM; PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Inner City Youth Golfers, Inc. desires to develop 0.24 acres of vacant land on PCN: 56-43-42-33-06-012-0061, 56-43-42-33-06-012-0051, 56-43-42-33-06-012-0032, 56-43-42-33-06-012-0021, 56-43-42-33-06-012-0011 for a single story 3,046 square foot Inner City Youth Golf Museum; and

WHEREAS, in order to develop the 0.24 acres of vacant land on the referenced parcels, the Inner City Youth Golfers, Inc. has requested the City abandon 3,385 square feet of a portion of West 13th Street right-of-way, described herein as "Exhibit A" to enable the construction of a single story 3,046 square foot Inner City Youth Golf Museum; and

WHEREAS, on July 8, 2015, the Community Redevelopment Agency Board recommended approval of the aforementioned abandonment and site plan application to construct a single story 3,046 square foot Inner City Youth Golf Museum; and

WHEREAS, on July 23, 2015, the Planning and Zoning Board recommended approval by a vote of 4-3 of the aforementioned abandonment to the City Council; and

WHEREAS, the City of Riviera Beach is in support of the abandonment of a portion of West 13th Street, described herein as "Exhibit A", which is required to construct a single story 3,046 square foot Inner City Youth Golf Museum; and

WHEREAS, the City Council of the City of Riviera Beach desires to adopt the aforesaid abandonment and believes that the abandonment provisions contained in

this Ordinance will serve to benefit the citizens of Riviera Beach and is in the best interest of the public health, safety, and welfare.

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

SECTION 1. The foregoing recitals are ratified and confirmed as being true and correct and are made a specific part of this Ordinance.

SECTION 2. The portion of west 13th Street right-of-way, specifically described and shown within "Exhibit A", and described below, is hereby abandoned.

A PARCEL OF LAND BEING A PORTION OF LOTS 3 AND 4 INCLUSIVE, BLOCK 12 OF THE PLAT OF RIVIERA AS RECORDED IN PLAT BOOK 2, PAGES 90-91, IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 6, BLOCK 12, OF THE ABOVE REFERENCED PLAT OF RIVIERA, THENCE ALONG THE NORTHERNLY LINES OF LOTS 6, 5, AND 4, SAID LINE ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF WEST 13TH STREET (PLATTED FLAGLER AVENUE, 60' WIDE RIGHT-OF-WAY, PLAT BOOK 2, PAGE 90), SOUTH 88°03'46" EAST, A DISTANCE OF 100.76 FEET TO THE POINT OF BEGINNING.

SAID POINT BEING ON A NON TANGENT CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 22.00 FEET FROM WHICH A RADIAL LINE BEARS SOUTH 57°18'48" WEST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 22°15'01" A DISTANCE OF 8.54 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTH HAVING RADIUS OF 48.00 FEET; THENCE SOUTHERNLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 164°38'28", A DISTANCE OF 137.93 FEET TO A POINT ON THE NORTH LINE OF LOT 3, BLOCK 12 OF THE AFOREMENTIONED PLAT OF RIVIERA, AND THE SOUTH RIGHT-OF-WAY LINE OF WEST 13TH STREET; THENCE ALONG THE NORTHERLY LINES OF LOTS 3 AND 4, AND SOUTH RIGHT-OF-WAY LINE NORTH 88°03'46" WEST, A DISTANCE OF 98.21 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,385 SQUARE FEET OR 0.08 ACRES, MORE OR LESS.

SECTION 3. The City finds that it is in the best interest of the health, safety and welfare of the public to abandon the property referenced herein.

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. 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 portions of this Ordinance.

SECTION 6. The City Clerk of the City of Riviera Beach is hereby authorized and directed to file and record this Ordinance in the Public Records of Palm Beach County, Florida.

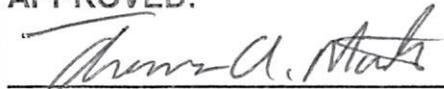
SECTION 7. This Ordinance shall take effect upon its final passage and approval by the City Council.

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PASSED AND APPROVED on the first reading this 19th day of
AUGUST 2015.

PASSED AND ADOPTED on second and final reading this 3RD day of
SEPTEMBER 2015.

APPROVED:



THOMAS A. MASTERS
MAYOR

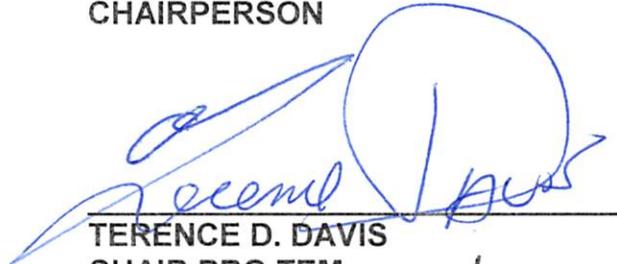


DAWN S. PARDO
CHAIRPERSON

ATTEST:



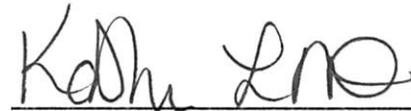
CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK



TERENCE D. DAVIS
CHAIR PRO TEM



BRUCE A. GUYTON
COUNCILPERSON



KaSHAMBA L. MILLER
COUNCILPERSON



CEDRICK A. THOMAS
COUNCILPERSON

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1ST READING

MOTIONED BY: C. THOMAS

SECONDED BY: B. GUYTON

B. GUYTON AYE

K. MILLER AYE

C. THOMAS AYE

D. PARDO AYE

T. DAVIS AYE

2ND & FINAL READING

MOTIONED BY: C. THOMAS

SECONDED BY: B. GUYTON

B. GUYTON AYE

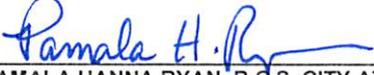
K. MILLER AYE

C. THOMAS AYE

D. PARDO AYE

T. DAVIS AYE

REVIEWED AS TO LEGAL SUFFICIENCY


PAMALA HANNA RYAN, B.C.S. CITY ATTORNEY

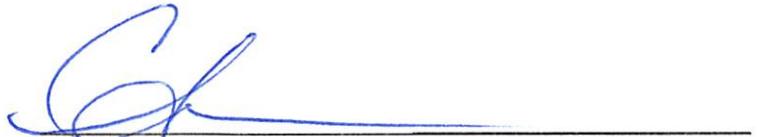
DATE: 8/31/15

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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 the applicable Florida Statutes.

9/3/15
DATE



Claudene L. Anthony, Certified Municipal Clerk
City Clerk

ORDINANCE NO. 4068

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AMENDING CHAPTER 2, ARTICLE IV, SECTION 2-176 OF THE CODE OF ORDINANCES RELATING TO THE POWERS AND DUTIES OF THE CITY MANAGER BY CLARIFYING THE CITY MANAGER'S SPENDING AUTHORITY; PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City's Code of Ordinances details the role of the City Manager as the chief administrative officer of the City and details the responsibilities that goes along with the position; and

WHEREAS, the Office of the Palm Beach County Inspector General identified what it perceived as a conflict in the City's Code of Ordinance pertaining to the City Manager's powers and duties; and,

WHEREAS, the City desires to eliminate the perception that there is a conflict by clarifying the City Manager's responsibility relating to spending authority.

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

SECTION 1. That Chapter 2, Article IV, Section 2-176 entitled "Powers and Duties" of the City of Riviera Beach Code of Ordinances is hereby amended as follows (*deletions shown by strike-through and additions shown by underline*):

Sec. 2-176. - Powers and duties.

The City Manager shall be the chief administrative officer of the City. He The City Manager may head one or more departments and shall be responsible to the City Council for the proper administration of all affairs of the city. He The City Manager shall have power and shall be required to do the following:

- (1) Appoint and, when necessary for the good of the service, suspend or remove all officers and employees of the city except as otherwise provided for by the Charter or laws and except as he or she may authorize the head of a department or office to appoint, suspend or remove subordinates in such department or office.
- (2) Prepare the budget annually and submit it to the legislative body together with

a message describing the important features and be responsible for its administration after adoption.

- (3) Prepare and submit to the city council as of the end of the fiscal year a complete report on the finances and administrative activities of the city for the preceding year.
- (4) Keep the City Council advised of the financial condition and future needs of the city and make such recommendations as he or she may deem advisable.
- (5) Recommend to the City Council a standard schedule of pay for each appointive office and position in the city's service including minimum, intermediate and maximum rates.
- (6) Recommend to the City Council adoption of such measures as he or she may deem necessary or expedient for the health, safety or welfare of the community or for the improvement of administrative services.
- (7) Consolidate or combine offices, positions, departments or units under his or her jurisdiction with the approval of the City Council.
- (8) Attend all meetings of the City Council unless excused and take part in the discussion of all matters coming before the city. He The City Manager shall be entitled to notice of all regular and special meetings of the City Council.
- (9) Supervise the purchase of all materials, supplies and equipment for which funds are provided in the budget and unless otherwise authorized by City Council after the effective date of this Ordinance, the City Manager's spending authority for contracts, agreements, or other types of expenditures, shall be the same as the amount authorized in the City's Procurement Code or Procurement Policies irrespective of whether the expenditure falls under the Procurement Code or Procurement Policies. ~~let contracts necessary for operation or maintenance of city services for amounts up to and including \$1,500.00; receive sealed bids for purchases or contracts in excess of \$1,500.00; and present them to the city council for approval and advise the city council on the advantages of contract and bid proposals. No purchase shall be made, contract let or obligation incurred for any item or service which exceeds the current budget appropriation without a supplemental appropriation by the city council. No contract in excess of \$1,500.00 and no contract for new construction shall be let except by the city council. The City Manager may issue such rules governing purchasing procedures within the administrative organization as the City Council shall approve.~~
- (10) See that all laws and Ordinances are duly enforced.

(11) Investigate the affairs of the city or any department or division. Investigate all complaints in relation to matters concerning the administration of the government of the city and in regard to service maintained by the public utilities of the city and see that all franchises, permits and privileges granted by the city are faithfully observed.

(12) Devote his or her entire time to the discharge of his or her official duties.

(13) Perform such other duties as may be required by the City Council not inconsistent with the Charter, laws or Ordinances.

SECTION 2. Should any word, phrase, clause, subsection, section, part of provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part declared invalid.

SECTION 3. 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, shall be and the same are hereby repealed to the extent of such conflict.

SECTION 4. Specific authority is hereby granted to codify this Ordinance.

SECTION 5. This ordinance shall be in full force and effect immediately upon its final passage and adoption.

PASSED and APPROVED on first reading this 19th day of AUGUST, 2015.

PASSED and ADOPTED on second and final reading this 3rd day of SEPTEMBER, 2015.

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CERTIFICATION OF PUBLICATION

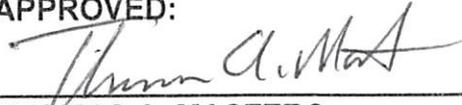
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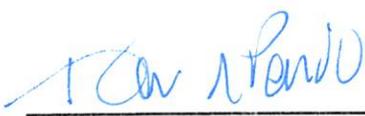


Claudene L. Anthony, Certified Municipal Clerk
City Clerk

APPROVED:

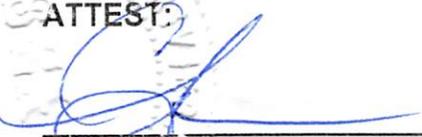


THOMAS A. MASTERS
MAYOR



DAWN S. PARDO
CHAIRPERSON

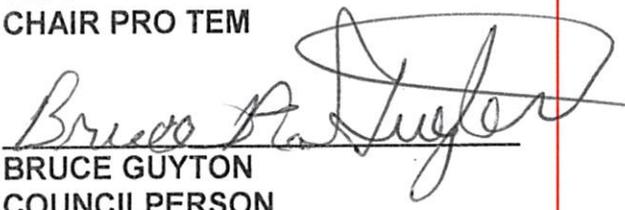
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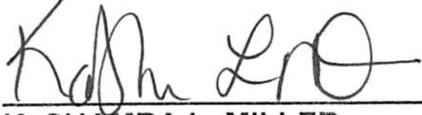
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