

ORDINANCE NO. 2773

**AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE VI, DIVISION 3, OF SECTION 2-100 OF THE CODE OF ORDINANCES OF RIVIERA BEACH, FLORIDA, RELATING TO RATES OF PAY AND SALARY SCHEDULE BY INCREASING THE SALARIES OF UNIFORM FIRE PERSONNEL REPRESENTED BY THE RIVIERA BEACH ASSOCIATION OF FIREFIGHTERS; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.**

**WHEREAS,** the City and the Riviera Beach Association of Firefighters met at the negotiation table; and

**WHEREAS,** no agreement was achieved between both parties through negotiations, a Special Master's Hearing was held; and

**WHEREAS,** following the hearing, no Union contract was agreed upon due to dissension between both parties concerning wages and work hours; and

**WHEREAS,** after an Impasse Hearing, with the legislative body, the City and the Riviera Beach Association of Firefighters Union agreed to an approximate 8-1/2% increase to uniform Fire Personnel salaries over a two (2) year period, 1996-1997 and 1997 - 1998 Fiscal Years.

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

**SECTION 1.** Section 2-100 of Chapter 2, Article VI, Division 3 is amended to read as follows:

That uniform fire personnel salaries be increased pursuant to the attached ARTICLE X: WAGES of the Riviera Beach Association of Firefighters Union Contract.

**SECTION 2.** That this Ordinance shall take effect upon its passage.

**SECTION 3.** 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 Ordinance of the City of Riviera Beach, and the sections of this ordinance may be renumbered to accomplish such intentions.

**SECTION 4.** If any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not effect the validity of any remaining portions of this ordinance.

**SECTION 5.** That all sections or parts of sections of the Code of Ordinances of 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or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed to extent of such conflict.

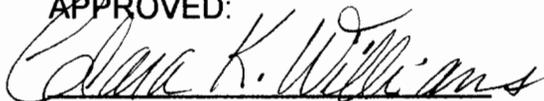
**SECTION 6.** That this Ordinance shall not be codified.

**SECTION 7.** That this ordinance shall be in full force and effective immediately upon its final passage and adoption.

**PASSED and APPROVED** on first reading this 21ST day of JANUARY, 1998.

**PASSED and ADOPTED** on second reading this 4TH day of FEBRUARY, 1998.

APPROVED:

  
CLARA K. WILLIAMS, MAYOR

  
MARGE CONFREY, CHAIRPERSON

(MUNICIPAL SEAL)

Lenora Hurley  
LENORA HURLEY, CHAIRPERSON  
PRO TEM

ATTEST:

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

Florescencia "Cynthia" Becton  
CINTHIA BECTON

Marilyn B. Moffitt  
MARILYN MOFFITT

William W. Burrs  
WILLIAM BURRS

Motioned by: \_\_\_\_\_  
Seconded by: \_\_\_\_\_

Motioned by: M. MOFFITT  
Seconded by: L. HURLEY

1<sup>ST</sup> READING

2<sup>ND</sup> READING

C. Becton AYE

AYE

M. Moffitt AYE

AYE

M. Confrey AYE

AYE

L. Hurley AYE

AYE

W. Burrs AYE

AYE

ORDINANCE NO. 2773

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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.

January 21, 1998  
DATE

Carrie E. Ward  
Carrie E. Ward, CMC/AAE, City Clerk

REVIEWED AS TO LEGAL SUFFICIENCY

[Signature]  
CITY ATTORNEY  
CITY OF RIVIERA BEACH

Date 1-12-98

DP/DMK/01-09-98

# The Palm Beach Post

Received at 01/22/98 13:24:21  
MCT Ad receipt 981M0112  
Pages received 2

## FAX CONFIRMATION

Thank You For Advertising with the Palm Beach Post Classified Advertising Department

This confirms receipt of your fax to the Palm Beach Post Classified Advertising Department.

For Best Results on faxed ads follow these helpful tips:

- \* For quicker processing, include your billing phone number, your advertising representative's name & a phone # where you can be reached.
- \* Include the classification and schedule of ad.
- \* Type text of ad using a sans serif font (ex: Arial ) in 12 pt or larger  
If you type in all caps or handwrite your ad, there is a greater chance of your ad being inaccurate.
- \* Use clean, simple pages. Please avoid using forms with boxes or lines.
- \* When including special instructions such as BOLD or a LARGER FONT, indicate this at the TOP of the form, or in the margins away from the text area.
- \* Type your fax as you wish it to appear in the newspaper (EX. type your company name in all caps if you want it to appear in all caps in the newspaper).
- \* Whenever possible, fax from your computer desktop.

Palm Beach Post  
CLASSIFIEDS  
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## **NOTICE OF PUBLIC HEARING**

A PUBLIC HEARING will be held on the proposed ordinance at 7:30 p.m., on February 4, 1998, and from time thereafter in the City of Riviera Beach Council Chambers, 600 W. Blue Heron Blvd., at which time the City Council will consider its adoption into law. The ordinance in its entirety may be inspected at the Office of the City Clerk during regular working hours. All interested parties may appear at the meeting and be heard with respect to this proposed ordinance.

### **ORDINANCE NO. 2773**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE VI, DIVISION 3, OF SECTION 2-100 OF THE CODE OF ORDINANCES OF THE CITY OF RIVIERA BEACH RELATING TO RATES OF PAY AND SALARY SCHEDULE BY INCREASING THE SALARIES OF UNIFORM FIRE PERSONNEL REPRESENTED BY THE RIVIERA BEACH ASSOCIATION OF FIREFIGHTERS; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

If a person decides to appeal any decision made by the City Council with respect to any matter considered at such hearing, he will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

**Carrie E. Ward, CMC, AAE**  
City Clerk

**PUBLISH: January 25, 1998**  
**FURNISH PROOF OF PUBLICATION**

ORDINANCE NO. 2774

**AN ORDINANCE OF THE CITY OF RIVIERA BEACH, FLORIDA, AMENDING CHAPTER 31, ZONING, OF THE CODE OF ORDINANCES BY AMENDING THE CITY'S LAND DEVELOPMENT REGULATIONS FOR THE RM-20: HIGH DENSITY MULTIFAMILY DWELLING ZONING DISTRICT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR ENFORCEMENT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 166.041 of the Florida Statutes provides procedures to amend the Zoning Ordinance; and

**WHEREAS**, legal notice and review procedures were followed in accordance with Section 166.041(3)(a), *Florida Statutes*, which provides procedures for municipal ordinances; and

**WHEREAS**, the Planning and Zoning Board conducted a public hearing and reviewed the amendments to the City's zoning regulations contained in this ordinance, and forwarded a recommendation to the City Council; and

**WHEREAS**, the City Council reviewed the request and recommendations of City Staff and the Planning and Zoning Board at two Public Hearings held in accordance with Section 166.041, *Florida Statutes*.

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

**SECTION 1.** Section 31-242(c) in Chapter 31 of the Code of Ordinances is hereby amended as follows, wherein the underlined text represents new text to be added and text that is struck through represents text to be deleted:

(c) **Uses Prohibited.** No ~~commercial~~ use, building or structures of a commercial nature, except that which provides for access to the public beach, shall be permitted east of the coastal construction ~~setback control~~ line.

**SECTION 2.** Section 31-243(1)b in Chapter 31 of the Code of Ordinances is hereby amended as follows, wherein the underlined text represents new text to added and text that is struck through represents text to be deleted:

**Multifamily dwellings:** maximum permitted density shall be 17 ~~20~~ residential dwelling units per acre including the density bonus referred to in subsection (2) of this section. If the density bonus provision is not applied for, the maximum permitted density shall be 13 ~~45~~ units per acre.

**SECTION 3.** Section 31-243(4) in Chapter 31 of the Code of Ordinances is hereby amended as follows, wherein the underlined text represents new text to added and text that is struck through represents text to be deleted:

(4) **Maximum building height:** 20 stories or 200 feet, excluding mechanical facilities, ornamental towers, ~~and antennae, and similar non-habitable building elements~~, which shall not exceed twenty (20) ten feet in additional height. Such non-habitable building elements shall be screened and set back from the roof line in such a way as to avoid increasing the building's offsite ground-level shadow.

**SECTION 4.** 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, Florida, and the sections of this ordinance may be renumbered to accomplish such intentions.

**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.** 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 effective immediately upon adoption.

PASSED AND APPROVED on First Reading this 18TH day of MARCH, 1998.

PASSED AND ADOPTED on Second Reading this 01 day of April, 1998.

APPROVED:

Clara K. Williams  
CLARA K. WILLIAMS, MAYOR

[MUNICIPAL SEAL]

Marilyn Moffitt  
MARILYN MOFFITT, CHAIRPERSON

Lenora Hurley  
LENORA HURLEY, CHAIRPERSON PRO-TEM

Marge Confrey  
MARGE CONFREY

Hersinthia "Cynthia" Becton  
CINTHIA BECTON

William H. Burrs  
WILLIAM BURRS  
COUNCIL MEMBERS

ATTEST:

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

FIRST READING

SECOND AND FINAL READING

MOTIONED BY: M. CONFREY

MOTIONED BY: C. BECTON

SECONDED BY: C. BECTON

SECONDED BY: L. HURLEY

M. MOFFITT AYE

M. MOFFITT AYE

L. HURLEY AYE

L. HURLEY AYE

M. CONFREY AYE

M. CONFREY AYE

C. BECTON AYE

C. BECTON AYE

W. BURRS AYE

W. BURRS AYE

ORDINANCE NO. 2774

PAGE 3

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.

April 02, 1998

Date

Carrie E. Ward

Carrie E. Ward, CMC/AAE, City Clerk

REVIEWED AS TO LEGAL SUFFICIENCY

[Signature]  
City Attorney

City of Riviera Beach

Date 3-9-98

ORDINANCE NO. 2775

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA AMENDING, CHAPTER 2, ARTICLE VI, DIVISION 3, OF SECTION 2-100 OF THE CODE OF ORDINANCE OR RIVIERA BEACH, FLORIDA RELATING TO RATES OF PAY AND SALARY SCHEDULE BY CREATING THE UNCLASSIFIED POSITION OF ADMINISTRATIVE ASSISTANT I AND ADMINISTRATIVE ASSISTANT II UNDER CLASS TITLE ADMINISTRATIVE, GENERAL AND DELETING THE UNCLASSIFIED POSITIONS OF LEGISLATIVE AIDE AND ADMINISTRATIVE ASSISTANT TO THE CITY MANAGER UNDER CLASS TITLE, ADMINISTRATIVE, GENERAL AND THAT THE UNCLASSIFIED POSITIONS OF ASSISTANT CITY ATTORNEY AND POLICE GENERAL COUNSELOR AND ADVISOR BE PLACED IN A SALARY RANGE UNDER THE ADMINISTRATIVE SALARY SCHEDULE AND THAT THE UNCLASSIFIED POSITION OF POLICE GENERAL COUNSELOR AND ADVISOR BE DELETED FROM THE CONTRACTUAL CLASSIFICATION OF THE ADMINISTRATIVE SALARY SCHEDULE AND THAT THE PAY RANGE OF M-13 BE CREATED UNDER THE ADMINISTRATIVE SALARY SCHEDULE AND THAT THE UNCLASSIFIED POSITION OF DEPUTY CITY MANAGER BE DELETED FROM PAY RANGE M-12 AND PLACED UNDER NEW PAY RANGE OF M-13 OF THE ADMINISTRATIVE SALARY SCHEDULE PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

**WHEREAS**, City Council approve the positions of Administrative Assistant I and Administrative Assistant II in the City Manager's Office.

**WHEREAS**, the positions must be created and added to our pay and classification schedule; and

**WHEREAS**, the positions of Administrative Assistant I and Administrative Assistant II are unclassified positions and a copy of the job descriptions are hereby attached; and

**WHEREAS**, the unclassified positions of Legislative Aide and Administrative Assistant to the City Manager are hereby deleted.

**WHEREAS**, the unclassified positions of Assistant City Attorney and Police General Counselor & Advisor be placed under the pay range of M-11 on the Administrative Salary Schedule; and

**WHEREAS**, the unclassified position of Police General Counselor & Advisor be deleted from the Contractual Classification on the Administrative Salary Schedule; and

**WHEREAS**, the pay range of M-13 be created on the Administrative Salary Schedule and that the unclassified position of Deputy City Manager be placed under pay range of M-13 and deleted from pay range of M-12 from the Administrative Salary Range

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

AMENDING CHAPTER 2, ARTICLE VI, DIVISION 3 OF SECTION 2-100 OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCE.

**SECTION 1.** That Section 2-100 of Chapter 2 of Article VI, Division 3 of the Code of Ordinances of Riviera Beach, relating to rates of pay and salary schedule by creating the unclassified positions of Administrative Assistant I and Administrative Assistant II as follows:

<b>Class</b>			
<b>Title</b>	<b>RANGE</b>	<b>CLASSIFICATION</b>	<b>SALARY</b>
<u>Administrative</u>			
	<u>M-03</u>	<u>Administrative Assistant I</u>	<u>\$22,627-33,488</u>
	<u>M-05</u>	<u>Administrative Assistant II</u>	<u>\$27,379- 40,521</u>

**SECTION 2.** That Section 2-100 of Chapter 2 of Article VI, Division 3 of the Code of Ordinances of Riviera Beach relating to rates of pay and salary schedule be amended by deleting the unclassified positions of Legislative Aide, Administrative Assistant to the City Manager, Deputy City Manager and Contractual General Counselor & Advisor under Class Title Administrative as follows:

<b>Class Title</b>	<b>RANGE</b>	<b>CLASSIFICATION</b>	<b>SALARY</b>
Administrative	<del>M-02</del>	<del>Legislative Aide</del>	<del>\$20,570-30,444</del>
	<del>M-04</del>	<del>Administrative Assistant to the City Manager</del>	<del>\$24,890-36,837</del>
	<del>M-12</del>	<del>Deputy City Manager</del>	<del>\$53,353-78,962</del>
	<del>Contractual</del>	<del>Police General Counselor &amp; Advisor</del>	

**SECTION 3.** That Section 2-100 of Chapter 2 of Article VI, Division 3 of the Code of Ordinances of Riviera Beach relating to rates of pay and salary schedule be amended by adding the unclassified positions of Assistant City Attorney and Police General Counselor and Advisor to the Administrative Salary Schedule under Class Title Administrative Pay Range M-11, that the Pay Range of M-13 be created on the Administrative Salary Schedule and that the unclassified position of Deputy City Manager be listed under Class Title Administrative Pay Range M-13 as follows:

<b>Class Title</b>	<b>RANGE</b>	<b>CLASSIFICATION</b>	<b>SALARY</b>
Administrative	<u>M-11</u>	<u>Assistant City Attorney</u>	<u>\$48,503-71,784</u>
	<u>M-11</u>	<u>Police General Counselor &amp; Advisor</u>	<u>\$48,503-71,784</u>
	<u>M-13</u>	<u>Deputy City Manager</u>	<u>\$58,689-86,858</u>

**SECTION 5.** That this Ordinance shall take effect upon its passage and adoption by the City Council.

**SECTION 6.** 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 or Ordinances of the City of Riviera Beach, and the sections of this ordinance may be renumbered to accomplish such intentions.

**SECTION 7.** If any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not effect the validity of any remaining portions of this ordinance.

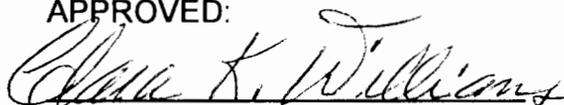
**SECTION 8.** That all sections or parts of sections of the Code of Ordinances of all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

**SECTION 9.** That this ordinance shall be in full force and effective immediately upon its final passage and adoption.

PASSED and APPROVED on first reading this 18TH day of MARCH, 1998.

PASSED and ADOPTED on second reading this 01 day of April, 1998,

APPROVED:

  
CLARA K. WILLIAMS, MAYOR

  
MARGE CONFREY,  
CHAIRPERSON

(MUNICIPAL SEAL)

Lenora Hurley  
LENORA HURLEY,  
CHAIRPERSON PRO TEM

Cynthia Becton  
CINTHIA BECTON

ATTEST:

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

Marilyn Moffitt  
MARILYN MOFFITT

William H. Burrs  
WILLIAM BURRS  
COUNCIL MEMBERS

Motioned by: L. HURLEY  
Seconded by: M. CONFREY

Motioned by: L. HURLEY  
Seconded by: M. CONFREY

1<sup>st</sup> READING

2<sup>ND</sup> READING

M. CONFREY AYE

AYE

L. HURLEY AYE

AYE

C. BECTON NAY

NAY

M. MOFFITT AYE

AYE

W. BURRS NAY

NAY

ORDINANCE NO. 2775

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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 or general circulation within the City of Riviera Beach as required by the applicable Florida Statutes.

April 02, 1998

DATE

Carrie E. Ward

Carrie E. Ward, CMC/AAE, City Clerk

REVIEWED AS TO LEGAL SUFFICIENCY

[Signature]  
City Attorney  
City of Riviera Beach

Date \_\_\_\_\_

DP/DMK/03/10/98

ORDINANCE NO. 2777

**AN ORDINANCE OF THE CITY OF RIVIERA BEACH, FLORIDA, AMENDING CHAPTER 31, "ZONING," OF THE CODE OF ORDINANCES BY CHANGING THE ZONING FROM CG: GENERAL COMMERCIAL TO RM-15: MULTIPLE FAMILY RESIDENTIAL FOR A CERTAIN 8.79 ACRE PARCEL OF LAND NEXT TO WOODBINE ON THE WEST SIDE OF MILITARY TRAIL; DIRECTING THE CITY CLERK TO UPDATE THE CITY'S ZONING MAP; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 166, *Florida Statutes*, provides procedures to amend the zoning regulations of local governments; and

**WHEREAS**, legal notice and review procedures were followed in accordance with Chapter 166, *Florida Statutes*, which provides procedures for zoning map amendments affecting less than five percent of the City's total land area; and

**WHEREAS**, the City has received an application to rezone the parcel of land described below; and

**WHEREAS**, Chapter 163, *Florida Statutes*, requires the City's Zoning Map to be consistent with the Future Land Use Map in the City's adopted comprehensive plan; and

**WHEREAS**, the Planning and Zoning Board, sitting as the Local Planning Agency, reviewed the applicant's request at a public hearing and forwarded a recommendation to the City Council; and

**WHEREAS**, the City Council, sitting as the Local Governing Body, reviewed the application and recommendation and conducted a public hearing and first and second readings of this ordinance.

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

**SECTION 1.** The Zoning Map for City of Riviera Beach, Florida, which has been adopted as part of Chapter 31, "Zoning," of the *Riviera Beach Code of Ordinances* is hereby amended by changing the zoning from "CG: General Commercial" to RM-15: Multiple Family Residential for 8.79 acres of land next to Woodbine on the west side of Military Trail. A legal description for this parcel is contained in Exhibit "A," which is hereby made a part of this ordinance.

**SECTION 2.** The Director of the Department of Community Development and Environmental Control (CDEC) is hereby authorized and directed to reflect this rezoning on the City's Zoning Map by the appropriate means of designating all changes described by this Ordinance.

**SECTION 3.** 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, Florida, and the sections of this ordinance may be renumbered to accomplish such intentions.

**SECTION 7.** 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 8.** 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 9.** This ordinance shall be in full force and effective upon its passage and adoption.

ORDINANCE NO. 2777  
PAGE 3

PASSED AND APPROVED on First Reading this 3rd day of June, 1998.

PASSED AND ADOPTED on Second Reading this 1st day of July, 1998.

APPROVED:

  
CLARA K. WILLIAMS, MAYOR

  
MARILYN MOFFITT, CHAIRPERSON

[MUNICIPAL SEAL]

LENORA HURLEY, CHAIRPERSON PRO-TEM

  
MARGE CONFREY

ATTEST:

  
CARRIE E. WARD, CMC/AE  
CITY CLERK

  
CINTHIA BECTON

  
WILLIAM BURRS  
COUNCIL MEMBERS

FIRST READING

SECOND AND FINAL READING

MOTIONED BY: H. Becton

MOTIONED BY: H. Becton

SECONDED BY: M. Confrey

SECONDED BY: M. Confrey

M. MOFFITT aye

M. MOFFITT aye

L. HURLEY nay

L. HURLEY \_\_\_\_\_

M. CONFREY aye

M. CONFREY aye

C. BECTON aye

C. BECTON aye

W. BURRS aye

W. BURRS aye

ORDINANCE NO. 2777  
PAGE 4

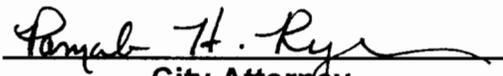
**CERTIFICATION OF PUBLICATION**

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 July 1, 1998

  
Carrie E. Ward, CMC/AEE, City Clerk

REVIEWED AS TO LEGAL SUFFICIENCY

  
City Attorney  
City of Riviera Beach

Date 5/22/98

Attachment

SBC/rmt/May 19, 1998

**LEGAL DESCRIPTION  
WOODBINE COMMERCIAL PROPERTY  
CHANGING TO RESIDENTIAL USE**

A PARCEL OF LAND LYING IN THE NORTHWEST ONE-QUARTER OF SECTION 25, TOWNSHIP 42 SOUTH, RANGE 42 EAST, CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF PARCEL "I", WOODBINE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 72, PAGE 46, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA; THENCE, SOUTH 01°45'20" WEST, ALONG THE EASTERLY BOUNDARY LINE OF SAID PARCEL "I", A DISTANCE OF 332.00 FEET; THENCE, NORTH 88°14'40" WEST, CONTINUING ALONG SAID BOUNDARY LINE, A DISTANCE OF 199.00 FEET; THENCE, SOUTH 46°45'20" WEST, CONTINUING ALONG SAID BOUNDARY LINE, A DISTANCE OF 36.77 FEET; THENCE, SOUTH 01°45'20" WEST, CONTINUING ALONG SAID BOUNDARY LINE, A DISTANCE OF 230.00 FEET; THENCE, SOUTH 38°21'45" WEST, CONTINUING ALONG SAID BOUNDARY LINE, A DISTANCE OF 43.60 FEET; THENCE, SOUTH 01°45'20" WEST, CONTINUING ALONG SAID BOUNDARY LINE, A DISTANCE OF 235.00 FEET; THENCE, SOUTH 58°23'55" EAST, CONTINUING ALONG SAID BOUNDARY LINE, A DISTANCE OF 70.33 FEET; THENCE, SOUTH 01°45'20" WEST, CONTINUING ALONG SAID BOUNDARY LINE, A DISTANCE OF 251.00 FEET; THENCE, SOUTH 88°14'40" EAST, CONTINUING ALONG SAID BOUNDARY LINE, A DISTANCE OF 188.00 FEET; THENCE, SOUTH 01°45'20" WEST, CONTINUING ALONG SAID BOUNDARY LINE, A DISTANCE OF 188.88 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL "I"; SAID SOUTH EAST CORNER BEING A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WOODBINE TRAIL AS SHOWN ON SAID PLAT; SAID POINT BEING A POINT ON A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 800.00 FEET AND WHOSE RADIUS POINT BEARS SOUTH 00°49'28" WEST; THENCE, EASTERLY ALONG SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 00°55'52", A DISTANCE OF 13.00 FEET; THENCE, NORTH 01°45'20" EAST, DEPARTING SAID RIGHT-OF-WAY LINE, A DISTANCE OF 802.77 FEET ; THENCE, SOUTH 88°14'40" EAST, A DISTANCE OF 239.00 FEET TO THE INTERSECTION THEREOF WITH THE WEST RIGHT-OF-WAY LINE OF MILITARY TRAIL (STATE ROAD NO. 809); THENCE, NORTH 01°45'20" EAST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 505.00 FEET TO THE INTERSECTION THEREOF WITH THE SOUTH RIGHT-OF-WAY LINE OF WOODBINE TRAIL AS SHOWN ON SAID PLAT OF WOODBINE; THENCE, NORTH 43°14'40" WEST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 35.36 FEET; THENCE, NORTH 88°14'40" WEST, CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 271.00 FEET TO THE POINT OF BEGINNING.

**CONTAINING:** 8.79 ACRES, MORE OR LESS

F:\WP60\FILE\DESC4P11\ADD.LEG



ORDINANCE NO. 2778

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, FLORIDA, AMENDING THE FUTURE LAND USE MAP IN THE *CITY OF RIVIERA BEACH COMPREHENSIVE PLAN* BY CHANGING THE FUTURE LAND-USE DESIGNATION FROM "COMMERCIAL" TO "MULTIPLE FAMILY RESIDENTIAL," UP TO 15 DWELLING UNITS PER ACRE, FOR 8.79 ACRES OF LAND NEXT TO THE WOODBINE PLANNED UNIT DEVELOPMENT ON THE WEST SIDE OF MILITARY TRAIL; TRANSMITTING THE AMENDMENT TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; DIRECTING THE DEPARTMENT OF COMMUNITY DEVELOPMENT AND ENVIRONMENTAL CONTROL CITY CLERK TO UPDATE THE CITY'S FUTURE LAND USE MAP; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, Chapter 163, *Florida Statutes*, provides procedures to amend the adopted Comprehensive Plan; and

**WHEREAS**, the City has received an application to change the designation on the Future Land Use Map for the parcel of land described below; and

**WHEREAS**, 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; and

**WHEREAS**, the City Council, sitting as the Local Governing Body, reviewed the request and recommendations and conducted a public hearing and first and second readings of this ordinance; and

**WHEREAS**, pursuant to Section 163.3187(c) *Florida Statutes*, entitled "Small Scale Amendments," the City shall transmit these amendments to the Florida Department of Community Affairs.

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

**SECTION 1.** The Future Land Use Map in the *City of Riviera Beach Comprehensive Plan* is hereby amended to change the future land-use designation from "Commercial" to "Multiple Family Residential," up to 15 dwelling units per acre for 8.79 acres of land next to Woodbine on the west side of Military Trail. A legal description for this parcel is contained in Exhibit "A," which is hereby made a part of this ordinance.

**SECTION 2.** The Director of the Department of Community Development and Environmental Control (CDEC) is hereby authorized and directed to reflect these amendments on the City's Future Land Use Map by the appropriate means of designating all changes described by this Ordinance.

**SECTION 3.** 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, Florida, and the sections of this ordinance may be renumbered to accomplish such intentions.

**SECTION 4.** 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 5.** 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 6.** The effective date of this ordinance shall be following the successful completion of the State Land Planning Agency review and compliance procedures for small-scale amendments in accordance with Section 163.3187(c)(4), *Florida Statutes*.

ORDINANCE NO. 2778  
PAGE 3

PASSED AND APPROVED on First Reading this 3 day of June, 1998.

PASSED AND ADOPTED on Second Reading this 1 day of July, 1998.

APPROVED:

Clara K. Williams  
CLARA K. WILLIAMS, MAYOR

Marilyn Moffitt  
MARILYN MOFFITT, CHAIRPERSON

[MUNICIPAL SEAL]

LENORA HURLEY, CHAIRPERSON PRO-TEM

Marge Confrey  
MARGE CONFREY

ATTEST:

Cynthia Becton  
CINTHIA BECTON

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

William H. Burrs  
WILLIAM BURRS  
COUNCIL MEMBERS

FIRST READING

SECOND AND FINAL READING

MOTIONED BY: H. Becton

MOTIONED BY: H. Becton

SECONDED BY: M. Confrey

SECONDED BY: M. Confrey

M. MOFFITT aye

M. MOFFITT aye

L. HURLEY aye

L. HURLEY \_\_\_\_\_

M. CONFREY aye

M. CONFREY aye

C. BECTON aye

C. BECTON aye

W. BURRS aye

W. BURRS aye

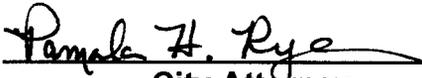
CERTIFICATION OF PUBLICATION

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.

July 1, 1998  
Date

  
Carrie E. Ward, CMC/AE, City Clerk

REVIEWED AS TO LEGAL SUFFICIENCY

  
City Attorney  
City of Riviera Beach

Date 5/22/98

Attachment

SBC/rmt/May 19, 1998

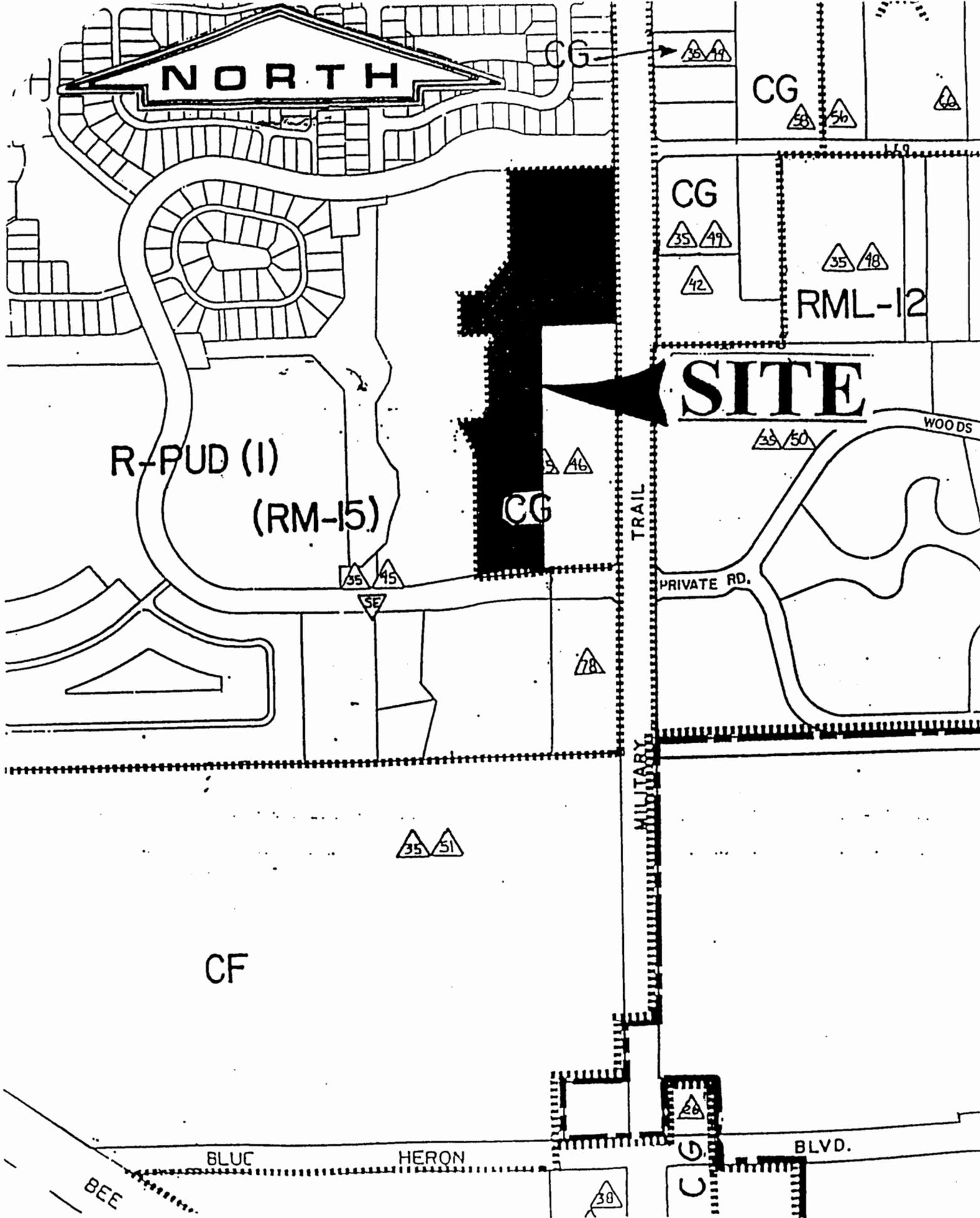
**LEGAL DESCRIPTION  
WOODBINE COMMERCIAL PROPERTY  
CHANGING TO RESIDENTIAL USE**

A PARCEL OF LAND LYING IN THE NORTHWEST ONE-QUARTER OF SECTION 25, TOWNSHIP 42 SOUTH, RANGE 42 EAST, CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF PARCEL "I", WOODBINE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 72, PAGE 46, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA; THENCE, SOUTH 01°45'20" WEST, ALONG THE EASTERLY BOUNDARY LINE OF SAID PARCEL "I", A DISTANCE OF 332.00 FEET; THENCE, NORTH 88°14'40" WEST, CONTINUING ALONG SAID BOUNDARY LINE, A DISTANCE OF 199.00 FEET; THENCE, SOUTH 46°45'20" WEST, CONTINUING ALONG SAID BOUNDARY LINE, A DISTANCE OF 36.77 FEET; THENCE, SOUTH 01°45'20" WEST, CONTINUING ALONG SAID BOUNDARY LINE, A DISTANCE OF 230.00 FEET; THENCE, SOUTH 38°21'45" WEST, CONTINUING ALONG SAID BOUNDARY LINE, A DISTANCE OF 43.60 FEET; THENCE, SOUTH 01°45'20" WEST, CONTINUING ALONG SAID BOUNDARY LINE, A DISTANCE OF 235.00 FEET; THENCE, SOUTH 58°23'55" EAST, CONTINUING ALONG SAID BOUNDARY LINE, A DISTANCE OF 70.33 FEET; THENCE, SOUTH 01°45'20" WEST, CONTINUING ALONG SAID BOUNDARY LINE, A DISTANCE OF 251.00 FEET; THENCE, SOUTH 88°14'40" EAST, CONTINUING ALONG SAID BOUNDARY LINE, A DISTANCE OF 188.00 FEET; THENCE, SOUTH 01°45'20" WEST, CONTINUING ALONG SAID BOUNDARY LINE, A DISTANCE OF 188.88 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL "I"; SAID SOUTH EAST CORNER BEING A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WOODBINE TRAIL AS SHOWN ON SAID PLAT; SAID POINT BEING A POINT ON A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 800.00 FEET AND WHOSE RADIUS POINT BEARS SOUTH 00°49'28" WEST; THENCE, EASTERLY ALONG SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 00°55'52", A DISTANCE OF 13.00 FEET; THENCE, NORTH 01°45'20" EAST, DEPARTING SAID RIGHT-OF-WAY LINE, A DISTANCE OF 802.77 FEET ; THENCE, SOUTH 88°14'40" EAST, A DISTANCE OF 239.00 FEET TO THE INTERSECTION THEREOF WITH THE WEST RIGHT-OF-WAY LINE OF MILITARY TRAIL (STATE ROAD NO. 809); THENCE, NORTH 01°45'20" EAST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 505.00 FEET TO THE INTERSECTION THEREOF WITH THE SOUTH RIGHT-OF-WAY LINE OF WOODBINE TRAIL AS SHOWN ON SAID PLAT OF WOODBINE; THENCE, NORTH 43°14'40" WEST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 35.36 FEET; THENCE, NORTH 88°14'40" WEST, CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 271.00 FEET TO THE POINT OF BEGINNING.

**CONTAINING:** 8.79 ACRES, MORE OR LESS

F:\WP60\FILEDESC4\P111\ADD.LEG



ORDINANCE NO. 2780

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR THE INCLUSION OF THE PROPERTIES FRONTING 49<sup>TH</sup> TERRACE NORTH AND BARBOUR ROAD LYING WITHIN THE MUNICIPAL BOUNDARIES OF SAID CITY WITHIN PALM BEACH COUNTY MUNICIPAL SERVICE TAXING UNIT "A;" PROVIDING FOR INTENT, PURPOSE, AND EFFECT; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR EFFECTIVE DATE.

**WHEREAS**, the Florida Legislature has empowered and authorized all counties to levy additional taxes within the limits fixed for municipal services within municipal service taxing units for street and drainage improvements and water distribution purposes; and

**WHEREAS**, the Florida Legislature pursuant to Section 125.01(1)(g), *Florida Statutes*, has provided for the inclusion of any municipality or portion thereof within a municipal service taxing unit established for the provision of street and drainage improvements and water distribution; and

**WHEREAS**, no such inclusion may be authorized unless approved by ordinances of the governing body of the municipality; and

**WHEREAS**, the City Council of the City of Riviera Beach desires that all of 49<sup>th</sup> Terrace North and Barbour Road lying within the municipal limits of said City be included within County Municipal service Taxing Unit "A" to provide street and drainage improvements; and

**WHEREAS**, the City Council of the City of Riviera Beach desires that Palm Beach County be authorized to levy special assessments necessary to carry out the said improvements.

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

**Section 1. Intent, Purpose and Effect**

It is the intent, purpose and effect of this Ordinance to comply with the provisions of Chapter 125, *Florida Statutes*. All of the properties fronting 49<sup>th</sup> Terrace North and Barbour Road, lying within the City of Riviera Beach as set forth in Exhibit "A" attached hereto shall be included within County Municipal Service Taxing Unit "A"

for a period of two years for the purpose of providing street and drainage improvements upon the adoption of this Ordinance and upon adoption of a Resolution of the Board of County Commissioners of Palm Beach County, Florida, confirming the assessment process for improvement project according to the Palm Beach County Municipal Service Taxing Unit Ordinance. The Board of County Commissioners shall be the governing body of this municipal service taxing unit.

**Section 2. Repeal of Laws in Conflict**

All ordinances and parts of ordinances in conflict with any provisions of this ordinance are hereby repealed.

**Section 3. Severability**

In any section, paragraph, sentence, clause, phrase, or work of this Ordinance is for any reason held by a Court of competent jurisdiction to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

**Section 4. Inclusion in the Code of Laws and Ordinance**

The provisions of this Ordinance may become and be made a part of the *City of Riviera Beach Code of Ordinances*. The Sections of this Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

**Section 5. Effective Date**

This Ordinance shall be become effective upon final reading and passage of the City of Riviera Beach and upon the adoption of a Resolution by the Board of County Commissioners of Palm Beach County confirming the assessment process for paving and drainage improvement project on 49<sup>th</sup> Terrace North and Barbour Road according to the Palm Beach County Municipal Service Taxing Unit Ordinance.

**PASSED and APPROVED** this 17th day of June 1998.

PASSED AND ADOPTED on second and final reading this 1st day of  
July 1998.

APPROVED:

Clara K. Williams Marilyn Moffitt  
CLARA K. WILLIAMS, MAYOR      MARILYN MOFFITT, CHAIRPERSON

[MUNICIPAL SEAL]

Lenora Hurley  
LENORA HURLEY, CHAIRPERSON PRO-TEM

ATTEST:

Marge Confrey  
MARGE CONFREY

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

Cynthia Becton  
CINTHIA BECTON

William W. Burrs  
WILLIAM BURRS  
COUNCIL MEMBERS

	FIRST READING	SECOND AND FINAL READING
MOTIONED BY:	<u>M. Confrey</u>	MOTIONED BY: <u>M. Confrey</u>
SECONDED BY:	<u>L. Hurley</u>	SECONDED BY: <u>C. Becton</u>
M. MOFFITT	<u>aye</u>	M. MOFFITT <u>aye</u>
L. HURLEY	<u>aye</u>	L. HURLEY _____
M. CONFREY	<u>aye</u>	M. CONFREY <u>aye</u>
C. BECTON	<u>aye</u>	C. BECTON <u>aye</u>
W. BURRS	<u>aye</u>	W. BURRS <u>aye</u>

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.

June 18, 1998  
Date

Carrie E. Ward  
Carrie E. Ward, CMC/AEE, City Clerk

REVIEWED AS TO LEGAL SUFFICIENCY

[Signature]  
City Attorney  
City of Riviera Beach

Date 6-3-98

**EXHIBIT "A "**

**49<sup>th</sup> Terrace North**

A strip of land for road right-of-way purposes known as 49<sup>th</sup> Terrace North lying within the West ¼ of the SW ¼, South and West of the Seaboard Airline Railroad of Section 25, Township 42 South, Range 42 East, and within the North ¼ of the NW ¼ of Section 36, Township 42, South, Range 42 East, said strip of land being 60 feet in width lying 30 feet each side of the following described centerline: Beginning at the intersection of the centerline of Military Trail and Dyer Boulevard; thence run westerly along the centerline of Dyer Boulevard a distance of 2323.26 feet to a point; thence north 40 feet to a point in the North right-of-way line of Dyer Boulevard and being the beginning of the herein described centerline:

Thence run North, parallel to and 2323.26 feet westerly of the centerline of Military Trail, a distance of 1636.11 feet to the end of herein described centerline.

**Barbour Road**

A strip of land 60 feet in width known as Barbour Road as laid out and in use lying in the NW ¼ of Section 36 and the SW ¼ of Section 25, both being in Township 42 South, Range 42 East, Palm Beach County, Florida. Said strip being the easements reserved in Official Record Book 1520 at Page 105. Less the South 40 feet thereof.

ORDINANCE NO. 2781

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, REPEALING SECTION 2-7 OF THE CODE OF ORDINANCES OF THE CITY OF RIVIERA BEACH RELATING TO RECEIPT OF GIFTS AND OTHER ITEMS BY CITY OFFICIALS AND EMPLOYEES TO READ AS SET FORTH HEREINBELOW AND PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.**

**WHEREAS**, the State of Florida has adopted a comprehensive Code of Ethics embodied in Section 112.311 through 112.326 of the Florida Statutes; and

**WHEREAS**, the City Council of Riviera Beach deems it appropriate to repeal Section 2-7 of the City Code of Ordinances to the extent that it conflicts with provisions of the comprehensive Code of Ethics for public officials and employees;

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

**Section 1.** Section 2-7 of the City Code of Ordinances is hereby repealed in its entirety.

**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 sections 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 invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

**Section 4.** That all sections or parts of sections of the Code or 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.

ORDINANCE NO. 2781

-2-

**Section 5.** Specific authority is hereby granted to codify this Ordinance.

**Section 6.** That this ordinance shall be in full force and effect immediately upon its final passage and adoption.

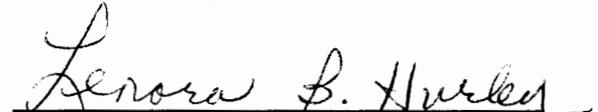
**PASSED** and **APPROVED** on first reading this 1st day of July, 1998.

**PASSED** and **ADOPTED** on second and final reading this 5 day of August, 1998.

**APPROVED:**

  
CLARA K. WILLIAMS  
MAYOR

  
MARILYN MOFFITT  
CHAIRPERSON

  
LENORA B. HURLEY  
CHAIRPERSON PRO TEM

[MUNICIPAL SEAL]

\_\_\_\_\_  
CINTHIA BECTON

**ATTEST:**

  
MARGARET CONFREY

  
CARRIE E. WARD, CMC/AE  
CITY CLERK

  
WILLIAM H. BURRS  
CITY COUNCIL MEMBERS

ORDINANCE NO. 2781

-3-

	1 <sup>ST</sup> READING	2 <sup>ND</sup> & FINAL READING
MOTIONED BY:	<u>W. Burrs</u>	<u>L. Hurley</u>
SECONDED BY:	<u>H. Becton</u>	<u>W. Burrs</u>
M. MOFFITT	<u>aye</u>	<u>aye</u>
L. HURLEY	<u>          </u>	<u>aye</u>
C. BECTON	<u>aye</u>	<u>          </u>
M. CONFREY	<u>aye</u>	<u>aye</u>
W. BURRS	<u>aye</u>	<u>aye</u>

REVIEWED AS TO LEGAL SUFFICIENCY

By: *Pamela H. Rye*  
CITY ATTORNEY  
CITY OF RIVIERA BEACH, FLORIDA

Date: 06/23/98

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.

8/5/98  
Date

*Carrie E. Ward*  
Carrie E. Ward, CMC/AEE, City Clerk

ORDINANCE NO. 2782

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, FLORIDA, AMENDING SECTION 14-21, CHAPTER 14, ARTICLE II OF THE CODE OF ORDINANCES OF THE CITY OF RIVIERA BEACH RELATING TO THE RETIREMENT SYSTEM FOR GENERAL EMPLOYEES TO PROVIDE A UNIFORM METHOD FOR INCLUDING THE PAYMENTS FOR ACCRUED UNUSED VACATION AND SICK LEAVE IN A RETIRING MEMBER'S AVERAGE MONTHLY EARNINGS; PROVIDING FOR A REPEALER; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Administration Board of the General Employees Retirement System has recommended and approved a uniform maximum limit on the amount of accrued unused vacation and sick leave which can be included in a retiring employee's average monthly earnings for purposes of pension computation; and

**WHEREAS**, the 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 have a uniform method of considering accrued unused vacation and sick leave as part of a retiring employee's average monthly earnings;

**NOW, THEREFORE, THE CITY OF RIVIERA BEACH HEREBY ORDAINS:**

Section 1. That the above recitations are true and correct.

**Section 2.** That the definition of "Earnings" in Section 14-21 of Article II, Chapter 14 of the Riviera Beach Code is hereby amended by adding the following underlined words and deleting the following stricken-through words:

*Earnings means basic wages, excluding nonregular overtime, bonuses and any other nonregular payments. Basic wages includes salary, longevity and payments for earned, accrued and unused vacation, sick leave, and unreimbursed overtime, provided, no such payments made to an individual member shall be credited in excess of any limitations which may apply to the majority of members for credit for such payments. Basic wages shall not include severance pay, travel allowances or clothing allowances.*

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

**Section 4.** If any word, phrase, clause, subsection or sections of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not effect the validity of any remaining portions of this ordinance.

**Section 5.** Codification of this ordinance in the City Code of Ordinances is hereby authorized and directed.

**Section 6.** The provisions of this ordinance shall take effect immediately upon adoption.

ORDINANCE NO. 2782

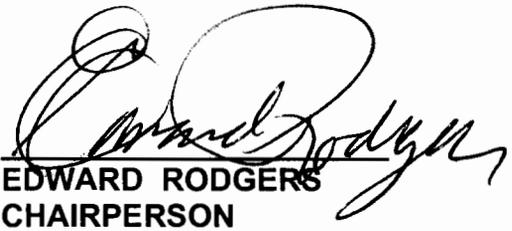
Page - 3 -

PASSED AND ADOPTED on first reading this 19 day of May, 1999.

PASSED AND ADOPTED on second and final reading this 19th day of May, 1999.

APPROVED:

  
MICHAEL D. BROWN  
MAYOR

  
EDWARD RODGERS  
CHAIRPERSON

(MUNICIPAL SEAL)

  
ELIZABETH WADE  
CHAIRPERSON PRO TEM

ATTEST:

  
CARRIE E. WARD, CMC/AE  
CITY CLERK

  
MARGE CALLAHAN

  
MARILYN MOFFITT

  
DONALD WILSON  
COUNCIL MEMBERS

Motioned by: \_\_\_\_\_  
Seconded by: \_\_\_\_\_

Motioned by: E. Wade  
Seconded by: D. Wilson

1<sup>ST</sup> READING

2<sup>ND</sup> & FINAL READING

E. RODGERS \_\_\_\_\_

\_\_\_\_\_ aye \_\_\_\_\_

E. WADE \_\_\_\_\_

\_\_\_\_\_ aye \_\_\_\_\_

M. CALLAHAN \_\_\_\_\_

\_\_\_\_\_ aye \_\_\_\_\_

M. MOFFITT \_\_\_\_\_

\_\_\_\_\_ aye \_\_\_\_\_

D. WILSON \_\_\_\_\_

\_\_\_\_\_ aye \_\_\_\_\_

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 each as required by the applicable Florida Statutes.

May 19 99  
Date \_\_\_\_\_

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

REVIEWED AS TO LEGAL SUFFICIENCY

Thomas H. Rye  
INTERIM CITY ATTORNEY  
CITY OF RIVIERA BEACH

DATE 5/14/99

ORDINANCE NO. 2783

**AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE VI, DIVISION 3, OF SECTION 2-100 OF THE CODE OF ORDINANCE OF RIVIERA BEACH, FLORIDA RELATING TO RATES OF PAY AND SALARY SCHEDULE BY REGRADING THE UNCLASSIFIED POSITION OF CITY CLERK UNDER CLASS TITLE, ADMINISTRATIVE GENERAL AND PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to the comprehensive pay and classification study presented by Cody & Associates, Inc. September, 1996 a new administrative salary schedule was recommended; and

**WHEREAS**, the City Clerk was adversely affected by the Cody Study and did not receive the 2% salary increase received by other administrators; retroactive to October 1, 1996; and

**WHEREAS**, the City Council wishes to remedy the inequity, and further directs that the position of the City Clerk be placed in the range to effect change.

**NOW THEREFORE BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA** that Section 2-100 of Article VI, of Chapter 2, Division 3 be amended as follows:

**SECTION 1.** That Section 2-100 of Chapter 2, of Article VI, Division 3 of the Code of Ordinances of Riviera Beach, relating to rates of pay and salary schedule by regrading the unclassified position of City Clerk under class title Administration General:

ORDINANCE NO. 2783  
PAGE 2.

FROM

CLASS TITLE	RANGE	CLASSIFICATION	SALARY
Administrative General	M-08	City Clerk	36,441-53,933

TO

CLASS TITLE	RANGE	CLASSIFICATION	SALARY
Administrative	M-10	City Clerk	\$44,094-67,320

**SECTION 2.** That this ordinance shall take effect upon its passage and adoption by the City Council.

**SECTION 3.** 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 Ordinance of the City of Riviera Beach, and the sections of this ordinance may be renumbered to accomplish such intentions.

**SECTION 4.** If any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not effect the validity of any remaining portions of this ordinance.

**SECTION 5.** That all sections or parts of sections of the Code of Ordinances of 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 6.** That this ordinance shall not be codified.

**SECTION 7.** That this ordinance shall be in full force and effective immediately upon its final passage and adoption.

**PASSED AND APPROVED ON FIRST READING THIS 2nd DAY OF September, 1998.**

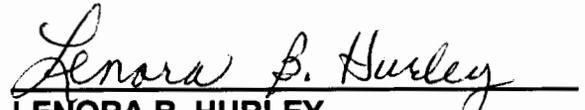
**PASSED AND ADOPTED ON SECOND READING THIS 16TH DAY OF SEPTEMBER, 1998.**

APPROVED:

  
CLARA K. WILLIAMS, MAYOR

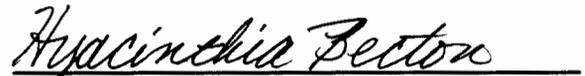
  
MARILYN MOFFITT, CHAIRPERSON

(MUNICIPAL SEAL)

  
LENORA B. HURLEY,  
CHAIR PRO TEM

ATTEST:

  
CARRIE E. WARD, CMC/AE  
CITY CLERK

  
HYACINTHIA BECTON,  
COUNCILPERSON

  
MARGE CONFREY,  
COUNCILPERSON

  
WILLIAM H. BURRS,  
COUNCILPERSON

1ST READING

MOTIONED BY: W. Burrs

SECONDED BY: H. Becton

2ND READING

MOTIONED BY: H. BECTON

SECONDED BY: L. HURLEY

ORDINANCE NO. 2783  
PAGE 4.

M. MOFFITT aye

M. MOFFITT aye

L. HURLEY aye

L. HURLEY aye

H. BECTON aye

H. BECTON aye

M. CONFREY aye

M. CONFREY aye

W. BURRS aye

W. BURRS aye

**CERTIFICATION OF PUBLICATION**

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

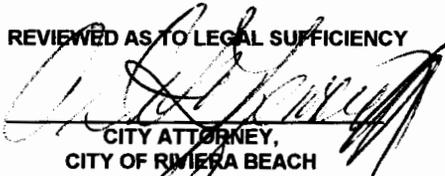
9/30/98

DATE



CARRIE E. WARD, CMC/AAE,  
CITY CLERK

REVIEWED AS TO LEGAL SUFFICIENCY



CITY ATTORNEY,  
CITY OF RIVIERA BEACH

DATE

8-27-98

ORDINANCE NO. 2784

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING SUBSECTION (C) OF SECTION 2-112 OF THE CODE OF ORDINANCES, AS IT RELATES TO "LIMITATIONS" ON THE ACCRUAL OF VACATION TIME BY PROVIDING FOR EXEMPTIONS TO THE LIMIT ON VACATION TIME, AS SET FORTH HEREINBELOW.

WHEREAS, the City Council recognizes that the loss of vacation time, as required under current ordinance provisions does not equitably address the needs of employees who are precluded from taking vacation time because of their official duties.

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

SECTION 1. That Section 2-112(c) is hereby amended to read as follows:

(c) Limitations.

\* \* \* \* \*

When the maximum accumulation is credited, annual vacation leave shall not begin to accumulate again until the employee has been charged with at least part of the annual vacation leave so accumulated. ~~No extension of annual vacation leave beyond this accumulation will be granted or credited.~~

The City may provide for the reinstatement of vacation time lost under the provisions of this section for employees where the City Council legislatively determines and finds the following:

1. The employee's loss of vacation time was required for the benefit of the City.

2. There were no other employees reasonably available to provide the services required.

ORDINANCE NO. 2784

3. The decision not to utilize vacation time was not at the sole discretion of the employee.

4. Adequate monetary resources are available to reinstate the vacation time lost without adversely impacting monies available for the operation of the City.

5. The employee has not been reprimanded or disciplined for misuse of vacation or sick time within the current fiscal year.

**SECTION 2.** It is the specific intent of the City Council that this ordinance be retroactively applied in order to reinstate 86 hours of vacation time lost by the City Clerk due to the City Clerk's required attention to the duties of that office, as it relates to the municipal election process.

**SECTION 3.** It is the intention of the City Council and it is hereby ordained that the provisions of this ordinance, except Section 2, shall become and be made a part of the Code of Ordinances of the City of Riviera Beach, and the sections of this ordinance may be renumbered to accomplish such intentions.

**SECTION 4.** 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 5.** That all sections or parts of sections of the Code or 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 6.** Specific authority is hereby granted to codify this Ordinance, with the exception of Section 2.

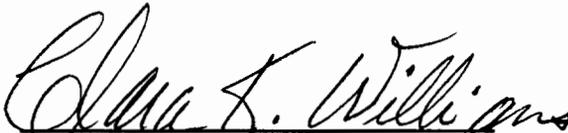
ORDINANCE NO. 2784

SECTION 7. That this ordinance shall be in full force and effect immediately upon its final passage and adoption.

PASSED and APPROVED on first reading this 2ND day of SEPTEMBER 1998.

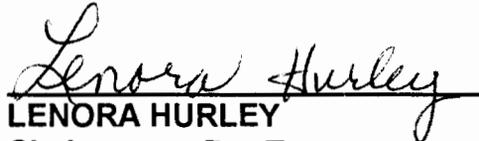
PASSED and ADOPTED on second and final reading this 16TH day of SEPTEMBER 1998.

APPROVED:

  
CLARA K. WILLIAMS  
Mayor

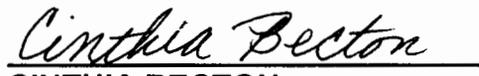
  
MARILYN MOFFITT  
Chairperson

(Municipal Seal)

  
LENORA HURLEY  
Chairperson Pro Tem

Attest:

  
CARRIE E. WARD  
City Clerk, CMC/AAE

  
CINTHIA BECTON

  
MARGARET CONFREY

  
WILLIAM H. BURRS  
Council Members

ORDINANCE NO. 2784

MOTIONED BY: W. BURRS  
SECONDED BY: L. HURLEY

MOTIONED BY: H. BECTON  
SECONDED BY: L. HURLEY

1st Reading

2nd & Final Reading

M. MOFFITT  
L. HURLEY  
C. BECTON  
M. CONFREY  
W. BURRS

AYE  
AYE  
AYE  
AYE  
AYE

AYE  
AYE  
AYE  
AYE  
AYE

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.

9/30/98  
Date

Carrie E. Ward  
Carrie E. Ward, CMC/AAE, City Clerk

REVENUE DEPARTMENT  
CITY ATTORNEY  
CITY OF RIVIERA BEACH  
DATE: 9/16/98

ORDINANCE NO. 2785

ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 2, "ADMINISTRATION" OF THE CODE OF ORDINANCES BY REVISING SECTION 2-136(a), RELATING TO EMPLOYMENT; PROVIDING FOR THE ELIMINATION OF PROVISIONAL EMPLOYMENT AND EXTENDING THE LENGTH OF TIME FOR TEMPORARY EMPLOYMENT; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

**WHEREAS**, provisional employment has caused some problems in the past;  
and

**WHEREAS**, this type of employment is not commonly utilized in other municipalities; and

**WHEREAS**, the City has proposed to delete this type of employment status in the Ordinance; and

**WHEREAS**, temporary employment has been established for six (6) months;  
and

**WHEREAS**, it is proposed to extend temporary employment from six (6) months to one (1) year, as indicated in the Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA:**

**AMENDING SECTION 2-136 OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES:**

**SECTION 1:** Paragraph (a) is amended to read as follows:

(a) *Regular, temporary, provisional, and part-time employment.* Employment in the city service shall be divided into categories of regular employment, ~~provisional employment~~, or temporary employment. Regular employment shall be defined as employment in the positions which has an expected duration of more than six months and after the satisfactory completion of

the probationary period following probationary appointment or promotion. Temporary employment shall be defined as employment in a position ~~with expected duration of not to exceed six months employment which has a duration of not more than one year or less. No extension of the duration of employment of temporary employment shall be allowed by the department head and/or city manager.~~ Provisional employment shall be defined as that employment due to the absence of an eligible list. Provisional employment may not exceed for more than three months nor more than 15 days following the establishment of the eligible list by the department of human resources, whichever is less in length of time. Part-time employment shall be defined as employment which requires a weekly work schedule of less than 40 hours. Part-time and temporary employees do not receive benefits assigned to those of regular and provisional employment.

**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 sections 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 invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

**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:** That this Ordinance shall be in full force and effective immediately upon its final passage and adoption.

**PASSED AND APPROVED** on first reading this 2nd day of September, 1998.

**PASSED AND ADOPTED** on second and final reading this 16TH day of SEPTEMBER, 1998.

APPROVED:

Clara K. Williams Marilyn P. Moffitt  
CLARA K. WILLIAMS, MAYOR      MARILYN MOFFITT, CHAIRPERSON

(MUNICIPAL SEAL)

Lenora Hurley  
LENORA HURLEY, CHAIR PRO TEM

Cynthia Becton  
CINTHIA BECTON

Marge Confrey  
MARGE CONFREY

ATTEST:

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

William H. Burrs  
WILLIAM BURRS  
COUNCIL MEMBERS

MOTION BY: L. Hurley

MOTION BY: H. BECTON

SECOND BY: H. Becton

SECOND BY: L. HURLEY

1<sup>ST</sup> READING      2<sup>ND</sup> & FINAL READING

C. BECTON	<u>aye</u>	<u>AYE</u>
W. BURRS	<u>nay</u>	<u>NAY</u>
M. CONFREY	<u>aye</u>	<u>AYE</u>
L. HURLEY	<u>nay</u>	<u>NAY</u>
M. MOFFITT	<u>aye</u>	<u>NAY</u>

ORDINANCE NO. 2785

PAGE 4

**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.

9/16/98  
Date

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

REVIEWED AS TO LEGAL SUFFICIENCY

[Signature]  
CITY ATTORNEY  
CITY OF RIVIERA BEACH

DATE: 8-21-98

ORDINANCE NO: 2786

**ORDINANCE OF THE CITY OF RIVIERA BEACH, FLORIDA, AMENDING CHAPTER 2, "ADMINISTRATION" OF THE CODE OF ORDINANCES BY REVISING SECTION 2-138(b); RELATING TO THE PROCEDURE FOR DISCHARGE, SUSPENSION AND DEMOTION OF EMPLOYEES; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE AND FOR OTHER PURPOSES.**

**WHEREAS**, the Civil Service Board felt that the standard was too high for the Board to make a decision during a Civil Service hearing in overturning the decision of the City Manager that there was absolutely no evidence to support the disciplinary action; and

**WHEREAS**, the Civil Service Board has requested the City to revise the standard for making a decision at an employee's Civil Service hearing; and

**WHEREAS**, the City has consented to the revision pursuant to this Ordinance.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, FLORIDA:**

**AMENDING SECTION 2-138 OF THE CITY OF RIVIERA BEACH CODE OF ORDINANCES:**

**SECTION 1:** Paragraph (b) is amended to read as follows:

(b) *Probationary period completed. ....*

Upon completion of the hearing, the hearing officer shall present the finding of facts and recommendation within 15 calendar days to the civil service board. The decision of the civil service board shall be final and binding on the employee, the city manager, and the legislative body unless an appeal is taken to civil court. The civil service board may only overturn the action of the city manager ~~where there is absolutely no evidence to support~~ upon a finding that the city manager's action is not supported by competent substantial evidence.

**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 sections 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 invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

**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:** That this Ordinance shall be in full force and effective immediately upon its final passage and adoption.

**PASSED AND APPROVED** on first reading this 2nd day of September, 1998.

**PASSED AND ADOPTED** on second and final reading this 16TH day of SEPTEMBER, 1998.

APPROVED:

Clara K. Williams  
CLARA K. WILLIAMS, MAYOR

(MUNICIPAL SEAL)

Marilyn P. Moffitt  
MARILYN MOFFITT, CHAIRPERSON

Lenora Hurley  
LENORA HURLEY, CHAIR PRO TEM

Cynthia Becton  
CINTHIA BECTON

Marge Confrey  
MARGE CONFREY

William H. Burrs  
WILLIAM BURRS  
COUNCIL MEMBERS

ORDINANCE NO. 2786  
PAGE 3

ATTEST:



CARRIE WARD, CMC/AAE  
CITY CLERK

MOTION BY: H. Becton

MOTION BY: H. BECTON

SECOND BY: L. Hurley

SECOND BY: L. HURLEY

	1 <sup>ST</sup> READING	2 <sup>ND</sup> & FINAL READING
C. BECTON	<u>aye</u>	<u>AYE</u>
W. BURRS	<u>aye</u>	<u>AYE</u>
M. CONFREY	<u>aye</u>	<u>AYE</u>
L. HURLEY	<u>aye</u>	<u>AYE</u>
M. MOFFITT	<u>aye</u>	<u>AYE</u>

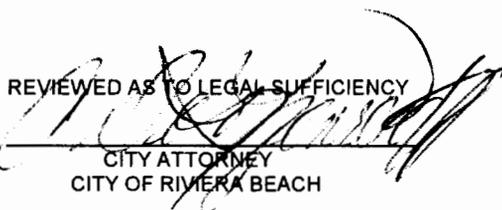
**CERTIFICATION OF PUBLICATION**

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.

9/16/98  
Date

  
Carrie E. Ward, CMC/AAE, City Clerk

REVIEWED AS TO LEGAL SUFFICIENCY

  
CITY ATTORNEY  
CITY OF RIVIERA BEACH

DATE: \_\_\_\_\_

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, 1998 AND ENDING SEPTEMBER 30, 1999; FIXING THE MILLAGE RATE THEREON FOR SAID YEAR; PROVIDING A SEVERABILITY CLAUSE AND 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 ONE**

That for the fiscal year beginning October 1, 1998 and ending September 30, 1999, 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, \$1,431,921,542. \*

**\* Subject to final approval of the County Equalization Board**

**SECTION TWO**

That for the fiscal year beginning October 1, 1998 and ending September 30, 1999, a tax of eight point <sup>seven nine nine seven</sup> ~~nine nine nine seven~~ (8.7997) mills, <sup>3.26%</sup> ~~3.25%~~ higher than the rolled back rate, 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 I hereof and valued in the amount of \$1,431,921,542 subject to final approval of the County Equalization Board.

**SECTION THREE**

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 FOUR**

The proposed millage of <sup>8.7997</sup>~~8.9997~~ represents a <sup>96%</sup>~~3.26 percent~~ increase over the rolled-back millage rate.

**SECTION FIVE**

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 SIX**

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 SEVEN**

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

PASSED AND APPROVED on first reading this 16<sup>TH</sup> day of SEPTEMBER, 1998.

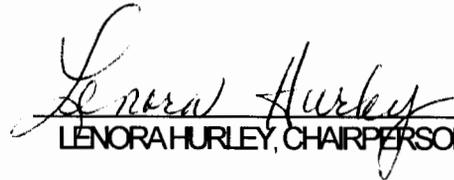
PASSED AND ADOPTED on second and final reading this 30 day of SEPTEMBER, 1998.

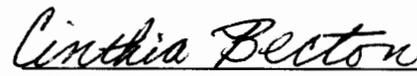
**APPROVED:**

  
CLARA K. WILLIAMS, MAYOR

  
MARILYN MOFFITT, CHAIRPERSON

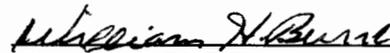
(MUNICIPAL SEAL)

  
LENORA HURLEY, CHAIRPERSON PROTEM

  
CINTHIA BECTON

  
MARGE CONFREY

  
CARRIE E. WARD, CMC/AE,  
CITY CLERK

  
WILLIAM BURRS  
COUNCIL PERSONS

ORDINANCE NO. 2787  
PAGE 4

MOTIONED BY: L. HURLEY

MOTIONED BY: H. BECTON

SECONDED BY: H. BECTON

SECONDED BY: M. CONFREY

	1 <sup>ST</sup> READING	2 <sup>ND</sup> & FINAL READING
C. BECTON	<u>NAY</u>	<u>AYE</u>
M. MOFFITT	<u>AYE</u>	<u>AYE</u>
M. CONFREY	<u>AYE</u>	<u>AYE</u>
L. HURLEY	<u>AYE</u>	<u>AYE</u>
W. BURRS	<u>AYE</u>	<u>AYE</u>

CERTIFICATE 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 Statute.

9/30/98  
DATE

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

REVIEWED AS TO LEGAL SUFFICIENCY

[Signature]  
CITY ATTORNEY  
CITY OF RIVIERA BEACH

DATE: 9/2/98

ORDINANCE NO. 2788

**AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, MAKING APPROPRIATIONS FOR FISCAL YEAR ENDING SEPTEMBER 30, 1999; PROVIDING A SEVERABILITY CLAUSE AND 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, 1998 and ending September 30, 1999, 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 1998-99 fiscal year so that the business of the municipality may be conducted on a balanced budget and on sound business principles and has also determined 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 1998-99.

DEPARTMENTS, DIVISIONS AND OFFICES

GENERAL FUND

APPROPRIATIONS

Legislative

\$ 150,055 155,005

ORDINANCE NO. 2788  
PAGE 2

Executive:

Office of the City Manager	360,997	360,598	
General Administration	<del>2,937,113</del>	<del>2,944,589</del>	2,756,025
Information Technology Services	<del>242,238</del>	242,169	
Civil Court	<del>80,749</del>	80,729	
Finance	804,384	804,010	
City Clerk	<del>334,594</del>	<del>334,470</del>	335,506
Human Resources	456,875	<del>466,716</del>	469,461
Legal	444,494	<del>444,385</del>	351,481
Community Development and Environmental Control	<del>4,224,185</del>	1,225,664	
Police	<del>7,517,568</del>	<del>7,484,984</del>	7,480,946
Fire	<del>4,896,999</del>	4,875,645	
Public Works	<del>4,947,090</del>	<del>4,950,730</del>	1,953,849
Recreation & Parks	<del>1,438,080</del>	1,432,941	
Library	<del>392,093</del>	391,988	
Purchasing	<del>250,163</del>	<del>250,054</del>	256,595
<b>TOTAL GENERAL FUND</b>	<b><del>\$23,444,677</del></b>		\$23,172,612

**ENTERPRISE FUND**

Water and Sewer	\$ 8,680,664
Water and Sewer Renewal and Replacement	476,137
Water and Sewer Construction	250,000
Water and Sewer Debt Service	1,432,903
Bond Construction Fund-Restricted	5,000,000
Marina	1,576,122
Marina Debt Service	630,622
Marina Renewal and Replacement	100,000
Refuse	75,000
<b>TOTAL ENTERPRISE FUNDS</b>	<b>\$ 18,221,448</b>

**OTHER FUNDS**

Sales Tax	\$ 1,880,000
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ORDINANCE NO. 2788  
 PAGE 3

Advance Police Training	2,000
Universal/Cops Fast Grant	525,087
Crime Prevention	2,100
Beach Renourishment	5,000
Police Contracts	126,087
Dare Program	3,800
Law Enforcement Trust	80,000
Paving and Drainage Construction	254,800
Street Improvement Program	1,000,000
Street Improvement Program Debt Service Fund	370,000
Capital Projects Fund	125,000
Lot Cleaning Fund	40,000
Liability Insurance Trust	3,610,000

**TOTAL OTHER FUNDS** **\$ 8,023,874**

**Section Two**

That the above appropriations are made based on the following anticipated sources of revenue for the 1998-99 fiscal year:

<u>GENERAL FUND</u>	<u>REVENUE</u>	
Taxes	<del>\$15,726,524</del>	15,454,456
Franchise Fees	1,803,642	
Other Fees, Licenses and Permits	1,213,050	
Grants and Other Government Shared Revenues	1,058,087	
Fines and Forfeitures	151,000	
Rents and Leases	86,200	
Other Revenues	465,000	
Interfund Transfers	2,941,177	
<b>TOTAL GENERAL FUND</b>	<b><del>\$23,444,677</del></b>	<b>23,172,612</b>

**ENTERPRISE FUNDS**

Water and Sewer	\$8,680,664
Water and Sewer Renewal and Replacement	476,137
Water and Sewer Construction	250,000
Water and Sewer Debt Service	1,432,903
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<b>TOTAL ENTERPRISE FUNDS</b>	<b>\$18,221,448</b>

**OTHER FUNDS**

Sales Tax	\$ 1,880,000
Advance Police Training	2,000
Universal/Cops Fast Grant	525,087
Crime Prevention	2,100
Beach Renourishment	5,000
Police Contracts	126,087
Dare Program	3,800
Law Enforcement Trust	80,000
Paving and Drainage Construction	254,800
Street Improvement Program	1,000,000
Street Improvement Program Debt Service Fund	370,000
Capital Improvement Fund	125,000
Lot Cleaning Fund	40,000
Liability Insurance Trust	3,610,000
<b>TOTAL OTHER FUNDS</b>	<b>\$ 8,023,874</b>

**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 1998-99, which shall be entitled "Annual Budget of the City of Riviera Beach, Fiscal Year October 1, 1998 through September 30, 1999".

**Section Five**

The Finance Director is authorized to increase these appropriations by amounts representing encumbrances properly budgeted for, and carried over from fiscal year 1997-98.

**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 Council or 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 first reading this 16TH day of SEPTEMBER, 1998.

**PASSED AND ADOPTED** on second and final reading this 30 day of September, 1998.

APPROVED:

Clara K. Williams  
CLARA K. WILLIAMS, MAYOR

Marilyn Moffitt  
MARILYN MOFFITT, CHAIRPERSON

(MUNICIPAL SEAL)

Lenora Hurley  
LENORA HURLEY, CHAIRPERSON PRO TEM

\_\_\_\_\_  
CINTHIA BECTON

Marge Confrey  
MARGE CONFREY

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

William Burrs  
WILLIAM BURRS

MOTIONED BY: H. Becton                      MOTIONED BY: W. Burrs  
SECONDED BY: W. Burrs                      SECONDED BY: M. Confrey

	1st Reading	2nd & Final Reading
C. BECTON	<u>aye</u>	<u>nay</u>
M. MOFFITT	<u>aye</u>	<u>aye</u>
M. CONFREY	<u>aye</u>	<u>aye</u>
L. HURLEY	<u>aye</u>	<u>nay</u>
W. BURRS	<u>aye</u>	<u>aye</u>

**CERTIFICATE 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 Statute.

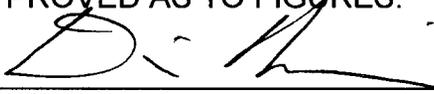
9/30/98  
Date

  
Carrie E. Ward, CMC/AEE, City Clerk

REVIEWED AS TO LEGAL SUFFICIENCY

  
\_\_\_\_\_  
CITY ATTORNEY  
CITY OF PALM BEACH  
9/4/98

APPROVED AS TO FIGURES:

  
\_\_\_\_\_  
Dennis Widlansky, Asst. City Manager  
for Finance & Administrative Services

ORDINANCE NO. 2789

**AN ORDINANCE OF THE CITY OF RIVIERA BEACH, FLORIDA, ESTABLISHING A MORATORIUM ON THE ISSUING OF PERMITS FOR THE SITING AND CONSTRUCTION OF FERROUS METAL AND CONSTRUCTION DEBRIS RECYCLING FACILITIES WITHIN THE CITY LIMITS FOR A 180-DAY PERIOD; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, no specific regulations exist to address issues relating to siting and construction of ferrous metal and construction debris recycling facilities; and

**WHEREAS**, the City Council of the City of Riviera Beach deems it advisable and in the interest of preservation of the health, safety, and welfare of the citizens of the City of Riviera Beach to promote the orderly growth of the City by adopting well-designed criteria for the siting and construction of ferrous metal and construction debris recycling facilities.

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

**SECTION 1.** No permit shall be issued for the siting, construction or reconstruction of any ferrous metal and construction debris recycling facility (equipment or structures) for a period of 180 calendar days from the adoption of this ordinance or final adoption of a ferrous metal and construction debris recycling facility siting and construction ordinance, whichever comes first.

**SECTION 2.** 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 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, be and the same are hereby repealed to extent of such conflict.

**SECTION 4.** This Ordinance shall be effective immediately upon adoption.

PASSED AND APPROVED on First Reading this 16TH day of SEPTEMBER, 1998.

PASSED AND ADOPTED on Second Reading this 7th day of October, 1998.

APPROVED:

Clara K. Williams  
CLARA K. WILLIAMS, MAYOR

[MUNICIPAL SEAL]

Marilyn P. Moffitt  
MARILYN MOFFITT, CHAIRPERSON

Lenora Hurley  
LENORA HURLEY, CHAIRPERSON PRO-TEM

Marge Confrey  
MARGE CONFREY

ATTEST:

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

Cynthia Becton  
CINTHIA BECTON

William H. Burrs  
WILLIAM BURRS  
COUNCIL MEMBERS

FIRST READING

SECOND AND FINAL READING

MOTIONED BY: \_\_\_\_\_

MOTIONED BY: M. Confrey

SECONDED BY: \_\_\_\_\_

SECONDED BY: L. Hurley

M. MOFFITT \_\_\_\_\_

M. MOFFITT aye

L. HURLEY \_\_\_\_\_

L. HURLEY aye

M. CONFREY \_\_\_\_\_

M. CONFREY aye

C. BECTON \_\_\_\_\_

C. BECTON aye

W. BURRS \_\_\_\_\_

W. BURRS aye

**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, CMC/AAE, City Clerk

REVIEWED AS TO LEGAL SUFFICIENCY



\_\_\_\_\_  
City Attorney  
City of Riviera Beach

Date 9/4/98

ORDINANCE NO. 2791

**AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE VI, DIVISION 3, OF SECTION 2-100 OF THE CODE OF ORDINANCE OF RIVIERA BEACH FLORIDA RELATING TO RATES OF PAY AND SALARY SCHEDULE BY EXTENDING THE PAY RANGE OF THE CLASSIFIED POSITIONS EQUIPMENT OPERATOR I AND WATER/SEWER SYSTEMS MECHANIC I UNDER CLASS TITLES PUBLIC WORKS SERVICE AND UTILITIES SERVICES RESPECTIVELY AND PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.**

**WHEREAS,** Cody & Associates completed a Comprehensive Pay and Classification Study for the City; and

**WHEREAS,** the City and National Conference of Firemen & Oilers (NCFO) which is the bargaining unit representing the General Employees, agreed to accept the recommendation of Cody & Associates by increasing the minimum of various pay grades and granting a two percent (2%) pay increase to those employees whose salary was not increased to the minimum; and

**WHEREAS,** the study included a change in the pay grade for Equipment Operator I and Water/Sewer Systems Mechanic I; and

**WHEREAS,** two (2) employees, each in one of the above classifications, were ineligible to receive the two percent (2%) increase as their pay was at the maximum of the new pay grade and they did not receive the two percent (2%); and

**WHEREAS,** the City Council wishes to remedy the inequity, and further directs that the two (2) employees be granted the two percent (2%) increase retroactive to October 1, 1996.

**NOW THEREFORE BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA** that Section 2-100 of Article VI, of Chapter 2, Division 3 be amended as follows:

**SECTION 1.** That Section 2-100 of Chapter 2, of Article VI, Division 3 of the Code of Ordinances of Riviera Beach, relating to rates of pay and salary schedule by extending the maximum for the pay grades of Equipment Operator I and Water/Sewer System Mechanic I as follows:

**FROM**

<b>CLASS TITLE</b>	<b>CLASSIFICATION</b>	<b>RANGE</b>	<b>SALARY</b>
Public Works Service	Equipment Operator I	G20	\$18,530-\$27,521
Utilities Services	Water/Sewer Systems Mechanic I	G23	\$19,866-\$29,529

**TO**

<b>CLASS TITLE</b>	<b>CLASSIFICATION</b>	<b>RANGE</b>	<b>SALARY</b>
Public Works Service	Equipment Operator I	G20	\$18,530-28,071
Utilities Services	Water/Sewer Systems Mechanic I	G23	\$19,866-30,120

**SECTION 2.** That this ordinance shall take effect upon its passage and adoption by the City Council.

**SECTION 3.** 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 Ordinance of the City of Riviera Beach, and the sections of this ordinance may be renumbered to accomplish such intentions.

**SECTION 4.** If any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not effect the validity of any remaining portions of this ordinance.

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**SECTION 5.** That all sections or parts of sections of the Code of Ordinances of 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 6.** That this ordinance shall not be codified.

**SECTION 7.** That this ordinance shall be in full force and effective immediately upon its final passage and adoption.

**PASSED AND APPROVED ON FIRST READING THIS** 7th **DAY OF**  
October, 1998.

**PASSED AND ADOPTED ON SECOND READING THIS** 21st **DAY OF**  
October, 1998.

APPROVED:

Clara K. Williams Marilyn B. Moffitt  
CLARA K. WILLIAMS, MAYOR      MARILYN MOFFITT, CHAIRPERSON

(MUNICIPAL SEAL)

Lenora B. Hurley  
LENORA B. HURLEY  
CHAIRPERSON PRO TEM

ATTEST:

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

Hyacinthia Becton  
HYACINTHIA BECTON  
COUNCILPERSON

Marge Callahan Confrey  
MARGE CONFREY  
COUNCILPERSON

REVIEWED FOR LEGAL SUFFICIENCY

William H. Burrs  
CITY ATTORNEY

CITY OF RIVERA BEACH

William H. Burrs  
WILLIAM H. BURRS  
COUNCILPERSON

DATE: 9-30-98

ORDINANCE NO. 2791  
PAGE 4

1<sup>ST</sup> READING

MOTIONED BY: M. Confrey

SECONDED BY: W. Burrs

M. MOFFITT aye  
L. HURLEY aye  
H. BECTON nay  
M. CONFREY aye  
W. BURRS aye

2<sup>ND</sup> READING

MOTIONED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

M. MOFFITT aye  
L. HURLEY aye  
H. BECTON aye  
M. CONFREY aye  
W. BURRS aye

CERTIFICATION OF PUBLICATION

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

10/7/98  
DATE

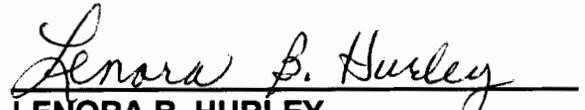
  
CARRIE E. WARD, CMCC/AE  
CITY CLERK

APPROVED:

  
CLARA K. WILLIAMS, MAYOR

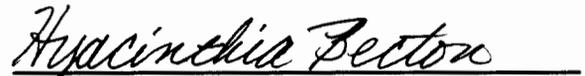
  
MARILYN MOFFITT, CHAIRPERSON

(MUNICIPAL SEAL)

  
LENORA B. HURLEY,  
CHAIR PRO TEM

ATTEST:

  
CARRIE E. WARD, CMC/AE  
CITY CLERK

  
HYACINTHIA BECTON,  
COUNCILPERSON

  
MARGE CONFREY,  
COUNCILPERSON

  
WILLIAM H. BURRS,  
COUNCILPERSON

1ST READING

MOTIONED BY: W. Burrs

SECONDED BY: H. Becton

2ND READING

MOTIONED BY: H. BECTON

SECONDED BY: L. HURLEY

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PAGE 4.

M. MOFFITT aye

M. MOFFITT aye

L. HURLEY aye

L. HURLEY aye

H. BECTON aye

H. BECTON aye

M. CONFREY aye

M. CONFREY aye

W. BURRS aye

W. BURRS aye

CERTIFICATION OF PUBLICATION

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

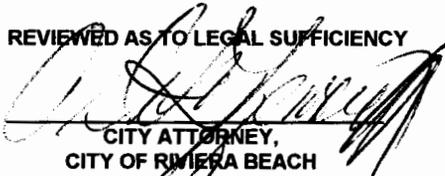
9/30/98

DATE



CARRIE E. WARD, CMC/AAE,  
CITY CLERK

REVIEWED AS TO LEGAL SUFFICIENCY

  
CITY ATTORNEY,  
CITY OF RIVIERA BEACH

DATE

8-27-98