



**REGULAR CITY COUNCIL MEETING
AGENDA**

MUNICIPAL COMPLEX COUNCIL CHAMBERS
600 WEST BLUE HERON BOULEVARD
RIVIERA BEACH, FL 33404

APRIL 7, 2010

6:30 PM

NOTICE

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS IN NEED OF A SPECIAL ACCOMMODATION TO PARTICIPATE IN THE PROCEEDINGS SHALL CONTACT THE LEGISLATIVE ASSISTANT AT 561-845-4095 NO LATER THAN 96 HOURS PRIOR TO THE PROCEEDINGS. IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICES 1-800-955-8771 (TDD) OR 1-800-8770 (VOICE) FOR ASSISTANCE.

**MAYOR:
THOMAS A. MASTERS**

**COUNCILPERSONS:
BILLIE E. BROOKS – DISTRICT 1
JUDY L. DAVIS – DISTRICT 2
CEDRICK A. THOMAS – DISTRICT 3
DAWN S. PARDO – DISTRICT 4
SHELBY L. LOWE – DISTRICT 5**

**ADMINISTRATION:
RUTH JONES, CITY MANAGER
CARRIE E. WARD, MMC, CITY CLERK
PAMALA H. RYAN, CITY ATTORNEY**

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the City Council with respect to any matter considered at this meeting, such interested person, at own expense, 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, pursuant to F.S. 286.0105.

ANY PERSON WHO WOULD LIKE TO SPEAK ON AN AGENDA ITEM (NON-CONSENT ITEMS ONLY), PLEASE FILL OUT A PINK PUBLIC COMMENT CARD LOCATED IN THE BACK OF THE COUNCIL CHAMBERS AND GIVE IT TO THE LEGISLATIVE ASSISTANT PRIOR TO THE BEGINNING OF THE MEETING. IN NO EVENT WILL ANYONE BE ALLOWED TO SPEAK ON AN AGENDA ITEM AFTER THE RESOLUTION IS READ OR ITEM CONSIDERED.

**RIVIERA BEACH CANVASSING BOARD MEETING CONVENES AT 6:00
PM**

I. CITY CLERK CALLS TO ORDER THE CANVASSING BOARD MEETING FOR THE MARCH 9TH MUNICIPAL GENERAL ELECTIONS AND THE AND MARCH 23RD RUN-OFF FOR THE SPECIAL ELECTIONS ; AND THE MARCH 25TH RECOUNT.

1) Roll Call

City Clerk Carrie E. Ward

Councilperson Billie E. Brooks

Councilperson Shelby L. Lowe

2) Invocation

3) Pledge of Allegiance

City Clerk Ward read the below resolutions in entirety into the record:

4) RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA DECLARING THE RESULTS OF THE RECOUNT FOR THE MARCH 23rd MUNICIPAL RUN-OFF IN THE SPECIAL ELECTIONS; NAMING THE RECIPIENT IN THE CITY COUNCIL DISTRICT 3 SEAT; AND DEFINING THE TERM IN OFFICE; AND PROVIDING AN EFFECTIVE DATE.

5) RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA NAMING THE RECIPIENT IN CITY COUNCIL DISTRICT 4 SEAT AS A RESULT OF NO OPPOSITION AT THE CULMINATION OF QUALIFYING PERIOD, NOON, FEBRUARY 9TH; AND DEFINING THE TERM IN OFFICE; AND PROVIDING AN EFFECTIVE DATE.

- 6) RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA DECLARING THE RESULTS OF THE MARCH 9TH MUNICIPAL GENERAL ELECTIONS AND THE MARCH 23RD MUNICIPAL RUN-OFF IN THE SPECIAL ELECTIONS; AND NAMING THE RECIPIENTS IN CITY COUNCIL DISTRICT 2 SEAT; CITY COUNCIL DISTRICT 3 SEAT; AND CITY COUNCIL DISTRICT 4 SEAT RESPECTIVELY; AND DEFINING THE TERMS IN OFFICE; AND PROVIDING AN EFFECTIVE DATE.

Comments

The Riviera Beach Canvassing Board accepts the results of the March 9th and March 23rd Municipal General Elections; and the March 25th Recount.

ADJOURNMENT sine die

The 6:30 PM Regular City Council Meeting

I. CITY CLERK CALL TO ORDER

Roll Call

Invocation

Pledge of Allegiance

II. CITY CLERK SWEARS IN BY ADMINISTERING THE OATH OF OFFICE TO THE NEWLY ELECTED COUNCILPERSONS BY DISTRICT; & PRESENTS EACH OFFICE WITH AN ELECTION CERTIFICATE; THE CURRENT RIVIERA BEACH CODE OF ORDINANCES, WITH THE CITY CHARTER; THE GUIDE TO THE SUNSHINE AMENDMENT AND CODE OF ETHICS FOR PUBLIC OFFICERS; & THE FLORIDA MUNICIPAL OFFICIAL'S MANUAL TO:

- 1) City Council District 2
- 2) City Council District 3
- 3) City Council District 4

SEATING OF THE NEWLY ELECTED COUNCIL

III. CITY CLERK REQUESTS A MOTION OR NOMINATIONS FOR THE CITYCOUNCIL CHAIR

IV. NEWLY ELECTED CITY COUNCIL CHAIR REQUESTS A MOTION OR NOMINATIONS FOR CITY COUNCIL CHAIR PRO-TEM

NEWLY ELECTED CITY COUNCIL CHAIR PRESIDES

V. MAYOR AND CITY COUNCIL COMMENTS AND REMARKS

VI. SPECIAL PUBLIC COMMENTS

VII. AGENDA Approval:

Additions, Deletions, Substitutions

Disclosure By Council

(If any Council Member has anything to disclose regarding any item on the Agenda, please do so at this time)

Adoption of Agenda

VIII. CONSENT AGENDA:

ALL MATTERS LISTED UNDER THIS ITEM ARE CONSIDERED TO BE ROUTINE AND ACTION WILL BE TAKEN BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCILPERSON SO REQUESTS, IN WHICH EVENT, THE ITEM WILL BE REMOVED FROM THE GENERAL ORDER OF BUSINESS AND CONSIDERED IN ITS NORMAL SEQUENCE ON THE AGENDA.

MINUTES:

1. MINUTES FROM THE REGULAR CITY COUNCIL MEETING HELD MARCH 3, 2010.

RESOLUTIONS:

2. RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH DR. SCOTT MCFARLAND/TEAM HEALTH SOUTHEAST FOR THE PROVISION OF MEDICAL DIRECTOR SERVICES FOR THE CITY'S PARAMEDICS, EMT'S AND LIFEGUARDS; AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT IN THE AMOUNT OF \$2,000 PER MONTH; AND PROVIDING AN EFFECTIVE DATE.
3. RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE SUBMISSION OF THE GRANT APPLICATION TO PARTICIPATE IN THE

FLORIDA DEPARTMENT OF EDUCATION SUMMER FOOD SERVICE PROGRAM COMMENCING JUNE 7, 2010 THROUGH AUGUST 13, 2010; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY OF RIVIERA BEACH; AND AUTHORIZING THE FINANCE DIRECTOR TO SET UP A BUDGET IN THE AMOUNT OF \$38,127 IN THE SUMMER FOOD GRANT FUND (137); APPROVAL FOR STAFF TO PIGGYBACK OFF PALM BEACH COUNTY'S VENDOR TO SUPPLY MEALS FOR THE SUMMER FOOD SERVICE PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

4. RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AWARDING THE BID FOR LITTLE BLUE HERON BRIDGE LIGHTING TO TORRES ELECTRICAL SUPPLY COMPANY IN THE AMOUNT OF \$125,708.41; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE CONTRACT; AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT FOR SAME FOR ACCOUNT NO. 310-0716-541-1-6355; AND PROVIDING AN EFFECTIVE DATE.

END OF CONSENT AGENDA

IX. PETITIONS AND COMMUNICATIONS FOR FILING:

X. AWARDS AND PRESENTATIONS:

5. PRESENTATION TO INTRODUCE THE NEW RIVIERA BEACH LIBRARY CARD.
6. PROCLAMATION PROCLAIMING APRIL, 2010 AS LIBRARY APPRECIATION MONTH.
7. PRESENTATION OF A CITY COUNCIL AWARD BY COUNCILMAN SHELBY L. LOWE TO DERRICK McCRAY, OWNER OF McCRAY'S II BACKYARD BBQ.

XI. PUBLIC HEARINGS:

ORDINANCES ON SECOND READING:

8. ORDINANCE NO. 3076 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 31 OF THE CODE OF ORDINANCES ENTITLED, "ZONING" BY AMENDING ARTICLE VI ENTITLED, "SUPPLEMENTAL DISTRICT REGULATIONS" BY INCLUDING A NEW SECTION ENTITLED, "RESIDENTIAL DOCKS"; PROVIDING FOR SEVERABILITY, CODIFICATION AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.
9. ORDINANCE NO. 3077 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, CREATING SECTION 31-63 ENTITLED, "EXPEDITED PERMITTING" TO PROVIDE FOR AN EXPEDITED PERMITTING PROGRAM FOR QUALIFIED DEVELOPMENT PROJECTS; PROVIDING FOR SEVERABILITY, CODIFICATION AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.
10. ORDINANCE NO. 3078 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 10 OF THE CITY'S CODE OF ORDINANCES ENTITLED, "LICENSES AND BUSINESS REGULATIONS", BY CREATING A NEW ARTICLE VII ENTITLED, "CERTIFICATE OF USE"; PROVIDING FOR SEVERABILITY, CONFLICTS, AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

ORDINANCES ON FIRST READING:

11. ORDINANCE NO. ____ AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, GRANTING TO FLORIDA POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS AN ELECTRIC FRANCHISE; IMPOSING PROVISIONS AND CONDITIONS RELATING THERETO; PROVIDING FOR MONTHLY PAYMENTS TO THE CITY OF RIVIERA BEACH; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS, AND CODIFICATION, AND PROVIDING AN EFFECTIVE DATE.

RESOLUTIONS:

12. RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ADOPTING FEES TO

IMPLEMENT THE CERTIFICATE OF USE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

COMMENTS FROM THE PUBLIC – 8:00 PM*¹ – Non Agenda or Consent Item Speakers (Three Minute Limitation)

Please be reminded that the City Council has adopted a set of "Rules of Decorum Governing Public Conduct during Official Meetings", which has been posted at the entrance of the Council Chambers. In an effort to preserve order, if any of the rules are not adhered to, the Council Chair may have any disruptive speaker removed from the podium from the meeting and/or the building, if necessary. Please govern yourselves accordingly.

¹Public Comments shall begin at 8:00 PM unless there is no further business of the City Council, which in that event, it shall begin sooner. In addition; however, if an item is being considered at 8:00 PM, then public comments shall begin immediately after the item has been concluded.

XII. REGULAR:

13. RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A THREE (3) YEAR AGREEMENT TO PROVIDE POLICE SERVICES TO THE MARSH HARBOUR COMMUNITY DEVELOPMENT DISTRICT; COMMENCING APRIL 8, 2010 TO APRIL 8, 2013; AND AUTHORIZING THE FINANCE DIRECTOR TO ACCEPT QUARTERLY PAYMENTS IN THE AMOUNT OF \$22,500.87; AND PROVIDING AN EFFECTIVE DATE.

14. RESOLUTION NO. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, FOR PARTICIPATION IN AN ON-THE-JOB TRAINING PROGRAM SPONSORED BY THE DIVISION OF VOCATIONAL REHABILITATION THROUGH THE DEPARTMENT OF EDUCATION; AND PROVIDING AN EFFECTIVE DATE.

XIII. BOARD APPOINTMENT(S):

XIV. DISCUSSION BY THE CITY MANAGER:

XV. LEGAL DISCUSSION/REQUEST:

XVI. DISCUSSION AND RECOMMENDATIONS BY CITY COUNCIL:

ADJOURNMENT