



Regular City Council Meeting

Agenda

Marina Event Center - 190 E. 13th Street, Riviera Beach, FL 33404

May 17, 2023

6:00 PM

Be advised, that the meeting location is subject to change. The public is encouraged to visit the City's website, www.rivierabch.com , for up to date information on meeting location and information.

Mayor

Ronnie L. Felder

Chairperson

Douglas A. Lawson - District 5

Chair Pro-Tem

Shirley D. Lanier - District 3

Councilpersons

Tradrick McCoy - District 1

KaShamba Miller-Anderson - District 2

Julia A. Botel - District 4

Administration

Jonathan Evans, City Manager

Tawanna Smith, Interim City Clerk

Dawn S. Wynn, City Attorney

ADA Notice

This meeting is open to the Public. 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 Office of the City Clerk at 561-845-4090 no later than 2 days (48 hours) prior to the proceedings.

To request material in accessible format, sign language interpreters, hearing impaired accommodation, or any accommodation to review any document or participate in these proceedings, please contact the Florida Relay Services 1-800- 955-8771 (TDD) or 1-800-955-8770 (voice) for assistance.

Public Comments Information

If anyone wants to speak on an agenda item, please complete a public comment card located at the front desk and give it to the City Clerk staff before the City Council takes up the item for discussion and before the public comments section is announced. In no event will anyone be allowed to submit a comment card to speak on an agenda item after the title of the item is read or considered.

Consent Agenda: Total time allotted for comment on the Consent Agenda to each member of the public is three (3) minutes.

Regular Agenda: Members of the public will be given three (3) minutes to speak on any regular agenda item.

Please note that the time limit for public comment may be reduced by a vote of the City Council based on the voluminous nature of public comment cards.

Civility and Decorum: Please be reminded that the City of Riviera Beach is committed to civility and decorum by its officials, employees, and members of the public who attend this meeting. The City Council has adopted "Rules of Decorum Governing Public Conduct during Official Meetings", which provides in pertinent part:

- Officials shall be recognized by the Chair and shall not interrupt a speaker.
 - Public comment shall be addressed to the City Council as a whole and not to any individual on the dais or in the audience.
 - Displays of anger, rudeness, ridicule, impatience, lack of respect and personal attacks are strictly prohibited.
 - Unauthorized remarks from the audience, stamping of feet, clapping, whistles, yells and similar demonstrations shall not be permitted.
 - Offenders may be removed from the meeting.
 - Please mute or turn off cell phone at the start of the meeting. Failure to do so may result in being barred from the meeting.
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Lobbying - Ordinance 4001 - Adopted September 2011

Lobbyist registration and reporting forms are available for you online and in print. Forms can be obtained in the Office of the City Clerk and Council Chambers. Registration and reporting forms shall be submitted to the Office of the City Clerk.

CALL TO ORDER

Roll Call

Invocation

Pledge of Allegiance

AGENDA APPROVAL

Additions, Deletions, Substitutions

Disclosures

Adoption of Agenda

Comments From the Public on Consent Agenda (Three Minutes Limitation)

CONSENT AGENDA

Routine City Council Business. The Consent Agenda is approved by a single majority vote. Item(s) may be removed for open discussion at the request of the mayor or any city council member.

1. Minutes

1.a Minutes of the Regular City Council Meeting held on Wednesday, April 19, 2023.

Tawanna Smith, Interim City Clerk, 561-845-4090

Staff recommends a Motion to approve the Minutes of the April 19, 2023, City Council Meeting.

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[April 19, 2023 Regular City Council Meeting Minutes.docx](#)

2. Board Appointments

3. Resolutions on Consent

3.a Resolution Number 078-23: A Resolution of the City Council of the City of Riviera Beach, Florida Appointing Attorney Natalie Moore as Special Magistrate for Code Enforcement Hearings, Unsafe Building Hearings and for other City Hearings; Authorizing the Mayor and City Clerk to execute the Legal Services Agreement for the same; providing for severability; and providing an effective date.

Dawn Wynn, City Attorney, 561-845-4069

Staff recommends a Motion to approve Resolution Number 078-23.

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[Legal_Services_Agreement_Special_Magistrate-_Natalie_Moore-May_2023.pdf](#)
[Resolution_Appointing_Natalie_Moore-_Special_Master_2023.pdf](#)

- 3.b **Resolution Number 072-23: A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, authorizing the sale and transfer of retired K-9 Police Dog “Perez” in the amount of \$1.00 and authorizing the Mayor and City Clerk to execute the Bill of Sale; and providing an effective date.**

Michael A. Coleman, Chief of Police, 561-845-4130

Staff recommends a Motion to approve Resolution Number 072-23.

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[RESOLUTION_072-23_-_Retirement of K9 Police Dog Perez 4-24-23.doc](#)
[K9 BILL OF SALE - Perez 4-24-2023.docx](#)

- 3.c **Resolution Number 74-23: A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, authorizing the submission of a grant application to the United States Forest Service, Urban Forestry Program, for citywide forestry improvements; authorizing the City Manager to execute said application; and providing an effective date.**

Richard Blankenship, Parks and Recreation Director, 561-845-3411

Staff recommends a Motion to approve Resolution Number 74-23.

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[RES.74-23CWforrestrygrant.doc](#)
[Urban Forestry Potential Projects.docx](#)

END OF CONSENT AGENDA

4. Unfinished Business

5. Petitions and Communications for Filing

6. Awards and Presentations

- 6.a **Discussion regarding respective property lines bordering the Lake Worth Lagoon.**

Dawn Wynn, City Attorney, 561-845-4069

Staff recommends acceptance of this Presentation.

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6.b Proclamation declaring the month of May, as Mental Health Awareness Month.

Douglas Lawson, Chairperson-District Five, 561-845-4095

Staff recommends acceptance of the Proclamation as presented.

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[Proclamation -Mental Health Awareness Month.docx](#)

6.c Proclamation declaring June 9, 2023, as World Oceans Day in the City of Riviera Beach.

Dr. Julia Botel, Councilperson-District Two, 561-845-4095

Staff recommends acceptance of the Proclamation as presented.

[Proclamation -World Oceans Day 2023.docx](#)

6.d Proclamation declaring May 20, 2023, as Emancipation Day in the City of Riviera Beach.

Shirley Lanier, Councilperson-District Three, 561-845-4095

Staff recommends acceptance of the Proclamation as presented.

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[Proclamation on Emancipation Day.docx](#)

6.e Proclamation declaring April 30 through May 6, 2023, as Municipal Clerk's Week.

Tawanna Smith, City Clerk , 561-845-4090

Staff recommends acceptance of the Proclamation as presented.

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[PROCLAMATION.docx](#)

6.f Proclamation declaring the month of May, as Jewish American Heritage Month.

Dr. Julia Botel, Councilperson-District Four, 561-845-4095

Staff recommends acceptance of the Proclamation as presented.

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[Proclamation Jewish American Heritage 2023.docx](#)

7. Public Hearings

8. Ordinances on Second and Final Reading

- 8.a **Ordinance Number 4229: An Ordinance of the City of Riviera Beach, Palm Beach County, Florida, approving a request from the Riviera Beach Community Redevelopment Agency (CRA) and the Riviera Beach Community Development Corporation (CDC) requesting the abandonment of an existing 15-foot by 75-foot alleyway (Approximately +/- 1,125 Square Feet in Area) that bisects the properties located at 130 West 11th Street and 120 West 11th Street in Riviera Beach, Florida (“attachment a”); and providing for an effective date for other purposes.**

Clarence Sirmons, Director of Development Services, AICP, 561-845-4062

Staff recommends a Motion to approve Ordinance Number 4229.

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[Ordinance_Villa_L_Onz_Abandonement.docx](#)

[Villa L'Onze PZB Staff Report to City Council.docx](#)

[Full Submittal Packet & Backup Documents](#)

[Palm Beach Post Ad](#)

9. Ordinances on First Reading

- 9.a **Ordinance Number 4230: 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”; creating section 31-9, entitled Reasonable Accommodation Procedures; providing for severability and conflicts and; providing an effective date.**

Clarence Sirmons, Director of Development Services, AICP, 561-845-4062

Staff recommends a Motion to approve Ordinance Number 4230.

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[Reasonable_Accommodation_Ordinance_Final2.docx](#)

[P&Z Staff Report - Reasonable Accommodation Ordinance.docx.pdf](#)

[Order_Confirmation_Liners - 2023-05-05T135059.934.pdf](#)

COMMENTS FROM THE PUBLIC - 7:30 PM Non-Agenda Item Speakers (Three-Minute Limitation)

Public Comments shall begin at 7:30 PM unless there is no further business of the City Council, which in that event, it shall begin sooner. In addition, if an item is being considered at 7:30 PM, then comments from the public shall begin immediately after the item has been concluded.

10. Items Tabled

REGULAR AGENDA

11. Resolutions on Regular Agenda

- 11.a **Resolution Number 064-23: A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, approving a site plan request from the Riviera Beach Community Redevelopment Agency (CRA) and the Riviera Beach Community Development Corporation (CDC); to construct twelve (12) two and three-story affordable housing townhomes within two buildings with associated amenities, on approximately 0.51 acres of land (+/- 22,156 Square Feet); located at 130 W. 11th Street, 120 W. 11th Street, and 1101 Avenue 'E'; providing for Conditions of approval, providing for an effective date and for other purposes.**

Clarence Sirmons, Director of Development Services, AICP, 561-845-4062

Staff recommends a Motion to approve Resolution Number 064-23.

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[Villa L'Onze PZB Staff Report to City Council.docx](#)

[Full Submittal Packet & Backup Materials](#)

[Site Plan](#)

[Landscape Plans](#)

[Architectural Plans](#)

[Order_Confirmation_Liners - 2023-05-05T140132.881.pdf](#)

[Resolution_Villa_L_Onz_Site_Plan FINAL.docx](#)

- 11.b **Resolution Number 068-23: A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, approving amendments to the City's adopted Five-Year Capital Projects Plan for fiscal years 2022/2023 through 2026/2027, authorizing the budget for project 23076 – Police Station to be added in the amount of \$35,000,000 and authorizing the project funding source for same to be amended to capital financing, and providing an effective date.**

Randy M. Sherman, Director of Finance and Administrative Services, CPA, CGFO, CTP, (561) 845-4045

Staff recommends a Motion to approve Resolution Number 068-23.

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[Resolution 068-23.docx](#)

- 11.c **Resolution Number 069-23: A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, approving amendments to the City's adopted Five-Year Capital Projects Plan for fiscal years 2022/2023 through 2026/2027, authorizing the budget for project 23077 – Inlet Grove**

Sports Complex to be added in the amount of \$45,000,000 and authorizing the project funding source for same to be amended to capital financing, and providing an effective date.

Randy M. Sherman, Director of Finance and Administrative Services, CPA, CGFO, CTP, (561) 845-4045

Staff recommends a Motion to approve Resolution Number 069-23.

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[Resolution 069.23.docx](#)

[Inlet Grove High School_Park Program Plan.pdf](#)

- 11.d **Resolution Number 26-23: A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, providing for the issuance of not to exceed \$35,000,000 aggregate principal amount of City of Riviera Beach, Florida, General Obligation Bonds for the principal purpose of financing or reimbursing, all or in part, together with other legally available funds, the cost of acquiring, constructing, equipping and improving a new Public Safety (police) facility as more fully described herein, and subject to the bond referendum herein provided for and subsequent proceedings of the City Council the City, such bonds to be payable from the full faith and credit and unlimited ad valorem taxing power of the City; providing for and calling a bond referendum of the qualified electors of the City to be held on March 12, 2024; providing for official ballots; providing for bond referendum procedures; providing for other matters and general authorizations in connection with the forgoing; providing for severability, repealing clauses and an effective date.**

Randy M. Sherman, Director of Finance and Administrative Services, CPA, CGFO, CTP, (561) 845-4045

Staff recommends a Motion to approve Resolution Number 26-23.

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[Resolution_26-23.DOC](#)

[Florida Statutes 100.201-100.3605.pdf](#)

- 11.e **Resolution Number 27-23: A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, providing for the issuance of not to exceed \$45,000,000 aggregate principal amount of City of Riviera Beach, Florida, General Obligation Bonds for the principal purpose of financing or reimbursing, all or in part, together with other legally available funds, the cost of acquiring, constructing, equipping, renovating, replacing and improving certain parks, recreation and leisure facilities, as more fully described herein, and subject to the bond referendum herein provided for and subsequent proceedings of the City Council the City, such bonds to be payable from the full faith and credit and unlimited ad valorem taxing**

power of the City; providing for and calling a bond referendum of the qualified electors of the City to be held on March 12, 2024; providing for official ballots; providing for bond referendum procedures; providing for other matters and general authorizations in connection with the foregoing; providing for severability, repealing clauses and an effective date.

Randy M. Sherman, Director of Finance and Administrative Services, CPA, CGFO, CTP, (561) 845-4045

Staff recommends a Motion to approve Resolution Number 27-23.

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[Resolution_27-23.DOC](#)

[Florida Statutes 100.201-100.3605.pdf](#)

- 11.f **Resolution Number 070-23: A Resolution of the City of Riviera Beach, Palm Beach County, Florida, authorizing and directing the Director of Finance and Administrative Services to proceed toward the issuance of the City's general obligation bonds, or other debt obligations, in one or more series, as approved by the electorate of the City or in accordance with the City's Debt Management Policy, to finance the acquisition, construction, development or equipping of a police station in the City; declaring the official intent of the City to reimburse itself for certain capital expenditures of such acquisition, construction, development or equipping by incurring debt; authorizing the Officials of the City to do all things necessary or advisable in connection therewith; and providing and effective date.**

Randy M. Sherman, Director of Finance and Administrative Services, CPA, CGFO, CTP, (561) 845-4045

Staff recommends a Motion to approve Resolution Number 070-23.

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[Resolution_070-23.doc](#)

[1.k Debt Management Policy 2020 02 19 Res 21-20.pdf](#)

- 11.g **Resolution Number 071-23: A Resolution of the City of Riviera Beach, Palm Beach County, Florida, authorizing and directing the Director of Finance and Administrative Services to proceed toward the issuance of the City's general obligation bonds, or other debt obligations, in one or more series, as approved by the electorate of the City or in accordance with the City's Debt Management Policy, to finance the acquisition, construction, development or equipping the Inlet Grove Sports Complex in the City; declaring the official intent of the City to reimburse itself for certain capital expenditures of such acquisition, construction, development or equipping by incurring debt; authorizing the Officials of the City to do all things necessary or advisable in connection therewith; and providing and effective date.**

Randy M. Sherman, Director of Finance and Administrative Services, CPA,
CGFO, CTP, (561) 845-4045

Staff recommends a Motion to approve Resolution Number 071-23.

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[Resolution 071-23 .doc](#)

[1.k Debt Management Policy 2020 02 19 Res 21-20.pdf](#)

- 11.h **Resolution Number 079-23: A Resolution of the City Council of the City of Riviera Beach, Palm Beach County, Florida, approving site plan application (SP-20-23) and special exception application (SE-20-02) from Pointe West Riviera Beach, Inc., to amend the Triangle Commerce Center Master Plan in order to construct a gas station consisting of a 5,411 sf convenience store and outdoor seating area with 22 fuel pumps, on 2.8-acre parcels of land, located on the northwest corner of the intersection of Beeline Highway and North Military Trail, identified by parcel control numbers 56-42-42-25-41-000-0060 and 56-42-42-25-41-000-0050. Having a commercial (COM) future land use designation and a general commercial (CG) zoning designation, providing for conditions of approval, and providing for an effective date.**

Clarence Sirmons, Director of Development Services, AICP, 561-845-4062

Staff recommends a Motion to deny Resolution Number 079-23 and to adopt the Findings of Fact as included in the staff report.

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[Resolution_Racetrac_Site_Plan_FINAL.docx](#)

[Racetrac City Council Staff Report.pdf](#)

[Site Plan](#)

[Landscape Plan](#)

[Full Submittal Packet & Backup Materials](#)

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12. **Discussion and Deliberation**
13. **Discussion by City Manager**
14. **Discussion by City Attorney**
15. **City Council Committee Reports**
16. **Statements by the Mayor and City Council**

ADJOURNMENT

Appeals

If any interested person desires to appeal any decision of the City Council with respect to any matter considered at this meeting, at his or her own expense, that person 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 Section 286.0105, F.S. The City of Riviera Beach does not prepare or provide such a record.